

**MINUTES OF THE SPECIAL MEETING OF THE COUNCIL
OF THE CITY OF AVON, OHIO, HELD MONDAY, DECEMBER 4, 2023
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
AT 8:04 P.M.**

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

PRESENT:

Council Members: 1st Ward – Jennifer Demaline; Council-at-Large – Tammy Holtzmeier; 2nd Ward – Dennis McBride; 3rd Ward – Anthony Moore; 4th Ward – Scott Radcliffe; Council-at-Large – Craig Witherspoon; 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

ORDINANCE NO. 120-23 – MAKING A PERMANENT APPROPRIATION OF MONIES FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES (THE OPERATING BUDGET) OF THE CITY OF AVON, LORAIN COUNTY, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024

The Clerk read Ordinance No. 120-23 by title only, entitled:

**AN ORDINANCE MAKING A PERMANENT APPROPRIATION OF MONIES
FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES (THE
OPERATING BUDGET) OF THE CITY OF AVON, LORAIN COUNTY, OHIO,
FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024
AND DECLARING AN EMERGENCY**

The Chair declared this to be the second of three readings of Ordinance No. 120-23.

ORDINANCE NO. 127-23 – ESTABLISHING COMPENSATION FOR FULL AND PART-TIME CITY ADMINISTRATIVE POSITIONS NOT COVERED BY ANY COLLECTIVE BARGAINING AGREEMENT FOR THE YEAR 2024

The Clerk read Ordinance No. 127-23 by title only, entitled:

**AN ORDINANCE ESTABLISHING COMPENSATION FOR FULL AND PART-TIME
CITY ADMINISTRATIVE POSITIONS NOT COVERED BY ANY COLLECTIVE
BARGAINING AGREEMENT FOR THE YEAR 2024
AND DECLARING AN EMERGENCY**

The Chair declared this to be the first of three readings of Ordinance No. 127-23.

ORDINANCE NO. 128-23 – ESTABLISHING COMPENSATION FOR FULL AND PART-TIME CITY LEGISLATIVE POSITIONS NOT COVERED BY ANY COLLECTIVE BARGAINING AGREEMENT FOR THE YEAR 2024

The Clerk read Ordinance No. 128-23 by title only, entitled:

**AN ORDINANCE ESTABLISHING COMPENSATION FOR FULL AND PART-TIME
CITY LEGISLATIVE POSITIONS NOT COVERED BY ANY COLLECTIVE
BARGAINING AGREEMENT FOR THE YEAR 2024
AND DECLARING AN EMERGENCY**

The Chair declared this to be the first of three readings of Ordinance No. 128-23.

ORDINANCE NO. 129-23 – AUTHORIZING THE MAYOR TO EXECUTE AN
AMENDMENT TO THE LETTER AGREEMENT DATED JUNE 27, 1990, WITH THE CITY
OF NORTH RIDGEVILLE REGARDING THE SANITARY SEWER USAGE FEES FROM
COUNTRYSIDE ESTATES #1

The Clerk read Ordinance No. 129-23 by title only, entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN
AMENDMENT TO THE LETTER AGREEMENT DATED JUNE 27, 1990,
WITH THE CITY OF NORTH RIDGEVILLE REGARDING THE SANITARY
SEWER USAGE FEES FROM COUNTRYSIDE ESTATES #1**

The Chair declared this to be the first of three readings of Ordinance No. 129-23.

ORDINANCE NO. 130-23 – AUTHORIZING THE MAYOR TO EXECUTE A GRANT
AWARD AGREEMENT TO PARTICIPATE IN THE STATE CAPITAL BUDGET GRANT
PROGRAM TO ASSIST WITH THE ACQUISITION OF LAND FOR PUBLIC USE

The Clerk read Ordinance No. 130-23 by title only, entitled:

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A GRANT AWARD
AGREEMENT TO PARTICIPATE IN THE STATE CAPITAL BUDGET GRANT
PROGRAM TO ASSIST WITH THE ACQUISITION OF LAND FOR PUBLIC USE
AND DECLARING AN EMERGENCY**

The Chair declared this to be the first of three readings of Ordinance No. 130-23.

