PUBLIC HEARINGS
AVON CITY COUNCIL
MONDAY, APRIL 13, 2026

7:20 P.M. – ORDINANCE NO. 20-26 – AN ORDINANCE TO AMEND THE PLANNING AND ZONING CODE SECTION 1246.05(b)(2) AS IT RELATES TO WALKING PATHS AND TRAILS

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

7:25 P.M. – ORDINANCE NO. 19-26 – AN ORDINANCE TO AMEND THE PLANNING AND ZONING CODE SECTION 1262.07(e)(3) AS IT RELATES TO WESTERN RESERVE DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS

Mr. Fischer opened the Public Hearing at 7:25 P.M. for Ordinance No. 19-26.
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, APRIL 13, 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; 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

CORRESPONDENCE
Mayor Jensen requested that Council consider suspending the rules and passing items 10 through 16 on second reading rather than waiting for the third reading, citing a full agenda and the importance of getting these compensation Ordinances completed.

The Clerk reported that she received a request from the Ohio Division of Liquor Control requesting a new D5 liquor license for Avon/Pizza216, located at 37040 Detroit Road, Avon.

No comments were made and no requests for a hearing were voiced.

MINUTES OF THE ECONOMIC DEVELOPMENT COMMITTEE OF COUNCIL HELD MONDAY, MARCH 16, 2026

A motion was made by Mr. Radcliffe and seconded by Ms. Berges to dispense with the reading of the minutes of the Economic Development Committee of Council held Monday, March 16, 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. Radcliffe, "yes"; Mr. Fischer, "yes".

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

<u>MINUTES OF THE WORK SESSION OF COUNCIL HELD MONDAY, MARCH 16, 2026</u>
A motion was made by Mr. Radcliffe and seconded by Ms. Etienne to dispense with the reading of the minutes of the Work Session of Council held Monday, March 16, 2026, and to approve said minutes as published, and the vote was: Mrs. Demaline, "yes"; Ms. Etienne, "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.

<u>MINUTES OF THE REGULAR MEETING OF COUNCIL HELD MONDAY, MARCH 23, 2026</u>
A motion was made by Mr. Radcliffe and seconded by Mr. Moore to dispense with the reading of the minutes of the Regular Meeting of Council held Monday, March 23, 2026, and to approve said minutes as published, and the vote was: Ms. Etienne, "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.

<u>ORDINANCE NO. 19-26 – TO AMEND THE PLANNING AND ZONING CODE SECTION 1262.07(e)(3) AS IT RELATES TO THE WESTERN RESERVE DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS</u>
The Clerk read Ordinance No. 19-26 by title only, entitled:

AN ORDINANCE TO AMEND THE PLANNING AND ZONING CODE SECTION 1262.07(e)(3) AS IT RELATES TO THE WESTERN RESERVE DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS

The Chair declared this to be the third of three readings of Ordinance No. 19-26.

A motion was made by Mr. Radcliffe and seconded by Ms. Berges to adopt Ordinance No. 19-26, and the vote was: Mr. Moore, "yes"; Ms. Patton, "yes"; Mr. Radcliffe, "yes"; Ms. Berges, "yes"; Mrs. Demaline, "yes"; Ms. Etienne, "yes"; Mr. Fischer, "yes".

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

<u>ORDINANCE NO. 20-26 – TO AMEND THE PLANNING AND ZONING CODE SECTION 1246.05(b)(2) AS IT RELATES TO WALKING PATHS AND TRAILS</u>
The Clerk read Ordinance No. 20-26 by title only, entitled:

AN ORDINANCE TO AMEND THE PLANNING AND ZONING CODE SECTION 1246.05(b)(2) AS IT RELATES TO WALKING PATHS AND TRAILS

The Chair declared this to be the third of three readings of Ordinance No. 20-26.

A motion was made by Mr. Radcliffe and seconded by Ms. Etienne to adopt Ordinance No. 20-26, and the vote was: Ms. Patton, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “yes”; Mr. Moore, “yes”; Mr. Fischer, “yes”.

