JUNE 23, 2025 – 6:30 P.M.
CITY COUNCIL TO TOUR THE FIRE TRAINING TOWER, 36185 DETROIT ROAD
Due to the extreme heat, the tour was postponed until a later date yet to be determined.

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CITY OF AVON, OHIO, HELD MONDAY JUNE 23, 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 Scout, Landon Dietz of Troop 333 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; Clerk of Council – Barbara Brooks

ABSENT:
Safety/Public Service Director – Duane Streator

MINUTES OF THE WORK SESSION OF COUNCIL HELD MONDAY, JUNE 2, 2025
A motion was made by Mr. McBride and seconded by Mr. Radcliffe to dispense with the reading of the minutes of the Work Session of Council held Monday, June 2, 2025, 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, JUNE 9, 2025
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, June 9, 2025, 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.

PURSUANT TO THE CHARTER OF THE CITY OF AVON ARTICLE IV, SECTION 16, THE CHAIR ANNOUNCES A PUBLIC HEARING FOR THE NAGEL FARMS TAX INCENTIVE FINANCING (TIF) DISTRICT. THE PUBLIC HEARING WILL TAKE PLACE AT THE COUNCIL WORK SESSION ON MONDAY, JULY 7, 2025
The Chair announced that a public hearing for the Nagel Farms Tax Incentive Financing (TIF) District would take place at the Council Work Session on Monday, July 7, 2025.

ORDINANCE NO. 45-25 – AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE AVON LOCAL SCHOOL DISTRICT TO PURCHASE REAL ESTATE LOCATED AT 36600 DETROIT ROAD (a.k.a. THE AVON VILLAGE SCHOOL),

PERMANENT PARCEL NOS. 04-00-010-112-026; 04-00-010-112-021; 04-00-010-112-020; 04-00-010-112-025; AND 04-00-010-112-024 TO BECOME THE NEW LOCATION FOR AVON CITY HALL
The Clerk read Ordinance No. 45-25 by title only, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE AVON LOCAL SCHOOL DISTRICT TO PURCHASE REAL ESTATE LOCATED AT 36600 DETROIT ROAD (a.k.a. THE AVON VILLAGE SCHOOL), PERMANENT PARCEL NOS. 04-00-010-112-026; 04-00-010-112-021; 04-00-010-112-020; 04-00-010-112-025; AND 04-00-010-112-024 TO BECOME THE NEW LOCATION FOR AVON CITY HALL AND DECLARING AN EMERGENCY

The Chair declared this to be the third of three readings of Ordinance No. 45-25.

Mayor Jensen began by clarifying that the purpose of this Ordinance was solely to enter into an agreement with the Avon Local School District to purchase the property located at 36600 Detroit Road. He reassured the Council that financing discussions would be addressed separately, noting that the approval to proceed did not hinge on the sale of the existing City Hall property. The Mayor emphasized the strategic importance of controlling the property for the downtown area, citing its current usability, including use for Safety Town and soccer practice fields. The Mayor also shed light on the pressing need for additional space due to overcrowding in the current City facilities and expressed gratitude towards the school for already preparing the basement area for use. During the discussion, Mayor Jensen underscored the significance of the City having the first option to purchase the property, thereby maintaining control over its future use, which is crucial given its regular use for Safety Town activities and various community events as well as ease of access for the senior citizens of the community. He mentioned having already obtained a key fob for the building, humorously noting the frequency of his visits to assess its potential, indicating his enthusiasm for the transition to a more accommodating space and that the building could be used for much more than the City Administration.

Mr. Fischer advised he had a conversation with Mayor Jensen after Council received a memo from the Mayor last Thursday with updated costs to remodel the Detroit Road property. Mr. Fischer commented that Mayor Jensen assured him that the financing for this purchase was not based on selling the current City Hall property. He noted he would be in favor of finding other ways to finance this purchase besides selling the current City Hall property.

Mr. Gasior pointed out that there needed to be a motion to amend this Ordinance as additional parcel numbers were added since this Ordinance had its first reading several weeks ago.

Ms. Berges commented on the positive feedback from the citizens in favor of the City's move, highlighting the satisfaction expressed by residents regarding the maintenance and potential repurposing of the building. She relayed the sense of community pride in having the City proactively manage the property.

Mr. Moore shared that his communication with residents revealed both support and opposition to the acquisition. He elaborated on the positive aspect of preserving the existing building and keeping the Safety Town area as well as the parallel parking practice area, articulating its value particularly for young drivers in the community. He expressed a strong belief that retaining these amenities was vital for the city's residents.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to amend Ordinance No. 45-25, 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. Moore to adopt Ordinance No. 45-25, as amended, 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.

