

**MINUTES OF THE SPECIAL MEETING OF THE COUNCIL
OF THE CITY OF AVON, OHIO, HELD WEDNESDAY, APRIL 17, 2019
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
6:30 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; 2nd Ward – Dennis McBride; 3rd Ward – Anthony Moore; 4th Ward – Scott Radcliffe; Council-at-Large – Craig Witherspoon; Mayor - Bryan Jensen; City Engineer – Ryan Cummins; Service Director – Michael Farmer; Planning and Economic Development Coordinator – Pam Fechter; Law Director – John Gasior; Clerk of Council – Barbara Brooks

ABSENT

Council-at-Large - Tammy Holtzmeier; Finance Director – William Logan

ORDINANCE NO. 32-19 – TO AMEND THE SPECIAL USE PERMIT GRANTED TO NICK RAK TO ALLOW HIS TENANT, BAR NOVA, TO CONSTRUCT A NEW STAMPED CONCRETE OUTDOOR PATIO WITH RETAINING WALL AT 36816 DETROIT ROAD

The Clerk read Ordinance No. 32-19 by title only, entitled:

AN ORDINANCE TO AMEND THE SPECIAL USE PERMIT GRANTED TO NICK RAK TO ALLOW HIS TENANT, BAR NOVA, TO CONSTRUCT A NEW STAMPED CONCRETE OUTDOOR PATIO WITH RETAINING WALL AT 36816 DETROIT ROAD 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. 32-19, and the vote was: Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “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. Moore to adopt Ordinance No. 32-19, and the vote was: Mr. Fischer, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Butkowski, “yes”; Mr. Witherspoon, “yes”.

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

ORDINANCE NO. 35-19 – TO AWARD THE BID FOR THE PARKVIEW DRIVE PAVEMENT RESURFACING PROJECT

The Clerk read Ordinance No. 35-19 by title only, entitled:

AN ORDINANCE TO AWARD THE BID FOR THE PARKVIEW DRIVE PAVEMENT RESURFACING PROJECT AND DECLARING AN EMERGENCY

The Chairman declared this to be the second of three readings of Ordinance No. 35-19.

A motion was made by Mr. McBride and seconded by Mr. Butkowski to suspend the rules and act on Ordinance No. 35-19, and the vote was: Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mr. Witherspoon, “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. 35-19, and the vote was: Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mr. McBride, “yes”; Mr. Witherspoon, “yes”.

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

ORDINANCE NO. 36-19 – TO AWARD THE BID FOR THE KINZEL ROAD PAVEMENT RESURFACING PROJECT

The Clerk read Ordinance No. 36-19 by title only, entitled:

AN ORDINANCE TO AWARD THE BID FOR THE KINZEL ROAD PAVEMENT RESURFACING PROJECT AND DECLARING AN EMERGENCY

The Chairman declared this to be the second of three readings of Ordinance No. 36-19.

A motion was made by Mr. McBride and seconded by Mr. Moore to suspend the rules and act on Ordinance No. 36-19, and the vote was: Mr. Radcliffe, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Witherspoon, “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. Butkowski to adopt Ordinance No. 36-19, and the vote was: Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”.

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

ORDINANCE NO. 37-19 – AUTHORIZING THE MAYOR TO TAKE ALL ACTIONS NECESSARY TO ACCEPT THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) ENERGIZED COMMUNITY GRANT(S)

The Clerk read Ordinance No. 37-19 by title only, entitled:

AN ORDINANE AUTHORIZING THE MAYOR TO TAKE ALL ACTIONS NECESSARY TO ACCEPT THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) ENERGIZED COMMUNITY GRANT(S) 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. 37-19, and the vote was: Mr. Fischer, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Butkowski, “yes”; Mr. Witherspoon, “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. Moore to adopt Ordinance No. 37-19, and the vote was: Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mr. Witherspoon, “yes”.

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

ORDINANCE NO. 38-19 – AUTHORIZING THE CITY TO PARTICIPATE WITH THE CITY OF NORTH RIDGEVILLE IN THE PREPARATION OF REVISED ENGINEERING PLANS AND GRANT FUNDING APPLICATIONS FOR THE REPLACEMENT OF THE MILLS ROAD BRIDGE OVER FRENCH CREEK AND APPROPRIATING THE NECESSARY FUNDING

The Clerk read Ordinance No. 38-19 by title only, entitled:

AN ORDINANCE AUTHORIZING THE CITY TO PARTICIPATE WITH THE CITY OF NORTH RIDGEVILLE IN THE PREPARATION OF REVISED ENGINEERING PLANS AND GRANT FUNDING APPLICATIONS FOR THE REPLACEMENT OF THE MILLS ROAD BRIDGE OVER FRENCH CREEK AND APPROPRIATING THE NECESSARY FUNDING AND DECLARING AN EMERGENCY

The Chairman declared this to be the second of three readings of Ordinance No. 38-19.

A motion was made by Mr. McBride and seconded by Mr. Butkowski to suspend the rules and act on Ordinance No. 38-19, and the vote was: Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mr. McBride, “yes”; Mr. Witherspoon, “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. Moore to adopt Ordinance No. 38-19, and the vote was: Mr. Radcliffe, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Witherspoon, “yes”.

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

ADJOURN: 6:37 p.m.

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

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