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

ORDINANCE NO. 27-26 – TO AMEND ORDINANCE NO. 110-14 ESTABLISHING COMPENSATION FOR THE PART-TIME, UNCLASSIFIED POSITION OF PROJECT MANAGER FOR THE CITY OF AVON

The Clerk read Ordinance No. 27-26 by title only, entitled:

AN ORDINANCE TO AMEND ORDINANCE NO. 110-14 ESTABLISHING COMPENSATION FOR THE PART-TIME, UNCLASSIFIED POSITION OF PROJECT MANAGER FOR THE CITY OF AVON AND DECLARING AN EMERGENCY

The Chair declared this to be the second of three readings of Ordinance No. 27-26.

A motion was made by Mr. Radcliffe and seconded by Ms. Berges to suspend the rules and act on Ordinance No. 27-26, and the vote was: Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “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. Radcliffe and seconded by Ms. Etienne to adopt Ordinance No. 27-26, and the vote was: Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “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. 28-26 – TO AMEND ORDINANCE NO. 5-19 ESTABLISHING COMPENSATION FOR THE FULL-TIME, UNCLASSIFIED POSITION OF GROUNDS MANAGER FOR THE CITY OF AVON

The Clerk read Ordinance No. 28-26 by title only, entitled:

AN ORDINANCE TO AMEND ORDINANCE NO. 5-19 ESTABLISHING COMPENSATION FOR THE FULL-TIME, UNCLASSIFIED POSITION OF GROUNDS MANAGER FOR THE CITY OF AVON AND DECLARING AN EMERGENCY

The Chair declared this to be the second of three readings of Ordinance No. 28-26.

A motion was made by Mr. Radcliffe and seconded by Ms. Etienne to suspend the rules and act on Ordinance No. 28-26, and the vote was: Mrs. Demaline, “yes”; Ms. Etienne, “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. Radcliffe and seconded by Ms. Berges to adopt Ordinance No. 28-26, and the vote was: Ms. Etienne, “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. 29-26 – TO AMEND ORDINANCE NO. 74-18 ESTABLISHING COMPENSATION FOR THE FULL-TIME, UNCLASSIFIED POSITION OF ASSISTANT SUPERINTENDENT OF STREETS FOR THE CITY OF AVON
The Clerk read Ordinance No. 29-26 by title only, entitled:

AN ORDINANCE TO AMEND ORDINANCE NO. 74-18 ESTABLISHING COMPENSATION FOR THE FULL-TIME, UNCLASSIFIED POSITION OF ASSISTANT SUPERINTENDENT OF STREETS FOR THE CITY OF AVON AND DECLARING AN EMERGENCY

The Chair declared this to be the second of three readings of Ordinance No. 29-26.

A motion was made by Mr. Radcliffe and seconded by Mr. Moore to suspend the rules and act on Ordinance No. 29-26, and the vote was: Mr. Moore, “yes”; Ms. Patton, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “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. Radcliffe and seconded by Ms. Berges to adopt Ordinance No. 29-26, and the vote was: Ms. Patton, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “yes”; Mr. Moore, “yes”; Mr. Fischer, “yes”.

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

ORDINANCE NO. 30-26 – AMENDING SECTION 256.04 OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO RECLASSIFY THE FULL-TIME POSITION OF ASSISTANT SUPERINTENDENT OF UTILITIES
The Clerk read Ordinance No. 30-26 by title only, entitled:

AN ORDINANCE AMENDING SECTION 256.04 OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO RECLASSIFY THE FULL-TIME POSITION OF ASSISTANT SUPERINTENDENT OF UTILITIES AND DECLARING AN EMERGENCY

The Chair declared this to be the second of three readings of Ordinance No. 30-26.