<u>ORDINANCE NO. 49-25 – APPROVING MODIFICATIONS TO THE SANITARY SEWER MASTER PLAN AND ADOPTING SAID MODIFICATIONS AS REVISIONS TO THE OFFICIAL SANITARY SEWER MASTER PLAN FOR THE CITY OF AVON</u>
The Clerk read Ordinance No. 49-25 by title only, entitled:

AN ORDINANCE APPROVING MODIFICATINS TO THE SANITARY SEWER MASTER PLAN AND ADOPTING SAID MODIFICATIONS AS REVISIONS TO THE OFFICIAL SANITARY SEWER MASTER PLAN FOR THE CITY OF AVON

The Chair declared this to be the second of three readings of Ordinance No. 49-25.
A Public Hearing will be held for Ordinance No. 49-25 on Monday, July 14, 2025, at 7:25 p.m.

<u>ORDINANCE NO. 53-25 – ACCEPTING THE INSURANCE PROPOSAL SUBMITTED BY OSWALD COMPANIES</u>
The Clerk read Ordinance No. 53-25 by title only, entitled:

AN ORDINANCE ACCEPTING THE INSURANCE PROPOSAL SUBMITTED BY OSWALD COMPANIES 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. 53-25, 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 Ordinance No. 53-25, 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.

ORDINANCE NO. 54-25 – AUTHORIZING THE MAYOR TO ENTER INTO A MEDICAL DIRECTION SERVICES AGREEMENT BETWEEN THE CITY OF AVON AND UNIVERSITY HOSPITALS HEALTH SYSTEMS

The Clerk read Ordinance No. 54-25 by title only, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEDICAL DIRECTION SERVICES AGREEMENT BETWEEN THE CITY OF AVON AND UNIVERSITY HOSPITALS HEALTH SYSTEMS AND DECLARING AN EMERGENCY

The Chair declared this to be the first of three readings of Ordinance No. 54-25.

Mayor Jensen explained that there was some confusion last week regarding the wording of the agreement. He clarified that it was initially understood to be for the SWAT team in case they were called out simultaneously. He mentioned that corrections were being made and that the Fire Chief would be present at the next Work Session of Council to discuss the details and they hoped to have everything made clear by the Regular Meeting on Monday, July 14, 2025.

ORDINANCE NO. 55-25 – 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. 55-25 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. 55-25, 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.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Ordinance No. 55-25, 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. 56-25 – IMPOSING A ONE-YEAR TEMPORARY MORATORIUM ON THE ISSUANCE AND PROCESSING OF ANY SPECIAL USE PERMITS FOR ASSISTED LIVING FACILITIES, NURSING HOMES AND INDEPENDENT LIVING ESTABLISHMENTS FOR SENIORS AS ADDRESSED IN PART 12 OF THE CITY OF AVON CODIFIED ORDINANCES

The Clerk read Ordinance No. 56-25 by title only, entitled:

AN ORDINANCE IMPOSING A ONE-YEAR TEMPORARY MORATORIUM ON THE ISSUANCE AND PROCESSING OF ANY SPECIAL USE PERMITS FOR ASSISTED LIVING FACILITIES, NURSING HOMES AND INDEPENDENT LIVING ESTABLISHMENTS FOR SENIORS AS ADDRESSED IN PART 12 OF THE CITY OF AVON CODIFIED ORDINANCES 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. 56-25, 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. 56-25, 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.

ORDINANCE NO. 57-25 – AMENDING SECTIONS 277.02(a) & (b) OF THE CODIFIED ORDINANCES OF THE CITY OF AVON RELATIVE TO TREE COMMISSION “MEMBERSHIP AND COMPENSATION”
The Clerk read Ordinance No. 57-25 by title only, entitled:

AN ORDINANCE AMENDING SECTIONS 277.02(a) & (b) OF THE CODIFIED ORDINANCES OF THE CITY OF AVON RELATIVE TO TREE COMMISSION “MEMBERSHIP AND COMPENSATION” 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. 57-25, 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 Ordinance No. 57-25, 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.

ORDINANCE NO. 58-25 – AUTHORIZING THE MAYOR TO ENTER INTO A REAL ESTATE DONATION AGREEMENT WITH THE BOARD OF PARK COMMISSIONERS, LORAIN COUNTY METROPOLITAN PARK DISTRICT TO TRANSFER FIVE PARCELS OF LAND (PPN 04-00-013-000-068, 04-00-013-000-143, 04-00-013-000-141, 04-00-013-000-136 & 04-00-013-000-125)
The Clerk read Ordinance No. 58-25 by title only, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A REAL ESTATE DONATION AGREEMENT WITH THE BOARD OF PARK COMMISSIONERS, LORAIN COUNTY METROPOLITAN PARK DISTRICT TO TRANSFER FIVE (5) PARCELS OF LAND (PPN 04-00-013-000-068, 04-00-013-000-143, 04-00-013-000-141, 04-00-013-000-136 & 04-00-013-000-125) 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. 58-25, 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.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Ordinance No. 58-25, 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.

