

**MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE
CITY OF AVON, OHIO HELD MONDAY, DECEMBER 2, 2024
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
AT 7:30 P.M.**

PRESENT: Council Members: 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; 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

ABSENT:

Council-at-Large – Mary Berges

Council President Brian Fischer, called the Meeting to order.

1. **UPDATE ON “CHRISTMAS AROUND THE WORLD” EVENT**

Mayor Jensen

Vic Gregovits, President/Partner Lake Erie Crushers

Adam Roggenburk, President/CEO USA Expositions LLC

Mr. Gregovits advised he and Mr. Roggenburk wanted to give a brief overview of the “Christmas Around the World” event. He said back in March of 2024, when his journey started with the Crushers and the Crushers Stadium, their vision was to make the stadium much more than a baseball stadium by making it more of a community asset by creating events year-round. Mr. Gregovits stated he was introduced to Mr. Roggenburk, of USA Expositions LLC, back in January of 2024 and it was an immediate fit as they share a vision of creating a holiday festival that was family oriented, thus their partnership was formed. He advised that twenty-two event dates were added to the stadium and their schedule. Mr. Gregovits said a key component of Mr. Roggenburk and his team is that they are local, and they are nationally known operators of Cleveland Oktoberfest, which is ranked number one in the Country by USA Today. He noted Mr. Roggenburk is the creator of Dyngus Day and has been involved with many other festivals as well as trade shows. Mr. Gregovits stated they would like to give a quick update about Mr. Roggenburk’s vision and the reality that has come to fruition. He advised last week as they approached opening night for the “Christmas Around the World” event, they had multiple television stations: WOIO, WKYC, WEWS, FOX8, and local newspapers such as The Chronicle, The Morning Journal and Cleveland.com were all doing stories on the event, which is phenomenal. Mr. Gregovits noted that amazingly “Christmas Around the World” is already ranked in the top twelve holiday festivals in the Country by Reader’s Digest and that is a great start. He said they are already seeing ticket buyers from eighteen different states, which is fascinating to him.

Mr. Roggenburk explained that he has been all over the United States doing events since college twenty years ago. He said USA Expositions created the Cleveland Oktoberfest, which is ranked number one in the United States, and they partnered with the City of Cleveland for Dyngus Day. Mr. Roggenburk stated the story that he wanted to share was, “Why Avon?”. He advised Avon was a great fit for his company and has received a lot of support from the City to get to this point. Mr. Roggenburk said from a promoter standpoint from doing events all over the United States, the City has been receptive in allowing him to form an event in the community. He stated in the event world there are a lot of things that are learned on the first weekend of a new event and they are paying attention to what those in the community are saying. Mr. Roggenburk advised getting family’s out and enjoying themselves is a passion of his and he thinks this event and the whole concept with it being the first of its kind in the United States. He added that he picked here because he is from here. He said the databasing they have from Oktoberfest and Dyngus Day, helps to drive that vision to Avon, Ohio. Mr. Roggenburk stated they would all see over the next four weeks that he will continue to do that, and he was excited for the City, the west side of Cleveland as well as all of northeast Ohio to make that happen. He advised he was hopeful for a couple

warmer days for the event than an 8-degree Fahrenheit weekend like this past one, but the whole event plan is to encompass the entire property and make it a family/community event.

Mr. Gregovits noted that there is a 220-foot-high tubing hill that is over first base and that lands around second base. The slide is taller than the stadium and the glockenspiel used at Oktoberfest in centerfield. There are also opportunities for family photos with Santa and the greenscreen technology by choosing a backdrop from various countries such as China or London or the North Pole. There is a 52-foot-high Christmas tree, which is the largest in the State of Ohio that can clearly be seen from the highway. He said inside two large tents is the museum that takes you through how Christmas is celebrated and the uniqueness around the sixteen regions around the world. In the last tent is the music tent where music and drinks representing the different regions. Mr. Gregovits advised the event will be running on weekends until the week of Christmas in which they will be open all week through January 4th. He noted football games will be playing on the big screen inside the stadium as well.

Mr. Gregovits thanked Council for their time and said he looks forward to seeing everyone out there and he will continue to promote family entertainment and grow not only the City, but the region and all of northeast Ohio. He said they believe they have a pretty good reach, and it is much more immersive and different than just driving through a light show.

Mayor Jensen advised he talked with these gentlemen when the idea of this first got started and the excitement of bringing this event to Avon and the partnership that has formed with Vic Gregovits and Len Komoroski. He asked the approximate time it would take a family to experience all the areas the event has to offer.

Mr. Roggenburk said typically this event is meant to be a good half day spent at the ballpark enjoying all the different aspects offered at the event.

Mayor Jensen felt that it was well worth the admission price if families can spend 4 or 5 hours at the event.

