

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF AVON, OHIO, HELD MONDAY OCTOBER 27, 2025
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
AT 7:30 P.M.**

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

PRESENT:

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

MINUTES OF THE WORK SESSION OF COUNCIL HELD MONDAY, OCTOBER 6, 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, October 6, 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 TUESDAY, OCTOBER 14, 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 Tuesday, October 14, 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 SECTION 5709.40(C) OF THE OHIO REVISED CODE, THE CHAIRMAN ANNOUNCES A PUBLIC HEARING FOR THE RIEGELSBERGER TAX INCREMENT FINANCING (TIF) DISTRICT, THE PUBLIC HEARING WILL TAKE PLACE AT THE COUNCIL WORK SESSION ON MONDAY, NOVEMBER 3, 2025

Mr. Fischer

Mr. Fischer announced the public hearing. No questions were raised by Council regarding this announcement.

ORDINANCE NO. 86-25 – 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 0.6100 ACRE PARCEL OF LAND LOCATED ON CHESTER, WEST OF STATE ROUTE 83, PERMANENT PARCEL NO. 04-00-009-000-103 FROM R-3 MULTI-FAMILY RESIDENTIAL TO C-4 GENERAL BUSINESS DISTRICT

The Clerk read Ordinance No. 86-25 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 0.6100 ACRE
PARCEL OF LAND LOCATED ON CHESTER, WEST OF STATE ROUTE 83,
PERMANENT PARCEL NO. 04-00-009-000-103 FROM R-3 MULTI-FAMILY
RESIDENTIAL TO C-4 GENERAL BUSINESS DISTRICT**

The Chair declared this to be the second of three readings of Ordinance No. 86-25.

A Public Hearing will be held on Monday, November 10, 2025 at 7:25 p.m.

There were no questions raised.

ORDINANCE NO. 88-25 – ADOPTING A REVISED OVERVIEW PLAN FOR THE CITY OF AVON AS PREPARED BY CHAGRIN VALLEY ENGINEERING

The Clerk read Ordinance No. 88-25 by title only, entitled:

**AN ORDINANCE ADOPTING A REVISED OVERVIEW PLAN FOR THE CITY OF
AVON AS PREPARED BY CHAGRIN VALLEY ENGINEERING**

The Chair declared this to be the second of three readings of Ordinance No. 88-25.

Mr. McBride inquired whether it would be possible to add the ward maps and precincts onto the overview map, or if it would be better to keep them separate.

Mr. Cummins responded that his recommendation would be to keep them separate. He explained that they had just received the new precinct layout from the County and were in the midst of creating a ward map with the precincts shown. He expected the ward map to be ready within the next week or so.

Mr. McBride then asked what the cost would be for residents who wanted to buy either the overview map or the ward map.

Ms. Fechter replied that a copy of the overview map costs \$25, but she didn't know the charge for the ward map.

Mr. McBride mentioned that he had replied to an email that included both Mr. Cummins and Ms. Fechter about a gentleman who had been asking about the maps quite a while ago.

Ms. Fechter confirmed that she has been speaking with the gentleman regularly.

**ORDINANCE NO. 93-25 – AMENDING CHAPTER 1050 OF THE CODIFIED ORDINANCES
OF THE CITY OF AVON REGARDING STORMWATER MANAGEMENT
REQUIREMENTS**

The Clerk read Ordinance No. 93-25 by title only, entitled:

**AN ORDINANCE AMENDING CHAPTER 1050 OF THE CODIFIED
ORDINANCES OF THE CITY OF AVON REGARDING
STORMWATER MANAGEMENT REQUIREMENTS
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. 93-25, 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. 93-25, 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. 94-25 – AMENDING CHAPTER 1052 OF THE CODIFIED ORDINANCES
OF THE CITY OF AVON REGARDING EROSION AND SEDIMENT CONTROL**

The Clerk read Ordinance No. 94-25 by title only, entitled:

