

**MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE  
CITY OF AVON, OHIO HELD MONDAY, JUNE 6, 2022  
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING  
AT 7:30 P.M.**

**PRESENT:** Council Members: 1<sup>st</sup> Ward – Jennifer Demaline; 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; 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– William Logan; Safety/Public Service Director – Duane Streater; Clerk of Council – Barbara Brooks

The meeting was called to order by Chairman, Council President Brian Fischer.

1. UPDATE FROM COMMUNITY RESOURCE SERVICES Pam Ohradzansky, Executive Director

Ms. Ohradzansky thanked Council for this opportunity to take a few minutes to update them on CRS and all the good things that are happening. She said on behalf of the CRS Board of Directors, the Staff and the families they serve she wanted to thank the City of Avon for their ongoing support of CRS and the families they serve who are struggling financially as they are all very grateful. Ms. Ohradzansky introduced Paul Johnson, a CRS Board Member, who was joining her tonight, and said he is a newer board member and is also the Secretary of the CRS Board of Directors and is a resident of Avon with a long history of service on non-profit boards and a member of the Avon Lion’s Club for fourteen years.

Ms. Ohradzansky advised in 2021 CRS served 178 individual Avon households through one or more of their assistance programs, which amounts to 565 individuals or 29 senior citizens, 246 adults and 290 children. She said the amount of money spent on financial assistance using Avon City funds was approximately 19% of the total amount that is spent on Avon residents that include other funding sources such as private foundations, Salvation Army funds, CARES Act funding and CRS general funds. Ms. Ohradzansky stated the total spent on financial assistance to Avon residents in 2021 was over \$103,000. She advised they saw the biggest increase in three categories: utilities, housing, and car repairs. In these three categories alone, there was an increase of 19% from 2020 to 2021. In 2021 they were also able to resume some of the seasonal programs that were not able to be held in 2020 such as Mother’s Day gifts, Easter baskets for the kids and Easter food baskets for families. Ms. Ohradzansky said they also went back to the normal way of doing the Santa’s Workshop where parents come to shop for gifts for their children receiving such items as pajamas, coats, toys and family household items baskets. CRS is also a very proud supporter of the Avon summer lunch program at Timberlake Townhomes. CRS provided 100 - \$50 gift cards to Walmart to each of the churches and organizations that support that program, and they will be doing that same thing this year and CRS is very grateful to the churches and organizations who volunteer to do that program for those children. She stated it is a wonderful opportunity for these children to participate in activities they might not have the opportunity or resources to participate in otherwise. Ms. Ohradzansky advised their biggest program continues to be CRS’ onsite food pantry. In 2021 they distributed over 95,000 pounds of food to both the citizens of Avon and Avon Lake. The food pantry is very well supported by local food drives from many local businesses, churches, the schools, and other organizations. She said the biggest food drive of the year is the SOUPer Bowl food drive. She explained the SOUPer Bowl is a friendly competition between the communities of Avon and Avon Lake to see which community can collect the most food by weight. Since the first SOUPer Bowl in 2010, Avon Lake has won six times and Avon has won five times; however, Avon has won the last three years in a row, so the momentum is definitely on Avon’s side to possibly bring home the SOUPer Bowl trophy again this year. The food drive always takes place in the fall and it is usually the week or two before the Avon vs. Avon Lake varsity football game and the coveted SOUPer Bowl trophy is awarded at halftime of that football game. In 2022 it is being held on Friday, September 9<sup>th</sup> in Avon Lake.

Ms. Ohradzansky advised the Meijer store in Avon continues to be a tremendous supporter of CRS. She said it is amazing to have a store that is so community minded and really puts their money where their mouth is in the communities where it does business. Council may recall that when Meijer had their grand opening, they

presented CRS with a check for \$25,000 and since then have given CRS over \$25,000 in food only gift cards that they can use to purchase perishable items for the food pantry that are normally available in the food pantry. Ms. Ohradzansky stated CRS also receives a lot of support from individuals who drop off a monetary donation or a bag of groceries because they want to help make a difference in their local community. She advised as of two weeks ago they are no longer requiring masks in the office and will begin seeing clients on an in-person basis because they did financial assistance over the phone the last two years and that worked well, but it will be nice to see clients face to face again.

