

**PUBLIC HEARINGS
JANUARY 13, 2025
AVON CITY COUNCIL**

7:20 P.M. – ORDINANCE NO. 119-24 – AN ORDINANCE TO AMEND ORDINANCES NO. 98-92 ADOPTING CHANGES TO THE MASTER PLAN FOR THE CITY OF AVON

Mr. Fischer opened the Public Hearing for Ordinance No. 119-24 at 7:20 p.m.
There being no comments the Public Hearing was closed at 7:21 p.m.

7:25 P.M. – ORDINANCE NO. 120-24 – AN ORDINANCE TO AMEND ORDINANCE NO. 413-68, PASSED JANUARY 15, 1969, COMMONLY KNOWN AS THE ZONING ORDINANCE OF THE CITY OF AVON, OHIO, AS AMENDED, REZONING THE 13.2836 ACRE PARCEL OF LAND LOCATED BETWEEN AVON ROAD AND MIDDLETON ROAD, PERMANENT PARCEL NO. 10-04-00-027-101-204 FROM R-1 SINGLE-FAMILY RESIDENTIAL TO R-3 MULTI-FAMILY RESIDENTIAL DISTRICT

Mr. Fischer opened the Public Hearing for Ordinance No. 120-24 at 7:25 p.m.
There being no comments the Public Hearing was closed at 7:26 p.m.

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF AVON, OHIO, HELD MONDAY, JANUARY 13, 2025
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
AT 7:30 P.M.**

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

PRESENT:

Council Members: Council-at-Large Mary Berges; 1st Ward – Jennifer Demaline; 2nd Ward – Dennis McBride; 3rd Ward – Anthony Moore; Council-at-Large Michelle Patton; 4th Ward – Scott Radcliffe; Council-at-Large and Council President – Brian Fischer; Mayor - Bryan Jensen; City Engineer – Ryan Cummins; Planning and Economic Development Coordinator – Pam Fechter; Law Director – John Gasior; Finance Director – Steve Presley Safety/Public Service Director – Duane Streator; Clerk of Council – Barbara Brooks

ORDINANCE NO. 119-24 – TO AMEND ORDINANCE NO. 98-92 ADOPTING CHANGES TO THE MASTER PLAN FOR THE CITY OF AVON

The Clerk read Ordinance No. 119-24 by title only, entitled:

**AN ORDINANCE TO AMEND ORDINANCE NO. 98-92 ADOPTING
CHANGES TO THE MASTER PLAN FOR THE CITY OF AVON**

The Chair declared this to be the third of three readings of Ordinance No. 119-24.

A motion was made by Mr. McBride and seconded by Mr. Moore to adopt Ordinance No. 119-24, and the vote was: Ms. Berges, “yes”; Mrs. Demaline, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Ms. Patton, “yes”; Mr. Radcliffe, “yes”; Mr. Fischer, “yes”.

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

ORDINANCE NO. 120-24 – TO AMEND ORDINANCE NO. 413-68, PASSED JANUARY 15, 1969, COMMONLY KNOWN AS THE ZONING ORDINANCE OF THE CITY OF AVON, OHIO, AS AMENDED, REZONING THE 13.2836 ACRE PARCEL OF LAND LOCATED BETWEEN AVON ROAD AND MIDDLETON ROAD, PERMANENT PARCEL NO. 10-04-00-027-101-204 FROM R-1 SINGLE-FAMILY RESIDENTIAL TO R-3 MULTI-FAMILY RESIDENTIAL DISTRICT

The Clerk read Ordinance No. 120-24 by title only, entitled:

AN ORDINANCE TO AMEND ORDINANCE NO. 413-68, PASSED JANUARY 15, 1969, COMMONLY KNOWN AS THE ZONING ORDINANCE OF THE CITY OF AVON, OHIO, AS AMENDED, REZONING THE 13.2836 ACRE PARCEL OF LAND LOCATED BETWEEN AVON ROAD AND MIDDLETON ROAD, PERMANENT PARCEL NO. 10-04-00-027-101-204 FROM R-1 SINGLE-FAMILY RESIDENTIAL TO R-3 MULTI-FAMILY RESIDENTIAL DISTRICT

The Chair declared this to be the third of three readings of Ordinance No. 120-24.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Ordinance No. 120-24, and the vote was: Mrs. Demaline, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Ms. Patton, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Fischer, “yes”.

