

**ORDINANCE NO. 88-26**

**AN ORDINANCE AUTHORIZING THE CITY TO APPROPRIATE ADDITIONAL  
LEGAL FEES FOR THE TRUAX LAW GROUP TO CONTINUE  
TO REPRESENT THE CITY IN ALL MATTERS RELATED TO  
THE CONSTRUCTION OF A 2<sup>ND</sup> FIRE STATION  
AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of Avon has moved forward with the construction of a second fire station to be located at the corner of Middleton Road and Pendleton Court; and

**WHEREAS**, to fully protect the City's interests in contracting with design professionals and construction managers, the Law Director recommended the hiring of outside counsel with considerable experience in preparing, reviewing and revising legal documents used by these professionals to protect the City's interests in these matters; and

**WHEREAS**, Council, passed Ord. No. 7-26, on January 20, 2026, to authorize retaining the Truax Law Group for this purpose; and

**WHEREAS**, the initial funding provided under Ord. No. 7-26 has been exhausted due to unforeseen circumstances involving the development, preparation and review of RFPs and RFQs as part of the Construction Manager at Risk (CMAR) process, preparation of the contract with the architect and contract preparation with the CMAR; and

**WHEREAS**, upon recommendation of the Law Director other members of the Administration, Council deems it in the best interest of the health, safety, and welfare of the citizens of Avon that the appropriation for outside special counsel be increased as set forth herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
AVON, LORAIN COUNTY, OHIO:**

Section 1 – That Council hereby authorizes the administration to continue retaining the services of the Truax Law Group (hereinafter referred to as “Truax”), as special counsel to assist the Law Director in connection with professional legal services required for the completion of Fire Station No. 2.

Section 2 - Council hereby authorizes the Finance Director to increase the initial appropriation by Fifteen Thousand (\$15,000.00) Dollars to the additional anticipated expenditures.

Section 3 – Truax Law Group will continue to submit monthly statements to the city's Law Department for approval.

Section 4 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in

Ordinance No. 88-26 (Con't.)

such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to increase the appropriation for retained special counsel to represent the City in all matters pertaining to contracts for design and construction services related to the Fire Station No. 2 project; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: \_\_\_\_\_ DATE SIGNED: \_\_\_\_\_

By: \_\_\_\_\_  
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: \_\_\_\_\_

\_\_\_\_\_  
Bryan K. Jensen, Mayor

APPPROVED AS TO FORM:

\_\_\_\_\_  
John A. Gasior, Law Director

ATTEST:

\_\_\_\_\_  
Barbara J. Brooks, Clerk of Council

Posted: \_\_\_\_\_  
Electronically and at City Hall as  
Provided by Council

Prepared By:  
John A. Gasior, Esq.  
Law Director