<u>RESOLUTION NO. R-17-25 – AUTHORIZING THE DIRECTOR OF FINANCE TO ENTER INTO A LEASE AGREEMENT WITH THE HUNTINGTON PUBLIC CAPITAL CORPORATION</u>
The Clerk read Resolution No. R-17-25 by title only, entitled:

A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO ENTER INTO A LEASE AGREEMENT WITH THE HUNTINGTON PUBLIC CAPTIAL CORPORATION 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-17-25, 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. Moore to adopt Resolution No. R-17-25, 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.

<u>RESOLUTION NO. R-18-25 – OPPOSING HOUSE BILL 335 AND URGING THE OHIO GENERAL ASSEMBLY TO REJECT LEGISLATION THAT ELIMINATES INSIDE MILLAGE AND TRANSFERS LOCAL BUDGETARY AUTHORITY TO COUNTY BUDGET COMMISSIONS</u>
The Clerk read Resolution No. R-18-25 by title only, entitled:

A RESOLUTION OPPOSING HOUSE BILL 335 AND URGING THE OHIO GENERAL ASSEMBLY TO REJECT LEGISLATION THAT ELIMINATES INSIDE MILLAGE AND TRANSFERS LOCAL BUDGETARY AUTHORITY TO COUNTY BUDGET COMMISSIONS 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-18-25, 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-18-25, 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.

<u>REPORTS AND COMMENTS</u>

MAYOR JENSEN reported on the increasing concerns about e-scooters and motorized bikes in the City. He mentioned discussions with Mr. Gasior about what the City can do legislatively to minimize risks as well as the Police Chief about potential safety classes for parents and children. The Mayor highlighted the need for education on the safe use of these vehicles that includes the use of safety equipment, especially given their high speeds and the potential dangers in traffic.

Mayor Jensen also requested that a Finance/Safety Committee Meeting be called for July 7th to discuss plans for a second fire station with Chief Swope present and to address some reappropriation of funds.

COUNCIL MEMBERS:

MS. BERGES, AT LARGE, had nothing to report.

MRS. DEMALINE, WARD 1, thanked Mayor Jensen for addressing the e-bikes and electric scooters issue. She also expressed gratitude to the Administration for paving the entranceway of Veterans Park off Case Road with asphalt to help eliminate some of the dust. The entranceway had previously been gravel and she was a proponent of getting that work done.

MR. MCBRIDE, WARD 2, requested targeted enforcement for illegally placed signs in the public right-of-way, suggesting increasing fines for repeat offenders as most of them appear to be out-of-town businesses. He also echoed concerns about e-scooters and e-bikes, noting that children often ignore traffic signals and he expressed worry about potential injuries. Mr. McBride added that he appreciates the Mayor’s efforts to improve safety.

MR. MOORE, WARD 3, confirmed the time for the Finance/Safety Committee meeting on July 7th for 6:30 p.m. and he asked the Clerk to schedule it and send out the notices.

Mr. Moore mentioned the upcoming sidewalk work on State Route 83, noting that this would help keep e-scooters and e-bikes off the road and onto the sidewalks, improving safety. Mr. Moore asked about signage options to indicate proper usage of sidewalks for these vehicles and to inform pedestrians of the shared use, aiming to prevent accidents.

MS. PATTON, AT LARGE, thanked Mr. Gasior for being proactive in opposing House Bill 335.

MR. RADCLIFFE, WARD 4, thanked the City crews for handling the heavy rains and sweltering heat well as everything was under control and well received by a few of his neighbors. He also reminded homeowners of their responsibility to maintain level sidewalks for safety and not in a state of disrepair in reference to the e-scooters and e-bikes discussion.

MR. FISCHER, AT LARGE, reminded everyone that next week would be a fifth Monday, so there would be no meeting. He announced that the next meeting would be a Work Session on July 7th. The Chair also officially welcomed Anne Kish as the new Assistant Clerk of Council, who would be starting her employment with the City on July 7th.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER, had nothing to report.

MS. FECHTER, PLANNING/ECONOMIC DEVELOPMENT COORDINATOR, wished everyone a happy Fourth of July and fifth Monday.

MR. GASIOR, LAW DIRECTOR, also mentioned the upcoming fifth Monday and he wished everyone a happy Fourth of July.

MR. PRESLEY, FINANCE DIRECTOR, had nothing to report.

MR. STREATOR, SAFETY DIRECTOR/PUBLIC SERVICE DIRECTOR, was absent.

AUDIENCE COMMENTS:

There were no comments from the audience.

~~EXECUTIVE SESSION:~~

The Chair advised that the Executive Session was no longer needed, and it was skipped.

~~RECONVENE:~~

This item was skipped as the Executive Session did not take place.

ADJOURN: 7:59 p.m.

A motion was made by Mr. McBride and seconded by Ms. Berges 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 Chair declared the motion passed.

PASSED:______________________________

SIGNED BY:________________________________
Brian Fischer, President of Council

ATTEST: _______________________________
Barbara J. Brooks, Clerk of Council