Mr. Roggenburk stated he has studied events all over the United States and while a drive-thru light show is a great thing he felt that Europe was five years ahead in the event space. He advised for the first time in the United States in Avon, Ohio, there is a Christmas event similar to what is being done in Europe. Mr. Roggenburk said that is something they all should be proud of because there is no other event like this one anywhere else in the United States.

Mayor Jensen thanked them for not giving up on Avon from when they originally talked and noted when Mr. Komoroski and Mr. Gregovits came into the picture, it all meshed. He is thankful that they are willing to stay close to their roots.

Mr. Roggenburk advised he has done events all over the United States and he has lost, and he has won, but in order for an event promoter to commit the dollars that has been committed, they need a venue and partners like Mr. Komoroski and Mr. Gregovits, but they also need a City that helps support them. He said if they do not have that support, he has no chance. He appreciates the support that the City has provided Mr. Komoroski and Mr. Gregovits and he believes that is important as the City looks to build this venue and they have shown him they are able to do that.

Mr. Fischer thanked them for coming in tonight. He said he has already heard a lot of great reviews on social media, and he cannot wait to check it out himself.

2. [ORDINANCE NO. 108-24](#)— AUTHORIZING THE MAYOR TO ENTER INTO A SECOND AMENDMENT TO THE MAS FINANCIAL ADVISORY SERVICES, LLC AGREEMENT TO INCLUDE TIF ADMINISTRATION FOR 2025

Mr. Presley

To Be Addressed at the Special Meeting Immediately Following this Work Session

It should be noted that this legislation is on third reading tonight at the Special Meeting. Mr. Presley advised Matt Stuczynski and his firm, which includes Mr. Logan have been doing the TIF Administration for the City the past two years. Mr. Presley said a few minor changes were made to the overall schedule, which based on the volume of notes and bonds in 2025 would reduce the overall cost of issuance by using this firm as our fiscal advisor.

3. [ORDINANCE NO. 109-24- MAKING A PERMANENT APPROPRIATION OF MONIES FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES \(THE OPERATING BUDGET\) OF THE CITY OF AVON, LORAIN COUNTY, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2025](#)

Mr. Presley

To Be Addressed at the Special Meeting Immediately Following this Work Session

It should be noted this legislation is on third reading tonight at the Special Meeting. Mr. Presley advised this is the annual budget beginning January 1, 2025.

4. [ORDINANCE NO. 110-24– TO AMEND AND SUPPLEMENT APPROPRIATIONS](#)

Mr. Presley

To Be Addressed at the Special Meeting Immediately Following this Work Session

It should be noted this legislation is on third reading tonight at the Special Meeting. Mr. Presley restated they are reclassifying the purchase of the armored vehicle by reducing the purchase of automobiles & trucks from the Police Fund and recording this as a transfer to the ELCERT Fund. He said the ELCERT Fund is funded by the cities of North Ridgeville, Avon Lake and Avon. The \$125,000 will be used from each of those cities to purchase the armored vehicle jointly. Mr. Presley advised the Chester Road/American Way Improvement Fund was increased by \$3,000 to take care of some final engineering to wrap up that project.

5. [ORDINANCE NO. 111-24– ESTABLISHING COMPENSATION FOR FULL AND PART-TIME CITY ADMINISTRATIVE POSITIONS NOT COVERED BY ANY COLLECTIVE BARGAINING AGREEMENT FOR THE YEAR 2025](#)

Mayor Jensen

To Be Addressed at the Special Meeting Immediately Following this Work Session

It should be noted this legislation is on third reading at the Special Meeting. Mayor Jensen advised there was nothing new to report. He advised that agenda item nos. 5, 6, 7 and 8 all have to do with compensation going into 2025.

6. [ORDINANCE NO. 112-24- ESTABLISHING COMPENSATION FOR FULL AND PART-TIME LEGISLATIVE POSITIONS NOT COVERED BY ANY COLLECTIVE BARGAINING AGREEMENT FOR THE YEAR 2025](#)

Mr. Fischer

To Be Addressed at the Special Meeting Immediately Following this Work Session

It should be noted this legislation is on third reading at the Special Meeting. No additional comments were made and no questions were asked.

7. [ORDINANCE NO. 113-24– AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CHAGRIN VALLEY ENGINEERING, LTD AND ESTABLISH THE COMPENSATION FOR THE CITY ENGINEER IN 2025](#)

Mayor Jensen

To Be Addressed at the Special Meeting Immediately Following this Work Session

It should be noted this legislation is on third reading at the Special Meeting. No additional comments were made and no questions were asked.

