

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL  
OF THE CITY OF AVON, OHIO, HELD MONDAY, SEPTEMBER 13, 2021  
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING  
AT 7:30 P.M.**

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

**PRESENT:**

Council Members: 1<sup>st</sup> Ward – Bob Butkowski; Council-at-Large and Council President – Brian Fischer; 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; Mayor - Bryan Jensen; City Engineer – Ryan Cummins; Service Director – Michael Farmer; Planning and Economic Development Coordinator – Pam Fechter; Law Director – John Gasior; Finance Director - William Logan; Safety Director – Duane Streater; Clerk of Council – Barbara Brooks

**CORRESPONDENCE**

The Clerk advised she received a request from the Ohio Division of Liquor Control for a change in Stock for KDB Management Inc. dba Bar Nova & Patios located at 36816 Detroit Road, Avon

No concerns were voiced and no requests for a hearing were made.

**ADDITIONS AND DELETIONS TO THE AGENDA**

A motion was made by Mr. McBride and seconded by Mr. Moore to amend the agenda by the addition of Ordinance No. 70-21, To Establish the Tree Commission of the City of Avon and Define its Powers and Duties, as item #13a, 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.

**MINUTES OF THE WORK SESSION OF COUNCIL HELD MONDAY, AUGUST 2, 2021**

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, August 2, 2021, and to approve said minutes as published, 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.

**MINUTES OF THE MEETING OF THE LEGAL COMMITTEE OF COUNCIL HELD MONDAY, AUGUST 9, 2021**

A motion was made by Mr. McBride and seconded by Mr. Moore to dispense with the reading of the minutes of the meeting of the Legal Committee of Council held Monday, August 9, 2021, and to approve said minutes as published, 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.

MINUTES OF THE REGULAR MEETING OF COUNCIL HELD MONDAY, AUGUST 9, 2021

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, August 9, 2021, and to approve said minutes as published, 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.

ORDINANCE NO. 62-21 – AMENDING “SCHEDULE 1294.08(a)” OF THE CODIFIED ORDINANCES OF THE CITY REGARDING REQUIREMENTS FOR FENCES AND WALLS

The Clerk read Ordinance No. 62-21 by title only, entitled:

**AN ORDINANCE AMENDING “SCHEDULE 1294.08(a)” OF THE CODIFIED ORDINANCES OF THE CITY OF AVON REGARDING REQUIREMENTS FOR FENCES AND WALLS**

The Chairman declared this to be the second of three readings of Ordinance No. 62-21 and a Public Hearing will be held on Monday, September 27, 2021 at 7:25 p.m.

ORDINANCE NO. 65-21 – REAPPROPRIATIONS

The Clerk read Ordinance No. 65-21 by title only, entitled:

**AN ORDINANCE TO AMEND AND SUPPLEMENT APPROPRIATIONS ORDINANCE NO. 108-20 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. 65-21, 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.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Ordinance No. 65-21, 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.

ORDINANCE NO. 66-21 – GRANTING A SPECIAL USE PERMIT TO CITY CENTRE OF AVON, LLC TO ALLOW FOR THE ELIMINATION OF TWO PARKING SPACES TO EXTEND THE OUTDOOR PATIO SEATING AREA INTO THE PARKING LOT FOR THEIR TENANT, GATOR ICE CREAM, LLC (dba HANDEL’S ICE CREAM) AT 35925 DETROIT ROAD

The Clerk read Ordinance No. 66-21 by title only, entitled:

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO CITY CENTRE OF AVON, LLC TO ALLOW FOR THE ELIMINATION OF TWO PARKING**

**SPACES TO EXTEND THE OUTDOOR PATIO SEATING AREA INTO THE  
PARKING LOT FOR THEIR TENANT, GATOR ICE CREAM, LLC (dba  
HANDEL'S ICE CREAM) AT 35925 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. 66-21, 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.

Mr. Gasior advised the Ordinance is written in the affirmative and in order to put it on the floor, they will need to make a motion to place it on the floor and then they could vote as they see fit.

A motion was made by Mr. McBride and seconded by Mr. Fischer to adopt Ordinance No. 66-21, and the discussion was:

Mr. Gasior further explained that because the Ordinance is written in the affirmative, they needed to put it on the floor by motion to adopt and a second and then it is ripe to be voted upon and then each Council Member can vote either yea or nay. He advised he does not write the ordinances presuming them to be failures. As such, the Ordinance is written in the affirmative to grant the Special Use and it is on the floor now for a vote with a motion and a second and they each can vote as they deem appropriate.

