

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF AVON, OHIO, HELD MONDAY, MARCH 11, 2024
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 Streater; Clerk of Council – Barbara Brooks

CORRESPONDENCE

The Clerk reported that she received two separate notices from the Ohio Division of Liquor Control for requests for liquor licenses as follows:

- Ohio Springs Inc, DBA Sheetz 845, 1846 Nagel Road, Avon, Ohio for a NEW C1, C2 permit class
- Coopers Hawk Chester Road Avon LLC, DBA Coopers Hawk Winery & Restaurant, 35351 Chester Road, Avon, Ohio for a NEW D5I permit class

There were no questions or comments made by City Council.

MINUTES OF THE WORK SESSION OF COUNCIL HELD MONDAY, FEBRUARY 19, 2024

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, February 19, 2024, and to approve said minutes as published, 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.

MINUTES OF THE REGULAR MEETING OF COUNCIL HELD MONDAY, FEBRUARY 26, 2024

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to dispense with the reading of the minutes of the Regular Meeting of Council held Monday, February 26, 2024, and to approve said minutes as published, 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.

MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD MONDAY, MARCH 4, 2024

A motion was made by Mr. McBride and seconded by Ms. Berges to dispense with the reading of the minutes of the Special Meeting of Council held Monday, March 4, 2024, and to approve

said minutes as published, 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.

ORDINANCE NO. 20-24 – 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. 20-24 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

The Chair declared this to be the second of three readings of Ordinance No. 20-24.

A motion was made by Mr. McBride and seconded by Mr. Moore to suspend the rules and act on Ordinance No. 20-24, 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.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Ordinance No. 20-24, 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.

ORDINANCE NO. 23-24 – AMENDING SECTION 1042.02(e) OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO PROVIDE FOR PAYMENT OF SANITARY SEWER TAP FEES THROUGH A VOLUNTARY ASSESSMENT COLLECTED ALONG WITH THE PROPERTY OWNER’S REAL ESTATE TAXES

The Clerk read Ordinance No. 23-24 by title only, entitled:

AN ORDINANCE AMENDING SECTION 1042.02(e) OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO PROVIDE FOR PAYMENT OF SANITARY SEWER TAP FEES THROUGH A VOLUNTARY ASSESSEMENT COLLECTED ALONG WITH THE PROPERTY OWNER’S REAL ESTATE TAXES AND DECLARING AN EMERGENCY

The Chair declared this to be the second of three readings of Ordinance No. 23-24.

A motion was made by Mr. McBride and seconded by Mr. Moore to suspend the rules and act on Ordinance No. 23-24, 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.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Ordinance No. 23-24, 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. 24-24 –TO AWARD THE BID FOR THE AVON PARKS MOWING CONTRACT NO. 1 (THE AVON BOARD OF EDUCATION SOCCER FIELD COMPLEX, AQUATIC FACILITY GROUNDS, FIRE STATION SITE, POLICE STATION SITE, AND THE AVON POST OFFICE SITE) FOR A THREE (3) YEAR PERIOD

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

AN ORDINANCE TO AWARD THE BID FOR THE AVON PARKS MOWING CONTRACT NO. 1 (THE AVON BOARD OF EDUCATION SOCCER FIELD COMPLEX, AQUATIC FACILITY GROUNDS, FIRE STATION SITE, POLICE STATION SITE, AND THE AVON POST OFFICE SITE) FOR A THREE (3) YEAR PERIOD 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. 24-24, 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.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Ordinance No. 24-24, 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.

ORDINANCE NO. 25-24 – TO AWARD THE BID FOR THE AVON PARKS MOWING CONTRACT NO. 2 (THE AVON ISLE, THE COMMUNITY CENTER, AVON CEMETERY, STATE ROUTE (SR) 83 RIGHT-OF-WAY IN NORTHWEST QUADRANT OF THE SR 83 & SR 254 INTERSECTION, STONEY RIDGE ROAD GAZEBO SITE, OLD VILLAGE HALL, AND THE SENIOR CENTER & LITTLE LEAGUE PARK COMPLEX) FOR A THREE (3) YEAR PERIOD

The Clerk read Ordinance No. 25-24 by title only, entitled:

AN ORDINANCE TO AWARD THE BID FOR THE AVON PARKS MOWING CONTRACT NO. 2 (THE AVON ISLE, THE COMMUNITY CENTER, AVON CEMETERY, STATE ROUTE (SR) 83 RIGHT-OF-WAY IN NORTHWEST

**QUADRANT OF THE SR 83 & SR 254 INTERSECTION, STONEY RIDGE ROAD
GAZEBO SITE, OLD VILLAGE HALL, AND THE SENIOR CENTER & LITTLE
LEAGUE PARK COMPLEX) FOR A THREE (3) YEAR PERIOD
AND DECLARING AN EMERGENCY**

A motion was made by Mr. Radcliffe and seconded by Mr. Moore to suspend the rules and act on Ordinance No. 25-24, 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.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Ordinance No. 25-24, 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.