8. [ORDINANCE NO. 114-24– ESTABLISHING 2025 COMPENSATION FOR THE DIRECTOR OF LAW OF THE CITY OF AVON](#)

Mayor Jensen

To Be Addressed at the Special Meeting Immediately Following this Work Session

It should be noted this legislation is on third reading at the Special Meeting. No additional comments were made and no questions were asked.

9. [ORDINANCE NO. 115-24 – TO AWARD A BID FOR THE REPAINTING OF THE DETROIT ROAD ELEVATED WATER TOWER LOCATED AT 35941 DETROIT ROAD](#)

Mr. Cummins

Mr. Cummins advised there was a public bid opening for this project. He said the plans and specifications for this project were put together by a company called GRW Engineering. Mr. Cummins stated the Utilities Department has worked with this company in the past on several other water tank maintenance and painting projects. He advised the results of the bid are presented in the Ordinance and three bids were received. Mr. Cummins said the lowest bidder was Seven Brothers Painting, Inc. at \$314,500.00 and were about 22.3% less than the engineer's estimate. He stated Seven Brothers completed the project last year where the City had the ground storage tank repainted on SR83 and they did an excellent job and the Utilities Department was very happy with their work, cooperation and getting the job done in a timely manner. Mr. Cummins advised as such and upon review of the bids, both GRW Engineering and the Utilities Department believe Seven Brothers Painting, Inc. to be the lowest and best bid received for that project and recommend awarding them the contract.

Mr. Fischer advised he liked to hear that the bid came in at 22% lower than the estimate and it was nice to hear that Seven Brothers is a company that the City has worked well with in the past.

Mr. Cummins agreed and said they bid during a good time of year and getting an advance of companies as they set their schedules for the upcoming year. He believes Seven Brothers likes working with the City because the last project went so well and that is reflected in the bid.

Mr. Fischer asked when the work would begin for the project.

Mr. Cummins said the project will start in the springtime as the weather changes.

10. [ORDINANCE NO. 116-24 - TO AMEND AND SUPPLEMENT APPROPRIATIONS](#)

Mr. Presley

Mr. Presley advised there are a few items to wrap up as they get to the year's end. He noted the following:

General Fund No. 101

Increase Legal Wages/Benefits by \$3,000 as the Original Budget is insufficient to complete the year. *Mr. Presley noted this change is reflective of the Law Director's action and it was made after the budget was set for the year effectively increasing his salary/wages in this line item but reducing the Outside Legal line item as he cannot just move the funds without approval.*

Increase Signalization- Infrastructures by \$50,000 for replacement of equipment damaged by accident. *Mr. Presley advised there was a motor vehicle accident that severely damaged one of the control boxes in the City. He said they are appropriated this money, but it will be reimbursed to the City through the insurance of the individual who caused the accident. The equipment needs ordered as soon as possible and the reason it is on the agenda tonight. Mr. Fischer asked if this is something that will be recouped. Mr. Presley stated yes, Mr. Streater has already contacted the insurance company, and the insurance company has acknowledged it, but the City does not want to hold up ordering that equipment while waiting for the insurance check and get reimbursed once all of it is retained. Mr. McBride asked if they know the lead time on the traffic signalization box. Mr. Streater answered it is about three months and the reason they want to order it now to get that process started. Mayor Jensen advised NOPEC has already approved the amount, but it is about 6-8 weeks before the City will receive those funds.*

Decrease Transfer to Capital Improvements Fund by \$360,000 as it is not needed. *Mr. Presley said he was unsure why this amount was included in the appropriation last year as it is not needed, they are decreasing that appropriation from the General Fund.*

Increase Transfer to Cemetery Fund by \$25,000 as this was not included in the original budget. *Mr. Presley noted this amount was in the budget packet that was included in the budget last year, but for some reason it was not included in the appropriations, so he is including it at this point.*

Increase transfer to General Bond Retirement fund by \$150,000 as the Original Budget is insufficient to complete the year. *Similarly, Mr. Presley said this amount was shown in the detail but was not included in the original appropriation. He stated there was one increase under the Bond Retirement Fund of \$5,000 as one of the principal payments went from \$190 to \$195 and he did not catch that last year.*

Increase Transfer to Streetlights Improvement Fund by \$136,000 as the Original Budget is insufficient to complete the year. *Mr. Presley advised they did a transfer of \$131,000, but the total amount of improvements on the Detroit Road area requires that additional transfer until such time that the City is reimbursed from NOPEC. He noted they just put in an application for reimbursement from NOPEC of the first \$28,000 of expenses in that fund.*

Total Change in Fund 101	\$4,000.00
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G O Bond Retirement Fund No 301

Increase Administrative/Legal Fees by \$20,000 as the Original Budget is insufficient to complete the year. *Mr. Presley stated this is the issuance cost for the \$5 million dollars of notes that were issued this year that were not included in the original budget.*

Increase GO Bond Principal by \$5,000 as the Original Budget is insufficient to complete the year.