Mr. Fischer asked Ms. Fechter to remind Council of the Planning Commission recommendation.

Ms. Fechter advised the Planning Commission made a negative recommendation.

And the vote was: Mrs. Holtzmeier, "no"; Mr. McBride, "no"; Mr. Moore, "no"; Mr. Radcliffe, "no"; Mr. Witherspoon, "no"; Mr. Butkowski, "no"; Mr. Fischer, "no".

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

ORDINANCE NO. 67-21 – AMENDING SECTIONS 210.01(f)(1)(A), 1226.01, 1226.02, 1226.07 AND 1262.08 OF THE CODIFIED ORDINANCES OF THE CITY REGARDING ZONING PERMIT FEES

The Clerk read Ordinance No. 67-21 by title only, entitled:

**AN ORDINANCE AMENDING SECTIONS 210.01(f)(1)(A), 1226.01, 1226.02,  
1226.07 and 1262.08 OF THE CODIFIED ORDINANCES OF THE  
CITY OF AVON REGARDING ZONING PERMIT FEES**

The Chairman declared this to be the first of three readings of Ordinance No. 67-21 and a Public Hearing will be held on Tuesday, October 12, 2021 at 7:25 p.m.

Mr. Gasior advised he made a couple of changes to this Ordinance since the Work Session and they are highlighted in the Ordinance. He said at the next Work Session they can discuss those changes and any other issues that Council may want to raise about the Ordinance.

ORDINANCE NO. 68-21 – AUTHORIZING THE MAYOR TO ENTER INTO A LEASE EXTENSION WITH THE UNITED STATES POSTAL SERVICE FOR APPROXIMATELY 6,520 SQUARE FEET OF SPACE LOCATED AT 36295 DETROIT ROAD

The Clerk read Ordinance No. 68-21 by title only, entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE EXTENSION WITH THE UNITED STATES POSTAL SERVICE FOR APPROXIMATELY 6,520 SQUARE FEET OF SPACE LOCATED AT 36295 DETROIT ROAD 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. 68-21, 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 adopt Ordinance No. 68-21, 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.

ORDINANCE NO. 69-21 – TO ACCEPT DEDICATION OF PUBLIC RIGHT OF WAY AND PERMANENT UTILITY EASEMENTS ALONG CHESTER ROAD AND WITHIN THE CONCORD VILLAGE DEVELOPMENT

The Clerk read Ordinance No. 69-21 by title only, entitled:

**AN ORDINANCE TO ACCEPT DEDICATION OF PUBLIC RIGHT OF WAY AND PERMANENT UTILITY EASEMENTS ALONG CHESTER ROAD AND WITHIN THE CONCORD VILLAGE DEVELOPMENT 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. 69-21, 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.

A motion was made by Mr. McBride and seconded by Mr. Moore to adopt Ordinance No. 69-21, 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.

ORDINANCE NO. 70-21 – TO ESTABLISH THE TREE COMMISSION OF THE CITY OF AVON AND DEFINE ITS POWERS AND DUTIES

The Clerk read Ordinance No. 70-21 by title only, entitled:

**AN ORDINANCE TO ESTABLISH THE TREE COMMISSION OF  
THE CITY OF AVON AND DEFINE ITS POWERS AND DUTIES  
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. 70-21, 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. McBride and seconded by Mr. Moore to adopt Ordinance No. 70-21, and the discussion was:

Mr. McBride advised as a point of clarification, he believes there was some confusion at the last meeting when they reviewed the Ordinance. He said it still will go back to the Legal Committee of Council, but they want to get the Commission established and the Legal Committee and the other members of Council can then establish some of the ground rules for that Commission. Mr. McBride stated despite what some people say there will some banned species of trees as he believes there are approximately a half dozen species that should not be planted ever anywhere because they are invasive. He advised they at least want to get this commission moving and not lose more time.

Mrs. Holtzmeier inquired if and when the Tree Commission is established, in absence of a plan telling Council what they will do, what were the first three things that the Commission will hope to accomplish?

Mayor Jensen advised there will not be anything for the Tree Commission to accomplish until the Legal Committee meets to put something together. He said tonight they are just saying there will be a Commission.

