MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE CITY OF AVON, OHIO HELD MONDAY, JUNE 16, 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; Council-at-Large – Michelle Patton; 4th Ward - Scott Radcliffe; Council-at-Large and Council President – Brian Fischer; Mayor – Bryan Jensen**;** City Engineer – Ryan Cummins; Planning/Economic Development Coordinator – Pam Fechter; Law Director – John Gasior; Finance Director– Steve Presley; Safety/Public Service Director – Duane Streator; Clerk of Council – Barbara Brooks

Council President, Brian Fischer, Chair called the meeting to order.

1. ORDINANCE NO. 45-25 – AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE AVON LOCAL SCHOOL DISTRICT TO PURCHASE REAL ESTATE LOCATED AT 36600 DETROIT ROAD (a.k.a. THE AVON VILLAGE SCHOOL), PERMANENT PARCEL NOS. 04-00-010-112-026; 04-00-010-112-021; 04-00-010-112-020; 04-00-010-112-025 AND 04-00-010-112-024 TO BECOME THE NEW LOCATION FOR AVON CITY HALL Mayor Jensen

The Third of Three Readings of Ordinance No. 45-25 will be at the Regular Meeting to be held on Monday, June 23, 2025

Mayor Jensen reported that they had met with architects to discuss potential locations for the Council Chambers if they were to move to the new location. He mentioned that initially they considered placing it in the gymnasium, but that might make access difficult. The Mayor stated he would be sending cost estimates to Council by Wednesday for their review. He emphasized that the initial decision was about agreeing to move to the new location and recognizing it as a valuable asset for the City of Avon. The Mayor noted it would be a separate discussion later on about what is going to happen to the Chester Road property that is the current location of Avon City Hall.

Mr. Gasior informed City Council that he would be meeting with the legal counsel for the schools the following day or Wednesday. He noted that the attached real estate purchase agreement had a draft watermark, explaining that it was an agreement from August of 2024 that will need to be modified. He assured Council that the important aspects would remain the same, and a clean agreement would be provided for them next Monday night.

2. ORDINANCE NO. 49-25 – APPROVING MODIFICATIONS TO THE SANITARY SEWER MASTER PLAN AND ADOPTING SAID MODIFICATIONS AS REVISIONS TO THE OFFICIAL SANITARY SEWER MASTER PLAN FOR THE CITY OF AVON Planning Referral

The Second of Three Readings of Ordinance No. 49-25 will be held on Monday, June 23, 2025
A Public Hearing will be held on Monday, July 14, 2025, at 7:25 p.m.

Ms. Fechter stated that she had nothing new to add regarding this item.

3. ORDINANCE NO. 53-25 – ACCEPTING THE INSURANCE PROPOSAL SUBMITTED BY OSWALD COMPANIES Mr. Presley

Mr. Presley reported that it was time for the renewal of the City's general liability, property, umbrella, and cyber insurance, which were set to expire on June 30th. He explained that the proposal from McGowan represented an 11% increase, partly due to the addition of new properties. Mr. Presley mentioned that they had sought other proposals, including one from Travelers that was $1,100 less but excluded coverage for 14 properties in case of flood or water damage, which he deemed unacceptable. He stated that he would like to move forward with the

Oswald proposal using Munich, which was the current package from the previous year. Mr. Presley noted he also was not interested in placing the City in a pool for general liability property insurance.

Ms. Patton asked for clarification on whether Oswald was a new company for the City. Mr. Presley explained that Oswald had been utilized the previous year as well, with Munich as the underwriter. He further elaborated on the process of shopping for insurance rates, noting that he looks to see which underwriters are actively seeking municipal programs in Ohio. Typically, they receive 2 or 3 proposals each year. Mr. Presley's evaluation includes ensuring that the proposals meet the city's requirements, particularly in covering properties for specific risks like flood or water damage. This year, Travelers provided a proposal that was more affordable but excluded coverage for 14 properties against flood or water damage, rendering it unacceptable to Mr. Presley as it did not meet the City's minimum requirements. They also considered a proposal from a pool insurance provider, but he preferred not to involve the City in an insurance pool for their general liability property insurance.