Total Increase in Fund 301	\$25,000.00
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SR83 & SR254 Fund No. 415

Increase Misc Contracted Services by \$165,000 as it was not included in the Original Budget. *Mr. Presley stated these services are for the engineering and a firm that negotiated the acquisition of right of way that project entails.*

Increase the Purchase of Land by \$81,000 as it was not included in the Original Budget. *Mr. Presley said this represents the cost of obtaining those easements or the actual land that the City will have use of from that point forward.*

Total Increase in Fund 415	\$246,000.00
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Streetlight Improvement Fund No. 427

Increase Equipment by \$5,000 for the purpose of acquiring additional lights. *Mr. Presley advised these are for five additional lights to be acquired and installed.*

Total Increase in fund 427	\$5,000.00
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Grand Total of All Supplemental Appropriations	\$280,000.00
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11. [ORDINANCE NO. 117-24 – TO AMEND SECTION 1072.03 OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO INCREASE FEES FOR THE USE OF THE AVON-LIONS COMMUNITY CENTER](#)
Mayor Jensen

Mayor Jensen advised this is adjusting some of the rental fees by increasing them slightly. He said they try to keep the increase at a minimum for Avon residents, but there has not been an increase in awhile and they plan to adjust these fees slightly each year so there is not a big increase from year to year to keep up with operating costs and the like.

12. [ORDINANCE NO. 118-24 – TO AMEND SECTION 1073.03\(b\) OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO INCREASE FEES FOR THE USE OF AVON ISLE](#)
Mayor Jensen

Mayor Jensen advised this is similar to the previous agenda item as they are just making needed adjustments.

Mrs. Demaline said the increase seems a bit significant on the Avon Isle fee schedule; specifically Resident/Avon Business for the first four hours as that was increasing \$100. She asked if there is a cost that the City is bearing that justifies that much of an increase noting that the Avon Isle is a nice benefit for the residents to have the opportunity to have to rent this space.

Mayor Jensen advised in terms of breaking even, they were not at that level; and the City was not trying to make money, but they want the space to be competitive and there is an employee who has to clean before and after every event. He felt it was not a significant increase.

Mrs. Demaline said it seems significant, but she understands the cost and it is a really a nice benefit for the residents to have such a nice space that is affordable to host an event.

13. ORDINANCE NO. 119-24 - TO AMEND ORDINANCE NO. 98-92 ADOPTING CHANGES TO THE MASTER PLAN FOR THE CITY OF AVON Planning Referral

The First of Three Readings will be on Monday, December 9, 2024
A Public Hearing will be held at 7:20 p.m. on Monday, January 13, 2025

Ms. Fechter advised it has been 32 years since the City first put the master thoroughfare plan in place. She said this past week in front of the Planning Commission, Avon MOB Self Storage. She said Marc Strauss brought before the Commission a General Development Plan seeking to develop property, he owns area by Rose Senior Living and the Avon Cleveland Clinic. Ms. Fechter stated Mr. Strauss is requesting the City eliminate the extension of Avon Commerce Parkway, which was to be an 80' collector street from Nagel Road to the property limits next to the Duck Tape Brand Headquarters and replace it with a 60' wide local street and not have the road continue. She advised the Planning Commission voted 4 in favor and 0 against the proposal moving forward.

Mrs. Demaline asked Mr. Streater how this will look for emergency vehicles to get through to that area with having a different proposed road from what is shown on the master plan.

Mr. Streater advised based on the current plan; the access would be through what is currently a private road going to Rose Senior Living.

Mrs. Demaline asked for clarification of the proposed 8' trail and the proposed road.

Ms. Fechter said the highlighted area in blue on the Exhibit A to the Ordinance is where the road would no longer be a collector road, but it would become a 60' local street.

Mrs. Demaline asked if the only way to gain access is to go through the cul-de-sac on Health Campus Boulevard and then onto Rose Parkway.

Ms. Fechter answered saying that is correct. She said there is one property owner that is proposing a medical office building and then a phase 2 to the east of that area, but nothing formal has come through to the City yet.

Mrs. Demaline advised that seems to her that it would throw a lot of traffic going through that roundabout and passed the Rose Senior Living entrance as there is some independent living back in that area as well.

Ms. Fechter advised Mr. Strauss' group developed the Rose Senior Living area and when Rose Parkway was constructed, it was built as a private drive. She said they are in discussions about whether Rose Parkway will remain a private street or if it will become a dedicated public street for access to that area.

Mr. McBride asked for clarification if the proposed road would eventually extend from Rose Parkway to Nagel Road.

Ms. Fechter advised the original plan was that Avon Commerce Parkway would extend all the way across the entire City. She said at Nagel Road it would continue east to the Duck Tape facility property line and over Gifford Ditch and then head south to Just Imagine Drive. She said the request is for that original plan to be changed. Ms.