Mrs. Holtzmeier asked if that means the Legal Committee will create a plan to which Mayor Jensen answered yes. She said that would be the first thing they should expect to see and review. Mrs. Holtzmeier encouraged members of the Committee to have the discipline to put that plan together and to see it through. She stated the creation of a Commission is not a short-term endeavor, but a long-term point to help preserve trees in the City. Mrs. Holtzmeier advised the discipline to have a plan and to follow a plan is something that she would support. She said she looks forward to seeing a plan come from the Legal Committee.

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.

**RESOLUTION NO. R-25-21 – SUPPORTING THE SUBMISSION OF A CLEAN OHIO GREEN SPACE CONSERVATION PROGRAM FUNDING APPLICATION FOR THE PURCHASE OF LAND FOR THE PRESERVATION OF OPEN SPACE, SENSITIVE ECOLOGICAL AREAS AND STREAM CORRIDORS**

The Clerk read Resolution No. R-25-21 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,  
SENSITIVE ECOLOGICAL AREAS AND STREAM CORRIDORS  
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-25-21, 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 adopt Resolution No. R-25-21, 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.

**REPORTS AND COMMENTS**

MAYOR JENSEN advised as some may recall that last Monday they received word that a family in Avon Lake was lost to an apparent murder/suicide and then they remembered the life of Maxton Soviak who was killed in Afghanistan and a ceremony was held in Avon and then we held the 20<sup>th</sup> anniversary remembrance ceremony in Avon of the attack on the United States on September 11, 2001. He said he appreciates all those who came out to these ceremonies to remember these losses and he appreciates those who have kept the families in Avon Lake in their prayers for this tragic loss. Mayor Jensen advised it was a sad week for all of us.

**COUNCIL MEMBERS:**

MR. BUTKOWSKI, WARD 1, had no comments.

MRS. HOLTZMEIER, AT LARGE, asked if there was an update on the damage that was caused by the rain event on August 25, 2021 when they had the sewer and storm water back up.

Mayor Jensen advised there is a meeting tomorrow night in Council Chambers at 6:00 p.m. with the affected residents to go over the issue. He said there was over 3” of rainfall in a short amount of time and the Utilities Department and the City Engineer, Mr. Cummins have gone over some of the things that are suspected to be a problem. Mayor Jensen stated where the sewage came up through sewer lines, the City used a camera system and they did not find anything of significance but there are some old sanitary sewer lines along Eaton Drive and they are in discussions of how that needs fixed. He advised they are going to continue to do some monitoring with dyes and smoke to see if there is any other infiltration that the camera might have missed along those lines. Mayor Jensen said a bunch of residents will be here tomorrow night to listen to what was found out. He stated there are things that have already been corrected, but there are things that some in the neighborhood have placed in the drainage ditches and the City has pictures that they can show the residents that live in that area. Mayor Jensen advised the City does have some plans for some stop measures for those residents that sustained flood damage so it will not come up into their basement again from the sanitary sewer line. He said it is not a simple answer that

points to one item as the problem, but there are many issues in that area that the City intends to correct and also work with those residents to make sure it does not happen again.

Mrs. Holtzmeier advised as they are reviewing that if there are things that Council can do to help such as provide for those funds to please let them know. She said that is why those storm water fees have been established. Mrs. Holtzmeier asked if all the residents of the Northgate Subdivision are aware of tomorrow night's meeting.

Mayor Jensen stated that Mr. McBride has put that together and has been in contact with most of those residents as many of them reached out to their Council Member. He said he thinks they are prepared for everything that someone may bring up and everyone who reached out to the City has been contacted about the meeting tomorrow night. Mayor Jensen indicated Council may see some budgetary items come through for repairs to areas in need.

Mrs. Holtzmeier advised a lot of time residents see the effect and they do not understand or perhaps they are not aware of all that the City is doing to help mitigate the cause of the storm damage and discover what happened and fix it so that it does not happen again. She said she appreciates Mayor Jensen going over those points.

MR. MCBRIDE, WARD 2, also announced the meeting tomorrow night at 6:00 p.m. in Council Chambers with affected residents from the recent storm and backups. He said there was some thought that the meeting might be at the Community Center in Northgate, but Council Chambers is a more appropriate location. Mr. McBride advised the City still has more work to do and there were some who felt the City needed to stop the water coming from North Ridgeville and he does not know if that is the issue. He stated there is some due diligence that still needs to occur before the City can make a definitive answer. Mr. McBride said doing a series of corrections hopefully will solve all the issues in Northgate and some will be the City's responsibility and some will be the home owners' responsibility to take care of.

