

**MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE  
CITY OF AVON, OHIO HELD MONDAY, NOVEMBER 1, 2021  
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING  
AT 7:30 P.M.**

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

**ABSENT:** Service Director – Mike Farmer

1. [ORDINANCE NO. 84-21](#) – REAPPROPRIATIONS

Mr. Logan

Mr. Logan explained the reappropriations as follows:

General Fund No. 101

Increase appropriations \$44,565.05 for facility maintenance costs at the YMCA, as the budget for 2021 has been exhausted. This cost includes the replacement of one roof top HVAC unit (\$12,380.00) and the repairs to a couple of other roof top units (\$8,670.25). The cost also includes an annual HVAC service agreement for \$14,868.00.

Increase appropriations \$340,000.00 for the replacement of the turf at Mercy Health Stadium. The 2021 budget included the cost for replacing one-half (infield) of the turf. This appropriation will allow the City to replace the entire field in the spring of 2022, before the 2022 season. See the FieldTurf cost proposal attached.

Total General Fund Re-appropriations	\$384,565.05
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Special Revenue Funds

Recreation Fund No. 249

Increase appropriations \$18,500.00 for part-time wages and other compensation as the budget for 2021 has been exhausted, as a result of the department conducting more programs and events than had been originally planned.

Increase appropriations \$50,000.00 for the purchase of playground equipment for Veterans’ Park (new section). We will lock in a more favorable price if ordered in 2021. We will decrease the 2022 budget for this amount.

Avon Aquatic Facility Fund No. 255

Increase appropriations \$15,000.00 for two new pumps. We would like to order these now (in 2021) to lock in the favorable pricing and to have the new pumps in place before May 2022.

Total Special Revenue Fund Re-appropriations	\$83,500.00
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Total All Funds Re-appropriations	\$468,065.05
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Mr. Radcliffe inquired regarding the HVAC service agreement for the YMCA if that is the same as the previous agreement.

Mr. Logan advised this agreement is through GEM and he was not sure if that was who the City contracted with previously. He said Mr. Farmer could update Council when he is back and he has worked with this company, but it may be a new maintenance agreement.

Mayor Jensen confirmed it is a new maintenance agreement. He advised the YMCA is interpreting the agreement a bit differently than the City has in the past, and there have been so many things that have gone wrong at that facility that the City is trying to get a handle on it. Mayor Jensen said the YMCA waits until something breaks to address a maintenance issue and then the City is responsible to fix it. He stated that is a discussion Mr. Logan and Mr. Gasior will be having with the YMCA to determine who is responsible as he did not feel the City should incur all the expenses and again the agreement is being interpreted differently by the YMCA than it has been in the past.

Mr. Radcliffe said he is curious to know if this is a new company or the same company and the value of it.

Mayor Jensen confirmed it is a new company. He said GEM is being used throughout the City and Mr. Streator could elaborate about using this in the Fire Department and Police Department.

Mr. Streator advised yes, using GEM at the Fire Department has provided some maintenance and some preventative maintenance has been very helpful and Chief Swope is very happy with their services.

Mr. Logan said he believed the previous company was K Company. He advised they have been using GEM in most of the other buildings recently. Mr. Logan stated he is hopeful this will be more preventative in nature. He advised one of the things in the operating agreement between the City and the YMCA is that the YMCA is to supply the City with a facility condition update. Mr. Logan said this is something that was talked about with them a few months back and it is spelled out in the agreement, meaning that the City really needs to see that and perhaps Mr. Farmer has something like that, but he has not seen one and he felt it would be beneficial.

Mr. Butkowski asked Mr. Gasior to clarify the agreement whether the City is responsible for any expense over \$1,000.

Mr. Gasior advised he would have to look at the agreement to be able to answer that question properly.

Mr. Butkowski said he is remembering that it is around \$1,000. He stated the question with this service plan is if it could be amortized and the cost could be shared because the preventative maintenance and regular upkeep of these pumps and machinery should be shared. Mr. Butkowski advised if the YMCA is waiting until the equipment fails and then the expense is \$12,000, for example, if the expenses were amortized over the year and the YMCA shares in some of that expense up to that \$1,000. He reiterated that some of these costs should be shared between the YMCA and the City.

Mr. Gasior advised they can look into it.