Fechter stated the parcel at Just Imagine Drive presents some obstacles from a road getting through for a private developer.

Mr. McBride stated that is a big change from what was planned. He said if there is another property owner back in that area that wants to construct a medical office building or some other development.

Ms. Fechter clarified that currently the one individual owns both parcels in question. She said that owner sold the property for Rose Senior Living as well as the independent living area and this is the remainder. Ms. Fechter indicated that owner would now like to develop the remainder of the parcels.

Mr. McBride commented that he did not know why the proposed roadway connecting to Nagel Road would not still be kept in the plan.

Mr. Gasior advised the parcel that has the amendment is the parcel owned by the Jacobs Group.

Ms. Fechter confirmed that and stated that the Jacobs Group supports this amendment.

Mr. Gasior advised there may be a larger end user and in that case at some point if this amendment was not proposed now, it may be happening in the future because of the end use for the Jacobs Group. He said if it turns out that the end user does not need that much area and the road can be put in, this issue can be brought back in front of Council. Mr. Gasior stated the way things are looking right now from a planning standpoint, the City is not going to see that connection made from Nagel Road east because of the potential end user that the Jacobs Group is talking to.

Mayor Jensen indicated a medical office building will not generate that much traffic.

Mr. McBride stated it looks like the plan was essentially going from a small access drive at Rose Senior Living and even if the 80' road was reduced to a 60' wide road, it was still feasible.

Mr. Cummins advised it is important to note that none of the Rose Senior Living or the associated housing would be directly impacted as that all filters out through the cul-de-sac at Health Campus Boulevard. He said because there is a large ditch, none of it goes north up to the blue/green area. Mr. Cummins stated everything south of the blue/green area (marked on the Exhibit A to the Ordinance) would not travel on this proposed road anyway. He advised there is the potential of the connection at Nagel Road, which some development would preclude that, but it is also not the best area to enter Nagel Road from a traffic perspective. Mr. Cummins said that is the reason that the current proposal is that Rose Parkway would become a public roadway and the proposed road in the blue/green area would be a lesser road that was going to become an extension of Avon Commerce Parkway will now be a lesser road that would have very limited use. He noted that one medical office building and maybe one other potential office or development site at that location. Mr. Cummins advised based on the ditch locations, a large pond on the Duck Tape property and wetlands are also in that area that it seems the potential of that going through is probably small.

Mr. McBride understood and commented that as long as when it is upgraded that it goes through as a commercial street and not a concrete residential street.

Mr. Cummins advised the proposal is to do an inspection of Rose Parkway and upgrade that street to City standards and then construct a new east/west portion in the dashed black portion of the blue/green area would also be constructed to City standards from the ground up as a public roadway.

14. [ORDINANCE NO. 120-24](#) – TO AMEND ORDINANCE NO. 413-68, PASSED JANUARY 15, 1969, COMMONLY KNOWN AS THE ZONING ORDINANCE OF THE CITY OF AVON, OHIO, AS AMENDED, REZONING THE 13.2836 ACRE PARCEL OF LAND LOCATED BETWEEN AVON ROAD AND MIDDLETON ROAD, PERMANENT PARCEL NO. 10-04-00-027-101-204 FROM R-1 SINGLE-FAMILY RESIDENTIAL TO R-3 MULTI-FAMILY RESIDENTIAL DISTRICT

Planning Referral

The First of Three Readings will be on Monday, December 9, 2024

A Public Hearing will be held at 7:25 p.m. on Monday, January 13, 2025

Ms. Fechter advised Tom Kuluris from Liberty Development presented to the Planning Commission a plan to rezone a portion of property behind Levin Furniture on Avon Road from R-1 to R-3. She said with that rezoning Mr. Kuluris has provided what he plans to do if this rezoning is passed. Ms. Fechter stated the area if rezoned allows for 10 density for apartments, meaning they could have ten units per acre, with an R-3 designation for zoning, but Mr. Kuluris plans to do 4.85 density instead of the allowed 10 density. She advised Mr. Kuluris would also be required to have 35% open space and he is presenting to have 68% open space. Ms. Fechter said this proposed rezoning went through Planning Commission for first presentation and there were several items that the Planning Commission wanted to see listed on the drawing. She stated the drawing being presented is an update to the original and it includes along with the density, the additional green space, some additional parking, sidewalks, and a proposed park area at the north end. Ms. Fechter advised there will be no access to Avon Road except for emergency vehicles. She said it was mentioned that with some of the apartment complexes there is not enough parking for visitors, so the parking was increased. Ms. Fechter stated the applicant is requesting the rezoning include these additional stipulations should the rezoning pass that Mr. Kuluris would follow these guidelines for development.