**AN ORDINANCE AMENDING CHAPTER 1052 OF THE CODIFIED ORDINANCES
OF THE CITY OF AVON REGARDING EROSION AND SEDIMENT CONTROL
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. 94-25, 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. Moore to adopt Ordinance No. 94-25, 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. 95-25 – AMENDING CHAPTER 1053 OF THE CODIFIED ORDINANCES OF THE CITY OF AVON REGARDING ILLICIT DISCHARGE & ILLEGAL CONNECTION CONTROL

The Clerk read Ordinance No. 95-25 by title only, entitled:

AN ORDINANCE AMENDING CHAPTER 1053 OF THE CODIFIED ORDINANCES OF THE CITY OF AVON REGARDING ILLICIT DISCHARGE & ILLEGAL CONNECTION CONTROL 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. 95-25, 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. Moore to adopt Ordinance No. 95-25, 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. 96-25 – GRANTING A SPECIAL USE PERMIT TO RUTH A. KELLER, TRUSTEE, TO ALLOW FOR A FARM WITH LIVESTOCK ON LAND IN EXCESS OF TWO (2) ACRES IN AN R-1 RESIDENTIAL DISTRICT LOCATED AT 3276 NAGEL ROAD

The Clerk read Ordinance No. 96-25 by title only, entitled:

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO RUTH A. KELLER, TRUSTEE, TO ALLOW FOR A FARM WITH LIVESTOCK ON LAND IN EXCESS OF TWO (2) ACRES IN AN R-1 RESIDENTIAL DISTRICT LOCATED AT 3276 NAGEL ROAD 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. 96-25, 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. 96-25, 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. 97-25 – AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH ENCOMPASS MARKETING AS THE MARKETING AND COMMUNICATIONS CONSULTANT FOR THE CITY OF AVON

The Clerk read Ordinance No. 97-25 by title only, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH ENCOMPASS MARKETING AS THE MARKETING AND COMMUNICATIONS CONSULTANT FOR 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. 97-25, 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. 97-25, 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. 98-25 – TO AUTHORIZE AN AMENDMENT TO THE DEVELOPER’S AGREEMENT WITH CHESTER ROAD PARTNERS, LLC FOR THE CONSTRUCTION OF PUBLIC IMPROVEMENTS AT THE VILLAS AT CHESTER COMMONS

The Clerk read Ordinance No. 98-25 by title only, entitled:

AN ORDINANCE TO AUTHORIZE AN AMENDMENT TO THE DEVELOPER’S AGREEMENT WITH CHESTER ROAD PARTNERS, LLC FOR THE CONSTRUCTION OF PUBLIC IMPROVEMENTS AT THE VILLAS AT CHESTER COMMONS 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. 98-25, 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. Moore to adopt Ordinance No. 98-25, 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.

REPORTS AND COMMENTS

MAYOR JENSEN reported that there has been significant discussion about sidewalks, and that he had received a public records request regarding the amount spent on engineering for the various sidewalk projects. He stated that over the last three years, the City has spent \$289,000 in engineering for sidewalks.

The Mayor suggested that Council should meet in a Finance Committee meeting at the beginning of next year to be more intentional about identifying areas for sidewalks to review all projects and establish a clear direction and timeline. He emphasized the need to be specific since the City would be spending significant money on road improvements throughout the City over the next 3-5 years, including Riegelsberger Road, Mills Road, Nagel Road, Detroit Road, Chester Road phases, and more.

In response to a request for clarification from the Mayor, Mr. Cummins listed several major upcoming projects: Chester Road: Phase 3, Phase 5A, Phase 4; Mills Road, aspects of Detroit Road and Nagel Road, and Middleton Road, noting "the list is long."

When asked about Trick or Treat by Council President Fischer, Mayor Jensen confirmed it would be held on Thursday, October 30th from 6:00 to 7:30 pm. The Mayor mentioned that they posted the information on signs and social media and hoped there would not be as much rain as anticipated during the event.

COUNCIL MEMBERS:

MS. BERGES, AT LARGE, congratulated various Avon High School teams on their successes. She specifically mentioned the girls’ cross-country team, the boys’ and girls’ soccer teams, and the football team for their noteworthy achievements.

