

**MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE
CITY OF AVON, OHIO HELD MONDAY, FEBRUARY 3, 2025
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
AT 7:30 P.M.**

PRESENT: Council Members: Council-at-Large – Mary Berges; 1st Ward – Jennifer Demaline; 2nd Ward - Dennis McBride; 3rd Ward -Tony Moore; 4th Ward - Scott Radcliffe; Council-at-Large – Michelle Patton; Council-at-Large and Council President – Brian Fischer; Mayor – Bryan Jensen; Planning/Economic Development Coordinator – Pam Fechter; Law Director – John Gasior; Finance Director– Steve Presley; Safety/Public Service Director – Duane Streator; Assistant Clerk of Council – Rachel Markovitz

ABSENT: City Engineer – Ryan Cummins; Clerk of Council – Barbara Brooks

Council President Brian Fischer called the meeting to order.

1. **ORDINANCE NO. 6-25 – AMENDING SECTION 1262.08(c) OF THE CODIFIED ORDINANCES OF THE CITY OF AVON REGARDING MINIMUM YARD REQUIREMENTS FOR ACCESSORY STRUCTURES**

Planning Referral

The second of three readings of Ordinance No. 6-25 will be held on Monday, February 10, 2025.

A Public Hearing will be held for Ordinance No. 6-25 at 7:25 p.m. on Monday, February 24, 2025.

Ms. Fechter advised that she did not have any new information about this item.

Mr. McBride said he understands the intent of this amendment but noted it would be nice to have a diagram of what can and cannot be done for clarity.

Ms. Fechter indicated she would ask the Zoning Enforcement Officer to provide a drawing.

2. **ORDINANCE NO. 8-25 – APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH**

Mr. Gasior

Mr. Gasior advised this is the annual update of the Codified Ordinances and with the passage of this Ordinance the written pages can be prepared and distributed to those who use hard copies. He said as Council adopts legislation over the course of the year, the updates are incorporated into the online version, but this legislation updates the written Code. Mr. Gasior noted that Exhibit A is interesting because they are amendments that are made by the State Legislature to the Traffic or the General Offenses Code. He stated those changes get codified into Avon's Code when those misdemeanor statutes get amended at the State level and that is Exhibit A.

3. **ORDINANCE NO. 9-25 – TO AUTHORIZE THE MAYOR TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT WITH ASH INNOVATIONS, LLC TO SELL A PORTION OF MUNICIPAL PROPERTY CONSISTING OF APPROXIMATELY 8.9550 ACRES, PERMANENT PARCEL NO. 04-00-004-103-030, (aka BLOCK E)**

Mr. Gasior

Mr. Gasior advised he believes some of this will be discussed in the Executive Session at the end of the meeting tonight.

Mayor Jensen advised some members of Ash Innovations, LLC were present tonight and he asked for one spokesperson to briefly speak on behalf of the group. He said Council was provided with a pamphlet about Bergamot and they would answer any questions Council might have for them. Mayor Jensen stated when looking at the offerings at the recreation complex with the Crushers Stadium, T3 Performance, the YMCA

and now Bergamot, it would add to the vision for that area to have something for everyone with sports and entertainment and this is another piece. His hope is that the area would be a place where parents could drop their kids off at T3 Performance for training but also have something for the parents and families who are interested in the fastest growing sport; Pickleball. Mayor Jensen pointed out, over the three to five years Pickleball has become very popular and he does not believe it is a trend that was going to fade away.

Pramod Abichandani, CEO of Ash Innovations, LLC, P.O. Box 115, Avon, OH, advised their company is called Ash Innovations and the brand that they are trying to build is called Bergamot, which is the name of a citrus fruit. He said like a citrus fruit providing a lot of fresh feelings and aroma, they believe that Bergamot is going to be a brand that is focused on health and wellness which will provide that fresh perspective to the idea of health and wellness for the community. Mr. Abichandani advised primarily they are focused on building and serving the community and they have identified four key pillars that will be used to serve the community.

