

**PUBLIC HEARINGS
MONDAY, JANUARY 28, 2019**

7:15 P.M. – Council President Craig Witherspoon opened the Public Hearing for Resolution No. R-3-19

RESOLUTION NO. R-3-19 – A RESOLUTION TO APPROVE WITH MODIFICATION THE RENEWAL APPLICATION MADE BY ROY E. MILLER, TRUSTEE, TO HAVE CERTAIN LAND OWNED BY HIM LOCATED AT 2741 CENTER ROAD AND 36795 KINZEL ROAD, PERMANENT PARCEL NO. 10-04-00-014-107-016, CONSISTING OF 30.63 ACRES AND PERMANENT PARCEL NO. 10-04-00-014-107-015, CONSISTING OF 0.2 ACRES, DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT AND DECLARING AN EMERGENCY

There being no comments, the Public Hearing for Resolution No. R-3-19 was closed at 7:16 p.m.

7:20 P.M. – Council President Craig Witherspoon opened the Public Hearing for Resolution No. R-1-19

RESOLUTION NO. R-1-19 – A RESOLUTION TO APPROVE WITH MODIFICATION THE RENEWAL APPLICATION MADE BY JAMES E. AND MARY C. BRADY TO HAVE CERTAIN LAND OWNED BY THEM LOCATED AT 3332 CENTER ROAD, PERMANENT PARCEL NO. 10-04-00-014-105-063, DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT AND DECLARING AN EMERGENCY

There being no comments, the Public Hearing for Resolution No. R-1-19 was closed at 7:21 p.m.

7:25 P.M. – Council President Craig Witherspoon opened the Public Hearing for Resolution No. R-2-19

RESOLUTION NO. R-2-19 – A RESOLUTION TO APPROVE WITH MODIFICATION THE RENEWAL APPLICATION MADE BY KILLDEER LANE PROPERTIES, LLC (THOMAS DEMALINE), TO HAVE CERTAIN LAND OWNED BY IT LOCATED AT 4676 CENTER ROAD, PERMANENT PARCEL NO. 10-04-00-013-000-037, DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT AND DECLARING AN EMERGENCY

There being no comments, the Public Hearing for Resolution No. R-2-19 was closed at 7:26 p.m.

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF AVON, OHIO, HELD MONDAY, JANUARY 28, 2019
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
AT 7:30 P.M.**

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

PRESENT

Council Members: 1st Ward – Bob Butkowski; Council-at-Large – Brian Fischer; Council-at-Large – Tammy Holtzmeier; 2nd Ward – Dennis McBride; 3rd Ward – Anthony Moore; 4th Ward – Scott Radcliffe; Council-at-Large – Craig Witherspoon, Council President; Mayor – Bryan

Jensen; Service Director – Michael Farmer; Planning and Economic Development Coordinator – Pam Fechter; Law Director – John Gasior; Finance Director – William Logan; Clerk of Council – Barbara Brooks

ABSENT

City Engineer – Ryan Cummins

CORRESPONDENCE

The Clerk reported she received two requests from the Ohio Division of Liquor Control:

- New C-1 permit class from Meijer Stores Limited Partnership, DBA Meijer Gas Station 308 located at 1820 Nagel Road, Avon
- Trex Transfer D-1, D-2, D-6 permit Class to Three 30 Avon LLC, DBA Beerhead Bar & Eatery located at 1813 Nagel Road, Suite 100, Avon

No questions or concerns were voiced.