Mr. McBride inquired about the specific properties excluded from coverage in the Travelers proposal. Mr. Presley identified the pool house and pump house as among those excluded, noting that Travelers limited coverage to $1 million instead of the $5 million offered by Munich. This reinforced the conclusion that Travelers' proposal was unsuitable for the City's needs. Mr. Presley further elaborated that in addition to excluding certain properties, Travelers significantly reduced the coverage for the remaining buildings. He mentioned that while the proposal from Travelers was $1,100 less, it did not meet the city's minimum requirements since it failed to cover essential properties against flood or water damage. This was unacceptable as it posed a risk that the City could not afford to bear. As a result, the City decided to move forward with the proposal from Oswald using Munich, which provided more comprehensive coverage for their needs.

Mrs. Demaline asked about the coverage for cyber insurance. Mr. Presley confirmed it was $3 million, which was an increase from the $2 million coverage a couple of years prior.

4. ORDINANCE NO. 54-25 – AUTHORIZING THE MAYOR TO ENTER INTO A MEDICAL DIRECTION SERVICES AGREEMENT BETWEEN THE CITY OF AVON AND UNIVERSITY HOSPITALS HEALTH SYSTEMS — Mr. Streator

Mr. Streator explained that this agreement was for the Fire Department, which is required by State law to have an affiliation with a hospital system for medical direction of their paramedic program. He stated that the Fire Department had been under the direction of University Hospitals for several years and was pleased with the relationship, wanting to continue it.

Mr. Gasior clarified that the City has always had an agreement with UH for medical direction, and this new agreement would formalize a process that has been ongoing for many years. He explained that the City is obliged by State law to have an affiliation with a hospital system for medical direction of the Fire Department's paramedic program. While the city has primarily been in a long-standing relationship with University Hospitals, they also maintain affiliations with other medical services.

Mayor Jensen added that the Fire Department can reach out to either University Hospitals or the Cleveland Clinic for guidance when on a call, even if they are transporting a patient to a facility associated with a different medical service. This allows for flexibility and ensures that paramedics receive the necessary advice and assistance in real-time while transporting patients. Mayor Jensen added that according to Fire Chief Swope, when on calls, they can reach out to either UH or Cleveland Clinic for guidance. He mentioned that even if they were transporting a patient to Cleveland Clinic, they could still consult with a UH doctor for advice on treatment. The Mayor said he would invite the Fire Chief to explain further, if needed, at the next meeting to avoid any confusion.

5. ORDINANCE NO. 55-25 – EXTENDING THE TEMPORARY MORATORIUM ON THE FUTURE DEVELOPMENT OR CONSTRUCTION OF ANY HOTEL, MOTEL, EXTENDED STAYS, BOARDING HOUSES OR THE LIKE WITHIN THE CITY OF AVON — Ms. Fechter/Mr. Gasior

Mr. Gasior explained that this ordinance would extend the moratorium that was previously in place for six months. He mentioned that they were waiting to see what would happen at the State level regarding this issue, as there could be potential home rule conflicts. Mr. Gasior requested an extension until the end of the year to allow time for the State to make decisions and for the City to pass appropriate legislation. He reminded Council that one of the main concerns was preventing hotels from being converted into multi-tenant rehab units. He noted that the City of Maumee passed an aggressive piece of legislation to control it and the City Administration was using that as a template to see what portions might work in Avon, mentioning that they do not want to add bureaucracy to Avon's government to enforce something. Mr. Gasior said the hope is that they can come up with something that makes sense for Avon but also protects the City.

6. ORDINANCE NO. 56-25 – EXTENDING A TEMPORARY MORATORIUM ON THE ISSUANCE AND PROCESSING OF ANY SPECIAL USE PERMITS FOR ASSISTED LIVING FACILITIES, NURSING HOMES AND INDEPENDENT LIVING ESTABLISHMENTS FOR SENIORS AS ADDRESSED IN PART 12 OF THE CITY OF AVON CODIFIED ORDINANCES Ms. Fechter/Mr. Gasior

Mr. Gasior explained that this moratorium had originally been put in place in 2022 and had expired without any changes being made to the legislation. He mentioned that while they initially thought they could handle the issue through special use conditions, they now believe it's worth taking another look at amending the code. Mr. Gasior noted that one of the biggest concerns was the high number of emergency runs to nursing homes, which had increased from around 30% in 2022 to 38-40% currently. He indicated they would be collecting more data of where the Fire Department services are being utilized and try to figure out if some legislation is needed to be implemented.

