

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF AVON, OHIO, HELD MONDAY, DECEMBER 9, 2024
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 MONDAY, NOVEMBER 18, 2024

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, November 18, 2024, 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, NOVEMBER 25, 2024

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, November 25, 2024, 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, DECEMBER 2, 2024

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, December 2, 2024, 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. 115-24 – TO AWARD A BID FOR THE REPAINTING OF THE DETROIT ROAD ELEVATED WATER TOWER LOCATED AT 35941 DETROIT ROAD

The Clerk read Ordinance No. 115-24 by title only, entitled:

**AN ORDINANCE TO AWARD A BID FOR THE REPAINTING OF THE DETROIT
ROAD ELEVATED WATER TOWER LOCATED AT 35941 DETROIT ROAD
AND DELARING AN EMERGENCY**

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to suspend the rules and act on Ordinance No. 115-24, 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. 115-24, 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. 116-24 – TO AMEND AND SUPPLEMENT APPROPRIATIONS

The Clerk read Ordinance No. 116-24 by title only, entitled:

**AN ORDINANCE TO AMEND AND SUPPLEMENT
APPROPRIATIONS ORDINANCE NO. 120-23
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. 116-24, 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. 116-24, and the discussion was:

Mr. Presley advised the exhibit was revised with the addition of \$2,000 for the signalization infrastructure line item for the replacement of the box and related appurtenances due to the motor vehicle accident. He said this expense is covered by insurance and the City will be reimbursed as a result.

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.

**ORDINANCE NO. 117-24 – TO AMEND SECTION 1072.03 OF THE CODIFIED
ORDINANCES OF THE CITY OF AVON TO INCREASE FEES FOR THE USE OF THE
AVON-LIONS COMMUNITY CENTER**

The Clerk read Ordinance No. 117-24 by title only, entitled:

**AN ORDINANCE TO AMEND SECTION 1072.03 OF THE CODIFIED
ORDINANCES OF THE CITY OF AVON TO INCREASE FEES FOR
THE USE OF THE AVON-LIONS COMMUNITY CENTER
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. 117-24, 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 Ms. Berges to adopt Ordinance No. 117-24, 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. 118-24 – TO AMEND SECTION 1073.03(b) OF THE CODIFIED
ORDINANCES OF THE CITY OF AVON TO INCREASE FEES FOR THE USE OF THE
AVON ISLE**

The Clerk read Ordinance No. 118-24 by title only, entitled:

**AN ORDINANCE TO AMEND SECTION 1073.03(b) OF THE CODIFIED
ORDINANCES OF THE CITY OF AVON TO INCREASE
FEES FOR THE USE OF THE AVON ISLE
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. 118-24, 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. 118-24, 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. 119-24 – TO AMEND ORDINANCE NO. 98-92 ADOPTING CHANGES TO THE MASTER PLAN FOR THE CITY OF AVON

The Clerk read Ordinance No. 119-24 by title only, entitled:

AN ORDINANCE TO AMEND ORDINANCE NO. 98-92 ADOPTING CHANGES TO THE MASTER PLAN FOR THE CITY OF AVON

The Chair declared this to be the first of three readings of Ordinance No. 119-24.

A Public Hearing will be held on Monday, January 13, 2025 at 7:20 p.m.

ORDINANCE NO. 120-24 – 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 13.2836 ACRE PARCEL OF LAND LOCATED BETWEEN AVON ROAD AND MIDDLETON ROAD, PERMANENT PARCEL NO. 10-04-00-027-101-204 FROM R-1 SINGLE-FAMILY RESIDENTIAL TO R-3 MULTI-FAMILY RESIDENTIAL DISTRICT

The Clerk read Ordinance No. 120-24 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 13.2836 ACRE PARCEL OF LAND LOCATED BETWEEN AVON ROAD AND MIDDLETON ROAD, PERMANENT PARCEL NO. 10-04-00-027-101-204 FROM R-1 SINGLE-FAMILY RESIDENTIAL TO R-3 MULTI-FAMILY RESIDENTIAL DISTRICT

The Chair declared this to be the first of three readings of Ordinance No. 120-24

A Public Hearing will be held on Monday, January 13, 2025 at 7:25 p.m.