MINUTES OF THE MEETING OF THE FINANCE/SERVICE COMMITTEES OF COUNCIL HELD ON MONDAY, JANUARY 7, 2019

A motion was made by Mr. McBride and seconded by Mr. Fischer to dispense with the reading of the minutes of the Meeting of the Finance/Service Committees of Council held Monday, January 7, 2019, and to approve said minutes as published, and the vote was: Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

MINUTES OF THE WORK SESSION OF COUNCIL HELD MONDAY, JANUARY 7, 2019

A motion was made by Mr. McBride and seconded by Mr. Moore to dispense with the reading of the minutes of the Work Session of Council held Monday, January 7, 2019, and to approve said minutes as published, and the vote was: Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Butkowski, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

MINUTES OF THE REGULAR MEETING OF COUNCIL HELD MONDAY, JANUARY 14, 2019

A motion was made by Mr. McBride and seconded by Mr. Moore to dispense with the reading of the minutes of the Regular Meeting of Council held Monday, January 14, 2019, and to approve said minutes as published, and the vote was: Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

ORDINANCE NO. 7-19 – TO ACCEPT IMPROVEMENTS IN PALMER VILLAGE SUBDIVISION NO. 6

The Clerk read Ordinance No. 7-19 by title only, entitled:

**AN ORDINANCE TO ACCEPT IMPROVEMENTS IN PALMER VILLAGE
SUBDIVISION NO. 6 AND DECLARING AN EMERGENCY**

The Chairman declared this to be the first of three readings of Ordinance No. 7-19.

**ORDINANCE NO. 8-19 –DECLARING THE INTENTION OF THE CITY TO CONSENT TO
A PAVEMENT MAINTENANCE PROJECT ON INTERSTATE ROUTE 90 BY THE OHIO
DEPARTMENT OF TRANSPORTATION (ODOT)**

The Clerk read Ordinance No. 8-19 by title only, entitled:

**AN ORDINANCE DECLARING THE INTENTION OF THE CITY OF AVON TO
CONSENT TO A PAVEMENT MAINTENANCE PROJECT ON INTERSTATE ROUTE
90 BY THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT)
AND DECLARING AN EMERGENCY**

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to suspend the rules and act on Ordinance No. 8-19, and the vote was: Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

A motion was made by Mr. McBride and seconded by Mr. Moore to adopt Ordinance No. 8-19, and the vote was: Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

**ORDINANCE NO. 9-19 – AUTHORIZING THE MAYOR TO EXTEND THE
CONCESSIONS AGREEMENT BETWEEN THE BIG SHOW, LTD AND THE CITY
ENTERED INTO MAY 8, 2017 PURSUANT TO ORDINANCE NO. 36-17**

The Clerk read Ordinance No. 9-19 by title only, entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXTEND THE CONCESSIONS
AGREEMENT BETWEEN THE BIG SHOW, LTD AND THE CITY ENTERED INTO
ON MAY 8, 2017 PURSUANT TO ORDINANCE NO. 36-17
AND DECLARING AN EMERGENCY**

The Chairman declared this to be the first of three readings of Ordinance No. 9-19.

Mr. Gasior advised he met with Melissa Nelson of the Big Show and Recreation Coordinator, Ms. Harasimchuk last week and there was a change to be made to the agreement and he has not had a chance to get to that change. He asked the Council President to just declare this to be the first of three readings tonight and he hoped to have something at the next Work Session. He

added that they may be asking Council to hold a Special Meeting after next Monday night's Work Session for several items and they could add this legislation to that Special Meeting.

ORDINANCE NO. 10-19 – TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACTS WITH THE LORAIN COUNTY METROPOLITAN PARK DISTRICT AND WITH LICENSED EXCAVATORS FOR THE PURPOSE OF REMOVING SOILS FROM THE LORAIN COUNTY METROPARKS SITE AT RIEGELSBERGER AND JAYCOX ROADS PURSUANT TO THE CITY'S RIGHT OF FIRST REFUSAL PRESERVED UNDER THE PARTIES' CONTRACT OF SALE

The Clerk read Ordinance No. 10-19 by title only, entitled:

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACTS WITH THE LORAIN COUNTY METROPOLITAN PARK DISTRICT AND WITH LICENSED EXCAVATORS FOR THE PURPOSE OF REMOVING SOILS FROM THE LORAIN COUNTY METROPARKS SITE AT RIEGELSBERGER AND JAYCOX ROADS PURSUANT TO THE CITY'S RIGHT OF FIRST REFUSAL PRESERVED UNDER THE PARTIES' CONTRACT OF SALE AND DECLARING AN EMERGENCY

A motion was made by Mr. Fischer and seconded by Mr. Moore to suspend the rules and act on Ordinance No. 10-19, and the vote was: Mr. Radcliffe, "yes"; Mr. Butkowski, "yes"; Mr. Fischer, "yes"; Mrs. Holtzmeier, "yes"; Mr. McBride, "yes"; Mr. Moore, "yes"; Mr. Witherspoon, "yes".