Mr. McBride raised concerns about unnecessary ambulance calls from nursing homes, suggesting that some facilities might be calling the Fire Department for free transport rather than using a private ambulance service for non-emergency situations. He proposed considering implementing a fee for non-emergency calls or encouraging facilities to use private ambulance services for routine transports.

Mayor Jensen acknowledged the complexity of the issue, noting that many cities are struggling with similar problems. He mentioned that they have been in regular contact with the facilities to try to reduce unnecessary calls, but there are liability concerns on both sides. The Mayor suggested that future requirements for new facilities might include having appropriate medical staff on-site to make informed decisions about emergency transport needs. The right medical Director can make all the difference in a successful working relationship with the City.

Mrs. Demaline asked if a 12-month moratorium might be more appropriate given the complexity of the issue. Mr. Gasior agreed that a longer moratorium could be beneficial and said he would make the change to extend it to one year in the Ordinance for the next meeting.

7. ORDINANCE NO. 57-25 – AMENDING SECTIONS 277.02(a) & (b) OF THE CODIFIED ORDINANCES OF THE CITY OF AVON RELATIVE TO TREE COMMISSION "MEMBERSHIP AND COMPENSATION" Ms. Berges, Tree Commission Representative

Ms. Berges explained that the Tree Commission was seeking to add a second student member to allow for an overlap period. This would enable the current student member, Olivia Pajak, to mentor the incoming junior member before graduating. Ms. Berges also mentioned that they were looking into initiating a Tree Campus Recognition program through the Arbor Day Foundation for K-12 schools, which would provide a concrete project for the student members to work on in addition to the normal activities of the Tree Commission. She noted that Tree Commission Member, Matt Smith, would be working with the Avon High School Principal and the student members about initiating this program.

It was clarified that the student positions would be unpaid and non-voting roles.

Mr. Fischer commented that he appreciates the hard work of the Tree Commission noting they have been busy.

8. ORDINANCE NO. 58-25 – AUTHORIZING THE MAYOR TO ENTER INTO A REAL ESTATE DONATION AGREEMENT WITH THE BOARD OF PARK COMMISSIONERS, LORAIN COUNTY METROPOLITAN PARK DISTRICT TO TRANSFER FIVE (5) PARCELS OF LAND (PPN 04-00-013-000-068, 04-00-013-000-143, 04-00-013-000-141, 04-00-013-000-136 & 04-00-013-000-125) Mayor Jensen

Mayor Jensen explained that discussions about this property transfer have been ongoing for 3-4 years, with the goal of making the area more walkable and increasing its use for the community. He mentioned that with the

Metroparks' recent purchase of the golf course north of these parcels, it seemed like an ideal time to transfer the property and potentially create connections with other areas. The Mayor indicated that all leadership was in favor of a better way to utilize that property.

Jim Ziemnik, Director of the Lorain County Metroparks, and Avon resident on French Creek Road, spoke about the opportunity to connect the property, which is south of the old 9-hole golf course of Bob-O-Link now known as the Upper French Creek Wetlands, to their trail system and the ecological benefits of preserving wetland areas. He expressed enthusiasm for cleaning up invasive species and creating new opportunities for the community as well as continuing the great relationship between the Metroparks and the City of Avon.

Mr. Gasior provided a brief history of the parcels involved in the real estate donation agreement. He mentioned that the Mills Road restoration area was established in 2004, which are the two larger parcels. Additionally, he referenced the Vo property, located on the west side of French Creek, which was purchased in 2019. The City acquired a parcel at a sheriff sale, on the east side of French Creek at Mills Road in 2008, and the Resar property was acquired in 2020. These are the five parcels that are part of the transaction with the Lorain County Metropolitan Park District as referenced by the map in Exhibit B of the Ordinance.

9. RESOLUTION NO. R-17-25 – AUTHORIZING THE DIRECTOR OF FINANCE TO ENTER INTO A LEASE AGREEMENT WITH THE HUNTINGTON PUBLIC CAPITAL CORPORATION Mr. Streator

Mr. Streator explained that this Resolution was for the purchase of a Vactor truck for the Utilities Department, which is used for cleaning sanitary sewers. He mentioned that the current equipment would be moved to the Street Department for use in storm sewer cleaning.