ORDINANCE NO. 121-24 – TO AUTHORIZE AN AMENDMENT TO THE FINAL PLAT AND SUBDIVIDER’S AGREEMENT FOR NAGEL FARMS SUBDIVISION

The Clerk read Ordinance No. 121-24 by title only, entitled:

AN ORDINANCE TO AUTHORIZE AN AMENDMENT TO THE FINAL PLAT AND SUBDIVIDER’S AGREEMENT FOR NAGEL FARMS SUBDIVISION 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. 121-24, 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. 121-24, 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.

ORDINANCE NO. 122-24 – TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH LANDSCAPE STRUCTURES FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT AND APPURTENANCES THERETO FOR VETERANS PARK
The Clerk read Ordinance No. 122-24 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 AND
APPURTENANCES THERETO FOR VETERANS PARK
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. 122-24, 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. Radcliffe to adopt Ordinance No. 122-24, 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. 123-24 – TO AUTHORIZE THE MAYOR TO ENTER INTO A JOINT USE AGREEMENT BETWEEN LORAIN COUNTY COMMUNITY COLLEGE (LCCC) AND THE CITY OF AVON TO FACILITATE USE OF THE AVON FIRE TRAINING FACILITY LOCATED AT 36185 DETROIT ROAD

The Clerk read Ordinance No. 123-24 by title only, entitled:

**AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A JOINT USE
AGREEMENT BETWEEN LORAIN COUNTY COMMUNITY COLLEGE (LCCC)
AND THE CITY OF AVON TO FACILITATE USE OF THE AVON FIRE
TRAINING FACILITY LOCATED AT 36185 DETROIT 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. 123-24, 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. 123-24, 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. 124-24 – LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF CHESTER ROAD BY THE CONSTRUCTION AND RECONSTRUCTION OF APPROXIMATELY 475 LINEAL FEET OF ROADWAY, TOGETHER WITH ALL NECESSARY APPURTENANCES AND RELATED IMPROVEMENTS THERETO, IN ACCORDANCE WITH RESOLUTION NO. R-13-23, ADOPTED ON MARCH 13, 2023

The Clerk read Ordinance No. 124-24 by title only, entitled:

**AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT
OF CHESTER ROAD BY THE CONSTRUCTION AND RECONSTRUCTION OF
APPROXIMATELY 475 LINEAL FEET OF ROADWAY, TOGETHER WITH ALL
NECESSARY APPURTENANCES AND RELATED IMPROVEMENTS THERETO, IN
ACCORDANCE WITH RESOLUTION NO. R-13-23, ADOPTED ON MARCH 13, 2023
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. 124-24, 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. 124-24, 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 advised he received a letter today that Lit Communities has been bought out by another company and that Lit Communities are not going to continue with the process of installing fiber in Avon. He noted that Brightspeed is continuing to do work installing fiber in Avon. Mayor Jensen said the City is assuming that the company that bought out Lit Communities will be looking to take over the work that was started by Lit Communities, but Lit Communities is suspending their work in Avon effective immediately. He advised he would keep Council posted as to any updates going forward.

Mr. Cummins noted that Lit Communities was bought out by Omni.

Mayor Jensen advised Omni has informed the City that they are moving forward with installing fiber in Avon.

Mayor Jensen reported that the Tree Lighting Festival was a huge success on Saturday with the biggest crowd for this event to date.

Mayor Jensen advised he met with School officials today and the school is asking for the City’s assistance with a parade for the Avon High School football team who won the 2024 OHSAA Division II State Championship. He said the City will be assisting the school with traffic control for the parade on Sunday, December 15th at 1:30 p.m., utilizing the same parade route for the annual Homecoming Parade. Mayor Jensen stated there would be some traffic pains, but hopefully it will go rather quickly honoring the football team, the cheerleaders, the band and the color guard who will be marching from the High School on Detroit Road to the Early Learning Center on Stoney Ridge Road. He speculated that Detroit Road would open fifteen minutes after the start of the parade. Mayor Jensen advised the City is excited to have its first championship football team. He noted the City will be assisting the schools with their parade to help ensure the safety of our residents as that is a top priority.

