

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF AVON, OHIO, HELD MONDAY SEPTEMBER 22, 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 Streater; Clerk of Council – Barbara Brooks

MINUTES OF THE WORK SESSION OF COUNCIL HELD TUESDAY, SEPTEMBER 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 Tuesday, September 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, SEPTEMBER 8, 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, September 8, 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.

MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD MONDAY, SEPTEMBER 15, 2025

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to dispense with the reading of the minutes of the Special Meeting of Council held Monday, September 15, 2025, 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. 67-25 – 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

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 third of three readings of Ordinance No. 67-25.

A motion was made by Mr. McBride and seconded by Mr. Moore to adopt 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.

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

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 second of three readings of Ordinance No. 75-25.

A Public Hearing will be held on Tuesday, October 14, 2025, at 7:25 p.m.

Mr. Gasior pointed out that the Ordinance was amended last week to include a Section 7, which would terminate the current moratorium as soon as the Ordinance becomes effective. However, he clarified that it would not address the moratorium with respect to Airbnb’s and other types of

short-term rentals. He indicated that when the Ordinance completes its third reading in October, they would likely need to script the agenda for an amendment.

ORDINANCE NO. 81-25 – AUTHORIZING THE MAYOR TO ENTER INTO THE “FOURTH AMENDMENT TO LEASE” BETWEEN THE CITY OF AVON AND BUCKEYE BASEBALL, LLC

The Clerk read Ordinance No. 81-25 by title only, entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER
INTO THE “FOURTH AMENDMENT TO LEASE” BETWEEN THE
CITY OF AVON AND BUCKEYE BASEBALL, LLC
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. 81-25, 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. Radcliffe and seconded by Mr. Moore to adopt Ordinance No. 81-25, 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. 84-25 – TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH LANDSCAPE STRUCTURES FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT, TURF, AND APPURTENANCES THERETO FOR EVERY CHILD’S PLAYGROUND

The Clerk read Ordinance No. 84-25 by title only, entitled:

**AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT
WITH LANDSCAPE STRUCTURES FOR THE PURCHASE AND INSTALLATION OF
PLAYGROUND EQUIPMENT, TURF, AND APPURTENANCES THERETO FOR
EVERY CHILD’S PLAYGROUND
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. 84-25, 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 Ms. Berges to adopt Ordinance No. 84-25, 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.

RESOLUTION NO. R-19-25 – DECLARING THE NECESSITY TO CONSTRUCT AND AUTHORIZING THE SUBMISSION OF AN OHIO PUBLIC WORKS COMMISSION (OPWC) STATE ISSUE ONE FUNDING APPLICATION FOR THE STATE ROUTE 83 & RIEGELSBERGER ROAD ROUNDABOUT PROJECT

The Clerk read Resolution No. R-19-25 by title only, entitled:

A RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT AND AUTHORIZING THE SUBMISSION OF AN OHIO PUBLIC WORKS COMMISSION (OPWC) STATE ISSUE ONE FUNDING APPLICATION FOR THE STATE ROUTE 83 & RIEGELSBERGER ROAD ROUNDABOUT PROJECT AND DECLARING AN EMERGENCY

A motion was made by Mr. McBride and seconded by Mr. Moore to suspend the rules and act on Resolution No. R-19-25, 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-19-25, 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.

RESOLUTION NO. R-20-25 – DECLARING IT NECESSARY TO MOVE FORWARD WITH AND AUTHORIZE THE SUBMISSION OF AN OHIO PUBLIC WORKS COMMISSION (OPWC) STATE ISSUE ONE FUNDING APPLICATION AND THE EXECUTION OF CONTRACTS THEREWITH FOR THE MILLS ROAD RESURFACING PROJECT

The Clerk read Resolution No. R-20-25 by title only, entitled:

A RESOLUTION DECLARING IT NECESSARY TO MOVE FORWARD WITH AND AUTHORIZE THE SUBMISSION OF AN OHIO PUBLIC WORKS COMMISSION (OPWC) STATE ISSUE ONE FUNDING APPLICATION AND THE EXECUTION OF CONTRACTS THEREWITH FOR THE MILLS ROAD RESURFACING PROJECT AND DECLARING AN EMERGENCY

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to suspend the rules and act on Resolution No. R-20-25, 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. Radcliffe and seconded by Mr. Moore to adopt Resolution No. R-20-25, 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.