Ms. Ohradzansky advised over the last year and a half the CRS Board of Directors started to explore how to improve their client personal development programs and she is excited to tell them about the progress they have made in this area. At CRS they have realized that they are uniquely positioned to help their clients move forward with their personal goals and make positive lasting changes in their lives. She said the staff at CRS went through motivational training to learn techniques and counseling skills to help people find their motivation to make positive changes in their lives. The Board worked very hard to help redesign CRS' personal development programs to expand their offerings in the areas of financial literacy, health and wellness, education or job skills training, and family and student programs. Ms. Ohradzansky stated they hired a new staff member whose job is to connect clients with programs and opportunities to help them move forward in life. As an example, over the past few months CRS has helped three women attend STNA classes and CRS paid for the classes and the exam. CRS helped one by paying for classes to obtain a CDL and they have given away six subscriptions to Hey Money, an online financial advisor service of professionals that provide ongoing advice with budgeting, paying bills, saving money and other financial issues.

Ms. Ohradzansky advised in collaboration with the French Creek YMCA, CRS has helped pay for six families to obtain memberships at the YMCA. She said the YMCA pays for 50%, CRS pays for 25% and the client pays for 25% of that membership. CRS has given two women scholarships to attend life skills classes and have purchased Avon pool memberships for three families and so far, this summer CRS has paid for 21 kids to participate in different summer activities like science camp, sports camp or dance camp and the like. She said Council may be thinking those types of things are not basic needs or emergency assistance related items but imagine moving into a community like Avon because you want your kids to grow up in a safe neighborhood with good schools, but you can only afford basic expenses. Ms. Ohradzansky stated that probably would mean that those kids would not get to participate in those kinds of activities that could be life changing. At CRS they are committed to helping families in lasting and meaningful ways that go beyond assistance with rent and utilities and their personal development programs are designed with that in mind.

Ms. Ohradzansky advised the past two years have really highlighted how many people live paycheck to paycheck and how at any given time someone might find themselves in need. CRS continues to be the first call for help for our neighbors who are struggling, and they are only able to do what they do because of the support they receive from so many including the grant from the City of Avon funds. On behalf of CRS, she thanked Avon Council and Administration for their ongoing support.

Mr. McBride said he wanted to tell Ms. Ohradzansky; job well done. He stated if he recalls correctly, it was not that many years ago that the City was deciding whether to provide funds to this program as there was some trepidation early on whether tax dollars should provide funding to an organization such as CRS, which is a great organization. Ultimately, they decided to try it for a year, and he believes in the second and third years they increased the contribution and there has been a lot of return and he feels there is a lot of benefit to being a part of helping this organization. Mr. McBride advised it is a great program and a well-run organization and hopefully Avon will take home the SOUPer Bowl again this year. Mr. McBride thanked Mr. Johnson for joining the CRS Board.

1a. SAVE SOIL

Ramarao Appana, Resident

Mr. Appana of 2595 Seton Drive advised he has lived in Avon for approximately 15 years. He said he has been working with Mayor Jensen and that has been a great privilege for him. Mr. Appana stated he is a volunteer promoting SAVE SOIL. SAVE SOIL is a global movement to promote that soil is dying. In sixty years, our soil is going to die according to reference from the United Nations and everywhere else. Authentic information is out

there. The problem is that nobody is stepping up and spreading awareness and coming together to work together to get things resolved and that is the reason that SAVE SOIL movement is there. Founder, Sadhguru started his journey as a lone motorcyclist traveling 30,000 kilometers from London to India. He has met leaders of over 24 nations in the Middle East, Europe and Asia and 74 nations have already pledged their support agreeing this is a great movement and they work together implementing the necessary policies in saving the soil so that it is there for future generations.