A motion was made by Mr. Radcliffe and seconded by Ms. Berges to suspend the rules and act on Ordinance No. 30-26, and the vote was: Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “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. Radcliffe and seconded by Ms. Etienne to adopt Ordinance No. 30-26, and the vote was: Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “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. 31-26 – TO AMEND ORDINANCE NO. 66-20 ESTABLISHING COMPENSATION FOR THE FULL-TIME, UNCLASSIFIED POSITION OF ASSISTANT SUPERINTENDENT OF UTILITIES FOR THE CITY OF AVON

The Clerk read Ordinance No. 31-26 by title only, entitled:

AN ORDINANCE TO AMEND ORDINANCE NO. 66-20 ESTABLISHING COMPENSATION FOR THE FULL-TIME, UNCLASSIFIED POSITION OF ASSISTANT SUPERINTENDENT OF UTILITIES FOR THE CITY OF AVON AND DECLARING AN EMERGENCY

The Chair declared this to be the second of three readings of Ordinance No. 31-26.

A motion was made by Mr. Radcliffe and seconded by Ms. Berges to suspend the rules and act on Ordinance No. 31-26, and the vote was: Mrs. Demaline, “yes”; Ms. Etienne, “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. Radcliffe and seconded by Ms. Etienne to adopt Ordinance No. 31-26, and the vote was: Ms. Etienne, “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. 32-26 – TO AMEND ORDINANCE NO. 70-20 ESTABLISHING COMPENSATION FOR THE FULL-TIME, UNCLASSIFIED POSITION OF SUPERINTENDENT OF STREETS FOR THE CITY OF AVON

The Clerk read Ordinance No. 32-26 by title only, entitled:

AN ORDINANCE TO AMEND ORDINANCE NO. 70-20 ESTABLISHING COMPENSATION FOR THE FULL-TIME, UNCLASSIFIED POSITION OF SUPERINTENDENT OF STREETS FOR THE CITY OF AVON AND DECLARING AN EMERGENCY

The Chair declared this to be the second of three readings of Ordinance No. 32-26.

A motion was made by Mr. Radcliffe and seconded by Mr. Moore to suspend the rules and act on Ordinance No. 32-26, and the vote was: Mr. Moore, “yes”; Ms. Patton, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “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. Radcliffe and seconded by Mr. Moore to adopt Ordinance No. 32-26, and the vote was: Ms. Patton, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “yes”; Mr. Moore, “yes”; Mr. Fischer, “yes”.

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

ORDINANCE NO. 33-26 – TO AMEND ORDINANCE NO. 65-20 ESTABLISHING COMPENSATION FOR THE FULL-TIME, UNCLASSIFIED POSITION OF SUPERINTENDENT OF UTILITIES FOR THE CITY OF AVON

The Clerk read Ordinance No. 33-26 by title only, entitled:

AN ORDINANCE TO AMEND ORDINANCE NO. 65-20 ESTABLISHING COMPENSATION FOR THE FULL-TIME, UNCLASSIFIED POSITION OF SUPERINTENDENT OF UTILITIES FOR THE CITY OF AVON AND DECLARING AN EMERGENCY

The Chair declared this to be the second of three readings of Ordinance No. 33-26.

A motion was made by Mr. Radcliffe and seconded by Ms. Berges to suspend the rules and act on Ordinance No. 33-26, and the vote was: Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “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. Radcliffe and seconded by Mr. Moore to adopt Ordinance No. 33-26, and the vote was: Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “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. 34-26 – AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO DEVELOP PROPERTY WITH R-7 MOTORS, INC.

The Clerk read Ordinance No. 34-26 by title only, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO DEVELOP PROPERTY WITH R-7 MOTORS, INC. AND DECLARING AN EMERGENCY

The Chair declared this to be the second of three readings of Ordinance No. 34-26.

ORDINANCE NO. 36-26 – TO AMEND AND SUPPLEMENT APPROPRIATIONS ORDINANCE NO. 106-25

The Clerk read Ordinance No. 36-26 by title only, entitled:

AN ORDINANCE TO AMEND AND SUPPLEMENT APPROPRIATIONS ORDINANCE NO. 106-25 AND DECLARING AN EMERGENCY

A motion was made by Mr. Radcliffe and seconded by Ms. Berges to suspend the rules and act on Ordinance No. 36-26, and the vote was: Mrs. Demaline, “yes”; Ms. Etienne, “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. Radcliffe and seconded by Mr. Moore to adopt Ordinance No. 36-26, and the vote was: Ms. Etienne, “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. 37-26 – IMPOSING A TEMPORARY MORATORIUM ON FUTURE DEVELOPMENT OF DATA CENTERS IN THE CITY OF AVON
The Clerk read Ordinance No. 37-26 by title only, entitled:

AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON FUTURE DEVELOPMENT OF DATA CENTERS IN THE CITY OF AVON AND DECLARING AN EMERGENCY

A motion was made by Mr. Radcliffe and seconded by Ms. Berges to suspend the rules and act on Ordinance No. 37-26, and the vote was: Mr. Moore, “yes”; Ms. Patton, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “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. Radcliffe and seconded by Ms. Etienne to adopt Ordinance No. 37-26, and the vote was: Ms. Patton, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “yes”; Mr. Moore, “yes”; Mr. Fischer, “yes”.

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

ORDINANCE NO. 38-26 – TO AUTHORIZE THE FINAL PLAT AND SUBDIVIDER’S AGREEMENT FOR GRACE ESTATES SUBDIVISION
The Clerk read Ordinance No. 38-26 by title only, entitled:

AN ORDINANCE TO AUTHORIZE THE FINAL PLAT AND SUBDIVIDER’S AGREEMENT FOR GRACE ESTATES SUBDIVISION AND DECLARING AN EMERGENCY

A motion was made by Mr. Radcliffe and seconded by Ms. Berges to suspend the rules and act on Ordinance No. 38-26, and the vote was: Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “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. Radcliffe and seconded by Ms. Etienne to adopt Ordinance No. 38-26, and the discussion was:

Mayor Jensen reminded the developer that there had been significant concerns from residents on both sides of the proposed development regarding water issues. He emphasized that the City Engineer and the City Administration would ensure the developer fulfills all commitments made regarding development methods to protect surrounding residents. The Mayor stressed that while they believe the plan will work for all residents, the developer must honor their commitments to protect both their development and neighboring properties.

Mr. Radcliffe thanked the developer for being present and acknowledged the extensive discussions that have taken place. He expressed appreciation that the developer was willing to work with both their development and neighboring residents, hoping this cooperation would continue to make everyone satisfied with the final outcome.

Mr. Fischer concurred with the Mayor and Mr. Radcliffe's comments, encouraging residents not to hesitate to reach out if issues arise, as all Council Members are available to help. He thanked the developer for attending multiple meetings.

And the vote was: Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “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.

<u>ORDINANCE NO. 39-26 – AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH K.E. McCARTNEY & ASSOCIATES TO PERFORM CONSTRUCTION ADMINISTRATION & INSPECTION SERVICES FOR THE CHESTER ROAD RESURFACING PROJECT ALSO KNOWN AS LOR MR 4313-0.33 (PID 120604)</u>
The Clerk read Ordinance No. 39-26 by title only, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH K.E. McCARTNEY & ASSOCIATES TO PERFORM CONSTRUCTION ADMINISTRATION & INSPECTION SERVICES FOR THE CHESTER ROAD RESURFACING PROJECT ALSO KNOWN AS LOR MR 4313-0.33 (PID 120604) AND DECLARING AN EMERGENCY

A motion was made by Mr. Radcliffe and seconded by Ms. Berges to suspend the rules and act on Ordinance No. 39-26, and the vote was: Mrs. Demaline, “yes”; Ms. Etienne, “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. Radcliffe and seconded by Mr. Moore to adopt Ordinance No. 39-26, and the vote was: Ms. Etienne, “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.

<u>ORDINANCE NO. 40-26 – AUTHORIZING THE DISPOSAL OF MUNICIPAL PROPERTY</u>
The Clerk read Ordinance No. 40-26 by title only, entitled:

AN ORDINANCE AUTHORIZING THE DISPOSAL

OF MUNICIPAL PROPERTY
AND DECLARING AN EMERGENCY

A motion was made by Mr. Radcliffe and seconded by Ms. Berges to suspend the rules and act on Ordinance No. 40-26, and the vote was: Mr. Moore, “yes”; Ms. Patton, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “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. Radcliffe and seconded by Ms. Etienne to adopt Ordinance No. 40-26, and the vote was: Ms. Patton, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “yes”; Mr. Moore, “yes”; Mr. Fischer, “yes”.