RESOLUTION NO. R-21-25 – IN SUPPORT OF INCREASED PUBLIC AWARENESS, RESEARCH, AND PREVENTION EFFORTS FOR SUDDEN UNEXPECTED DEATH IN EPILEPSY (SUDEP)

The Clerk read Resolution No. R-21-25 by title only, entitled:

**A RESOLUTION IN SUPPORT OF INCREASED PUBLIC AWARENESS,
RESEARCH, AND PREVENTION EFFORTS FOR SUDDEN
UNEXPECTED DEATH IN EPILEPSY (SUDEP)
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-21-25, 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 Resolution No. R-21-25, and the discussion was:

Council President Fisher provided background on the Resolution. He explained that he received an email from Council President Lou Brossard of North Olmsted, who had sent it to most Council Presidents in Northeast Ohio. Mr. Brossard's daughter, Brenna, had passed away a few years ago from SUDEP (Sudden Unexpected Death in Epilepsy). Council President Fisher noted that he researched the condition as he was not familiar with it. The Epilepsy Association of Cleveland has since received \$30,000 in donations in memory of Council President Broussard's daughter. Mr. Fisher noted that he contacted Mayor Jensen, who was in complete support of the Resolution. He thanked the Law Director for quickly preparing the Resolution and Ms. Brooks for verifying the authenticity of the request. He added that he has been in direct contact with President Brossard, who thanked the City of Avon for supporting this Resolution.

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.

REPORTS AND COMMENTS

MAYOR JENSEN reported that regarding Ordinance 84-25 for the playground equipment, the intention was to install it this year as it was budgeted for this year, pending completion of all necessary paperwork.

The Mayor also welcomed two young gentlemen in attendance, explaining to them how Council Meetings work, noting that most discussions take place during Work Sessions rather than during Regular Meetings, which is why items moved quickly on the voting night. He invited them to return for the first Work Session in October to observe more detailed discussions. Mayor Jensen expressed interest in hearing what these young men had to say and acknowledged their interest in City governance, encouraging them to have a voice in their community.

COUNCIL MEMBERS:

MS. BERGES, AT LARGE, expressed her anticipation for the traffic light to be installed soon at the intersection of Long Road and Detroit Road, which should help with school traffic.

Ms. Berges also reminded everyone that Arbor Day in Avon would be held on Saturday, October 4th from 11:00 a.m. to 2:00 p.m. next to Every Child's Playground. She noted that flyers were distributed to Council Members describing the day's activities, including the giveaway of 30 trees to the first 30 Avon residents who request them, with instructions on planting provided.

MRS. DEMALINE, WARD 1, had no comments.

MR. MCBRIDE, WARD 2, reported receiving a letter from an Avon resident regarding speeding concerns on Middleton Road, particularly traffic exiting Avon Commons heading east toward Jaycox Road. He planned to discuss with the Mayor about running radar in the area and possibly adding another radar speed limit sign, though he noted these do not issue tickets. He suggested that placing police cruisers in the area and issuing tickets might help slow drivers down. Mr. McBride also mentioned that the resident encouraged the City to enact legislation regarding e-bikes and e-scooters, which he considered a reasonable request that should be discussed.

Regarding drive-thru lanes at businesses, Mr. McBride brought up the need for bypass lanes in drive-thrus, referencing an Ordinance from another City where a young woman was killed in a drive-thru because she couldn't escape. He felt this warranted discussion and suggested making bypass lanes mandatory for future drive-thrus in Avon.

Finally, Mr. McBride mentioned plans for a joint Legal/Safety Committee meeting in the second week of November to address issues raised by Ms. Patton. He also noted concerns about signs in the public right-of-way that needed to be addressed by the Administration.

MR. MOORE, WARD 3, had no comments.

MS. PATTON, AT LARGE, requested that the Fire Chief and the Chief Building Official also be invited to the upcoming Legal/Safety Committee of Council meeting mentioned by Mr. McBride.

Ms. Patton expressed satisfaction with the submission of funds for the intersection of Riegelsberger Road and SR 83, noting the proactive approach. This led her to discuss the intersection of Nagel Road and Detroit Road, another busy intersection. Whether the City chooses a traditional intersection or roundabout, she suggested creating a Historical Structure Overlay to protect historical structures such as Holy Trinity Church on the corner. She explained that this zoning tool could increase property values and reduce the risk of incompatible development that might undermine the historical character of the area. She suggested this would prevent unattractive businesses from surrounding Holy Trinity Church and asked about the process for establishing such an overlay.

