

ORDINANCE NO. 13-26

**AN ORDINANCE AMENDING ORDINANCE NO. 105-25 WHICH AUTHORIZED THE
MAYOR TO ENTER INTO AN AGREEMENT WITH ENVIRONMENTAL DESIGN
GROUP (EDG) TO ACQUIRE PERMANENT DRAINAGE EASEMENTS AND
TEMPORARY CONSTRUCTION EASEMENTS FOR THE
FRENCH CREEK GREENWAY PHASE 1 PROJECT
AND DECLARING AN EMERGENCY**

WHEREAS, Council passed Ordinance No. 105-25 on November 10, 2025 which authorized the Mayor to execute a contract with Environmental Design Group (EDG) for easement acquisition services related to the French Creek Greenway Phase 1 Project; and

WHEREAS, the approved contract with EDG was based on acquisition of 18 parcels of land (\$4,075 per parcel) for a total amount of Seventy-Three Thousand Four Hundred Twenty-Five Dollars and 00/100 Cents (\$73,425.00); and

WHEREAS, upon finalization of the project plans by CVE, it became necessary to secure an additional drainage easement for which EDG will perform acquisition services for a total of 19 parcels; and

WHEREAS, adding the additional parcel will increase the cost to Seventy- Seven Thousand Five Hundred Dollars and 00/100 Cents (\$77,500.00), or an additional \$4,075; and

WHEREAS, Council finds that the additional cost to be reasonable and necessary for the completion of the project and in the best interests of the safety, health, and welfare of the citizens of Avon that it be approved.

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

Section 1 - That Ordinance No. 105-25 which passed on November 10, 2025, is hereby amended to increase the amount of the contract for EDG from Seventy-Three Thousand Four Hundred Twenty-Five Dollars and 00/100 Cents (\$73,425.00) for 18 parcels of land to Seventy-Seven Thousand Five Hundred Dollars and 00/100 Cents (\$77,500.00) for 19 parcels of land. The Finance Director is authorized to make the payment to EDG in the amount of Seventy-Seven Thousand Five Hundred Dollars and 00/100 Cents (\$77,500.00) and to increase appropriation by a reasonable amount for engineering and legal fees associated with this project.

Section 2 - 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 3 - 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 increase the number of parcels requiring

acquisition services from 18 parcels to 19 parcels and to increase the payment to EDG to Seventy-Seven Thousand Five Hundred Dollars and 00/100 Cents (\$77,500.00); therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: February 9, 2026 DATE SIGNED: February 9, 2026

By: Brian Fischer
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: February 16, 2026

Bryan K. Jensen
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior
John A. Gasior, Law Director

ATTEST:

Barbara J. Brooks
Barbara J. Brooks, Clerk of Council

Posted: February 18, 2026
Electronically and at City Hall as
Provided by Council

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

I, Barbara J. Brooks, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 13-26, passed by the Council of said City on February 9, 2026.

IN WITNESS WHEREOF, I have on this 16th day of February 2026, affixed my signature and official seal.

Barbara J. Brooks
Barbara J. Brooks, Clerk of the Council
of the City of Avon, Ohio