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

<u>RESOLUTION NO. R-5-26 – DECLARING IT NECESSARY TO CONSTRUCT CONCRETE SIDEWALKS TO COMPLETE THE 2026 SIDEWALK PROGRAM</u>
The Clerk read Resolution No. R-5-26 by title only, entitled:

A RESOLUTION DECLARING IT NECESSARY TO CONSTRUCT CONCRETE SIDEWALKS TO COMPLETE THE 2026 SIDEWALK PROGRAM AND DECLARING AN EMERGENCY

A motion was made by Mr. Radcliffe and seconded by Ms. Berges to suspend the rules and act on Resolution No. R-5-26, and the vote was: Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “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. Radcliffe and seconded by Mr. Moore to adopt Resolution No. R-5-26, and the discussion was:

Mrs. Demaline asked about the timeline for plans to be developed along with engineering following the likely passage. Mr. Cummins explained that they would need an authorized purchase order to move forward, then begin surveying work, with plans available after several weeks.

Mrs. Demaline inquired about notification letters to residents, referencing previous discussions with Mr. Moore about "on-deck letters" informing residents of upcoming required work. Mayor Jensen confirmed that once passed, the Resolution would be sent to Mrs. Clements, the Zoning Enforcement Officer, to send letters out immediately, while waiting for Mr. Cummins' work to be completed. This would also inform residents about upcoming site work or surveying.

When Mrs. Demaline asked about the 2025 sidewalk carryovers with an April 15, 2026, deadline to install, Mayor Jensen explained that Mrs. Clements would handle contacting residents who do not have signed contracts for the work to be completed, offering agreements with City contractors. The City is prepared with contractors lined up to complete any remaining work and to bill or assess the residents accordingly.

And the vote was: Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “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.

RESOLUTION NO. R-6-26 – TO ADVERTISE FOR BIDS FOR THE 2026 PAVEMENT MARKING PROGRAM

The Clerk read Resolution No. R-6-26 by title only, entitled:

A RESOLUTION TO ADVERTISE FOR BIDS FOR THE 2026 PAVEMENT MARKING PROGRAM AND DECLARING AN EMERGENCY

A motion was made by Mr. Radcliffe and seconded by Ms. Berges to suspend the rules and act on Resolution No. R-6-26, and the vote was: Mrs. Demaline, “yes”; Ms. Etienne, “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. Radcliffe and seconded by Mr. Moore to adopt Resolution No. R-6-26, and the vote was: Ms. Etienne, “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.

RESOLUTION NO. R-7-26 – TO ADVERTISE FOR BIDS FOR THE 2026 PAVEMENT RESURFACING PROGRAM

The Clerk read Resolution No. R-7-26 by title only, entitled:

A RESOLUTION TO ADVERTISE FOR BIDS FOR THE 2026 PAVEMENT RESURFACING PROGRAM AND DECLARING AN EMERGENCY

A motion was made by Mr. Radcliffe and seconded by Ms. Berges to suspend the rules and act on Resolution No. R-7-26, and the vote was: Mr. Moore, “yes”; Ms. Patton, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “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. Radcliffe and seconded by Mr. Moore to adopt Resolution No. R-7-26, and the vote was: Ms. Patton, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “yes”; Mr. Moore, “yes”; Mr. Fischer, “yes”.

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

RESOLUTION NO. R-8-26 – AUTHORIZING THE DIRECTOR OF FINANCE TO ENTER INTO A LEASE AGREEMENT WITH HUNTINGTON PUBLIC CAPITAL CORPORATION

The Clerk read Resolution No. R-8-26 by title only, entitled:

A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO ENTER INTO A LEASE AGREEMENT WITH HUNTINGTON PUBLIC CAPITAL CORPORATION AND DECLARING AN EMERGENCY

A motion was made by Mr. Radcliffe and seconded by Ms. Berges to suspend the rules and act on Resolution No. R-8-26, and the vote was: Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “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. Radcliffe and seconded by Mr. Moore to adopt Resolution No. R-8-26, and the vote was: Ms. Berges, “yes”; Mrs. Demaline, “yes”; Ms. Etienne, “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.