Mr. Appana advised he is counting on Mayor Jensen and all of City Council to please support him or ask any questions they may have. He said they may be wondering why he needs their support and Avon is going to get out of it. Basically, without soil we cannot live. If we do not have topsoil, we will not have enough food. Mr. Appana stated we do not want to wait another 30 years to find out there is a problem. If we wait for 30 more years, we may not have the bandwidth or the time to save the soil as it may take 100 years. He suggested they visit [www.savesoil.org](http://www.savesoil.org) and they could see a lot of information. If we work now, we can make changes in 10-15 years as it is not going to happen overnight. It takes some time as people come forward and invest in what is happening and work together. Mr. Appana said when they work together in another 10-15 years, they can fix the soil. How can they fix the soil? They talk about recycling and other environmental issues. They want to have the organic content in the soil. How can we get the organic content? By plant litter and animal waste and without those two they cannot get the organic content.

Mr. Appana said he also came to know by being a part of this movement that if they have organic content of 3-6 inches, the quality of the produce, vegetables, is going to have many more nutrients than anything that they are getting now. He stated being a part of this movement he learned that our soil is dying. As of now, around the globe we only have .6 inches of topsoil saved. In the U.S. they may have maybe 1.23 inches on average, but that is not going to be enough. Mr. Appana advised he approached Mayor Jensen who has been very helpful. He is asking Council for a Proclamation supporting a public event for people to learn about this movement. The reason for the Proclamation is to get support because when the public sees that it came from the government or the Mayor then more people would hear about it and get involved. Mr. Appana indicated that if he seeks support from the public on his own then a smaller number would get involved. He said he was more than happy to answer any questions or meet with any of them one on one. Mr. Appana advised he is planning on meeting all the Mayors in Lorain County on June 15<sup>th</sup> as they just confirmed his appointment and are giving him fifteen minutes of their time. He said he will be preparing a presentation for that event to meet all the Mayors and dignitaries here. Without soil we cannot live. It is as simple as that. We are talking about food. We are talking about economics. Without soil nothing is going to live. In the past, they saw famines and we do not want that to happen again, so we need to behave responsibly and do our part in saving the soil. We all know that we come from soil and go back to soil. The point of the movement is to make things happen. He thanked Council for their time.

Mr. Fischer thanked Mr. Appana and said Council could visit the website he mentioned to learn more about this cause if they wished.

Mr. Appana asked if Council could let him know if they would like a follow-up as he would be more than happy to do so. He said the main thing he is looking for is a Proclamation.

2. [ORDINANCE NO. 70-22](#) – ESTABLISHING A TAX BUDGET FOR THE CURRENT EXPENDITURES OF THE CITY OF AVON, LORAIN COUNTY, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2023

Mr. Logan

Mr. Logan advised every year the City has to submit a preliminary budget to the County Budget Commission, and it is due this year by July 20<sup>th</sup>. He said this is the first presentation of it tonight and he is asking Council to vote on its approval before the end of June so most likely at the June 27<sup>th</sup> Regular Meeting as that gives them time to make any changes. Mr. Logan reminded Council this is a preliminary budget, and the final budget would be put together in the fall, but the Exhibit to this Ordinance is a one-page spreadsheet.

Mr. Logan explained that they will be taking income tax revenue up by approximately 3% and that is a conservative estimate. TIF revenue is projected up by 2.5% and that could change depending on what more might come in through the Planning Coordinator's office over the next few months. On the expenses side, there

is a projected 3% increase in wages as that is the percentage the bargaining unit contracts have agreed upon. The Firefighters will be under contract renegotiations this fall so there will not be an increase for that line item until later in the year once that gets settled. The same 3% increase would be used for all non-bargaining unit personnel. Mr. Logan advised they were estimating a 6% increase for health insurance, reminding Council the last couple of years there has been no increase in the health insurance in the 6-8% increase range. He said regarding new employees he did not put any incremental head count into this preliminary budget. Last year they added six new employees over the course of 2021, and they have added three employees so far this year, 2022, which were all budgeted. Mr. Logan stated as far as capital projects, he budgeted \$1.5 million for road program projects for 2023 and that would be fine-tuned later in the fall.

Mr. Logan advised changes can be made to the budget between now and the time this Ordinance is voted on. He said if the Mayor and Council feel strongly about something they can discuss it, but he prefers to wait until September when they fine tune the 2023 budget.