The vote was 7 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. 10-19, and the discussion was:

Mr. Gasior pointed out that in the third Whereas they had to make a change and it reads that the Park District notified the City that it is proceeding with plans for the creation, preservation... He stated in the original draft he stated that they had already adopted plans, but they are just proceeding with the plans. Mr. Gasior advised the Park District wanted him to make that change after they reviewed the Ordinance so it was slightly different by about 5 or 6 words.

And the vote was: Mr. Butkowski, "yes"; Mr. Fischer, "yes"; Mrs. Holtzmeier, "yes"; Mr. McBride, "yes"; Mr. Moore, "yes"; Mr. Radcliffe, "yes"; Mr. Witherspoon, "yes".

The vote was 7 for and 0 against and the Chairman declared the motion passed.

ORDINANCE NO. 11-19 – TO AWARD THE BID FOR THE COLLECTION, TRANSPORTATION AND DELIVERY FOR DISPOSAL OR PROCESSING OF SOLID WASTE, RECYCLABLE MATERIALS AND YARD WASTE GENERATED BY RESIDENTIAL UNITS, MUNICIPAL FACILITIES AND DURING SPECIAL EVENTS AT DESIGNATED FACILITIES

The Clerk read Ordinance No. 11-19 by title only, entitled:

**AN ORDINANCE TO AWARD THE BID FOR THE COLLECTION,
TRANSPORTATION AND DELIVERY FOR DISPOSAL OR PROCESSING OF SOLID
WASTE, RECYCLABLE MATERIALS AND YARD WASTE GENERATED BY
RESIDENTIAL UNITS, MUNICIPAL FACILITIES AND DURING SPECIAL EVENTS
AT DESIGNATED FACILITIES AND TO AUTHORIZE THE MAYOR
TO ENTER INTO A CONTRACT**

The Chairman declared this to be the first of three readings of Ordinance No. 11-19.

Mr. Gasior pointed out that under the Charter he believes this has to go three readings. He said Council needs to act quickly despite the fact it has to go three readings and he is asking Council to consider a Special Meeting after next Monday night's Work Session, so the legislation can be read a second time and be subject to passage at the Regular Meeting on February 11th. Mr. Gasior advised this still gives us time to deal with the designated hauler to let them know the circumstances and give the Mayor time to enter into the contract with the hauler and still try to meet our April 1st deadline.

RESOLUTION NO. R-1-19 – TO APPROVE WITH MODIFICATION THE RENEWAL
APPLICATION FOR PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT
(JAMES E AND MARY C BRADY)

The Clerk read Resolution No. R-1-19 by title only, entitled:

**A RESOLUTION TO APPROVE WITH MODIFICATION THE RENEWAL
APPLICATION MADE BY JAMES E. AND MARY C. BRADY TO HAVE CERTAIN
LAND OWNED BY THEM LOCATED AT 3332 CENTER ROAD, PERMANENT
PARCEL NO. 10-04-00-014-105-063, DESIGNATED AS BEING LOCATED WITHIN AN
AGRICULTURAL DISTRICT AND DECLARING AN EMERGENCY**

A motion was made by Mr. McBride and seconded by Mr. Butkowski to suspend the rules and act on Resolution No. R-1-19, and the vote was: Mr. Fischer, "yes"; Mrs. Holtzmeier, "yes"; Mr. McBride, "yes"; Mr. Moore, "yes"; Mr. Radcliffe, "yes"; Mr. Butkowski, "yes"; Mr. Witherspoon, "yes".