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

ORDINANCE NO. 4-25 – EXTENDING THE TEMPORARY MORATORIUM ON THE FUTURE DEVELOPMENT OR CONSTRUCTION OF ANY HOTEL, MOTEL, EXTENDED STAYS, BOARDING HOUSES OR THE LIKE WITHIN THE CITY OF AVON

The Clerk read Ordinance No. 4-25 by title only, entitled:

AN ORDINANCE EXTENDING THE TEMPORARY MORATORIUM ON THE FUTURE DEVELOPMENT OR CONSTRUCTION OF ANY HOTEL, MOTEL, EXTENDED STAYS, BOARDING HOUSES OR THE LIKE WITHIN THE CITY OF AVON 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. 4-25, and the vote was: Mr. McBride, “yes”; Mr. Moore, “yes”; Ms. Patton, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Mr. Fischer, “yes”.

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

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Ordinance No. 4-25, and the discussion was:

Mr. Gasior advised they were continuing to move forward with this issue noting that it is a complicated area, but he hopes to have everything wrapped up in the next six months if not sooner.

And the vote was: Mr. Moore, “yes”; Ms. Patton, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Mr. McBride, “yes”; Mr. Fischer, “yes”.

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

RESOLUTION NO. R-02-25 – SUBMITTING TO THE ELECTORS OF THE CITY, PURSUANT TO ARTICLE IV, SECTION 17 OF THE AVON CITY CHARTER AND CHAPTER 718 OF THE OHIO REVISED CODE, THE QUESTION OF AMENDING SECTIONS 881.01, 881.03, AND 881.04 OF THE CODIFIED ORDINANCES OF THE CITY TO INCREASE THE CITY’S MUNICIPAL INCOME TAX RATE FROM 1.75% TO 1.95% FOR THE PURPOSE OF PROVIDING FUNDS FOR CAPITAL AND OPERATING EXPENDITURES OF THE POLICE AND FIRE DEPARTMENTS OF THE CITY OF AVON AND TO AMEND SECTION 881.06 OF THE CODIFIED ORDINANCES OF THE CITY TO INCREASE THE CREDIT FOR MUNICIPAL INCOME TAXES PAID BY RESIDENTS OF THE CITY TO ANOTHER MUNICIPALITY FROM 1.50% TO 1.70%

The Clerk read Resolution No. R-02-25 by title only, entitled:

**A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY, PURSUANT TO ARTICLE IV, SECTION 17 OF THE AVON CITY CHARTER AND CHAPTER 718 OF THE OHIO REVISED CODE, THE QUESTION OF AMENDING SECTIONS 881.01, 881.03, AND 881.04 OF THE CODIFIED ORDINANCES OF THE CITY TO INCREASE THE CITY’S MUNICIPAL INCOME TAX RATE FROM 1.75% TO 1.95% FOR THE PURPOSE OF PROVIDING FUNDS FOR CAPITAL AND OPERATING EXPENDITURES OF THE POLICE AND FIRE DEPARTMENTS OF THE CITY OF AVON AND TO AMEND SECTION 881.06 OF THE CODIFIED ORDINANCES OF THE CITY TO INCREASE THE CREDIT FOR MUNICIPAL INCOME TAXES PAID BY RESIDENTS OF THE CITY TO ANOTHER MUNICIPALITY FROM 1.50% TO 1.70%
AND DECLARING AN EMERGENCY**

The Chair declared this to be the first of three readings of Resolution No. R-02-25.

Mayor Jensen reminded everyone that there will be a Finance Committee Meeting on Tuesday, January 21, 2025, at 6:30 p.m. to discuss this topic more in-depth. He said he would like a second reading at a Special Meeting following the Work Session on the 21st and then third reading and consideration of adoption on January 27th at the Regular Meeting to place it on the May ballot.

RESOLUTION NO. R-3-25 – SUPPORTING THE OHIO MUNICIPAL LEAGUE’S CHALLENGE TO AT&T’s TARIFF APPLICATION AT THE PUBLIC UTILITIES COMMISSION OF OHIO

The Clerk read Resolution No. R-3-25 by title only, entitled:

**A RESOLUTION SUPPORTING THE OHIO MUNICIPAL LEAGUE’S
CHALLENGE TO AT&T’s TARIFF APPLICATION AT THE
PUBLIC UTILITIES COMMISSION OF OHIO
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-3-25, and the vote was: Ms. Patton, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Fischer, “yes”.