Mayor Jensen responded with background on the intersection of Nagel Road and Detroit Road, explaining that the City previously looked at a typical road improvement that would have removed trees and dramatically changed that intersection. They secured grant money for a roundabout, but ODOT traffic studies indicated the need for a double-lane roundabout, which would have

expanded on both sides and potentially damaged the area's character. The project was paused, but the Mayor and Mr. Cummins were reevaluating traffic figures, which they believed might be lower than initially projected, potentially allowing for a single-lane roundabout that would help alleviate traffic while preserving the area's charm and access to Holy Trinity Church. He noted he would report back to Council once he and Mr. Cummins have a more definitive proposal.

Ms. Patton suggested there should be boundaries around that intersection that would require certain standards about what can be built including the look of what can be built around that historic structure.

Ms. Patton also discussed the City's plans to move into the old Avon Village School for the new City Hall, with staff primarily occupying the back portion of the building. She mentioned the potential for exciting uses of the front area/former classrooms and its charm, and suggested working to generate excitement around downtown Avon, praising the beautiful streetlights already installed. She recommended utilizing Heritage Ohio, an organization that helps cities preserve and develop their downtowns through assessments, financial tools, and resources known as an Ohio Main Street program to create an active downtown. She envisioned boutiques and independent restaurants rather than chains in the area and suggested the City should pursue this opportunity.

MR. RADCLIFFE, WARD 4, added to the discussion about e-bikes and e-scooters, suggesting that regulations should encompass all types of road-legal low-speed vehicles (LSVs) including golf carts and small utility vehicles. He mentioned receiving requests from residents to allow golf carts to be driven through neighborhoods and developments, though he questioned whether residents in those neighborhoods would want that addition.

Mayor Jensen noted that they would use Avon Lake's legislation regulating those types of vehicles as a starting point for their own regulations, with Mr. Gasior distributing it to everyone. He indicated this would be discussed at an upcoming Work Session, and though it might take several weeks or a month to finalize, community members have asked to participate in the meetings.

MR. FISCHER, AT LARGE, reminded everyone that there would be no meeting the following Monday, September 29, 2025, as it is a fifth Monday, although City Hall would be open and the Mayor would be available. The next time Council meets will be on Monday, October 6, 2025 for a Work Session.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER, had no comments.

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

MR. GASIOR, LAW DIRECTOR, wished everyone a happy fifth Monday but had nothing further to report.

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

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

AUDIENCE COMMENTS:

Two seventh-grade students from Avon Middle School addressed Council, first Nate from Kensington Drive, felt the decision to move trick-or-treating this year from Friday, October 31st to Thursday, October 30th. He explained that he and Connor circulated a petition that garnered over 250 signatures in less than 48 hours, suggesting this represented widespread community support. He acknowledged the City's concerns about a potential High School football playoff game that could strain emergency services but argued that Friday would be safer and more convenient for families, allowing children to stay out later without worrying about school the next day to enjoy longstanding traditions.

Connor from Saddle Creek Drive addressed Council next adding that Halloween on a Friday has been anticipated by many in the community. He reiterated the traction that the circulated petition was receiving. Connor noted that if Avon's football team received a bye week, which was possible given their state championship win the previous year, this would prevent any safety concerns. He argued that while the football team is important, there is more to the community than football, and many residents would prefer to enjoy traditional Halloween activities without school the next day. Connor requested that the City reconsider the decision to move trick-or-treating and restore it to its rightful place on Halloween night.

Mr. Fischer commented on how impressed he was by these students and their ability to give thoughtful comments in a public forum at their young age noting they did a fantastic job.

Mayor Jensen clarified that the decision to move trick-or-treating was his alone, not Council's. He explained that when football games occur, the area around the stadium becomes congested with cars and people, making trick-or-treating in nearby neighborhoods impossible such as Hunters Trail, Bauerdale Drive and Lakeland Drive where cars park along the street. Additionally, Avon Police forces are fully deployed at the game, limiting their availability for citywide trick-or-treating in the residential neighborhoods and many residents would not be home to participate in trick-or-treating because they would be at the game. He noted that he needed to plan for the possibility of a game on that Friday night and could not wait to make such a decision. The Mayor noted that Thursday trick-or-treating the previous year was successful and that many communities across the United States schedule trick-or-treating on the Thursday before Halloween. He had considered Saturday as well but received complaints about conflicts with Cedar Point's Halloween weekend, football games, and family travel. The Mayor commended the students for their effort and said he would take their request into consideration, though safety remained his priority.

Mr. Moore praised the young men for advocating for something they believed in, encouraging them to continue such advocacy as they grew older. He suggested they might ask for an extra half-hour of trick-or-treating if the Thursday date remained.

