

**MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE  
CITY OF AVON, OHIO HELD MONDAY, OCTOBER 5, 2020  
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING  
AT 7:30 P.M.**

**PRESENT:** Council Members: 1<sup>st</sup> Ward – Bob Butkowski; Council-at-Large – Brian Fischer; Council-at-Large - Tammy Holtzmeier; 2<sup>nd</sup> Ward - Dennis McBride; 3<sup>rd</sup> Ward - Tony Moore; 4<sup>th</sup> Ward - Scott Radcliffe; Council-at-Large - Craig Witherspoon; Mayor - Bryan Jensen; City Engineer - Ryan Cummins; Service Director - Mike Farmer; Planning and Economic Development Coordinator – Pam Fechter; Law Director - John Gasior; Finance Director – William Logan; Safety Director – Duane Streater; Clerk of Council - Barbara Brooks

1. [ORDINANCE NO. 89-20 – TO ACCEPT IMPROVEMENTS IN RED TAIL SUBDIVISION NO. 16](#)  
Second of Three Readings at Regular Meeting, Tuesday, October 13, 2020 Mr. Farmer

Mr. Farmer advised the developers were at the site late this afternoon doing some seeding and grading. He said the City would continue to check on their progress, but if everything goes as planned. they should be ready for approval next week.

Mayor Jensen indicated if everything is complete, they will be requesting Council to vote on this legislation next week.

Mr. Gasior explained the reason this agenda indicates a second of three readings for next week is in case everything is not ready then it would only be the second of three readings. He advised if everything is ready then there could be the motion to suspend the rules and act next week.

2. [ORDINANCE NO. 94-20 – TO AMEND SECTION 210.01 \(e\)\(6A\)\(A\)\(1\) & \(2\) OF THE CODIFIED ORDINANCES TO ESTABLISH RATES FOR THE USE OF THE CITY’S AQUATIC CENTER IN THE YEAR 2021](#)  
Mr. Logan/Ms. Harasimchuk

Mr. Logan advised Ms. Harasimchuk and Mr. Fattlar put a lot of these proposed changes together and reviewed them with Mayor Jensen and himself quite a few weeks ago.

Ms. Harasimchuk, Recreation Coordinator, advised they were recommending increasing the daily admission rates by \$1.00 each. She said they looked at the rates of various surrounding communities and noticed that Avon’s were on the lower end of the scale and with this slight increase it would place them more in the middle range for rates. Ms. Harasimchuk stated the major change they are recommending is restructuring the memberships due to the situation with the pool not opening for the 2020 season. She advised those who purchased a 2020 pool membership were given the option of a full refund or they could carry their membership forward to the 2021 season. Ms. Harasimchuk said they only refunded approximately 22 memberships and a total of 124 were sold so approximately 100 people decided to stay with their membership. She stated they sold out the Friendship passes the first day they went on sale and out of those, only 5 requested refunds so there are not many available this coming season unless it is decided to sell more next year as a limited number are made available. Ms. Harasimchuk advised the structure of the Ordinance had to be changed slightly because one of the incentives for those who purchased 2020 memberships and decided to stay with us for 2021 is that they would get the 2020 pricing for the 2022 season.

Mr. Logan clarified that those that purchased 2020 season passes and kept that pass for the 2021 season would not pay anything in 2021 and if these same passholders come back in 2022 to purchase season passes, they would get special pricing at the 2020 season pass rate.

Ms. Harasimchuk confirmed Mr. Logan’s statement to be accurate and noted the special pricing for those passholders is in green in the body of the legislation and is called “Renewal of Existing Pass”. She stated it is specific for that small group of passholders, so it needed to be specified in the Ordinance to be able to sell them