- Café
 - Bergamot truly believes that people are what they eat. Whatever goes inside our body has some of the biggest impacts on our health and wellness. The focus of the café is to serve the community with healthy, nutritious and delicious food. Food items that span smoothies, teas, juices, delicious bowls and various sandwiches. The key is that almost every fruit and vegetable brought into the café not only be organic but also farmed regionally. Regional farming preserves the nutrients in produce which goes beyond being organic. They are not only organic, but they also take care of the land on which it was cultivated. That is a unique proposition that they will be bringing to the community and there are not many in the United States or in the World that serve that kind of food.
- Fitness
 - Fitness means mobility and function. As people age, the most important thing is mobility. The ability to function for a long time in someone's life is important. The gym will cater to functional fitness where it is not just building muscles, it is about building strength to protect hip joints, rotator cuffs and the like. These are things that go beyond a simple gym or simple fitness facility, but rather into the science of motion and how physical therapy has become modernized and that is what Bergamot plans to bring.
- Recovery
 - Recovery is an equally important part of our daily lives. Research shows that going to a sauna for fifteen minutes three times a week leads to a twenty-five percent reduction in all-cause mortality. To Bergamot, recovery has different ways in which the body regenerates after a fitness class or a run or doing daily tasks. The recovery area of the facility will include saunas, cold plunges, hyperbaric chambers and red-light therapy. These are modern devices and techniques that allow the body to reduce inflammation levels which ultimately is the root cause of a lot of cancers and auto-immune diseases. Bergamot believes that having recovery along with fitness and the café complete the trifecta of health and wellness.
- Pickleball
 - Pickleball is the fastest growing sport in the United States, and it is not just the United States. Pickleball was born in the United States, and it is entirely an American success story. This is not a new fad, but it is here to stay and one of the biggest reasons that pickleball is such a success story is because it brings generations of players together on the court. There are not many sports that people can get better at as they age. Pickleball is an exception to that rule. Forty-five-year-old and older players can be found because they are able to play and get better at pickleball and they can be paired with a sixteen-year-old grandchild. They see little kids, their parents, their grandparents and neighbors all playing pickleball together. There is a whole community of people that coalesce around pickleball, and it is one of the most wonderful experiences. Mr. Abichandani said he first thought pickleball was a stupid sport, but eight years ago when he and his wife were first introduced to pickleball by his mother-in-law, they thought the game was too slow and did not make sense, but then they were handily beaten by his mother-in-law. It was then that they realized that the game is not as easy as it seems, as there are a lot of different techniques and such that go into pickleball. It was then that they started to take it seriously. He indicated that

now, most of their relationships thrive around pickleball. This is not just him personally, but they know a lot of other couples and families that come together every weekend to play pickleball. Pickleball is something that they are truly committed to, but he noted that they are not primarily a pickleball facility; but a health and wellness facility, but pickleball is part of what they are offering.

Mr. Abichandani advised there will be several amenities that they would be offering as part of this facility.

- Co-working Spaces
 - In addition to the other offerings already mentioned, people can take their work/zoom calls in a co-working space. People can have meetings, and handle business deals in the facility as well.
- Locker Rooms
- Member Lounge
- Pro Shop
 - Pickleball gear and more will be available for purchase
- Outdoor Patio
 - With a playground for children
- Mezzanine
- Custom Technology
 - There is technology that will allow people to look at their body; the way they play, what they eat and synthesize that data to give a good understanding of their health. They want to bring all those things into their Bergamot app

Mr. Abichandani said the community is the essential piece of what they are trying to do. The City of Avon residents will be one of the key community members and they will do a lot of things for them and most of them will be free of cost to the residents. He advised Bergamot has worked out the revenue models for their calculations and they are able to provide a lot of things free of cost, with some having a minimal cost involved. Some of what they plan to do in and for the community are:

- Spotlight Local Businesses
- Events
- Tournaments
- Partnerships
- Education
 - Programs for seniors, kids, parents and more.
- Train with the Pros
 - Pickleball is such an accessible sport that anyone can play against the world's number one player.
- Conferences
 - Not just around business needs, but mostly around health and wellness. Bringing together key players in the health and wellness phase in the United States and globally into the facility and have retreats and conferences around that topic.

Mr. Abichandani reported that his group has made a lot of progress since the last time they were in front of City Council. He said at this point, they are moving forward with accepting bids from multiple design build construction firms with the deadline of March 7, 2025. Mr. Abichandani indicated they are receiving a lot of inbound interest from design build construction firms, and they have been providing these companies with all the information and a selection will be made on March 7, 2025. After every milestone, they would be in front of City Council presenting updates and keeping them informed. He thanked Council for their time and attention, and he was happy to answer any questions.