Mr. Logan advised the agreement says that the City is responsible if the expense is over \$1,000. But it is being interpreted by the YMCA that the City is paying from dollar one when that expense exceeds that \$1,000. He said the YMCA is not paying the first \$1,000 of an expense over \$1,000, the City is paying that. Mr. Logan stated if the expense is under \$1,000 then it is the maintenance expense of the YMCA.

Mr. Butkowski advised that is where he would push back with regards to amortizing some of this expense especially when it comes to a service contract because equipment has not broken, but the equipment should be maintained, and the YMCA should share in some of that expense; especially if it is in the agreement itself.

Mr. McBride believes it is \$1,000 and it is any item over \$1,000 that the City is primarily responsible for. He said that was discussed when that agreement was being drafted and the suggestion to raise that amount fell on deaf ears and the City executed that agreement anyway. Mr. McBride advised it was a bad deal then and it is still a bad deal. He stated it was the reason when the City did some refinancing that his attitude was not to reduce the amount the YMCA pays every month because the YMCA has never been proactive like they should be. Mr. McBride advised in the beginning, the YMCA could have done a lot of service maintenance for under \$1,000 and they chose not to because if they let it break then the City pays for it, but the City signed the deal, and YMCA is taking advantage of it. He felt once that agreement runs out and the City has to renegotiate then it should be on more equitable terms.

Mayor Jensen advised the City is hoping that by having GEM that when there are smaller replacements that they will be more minor in value so that the YMCA will play a more active role in helping to pay for some of these repairs. He said when big things happen, the City will certainly be responsible for those costs, but with so many of the little items they wait until it becomes over \$1,000 and then the City is on the hook.

Mr. McBride agreed, and he indicated when the YMCA was being built a higher quality of equipment could have been selected by the design team in some cases although now the facility is old enough some of those reasons no longer matter.

Mr. Fischer asked Mr. Logan regarding the Park Operating Fund if they have started to look at purchasing new playground equipment yet. He inquired if the City was using the same company where the equipment at Every Child's Playground was purchased. Mr. Fischer said he is hearing that when the playground equipment is working that it is fantastic, but that there are some maintenance issues.

Ms. Harasimchuk advised right now they are looking at purchasing equipment from a company called Burke Recreation. She said she has visited a couple different playground sites locally that have purchased their equipment from Burke Recreation. Ms. Harasimchuk stated they have a nature design theme picked out for the new park because there is a fishing pond and walking trails and more green space. She advised all the different vendors for playground equipment that the City has used pretty much sell the same equipment. Ms. Harasimchuk said the proposed equipment would not have as many moving parts because any time there are moving parts there is maintenance. She agreed the Gravity Rail at Every Child's Playground has had ongoing maintenance issues, but it is up and running now and they check it weekly and keep an eye on it as best they can.

Mr. Fischer asked regarding the Gravity Rail, if there is a warranty on that piece of equipment. Will that company come out and fix issues when they occur?

Ms. Harasimchuk advised when the Gravity Rail was first installed the company came out several times to figure out what needed to be done and they replaced the rail, and that cost was covered at that time by the equipment company. She said recently the City ordered supplies for the Gravity Rail and those costs were covered because it was a constant issue. But a lot of it is the wear and tear because it is used constantly by kids. Ms. Harasimchuk indicated the Gravity Rail is a unique piece of equipment and there are only a couple of them in the State of Ohio and Every Child's Playground is so heavily used. She said they are still looking into why there are so many maintenance issues with the Gravity Rail. She said they have extra parts now and are ready to go if a trolley needs to be replaced and they are doing the best they can with it right now.

Mr. McBride advised to clarify there is a difference between wanting to get away from a specific company because their materials may not be where they should be versus a specific piece of equipment being completely overrun. He said if that is the case with the Gravity Rail because it is getting heavy usage that was a bit more understandable. Mr. McBride commented that it is a good and bad problem at the same time because the equipment is being used, but it is also taking a beating.

Ms. Harasimchuk agreed and said the structure of the Gravity Rail is unique; it is not just a zipline like some parks have. She stated the Gravity Rail goes around in a circle and the engineering behind it is more sophisticated than a straight to and from. Ms. Harasimchuk advised she has looked at the ones that go from one side to another and those are fun, but it is not the same feeling. She said they hope they can figure something out to keep the Gravity Rail from having so much maintenance. Ms. Harasimchuk stated the company has been receptive and she has not had a problem with that.

