

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF AVON, OHIO, HELD MONDAY, SEPTEMBER 25, 2023
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
AT 7:30 P.M.**

The Chairman, Council President Brian Fischer, called the meeting to order and the Avon “11U Little League Baseball State Runner Ups” 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

PRESENTATION TO THE AVON 11U LITTLE LEAGUE BASEBALL 2023 STATE RUNNER UPS

Mr. Fischer advised when Mayor Jensen first asked him if Council would be interested in presenting the State Runner Ups with a banner or some kind of recognition, all of Council was in 100% agreement and thought it was a great idea and he had a banner to present to the team. He said but first he wanted to recognize not only the players, but the coaches and the parents as he was sure there have been countless practices and maybe even some overnights and endless dedication and they have made the City of Avon very proud on their State Runner-Up accomplishment as that was no small feat. Mr. Fischer stated even making it to the semi-finals or regional finals is unbelievable, but to become the State Runner Ups was very impressive. He said he also wanted to thank Coach McQuality for providing the fantastic graphic used for the banner.

A group photo with the players, their coaches, City Council and Mayor Jensen was taken holding the banner. The banner depicted each player with their State Runner Up title.

The Players: Eli Berger, Mason Derise, Charlie Horwatt, RJ Hricovec, Vinnie LaMarca, Adam Libeg, Keegan McQuality, Beckett Rees, Allen Rodriguez, Sam Ryan, Henry Smith, and Jude Zimmer.

Each player was then individually recognized and congratulated and given a poster size of the banner and individual pictures were taken of the player with their family.

Mr. Fischer again congratulated the team on their unbelievable feat.

MINUTES OF THE MEETING OF THE ECONOMIC DEVELOPMENT COMMITTEE OF COUNCIL HELD TUESDAY, SEPTEMBER 5, 2023

A motion was made by Mr. McBride and seconded by Mr. Moore to dispense with the reading of the minutes of the Economic Development Committee of Council held Tuesday, September 5, 2023, and to approve said minutes as published, 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.

MINUTES OF THE WORK SESSION OF COUNCIL HELD TUESDAY, SEPTEMBER 5, 2023

A motion was made by Mr. McBride and seconded by Mr. Moore to dispense with the reading of the minutes of the Work Session of Council held Tuesday, September 5, 2023, and to approve said minutes as published, 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.

MINUTES OF THE REGULAR MEETING OF COUNCIL HELD MONDAY, SEPTEMBER 11, 2023

A motion was made by Mr. McBride and seconded by Mr. Moore to dispense with the reading of the minutes of the Regular Meeting of Council held Monday, September 11, 2023, and to approve said minutes as published, 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.

MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD MONDAY, SEPTEMBER 18, 2023

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, September 18, 2023, and to approve said minutes as published, and the vote was: Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mrs. Demaline, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Fischer, “yes”.

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

ANNOUNCEMENT OF A PUBLIC HEARING FOR AN ENTERPRISE ZONE TAX ABATEMENT AGREEMENT

Pursuant to the Charter of the City of Avon, Article IV, Section 16, Chairman Brian Fischer announced a Public Hearing for the Enterprise Zone Tax Abatement Agreement for Advanced Polymer Coatings, Inc. The Public Hearing will take place at the Council Work Session on Monday, October 2, 2023.

ORDINANCE NO. 103-23 – AUTHORIZING THE DISPOSAL OF MUNICIPAL PROPERTY THROUGH AUCTION WITH INSURANCE AUTO AUCTIONS, INC.

The Clerk read Ordinance No. 103-23 by title only, entitled:

AN ORDINANCE AUTHORIZING THE DISPOSAL OF MUNICIPAL PROPERTY THROUGH AUCTION WITH INSURANCE AUTO AUCTIONS, INC. 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. 103-23, and the vote was: Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mrs. Demaline, “yes” Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Fischer, “yes”.

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

A motion was made by Mr. McBride and seconded by Mr. Moore to adopt Ordinance No. 103-23, and the vote was: Mr. Witherspoon, “yes”; Mrs. Demaline, “yes” Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Fischer, “yes”.

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

RESOLUTION NO. R-30-23 – TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR THE LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT

The Clerk read Resolution No. R-30-23 by title only, entitled:

A RESOLUTION TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR THE LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT AND DECLARING AN EMERGENCY

A motion was made by Mr. Radcliffe and seconded by Mr. Moore to suspend the rules and act on Resolution No. R-30-23, 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.

A motion was made by Mr. McBride and seconded by Mr. Moore to adopt Resolution No. R-30-23, 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.

