

7:20 P.M. - ORDINANCE NO. 4-26 – AN ORDINANCE TO AMEND THE PLANNING AND ZONING CODE SECTIONS 1222.02 DEFINITIONS; 1270.03(b)(12) SCHEDULE OF PERMITTED USES; 1280.05 MINIMUM LOT AND YARD REGULATIONS FOR SPECIAL USES IN NON-RESIDENTIAL DISTRICTS; AND 1280.06(nn) TO REQUIRE A SPECIAL USE PERMIT FOR ANIMAL BOARDING IN THE M-1 DISTRICT

Council President Fischer opened the Public Hearing for Ordinance No. 4-26 at 7:20 P.M.
There being no comments, the Public Hearing was closed at 7:21 P.M.

7:25 P.M. – ORDINANCE NO. 2-26 – AN ORDINANCE TO AMEND THE PLANNING AND ZONING CODE SECTION 1264.07(f) – ADDITIONAL REGULATIONS FOR ATTACHED SINGLE-FAMILY DWELLINGS, SECTION 1264.08(e) – ADDITIONAL REGULATIONS FOR MULTI-FAMILY DWELLINGS, AND SECTION 1292.14(c) – IMPROVEMENT AND MAINTENANCE STANDARDS AS THEY RELATE TO ILLUMINATION ON PEDESTRIAN PATHS AND OPEN AREAS

Council President Fischer opened the Public Hearing for Ordinance No. 2-26 at 7:25 P.M.
There being no comments, the Public Hearing was closed at 7:26 P.M.

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF AVON, OHIO, HELD MONDAY, FEBRUARY 9, 2026
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 – Anne Marie Etienne; 3rd Ward – Anthony Moore; Council-at-Large – Michelle Patton; Council-at-Large and Council President – Brian Fischer; 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

ABSENT:

4th Ward – Scott Radcliffe; Mayor - Bryan Jensen; City Engineer – Ryan Cummins

CORRESPONDENCE

The Clerk reported she received two requests from the Ohio Division of Liquor Control:

- A Transfer of Location (TFOL) from Hecks of Avon Inc., located at 35514 Detroit Road to Cilantro Taqueria located at 35516 Detroit Road for D2, D3, and D1 Permit Class.
- A Transfer of Ownership (TRFO) from Martin's Corner LLC, located at 34985 Detroit Road to Prince and Zoya LLC, 5592587 Martin's Deli, located at 34985 Detroit Road for D2 and D1 Permit Class.

There were no comments and no requests for a hearing were made.

**MINUTES OF THE FINANCE/SAFETY COMMITTEES MEETING OF COUNCIL HELD
TUESDAY, JANUARY 20, 2026**

A motion was made by Ms. Berges and seconded by Mr. Moore to dispense with the reading of the minutes of the Finance/Safety Committees Meeting of Council held Tuesday, January 20, 2026, and to approve said minutes as published, and the vote was: Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “yes”; Mr. Moore, “yes”; Ms. Patton, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chair declared the motion passed.

MINUTES OF THE WORK SESSION OF COUNCIL HELD TUESDAY, JANUARY 20, 2026

A motion was made by Ms. Berges and seconded by Ms. Etienne to dispense with the reading of the minutes of the Work Session of Council held Tuesday, January 20, 2026, and to approve said minutes as published, and the vote was: Mrs. Demaline, “yes”; Ms. Etienne, “yes”; Mr. Moore, “yes”; Ms. Patton, “yes”; Ms. Berges, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chair declared the motion passed.

MINUTES OF THE REGULAR MEETING OF COUNCIL HELD MONDAY, JANUARY 26, 2026

A motion was made by Ms. Berges and seconded by Ms. Etienne to dispense with the reading of the minutes of the Regular Meeting of Council held Monday, January 26, 2026, and to approve said minutes as published, and the vote was: Ms. Etienne, “yes”; Mr. Moore, “yes”; Ms. Patton, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chair declared the motion passed.

ORDINANCE NO. 2-26 – TO AMEND THE PLANNING AND ZONING CODE SECTION 1264.07(f) – ADDITIONAL REGULATIONS FOR ATTACHED SINGLE-FAMILY DWELLINGS, SECTION 1264.08(e) – ADDITIONAL REGULATIONS FOR MULTI-FAMILY DWELLINGS, AND SECTION 1292.14(c) – IMPROVEMENT AND MAINTENANCE STANDARDS AS THEY RELATE TO ILLUMINATION ON PEDESTRIAN PATHS AND OPEN AREAS

The Clerk read Ordinance No. 2-26 by title only, entitled:

**AN ORDINANCE TO AMEND THE PLANNING AND ZONING CODE
SECTION 1264.07(f) – ADDITIONAL REGULATIONS FOR ATTACHED SINGLE-FAMILY DWELLINGS, SECTION 1264.08(e) – ADDITIONAL REGULATIONS FOR MULTI-FAMILY DWELLINGS, AND SECTION 1292.14(c) – IMPROVEMENT AND MAINTENANCE STANDARDS AS THEY RELATE TO ILLUMINATION ON PEDESTRIAN PATHS AND OPEN AREAS**

The Chair declared this to be the third of three readings of Ordinance No. 2-26.