3. ORDINANCE NO. 71-22 – 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 12.71 ACRE PARCEL OF LAND LOCATED AT 2295 NAGEL ROAD (EASTSIDE OF NAGEL ROAD, SOUTH OF MIDDLETON ROAD AND NORTH OF DETROIT ROAD), PERMANENT PARCEL NO. 10-04-00-027-101-196 FROM R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO C-4 GENERAL BUSINESS DISTRICT Planning Referral

A Public Hearing will be held on Monday, July 11, 2022 at 7:25 p.m.

Ms. Fechter advised the Isomer Group, which is Drug Mart, has come before the Planning Commission and a public hearing was held in March. She said on May 18, 2022 a positive recommendation was voted 5 to 0 by the Planning Commission to refer to City Council for placement on the ballot for rezoning. Ms. Fechter stated it is just over 12 acres on Nagel Road from Schaefer's Car Wash, which is under construction next to Dunkin Donuts, going north to Middleton Road. She advised Council will also notice in their packet that the Ordinance is attached to a Development Agreement. Ms. Fechter said there has been a lot of time spent with outside counsel and Mr. Gasior and the Administration on trying to formalize the terms and conditions if this rezoning is ultimately approved. She stated some of those terms and conditions were limiting the curb cuts, signage, buffering and also their stormwater maintenance. Ms. Fechter advised there was a representative present from Drug Mart if there are any questions.

Mr. McBride advised to him it does not make sense to have residential property on Nagel Road any longer. He said this issue will go to the ballot and that property owner is going to need to sell the adjacent residents and there needs to be some good solid buffering to protect those properties in the back from any commercial encroachments.

4. ORDINANCE NO. 72-22 – TO AUTHORIZE THE FINAL PLAT AND SUBDIVIDER'S AGREEMENT FOR RED TAIL SUBDIVISION NO. 17 Planning Referral

Ms. Fechter advised this subdivision is proposing 19 new homes. She said they have given the City a curb cut into Williams Court for future use. She said this request is in front of Council today asking for a positive vote on the subdivision. Ms. Fechter stated the deposits have not been made as yet, but they will be made prior to next Monday night.

5. ORDINANCE NO. 73-22 – ACCEPTING THE INSURANCE PROPOSAL SUBMITTED BY ARTHUR J. GALLAGHER & CO. Mr. Logan

Mr. Logan advised our agent was before Council on May 16, 2022 and he talked about the policy renewals. He said they are still in a holding pattern regarding cyber liability and have not received quotes on those yet, but once those quotes are received a summary would be prepared. Mr. Logan stated in discussions with Mr. Gasior they would probably have a separate Ordinance on the cyber liability insurance. He advised the City's current policy for cyber liability is for \$1 million and costs a little over \$12,000 a year and that premium was probably going to increase by 30-40% due to no fault of the City's.

Mr. Logan advised as far as the liability and property insurance; it is increasing by about 7%. He said this year's premium was \$195,121 annually and it was going up to a little over \$208,000. Mr. Logan stated as Mr. Zastudil mentioned the bulk of that increase is concentrated in a couple of different lines of insurance namely auto and public entity liability. He said the City has not had a bad loss history nor bad claims; but it is just the environment we are in today with insurance. Mr. Logan advised that in the current policy year there have been three automobile claims totaling a little over \$13,000 and a couple of those were the results of uninsured motorists.

Mrs. Demaline advised with Mr. Zastudil explaining the market in Council and emails from Mr. Logan she feels comfortable with the proposal, and she thanked Mr. Logan.

6. [ORDINANCE NO. 74-22](#) – TO AWARD THE BID FOR THE 2022 AVON PAVEMENT MARKING PROGRAM Mr. Cummins

Mr. Cummins advised on May 26, 2022 there was a bid opening here at City Hall and one bid was received for the project. He said the bid came in at approximately 1% below the engineer's estimate. Mr. Cummins stated the bid is for \$188,093.63 and the engineer's estimate was \$190,000. He advised the bid that was supplied is by JD Striping & Services, Inc. out of Ravenna, Ohio. Mr. Cummins said he believes this company has completed the program for Avon a few times in the past few years and has always done a nice job. He stated given that the bid came in under the engineer's estimate and the company has a good track record of performing the work; he recommends they be considered the best bid and an acceptable bid for the project.