ORDINANCE NO. 131-23 – RATIFYING THE MAYOR’S EXECUTION OF AN
AGREEMENT WITH LORAIN COUNTY PUBLIC HEALTH TO PROVIDE CERTAIN
PHASE II STORMWATER SERVICES IN THE CITY OF AVON

The Clerk read Ordinance No. 131-23 by title only, entitled:

**AN ORDINANCE RATIFYING THE MAYOR’S EXECUTION OF AN AGREEMENT
WITH LORAIN COUNTY PUBLIC HEALTH TO PROVIDE CERTAIN PHASE II
STORMWATER SERVICES IN THE CITY OF AVON
AND DECLARING AN EMERGENCY**

The Chair declared this to be the first of three readings of Ordinance No. 131-23.

ORDINANCE NO. 132-23 – REAPPROPRIATIONS

The Clerk read Ordinance No. 132-23 by title only, entitled:

**AN ORDINANCE TO AMEND AND SUPPLEMENT
APPROPRIATIONS ORDINANCE NO. 132-22**

AND DECLARING AN EMERGENCY

The Chair declared this to be the first of three readings of Ordinance No. 132-23.

ORDINANCE NO. 133-23 – AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CHAGRIN VALLEY ENGINEERING, LTD AND ESTABLISH THE COMPENSATION FOR THE CITY ENGINEER FOR 2024

The Clerk read Ordinance No. 133-23 by title only, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CHAGRIN VALLEY ENGINEERING, LTD AND ESTABLISH THE COMPENSATION FOR THE CITY ENGINEER FOR 2024 AND DECLARING AN EMERGENCY

The Chair declared this to be the first of three readings of Ordinance No. 133-23.

ORDINANCE NO. 134-23 – ESTABLISHING 2024 COMPENSATION FOR THE DIRECTOR OF LAW OF THE CITY OF AVON

The Clerk read Ordinance No. 134-23 by title only, entitled:

AN ORDINANCE ESTABLISHING 2024 COMPENSATION FOR THE DIRECTOR OF LAW OF THE CITY OF AVON AND DECLARING AN EMERGENCY

The Chair declared this to be the first of three readings of Ordinance No. 134-23.

ORDINANCE NO. 135-23 – TO ACCEPT ALEX W. BOCCABELLA’S WAIVER OF COMPENSATION DURING HIS TENURE ON THE AVON TREE COMMISSION

The Clerk read Ordinance No. 135-23 by title only, entitled:

AN ORDINANCE TO ACCEPT ALEX W. BOCCABELLA’S WAIVER OF COMPENSATION DURING HIS TENURE ON THE AVON TREE COMMISSION AND DECLARING AN EMERGENCY

The Chair declared this to be the first of three readings of Ordinance No. 135-23.

ORDINANCE NO. 136-23 – AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH LJB ENGINEERING TO PERFORM BRIDGE ENGINEERING SERVICES FOR THE DESIGN AND CONSTRUCTION OF TWO NEW PEDESTRIAN BRIDGES OVER FRENCH CREEK ALONG STATE ROUTE 83 AS PART OF THE LOR-83(AVON) SIDEWALK PROJECT

The Clerk read Ordinance No. 136-23 by title only, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH LJB ENGINEERING TO PERFORM BRIDGE ENGINEERING SERVICES FOR THE DESIGN AND CONSTRUCTION OF TWO NEW PEDESTRIAN BRIDGES OVER FRENCH CREEK ALONG STATE ROUTE 83 AS PART OF THE LOR-83(AVON) SIDEWALK PROJECT AND DECLARING AN EMERGENCY

The Chair declared this to be the first of three readings of Ordinance No. 136-23.

EXECUTIVE SESSION: 8:09 p.m.

A motion was made by Mr. McBride and seconded by Mrs. Holtzmeier to Enter Into Executive Session for the Purpose of Discussing the Threat of Imminent Litigation, and invite Mr. Cummins, Council Elect Berges and Council Elect Patton, and the vote was: Mrs. Demaline, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Fischer, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

RECONVENE: 8:34 p.m.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to Reconvene the Special Meeting of Council, and the vote was: Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mrs. Demaline, “yes”; Mr. Fischer, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.

ADJOURN: 8:35 p.m.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adjourn the Special Meeting of Council, and the vote was: Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mrs. Demaline, “yes”; Mrs. Holtzmeier, “yes”; Mr. Fischer, “yes”.

The vote was 7 for and 0 against and the Chairman declared the motion passed.