**ORDINANCE NO. 26-24 – TO AWARD THE BID FOR THE AVON PARKS MOWING
CONTRACT NO. 3 (SCHWARTZ ROAD PARK) FOR A THREE (3) YEAR PERIOD**

The Clerk read Ordinance No. 26-24 by title only, entitled:

**AN ORDINANCE TO AWARD THE BID FOR THE AVON PARKS
MOWING CONTRACT NO. 3 (SCHWARTZ ROAD PARK)
FOR A THREE (3) YEAR PERIOD
AND DECLARING AN EMERGENCY**

A motion was made by Mr. McBride and seconded by Ms. Berges to suspend the rules and act on Ordinance No. 26-24, 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.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Ordinance No. 26-24, 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. 27-24 – TO AWARD THE BID FOR THE AVON PARKS MOWING
CONTRACT NO. 4 (VETERANS MEMORIAL PARK ONLY AND ITS ENTRANCE WAY UP
TO DETROIT ROAD) FOR A THREE (3) YEAR PERIOD**

The Clerk read Ordinance No. 27-24 by title only, entitled:

**AN ORDINANCE TO AWARD THE BID FOR THE AVON PARKS
MOWING CONTRACT NO. 4 (VETERANS MEMORIAL PARK ONLY AND ITS
ENTRANCE WAY UP TO DETROIT ROAD) FOR A THREE (3) YEAR PERIOD
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. 27-24, 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.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Ordinance No. 27-24, 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.

ORDINANCE NO. 28-24 – TO AWARD THE PUBLIC BIDS FOR THE AVON PARKS MOWING CONTRACT NO. 5 (THE AVON CITY HALL COMPLEX INCLUDING THE AREA ADJACENT TO THE MIDDLE ROAD RIGHT-OF-WAY, THE NORTHGATE COMMUNITY CENTER SITE, NORTHGATE PARK, THE OLD COLORADO RIGHT-OF-WAY AT EATON DRIVE, AND THE CRUSHER STADIUM COMPLEX INCLUDING THE RECREATION LANE ENTRANCE UP TO STATE ROUTE 611-COLORADO AVE.) FOR A THREE (3) YEAR PERIOD

The Clerk read Ordinance No. 28-24 by title only, entitled:

AN ORDINANCE TO AWARD THE PUBLIC BIDS FOR THE AVON PARKS MOWING CONTRACT NO. 5 (THE AVON CITY HALL COMPLEX INCLUDING THE AREA ADJACENT TO THE MIDDLE ROAD RIGHT-OF-WAY, THE NORTHGATE COMMUNITY CENTER SITE, NORTHGATE PARK, THE OLD COLORADO RIGHT-OF-WAY AT EATON DRIVE, AND THE CRUSHER STADIUM COMPLEX INCLUDING THE RECREATION LANE ENTRANCE UP TO STATE ROUTE 611-COLORADO AVE.) FOR A THREE (3) YEAR PERIOD AND DECLARING AN EMERGENCY

A motion was made by Mr. McBride and seconded by Ms. Berges to suspend the rules and act on Ordinance No. 28-24, 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.

A motion was made by Mr. McBride and seconded by Mr. Moore to adopt Ordinance No. 28-24, 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.

ORDINANCE NO. 29-24 – TO AWARD THE PUBLIC BID FOR THE AVON PARKS MOWING CONTRACT NO. 6 (EAGLE POINT PARK) FOR A THREE (3) YEAR PERIOD

The Clerk read Ordinance No. 29-24 by title only, entitled:

AN ORDINANCE TO AWARD THE PUBLIC BID FOR THE AVON PARKS MOWING CONTRACT NO. 6 (EAGLE POINT PARK)

**FOR A THREE (3) YEAR PERIOD
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. 29-24, 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.

A motion was made by Mr. McBride and seconded by Mr. Moore to adopt Ordinance No. 29-24, 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. 30-24 – 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 17.7 ACRES OF LAND LOCATED ON THE WEST SIDE OF NAGEL ROAD BETWEEN MIDDLETON & DETROIT ROADS, PERMANENT PARCEL NOS. 10-04-00-022-102-044, 10-04-00-022-102-043, 10-04-00-022-102-039, 10-04-00-022-102-041, 10-04-00-022-102-042, 10-04-00-022-102-047 & 10-04-00-022-102-048 FROM R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO C-4 GENERAL BUSINESS DISTRICT