Ms. Harasimchuk advised Burke Recreation has done some projects in Middleburg Heights, Elyria, Parma and North Ridgeville and they seem like they would be a good vendor to use for this new park. She said the City has not had any problems with any other equipment other than regular maintenance. Ms. Harasimchuk stated her staff checks the equipment weekly and twice a year a certified playground inspector inspects all the playground equipment. She advised she cannot say enough about that process as it has helped and these parks are so heavily used that it is needed and as soon as they see something, they get on it right away.

2. [ORDINANCE NO. 85-21 – LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT IN THE CITY OF AVON OF ELIZABETH AVENUE, JOSEPH STREET, PUTH DRIVE, AND DETROIT ROAD BY THE CONSTRUCTION OF AN APPROXIMATELY 6,100-FOOT SANITARY SEWER SYSTEM ALONG ELIZABETH AVENUE, PUTH DRIVE, JOSEPH STREET AND DETROIT ROAD BETWEEN ADDRESSES 34008 AND 34901, TOGETHER WITH ALL NECESSARY APPURTENANCES AND RELATED IMPROVEMENTS THERETO, IN ACCORDANCE WITH RESOLUTION NO. R-22-19, ADOPTED ON SEPTEMBER 9, 2019](#) Mr. Logan

First of Three Readings will be held at the Regular Meeting on Monday, November 8, 2021

Mr. Logan advised this project is substantially complete and the City made their last payment to the contractor a week or so ago. He said Mr. Cummins with Chagrin Valley Engineering has put together all the final costs for the project. Mr. Logan stated this Ordinance authorizes the City to move forward with the assessments not to exceed \$12,000 per parcel per Resolution No. R-22-19. His thoughts are that Council would pass this Ordinance on its third reading on November 22<sup>nd</sup>, ideally. They would open a 60-day prepayment cash period, which takes them to about January 22<sup>nd</sup>. Once that prepayment period is over, they would bond out the remaining assessments. Mr. Logan advised at the same time they would bond out the three note issues; the Chester Road notes due January 20<sup>th</sup>, these Elizabeth, Puth, Joseph, Detroit notes both the assessment portion and the City's portion, and the recreation facility notes that they rolled over in September 2021 that have the 90-day call provision. He pointed out the \$1,833,788.51 in Section 1 of the Ordinance is the total amount of the sanitary sewer costs related to this project that could be assessed, but with Resolution No. R-22-19 City Council capped the per parcel assessment at \$12,000.

3. [ORDINANCE NO. 86-21 – TO AMEND THE SPECIAL USE PERMIT GRANTED TO THE CITY OF AVON FOR A PUBLIC PARK LOCATED AT 3701 VETERANS MEMORIAL PARKWAY AND KNOWN AS VETERANS MEMORIAL PARK TO INCLUDE ADDITIONAL IMPROVEMENTS](#) Planning Referral

Ms. Fechter advised this Ordinance is to add the dog park to Veterans Memorial Parkway. She said all the City's parks require a Special Use Permit with the proximity to residential development. Ms. Fechter stated they wanted to bring it before Council to make the dog park a legal use at Veterans Memorial Parkway.

Mr. McBride said his guess is that this dog park is going to turn out to be one of the nicest dog parks in this area. He stated obviously it will be fenced, but he would like to see a locked gate on it with a key fob for entry that residents could register for and pay a nominal fee and pick up at City Hall. Mr. McBride advised as much as he likes the surrounding communities, he does not feel the City needs the extra work from dogs that are not resident owned. He said Beachwood apparently has a very nice dog park and it is used by people all over the east side including people who drive in from Geauga County to use it. Mr. McBride stated that would be his recommendation. He added that the dog owners should be required to pick up their dog's solid waste and that the cleanup for the Service Department will be minimal.

4. [ORDINANCE NO. 87-21 – GRANTING A SPECIAL USE PERMIT TO THE CITY OF AVON OVER A 16.64 ACRE PARCEL OF LAND LOCATED AT 39115 DETROIT ROAD \(F.K.A. THE KURTZ BROTHERS PROPERTY\) TO CREATE A PUBLIC PARK AND RECREATIONAL FACILITIES](#) Planning Referral

Ms. Fechter advised this is for the former Kurtz Brothers property that does not have a permanent name yet and is being referred to as Veterans Park #2. She said this Special Use Permit is to include bathroom, fences, picnic tables, a fishing pier, signage, road infrastructure and playground equipment.

