

ORDINANCE NO. 57-25

**AN ORDINANCE AMENDING SECTIONS 277.02(a) & (b) OF THE
CODIFIED ORDINANCES OF THE CITY OF AVON RELATIVE
TO TREE COMMISSION “MEMBERSHIP & COMPENSATION”
AND DECLARING AN EMERGENCY**

WHEREAS, Council established the Tree Commission pursuant to Ordinance No. 70-21, passed on September 13, 2021; and

WHEREAS, The Tree Commission was created to protect, among other things, the City’s urban tree canopy and to assign it powers and duties to recommend back to Council appropriate regulations to achieve that end; and

WHEREAS, for all the effort put forth by the Tree Commission in late 2021 and in 2022, the City of Avon was recognized in late 2022 as a Tree City USA through the Arbor Day Foundation; and

WHEREAS, in an effort to engage the interest of younger citizens of Avon to become more involved in the community, the Tree Commission recommended the creation of a position for a local student (high school) to become an appointed member of the Tree Commission and Council passed Ordinance No. 66-24 on June 24, 2024; and

WHEREAS, the Tree Commission has found the appointment of a student member to be beneficial to the City of Avon and would now like to amend Chapter 277.02(a) to include an additional high school student to be appointed to the Commission; and

WHEREAS, Council, upon recommendation of the Administration and the Tree Commission, finds adoption of the amendment being proposed to be reasonable and in the best interests of the health, safety, and welfare of the citizens of City.

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

Section 1 – That Section 277.02(a) which currently reads as follows:

(a) The Tree Commission shall consist of nine members who are citizens and residents of the City of Avon. One member of the Commission shall be a certified arborist and one member shall be a high school student, (minimum age of 16) both of whom shall be appointed by the Mayor. The arborist and student will not be voting members of the Commission. The arborist’s term shall have no specific expiration date. The student member’s term shall be for two years. The other seven members of the Commission shall be as follows: The Mayor or his or her nominee (no expiration date); a member of City Council (no expiration date); and five additional members appointed by the Mayor. Each of these five additional members shall be appointed for a term of five years, except that of the first five members, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years and one for a term of five years. Any vacancy on the Commission shall be filled as stated above for the balance of the unexpired term.

(Ord. 70-21. Passed 9-13-21; Ord. 77-22. Passed 6-13-22; Ord. 66-24. Passed 6-24-24.)

shall be amended to read as follows: (New language in bold print; deleted text stricken)

(a) The Tree Commission shall consist of ~~nine~~ **ten** members who are citizens and residents of the City of Avon. One member of the Commission shall be a certified arborist and ~~one~~ **two** members shall be ~~a~~ high school students, (minimum age of 16) ~~both~~ **all** of whom shall be appointed by the Mayor. The arborist and students will not be voting members of the Commission. The arborist's term shall have no specific expiration date. The student members' term shall be for two years. The other seven members of the Commission shall be as follows: The Mayor or his or her nominee (no expiration date); a member of City Council (no expiration date); and five additional members appointed by the Mayor. Each of these five additional members shall be appointed for a term of five years, except that of the first five members, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years and one for a term of five years. Any vacancy on the Commission shall be filled as stated above for the balance of the unexpired term.
(Ord. 70-21. Passed 9-13-21; Ord. 77-22. Passed 6-13-22; Ord. 66-24. Passed 6-24-24.)

Section 2 – That Section 277.02(b) which currently reads as follows:

(b) That commencing with pay period No. 15 (July 10th, 2022) and going forward through the end of 2022, each of the members of the Tree Commission shall receive annual compensation, prorated, in the amount of one thousand one hundred twenty-five dollars and 43/100 cents (\$1,125.43) with the exception of the Chairperson who shall receive the annual compensation, prorated, in the amount of one thousand six hundred eighty-eight dollars and 15/100 cents (\$1,688.15). Said compensation shall be payable on a monthly basis. The student shall not be compensated as a member of the Commission.
(Ord. 70-21. Passed 9-13-21; Ord. 77-22. Passed 6-13-22; Ord. 66-24. Passed 6-24-24.)

shall be amended to read as follows: (New language in bold print; deleted text stricken)

(b) That commencing with pay period No. 15 (July 10th, 2022) and going forward through the end of 2022, each of the members of the Tree Commission shall receive annual compensation, prorated, in the amount of one thousand one hundred twenty-five dollars and 43/100 cents (\$1,125.43) with the exception of the Chairperson who shall receive the annual compensation, prorated, in the amount of one thousand six hundred eighty-eight dollars and 15/100 cents (\$1,688.15). Said compensation shall be payable on a monthly basis. The students shall not be compensated as ~~a~~ members of the Commission.
(Ord. 70-21. Passed 9-13-21; Ord. 77-22. Passed 6-13-22; Ord. 66-24. Passed 6-24-24.)

Section 3 - The Codifier is hereby instructed to insert the amendments into the Codified Ordinances of the City of Avon as set forth herein in the appropriate order, renumbering and/or re-lettering anywhere applicable. All language contained in Section 277.02 not specifically amended herein shall remain in full force and effect.

Ordinance No. 57-25 (Con't.)

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 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 of adopting legislation to appoint an additional (2nd) high school student to the Tree Commission for the City of Avon; 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

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks, Clerk of Council

Posted: _____
Electronically and at City Hall as
Provided by Council

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