The Clerk read Ordinance No. 30-24 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 17.7 ACRES OF LAND LOCATED ON THE
WEST SIDE OF NAGEL BETWEEN MIDDLETON & DETROIT ROADS,
PERMANENT PARCEL NOS. 10-04-00-022-102-044, 10-04-00-022-102-043, 10-04-00-022-
102-039, 10-04-00-022-102-041, 10-04-00-022-102-042, 10-04-00-022-102-047 & 10-04-00-
022-102-048 FROM R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO C-4
GENERAL BUSINESS DISTRICT**

The Chair declares this to be the first of three readings of Ordinance No. 30-24 and a Public Hearing will be held for Ordinance No. 30-24 at 7:25 p.m. on Monday, April 1, 2024

ORDINANCE NO. 31-24 – REAPPROPRIATIONS

The Clerk read Ordinance No. 31-24 by title only, entitled:

**AN ORDINANCE TO AMEND AND SUPPLEMENT
APPROPRIATIONS ORDINANCE NO. 120-23
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. 31-24, 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.

A motion was made by Mr. McBride and seconded by Ms. Berges to adopt Ordinance No. 31-24, 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.

ORDINANCE NO. 32-24 – AUTHORIZING THE CREATION OF THE EASTERN LORAIN COUNTY EMERGENCY RESPONSE TEAM FUND NO. 224

The Clerk read Ordinance No. 32-24 by title only, entitled:

**AN ORDINANCE AUTHORIZING THE CREATION OF THE EASTERN LORAIN COUNTY EMERGENCY RESPONSE TEAM FUND NO. 224
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. 32-24, 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.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Ordinance No. 32-24, 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.

ORDINANCE NO. 34-24 – TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH LENCO INDUSTRIES, INC. FOR THE PURCHASE OF A 2024 BEARCAT G3M ARMORED TACTICAL VEHICLE AND ACCESSORIES FOR USE BY MEMBERS OF ELCERT

The Clerk read Ordinance No. 34-24 by title only, entitled:

**AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH LENCO INDUSTRIES, INC. FOR THE PURCHASE OF A 2024 BEARCAT G3M ARMORED TACTICAL VEHICLE AND ACCESSORIES FOR USE BY MEMBERS OF ELCERT
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. 34-24, 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.

A motion was made by Mr. McBride and seconded by Ms. Berges to adopt Ordinance No. 34-24, 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.

RESOLUTION NO. R-15-24 – DECLARING IT NECESSARY TO INSTALL CONCRETE SIDEWALKS TO COMPLETE THE 2024 SIDEWALK PROGRAM

The Clerk read Resolution No. R-15-24 by title only, entitled:

A RESOLUTION DECLARING IT NECESSARY TO INSTALL CONCRETE SIDEWALKS TO COMPLETE THE 2024 SIDEWALK PROGRAM 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-15-24, 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.

A motion was made by Mr. McBride and seconded by Mr. Moore to adopt Resolution No. R-15-24, and the discussion was:

Mr. Gasior advised THAT as he stated at the Service Committee Meeting held prior to tonight’s Regular Meeting he would be making a couple of revisions to this Resolution based on the discussion from in that Committee Meeting. He said he would reference in a Whereas Clause that the Service Committee approved these locations tonight on March 11, 2024, and that he would eliminate all the listings in the legislation and just say the sidewalks at the locations listed in the attached Exhibit A, and the Exhibit A would be the document provided by Mr. Cummins. Mr. Gasior stated Council’s vote would be accepting those revisions he just mentioned, and he would provide the corrected Resolution to the Clerk.

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.

RESOLUTION NO. R-16-24 – TO RE-SCHEDULE COUNCIL’S FIRST REGULAR MEETING IN THE MONTH OF APRIL 2024, CURRENTLY SCHEDULED FOR MONDAY, APRIL 8, 2024, TO MONDAY, APRIL 1, 2024, IMMEDIATELY FOLLOWING THE WORK SESSION OF COUNCIL

The Clerk read Resolution No. R-16-24 by title only, entitled:

A RESOLUTION TO RE-SCHEDULE COUNCIL’S FIRST REGULAR MEETING IN THE MONTH OF APRIL 2024, CURRENTLY SCHEDULED FOR MONDAY, APRIL 8, 2024, TO MONDAY, APRIL 1, 2024 IMMEDIATELY FOLLOWING THE WORK SESSION OF COUNCIL 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-16-24, 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.

A motion was made by Mr. McBride and seconded by Mr. Moore to adopt Resolution No. R-16-24, 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.

REPORTS AND COMMENTS

MAYOR JENSEN congratulated the Tree Commission on receiving the Tree City USA designation again this year due to their hard work.

Mayor Jensen advised former Cleveland Cavaliers CEO, Len Komoroski, and Nick Howley, who are the new ownership group of the Lake Erie Crushers, reached out to him this week saying they wanted to thank the City Administration and City Council for a smooth transition of transferring the ownership of the team and the stadium lease to their organization. He said it would not have been possible without the support of City Council. Mayor Jensen stated that City Council made it an easy process for Mr. Komoroski and Mr. Howley for which they are grateful. He advised Mr. Howley formed the Howley Foundation and they are looking forward to meeting people at the upcoming baseball games, but also what the Howley Foundation will mean to the community and helping others as they will be a real asset. Mayor Jensen thanked Council for helping to make the transition possible and for making it a smooth process.

