

ORDINANCE NO. 92-25

AN ORDINANCE AMENDING ORDINANCE NO. 85-21 LEVYING SPECIAL ASSESSMENTS FOR THE JOSEPH, PUTH, ELIZABETH AND DETROIT SANITARY SEWER SYSTEM AND DECLARING AN EMERGENCY

WHEREAS, Council (the “Council”) of the City of Avon, Ohio (the “City”) duly adopted Resolution No. R-22-19 on September 9, 2019 (the “Resolution of Necessity”) and declared it necessary to improve the City of Avon by the construction of a sanitary sewer system, with all necessary appurtenances thereto, along Elizabeth Avenue, Joseph Street, Puth Drive, and a portion of Detroit Road from address 34008 to address 34901; and

WHEREAS, the City completed the Project, determined the final costs and passed Ordinance No. 85-21 on November 22, 2021 (the “Original Assessing Ordinance”), levying special assessments on the parcels benefitted by the Project as further described in that Assessing Ordinance; and

WHEREAS, Janet L. Lowry, owner of Permanent Parcel No. 0400022105049, located at 34675 Detroit Road, has tendered payment in full of the remaining portion of her assessment; and

WHEREAS, Council hereby accepts said payment and amends Assessing Ordinance No. 85-21, accordingly, finding it to be in the best interest of the City to do so.

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

Section 1. That having fully paid the remaining balance of the assessment on October 7, 2025, Council hereby amends [Exhibit A](#) to Ordinance No. 85-21 (the “Assessing Ordinance”) striking the Janet L. Lowry parcel, located at 34675 Detroit Road, Permanent Parcel No. 0400022105049, from any further assessment. The Finance Director shall deposit the funds paid by Lowry to satisfy the balance of the assessment into the Special Assessment Retirement Fund No. 501.

Section 2. All other sections and provisions of the Assessing Ordinance, except as otherwise amended herein shall remain in full force and effect.

Section 3. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed 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 action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. 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 remove the Lowry property from Exhibit A to

Ordinance No. 92-25 (Con't.)

Ordinance No. 85-21 and notify the Lorain County Auditor in a timely manner so as to avoid any future collection of said assessment; 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