MR. MOORE, WARD 3, had no comments.

MR. RADCLIFFE, WARD 4, had no comments.

MR. WITHERSPOON, AT LARGE, had no comments.

MR. FISCHER, AT LARGE, recognized the City Administration, especially Mayor Jensen, the Avon Police Department, the Avon Fire Department, Avon Safety Director Streater, the Avon Choir, the Chaplains who spoke this weekend and the Avon Band Director Aaron Jacobs for a great ceremony for the September 11<sup>th</sup> tribute. He advised the memorial service was fantastic as always. Mr. Fischer stated one of the biggest compliments the City receives is how well done the September 11<sup>th</sup> ceremony is as well as the Memorial Day service. He said as not only a Council Member, but as a resident of Avon, it is much appreciated and he thanked all those who had a part.

#### DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER, had no comments.

MR. FARMER, SERVICE DIRECTOR, had no comments.

MS. FECHTER, ECONOMIC DEVELOPMENT/PLANNING COORDINATOR, had no comments.

MR. GASIOR, LAW DIRECTOR, had no comments.

MR. LOGAN, FINANCE DIRECTOR, had no comments.

MR. STREATOR, SAFETY DIRECTOR, advised he wanted to provide an update on the radio project for the Fire Department as there is some great news. He said they were awarded that million dollar grant that was applied for about two years ago. Mr. Streator stated there were two parts to the radio project; the radio system and the equipment and along with four other cities we had applied for a federal grant through the Assistance to Firefighter's Grant. He advised they were turned down for the grant the first time they applied, but this time they were successful in obtaining a grant. Mr. Streator said the grant is roughly \$960,000 for the five cities for the radios. He stated Fire Chief Swope was meeting with the other chiefs last Friday and putting together the plan to purchase the equipment through that grant. Mr. Streator advised the second part is that about 3 months ago Council approved the Mayor to sign the agreement to work with Cleveland Communications to build the system and once the system is built they will pay a per radio fee to use that system. He said that process is ongoing, and he just received word today that the building permit has been obtained to install the antenna on the Mills Road water tower, which is part of the system and the other part is the water tower in Avon Lake and the tower at the Lorain County Community College. Mr. Streator stated they anticipate the system to be up and running within the next couple months. He advised some Council Members might have seen in the news where North Ridgeville elected not to go with this system at this point as they still need to upgrade. Mr. Streator said the question was asked of him if Avon can still communicate with North Ridgeville's radio system and with the new radios that Avon will be using we can as they will be multi-band radios and even if North Ridgeville does not upgrade their system, Avon will still have the ability to communicate with them and actually better than before with these new radios.

Mr. Streator advised they received information on Friday that the City was awarded another grant from the Assistance to Firefighter's Grant to purchase SCBA's or Self Contained Breathing Apparatus for the Fire Department and that grant is for \$170,000 and will help to replace some of the equipment that is approximately 17-23 years old and should have been replaced at a 10 year life span. He said that is all good news in the Fire Department and they hope to make those upgrades and improve the operations.

Mr. McBride advised he did not realize those SCBA units were that old. He asked if that would become a Fire Department capital budget to replace those when it is time or just wait for another grant.

Mr. Streator advised the grant is a ten percent matching grant and that amount should cover the purchase of all the ones needed to be replaced and have a few extra on hand.

AUDIENCE: There were no comments from the audience.

EXECUTIVE SESSION: 7:56 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/Sale of Real Estate and for the Purpose of Discussing Pending/Imminent Litigation, 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.

RECONVENE: 8:26 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: 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.

ORDINANCE NO. 71-21 – AUTHORIZING THE MAYOR TO ENTER INTO AN OPTION TO PURCHASE PROPERTY

The Clerk read Ordinance No. 71-21 by title only, entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN OPTION TO PURCHASE REAL ESTATE LOCATED ALONG THE WEST SIDE OF STONEY RIDGE ROAD, SOUTH OF CENTENNIAL AVENUE, CONSISTING OF APPROXIMATELY 37.50 ACRES OF LAND (THE TRAXLER PROPERTY) 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. 71-21, 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. McBride and seconded by Mr. Radcliffe to adopt Ordinance No. 71-21, 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.

ADJOURN: 8:28 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. 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.