A motion was made by Mrs. Demaline and seconded by Ms. Etienne to adopt Ordinance No. 2-26, and the vote was: Mr. Moore, “yes”; Ms. Patton, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chair declared the motion passed.

ORDINANCE NO. 4-26 – TO AMEND THE PLANNING AND ZONING CODE SECTIONS 1222.02 DEFINITIONS; 1270.03(b)(12) SCHEDULE OF PERMITTED USES; 1280.05 MINIMUM LOT AND YARD REGULATIONS FOR SPECIAL USES IN NON-RESIDENTIAL DISTRICTS; AND 1280.06(nn) TO REQUIRE A SPECIAL USE PERMIT FOR ANIMAL BOARDING IN THE M-1 DISTRICT

The Clerk read Ordinance No. 4-26 by title only, entitled:

AN ORDINANCE TO AMEND THE PLANNING AND ZONING CODE SECTIONS 1222.02 DEFINITIONS; 1270.03(b)(12) SCHEDULE OF PERMITTED USES; 1280.05 MINIMUM LOT AND YARD REGULATIONS FOR SPECIAL USES IN NON-RESIDENTIAL DISTRICTS; AND 1280.06(nn) TO REQUIRE A SPECIAL USE PERMIT FOR ANIMAL BOARDING IN THE M-1 DISTRICT

The Chair declared this to be the third of three readings of Ordinance No. 4-26.

Mr. Gasior explained that this Ordinance was amended on January 22nd and discussed in previous meetings.

A motion was made by Ms. Berges and seconded by Ms. Etienne to amend Ordinance No. 4-26, and the vote was: Ms. Patton, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “yes”; Mr. Moore, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chair declared the motion passed.

A motion was made by Ms. Berges and seconded by Ms. Etienne to adopt Ordinance No. 4-26 as amended, and the vote was: Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “yes”; Mr. Moore, “yes”; Ms. Patton, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chair declared the motion passed.

ORDINANCE NO. 9-26 – TO AMEND CHAPTERS 210, 1040 & 1042 OF THE CODIFIED ORDINANCES OF THE CITY OF AVON FOR THE PURPOSE OF UPDATING THE WATER & SEWER CODES AND ADJUSTING CERTAIN RATES AND FEES

The Clerk read Ordinance No. 9-26 by title only, entitled:

AN ORDINANCE TO AMEND CHAPTERS 210, 1040 & 1042 OF THE CODIFIED ORDINANCES OF THE CITY OF AVON FOR THE PURPOSE OF UPDATING THE WATER & SEWER CODES AND ADJUSTING CERTAIN RATES AND FEES AND DECLARING AN EMERGENCY

The Chair declared this to be the first of three readings of Ordinance No. 9-26.

Mr. Presley noted that information was previously sent to Council Members by Mr. Bruce, who would be available at the next meeting to answer any questions. Mr. Streater added that Mr. Bruce was also available by phone or email if anyone on Council wished to contact him prior to the meeting next week.

ORDINANCE NO. 10-26 – AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO PURCHASE REAL ESTATE LOCATED AT THE SOUTHEAST CORNER OF MIDDLETON ROAD AND PENDLETON COURT, (SUBLOT NO. 1 IN THE MIDDLETON CROSSINGS SUBDIVISION), FROM LIG LAND, LLC

The Clerk read Ordinance No. 10-26 by title only, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO PURCHASE REAL ESTATE LOCATED AT THE SOUTHEAST CORNER OF

**MIDDLETON ROAD AND PENDLETON COURT, (SUBLOT NO. 1 IN THE
MIDDLETON CROSSINGS SUBDIVISION), FROM LIG LAND, LLC
AND DECLARING AN EMERGENCY**

Mr. Gasior requested that this be considered a first reading as there were issues with some of the dates in the agreement that needed to be corrected, including early closing dates. He indicated that the corrections would be made by the Regular Meeting on Monday, February 23, 2026.

The Chair declared this to be the first of three readings of Ordinance No. 10-26.

Mrs. Demaline inquired about a resident's previous offer to donate land and asked if the Administration could explain why that was not a viable option.