COUNCIL MEMBERS:

MS. BERGES, AT LARGE, agreed the Tree Lighting Festival was wonderful. She said having the high school football team as part of the Christmas parade this year really made it special and brought a lot more people out to the event.

MRS. DEMALINE, WARD 1, had no comments.

MR. MCBRIDE, WARD 2, congratulated the Avon High School football team and said it is great for the entire community. He advised he saw a couple of interviews on one of the Cleveland television stations and he felt Avon’s high school seniors and juniors did a wonderful job responding and discussing their comraderies and that is a very good thing. Mr. McBride said Avon is producing some very good leaders for our future.

Mr. McBride advised he wanted to address an issue going back to him removing signs from the public right of way. He said one of the entities involved, Prayers from Maria, were quite upset namely Ed McNamara. Mr. McBride stated he discussed the situation with Mayor Jensen, and it was suggested that he apologize. He advised he is a parent of a special needs child who has a genetic defect that may or may not cause him to die prematurely. Mr. McBride said he wanted to apologize to the McNamara’s as he did not mean to cause them any pain. He noted that the Prayers from Maria signs were most likely swept up in his taking all the signs out of the right of way that he could that day leading up to the election. He advised anyone who knows him, knows that he is not real happy with all the temporary signs that get posted that should not get posted. Mr. McBride said he is very sorry for any pain he caused the McNamara’s and any impact to their fundraising. He stated he was briefed that the sunflower field does generate a lot of donations for the Prayers

from Maria: Field of Hope. Mr. McBride advised he also made a donation to the foundation, and he hoped that would help soften the blow to the McNamara's and Prayers from Maria as he did not mean to cause them that aggravation.

Mr. McBride advised it is his understanding that the Prayers from Maria has purchased the property where their sunflower field was located this year and suggested the Planning Commission or Mayor Jensen reach out to them and work with them on some permanent signage. He said he felt that permanent signage would be good for the foundation; and good for the surrounding neighbors so that they do not have to resort to placing a lot of temporary signs along the roadway and field.

Mr. McBride thanked Council for allowing him to make his apology to the McNamara's.

MR. MOORE, WARD 3, had no comments.

MS. PATTON, AT LARGE, had no comments.

MR. RADCLIFFE, WARD 4, said the Tree Lighting Festival was a great event and had more people in attendance than he has seen in the past and everyone seemed to be smiling and having fun. He felt it was definitely a positive having the football team present and it was a nice benefit for the community.

MR. FISCHER, AT LARGE, congratulated the Avon Eagles on their State championship.

Mr. Fischer said the Tree Lighting Festival was a resounding success and having the football team present was pretty cool. He said the holiday lights look fantastic, and he thanked the Parks Department again for all the work getting those lights hung throughout the City.

Mr. Fischer advised he and Mayor Jensen have already started talking about any time a State Championship happens that they will be presented with a sign. He said since they are dealing with over 100 participants with the football team, they might be moving a Council Meeting over to the High School to accommodate the anticipated number attending. Mr. Fischer stated he was not sure what all was involved in moving a Council Meeting logistically, but he felt it would be a cool experience.

Mr. Fischer reminded everyone that next week would be a double meeting night and the last meetings of the year with a Work Session followed by a Regular Meeting on December 16th. He said to please let him know if any Council Members are unable to attend as they will need enough members to conduct business.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER, had no comments.

MS. FECHTER, PLANNING/ECONOMIC DEVELOPMENT COORDINATOR, congratulated the Avon Eagles on their State Championship. She added the Tree Lighting Festival was wonderful and to see so many families come out and enjoy themselves was heart warming.

MR. GASIOR, LAW DIRECTOR, congratulated the Avon football team. He said that was a fun game to watch on television. He said it was very exciting, and they do not get that too much around Cleveland when it comes to football.

MR. PRESLEY, FINANCE DIRECTOR, congratulated the football team on their championship. He said it was a great game to watch.

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

AUDIENCE COMMENTS:

There were no comments from the audience members.

ADJOURN: 7:54 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: 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 Chairman declared the motion passed.

PASSED:_____

SIGNED BY:_____
Brian Fischer, President of Council

ATTEST:_____
Barbara J. Brooks, Clerk of Council