The vote was 7 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-1-19, and the vote was: Mrs. Holtzmeier, "yes"; Mr. McBride, "yes"; Mr. Moore, "yes"; Mr. Radcliffe, "yes"; Mr. Butkowski, "yes"; Mr. Fischer, "yes"; Mr. Witherspoon, "yes".

The vote was 7 for and 0 against and the Chairman declared the motion passed.

RESOLUTION NO. R-2-19 – TO APPROVE WITH MODIFICATION THE RENEWAL
APPLICATION FOR PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT
(KILLDEER LANE PROPERTIES, LLC – THOMAS DEMALINE)

The Clerk read Resolution No. R-2-19 by title only, entitled:

A RESOLUTION TO APPROVE WITH MODIFICATION THE RENEWAL APPLICATION MADE BY KILLDEER LANE PROPERTIES, LLC (THOMAS DEMALINE), TO HAVE CERTAIN LAND OWNED BY IT LOCATED AT 4676 CENTER ROAD, PERMANENT PARCEL NO. 10-04-00-013-000-037, DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT AND DECLARING AN EMERGENCY

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to suspend the rules and act on Resolution No. R-2-19, and the vote was: Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

A motion was made by Mr. McBride and seconded by Mr. Moore to adopt Resolution No. R-2-19, and the vote was: Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

RESOLUTION NO. R-3-19 – TO APPROVE WITH MODIFICATION THE RENEWAL APPLICATION FOR PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT (ROY E. MILLER, TRUSTEE)

The Clerk read Resolution No. R-3-19 by title only, entitled:

A RESOLUTION TO APPROVE WITH MODIFICATION THE RENEWAL APPLICATION MADE BY ROY E. MILLER, TRUSTEE, TO HAVE CERTAIN LAND OWNED BY HIM LOCATED AT 2741 CENTER ROAD AND 36795 KINZEL ROAD, PERMANENT PARCEL NO. 10-04-00-014-107-016, CONSISTING OF 30.63 ACRES AND PERMANENT PARCEL NO. 10-04-00-014-107-015, CONSISTING OF 0.2 ACRES, DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT AND DECLARING AN EMERGENCY

A motion was made by Mr. McBride and seconded by Mr. Fischer to suspend the rules and act on Resolution No. R-3-19, and the vote was: Mr. Radcliffe, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

A motion was made by Mr. McBride and seconded by Mr. Moore to adopt Resolution No. R-3-19, and the vote was: Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

REPORTS AND COMMENTS

Mayor Jensen indicated that Council was emailed some pictures earlier of some damaged mailboxes where the homeowners claimed the damage occurred from a City snowplow truck. He said that typically we have had a loose interpretation of damaged mailboxes and the City has on a regular basis gone out and tried to fix anything that could be fixed. Mayor Jensen advised after this past weekend the City had two days of four employees repairing mailboxes all day long. He said despite that, the City still had some people who were critical on social media regarding the City's policy for repairing/replacing mailboxes. Mayor Jensen said in looking at the pictures Council could see that some of the mailboxes were pushed over or snapped off, but you can tell the base of the mailboxes are in real poor shape. He indicated as the neighborhoods get older, the mailbox posts deteriorate. Mayor Jensen stated that the City has worked out something with Bentley Park Homeowner's Association where they purchased and provided the City with repair pieces and we have worked with them very closely. They have had residents say even after the post has been replaced say that we did not replace it right, they have a \$600 mailbox and some people think it is upon the City to replace it regardless. Mayor Jensen advised one picture shows the house number of 36308 on the mailbox and that property owner was on social media bashing the City and the second picture of that mailbox clearly shows it is rotted at the base. He felt the request for the City to replace that mailbox for \$600 was not reasonable. The City replaced the 4 x4 with a 6x6 and used treated lumber and painted it. Mayor Jensen stated the claim was that it was entirely the City's responsibility when the picture clearly shows it was not. He would like to have Council provide some direction as to what degree the City should spend taxpayer dollars to replace a mailbox that is clearly the resident's responsibility. He said if one of our plows hits a mailbox, or if snow alone hits it a certain way that damages the mailbox they try to go out and fix it. Mayor Jensen explained that Mr. Loeser estimates the City has repaired over 200 mailboxes and they do not have a problem doing so if Council wants them to continue that practice, but when it is clearly someone else's responsibility he was not sure it is a good use of taxpayer dollars. He advised if the mailbox is hit with the City plow it is absolutely the City's problem. Mayor Jensen advised the City has gotten to the point where they have been too lenient in trying to make everyone happy and we just cannot. He stated he would like to take pictures after a mailbox is knocked over and show the resident so they can clearly see there was already damage at the base and not something the City caused and go from there.