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

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Resolution No. R-3-25, and the discussion was:

Mr. Gasior advised this issue is hopefully something that the Ohio Municipal League (OML) will be successful in stopping because this is only going to be a cost on all the municipalities in the State if AT&T is able to convince the Public Utilities Commission of Ohio (PUCO) to be able to charge cities for moving their infrastructures already in the right of way. He said if that happens it would only be a matter of time before CEI and Columbia Gas and other utilities follow suit. Mr. Gasior felt it is an important stance that the Ohio Municipal League is taking and any support that Avon can show them is beneficial because if no action is taken the tariff goes into effect on January 17th. He stated as such the Ohio Municipal League is trying to collect these Resolutions from all the municipalities and villages in the State. Mr. Gasior believes that the OML is also planning on attending the PUCO meeting between January 14th and the 17th.

And the vote was: Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Ms. Patton, “yes”; Mr. Fischer, “yes”.

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

REPORTS AND COMMENTS

MAYOR JENSEN said he is looking forward to the presentation tonight at the Avon High School.

COUNCIL MEMBERS:

MS. BERGES, AT LARGE, thanked the Streets Department and any other employees that helped clear the streets of snow this past Friday and Saturday keeping the roads safe for residents.

MRS. DEMALINE, WARD 1, had no comments.

MR. MCBRIDE, WARD 2, had no comments.

MR. MOORE, WARD 3, had no comments.

MS. PATTON, AT LARGE, had no comments.

MR. RADCLIFFE, WARD 4, said he would like to echo Ms. Berges’ comments about the work by the Streets Department, specifically Doug, who came out on Sunday to take care of an issue in the neighborhood as it is much appreciated.

MR. FISCHER, AT LARGE, said he also is looking forward to the presentation tonight. He also thanked the Streets Department for the good job with the snow removal on the streets.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER, had no comments.

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

MR. GASIOR, LAW DIRECTOR, had no comments.

MR. PRESLEY, FINANCE DIRECTOR, had no comments.

MR. STREATOR, SAFETY DIRECTOR/PUBLIC SERVICE DIRECTOR, had no comments.

AUDIENCE COMMENTS:

There were no comments from the audience members.

RECESS: 7:39 p.m.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to recess the meeting and reconvene at the Avon High School Performing Arts Center Located at 37545 Detroit Road at 8:00 p.m. for a special presentation for the Avon High School Varsity Football Team, and the vote was: Ms. Berges, “yes”; Mrs. Demaline, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Ms. Patton, “yes”; Mr. Radcliffe, “yes”; Mr. Fischer, “yes”.

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

RECONVENE: 8:02 p.m.

A motion was made by Ms. Berges and seconded by Mrs. Demaline to reconvene the Regular Meeting of Council at the Avon High School Performing Arts Center Located at 37545 Detroit Road, and the vote was: Ms. Berges, “yes”; Mrs. Demaline, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Ms. Patton, “yes”; Mr. Radcliffe, “yes”; Mr. Fischer, “yes”.

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

PRESENTATION TO THE OHSAA DIVISION II STATE FOOTBALL CHAMPIONSHIP TEAM, THE AVON HIGH SCHOOL EAGLES VARSITY FOOTBALL TEAM

City Council President Brian Fischer, At Large, introduced himself and explained that normally when there is someone that Council would like to recognize for their athletic achievement, they are invited to a Council Meeting in the Council Chambers of City Hall. He mentioned that Molly Radcliffe won a State Championship title in shotput and discus and Rania Brown also won a State Championship title in discus. Mr. Fischer said for a team this size, they had to make some special accommodations. He explained that due to a couple of Public Hearings that were already scheduled they held the first part of the meeting at the regular place of business in Council Chambers of City Hall and then recessed to the Performing Arts Center for the presentation where the meeting was reconvened.

Mr. Fischer introduced the following City Officials who were present:

Council Member Mary Berges, At Large
Council Member Jennifer Demaline, Ward 1
Council Member Dennis McBride, Ward 2
Council Member Tony Moore, Ward 3
Council Member Michelle Patton, At Large
Council Member Scott Radcliffe, Ward 4
Law Director, John Gasior
Safety/Public Service Director, Duane Streator

Mr. Fischer thanked Superintendent Ben Hodge and the Board of Education of Avon Local Schools for hosting City Council tonight. He thanked Mr. Erich Frombach, the Athletic Director as well as Head Coach Mike Elder, the entire coaching staff and all the Avon Eagle Football players and their families in addition to any residents for attending tonight. Mr. Fischer said this is truly a historic night and he welcomed everyone.