Mr. Gasior explained that developing the donated property would be extremely expensive due to infrastructure requirements. The amount of roadway that would need to be built on Middleton Road to the west, enclosing Heider Ditch, and installing utilities would cost well over \$1.0-1.5 million just to access the property, plus another \$1.5 million for the Fire Department itself.

Mr. Presley added that the site being considered in the Ordinance is "shovel ready" whereas the donated land would require infrastructure improvements including water, sewer, and gas. He also mentioned potential wetland concerns that would require mitigation on the donated property. He noted that further details could be provided at the next meeting.

**ORDINANCE NO. 11-26 – ADOPTING A NEW PRIVACY POLICY FOR THE CITY OF
AVON TO BE POSTED ON THE CITY’S WEBSITE**

The Clerk read Ordinance No. 11-26 by title only, entitled:

**AN ORDINANCE ADOPTING A NEW PRIVACY POLICY
FOR THE CITY OF AVON TO BE POSTED ON THE CITY’S WEBSITE
AND DECLARING AN EMERGENCY**

A motion was made by Mrs. Demaline and seconded by Ms. Etienne to suspend the rules and act on Ordinance No. 11-26, and the vote was: Mrs. Demaline, “yes”; Ms. Etienne, “yes”; Mr. Moore, “yes”; Ms. Patton, “yes”; Ms. Berges, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chair declared the motion passed.

A motion was made by Ms. Berges and seconded by Ms. Etienne to adopt Ordinance No. 11-26, and the vote was: Ms. Etienne, “yes”; Mr. Moore, “yes”; Ms. Patton, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chair declared the motion passed.

**ORDINANCE NO. 12-26 – TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT
WITH MUSCO SPORTS LIGHTING, LLC FOR THE PURCHASE OF LIGHTING AND
APPURTENANCES THERETO FOR BALL FIELDS 1 & 3 AT THE CITY-OWNED
VETERANS PARK (AVON LITTLE LEAGUE FIELDS)**

The Clerk read Ordinance No. 12-26 by title only, entitled:

**AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT
WITH MUSCO SPORTS LIGHTING, LLC FOR THE PURCHASE OF LIGHTING AND**

**APPURTENANCES THERETO FOR BALL FIELDS 1 & 3 AT THE CITY-OWNED
VETERANS PARK (AVON LITTLE LEAGUE FIELDS)
AND DECLARING AN EMERGENCY**

A motion was made by Ms. Berges and seconded by Ms. Etienne to suspend the rules and act on Ordinance No. 12-26, and the vote was: Mr. Moore, “yes”; Ms. Patton, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chair declared the motion passed.

A motion was made by Ms. Berges and seconded by Ms. Etienne to adopt Ordinance No. 12-26, and the vote was: Ms. Patton, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “yes”; Mr. Moore, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chair declared the motion passed.

**ORDINANCE NO. 13-26 – AMENDING ORDINANCE NO. 105-25 WHICH AUTHORIZED
THE MAYOR TO ENTER INTO AN AGREEMENT WITH ENVIRONMENTAL DESIGN
GROUP (EDG) TO ACQUIRE PERMANENT DRAINAGE EASEMENTS AND TEMPORARY
CONSTRUCTION EASEMENTS FOR THE FRENCH CREEK GREENWAY PHASE I
PROJECT**

The Clerk read Ordinance No. 13-26 by title only, entitled:

**AN ORDINANCE AMENDING ORDINANCE NO. 105-25 WHICH
AUTHORIZED THE MAYOR TO ENTER INTO AN AGREEMENT WITH
ENVIRONMENTAL DESIGN GROUP (EDG) TO ACQUIRE PERMANENT
DRAINAGE EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS
FOR THE FRENCH CREEK GREENWAY PHASE I PROJECT
AND DECLARING AN EMERGENCY**

A motion was made by Ms. Berges and seconded by Ms. Etienne to suspend the rules and act on Ordinance No. 13-26, and the vote was: Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “yes”; Mr. Moore, “yes”; Ms. Patton, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chair declared the motion passed.

A motion was made by Ms. Berges and seconded by Ms. Etienne to adopt Ordinance No. 13-26, and the vote was: Mrs. Demaline, “yes”; Ms. Etienne, “yes”; Mr. Moore, “yes”; Ms. Patton, “yes”; Ms. Berges, “yes”; Mr. Fischer, “yes”.

The vote was 6 for and 0 against and the Chair declared the motion passed.