COUNCIL MEMBERS:

Mr. Butkowski, Ward 1, had no comments.

Mr. Fischer, At Large, had no comments.

Mrs. Holtzmeier, At Large, speaking to the Mayor's point said that she knows at Planning they sometimes must create areas for a bank of mailboxes for developments because the U.S. Post Office wants these mailboxes separate from the residential unit. She asked if there is any thought to looking at doing something like that more universally.

Mayor Jensen advised if that is what Council wishes to do, we will do it. He said we have kind of taken that out of the equation with new developments and we work with some of the Homeowners Associations to transition. Mayor Jensen stated just having understandings within the Associations is helpful for all parties to know what their responsibilities are and what the City is responsible for and if the City is at fault we will absolutely take care of it.

Mrs. Holtzmeier advised in her own neighborhood there is currently discussion about looking at different prototypes of mailboxes and there has been a lot of support for getting rid of these mailboxes in front of residences.

Mayor Jensen advised they were more than happy to work with the Associations to change that if they choose. He said there is a lot of manhours involved in repairing these mailbox posts.

Ms. Fechter added that the Post Office no longer allows mailboxes in front of individual homes for new construction. She said all new subdivisions are required to do a CBU Collection Box Unit within the development. Ms. Fechter advised she and Mr. Gasior spent a large amount of time working on mailbox issues and met with officials from Cleveland and they have determined in Avon there will be no mailboxes in front of homes for new builds and that should help with developments coming into Avon.

Mrs. Holtzmeier advised she would like to schedule an Economic Development Committee Meeting for February 18, 2019. She said she and Ms. Fechter have discussed this and the Economic Development Department will be ready to internally launch the "All About Avon" Visitor's Bureau and Economic Development website. After a brief discussion it was determined that the meeting would be scheduled for 7:00 p.m. on that evening.

Ms. Fechter advised that Ms. Seroka would be giving a brief overview of the website and they would be providing everyone within the City a link to that website to review it and provide input back to them and they would go LIVE around the 1st of March.

Mr. McBride, Ward 2, felt the mail collection box units were an inconvenience for people. He said if we have to create a separate parcel for those collection boxes he felt the Post Office should be responsible for the property maintenance and the upkeep of those boxes although he understood the Homeowners Associations were taking on that responsibility. Mr. McBride said that no good deed goes unpunished regarding the mailbox repair complaints and that the City has been too nice. He advised that plowing heavy snow is an inherent risk and if someone's mailbox is not sufficient that is not the City's problem. He said if we are going to create some legislation then he felt we need to dictate the type of mailbox and mailbox post that can be installed, and it would look uniform throughout the City. Mr. McBride advised he has been in his own house not quite 20 years and he is on his third mailbox. He said it is a maintenance item and is no different than sealing your driveway or updating your kitchen or bathroom or any other work around your house. Mr. McBride stated in looking at the pictures of some of those mailboxes he felt that they were not only rotting away, but if there is grass around the post and the owner is using a string trimmer it chips away the wood eventually. He noted there are a lot of illegal mailboxes throughout the City according to the uniform traffic code such as the stone ones that are near the street along State routes. Mr. McBride advised serving on City Council as long as he has he believes this is the third or fourth time the City has had issues with mailboxes and maybe we should settle it once and for all and be done with it.