Mr. Radcliffe inquired if there was any change in scope from what has been done in the past.

Mr. Cummins advised it varies each year a little bit with projects that are going on. He said as an example State Route 83 is going to be resurfaced so that will be part of the ODOT project to put new markings on the new asphalt. Mr. Cummins stated there are always changes like that, but in general they try to cover all the pavement markings throughout the City.

Mrs. Demaline asked for an estimated timeline of the work beginning and being completed.

Mr. Cummins advised in general once the project is awarded and the contracts are executed and there is a pre-construction meeting, generally within the next month after that, the contractor will give us his schedule. He said some of this work is temperature sensitive, so he anticipates this work running in the August early September timeframe.

Mrs. Demaline asked if the work was going to be done overnight.

Mr. Cummins answered yes, it has always been done overnight.

7. [ORDINANCE NO. 75-22](#) – AUTHORIZING THE MAYOR TO TAKE ALL ACTIONS NECESSARY TO ACCEPT THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) ENERGIZED COMMUNITY GRANT(S) Mr. Logan

Mr. Logan advised Council passed Ordinance No. 28-22 in March for the NOPEC grant and NOPEC did not like the one Whereas clause referencing the 2021 grant. He said that clause has been removed and Ordinance No. 75-22 repeals Ordinance No. 28-22 passed on March 14, 2022. Mr. Logan stated this Ordinance is essentially the same, but any reference to a 2021 grant was removed. He advised there is a process to go through with NOPEC on their portal to submit the grant agreement. Mr. Logan said once Council passes this Ordinance next Monday night there should not be any issues, but they need to submit something before the end of June and is reason he is asking for passage next week.

8. [ORDINANCE NO. 76-22](#) – TO ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY MERIDIAN CONSTRUCTION & DESIGN INC., LOCATED IN THE RIGHT OF WAY ACROSS THE FRONTAGE AT 31880 MILLS ROAD Mr. Streator

Mr. Streator advised all the public improvements have been satisfactorily met and signed off by all the department heads.

9. [ORDINANCE NO. 77-22](#) – TO AMEND SECTION 277.02 OF CODIFIED ORDINANCES OF THE CITY OF AVON CONCERNING COMPENSATION FOR MEMBERS OF THE TREE COMMISSION

Mayor Jensen

Mayor Jensen advised over the course of the last three years; they have tried to put together a Tree Commission to try to receive the designation of Tree City USA and the Tree Commission was ultimately established last year. He said the City's vision initially was to have a voluntary board, but the Tree Commission has worked as hard if not harder than the City's other Commissions to try to get grant money for the City and have been very faithful in meeting and working toward those goals. Mayor Jensen stated a way to thank them for their hard work and dedication, like the other City boards, is to pay them for their time and effort and it comes out to less than \$100 per meeting per person. He advised these members have worked hard and at least two of them are attending some seminars to educate themselves more and he feels the City is going to become more dependent on the Tree Commission. Mayor Jensen felt the City should recognize that effort and compensate them similar to what they are compensating the other Commissions as a way of saying thank you.

Mr. McBride inquired as to the proposed compensation rate.

Mr. Gasior advised it is similar to what the City pays the Civil Service Commission members and the Landmarks Preservation Commission.

Mayor Jensen advised it is approximately \$1100 a year.

10. [ORDINANCE NO. 78-22](#) – ESTABLISHING A TEMPORARY MORATORIUM ON THE KEEPING OF ANY NEW LIVESTOCK, THE KEEPING OF ANY NEW EQUINE AND FUR-BEARING ANIMALS, THE PERFORMANCE OF NEW POULTRY HUSBANDRY AS PART OF FARM USE WITHIN THE R-1 SINGLE-FAMILY AND R-3 MULTI-FAMILY RESIDENTIAL ZONES AS ADDRESSED IN PART 12 OF THE CITY OF AVON CODIFIED ORDINANCES

