

**MINUTES OF THE SPECIAL MEETING OF THE COUNCIL  
OF THE CITY OF AVON, OHIO, HELD MONDAY, JUNE 21, 2021  
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING  
IMMEDIATELY FOLLOWING THE WORK SESSION  
8:45 P.M.**

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

PRESENT

Council Members: 1<sup>st</sup> Ward – Bob Butkowski; Council-at-Large – Tammy Holtzmeier; 2<sup>nd</sup> Ward – Dennis McBride; 3<sup>rd</sup> Ward – Anthony Moore; 4<sup>th</sup> Ward – Scott Radcliffe; Council-at-Large – Craig Witherspoon; Council-at-Large and Council President Brian Fischer; Mayor - Bryan Jensen; City Engineer – Ryan Cummins; Service Director – Michael Farmer; Law Director – John Gasior; Finance Director – William Logan; Safety Director – Duane Streater; Assistant Clerk of Council – Gail Hayden

ABSENT

Planning and Economic Development Coordinator – Pam Fechter

ORDINANCE NO. 38-21 – DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF AVON TO BE A PUBLIC PURPOSE; DECLARING THE IMPROVEMENT OF SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATING INFRASTRUCTURE IMPROVEMENTS MADE, TO BE MADE, OR IN THE PROCESS OF BEING MADE, THAT DIRECTLY BENEFIT, OR THAT ONCE MADE WILL DIRECTLY BENEFIT, SUCH PROPERTY FOR WHICH IMPROVEMENT IS DECLARED TO BE A PUBLIC PURPOSE; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND; AUTHORIZING EXECUTION OF ONE OR MORE TAX INCREMENT FINANCING AGREEMENTS; PROVIDING RELATED AUTHORIZATIONS

The Clerk read Ordinance No. 38-21 by title only, entitled:

**AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF AVON TO BE A PUBLIC PURPOSE; DECLARING THE IMPROVEMENT OF SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATING INFRASTRUCTURE IMPROVEMENTS MADE, TO BE MADE, OR IN THE PROCESS OF BEING MADE, THAT DIRECTLY BENEFIT, OR THAT ONCE MADE WILL DIRECTLY BENEFIT, SUCH PROPERTY FOR WHICH IMPROVEMENT IS DECLARED TO BE A PUBLIC PURPOSE; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING**

**A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND;  
AUTHORIZING EXECUTION OF ONE OR MORE TAX INCREMENT FINANCING  
AGREEMENTS; PROVIDING RELATED AUTHORIZATIONS;  
AND DECLARING AN EMERGENCY**

The Chairman declared this to be the second of three readings of Ordinance No. 38-21.

A motion was made by Mr. McBride and seconded by Mr. Moore to suspend the rules and act on Ordinance No. 38-21, and the vote was: Mr. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Fischer, “yes”.

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

A motion was made by Mr. Radcliffe and seconded by Mr. Moore to adopt Ordinance No. 38-21, and the vote was: Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”.

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

**ORDINANCE NO. 44-21 – ACCEPTING THE INSURANCE PROPOSAL SUBMITTED BY  
ARTHUR J. GALLAGHER & CO.**

The Clerk read Ordinance No. 44-21 by title only, entitled:

**AN ORDINANCE ACCEPTING THE INSURANCE PROPOSAL  
SUBMITTED BY ARTHUR J. GALLAGHER & CO.  
AND DECLARING AN EMERGENCY**

The Chairman declared this to be the second of three readings of Ordinance No. 44-21.

A motion was made by Mr. McBride and seconded by Mr. Moore to suspend the rules and act on Ordinance No. 44-21, and the vote was: Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. Fischer, “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 amend Ordinance No. 44-21, and the discussion was:

Mr. Gasior stated that the reason that Council has to amend this Ordinance is because last week the Ordinance was read with blanks. It probably should not have been on the agenda last week but it was. Since then he and Mr. Logan have inserted the numbers and so technically it is an amendment by having the numbers in there. That is why Council is being asked to amend it, and then will be asked to adopt it as amended.

The vote was: Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Fischer, “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. 44-21 as amended, and the vote was: Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Fischer, “yes”.

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

RESOLUTION NO. R-15-21 – REQUESTING THAT THE COUNTY AUDITOR, PURSUANT TO OHIO REVISED CODE SECTION 5705.03, CERTIFY TO THE CITY OF AVON THE TOTAL CURRENT TAX VALUATION OF THE CITY OF AVON HAVING TERRITORY LOCATED IN LORAIN COUNTY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A ONE-HALF (.50) MILL RENEWAL LEVY FOR THE AVON POLICE DEPARTMENT

The Clerk read Resolution No. R-15-21 by title only, entitled:

**A RESOLUTION REQUESTING THAT THE COUNTY AUDITOR, PURSUANT TO OHIO REVISED CODE SECTION 5705.03, CERTIFY TO THE CITY OF AVON THE TOTAL CURRENT TAX VALUATION OF THE CITY OF AVON HAVING TERRITORY LOCATED IN LORAIN COUNTY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A ONE-HALF (.50) MILL RENEWAL LEVY FOR THE AVON POLICE DEPARTMENT 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-15-21, and the vote was: Mr. Witherspoon, “yes”; Mr. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Fischer, “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-15-21, and the vote was: Mr. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Fischer, “yes”.

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

RESOLUTION NO. R-16-21 – REQUESTING THAT THE COUNTY AUDITOR, PURSUANT TO OHIO REVISED CODE SECTION 5705.03, CERTIFY TO THE CITY OF AVON THE TOTAL CURRENT TAX VALUATION OF THE CITY OF AVON HAVING

TERRITORY LOCATED IN LORAIN COUNTY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A ONE-HALF (.50) MILL RENEWAL LEVY FOR THE AVON FIRE DEPARTMENT

The Clerk read Resolution No. R-16-21 by title only, entitled:

**A RESOLUTION REQUESTING THAT THE COUNTY AUDITOR, PURSUANT TO OHIO REVISED CODE SECTION 5705.03, CERTIFY TO THE CITY OF AVON THE TOTAL CURRENT TAX VALUATION OF THE CITY OF AVON HAVING TERRITORY LOCATED IN LORAIN COUNTY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A ONE-HALF (.50) MILL RENEWAL LEVY FOR THE AVON FIRE DEPARTMENT 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-16-21, and the vote was: Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “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-16-21, and the vote was: Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. Fischer, “yes”.

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

RESOLUTION NO. R-17-21 – OPPOSING THE PASSAGE OF THE OHIO SENATE BUDGET AMENDMENT TO SUB. H.B. 110 INsofar AS IT PROHIBITS OR SIGNIFICANTLY LIMITS THE OPERATION, MAINTENANCE, OR CONSTRUCTION OF BROADBAND SERVICES BY GOVERNMENT-OWNED NETWORKS IN THE STATE OF OHIO

The Clerk read Resolution No. R-17-21 by title only, entitled:

**A RESOLUTION OPPOSING THE PASSAGE OF THE OHIO SENATE BUDGET AMENDMENT TO SUB. H.B. 110 INsofar AS IT PROHIBITS OR SIGNIFICANTLY LIMITS THE OPERATION, MAINTENANCE, OR CONSTRUCTION OF BROADBAND SERVICES BY GOVERNMENT-OWNED NETWORKS IN THE STATE OF OHIO 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-17-21, and the vote was: Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Fischer, “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-17-21, and the vote was: Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Fischer, “yes”.

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

EXECUTIVE SESSION: 8:50 P.M.

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

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

RECONVENE: 9:25 P.M.

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

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

ADJOURN: 9:26 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. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Fischer, “yes”.

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