Mayor Jensen felt this proposal is a better alternative for developing this area than the commercial side that could have been proposed and that is how it is being presented before Council and the Planning Commission passed it unanimously.

Mr. McBride asked if there is enough space between the sidewalk and the front of the garage to park two full size vehicles in the driveway.

Ms. Fechter advised they have two car garages and two that can park in the driveway, so she felt there was plenty of space for vehicles. Mayor Jensen interjected that the vehicles will not block the sidewalk when parked in the driveway as was an issue at Concord Village.

Mayor Jensen clarified that this will be a private street(s) so the City will not have to maintain the street for repairs or plowing it during the winter.

15. ORDINANCE NO. 121-24 – TO AUTHORIZE AN AMENDMENT TO THE FINAL PLAT AND SUBDIVIDER’S AGREEMENT FOR NAGEL FARMS SUBDIVISION Planning Referral

Ms. Fechter advised back in 2022, Council approved the final plat and subdivider’s agreement for Nagel Farms Subdivision. She said on that plat it showed three blocks located on Detroit Road and Mr. Kuluris is asking to amend the Final Plat and Subdivider’s Agreement to remove those three blocks and have only one. Ms. Fechter stated it was a positive referral from the Planning Commission.

Mr. Fischer asked Ms. Fechter to remind everyone what a “block” is.

Ms. Fechter said blocks can be a number of things and they can be for landscaping, and she believed these were to be three additional lots.

Mr. Cummins clarified that as part of the original subdivision, the sublots were created along the proposed new street, but there was leftover land that fronted on Detroit Road. He said instead of naming those areas as additional sublots, they were created as three individual blocks for them to be residential developed. Mr. Cummins stated he believes Mr. Kuluris is looking to seek a different zoning in the future so he is trying to keep his options open. He advised instead of that block consisting of three future residential lots, Mr. Kuluris would like to leave it as one piece of land as he tries to work through if there are other options from a development perspective. Mr. Cummins said obviously any development option or proposal would have to come back through the appropriate processes. He stated as Mr. Kuluris is nearing the completion of a subdivision, and they would like to get the standard subdivision lots accepted and dedicated in the coming months and to keep their options open for this Detroit Road parcel.

Ms. Fechter advised it dropped the subdivision from 38 lots to 36.

Mayor Jensen reminded Council this property is residential so it cannot be anything other than residential at this point meaning the property remains residential, but it will not be subdivided into three lots.

Mr. Fischer asked if this is associated with agenda item no. 14 for the rezoning.

Mr. Cummins answered no. He said this is along Detroit Road and the rezoning discussed in item no. 14 is between Avon Road and Middleton Road.

It was noted this property runs behind Drug Mart and is the property where the Farm Market was previously located.

Mr. Fischer asked if this property runs all the way to Middleton Road as well.

Mr. Cummins explained that originally it was all one farm field for many years.

Mr. McBride advised the applicant is seeking to go from three blocks down to one, but there is a drainage easement that roughly splits that block into one-third and two-thirds.

Mr. Cummins advised that drainage easement is laid out as if it were to be three lots. He clarified that this is just a holding piece. Mr. Cummins said the applicant has proposed a temporary drainage condition, which is acceptable. He stated if it turns into a different type of development then Council will see those areas revised with whatever proposal would come in for the City's consideration. Mr. Cummins said if that does not work out and it goes back to the three residential lots then that is what would need to happen.

16. ORDINANCE NO. 122-24 – TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH LANDSCAPE STRUCTURES FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT AND APPURTENANCES THERETO FOR VETERANS PARK Mr. Gasior

Mr. Gasior advised it is not necessarily a requirement to bring this before Council, but he felt it was a good idea to let Council know when an expenditure of this magnitude is being made. He noted the Landscape Structures is for the actual equipment and installation is over \$100,000. Mr. Gasior stated it is being purchased under a State bid contract so there is no competitive bidding requirement. He said there is a pad upon which the structure will rest, like turf, and that turf aspect is around \$50,000, which is under the \$75,000 threshold for competitive bidding from a company called Pentura will be doing the pad installation.

Mr. Fischer asked when this would be occurring.

Mayor Jensen advised this spring/summer.

Mr. Fischer asked for an update on the bathrooms at Eagle Point.

Mr. Streator advised once it is delivered, they intend to start working on that weather permitting and once the leaf pickup is complete the crews will be able to begin that work. He noted the concrete was installed and the lumber is there waiting.

Mr. Fischer said the pile of lumber is what he saw and thought they were supposed to be done quite awhile ago.

Mr. Streator explained they ran into a couple of issues with getting some of the equipment for the bathroom install and they focused on other projects that had to get done before winter.

Mrs. Demaline advised she was pleased to see the City investing in the parks. She asked if they could tell her more about where this playground equipment will be located in Veterans Park.