Mr. Moore, Ward 3, advised that several years ago his mailbox got hit and the City came and replaced it and they did a great job.

Mr. Radcliffe, Ward 4, suggested the City work with HOAs regarding maintaining mailboxes to remind them that it is up to the HOAs to keep the mailboxes in repair before they get to that stage. He agreed if the City hits them then we should replace them, but if the City does not hit them it is not the City's responsibility.

Mr. Witherspoon, Council President, had no comments.

DIRECTORS/ADMINISTRATION:

Mr. Cummins, City Engineer, was absent.

Mr. Farmer, Service Director, had no comments.

Ms. Fechter, Economic Development/Planning Coordinator, reminded Council that the grand opening for Planet Fitness will be Wednesday, January 30th from 4:00 to 7:00 p.m. at their location on Chester Road. She said Collin Sexton from the Cleveland Cavaliers would be present to sign autographs.

Mr. Gasior, Law Director, had no comments.

Mr. Logan, Finance Director, advised NOPEC is doing another Energized Community Grant, like we received last year for just over \$80,000 that was used for new traffic signalization along Chester Road. He said similarly this year's grant award is \$84,790 and it can be used for different energy related projects and we have until October to decide the project and file for the grant and collect the money whenever the project might occur. Mr. Logan stated he and Mayor Jensen have discussed a few projects the money could be used toward and they had a few ideas. He said last year they passed Ordinance No. 20-18 in March, which authorized the grant agreement, but we do not have to pass that type of Ordinance again this year, but Council will need to pass an Ordinance this year authorizing what the City would be doing with that grant money. Mr. Logan advised he would be emailing Council to solicit some ideas.

Mayor Jensen advised he and Mr. Logan discussed installing new lighting along Detroit Road and the light poles would hold the banners and would also hold the hanging flower baskets on the opposite side of the road. He said they could then remove the banners and lights that are on the telephone poles and it would look more uniform like a downtown landscape. Mayor Jensen stated that \$85,000 would not complete everything, but we could get a couple in place to see what it would look like. He said the French Creek Foundation has said they would like to help and he felt this would be the ideal place to start and they would listen if Council had any other ideas.

AUDIENCE:

Terry Mathes of 35094 Schwartz Road asked with regards to the dirt being removed from the Metroparks property if the route for the trucks hauling the dirt was known.

Mayor Jensen advised the initial scheduled route is to Schwartz Road to Nagel Road and then north to I-90.

Mr. Mathes inquired as to who would be monitoring that dirt as it will be hauled in winter.

Mayor Jensen advised they hope they have a system in place that whoever is awarded the contract will make certain they monitor the dirt coming off the truck tires.

Mr. Mathes felt it is going to be a muddy mess as he is familiar with construction sites.

Mayor Jensen advised once there is a plan in place they will have to monitor it. He said that Service Director Farmer will be the one who will handle most of the phone calls if there are issues. Mayor Jensen stated they would stay on top of the contractor to make sure they keep the streets swept. He said there might also be times where they may not be able to haul dirt because of the weather if it is too wet.

Mr. Mathes said if it is very wet it could damage the roadway as that would be very heavy. He stated he would hate for his street to get torn up and have mud in his driveway and in his garage.

Mayor Jensen suggested he call him directly and let him know if there are any issues, but they would try to monitor it everyday as they were working.

EXECUTIVE SESSION: 8:05 p.m.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to Enter Into Executive Session for the Purpose of Discussing a Personnel Matter Involving Discipline, and the vote was: Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Butkowski, “yes”; Mr. Witherspoon, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

RECONVENE: 8:25 p.m.

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

The vote was 7 for and 0 against and the Chairman declared the motion passed.

ADJOURN: 8:26 p.m.

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

The vote was 7 for and 0 against and the Chairman declared the motion passed.