Mr. McBride

Mr. McBride advised he spoke with several members of Council and a couple of residents in his Ward who live in a smaller lot subdivision where there are chicken coops. He said the current Ordinance is almost 50 years old. Mr. McBride stated this issue came before them because of a specific instance and the more he looks at it and Mr. Gasior has done some research on it that he would like to see a temporary moratorium established. He advised he does not want to lose the farms in Avon, but there are some commonsense things that need to occur. Mr. McBride said if someone buys a larger piece of property and they build a home and a stable and a kennel or a chicken coop, he does not believe our current zoning code is adequate to specify what is allowable. He inquired if you own 5 or 10 acres of land, how close is the stable going to be to the adjoining property lines. Mr. McBride felt they need some time to do some more research. He stated the previously suggested Ordinance would require 7 or 8 acres and currently he believes it is only a couple of acres. Mr. McBride advised he wanted to take some time and be thoughtful about how this is done. He said they have to consider odors from manure as neighbors are not going to want to smell that. Mr. McBride stated they should do it right so that another Council will not be considering this issue for another fifty years. He advised he does not want to ban farms and does not want to prohibit someone from farming or having a couple of horses under proper circumstances. Mr. McBride said it could be a good thing or it could be a bad thing and if they are thoughtful, they can make it a good thing. He stated he does not believe they need a separate zoning district, but they need some parameters under which people can function without taking away property rights.

Mr. Fischer advised he agreed the setbacks need to be looked at and he would like to see this issue in a Legal Committee by the end of the summer. He said he knows Mr. Gasior needs some time to research the issue and asked if Mr. McBride is amenable to a Legal Committee being called soon. Mr. Fischer stated he would like to see something done sooner rather than later.

Mr. McBride advised he would like to get at least a draft of something before Council is on summer break as in July and August there is only one Regular Meeting each of those months and it is already June. He said he knows that Ms. Fechter received a call from a resident who has some property who is no longer farming it, but they offered their opinion on how many acres they felt was fair. Mr. McBride stated the City needs time to pull some information together such as Ordinances from other cities and we will see where we go from there.

Mr. Fischer asked if there was anyone present in the audience who wished to speak on this issue.

Jennifer Cupar of 33603 Hawkesbury Court thanked Council and Mayor Jensen for the opportunity to speak. She said her family strongly supports the moratorium on bringing in new livestock and farm animals to give Council the time to adequately analyze this issue. Ms. Cupar advised they think that preserving the status quo is really the fairest way to do that and allow the City to go about doing their work thoughtfully and carefully. She stated she has lived in Avon for fifty years and she understands that the current Ordinances were appropriate fifty years ago when Avon was a very small quiet rural town of 7,000 residents. Ms. Cupar advised Avon is now a thriving suburban City of almost 25,000 residents and growing. She said the residential development is growing every year as well and the City ordinances need to be amenable to that and deal appropriately with Avon of today and not Avon of fifty years ago. Ms. Cupar stated as Mr. McBride said large farm animals smell and there is no question that can affect neighboring property values and the enjoyment of neighboring properties. She advised one horse puts out up to ten tons of manure every year and under the City's current ordinances there is only a fifty-foot setback line from adjoining property lines and she felt that is a lot of manure fifty feet from someone's backyard. Ms. Cupar said cities that have dealt with this issue have dealt with it in a variety of ways as some outlaw farm animals altogether in residentially zoned areas such as Bay Village, Chagrin Falls and many others. She stated other cities have imposed increased setbacks and restrictions on the number of farm animals that can be kept in residentially zoned areas as well as the method of keeping those animals. Ms. Cupar advised cities such as Aurora and Middleburg Heights that, like Avon, used to be smaller towns and now are much bigger have very recently addressed this issue. She said Aurora addressed it in 2021 and Middleburg Heights addressed it last month in May of 2022. Ms. Cupar stated these cities took a look at amending their ordinances with an eye to making sure that farm animals do not affect the enjoyment of abutting property owners. She advised both of those cities are much smaller than Avon and they have not experienced the exponential growth that Avon has. Ms. Cupar said that because the keeping of farm animals clearly has the potential to negatively affect the property values monetarily and the enjoyment of neighboring properties, she strongly urged Council to pass this moratorium and carefully think through how to amend Avon's ordinances for the next fifty to one hundred years.