Mrs. Holtzmeier inquired in reference to the map that is attached to the Ordinance, where the location of this playground is going to be especially in relation to the pond.

Ms. Harasimchuk advised that has not been decided yet.

Mayor Jensen advised they are laying that out now and they are going to meet on site to see if they will need fencing around the playground equipment. He said if it will be closer to the pond area where the restrooms will

be located, they want to make sure they fence that area, so kids do not run into the pond area. Mayor Jensen suggested the fencing may only need to be on one side of the playground, the side closest to the pond.

Mrs. Holtzmeier advised she likes hearing that since this is a Special Use request and fencing would be a part of that. She asked if this is something that they would include and amend for them next week.

Mayor Jensen advised he would show them exactly what the park will look like with the play structures and if they think fencing needs to be in there. He said right now they are seeking approval to move forward, but Council will see before anything is installed where it will go.

Ms. Fechter confirmed this referral from the Planning Commission was a 5 to 0 vote in favor.

Mr. Gasior asked if the Planning Commission identified any of those items.

Ms. Fechter advised they did not, they just listed everything that was going to be included.

Mr. Gasior advised he did not know exactly what he was looking for next week to Mrs. Holtzmeier's question.

Mrs. Holtzmeier asked if a fence is included as part of that because if not, it should be added.

Ms. Fechter confirmed it says bathrooms and fences..., but it does not say specifically where those fences will be located. She said they left it open for the most part because even at Every Child's Playground they put some fencing in the back, but at that time they were not sure how they were going to set up the area. Ms. Fechter felt it was the same here as it is not yet known where the playground will be in this park.

Mrs. Holtzmeier said she knows they will do what is best and install a fence if one is needed, that is not the concern. She said she just wants to cross the t's and dot the i's on this so that they are not constantly coming back and adding and amending; she just wants to get it done.

Mr. McBride felt that it was the parents' responsibility to keep their child from running from the playground into the pond. He said he is not against installing a fence, but he is not for spending City money because they have irresponsible parents distracted by their electronic devices.

5. [ORDINANCE NO. 88-21 – TO ACCEPT IMPROVEMENTS IN CONCORD VILLAGE NO. 2, SUB-PHASE 2, FOR THE CONSTRUCTION/INSTALLATION OF PUBLIC UTILITIES CONSISTING OF PUBLIC WATER, SANITARY SEWER MAINS AND APPURTENANCES THERETO](#) Mr. Farmer

In the absence of Mr. Farmer, Mr. Cummins advised the noted public improvements consisting of a water main and sanitary sewer system has been fully completed at the Concord Village Subdivision and they are looking for acceptance of those improvements.

6. [ORDINANCE NO. 89-21 – AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT TO THE OPTION AND DEVELOPMENT AGREEMENT WITH T3 HOLDINGS, INC. TO ALLOW FOR THE FURTHER DEVELOPMENT OF THEIR PROPERTY](#) Mr. Gasior

Mr. Gasior advised that on Ordinance No. 89-21, he wants to change the name T3 Holdings, Inc. to T3 Realty, LLC and that was a housekeeping item and he would make that correction before the Regular Meeting. He said Council all received a copy of the agreement over the weekend and since then it has had to be tweaked again. Mr. Gasior stated the big issue is in paragraph six of the agreement in trying to identify what the City is receiving by way of recreational activities at the facility once it is constructed. He advised he went over it with the City Recreation Coordinator, Clare Harasimchuk and Mike D'Andrea, President of T3 who are both present tonight. Mr. Gasior stated he believes they have it down to a fair deal for everyone involved. He said nothing has really changed regarding the Avon High School or the Avon Senior Center, but when they read about parks it says, "Parks and Recreation will be permitted to utilize the facility three days per week during the school calendar year", which is roughly the beginning of September until the end of May between the hours of 9:00 am and Noon as those are off times for T3. The days would be determined at no charge. The agreement states, "In addition,