Mr. Fischer advised he would like to express on behalf of Avon City Council and the entire City of Avon, how proud the City is of their achievement, and it is the achievement of the Avon football team and coaches. They put in the hard work and sacrificed early mornings and late nights working out and practicing because they knew what it would take to be an Avon Eagle Football Player. Whether they were scoring touchdowns or making tackles or were a part of the scout team or holding play signs on the sidelines or just cheering on the team while you waited for your turn to play; they all played a role in making tonight possible. It is all of them that earned this championship and while this is their achievement, it is also a tremendous victory for the entire community. He assumed that everyone present has been to an Avon football game on a Friday night and that they know what an incredible experience it is. It is not only the parents and other relatives in the stands, but it is also their fellow students in the “nest” and the middle school students in their section, the cheer and band parents in addition to residents who may not have any personal connection, but they love to watch Avon football play. Do not think for a second that what they accomplished was anything less than extraordinary. He said the community has become spoiled when it comes to football because they expect a win and that is only because of the dedication of the players and coaches. Mr. Fischer stated that he knows the team appreciates all the community support; whether it is Coach Elder giving a postgame interview or a player being interviewed by a reporter or a Senior Spotlight on OhioSportsNet, the players always give thanks to their coaches, teammates and community for their support. He advised not only are they, he and his fellow Council Members, representatives of the City, but they are residents of this great community. As a Council Member and as a resident he would like to thank everyone who made Friday Night Lights an incredible experience; from the school staff and parents taking tickets, to the volunteers running the 50/50 raffle and working the concession stands. Mr. Fischer gave a special shoutout to the volunteers on the “Chain Gang”, the “Tunnel Crew”, the bus drivers who get the players to and from away games safely and to the Avon Police and Fire personnel for keeping them safe at the home games. He gave a shout out to trainers Mr. Jim O’Leary and Ms. Beth Hauck for tending to the players when needed. And a shout out to a couple of his favorites, Ms. Stephanie Kiesel and Ms. Linda Ochs for their volunteer work filming in all weather. Also a shout out to the cheerleaders and band members who play a huge role in making “Friday Night Lights” special. He said anyone who attended a game late in the season when the band was at a competition and not at the football game, knows that it was not the same and something was obviously missing. If the cheerleaders are not at a game, it is not the same and he considers them to be a big part of Avon football. Finally, to Coach Elder and his crew and most importantly to the players for making their City so proud; they truly are one town, one team. Go Eagles!!

Mr. Fischer introduced Avon Mayor Bryan Jensen.

Mayor Jensen welcomed everyone and thanked them for being here tonight. He said typically what happens when there is a State Championship title won in Avon, the City will commemorate that achievement by placing signs at the entrances to the City. Mayor Jensen stated the thing that makes this different is that when it is a team, it is not just one person who makes all this happen, but it is everyone. He advised he wanted to start off by recognizing the coaches because both President

Fischer and he had sons who played football at Avon High School, and they are grateful for the coaching that their sons received. Mayor Jensen said to make this championship possible, they realize that the coaches became better along the way and the players benefitted from that experience in cooperation with the players who worked hard to get to this position. He added every step along the way has been a connection for them to get to this point and it has made them all better. Mayor Jensen held up one of the large signs that would be placed below the welcome signs at the entrances to the City that reads, **“2024 DIV II STATE CHAMPIONS – Avon Football – Head Coach Mike Elder”**. Mayor Jensen explained that the reason he added Coach Elder’s name on the signs was because when he gets inducted into the Hall of Fame, they will all be able to look back and remember some of the accomplishments that he made. He noted that he had two additional large signs made and presented one to Superintendent Ben Hodge and one to Head Coach Mike Elder. He advised that Coach Elder agree with him that he did not accomplish this achievement by himself, but he had a coaching staff that gave up a lot of time with their families to spend time with the players to make it all happen.

Avon City Council took turns recognizing the coaches listed below and presented them with a personal size placard as a keepsake memento with their name engraved on it to commemorate their dedication to the students and to the football team as a token of what they all mean to the City and the community. Mayor Jensen advised it is FAITH, FAMILY AND FOOTBALL and the City is appreciative that the team kept the faith and kept the football team together as a family and as a community.

COACHES

Head Coach Mike Elder, Collin Bryant, Jared Cecchetti, Jonathan Clark, Devin Cousins, Bill Fishleigh, Vinnie Hokavar, Jerry Horner, Josh Horner, Aiden Johnson, Eric Kiesel, Brendan Leister, Ricardo Loera, Robert Madalion, Jim Mulgrew, Jason Ochs, Lee Powell, John Rosati, John Rosser, Pat Simon, Sam Ulery, Mark Wasil, Jason Whitehead, and Taj Wyatt

Athletic Trainer Jim O’Leary and Athletic Director Erich Frombach were also recognized and presented with a keepsake placard.

