

ORDINANCE NO. 15-26

**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**

WHEREAS, on or about August 25, 2023, the City of Avon acquired approximately 37.5 acres of land (PPN# 04-00-011-102-123) from the Traxler Family Limited Partnership; and

WHEREAS, Council passed Ord. No. 35-24 on March 25, 2024 to officially name this park the “Traxler Family Arboretum”; and

WHEREAS, the City of Avon proposes to construct, operate, and maintain an arboretum with walking trails, seating, fencing, and restrooms on this property (PPN 04-00-011-102-123); and

WHEREAS, the Administration, working with the Avon Tree Commission and City Arborist, sought a proposal from MKSK to perform design services for the Traxler Family Arboretum to enhance Avon’s quality, character, livability, safety, and economic development potential; and

WHEREAS, the MKSK proposal was reviewed by the City Administration who it to be responsive to the project scope; and

WHEREAS, City Council has reviewed the contract for professional site design services submitted by MKSK and finds the proposal to be in the best interests of the health, safety, and welfare of the citizens of Avon in facilitating the planning and design of the Traxler Park/Arboretum project.

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

Section 1 - That the Mayor is hereby authorized to execute an agreement with MKSK for site design services related to the Traxler Park/Arboretum Project in substantially the form as set forth in the attached [Exhibit A](#), which is incorporated herein and made a part of this Ordinance.

Section 2 - Payment up to the amount of **Thirty-Thousand Dollars and 00/100 Cents (\$30,000.00)** to MKSK shall be made from the Traxler Fund No. 407 in said amount. The Finance Director is further authorized to increase this appropriation by a reasonable amount for engineering and legal fees associated with this project.

Section 3 - 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 4 - 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 to enter into an agreement with MKSK for site design services for the Traxler Park/Arboretum project as soon as possible to enable the project to begin during the 2026 construction season; 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 J. Brooks, Clerk of Council

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

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