Parks and Recreation will be permitted to conduct after school activities between 4:00 pm and 10:00 pm” and that is considered prime time during fall, spring and summer with each period to be six weeks for two times a week at two hours per session. The days would be determined. Fall would begin around September 1<sup>st</sup> and end around October 15<sup>th</sup>. Spring would begin around April 15<sup>th</sup> and end around May 31<sup>st</sup> and then the Summer session would begin around June 15<sup>th</sup> and end around the last day of July. He said they also stated that if any times become available whether weekends or weekdays, that T3 would agree to contact Parks and Recreation to offer these times on a first come basis. Mr. Gasior advised what that means is that if something opens up T3 will contact the City Recreation Coordinator and offer that time slot. The agreement continues, “Space will be provided for storage of program equipment for the Avon Parks and Recreation”. He said he does not know how much space, but whatever the City needs to store there for programs will be made available. “Basketball hoops can be lowered to 8’ if requested. Avon Parks and Recreation will have a site supervisor for each program and handle registration, set up and take down and the like”. The City does not expect T3 to handle any of that. Mr. Gasior advised the two asterisks mean that “Free use of the facility will be provided for Park and Recreation programs as set forth above for a period of three years. Thereafter, the facility will be available at a 50% discount from the then listed price.” It was noted; Schools @ 40 hours = \$12,000 value, Senior Center = \$10,000 and if they look at Parks and Recreation that 2 hours facility use, twice a week has a value of approximately an \$86,000 benefit to the City for the first three years assuming they can utilize it. He said he knows that Ms. Harasimchuk will do her best to try to facilitate programs and use of the facility for the residents. Mr. Gasior added that there was no time limit for the Senior Center and that is a value that is going to be provided forever. He felt this agreement is a good deal for three years and then when they consider there will be a 50% discount given, the City would still be benefitting to the tune of \$43,000 to \$44,000 a year. Mr. Gasior advised Mr. Logan mentioned at a previous meeting about the taxes the City would be receiving as the property is TIF’d. He said the other thing that they cannot really calculate at this point is the bed tax as T3 has indicated that this new facility is going to make it amenable to tournament type plays and they expect to see people from out of town visiting the City and would need a place to stay overnight and hopefully the City’s hotels will be able to accommodate them so that is another added benefit to this whole thing for the City of Avon in exchange for that funding that the City is going to provide upfront. Mr. Gasior stated in that funding, there is a cap on that property because it was a fly ash site they had to put that cap on that land to try to compress and squeeze out that water from that fly ash. He said that cap has been sitting there and when T3 phase 1 was built, the cap was merely pushed to the north end of the property and that cap still needs to be removed and get it completely off the property. He advised part of that money that is being fronted here is to remove that cap and then there is going to be a road built, a driveway, in between the City’s property to the north and the T3 property that will be built on the City’s property. Mr. Gasior said with all of those things being calculated in he believes some of the building fees will probably be waived to get to that dollar amount that they are talking about. He felt those funds would be used up in a relatively short order and the City would start to receive some of the benefits of it in the years to come. Mr. Gasior mentioned he and Mr. D’Andrea and Ms. Harasimchuk were available for questions and that Mr. D’Andrea would like Council to move on this legislation next week if possible, so that they can begin to get the shovels in the ground and get this next phase constructed. He believes that Mr. D’Andrea is shooting for completion before the end of 2022 and the sooner it is completed the sooner that the City can start to utilize it as well.

Mr. Moore advised the agreement talks about limited space and time available for Avon programs and he asked if Avon residents were going to get first right of refusal. He inquired if there was going to be a way to see if it is someone from an outlying community wanting to participate versus a resident at these events.

Ms. Harasimchuk advised they offer very few programs for non-residents. She said their numbers are so strong, they do not need to seek outside participation. Ms. Harasimchuk stated if they did open it there would definitely be resident and non-resident rates.

Mr. Moore advised he would like to see the residents have the first right of refusal and then if the program does not fill up it could be offered to non-residents.

Mayor Jensen advised they are only going to allow Avon residents to utilize these programs that will be offered using the T3 facility as it is a special deal, and they would not want to bring in non-residents. He said this agreement is to help Avon residents and the programs will be for the benefit of the City of Avon residents only. Mayor Jensen stated the only thing that is different in this agreement than in the past is they put a little more emphasis on specific activities versus just having turf available. He advised he appreciates what Mr. D’Andrea

is doing because this agreement is a bit different and there will be actual time slots for our senior citizens as well as the children and that was important. In the past the agreement was vague regarding usage for the residents and now it is more activity specific.