at that price rate. Ms. Harasimchuk advised the “Resident & ITW (Income Tax Worker) Regular Rate” column lists the rate that has remained unchanged for several years now and they were not proposing any change to that column for 2021. She said the “Early Bird Rates” column has two different proposed rates based on when you purchase your season pass to encourage people to buy their passes early as it helps the Administration and helps provide a projection for the upcoming season. Ms. Harasimchuk explained those who decide to purchase their pass May 9<sup>th</sup> or before would receive the highest price break off the regular rate and those who purchase their pass May 10<sup>th</sup> through June 11<sup>th</sup> would still receive a price break off the regular rate, but not as much as they would by buying it before May 10<sup>th</sup>. She clarified the “Renewal of Existing Pass” was only for the specific group who purchased a pass in 2020 and carried it over to 2021 and they would receive that same pricing for 2022. Ms. Harasimchuk advised they hoped to phase out some of the columns to have a couple of different rate options available for the pool. She said the “Friendship Pass” rate has a proposed increase for the 2021 season and she clarified those are sold to non-residents and she felt the increase was necessary especially if they plan to sell a higher quantity next year or if they are going to cap the number sold at 150, which is the number sold for 2020, but the pool did not open in 2020 due to the coronavirus. Ms. Harasimchuk stated the only thing still up in the air for next year is capacity as it is not yet known. She advised they are assuming at this point, that there could still be capacity limitations placed on the pool in 2021. Ms. Harasimchuk said they would like to still have the flexibility of whether they are going to sell memberships or just set a daily admission rate, which is what a lot of community pools did for 2020. She pointed out in the “Daily Admission” section there is some flexibility built in and they might have to set a range to charge appropriately based on the number of hours someone would be admitted into the pool if the City has to limit capacity or hours of operation. Ms. Harasimchuk noted they could not make that decision at this point because they do not know if there will be capacity limitations set yet.

Mr. Butkowski asked what is a “Friendship Pass”.

Ms. Harasimchuk advised it is a non-resident pass.

Mr. Butkowski asked if the Friendship passholder must attend with a resident.

Ms. Harasimchuk clarified they do not. She indicated the Friendship Pass started with Westlake, the year their pool was closed. Ms. Harasimchuk stated because the Friendship Pass went well, they decided to do it again and for the most part, residents from neighboring communities buy these passes with North Ridgeville residents being 95% of those who buy them. She said when the Friendship Pass became available this year, they sold out within about an hour and if they decide they want to sell a few more, they wanted to increase the price first.

Mr. Moore asked if it was necessary to increase rates. He said the pool was not open this year and he asked if there were renovations or some other reason for the proposed increases. Mr. Moore questioned whether they should increase the rates just because the City is below what other communities charge and also hitting the residents with a rate increase when they did not even have access to the pool this year. He indicated he did not mind increasing rates for non-residents, but he was not in favor of increasing rates for the residents when they did not have access to the pool this past season. Mr. Moore said if the City does not have something that they need the money for then he felt the residents should have a pass for next year regarding a rate increase and consider a rate increase the following year.

Mr. Logan advised part of the idea behind a rate increase for the 2021 season is that he believes people may be hesitant to buy a season pass not knowing what may happen. He said in one regard to try to keep the City’s revenue hopefully in the right direction, and Mr. Fattlar agrees, that the daily rates should be increased slightly. Mr. Logan understood what Mr. Moore was saying, but even if everything were to open up he felt they would still see a lot of people hesitant to buy a season pass.

Mr. Moore stated people may ask why they should pay more for a daily rate if they are increased.

Mayor Jensen advised if Council does not want to pass these rate increases that was their decision. He indicated the reason for the daily rate increase is to make up for the shortfall if the pool is not able to be at capacity. Mayor Jensen said the Administration is always cognizant of the money that could be lost, but the pool is not a revenue

stream for the City in any way just like the fields that are utilized for soccer and other programs. He advised they are trying to let Council know that the Administration is trying to take the route of closing that gap a little bit as they believe that people will be more likely to purchase daily passes rather than seasonal passes as no one knows yet what next year is going to look like. Mayor Jensen stated this is a way to encourage people back to the season passes, but they are just presenting this option to Council. He said he is always happy to try to keep the rates lower so that more people can enjoy the pool, but they have to be mindful that any loss will have to come out of the General Fund.

Mr. McBride advised he understands the Administration's reasoning and he tends to agree with them that increasing the daily rate will encourage people to purchase the season passes. He indicated they may need to make a rule for issuing a credit for the following season to passholders should the pool have to close early. Mr. McBride stated they know the vaccine is coming and he felt that would, in part, drive some of the attendance at the pool to where restrictions can be lifted.

Mayor Jensen advised they would come back before Council for something like that. He believes they all realize that the pool is going to have to be open in some capacity next year. Mayor Jensen stated this year there were some infectious rates in certain areas, but for the most part across the counties pool operations were successful with the systems that were put in place and Avon is going to follow suit and be open in some capacity. He is hopeful there will be no restrictions because the vaccine will be available.

Mr. McBride asked if the Lorain County Health Department looked at other communities outside of Lorain County that opened their outdoor community pools such as Rocky River.

