MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF AVON, OHIO, HELD MONDAY SEPTEMBER 8, 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; Law Director – John Gasior; Finance Director – Steve Presley; Safety/Public Service Director – Duane Streator; Clerk of Council – Barbara Brooks

ABSENT:
Planning and Economic Development Coordinator – Pam Fechter

CORRESPONDENCE
Ms. Brooks reported that she had two requests from the Ohio Division of Liquor Control:
- A new liquor license request for Mapco located at 36071 Chester Road for a C1, C2, and D6 permit class.
- A new liquor license request for Westside Pancake Company to be located at 37500 Colorado Avenue for a D5I liquor license.

No requests for a hearing were made and there were no questions or comments from Council on either request.

OVERVIEW OF SERVICES PROVIDED BY THE FRIENDSHIP ANIMAL PROTECTIVE LEAGUE (APL) OF LORAIN COUNTY — Greg Willey, Executive Director

Gregory Willey, Executive Director of the Friendship Animal Protective League of Lorain County, provided an overview of services. Mr. Willey explained that he has been Executive Director for 16 years, during which time the organization has grown dramatically. The APL rescues animals from various situations, often working alongside the Avon Police Department to help animals that have been orphaned by owners who are sick, incapacitated, or deceased.

Mr. Willey expressed appreciation for the City of Avon's partnership, particularly the Police Department's assistance with animal rescues. For the past seven years, the APL has helped Avon with their stray animals, particularly dogs, providing an outlet for the police when they find injured or sick animals.

The APL provides medical treatment, care, foster homes, spay and neuter services, and has recently added a veterinarian to their staff to offer low-cost services to the public. Mr. Willey thanked Council President Fischer and his wife, Kirsten, for all the animals they have fostered over the years. They also maintain a food bank to help families continue providing for their animals during uncertain financial times. The organization finds homes for approximately 5,000-6,000 animals in Lorain County every year.

Mayor Jensen highlighted the importance of the APL, noting that when people move out of apartment complexes, they sometimes leave animals behind. He explained that the City has no way to house these animals at their facilities, and the APL is gracious enough to help in these situations. The Mayor mentioned that Council recently appropriated funds to provide financial support to the APL and the City intends to continue to provide that financial support every year because the APL has helped and supported the City. Mr. Willey was grateful for the support both financially and the relationships formed by working alongside the Avon Police Department.

Mr. McBride asked if the APL tracks how many animals they take from Avon each year. Mr. Willey confirmed they do track this information and that Avon is the only community they have a partnership with for stray services. He noted that the number of animals is minimal because most Avon residents come to pick up their pets, with typically no more than 15-20 animals per year requiring placement. Mr. Willey advised the real problem is the cost when an animal is injured or is sick and requires additional care. Mr. McBride acknowledged Avon's appreciation of the services provided by the APL.

MINUTES OF THE WORK SESSION OF COUNCIL HELD MONDAY, AUGUST 4, 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, August 4, 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, AUGUST 11, 2025

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 11, 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.

ORDINANCE NO. 64-25 – ESTABLISHING THE NAGEL FARMS INCENTIVE DISTRICT AND DECLARING IMPROVMENTS TO CERTAIN PARCELS OF REAL PROPERTY IN THE INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE TO BENEFIT OR SERVE THE INCENTIVE DISTRICT, REQUIRING THE OWNERS OF THE PARCELS WITHIN THE INCENTIVE DISTRICT TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING A NAGEL FARMS MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS AND RELATED MATTERS

The Clerk read Ordinance No. 64-25 by title only, entitled:

AN ORDINANCE ESTABLISHING THE NAGEL FARMS INCENTIVE DISTRICT AND DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY IN THE INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE

TO BENEFIT OR SERVE THE INCENTIVE DISTRICT, REQUIRING THE OWNERS OF THE PARCELS WITHIN THE INCENTIVE DISTRICT TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING A NAGEL FARMS MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS AND RELATED MATTERS AND DECLARING AN EMERGENCY

The Chair declared this to be the third of three readings of Ordinance No. 64-25.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to suspend the rules and act on Ordinance No. 64-25 as amended, 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.