MRS. DEMALINE, WARD 1, referenced a recent Service Committee meeting discussion and asked Council to consider an Ordinance related to the French Creek Greenway that would specify liability and maintenance responsibilities. She noted that such clarification would be important for those who might have a 10-foot-wide asphalt path in front of their yards.

She asked Mr. Gasior if Council could govern these responsibilities through an Ordinance, to which he confirmed they could. Mr. Gasior suggested incorporating this language into an Ordinance to advertise for bids rather than creating a standalone Ordinance, noting that the project was still in early stages with property acquisition yet to be completed.

Mrs. Demaline stated it would be helpful to know where Council stands on the City's responsibility for maintenance and liability on the path. She requested that any discussions about the French Creek Greenway Trail be scheduled for November 17th or later, as she would not be at the November 3rd meeting.

Mr. Gasior agreed to work with her on preparing a standalone item to bring before Council in November or December.

MR. MCBRIDE, WARD 2, reminded everyone about the Toys for Tots program mentioned in an email from Ms. Seighman, the Mayor's Administrative Assistant, encouraging people to bring in toys for those less fortunate.

MR. MOORE, WARD 3, had no comments.

MS. PATTON, AT LARGE, had no comments.

MR. RADCLIFFE, WARD 4, wished everyone a Happy Halloween regardless of which day they choose to participate in Trick or Treat activities.

MR. FISCHER, AT LARGE, had no additional comments.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER, made no comments.

MS. FECHTER, PLANNING/ECONOMIC DEVELOPMENT COORDINATOR, wished everyone a Happy Halloween.

MR. GASIOR, LAW DIRECTOR, informed Council that House Bill 109, which would regulate short-term rentals (STR) at the State level, was moving through the house. He noted that the City currently has a moratorium on short-term rentals and that this might become a Home Rule issue in the future.

MR. PRESLEY, FINANCE DIRECTOR, made no comments.

MR. STREATOR, SAFETY DIRECTOR/PUBLIC SERVICE DIRECTOR, informed Council that they had started their leaf pickup for the year that day. He confirmed they follow a route that goes from one side of the City to the other, visiting every street since there are plenty of leaves out.

AUDIENCE COMMENTS:

Angela Ans from 5803 Sunderland Drive, Parma, approached the microphone regarding property on Williams Court that belonged to her late mother. She explained that while attempting to sell the property, the title company discovered they couldn't complete the transaction because they didn't own the first 30 feet of the property.

Mr. Gasior explained that he had been working with Attorney Matt Hallett of Hallet Legal Group, LLC on this issue. He stated that Mr. Hallett initially provided an incorrect copy of the deed last week. Mr. Gasior prepared an Ordinance to dedicate that strip of land to public right-of-way but received the correct deed from the title examiner too late to add it to tonight's agenda. Mr. Gasior further explained that several parcels on Williams Court had owners who conveyed strips of land (most likely for the installation of a waterline) to the City in 1971, but these were never dedicated to public use. He assured Ms. Ans that the Ordinance would be presented at the November 3rd Council Work Session and would likely pass on November 10th. He added that he and the City Engineer would be looking at other parcels on the street to address similar issues.

Gerald Phillips of 461 Windward Way, Avon Lake also addressed Council regarding the overlay plan. He noted that the map showed a proposed road from Saint James Trail through the northern

portion of Hilliard Lakes Golf Club, Westlake, but upon a site inspection, he discovered that Saint James Trail is a cul-de-sac, making it impossible for the road to go through. He emphasized the importance of having a north-south road to divert traffic from the Redtail Subdivision on the east side, describing Nagel Road as heavily trafficked due to I-90 and the turnpike. Mr. Phillips described the Redtail Subdivision on the east side as "one huge cul-de-sac" and noted that the Master Plan already includes a proposal for Napa Boulevard. He advocated connecting Mills Road from Saint Theresa Boulevard for planning purposes.

Mr. Phillips also mentioned that Avon Lake would be enacting short-term rental regulations rather than waiting for the State legislature to act.

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. 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