Mayor Jensen advised the equipment is going to be installed in the back area of the park where some of the other playground pieces are located. He said some of the older pieces needs replacing and some of the turfed area will

have to be replaced as that is where some of the oldest pieces of playground equipment are located and where they are looking to improve that area.

Mr. Fischer asked if there were pictures.

Mayor Jensen said he could provide pictures before next week's meeting.

17. ORDINANCE NO. 123-24 – TO AUTHORIZE THE MAYOR TO ENTER INTO A JOINT USE AGREEMENT BETWEEN LORAIN COUNTY COMMUNITY COLLEGE (LCCC) AND THE CITY OF AVON TO FACILITATE USE OF THE AVON FIRE TRAINING FACILITY LOCATED AT 36185 DETROIT ROAD

Mr. Streator

Mr. Streator advised this joint use agreement came about because a little over a year ago Senator Manning received \$100,000 granted through the General Assembly to Avon for the Fire Training Facility that Avon was originally looking at constructing on Schneider Court. He said it was found out after the money came through that it is funneled through the Lorain County Community College to the City. Mr. Streator stated in working with the College and Chief Swope, the Fire Program at the College can use the facility that Avon built. He advised the location was changed to behind the Fire Station on Detroit Road so Chief Swope worked diligently with the personnel at the College to change the scope of that funding and the use with this joint use agreement. Mr. Streator said this agreement will allow the College Fire Program to use Avon's facility on a limited basis that equals about \$8,000 per year spread out over twenty years which equates to the \$100,000 granted from Senator Manning.

18. ORDINANCE NO. 124-24 – LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF CHESTER ROAD BY THE CONSTRUCTION AND RECONSTRUCTION OF APPROXIMATELY 475 LINEAL FEET OF ROADWAY, TOGETHER WITH ALL NECESSARY APPURTENANCES AND RELATED IMPROVEMENTS THERETO, IN ACCORDANCE WITH RESOLUTION NO. R-13-23, ADOPTED ON MARCH 13, 2023

Mr. Gasior

Mr. Gasior advised the project is complete and there was only one property owner at American Way that wanted to be assessed for their portion of the cost of the project. He said recently, the final engineering costs have been calculated and it is time now to go forward with the Ordinance to levy the assessment on the property owner. Mr. Gasior stated the important thing is the amount, which came in below the estimate and was included in the original Resolution Declaring the Necessity passed back in February of 2023. He advised the property owner was probably happy that the cost did not exceed the estimate. Mr. Gasior said it is a 20-year assessment, and the property owner has 30 days to pay in full after Council passes this Ordinance and the interest rate was set at 5%. He believes the owner is aware.

Mr. Cummins confirmed that the owner is aware and advised he emailed the property owner over the weekend, and he received a response that acknowledges the receipt of the final estimate.

Mr. Gasior noted that the property owner will receive formal notice from the Clerk of Council as soon as Council passes the Ordinance, but the property owner has been given informal notice in advance of the passage of the Ordinance and did not raise any concern.

Mr. Cummins confirmed that the property owner did not raise any concern.

19. ORDINANCE NO. 125-24 - TO AMEND THE PLANNING AND ZONING FEES

Planning Referral

Ms. Fechter advised the Planning and Zoning Fees have not been increased since she has been in her position with the City, which has been over 10 years. She said they have taken a long look at all the different categories and invoices received from Chagrin Valley Engineering and what it costs to put these items through the process. Ms. Fechter stated Council has a draft of what they are considering changing the fees to, but she and Mr. Gasior are still working on some of the language in Chapter 210. She encouraged Council to look over the current fees

and the suggested fees to see if they have any additional thoughts on the proposed changes. Ms. Fechter advised they were not trying to make it too costly to develop in Avon, but costs have risen substantially, and they are also going to implement a deposit required for some of the larger subdivision/commercial projects to help recoup some of those funds.

Mr. McBride said he is assuming that any outside fees would be 100% passed through to the developer.

Ms. Fechter stated under this scenario yes, but not under the current fee schedule.

Mr. Gasior advised they are trying to write language in the Ordinance that accomplishes that, and it is not that easy to do that, but they are working on it. He said in some cases where there is a Special Use Permit, he is writing an Ordinance without a doubt. Mr. Gasior stated the Planning Commission is looking at our fee schedule and there may be questions about what conditions are going to be placed in a Special Use Permit and to charge a flat \$200 sometime may not be enough if he is utilizing the services of Mr. Cummins and the like. He noted it could involve wetlands, the floodplain. Mr. Gasior stated they would like the Ordinance to back the City up when asking for a deposit when those kinds of problems are anticipated because they do come up.