<u>ORDINANCE NO. 67-25 – ESTABLISHING THE NAGEL VILLAS INCENTIVE DISRICT AND DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY IN THE INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE TO BENEFIT OR SERVE THE INCENTIVE DISTRICT, REQUIRING THE OWNERS OF THE PARCELS WITHIN THE INCENTIVE DISTRICT TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING A NAGEL VILLAS MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS AND RELATED MATTERS</u>
The Clerk read Ordinance No. 67-25 by title only, entitled:

AN ORDINANCE ESTABLISHING THE NAGEL VILLAS INCENTIVE DISTRICT AND DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY IN THE INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE TO BENEFIT OR SERVE THE INCENTIVE DISTRICT, REQUIRING THE OWNERS OF THE PARCELS WITHIN THE INCENTIVE DISTRICT TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING A NAGEL VILLAS MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS AND RELATED MATTERS AND DECLARING AN EMERGENCY

The Chair declared this to be the second of three readings of Ordinance No. 67-25.

<u>ORDINANCE NO. 75-25 – TO AMEND THE PLANNING AND ZONING CODE SECTION 1222.02(b) “DEFINITIONS”, 1270.03 “SCHEDULE OF PERMITTED USES”, IN THE BUSINESS DISTRICT, SECTION 1274.03 “SCHEDULE OF PERMITTED USES IN O-2 DISTRICT”, SECTION 1280.05 “MINIMUM LOT AND YARD REGULATIONS FOR SPECIAL USES IN NON-RESIDENTIAL DISTRICTS AND 1280.06 “SUPPLEMENTAL REGULATIONS FOR CERTAIN USES” PERTAINING SPECIFICALLY TO HOTELS/MOTELS IN THE CITY OF AVON</u>
The Clerk read Ordinance No. 75-25 by title only, entitled:

AN ORDINANCE TO AMEND THE PLANNING AND ZONING CODE SECTION 1222.02(b) "DEFINITIONS", 1270.03 "SCHEDULE OF PERMITTED USES", IN THE BUSINESS DISTRICT, SECTION 1274.03 "SCHEDULE OF PERMITTED USES IN O-2 DISTRICT", SECTION 1280.05 "MINIMUM LOT AND YARD REGULATIONS FOR SPECIAL USES IN NON-RESIDENTIAL DISTRICTS AND 1280.06 "SUPPLEMENTAL REGULATIONS FOR CERTAIN USES" PERTAINING SPECIFICALLY TO HOTELS/MOTELS IN THE CITY OF AVON

The Chair declared this to be the first of three readings of Ordinance No. 75-25.
A Public Hearing will be held on Tuesday, October 14, 2025 at 7:25 p.m.

ORDINANCE NO. 76-25 – TO AMEND AND SUPPLEMENT APPROPRIATIONS ORDINANCE NO. 109-24
The Clerk read Ordinance No. 76-25 by title only, entitled:

AN ORDINANCE TO AMEND AND SUPPLEMENT APPROPRIATIONS ORDINANCE NO. 109-24 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. 76-25, 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.

A motion was made by Mr. McBride and seconded by Mr. Moore to adopt Ordinance No. 76-25, 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.

ORDINANCE NO. 77-25 – AUTHORIZING THE MAYOR TO EXECUTE A GRANT AWARD AGREEMENT TO PARTICIPATE IN THE STATE CAPITAL BUDGET GRANT PROGRAM FOR FUNDS TOWARD THE CONSTRUCTION OF VARIOUS ASPECTS OF THE FRENCH CREEK SPORTS COMPLEX
The Clerk read Ordinance No. 77-25 by title only, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A GRANT AWARD AGREEMENT TO PARTICIPATE IN THE STATE CAPITAL BUDGET GRANT PROGRAM FOR FUNDS TOWARD THE CONSTRUCTION OF VARIOUS ASPECTS OF THE FRENCH CREEK SPORTS COMPLEX 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. 77-25, 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.

A motion was made by Mr. McBride and seconded by Mr. Moore to adopt Ordinance No. 77-25, and the discussion was:

Mrs. Demaline addressed the Council, highlighting that there had been an update to Ordinance No. 77-25 regarding the French Creek Sports Complex. She asked Mr. Cummins for more details about the changes. Mr. Cummins explained that the grant request made through the State Capital Budget involved various enhancements planned for the French Creek recreational area located west of Recreation Lane. The proposed project encompasses a multifaceted sports complex design that includes various types of ball fields, parking facilities, and concession stands. Importantly, the project also envisions the potential construction of a segment of the French Creek Greenway trail to run along French Creek Road.

