

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF AVON, OHIO, HELD MONDAY, OCTOBER 26, 2020
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
AT 7:37 P.M.**

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

PRESENT

Council Members: 1st Ward – Bob Butkowski; 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 – Brian Fischer, Council President; Mayor - Bryan Jensen; City Engineer – Ryan Cummins; Service Director – Michael Farmer; Planning and Economic Development Coordinator – Pam Fechter; Finance Director – William Logan; Safety Director - Duane Streator; Acting Law Director - Thomas Stringer; Clerk of Council – Barbara Brooks

ABSENT - Law Director – John Gasior

ADDITIONS AND DELETIONS TO THE AGENDA

A motion was made by Mr. McBride and seconded by Mr. Butkowski to remove item #7, Ordinance No. 89-20 – To Accept Improvements in Red Tail Subdivision No. 16, from the agenda 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 accept the agenda as amended, 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 WORK SESSION OF COUNCIL HELD MONDAY, OCTOBER 5, 2020

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, October 5, 2020, 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 TUESDAY, OCTOBER 13, 2020

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 Tuesday, October 13, 2020, 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. 96-20 – REAPPROPRIATIONS

The Clerk read Ordinance No. 96-20 by title only, entitled:

**AN ORDINANCE TO AMEND AND SUPPLEMENT
APPROPRIATIONS ORDINANCE NO. 104-19
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. 96-20, 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. 96-20, 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. 97-20 – APPROVING THE EDITING AND INCLUSION OF CERTAIN
ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED
ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN
THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND
RESOLUTIONS IN CONFLICT THEREWITH

The Clerk read Ordinance No. 97-20 by title only, entitled:

**AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN
ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE
CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND
PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED
CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS
IN CONFLICT THEREWITH 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. 97-20, 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. 97-20, 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-22-20 – SUPPORTING THE SUBMISSION OF AN OHIO PUBLIC WORKS COMMISSION (OPWC) STATE ISSUE ONE FUNDING APPLICATION FOR THE CHESTER ROAD WIDENING PHASE II PROJECT

The Clerk read Resolution No. R-22-20 by title only, entitled:

A RESOLUTION SUPPORTING THE SUBMISSION OF AN OHIO PUBLIC WORKS COMMISSION (OPWC) STATE ISSUE ONE FUNDING APPLICATION FOR THE CHESTER ROAD WIDENING PHASE II PROJECT 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-22-20, 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-22-20, 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.

RESOLUTION NO. R-23-20 – SUPPORTING THE SUBMISSION OF AN OHIO PUBLIC WORKS COMMISSION (OPWC) STATE ISSUE ONE FUNDING APPLICATION FOR THE JAYCOX ROAD RESURFACING PROJECT

The Clerk read Resolution No. R-23-20 by title only, entitled:

A RESOLUTION SUPPORTING THE SUBMISSION OF AN OHIO PUBLIC WORKS COMMISSION STATE ISSUE ONE FUNDING APPLICATION FOR THE JAYCOX ROAD RESURFACING PROJECT 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-23-20, 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 Resolution No. R-23-20, and the discussion was:

Mr. Moore asked if when this project begins it will mean the roadway will be open in only one direction or will it be shut down for a time.

Mr. Cummins advised this is just a resurfacing project so the road technically would not be closed but would be a moving zone as they are doing the planing of the asphalt away and then reapplying the new surface course. He said it would just be handled with flaggers and not be an actual closure.

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.

REPORTS AND COMMENTS

Mayor Jensen had no comments.

COUNCIL MEMBERS:

Mr. Butkowski, Ward 1, had no comments.

Mrs. Holtzmeier, At Large, had no comments.

Mr. McBride, Ward 2, had no comments.

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, had no comments.

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, was absent.

Mr. Logan, Finance Director, had no comments.

Mr. Streator, Safety Director, had no comments.

Mr. Stringer, Acting Law Director, had no comments.

AUDIENCE: - No comments were made from the audience.

ADJOURN: 7:45 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. 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.