Mr. McBride also congratulated the students on their presentation saying he felt it was a testament to their parents who are raising them right. He suggested they direct their petition to the Ohio High School Athletic Association, which scheduled the first round of playoffs on Halloween, forcing the Mayor's hand in making this safety-based decision.

Gerald Phillips of 461 Windward Way, Avon Lake addressed Council to discuss the City's Master Plan, with a particular focus on the proposed street connections to Mills Road. He illustrated his

points using an overhead display. Mr. Phillips began by highlighting specific areas that are crucial for the proposed streets that connect to Mills Road. One such area is Napa Boulevard going south is stubbed. There is a new subdivision on the other side of Schwartz Road going north and that is also stubbed. Looking at where the northern portion of Napa Boulevard goes, it goes alongside the Nagel District, which is commercial. He emphasized the need for a major thoroughfare in this region to accommodate future growth and ease traffic flow.

Further into his presentation, Mr. Phillips discussed the potential of connecting certain streets to improve connectivity. He proposed extending Saint Theresa Boulevard south to Mills Road and the property where St. Theresa Boulevard needs to go through is Grande Esplanade. He supported his suggestion by indicating that such a connection would align with and support the City's Master Plan. This alignment, he noted, is vital for ensuring well-thought-out and strategic City planning and development.

Mr. Phillips expressed concern that the Red Tail Subdivision currently acts like a large cul-de-sac, only accessible from two entry points on Nagel Road. According to him, this creates a bottleneck and is inconsistent with the City's long-term development goals. He asserted that the City should prioritize the construction of this connection, highlighting the practicality and importance of having a continuous road that serves both residents and commercial interests in the area. Section 1246.06 of Avon's Codified Ordinances says there should not be reserve strips because a reserve strip prevents the extension and development of what is consistent with the Master Plan. This reserve strip is preventing the Master Plan from going through.

Additionally, Mr. Phillips reminded Council that the City has the power of eminent domain. This legal tool could be used to acquire necessary land for public roadways, ensuring that the City's infrastructure grows in accordance with the Master Plan. He argued that employing eminent domain in this instance would swiftly resolve any issues surrounding property acquisition for public streets, and it would be difficult to oppose it from a municipal planning perspective.

Mr. Phillips wrapped up his session by reiterating that creating such connections is not just good planning but necessary to support Avon's growth and development. He also shared observations from the City's Zoning Code, noting sections that underline the requirement for proposed subdivisions to align with the Master Plan. The conversation concluded with the understanding that extending these roads is not just a theoretical proposal but an actionable and prudent step towards Avon's future.

Larry Escalante of 2221 Southampton Lane, Avon thanked the City Administration and Council for the work on Middleton Road, including resurfacing and fixing catch basins on Pembroke Lane and Middleton Road, which reduced the noise from tires on broken concrete and the sunken catch basins. He reminded the Administration about concerns he had submitted regarding e-scooters creating hazards, with children using Middleton Road as a "semi-raceway" and riding e-scooters on sidewalks, expressing support for any action the City could take.

Pete Restivo of 4061 Nagel Road, Avon asked about the status of Carnegie's handling of wetlands "Notice of Violations" received for the Red Tail Subdivision. Mr. Cummins responded that the City was not kept apprised of the situation. Mr. Restivo also asked if building permits were still being issued in Red Tail Subdivision No. 17, to which Mr. Cummins replied that to his knowledge, no additional permits have been granted since the violations notice was received, though he couldn't speak to building activity from previously issued permits. Mr. Restivo raised concerns

about falsification and obstruction of City business, suggesting these were serious issues that needed to be addressed, and expressed that the situation could not be ignored as it amounted to an "illegal taking" of his property at Grande Esplanade.

Mayor Jensen responded by noting a similar incident with Providence Church on Detroit Road in Avon, where the Army Corps of Engineers and the EPA managed all corrective measures independently, without City intervention, and suggested that a similar approach might unfold here. He assured Mr. Restivo that the City would adhere to any directions provided by the relevant authorities.

William Zimmerman of 241 Moorewood Avenue, Avon Lake raised concerns about visibility issues at the intersection near Costco where trees have grown large enough to block the view of traffic lights. Council President Fisher suggested he speak with the Safety Director after the meeting to identify the exact location so it could be addressed.

ADJOURN: 8:25 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. 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.

PASSED: _____

SIGNED BY: _____
Brian Fischer, President of Council

ATTEST: _____
Barbara J. Brooks, Clerk of Council