RESOLUTION NO. R-9-26 – TO AUTHORIZE THE MAYOR TO PARTICIPATE IN A COOPERATIVE PURCHASING PROGRAM WITH THE OHIO DEPARTMENT OF TRANSPORTATION, WINTER CONTRACT FOR ROAD SALT
The Clerk read Resolution No. R-9-26 by title only, entitled:

A RESOLUTION TO AUTHORIZE THE MAYOR TO PARTICIPATE IN A COOPERATIVE PURCHASING PROGRAM WITH THE OHIO DEPARTMENT OF TRANSPORTATION, WINTER CONTRACT FOR ROAD SALT AND DECLARING AN EMERGENCY

A motion was made by Mr. Radcliffe and seconded by Ms. Berges to suspend the rules and act on Resolution No. R-9-26, and the vote was: Mrs. Demaline, “yes”; Ms. Etienne, “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. Radcliffe and seconded by Ms. Etienne to adopt Resolution No. R-9-26, and the vote was: Ms. Etienne, “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.

REPORTS AND COMMENTS

MAYOR JENSEN requested a Safety Committee meeting be called for next Monday night (4/20) at 6:30 P.M. to discuss e-bikes and e-scooters, specifically helmet requirements. He noted that many riders are not wearing helmets and some are using inadequate children's bike helmets for high-speed vehicles reaching 30-35 mph. The meeting would review existing Ordinances and enforcement options, with residents invited to voice concerns and ideas. Since the Parks and Recreation Committee of Council meeting is scheduled for the following week (4/27), this timing would avoid a three-week delay.

Mr. Fischer confirmed the date, and time would work for Committee members, with Ms. Patton, Chair of the Safety Committee, agreeing to the Monday, April 20, 2026, at 6:30 PM timing. Mr. Fischer emphasized advertising the meeting widely given the widespread nature of this issue.

Mayor Jensen announced the City is exploring payroll service options, with Finance Director, Mr. Presley providing more details during his comments. He noted difficulty maintaining part-time payroll positions as people seek full-time work elsewhere. Mayor Jensen requested a Special Meeting be called next week to pass said legislation with a payroll company.

Regarding Mills Road, Mayor Jensen reported discussions with Mayor Corcoran of North Ridgeville about grant funding for a portion of Mills Road. Despite Mayor Corcoran's initial hesitation about bidding this year, Mayor Jensen requested they proceed if pricing is favorable, which Mayor Corcoran agreed to consider. The project would be funded jointly if costs are reasonable.

Mayor Jensen also discussed plans for a community garden at the Jameson Homestead, with Neely Powell and Karen Conant volunteering to coordinate the project. The garden would feature approximately 30 or more raised beds designated through a lottery system, with excess produce going to food banks and those in need. A ribbon cutting ceremony will be held with Council participation to be announced later.

COUNCIL MEMBERS:

MS. BERGES, AT LARGE, shared, on behalf of the Tree Commission, a congratulatory letter from Senator Nathan Manning regarding the City receiving the Gold Leaf Award, noting this achievement resulted from Council's merit in establishing the Land Disturbance fee, which funded planting 27 trees last fall.

She inquired about BrightSpeed installation and complaints from residents. Mr. Streator explained that current work involves connecting main lines to houses where residents signed up, sometimes requiring underground crossing from opposite sides of street. The City forwards all complaints to their BrightSpeed contact and works with them on finding resolution.

MRS. DEMALINE, WARD 1, thanked Ms. Berges for sharing the Gold Leaf Award and the letter from Senator Manning.

She asked about the community garden timing and resident notification methods. Mayor Jensen explained there would be a social media launch through the Parks and Recreation Department, acknowledging concerns about residents not on social media potentially being excluded. He noted this was a last-minute project using container gardening rather than traditional large-scale community gardens, viewing it as a pilot program that could be expanded in future years. The garden serves to recognize the site's transition away from antique shops, with removed shrubs opening views of the historic house.