Mr. Radcliffe asked if the café would only be open when the rest of the facility was in use or would the café have its own hours of operation.

Mr. Abichandani advised they want to have the facility open from 5 am until midnight. The café would offer breakfast, lunch and dinner although they would have to cap the hours because of staffing, but they expect it to be open from 9 p.m. to 10 p.m. He said not eating food after dark is important, noting that they suggest that people align their food hours with the circadian rhythm and the sun cycle. Mr. Abichandani stated one of the things they want to do is for the longer days in the summer and in the winter, they want to serve food that is suitable for that season, but also the hours that are suitable for that season. He advised there is science behind that and they are working with a lot of knowledgeable people in the field to work out those hours. Mr. Abichandani said the idea of intermittent fasting is something they want to ingrain into the café.

4. [ORDINANCE NO. 10-25 – TO AMEND THE PLANNING AND ZONING CODE SECTION 1280.06\(ee\)\(1\) “SUPPLEMENTAL REGULATIONS FOR CERTAIN USES” TO ALLOW RESTAURANTS WITH NO INDOOR SEATING IN THE C-3 AND C-4 ZONING DISTRICT, SOUTH OF I-90](#) Planning Referral

The first of three readings of Ordinance No. 10-25 will be held on Monday, February 10, 2025.

A Public Hearing will be held for Ordinance No. 10-25 at 7:25 p.m. on Monday, March 10, 2025.

Ms. Fechter advised there was a coffee shop interested in coming to the intersection of Middleton Road and Nagel Road. She said Avon’s Code does not allow restaurants with no indoor seating south of I-90 and that location is clearly south of I-90. Ms. Fechter stated the applicant’s original intent in front of the Planning Commission was to request a Code change to allow such a business south of I-90. She advised as time had passed; the City realized that a Code change would open the door for a lot of other uses that may not be wanted within the City. Ms. Fechter indicated this is a negative referral from the Planning Commission and suggested that the Ordinance should be tabled indefinitely.

Mr. Gasior suggested Council could make such a motion at the next Regular Meeting of Council, which essentially kills the legislation, or he said if Council wishes to go the full three readings on this Ordinance and then take a vote after the third and final reading. He noted that Council could eliminate the consideration of passage and make a motion to table it indefinitely at the next Regular Meeting, which would be on Monday, February 10, 2025.

Mayor Jensen advised that when this issue was before the Planning Commission, it was decided that the issue should come before Council to either vote in favor of or against the matter. He indicated that it would send a message to other businesses looking to come to Avon, exactly how City Council felt on the matter. Mayor Jensen said it may have appeared that the Planning Commission was rejecting it, but they wanted Council to make that final decision so that other businesses looking to change the Code in that same manner would realize Council’s stance. He stated the general feeling from the Planning Commission was that this is not something they want to approve in areas south of I-90.

Mr. McBride advised he is assuming since this is an amendment to the Planning and Zoning Code that it is required to go the full three readings. He said they probably could table the matter indefinitely, but suggested it go the full three readings before they consider giving it a definitive no vote and be done with it, if that was the wish of Council. Mr. McBride felt that was clearer and would avoid the City being peppered with more of these kinds of requests.

5. [ORDINANCE NO. 11-25 – TO AMEND ORDINANCE NO. 119-19 ESTABLISHING COMPENSATION FOR THE PART-TIME UNCLASSIFIED SEASONAL POOL SUPERVISOR POSITION FOR THE CITY OF AVON](#) Mayor Jensen

Mayor Jensen advised Council should have been provided information from Mr. Fattlar, the Aquatics Coordinator, requesting the pay ranges be adjusted for the pool employees. He said this is a typical increase and there are a few employees who are getting to the top end of their pay range so this is a way to bring that range into balance to allow the City to keep the best qualified people in those positions.

6. RESOLUTION NO. R-4-25 – ADOPTING VISION ZERO AND THE LORAIN COUNTY COMPREHENSIVE SAFETY ACTION PLAN Mr. Streator

Mr. Streator advised he and Mr. Cummins have been working with the Lorain County Public Health Department and various other entities across the County for the adoption of the Comprehensive Safety Action Plan concerning traffic and pedestrian-related injuries and deaths. He said as part of this plan; the County is looking for ways to reduce those injuries and deaths throughout the County-wide entities. Mr. Streator stated the County received a grant to help achieve the overall goals within that plan, which is Vision Zero.