Mayor Jensen announced they wanted to recognize the football team, and he noted that there was also a placard for each of the players as a keepsake memento with their championship title and with their name and jersey number engraved on it. The players present all came forward to receive their placard and were congratulated by Avon City Council, Mayor Jensen and City Officials.

VARSITY ROSTER

0 - Josiah Saunders, 1 - Ryan Stolarski, 2 - Owen Rittenhouse, 2 - Aiden Atkins, 3 - Alex Huguley, 4 - Ty Beerbohm, 4 - Carter Jenny, 5 - Nolan Good, 5 - Gabe Miller, 6 - Jacob Graham, 7 - Quiante’ Smith, 7 - Luke Fox, 8 - Matt Maxey, 8 - Alex Rini, 9 - Cole Kepner, 9 - Daniel Rice, 10 - Sean Burke, 11 - Jakob Weatherspoon, 11 - Charlie Kimmich, 12 - Grant Barr, 13 - Colin Fales , 14 - Caden Clapham, 15 - Alex Rivera, 15 - Ayden Conely, 16 - Tyler Kaufmann, 17 - Andrew Falasco, 18 - Trevor Maly, 19 - Blake Elder, 20 - Cody Canning, 20 - Ben Pederson, 21 - Cam Wendell, 21 - Owen Pocos, 22 - Fin Jerdonek, 23 - Killian Haessig, 24 - Jake Burns, 24 - Nick Sanchez, 25 - Zack Murray, 26 - Jackson Stark, 26 - Hayden Barth, 27 - Jerry Clements, 27 - Vincent Siftar, 28 - Owen Garcia, 29 - Dane Sexton, 31 - Will Conley, 32 - Jairel Fenton, 33 - Alec Ferreira, 34 - Ahmad Saleh, 35 - Michael Colburn, 36 - Tyler Flynn, 37 - Jackson Brokaw, 38 - Isaac Gutierrez, 39 - Dean Andress, 40 - Jacob Ody, 42 - Ethan Royer, 42 - Leo Gumucio, 43 - Nathan Peters, 44

- Dylan Luker, 44 - Brenden Colvig, 45 - Brooks Good, 46 - Matt Fattizzo, 47 - Mathew Dooris, 49 - Jack Goldian, 50 - Jack Hricovec, 50 - Nolan Robke, 51 - Lance Dawson, 52 - Jack Fitch, 52 - Connor Bingham, 53 - Addison Hanna, 54 - Mason Hauck, 55 - Sam Toniolo, 55 - John Ling, 56 - Dominic Grasso, 56 - Jason Hoagland, 57 - Emmit Orlowski, 58 - Vincent DeTillio, 59 - Eian Englehart, 60 - Luke Rittenhouse, 61 - Jonathan Schuster, 62 - Lucas Deacon, 62 - Evan McSweeney, 63 - Jason Gillespie, 64 - Brandon Witherspoon, 65 - Cade Krugman, 66 - Braden Patrick, 67 - Graeden Szucs, 69 - Izaiah Gilliam, 70 - Ben Shaffner, 70 - Michael LaCivita, 71 - Max Meade, 72 - Matt Garrett, 73 - Jeremiah Kelly, 74 - Jacob Abfall, 76 - Cameron Dietz, 77 - Max Hauck, 78 - Ryan Wysocki, 79 - Ben Strichek, 80 - Josh Hurst, 80 - Jackson Palmer, 81 - Sammy Ulery, 82 - Graham Rowlinson, 83 - Bryce Chura, 84 - Anthony Tomaro, 85 - Merrick Dunn, 85 - Robbie Vanderpool, 86 - Evan Juergans, 87 - Caeden Bennet, 88 - Sean White, 89 - Thomas Smith, 90 - Jensen Petro, 92 - Owen Warrick, 95 - James Tatman, 99 - Matt Balmert

Mayor Jensen unveiled a banner that read, **“HOME OF THE AVON HIGH SCHOOL FOOTBALL – 2024 DIVISION II STATE CHAMPIONS”** that would be hung across Detroit Road and group photos of the players and coaches who were present were taken with the Mayor and City Council. Congratulations and applause were given all around.

ADJOURN: 8:27 p.m.

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

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

PASSED:_____

SIGNED BY:_____
Brian Fischer, President of Council

ATTEST:_____
Barbara J. Brooks, Clerk of Council