**ORDINANCE NO. 14-26 – AMENDING SECTION 660.05 OF THE CODIFIED
ORDINANCES OF THE CITY OF AVON TO PROVIDE REGULATIONS GOVERNING THE
RESPONSIBILITIES OF ADJACENT PROPERTY OWNERS AND OCCUPIERS FOR THE
CITY’S WALKING PATHS AND TRAILS**

The Clerk read Ordinance No. 14-26 by title only, entitled:

**AN ORDINANCE AMENDING SECTION 660.05 OF THE CODIFIED
ORDINANCES OF THE CITY OF AVON TO PROVIDE REGULATIONS
GOVERNING THE RESPONSIBILITIES OF ADJACENT PROPERTY OWNERS
AND OCCUPIERS FOR THE CITY’S WALKING PATHS AND TRAILS**

AND DECLARING AN EMERGENCY

The Chair declared this to be the first of three readings of Ordinance No. 14-26.

Ms. Demaline asked Mr. Gasior if the language in the Ordinance would be applicable to all current and future walking paths in the City, noting that the Whereas clauses were specific to the French Creek area. She asked if the language should be more generalized to serve all City-owned walking and bike trails in Avon.

Mr. Gasior explained that while the “Whereas” clauses mentioned the Greenway Trail as the impetus for the Ordinance, the operative sections of the Ordinance after "Be it Ordained" were written to apply more generally. He clarified that “Whereas” clauses are not part of the law itself and have no legal meaning in court. He noted that this Ordinance was created because the French Creek Greenway is the first public recreational trail of this size to be maintained by the City, but the Ordinance would apply to any future trails as well. He agreed to review the language to ensure it was sufficiently general for future application.

ORDINANCE NO. 15-26 – AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MKSK TO PERFORM SITE DESIGN SERVICES FOR THE TRAXLER PARK/ARBORETUM PROJECT IN THE CITY OF AVON

The Clerk read Ordinance No. 15-26 by title only, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MKSK TO PERFORM SITE DESIGN SERVICES FOR THE TRAXLER PARK/ARBORETUM PROJECT IN THE CITY OF AVON AND DECLARING AN EMERGENCY

The Chair declared this to be the first of three readings of Ordinance No. 15-26.

Mr. Gasior explained that he had not taken this to the previous Work Session because details had not yet been finalized by the Mayor. He mentioned that a representative from MKSK would be at the next meeting to present the concept for the arboretum.

Ms. Demaline expressed concern about language in the third “Whereas” clause that mentioned "pedestrian access from Stoney Ridge Road and vehicular access from Centennial Avenue," noting that residents in the area were concerned about this.

Mr. Gasior clarified that based on discussions with City Engineer Ryan Cummins, there would only be a footbridge coming off Stoney Ridge Road, not a drivable bridge. He explained that the current bridge is not fit for cars and would be replaced with a pedestrian bridge. Parking would be available off Stoney Ridge Road at the lot currently used for High School football games, which might be further improved when the arboretum opens.

Ms. Demaline requested clarification about the exact location of the planned arboretum and suggested having a sketch for the next Work Session. In her mind, she felt that the Centennial Avenue and Hayes Street area was not the area to draw most of the traffic to this property.

Ms. Berges explained that the recommended site for the arboretum would be just after crossing the pedestrian bridge from Stoney Ridge Road, overlooking French Creek. She noted that the Education Center would be most accessible from the Stoney Ridge Road parking lot, as it would be a much longer walk from the Hayes Street/Centennial Avenue area.

Ms. Demaline suggested that the Ordinance language could simply state "with access from Stoney Ridge Road and Centennial Avenue" without specifying vehicular or pedestrian access for each location. She also requested information about when the pedestrian bridge from Stoney Ridge Road would be installed.

Mr. Gasior agreed to make these clarifications and gather the requested information for the next meeting.

REPORTS AND COMMENTS

MAYOR JENSEN was absent.

COUNCIL MEMBERS:

MS. BERGES, AT LARGE, had nothing to report.

MRS. DEMALINE, WARD 1, had nothing to report.

MS. ETIENNE, WARD 2, mentioned that she might not be at the next meeting, depending on her flight arrival.

MR. MOORE, WARD 3, had no comments.

MS. PATTON, AT LARGE, congratulated the Avon High School Dance Team on winning two state championships, noting the City's recent success in various competitions.

MR. RADCLIFFE, WARD 4, was absent.

MR. FISCHER, AT LARGE, thanked Ms. Patton for mentioning the Dance Team's achievements and added his congratulations. He noted he was lucky enough to be invited to speak to the High School football team before revealing a banner.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER, was absent.

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

MR. GASIOR, LAW DIRECTOR, had no comments.

MR. PRESLEY, FINANCE DIRECTOR, had no comments.

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

AUDIENCE COMMENTS:

There were no public comments.

ADJOURN: 7:56 P.M.

A motion was made by Mrs. Demaline and seconded by Ms. Berges to adjourn the Regular Meeting of Council, and the vote was: Ms. Etienne, “yes”; Mr. Moore, “yes”; Ms. Patton, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Mr. Fischer, “yes”.

The vote was 6 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