Mr. Cummins further clarified the initial drafting of the Ordinance was overly restrictive, indicating that the original draft stated the funds could be used exclusively for the French Creek Road Greenway trail. However, he pointed out that the funds had flexible applicability, broadening their capacity to support numerous facets of this larger project, making room for significant infrastructure strides. This broader application of funds effectively positions the City to make substantial advancements in creating a comprehensive sports complex alongside developing necessary infrastructure. Mr. Cummins pointed out this Ordinance was solely to accept the funds and that no decisions were being made at this time as far as which part of the project the funds would be used for.

Expressing her concerns, Mrs. Demaline voiced apprehensions about the specificity of the grant agreement's project description, particularly the portion outlining the proposed construction of a 1.6-mile multi-use trail along French Creek Road. She asked if the City is required to use these funds specifically for the trail along French Creek Road referencing page 2 of the agreement "Project Description". Mr. Gasior read from that section of the agreement, "The Grantee shall use the grant funds for 'French Creek Sports Complex'… saying it describes the complex as a 1.6-mile multi-use trail, yet the complex is more than just the 1.6-mile multi-use trail. He said it seems to be a bit ambiguous, and he spoke with Teresa Goodridge, the Program Manager with ODNR, about that and she seemed to think the money was being used for anything inside the French Creek multi-use facility. Mr. Gasior stated the maps that Mr. Cummins provided him clearly show that there is a large area that makes up the French Creek Sports Complex and he believes the project description is the French Creek Sports Complex. Mrs. Demaline pointed out those maps of the sports complex do not show the French Creek Greenway trail on French Creek Road. Mr. Gasior said the left side of one of the maps references the future path to the French Creek Greenway. He believes that path is designed to follow the Norfolk railroad tracks underneath I-90 and come out to French Creek Road near the railroad tracks. To that extent, Mr. Gasior felt that it could be the 1.6-mile multi-use trail. Whether that trail gets constructed will depend a lot on what kind of arrangements can be made with the Norfolk Southern Railroad. He added that Mr. Ziemnik, Director of the Lorain County Metro Parks, indicated to him that he was working with the railroad with the hopes that this trail would be completed to the sports complex.

Mrs. Demaline clarified that she certainly was not going to stand in the way of the City receiving $1 million dollars toward a project; however, she requested the matter be placed on a future Service Committee agenda to allow for broader discussion and long-term planning. She noted that she has received inquiries from residents, and she asked that her request for additional information be granted.

Mayor Jensen provided additional clarifications, asserting that the primary and intended utilization of these funds was to facilitate trail installations along French Creek Road—as originally earmarked within the primary grant application. Mayor Jensen emphasized that NOACA had already pledged $250,000 toward the project's engineering services, and the decision has been made as to what side of French Creek Road the trail would be located, reflecting a concrete commitment to advancing this initiative. This pledge, according to Mayor Jensen, indicates a shared vision for moving forward with the broader infrastructure development plan.

The Mayor stressed the existing Ordinance's focus was on formally accepting this grant money, aiming to strategically channel the funds for trail development on French Creek Road as part of a cohesive plan to interlink the sports complex with surrounding recreational and sports facilities. He mentioned that the sports fields would not be installed without future funding. Highlighting the timeline, he suggested optimism for potentially putting the trail project out for bid in the upcoming fall, aiming at commencing the construction phase by the subsequent spring.

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.

<u>ORDINANCE NO. 78-25 – TO ADOPT PHASE ONE OF THE SHADE TREE PLAN FOR THE CITY OF AVON FOR IMPLEMENTATION IN FALL 2025</u>
The Clerk read Ordinance No. 78-25 by title only, entitled:

AN ORDINANCE TO ADOPT PHASE ONE OF THE SHADE TREE PLAN FOR THE CITY OF AVON FOR IMPLEMENTATION IN FALL 2025 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. 78-25, 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.

A motion was made by Mr. McBride and seconded by Mr. Moore to adopt Ordinance No. 78-25, and the discussion was:

Ms. Berges answered Mr. McBride's question from the previous meeting about the types of trees to be planted, stating there would be various varieties of maple trees that would provide shade and are fast-growing.

