

**MINUTES OF THE SPECIAL MEETING OF THE COUNCIL
OF THE CITY OF AVON, OHIO, HELD TUESDAY, SEPTEMBER 5, 2023
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
IMMEDIATELY FOLLOWING THE WORK SESSION
9:00 P.M.**

The Chairman, Council President Brian Fischer, called the meeting to order and led the Pledge of Allegiance.

PRESENT

Council Members: Council-at-Large - Tammy Holtzmeier; 2nd Ward – Dennis McBride; 3rd Ward – Anthony Moore; 4th Ward – Scott Radcliffe; Council-at-Large – Craig Witherspoon; Council-at-Large and Council President – Brian Fischer; Mayor - Bryan Jensen; City Engineer – Ryan Cummins; Planning/Economic Development Coordinator – Pam Fechter; Law Director – John Gasior; Finance Director – Steve Presley; Safety/Service Director – Duane Streator; Clerk of Council – Barbara Brooks

ABSENT

1st Ward – Jennifer Demaline

EXECUTIVE SESSION: 9:01 P.M.

A motion was made by Mr. McBride and seconded by Mr. Moore to Enter Into Executive Session for the Purpose of Discussing the Purchase of Real Estate, and the vote was: Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chairman declared the motion passed.

RECONVENE: 9:08 P.M.

A motion was made by Mr. McBride and seconded by Mrs. Holtzmeier to Reconvene the Special Meeting of Council, and the vote was: Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mrs. Holtzmeier, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chairman declared the motion passed.

ORDINANCE NO. 100-23 – AUTHORIZING THE MAYOR TO ENTER INTO AN OPTION TO PURCHASE AGREEMENT TO ACQUIRE REAL ESTATE LOCATED ALONG THE WESTSIDE OF STONEY RIDGE ROAD AT THE WESTERN TERMINUS OF MILLS ROAD IN THE CITY OF AVON, PERMANENT PARCEL NOS. 04-00-012-101-023 & 04-00-012-101-077 FROM MARILYN MIKULIC, SUCCESSOR TRUSTEE OF THE JOHN J. MIKULIC TRUST DATED APRIL 28, 2009

The Clerk read Ordinance No. 100-23 by title only, entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER
INTO AN OPTION TO PURCHASE AGREEMENT TO ACQUIRE REAL ESTATE
LOCATED ALONG THE WESTSIDE OF STONEY RIDGE ROAD AT THE WESTERN
TERMINUS OF MILLS ROAD IN THE CITY OF AVON, PERMANENT PARCEL NOS.
04-00-012-101-023 & 04-00-012-101-077 FROM MARILYN MIKULIC, SUCCESSOR
TRUSTEE OF THE JOHN J. MIKULIC TRUST DATED APRIL 28, 2009
AND DECLARING AN EMERGENCY**

A motion was made by Mr. McBride and seconded by Mr. Moore to suspend the rules and act on Ordinance No. 100-23, and the vote was: Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chairman declared the motion passed.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Ordinance No. 100-23, and the vote was: Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chairman declared the motion passed.

RESOLUTION NO. R-27-23 – SUPPORTING THE SUBMISSION OF A CLEAN OHIO GREEN SPACE CONSERVATION PROGRAM FUNDING APPLICATION FOR THE PURCHASE OF LAND FOR THE PRESERVATION OF OPEN SPACE AND SENSITIVE ECOLOGICAL AREAS

The Clerk read Resolution No. R-27-23 by title only, entitled:

A RESOLUTION SUPPORTING THE SUBMISSION OF A CLEAN OHIO GREEN SPACE CONSERVATION PROGRAM FUNDING APPLICATION FOR THE PURCHASE OF LAND FOR THE PRESERVATION OF OPEN SPACE AND SENSITIVE ECOLOGICAL AREAS AND DECLARING AN EMERGENCY

A motion was made by Mr. McBride and seconded by Mr. Moore to suspend the rules and act on Resolution No. R-27-23, and the vote was: Mr. Witherspoon, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chairman declared the motion passed.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Resolution No. R-27-23, and the vote was: Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chairman declared the motion passed.

ADJOURN: 9:10 p.m.

A motion was made by Mr. McBride and seconded by Mr. Moore to adjourn the Special Meeting of Council, and the vote was: Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mrs. Holtzmeier, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chairman declared the motion passed.