Mrs. Holtzmeier advised that was a great segue from the first agreement to the second phase being presented here. She said she appreciates that the first phase was just turf and the difficulty with that, but for comparison purposes she asked how much the senior citizens and the students and residents were able to utilize what was available to them in the phase one agreement.

Ms. Harasimchuk advised in phase one, the Parks and Recreation side did not utilize the T3 facility since she has been here. She said that agreement was signed before she was hired, and she did not find the facility very useful because of its setup and she could not speak to the senior citizens.

Mr. D'Andrea of 1965 Recreation Lane, Avon advised the current facility is more for the high schools. He said they work a lot with the sports programs, twice a week speed training for the athletes at a discounted rate and all of that is coordinated with Erich Frombach, AHS Athletic Director. In the winter, the AHS baseball team utilizes the batting cages and the turf field for 3 weeks to get ready for the outdoor season and the same with softball and lacrosse. Mr. D'Andrea stated if there are open time slots and the City had someone to run a soccer program or something like that, they could. He advised regarding the Senior Center he was more than willing to work with the Recreation Coordinator or other City staff to have a walking path on the turf and in the new facility there would be a lot more options.

Mrs. Holtzmeier advised she appreciates the comparison because one thing that they want to make sure with this agreement is that they are measuring. She said T3 is looking to provide a lot of hours and they should be able to measure that and show what happened with the intent versus how they make good on it. Mrs. Holtzmeier felt that would endear a lot of good faith for those in the community.

Mr. D'Andrea advised he has that comparison for the old facility, and he could pull that up and provide it.

Mrs. Holtzmeier advised that would be great to have for the community to be able to see that as a promise delivered on his part for future reference. She said but by that same token, they were looking at additional hours in phase 2 and it is good for the community and the schools and the senior citizens to know this is available and to get that word out and quantify it.

Mr. D'Andrea felt the key was getting the word out especially for the senior population and he said it was something they could do a better job of in the new facility.

Mayor Jensen advised Ms. Harasimchuk has made a concerted effort to utilize these facilities more than in the past. He said with both the senior citizens and our children, they have not taken an active role in that in the past. Mayor Jensen stated since Ms. Harasimchuk has come aboard, she is looking for more activities and to do more things to utilize what Avon has available to them. He felt they would see a use of both facilities, but they wanted to make sure there were specific times carved out to schedule programs. Mayor Jensen advised from the City's standpoint they need to make sure to take advantage of those available time slots as that was the mistake they made in the past. He said by this agreement, the City of Avon and T3 are making a commitment. T3 is committed to providing time slots and the City is committing to using the time slots provided. Mayor Jensen advised that is a way for Council to quantify and a way to hold the Administration accountable for the residents because it is going to be a benefit for the residents.

Mrs. Holtzmeier advised to that point, the language that she would like added to the agreement, with what they have heard regarding the maintenance of the YMCA, is that there is a line in that agreement that talks about a report that is necessary to be provided by the lessee or the partner in the agreement. She said since they are all on the same page about wanting to utilize the facility and quantify it, she felt it would be helpful to note that there is an actual report that is made for transparency that can be produced versus a once in a blue moon update to show folks that it is being monitored.

Mr. McBride advised it is great that the City will be able to utilize this facility much more than the previous facility, but he reminded they all keep in mind that basically the City is generating revenue by income tax and higher property taxes out of a couple of old fly ash dumps, which is what was there before and was virtually of no benefit to the City. He said they are in a much better position than they were before the Recreation Lane development occurred. Mr. McBride stated it took a while to make something happen with a lot of people participating including the adjacent property owners and to situate the stadium and the YMCA in a better location and so forth. He thanked Mr. D'Andrea for working with the City.

Mr. Gasior advised the land was purchased in 1980 from CEI for \$1. He said the City has done well even with the small investment made to assist Mr. D'Andrea in getting started.

Mr. Fischer advised in talking with Mr. Gasior over the weekend, the updates provided have answered some of his questions and he is also appreciative of the discount being offered after the initial three years and he thanked Mr. D'Andrea.