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. 79-25 – AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH TURCO REAL ESTATE HOLDINGS COMPANY TO PURCHASE REAL PROPERTY CONSISTING OF APPROXIMATELY 0.4800 ACRES OF LAND, (A 10' WIDE STRIP ON THE SOUTH SIDE OF FREEMAN DRIVE), PPN 04-00-009-000-167 AND DEDICATING SAME FOR USE AS A PUBLIC RIGHT-OF-WAY

The Clerk read Ordinance No. 79-25 by title only, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH TURCO REAL ESTATE HOLDINGS COMPANY TO PURCHASE REAL PROPERTY CONSISTING OF APPROXIMATELY 0.4800 ACRES OF LAND, (A 10' WIDE STRIP ON THE SOUTH SIDE OF FREEMAN DRIVE), PPN 04-00-009-000-167 AND DEDICATING SAME FOR USE AS A PUBLIC RIGHT-OF-WAY 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. 79-25, 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.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Ordinance No. 79-25, 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.

ORDINANCE NO. 80-25 – AUTHORIZING THE MAYOR TO EXECUTE THE ADDENDUM TO THE REAL ESTATE PURCHASE AGREEMENT WITH THE AVON LOCAL SCHOOL DISTRICT TO ACQUIRE REAL PROPERTY LOCATED AT 36600 DETROIT ROAD (a.k.a. THE AVON VILLAGE SCHOOL)

The Clerk read Ordinance No. 80-25 by title only, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE THE ADDENDUM TO THE REAL ESTATE PURCHASE AGREEMENT WITH THE AVON LOCAL SCHOOL DISTRICT TO ACQUIRE REAL PROPERTY LOCATED AT 36600 DETROIT ROAD (a.k.a. THE AVON VILLAGE SCHOOL) 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. 80-25, 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.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Ordinance No. 80-25, 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.

REPORTS AND COMMENTS

MAYOR JENSEN had no comments.

COUNCIL MEMBERS:

MS. BERGES, AT LARGE, thanked Council on behalf of the Tree Commission for approving both the appropriations to purchase trees and the Shade Tree Plan. She noted that they hoped to get started with planting trees beginning at the end of September.

Ms. Berges commended the City on the two events held over the weekend - the shredding event and the annual Safety Fair - noting they were well attended and showcased City services. She said it was also great to see the residents interacting with the City employees.

Ms. Berges inquired about a September 11th ceremony. Mr. Streator explained that there would be a simple ceremony at 7:30 am at the flagpole behind the Fire Station, noting that every major anniversary they plan to do a larger ceremony. He confirmed that the public would be welcome to attend.

Mayor Jensen said an announcement would be sent to Council the following day.

MRS. DEMALINE, WARD 1, announced that the Service Committee meeting originally scheduled for September 22nd would be moved to October 20th at 6:30 pm at the request of the Mayor and Mr. Cummins. At the meeting they would discuss the 2026 Sidewalk Program, as well as year-to-date progress on prior sidewalk programs. She added with the French Creek Greenway Trail/Sports Complex becoming an item of discussion she felt it would also be appropriate to add that topic before authorizing the Mayor to go out for bid.

MR. MCBRIDE, WARD 2, thanked the Mayor and the Administration for their work on addressing recent resident issues and service requests. He noted the Administration has been very good in working with those residents and said a “thank-you” often goes unsaid for all the work they do for us.

MR. MOORE, WARD 3, had no comments.

MS. PATTON, AT LARGE, had no comments.

MR. RADCLIFFE, WARD 4, thanked the Administration for continuing to work on storm sewer grate replacement throughout the City, noting that residents appreciate these improvements. He encouraged continued work on the grate replacements while good weather still permits.

MR. FISCHER, AT LARGE, commented on how good the new LED lights look at the Fire Station, Police Station, and at the Heritage Square Gazebo. He thanked Council for approving the lights and to the employees who installed them. Mr. Fischer commented that he understands that the color can be changed for different holidays and he felt they look impressive.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER, had no comments.

MS. FECHTER, PLANNING/ECONOMIC DEVELOPMENT COORDINATOR, was absent.

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 Phillips, of 461 Windward Way, Avon Lake and former resident of Avon, addressed the Council with concerns about why the Grand Esplanade project has not moved forward as he felt it should. He began by distributing a document to the Council Members, which included a detailed timeline highlighting the extensive reviews and scrutiny that the project had undergone. Phillips emphasized that this project had been the most meticulously reviewed in Avon's history, with exhaustive checks and multiple reviews. He pinpointed a specific issue related to a "reserve strip" or "devil strip" that, according to him, required correction to comply with the City's subdivision regulations. This strip, he explained, was against the Codified Ordinances as outlined in section 1246.04(a)(6). Mr. Phillips likened this situation to a previous development, Red Tail No. 15, where a similar issue with a street stub not being completed was noted. He contrasted this with the recent Red Tail No. 17, where street stubs were indeed completed in alignment with the Codified Ordinances.