COUNCIL MEMBERS:

MS. BERGES, AT LARGE, updated Council that the grant the Tree Commission applied for in December with the Ohio Urban Forestry and funded by the Inflation Reduction Act, was unfortunately not awarded to Avon. She said one of the criteria for the grant was that they were looking at underdeveloped communities and Avon certainly is not considered underdeveloped community. Ms. Berges stated even though in the grant proposal they mentioned being accessible to the cities of Lorain and Elyria, hoping that would offset the criteria, it did not in this case. She advised the good news is that the information that was gathered will be used later on this year with another grant that they will be making application for, so it was not time or effort wasted.

Ms. Berges also advised regarding the Tree Commission; the 2024 North Coast Urban Forestry Conference was held in Highland Hills this past week. She said she was happy to report that five out of eight of the Tree Commission Members signed up and attended the conference. Ms. Berges stated that is more than double the attendance representing Avon’s Tree Commission than they had last year. She advised it was great to see there was interest from the Tree Commission Members in further educating themselves and bringing information back to the City.

MRS. DEMALINE, WARD 1, had no comments.

MR. McBRIDE, WARD 2, said that was great news about the Tree Commission and receiving the Tree City USA designation and the Members that do all the hard work.

Mr. McBride stated the political signs and signs in general in the public right-of-way were out of control. He asked if some City crews could go around and collect them as they were becoming unsightly, at least they were in Ward 2.

Mr. McBride advised the other issue was the house at the corner of Doovy's Drive and Colorado Avenue that he drove by again this weekend, which is basically a junk yard next to the driveway with blue tarps. He said it would be nice to give them a week's notice to clean it up or maybe the City just do a nuisance abatement.

Mr. McBride reported that the house on the north side of Detroit Road near Joseph Street was finally torn down. He said that house has been an eyesore for years. Mr. McBride advised he was not sure who bought it or the circumstances, but the house is gone.

Mayor Jensen advised that is the Romanello property. He said he, Ms. Clements, and Mr. Streater have been working with the property owner regarding that house.

Mr. Streater added regarding the house on the corner of Doovy's Drive and Colorado Avenue that Ms. Clements has also been in contact with that property owner to address the issues at that property.

Mr. McBride said he would not feel sorry for the owners if they were given an allotted time to clean their property up.

MR. MOORE, WARD 3, had no comments.

MS. PATTON, AT LARGE, had no comments.

MR. RADCLIFFE, WARD 4, had no comments.

MR. FISCHER, AT LARGE, had no comments.

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:

Gerald W. Phillips of 461 Windward Way, Avon Lake advised late in the summer of 2023 he was looking at the 2023 sidewalk program for Avon and he brought it to the attention of Mr. Gasior that the Red Tail Subdivision has had twenty plus years free period in which to install sidewalks. He said that Mr. Gasior responded that they would wait for the 2024 sidewalk program. Mr. Phillips stated he attended other meetings and at each meeting he would hear promises, promises, promises that it was going to be on a list for 2024. He advised according to the way he sees it, that area is not on the sidewalk list. Mr. Phillips said felt they were just perpetuating a problem that has been existing and they were burying their heads in the sand and doing nothing

about it; they were absolutely doing nothing about it. He said that development is in Mr. Radcliffe's Ward, and he felt it was another example of Mr. Radcliffe failing to represent his residents. Mr. Phillips felt that the City keeps doing favors for the Khouri's. He advised a condition of the Special Use Permit was to install sidewalks and the developers are in violation of that Special Use Permit. Mr. Phillips said many requests have been made of Mr. Gasior and the Zoning Administrator to enforce the Ordinances and pursue with violations and notices and nothing has been done. He stated the City keeps giving the developers of Red Tail passes after passes after passes. Mr. Phillips advised it would be nice to know why Council keep giving passes and passes and passes as it is beyond his comprehension. He said they talk about the sidewalk program and Council has to comply with Chapter 729 of the Ohio Revised Code and they really have to state the costs before giving notice to the affected property owners and give the thirty days. Mr. Phillips felt the Resolution that Council passed, if it does not have the costs listed, they would have to pass another one once they have all the plans. He said the City must publish notice and those plans have to be in the Clerk of Council's office and the property owners have to have the opportunity to see those before the whole process starts and the property owners have a right to object. Mr. Phillips reminded Council and City Officials that they must follow the procedures and he hoped they would get proper advice. He stated that was all and maybe someday he would get an answer.

ADJOURN: 7:58 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. 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.