Mr. D'Andrea said it was also a benefit to T3 to have people using the facility.

7. RESOLUTION NO. R-30-21 – AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT FOR TECHNICAL RESCUE RESPONSE Mr. Streator

Mr. Streator advised every five years the new MOU with the County Fire Departments is updated, and this is the updated version that will go into effect on January 1, 2022 and will go for five years. He said the agreement was reviewed by Mr. Gasior and the Fire Department in its current form.

8. REPORTS AND COMMENTS

MAYOR JENSEN reported that Mike Farmer's mother passed and that was the reason for his absence at tonight's meeting. He said Mr. Farmer will be back at next week's meeting to answer any remaining questions Council may have for him.

Mayor Jensen advised he would like to have a contest for the residents to participate in naming the new park that is currently referred to as Veterans Memorial Park #2. He said their intention is to get suggestions for a name for the park and come back to Council to narrow the list down to a handful of suggestions and then have people pick from that list to name the park. Mayor Jensen said they could look for more information on that in the next week or so. He stated they were excited to try something a little bit different with the naming of the park and he knows that Ms. Harasimchuk was excited about this new venture.

COUNCIL MEMBERS:

MR. BUTKOWSKI, WARD 1 stated tomorrow is election day and he wished all the candidates, good luck!

MRS. HOLTZMEIER, AT LARGE wished good luck to everyone in tomorrow's election. She knows that it is not easy to run for public office and those that put themselves out there to do that are to be commended.

MR. MCBRIDE, WARD 2 wished good luck to all those running for elective office. He reminded every one to remove their signs after election day. Mr. McBride recalled that in past elections he recovered everyone of his signs within 45 minutes of the polls closing; he felt it is all visual clutter. He wished all the candidates good luck.

MR. MOORE, WARD 3 wished everyone good luck on election day tomorrow.

MR. RADCLIFFE, WARD 4 advised Mayor Jensen is still working with the residents on Williams Court regarding tap-in fees and there should be an update soon. He wished everyone good luck in the election.

MR. WITHERSPOON, AT LARGE wished all the candidates good luck in the election tomorrow.

MR. FISCHER, AT LARGE wished all the candidates good luck in tomorrow's election. He said at the end of the day they were all just trying to make this a better City. Mr. Fischer advised he agrees with Mrs. Holtzmeier it takes a lot to put yourself out there whether running for re-election or it is your first time, as campaigning can be exhausting and he applauds all of them.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER had no comments.

MR. FARMER, SERVICE DIRECTOR was absent.

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

MR. GASIOR, LAW DIRECTOR mentioned that during the discussion of Ordinance No. 85-21 that there is a reference to an Exhibit A that he highlighted in the Ordinance. He said Mr. Cummins has prepared that exhibit and it will be attached for next Monday's meeting. Mr. Gasior stated the exhibit is simply the listing of all the affected parcels that are being assessed. He said by statute in the Ohio Revised Code, the only requirement after the Ordinance is passed is to do a notice by publication, but it can be discussed whether or not Council wants to send a letter by regular mail to the owners of the properties to remind them that the assessment is coming. Mr. Gasior advised it probably will not go on their property tax duplicate until 2023.

Mr. Logan clarified it would be the 2023 collections for the 2022 tax year.

Mr. Gasior thanked Ms. Harasimchuk as she helped him a lot as they discussed the agreement with T3 and Mr. D'Andrea to firm up those specific times and come to terms with what they all thought would be a fair exchange and he hopes Council is satisfied with what is being presented. He advised Ms. Harasimchuk does a great job in representing the City's parks and she is going to try to find programs to be able to utilize that facility and he is glad that it is going to happen because they probably did not utilize phase one the way they could have done.

MR. LOGAN, FINANCE DIRECTOR reminded Council with regards to Ordinance No. 85-21 that when the City assessed the French Creek Road residents earlier this year, they sent a letter and his suggestion would be once the Ordinance is passed and they begin that cash prepayment period that a letter be sent to the affected property owners.

MR. STREATOR, SAFETY DIRECTOR had no further comments.

AUDIENCE:

Mark Pesta of Peach Drive, candidate for Council Ward 2, wished everyone good luck in the election tomorrow.

- 9. ADJOURN: 8:24 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