Mayor Jensen said that even Amherst opened their pool this past season. He advised the capacities were lowered for all pools that opened. Mayor Jensen stated Westlake was only at capacity twice where they had to turn people away. He said originally, Westlake said that only those who purchased tickets ahead of time could use the pool, but after the first week they were allowing anyone who wanted to swim in and they did not hit capacity.

Mr. McBride asked if there was any outbreaks or small clusters of outbreaks related to any of the outdoor pools.

Mayor Jensen answered they heard that most outbreaks in the County were from private pools such as those in subdivisions operated by HOA's.

3. [RESOLUTION NO. R-20-20 – ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR](#) Mr. Logan

Mr. Logan advised this is something the County Budget Commission requires from the City each year. He said Council is basically authorizing or certifying the property tax rates that are in place. Mr. Logan stated that nothing has changed with regards to any of the City's property tax rates, but he pointed out that the Avon library passed a 2-mill levy for the construction and operation of their expansion they will be undergoing. He advised for tax year 2020, which are the collections in 2021, the library indicated to the County they are only going to collect .80 mills in that first year rather than 2 mills. Mr. Logan stated the library will still have their existing levy of 1.2 mills with an effective millage of approximately .50. He said the total library property tax revenue for next year should be approximately \$1.216 million. Mr. Logan advised the following year the full 2 mills levy will be in effect and be collected. He said assuming assessed values are the same as they are now, those 2 mills will collect approximately \$1.933 million each year. He emphasized that none of the City's tax levies have changed.

4. [RESOLUTION NO. R-21-20 – AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS AND AGREEMENTS NECESSARY TO PROCURE THE LWCF \(LAND AND WATER CONSERVATION FUNDS\) GRANT FOR THE PURCHASE OF PROPERTY AT 39115 DETROIT ROAD](#) Mr. Gasior/Mr. Cummins

Mr. Gasior advised this legislation deals with the purchase of the Kurtz Brothers property on Detroit Road. He said the grant was obtained and there are some documents that need to be executed in order for the City to procure that grant and then follow through to purchase the property. Mr. Gasior stated this legislation is asking Council to give the Mayor permission to accept that grant and go forward with a purchase agreement and take all the other steps that are necessary to complete the transaction.

Mr. Cummins displayed a map of the Kurtz Brothers property for Council to see. He advised it is a 16.6 acre property that has frontage on Detroit Road and it also abuts Veterans Memorial Park. Mr. Cummins reminded Council they came before them in 2018 with a Resolution to apply for the grant and he believes there was an Ordinance at that time to set money aside if the grant was acceptable. He stated they learned in 2019 that the grant was successful but getting through the Ohio Department of Natural Resources process turned out to be much more arduous than originally thought and getting the appraisals for the property obtained. Mr. Cummins advised now that that process is done, it is generally in line with what was proposed in the grant and they are now prepared to execute and acquire the property.

5. REPORTS AND COMMENTS

MAYOR JENSEN had no comments.

COUNCIL MEMBERS:

MR. BUTKOWSKI, WARD 1 had no comments.

MRS. HOLTZMEIER, AT LARGE had no comments.

MR. MCBRIDE, WARD 2 had no comments.

MR. MOORE, WARD 3 had no comments.

MR. RADCLIFFE, WARD 4 had no comments.

MR. WITHERSPOON, AT LARGE had no comments.

MR. FISCHER, AT LARGE had no comments.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER had no additional comments.

MR. FARMER, SERVICE DIRECTOR had no comments.

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

MR. GASIOR, LAW DIRECTOR welcomed back resident Pat Jankowski to the audience at the Council meetings after a brief hiatus related to the outbreak of COVID-19. He said she has been a regular in the audience for a number of years and it was good to see her back in attendance.

MR. LOGAN, FINANCE DIRECTOR had no comments.

MR. STREATOR, SAFETY DIRECTOR had no comments.

AUDIENCE:

There were no comments from the audience.

THE BELOW ITEMS WERE REMOVED FROM THE AGENDA AT THE MEETING.

- 6. ~~EXECUTIVE SESSION~~  
~~Motion to Enter Into Executive Session for the Purpose of Discussing the Purchase/Sale of Real Estate and to Discuss Imminent Litigation~~ 1. 2.
- 7. ~~RECONVENE~~  
~~Motion to Reconvene the Work Session of Council~~ 1. 2.
- 8. ADJOURN: 7:52 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