Mr. McBride agreed that would be a good thing. He said even though it may be a residential development, it was still a commercial developer doing the work and they should be covering all the costs.

Mr. Gasior advised there can be schools and churches involved.

Ms. Fechter noted they were finding more and more that many of their projects are multi-faceted.

20. REPORTS AND COMMENTS

MAYOR JENSEN sadly reported that Bob Hill passed away. He said Mr. Hill was the one who helped create the metal park benches seen throughout the City as well as the metal surrounds around the Detroit Road planters. Mayor Jensen advised Mr. Hill was a big part of the annual Fishing Derby and before he got sick, he attended every Council Meetings in recent years. Mayor Jensen asked Council to keep his family in their prayers.

COUNCIL MEMBERS:

MS. BERGES, AT LARGE was absent.

MRS. DEMALINE, WARD 1 advised she is looking forward to the tree lighting on Saturday, December 7. She wished the Avon Eagles High School football team luck on Thursday night December 5.

MR. MCBRIDE, WARD 2 expressed his condolences to the Hill family. He stated Mr. Hill was a great guy and for someone who was not a longtime Avon resident, he did a lot for the City. Mr. McBride said Mr. Hill was a great community contributor and while Mr. Hill was recently recognized with a Community Spotlight, he felt it would be nice to do something more and he would support that effort. He noted that Mr. Hill was a wonderful guy in general.

Mr. McBride said the holiday lighting at the Police Station, the Fire Station and the Post Office looks really good. He felt Avon has the best decorated Police Station possibly in the State of Ohio.

Mayor Jensen advised he would pass along his comments and noted that the City takes a lot of pride putting it all together and it was nice to see as they did a great job.

MR. MOORE, WARD 3 expressed his condolences to the Hill family. Mr. Moore stated the holiday lights look really nice downtown. Go Eagles!

MS. PATTON, AT LARGE expressed her condolences to the Hill family. She said she remembers Mr. McBride pointed out to her all the benches that Mr. Hill made for the City of Avon. Ms. Patton wished the Avon High School Football Team good luck on Thursday.

Ms. Patton advised as they talk about the playgrounds in Avon, she would like to mention that having a son who is 24 years old and still enjoys the playground and as she is a schoolteacher in Westlake and spending at least twenty minutes a week on the playground. She stated the school where she is employed initially had the wood chips for ground cover and a couple years ago, they switched it to the solid surface, and it made a huge

difference. Ms. Patton noted it was cleaner, it handled rain better and was not a problem. She said she is hopeful that in the next two or three years that solid surfacing can be placed in the budget for Every Child's Playground.

MR. RADCLIFFE, WARD 4 said Mr. Hill was a great man and will be sorely missed. Go Eagles!

MR. FISCHER, AT LARGE expressed his condolences to the family of Mr. Hill. He said he has known Mr. Hill since he was a child and grew up with his sons and Bob was one of his first football coaches. Mr. Fischer stated he was surprised to run into Mr. Hill in Avon years later and it was Mr. Hill who recruited him into the Lions Club and where he really saw Mr. Hill's generosity. He advised Mr. Hill made all the trophies for the Fishing Derby and he donated a lot of his time, and he was a great guy. Mr. Fischer noted that Mr. Hill also made the Silver Rail trophy for the Avon/Avon Lake rivalry and would present it to the winners each year with our former Council Member Craig Witherspoon.

Mr. Fischer concurs that the holiday lights in the City look fantastic and he appreciates the Parks Department for all their work.

Mr. Fischer congratulated the Avon Eagles for finally defeating Hoban and he wished them good luck on Thursday.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER had no comments.

MS. FECHTER, PLANNING/ECONOMIC DEVELOPMENT COORDINATOR expressed her condolences to the Hill family. She said Bob was a really great man and the mini benches throughout City Hall that Mr. Hill created as mockups for the actual park benches throughout the City and it is a nice tribute to look around and see what Mr. Hill gave to the City.

Ms. Fechter wished good luck on behalf of Jill Clements and her son, Jerry, that are going to the State finals for the Avon Eagles High School Football team.

MR. GASIOR, LAW DIRECTOR expressed his condolences to the Hill family. He said he got to meet Bob and appreciated his sense of humor. Mr. Gasior stated Mr. Hill did a lot of acts of kindness in his life and was a great guy.

Mr. Gasior advised he would provide pictures of the playground equipment to the Clerk for Council's next packet so Council could see what equipment is being proposed to be installed at Veterans Park.

Mr. Gasior said, "Go Eagles!"

MR. PRESLEY, FINANCE DIRECTOR said Good luck, Avon!

MR. STREATOR, SAFETY DIRECTOR/PUBLIC SERVICE DIRECTOR had no comments.

AUDIENCE:

There were no comments from the audience members.

21. ADJOURN: 8:32 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