MS. ETIENNE, WARD 2, expressed support for the community garden project.

MR. MOORE, WARD 3, raised concerns about shipping containers in commercial parking lots, which current regulations don't adequately address. He suggested that Legal Committee consider reviewing neighboring communities' approaches and improve enforcement capabilities.

Mr. Moore also asked about removing the utility locate flags as part of BrightSpeed's installation from his yard after 2-3 weeks, preventing proper lawn maintenance. Mr. Streator confirmed removal was acceptable after the 10-day work commencement period required for utility locates.

Mayor Jensen advised the Zoning Enforcement Officer would be reaching out to businesses that have shipping containers visible from the roadway.

MS. PATTON, AT LARGE, supported removing shipping containers, particularly along Chester Road, and she appreciated Ms. Berges raising BrightSpeed concerns. She noted residents reporting Spectrum line cuts causing internet outages due to BrightSpeed mistakes.

Mr. Streator explained that Spectrum sometimes fails to flag their lines when requested through the 811 system (Call Before You Dig), creating responsibility issues. While companies are required to mark their utilities, failure to do so shifts liability to the unmarked utility owner. He noted BrightSpeed repairs such damage quickly.

MR. RADCLIFFE, WARD 4, shared positive feedback about sidewalk usage in the Williams Court/Schwartz Road area, with residents surprised by high utilization rates of the newly installed sidewalk. He reported that the Metro Parks were beginning with the trail expansion at the lower Metro Parks area near Jaycox Road, connecting to the Mills Road donation property for comprehensive trail networks allowing parking at multiple locations.

MR. FISCHER, AT LARGE, cautiously praised BrightSpeed's response to damages in his neighborhood, noting their reseeding of disturbed areas and commitment to repairing mailbox damage caused by subcontractors, emphasizing the importance of persistent follow-up.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER, had no additional comments.

MS. FECHTER, PLANNING/ECONOMIC DEVELOPMENT COORDINATOR, clarified that visible storage containers currently located at Petco were temporary for remodeling projects, not permanent storage, with completion expected soon.

She announced Friday's successful groundbreaking for the Rafih Auto Group, for a Mercedes-Benz and Porsche headquarters with representatives expressing excitement about coming to Avon. Current work focuses on stormwater management while finalizing development plans.

MR. GASIOR, LAW DIRECTOR, had no comments.

MR. PRESLEY, FINANCE DIRECTOR, detailed payroll service evaluation, comparing ADP, Paychex, and Paylocity options. The preferred solution would be to integrate with their current timekeeping system at approximately $30,000 annually versus quotes up to $122,000 for unnecessary bundled services. He requested proceeding quickly to run 3-4 duplicate payrolls before going live, planning further discussion at next Monday's meeting.

MR. STREATOR, SAFETY DIRECTOR/PUBLIC SERVICE DIRECTOR, encouraged directing BrightSpeed issues to him for appropriate escalation, noting the company's responsiveness when contacted through proper channels.

AUDIENCE COMMENTS:

Lauri Mathie of 2653 Jaycox Road expressed appreciation for Planning Commission and City Council consideration of her property owner concerns regarding the proposed Grace Estates Subdivision, hoping developers fulfill their commitments with Council support if they do not.

Ms. Mathie also raised serious concerns about motorized bike safety, describing children as young as her waist height traveling 30 mph on e-bikes on sidewalks near the former Martin's Deli. She emphasized accident risks when backing out of driveways on busy Jaycox Road with high-speed vehicles on sidewalks, requesting urgent action on this safety issue. She noted appreciation for seeing children on actual pedal bicycles versus motorized vehicles.

ADJOURN: 8:18 P.M.
A motion was made by Mr. Radcliffe and seconded by Ms. Berges to adjourn the Regular Meeting of Council, and the vote was: Mr. Moore, "yes"; Ms. Patton, "yes"; Mr. Radcliffe, "yes"; Ms. Berges, "yes"; Mrs. Demaline, "yes"; Ms. Etienne, "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