Mr. Presley added that they were looking at a 10-year lease, after which the City would own the equipment.
Mr. McBride inquired about the availability of the equipment, to which Mr. Presley replied that it is built and was ready for delivery.

Mayor Jensen clarified that the purchase was budgeted and approved the previous year, and this Resolution was part of the process of taking ownership. He noted that Mr. Presley preferred to have Council authorize the signing of the lease agreement, which was a change from previous practices.

Mr. Radcliffe asked about the age of the existing truck being replaced. Mr. Streator estimated it was 6-7 years old but clarified that the old one being replaced in the Street Department was probably 15 years old and it had broken down and it was too costly to repair.

Mayor Jensen added that the Utilities Department purchases the new equipment, and the older equipment is then passed down to the Street Department due to differences in usage frequency.

Mr. Radcliffe asked if these vehicles are stored under roof to which Mayor Jensen and Mr. Streator confirmed they are.

10. REPORTS AND COMMENTS

MAYOR JENSEN announced that the fire training tower at the Fire Station was now complete, and the Fire Chief wanted to invite Council to tour it at 6:30 p.m. next Monday night, June 23rd before the Council Meeting.

COUNCIL MEMBERS:

MS. BERGES, AT LARGE had no comments.

MRS. DEMALINE, WARD 1 informed Council that the State of Ohio released guidance for the Transportation Alternatives Program (TAP), with the application period opening on October 1st. She suggested looking into potential funding for non-motorized transportation projects, such as sidewalks.

Mayor Jensen assured her that the City was always looking for funding opportunities, noting that Mr. Cummins had looked into similar programs in the past.

Mrs. Demaline noted that this year the Letter of Interest requirement was removed from the process, so she was hopeful and looked forward to hearing good news.

MR. MCBRIDE, WARD 2 raised concerns about the storage of equipment, noting that the existing building for Utilities was undersized when built. He suggested that future investments in structures to house equipment might be necessary, particularly on Schneider Court.

Mayor Jensen responded that Council authorized the purchase of the building on French Creek Road, which was currently undergoing roof replacement and insulation improvements were being made. He noted that this would provide more space for equipment storage. It was mentioned that the City of Elyria was spending around $20 million for a new Public Works Complex.

MR. MOORE, WARD 3 had no comments.

MS. PATTON, AT LARGE had no comments.

MR. RADCLIFFE, WARD 4 had no additional comments.

MR. FISCHER, AT LARGE had no additional comments.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER had nothing additional to report.

MS. FECHTER, PLANNING/ECONOMIC DEVELOPMENT COORDINATOR had nothing to report.

MR. GASIOR, LAW DIRECTOR informed Council about a move in Columbus to eliminate inside millage for municipalities and local governments through House Bill 335. He expressed concern that this could require all funding measures to go to a public vote, potentially making it more difficult to fund projects like rebuilding a Service Department garage. He also mentioned a potential 60% threshold requirement for passing income tax increases. Mr. Gasior suggested the possibility of putting together a Resolution in opposition to these measures, as recommended by the Ohio Municipal League.

Mayor Jensen added that he would send information to Council Members about how these changes could affect various communities, noting that some could be severely impacted, particularly in terms of police and fire funding. He said he would have Mr. Presley prepare an analysis of how it could affect the City of Avon if passed.

MR. PRESLEY, FINANCE DIRECTOR, had nothing further to add.

MR. STREATOR, SAFETY DIRECTOR/PUBLIC SERVICE DIRECTOR, had nothing additional to report.

AUDIENCE:

There were no comments from the audience members.

11. EXECUTIVE SESSION: 8:09 p.m.

A motion was made by Mr. McBride and seconded by Mr. Moore to Enter Into Executive Session for the Purpose of Discussing the Purchase of Real Estate and to Discuss Pending Litigation, and to invite Mayor Jensen, Mr. Gasior, Mr. Cummins, Mr. Presley and Mr. Streator, 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 Chairman declared the motion passed.

12. RECONVENE: 8:26 p.m.
A motion was made by Mr. Radcliffe and seconded by Mrs. Demaline 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 Chairman declared the motion passed.

13. ADJOURN: 8:27 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