REPORTS AND COMMENTS

MAYOR JENSEN reported that the Traxler property has now transferred over to the City of Avon. He said they may notice that there is some clearing of trees across from the Early Learning Center. Mayor Jensen stated at one time that area was just a bunch of piles of ground up blacktop and they are removing those trees to lay out a parking lot use for the parkland. He advised the bridge will not be able to be used for driving traffic so motorists will have to park in the parking lot and walk to the park. Mayor Jensen said this parking lot will allow for overflow parking for events at the Early Learning Center when needed and they would keep a buffer around the perimeter of the parking area. He stated they would continue to work on cleaning up the park area and let Council know when it is open for the public to walk.

COUNCIL MEMBERS:

MRS. DEMALINE, WARD 1, asked when they anticipate that the Traxler property park would be open to the public.

Mayor Jensen advised they still have to find out what is needed to make the bridge walkable. He said also Mr. Traxler gave them property back on Centennial Street, but that also is wooded and until they can get things cleared and safe, they would be keeping people off that trail. Mayor Jensen stated as soon as it was available, he would let Council know.

Mrs. Demaline inquired if there was an estimated time frame on that.

Mayor Jensen said he was not sure if Mr. Loeser met with someone to look at the bridge yet.

Mr. Streator advised they were still waiting on engineering to look at the bridge and then it would be dependent on the weather and how quickly they can cut into the western side of the park property.

Mrs. Demaline asked if they knew the timeline on the parking lot.

Mr. Streator advised there are some variables because the pile of grindings have been there for a number of years, and they were not sure how easy it is going to be to clear that out. He said that it will make a difference after they get some of the trees away from that area so they can access it. Mr. Streator stated they are hoping that within a couple of weeks they will be able to have some semblance of a parking lot.

MRS. HOLTZMEIER, AT LARGE, had no comments.

MR. MCBRIDE, WARD 2, thanked Mayor Jensen, who since first becoming elected has been very active in seeking additional property for the City to purchase to expand its parks system. He advised Mayor Jensen has done an awesome job and the City has come a long way since he became elected as Mayor of the City.

MR. MOORE, WARD 3, advised he saw that the sidewalk on Riegelsberger Road was installed and it was good to see and he thanked Mr. Streator.

MR. RADCLIFFE, WARD 4, reminded Council that he would be absent next week for the Work Session on Monday, October 2, 2023.

MR. WITHERSPOON, AT LARGE, had no comments.

MR. FISCHER, AT LARGE, once again congratulated the 11U Little League Baseball State Runner Ups.

Mr. Fischer advised there were some residents in his neighborhood that wanted him to pass along a thanks to Council as the sidewalks are starting to get poured on Avon Road. He said they were about 35 percent installed.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER, had no comments.

MS. FECHTER, PLANNING/ECONOMIC DEVELOPMENT COORDINATOR, thanked Council for recognizing the Little League players earlier tonight. She said that was very

awesome and as a former baseball mom, this sport is very important in the lives of these young boys and they are so excited and she appreciates Council recognizing their achievement. She added that she loves the banner.

MR. GASIOR, LAW DIRECTOR, had no comments.

MR. PRESLEY, FINANCE DIRECTOR, had no comments.

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

AUDIENCE

Mary Berges of 3471 Mass Drive said this past Thursday was the last community concert at the gazebo and it was a beautiful night and well attended. She stated they had senior citizens and families with children there and she thanked the City Parks Department and Ann Marie Shinko Brown for putting these concerts on and giving the residents another opportunity to come together as a community.

Aaron Miller of 35906 Hanamar Drive said he learned recently that there are plans or talks of a neighborhood going in behind Hanamar Drive on the south side; that Drees Homes bought 70-100 lots to build houses. He asked if anyone could confirm this information or if they had any details on such a proposal or a timeline. Mr. Miller stated he had a lot of concerns as it sounds as if there would be roads connecting from Hanamar Drive to Riegelsberger Road. He said they have a nice fairly quiet neighborhood, and he does not want to see a lot of traffic coming through and he would appreciate any insight.

Ms. Fechter advised the Planning Department recently received a submission request for the October Planning Commission agenda for a preliminary plat, which is the very basic beginning of a proposed subdivision. She said she has not accepted it yet because she still needs a traffic study, stormwater calculations, and a watershed study to know how the water will flow in that area. Ms. Fechter stated she could not yet say when such a proposal would be on a Planning Commission agenda, but all the surrounding property owners would be notified of a Public Hearing when that preliminary plat will be on a Planning Commission agenda for those neighbors to express their concerns. She reiterated that subdivision has not been accepted by her and it is on hold.

Mayor Jensen explained the Planning Commission agendas are always posted on the City's website prior to any of its meetings. Planning Commission meetings are held the third Wednesday of every month and this item would need approval from the Planning Commission before it would come in front of City Council. He said all meetings are open and anyone can look up the agendas online and attend any meetings they would like to attend.

ADJOURN: 7:55 p.m.

A motion was made by Mr. McBride and seconded by Mr. Moore to adjourn the Regular 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.