Mr. Phillips reiterated the Grand Esplanade project's consistency with the City’s Master Street Plan, which stipulates the connection of specific streets, namely Napa Boulevard to St. James Trail then a gap reconnecting Napa Boulevard to St. Theresa Boulevard. Also St. James Trail should eventually connect to the northern portion of Hilliard Lakes Golf Club. He elaborated that the proposed street continuation for phase 2 was designed to align with these requirements, ensuring a logical and practical flow as outlined in the Master Plan noting that St. Theresa Boulevard should eventually connect southward to Mills Road. Additionally, Mr. Phillips brought up issues with earlier Master Sewer Plans, pointing out previous inaccuracies in forecasting the feasibility of sewer placements along Saint Theresa Boulevard due to concerns about depth. He presented this as a significant oversight, as sewers were eventually placed along that path, contradicting the original assessment that suggested Nagel Road as the sole viable route. This inaccuracy, Mr. Phillips noted, has had implications for the future planning and development of the surrounding area.

In addressing Council, Mr. Phillips underlined that his client was advocating for strict adherence to the law, emphasizing the importance of rectifying the reserve strip oversight to ensure compliance with both the Master Street and Sewer Plans. He stressed the project's adherence to the Master Street Plan, which called for the continuation of Saint Teresa Boulevarrd to Mills Road. Fulfillment of this element, Mr. Phillips argued, was crucial not only for the integrity of the Street Plan but also for maintaining the coherence of the Sewer Plan in District Number 9. He urged

Council to correct the reserve strip oversight as a matter of upholding community and infrastructural standards as dictated by City Regulations.

Christopher Peterson, of 2597 Daegan Drive and Duane Evans of 2596 Daegan Drive spoke on behalf of the Fairfield Estates Phase 3 HOA regarding two concerns. Their first concern was about a 22-inch waterline that runs along the train tracks where trees had been removed. They expressed that this waterline was not shown on City or County maps and noted the potential issue as this line runs along the same route as the proposed trail. Mayor Jensen acknowledged this concern, mentioning that the trail project along the railroad tracks was still in the discussion phase. He assured the group that the Administration would work collaboratively with the HOA on buffering, if the project proceeds. The Mayor also noted that although the waterline was removed without prior notice, they are communicating with the rural water for further clarification regarding the removal and the restoration of trees to ensure the area is leveled and reseeded. As for their second concern, Mr. Peterson requested the extension of a wall along I-90. Mayor Jensen confirmed that letters were sent to request this wall extension but unfortunately received refusals. Mayor Jensen added that they plan to involve surrounding communities, such as the Mayor of Sheffield Village, to possibly aid in advocating for the wall extension, especially with new developments planned nearby. Mr. Cummins addressed the mapping issue, indicating that the City's GIS system includes the waterline, though it may not appear on County maps or individual home topography.

Pete Restivo, 4061 Nagel Road, Avon asked if there would still be an Executive Session held with discussion between the Mayor and Council. His question was confirmed by Mr. Gasior.

Johan Paul, of 37854 Briar Lakes Drive, Avon inquired about the French Creek Sports Complex listed on the agenda as Item 12, specifically asking how it would affect student transportation and traffic from the stadium. Mayor Jensen explained that the project was simply a walking/bike trail to connect areas, not something that would impact traffic flow. Mayor Jensen added that the ultimate goal from the Metro Parks is to get the trail all the way to Avon Lake connecting to their bike trail and the impetus behind wanting to move forward with the trail to eventually connect to Crusher Stadium area and in cooperation with the Metro Parks initiative.

<u>EXECUTIVE SESSION:</u> 8:20 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 Threat of Imminent Litigation and for the Purpose of Discussing the Purchase/Sale of an Interest in Real Property, and invite Mayor Jensen, Mr. Gasior, Mr. Cummins, Mr. Presley, Mr. Streator, 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>RECONVENE:</u> 8:50 p.m.
A motion was made by Mr. McBride and seconded by Mr. Radcliffe to Reconvene the Regular Meeting of Council, 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.

ADJOURN: 8:51 p.m.
A motion was made by Mr. McBride and seconded by Mr. Radcliffe to Adjourn the Regular Meeting of Council, 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.

PASSED:______________________________

SIGNED BY:________________________________
Brian Fischer, President of Council

ATTEST: _______________________________
Barbara J. Brooks, Clerk of Council