7. RESOLUTION NO. R-5-25 – TO APPROVE WITH MODIFICATION THE RENEWAL APPLICATION MADE BY THOMAS I. AND MELANIE M. HRICOVEC, TO HAVE CERTAIN LAND OWNED BY THEM LOCATED AT 4431 STONEY RIDGE ROAD, PERMANENT PARCEL NO. 10-04-00-012-103-079 DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT, CONSISTING OF 21.5 ACRES Mr. Gasior

A Public Hearing will be held for Resolution No. R-5-25 at 7:25 p.m. on Monday, February 10, 2025

Mr. Gasior advised this kind of Resolution is entertained around this time of year because everyone whose property is covered under an Agricultural District designation at the County level has to renew every five years. He pointed out this is the Hricovec application, and he noted that there were three or four more applications expected to come before City Council by the end of February or March as the applications need to be into the County by the end of March. Mr. Gasior stated this property has been approved for renewal several times in the past noting that if there were any questions about the Resolution or the statutory support for the Resolution that they could give him a call.

8. REPORTS AND COMMENTS

MAYOR JENSEN had no comments.

COUNCIL MEMBERS:

MS. BERGES, AT LARGE had no comments.

MRS. DEMALINE, WARD 1, asked Mayor Jensen and Council President Fischer if they would entertain discussing the 2025 Sidewalk Program at the next Work Session scheduled for Monday, February 17, 2025. She appreciates their consideration for such a request.

MR. MCBRIDE, WARD 2, believes the sidewalk discussion would be good to have.

MR. MOORE, WARD 3 advised he had a lot of residents asking him questions about the income tax ballot issue. He said as Chair, he wanted to call a Finance Committee meeting for Monday, February 24, 2025, at 6:30 p.m. Mr. Moore felt they should have slides on the screen and invite residents to attend and dispel some of the misnomers that have been posted online and educate the residents on what this proposal really means and provide them with examples. Mr. Radcliffe and Mr. McBride, who also serve on the Finance Committee, agreed with the date and time to set the committee meeting. Mr. Moore indicated he would meet with Mr. Presley and put together some slides noting that he wanted to be transparent with the residents and make sure they understand what they are being asked to vote on.

MS. PATTON, AT LARGE had no comments.

MR. RADCLIFFE, WARD 4 had no comments.

MR. FISCHER, AT LARGE had no comments.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER was absent.

MS. FECHTER, PLANNING/ECONOMIC DEVELOPMENT COORDINATOR, had no comments.

MR. GASIOR, LAW DIRECTOR, had no comments.

MR. PRESLEY, FINANCE DIRECTOR, had no comments.

MR. STREATOR, SAFETY DIRECTOR/PUBLIC SERVICE DIRECTOR, reported that in January there were 312 Rescue Calls, which is up 20 from last year and there were 69 Fire Calls, which is up about 15 from January of 2024 noting that the Fire Department is staying busy.

AUDIENCE:

There were no comments from the audience members.

9. EXECUTIVE SESSION: 7:59 p.m.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe, to Enter Into Executive Session for the Purpose of Discussing the Purchase and/or Sale of Real Estate and for the Purpose to Consider the Appointment of a Public Employee and invite Mayor Jensen, Mr. Gasior, Mr. Streator and Mr. Presley, and the vote was: Ms. Berges, "yes"; Mrs. Demaline, "yes"; Mr. McBride, "yes"; Mr. Moore, "yes"; Ms. Patton, "yes"; Mr. Radcliffe, "yes"; Mr. Fischer, "yes".

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

10. RECONVENE: 8:38 p.m.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to Reconvene the Work Session of Council, and the vote was: Mrs. Demaline, "yes"; Mr. McBride, "yes"; Mr. Moore, "yes"; Ms. Patton, "yes"; Mr. Radcliffe, "yes"; Ms. Berges, "yes"; Mr. Fischer, "yes".

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

11. ADJOURN: 8:39 p.m.

There being no further business, the Work Session of Council was adjourned.

PASSED: _____

SIGNED BY: _____
Brian Fischer, Council President

ATTEST: _____
Barbara Brooks, Clerk of Council