Mayor Jensen inquired regarding those two cities she mentioned if they had satisfactory results.

Ms. Cupar advised Aurora and Middleburg Heights had two very different rules established, but she felt that they both had great ideas that could work for Avon and that is part of why she thinks they need time to carefully consider as there are a host of options that they could consider taking. She said that Avon is growing and is probably a denser population than either of these cities and maybe Avon needs stricter restrictions than those cities.

Daniel Kierce of 33607 Hawkesbury Court advised he and his family have lived in Avon for eighteen years, sixteen years in the Vineyards and two years on Hawkesbury Court. He said Avon is our home and we love the City of Avon. Mr. Kierce stated as they know a lot has changed in the last fifty years and in that time Avon has grown into one of the best rated suburban communities in Cleveland and the thanks belongs to a lot of them on this Council so they are very proud of their town. He agreed with Mr. McBride that Council needs time to give thoughtful consideration and analysis to how this plays out. Mr. Kierce advised he does not want to eliminate farms; however, they have a situation where someone could drop livestock fifty feet from his house. He said his situation is a little different as they have four children and they love living in a residential area, but two of his sons are autistic and very scared of large animals and very sensitive to noises and smells. Mr. Kierce stated those sons are thriving since his family moved to Hawkesbury Court because it is a nice quiet suburban setting and yet someone right now could drop in seventeen horses within fifty feet of his house and that frightens him. He advised not only would they lose the value of their property, but they would lose their whole quality of life as the life of his children will permanently change to the point where they would have to move from a house they just

moved into two years ago. Mr. Kierce said that could happen anywhere in Avon right now with the way that the Code is currently. He stated they are asking that Council pass the moratorium to give time to work through the issue to see what is appropriate for the City of Avon now.

11. RESOLUTION NO. R-21-22 – REQUESTING THAT THE COUNTY AUDITOR, PURSUANT TO OHIO REVISED CODE SECTION 5705.03, CERTIFY TO THE CITY OF AVON THE TOTAL CURRENT TAX VALUATION OF THE CITY OF AVON HAVING TERRITORY LOCATED IN LORAIN COUNTY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A 1.90 MILL RENEWAL LEVY FOR STREET MAINTENANCE AND REPAIRS Mr. Logan

Mr. Logan advised this is the first step to renew this property tax levy. He said the Street Department Levy is coming up for renewal next year and they can be renewed in the year before their final collection or wait until the year of final collection. He said the Administration thought that they would request that this be on the November ballot as the school has no property tax or other levies on the ballot for November 2022. Mr. Logan stated this would be a renewal and there would be no increase in property taxes. He advised the 1.90 is the full millage and the City is currently collecting at about 1.39 mills, which is a little over \$1.5 million per year and that basically funds the Street Department. Mr. Logan said the Street Department does receive some funding through gas tax and motor vehicle registrations from the State of Ohio, but this levy is the Street Department's largest source of funding. He stated the first is for the Lorain County Auditor to certify the values and the City will follow that up with a Resolution to place a renewal levy on the ballot on November 8, 2022 so that Resolution would probably need to be passed in July.

Mr. Gasior noted that they could pass it at the meeting in August, but that was cutting it close as the Regular Meeting is on August 8, 2022 and the deadline to submit ballot issues to the Board of Elections is August 10, 2022.

Mr. Logan advised ideally, they would like it passed in July once they receive these values back and the County typically responds fairly quickly.

Mayor Jensen asked how much money was spent on road projects this year.

Mr. Logan advised they may use some of this levy money toward road projects, but the City has other funds for those and this year the City is well over \$2 million for road projects.

Mayor Jensen advised he wants people to realize that the City uses quite a bit more than the levy brings in. He mentioned SR 83 is going to be repaved and that does not include ODOT's portion, and it is substantially more than the \$1.5 million collected from the levy.

Mr. Logan agreed and advised the City's share of the SR 83 project is a little over \$700,000 although they hope it will come in a little less once ODOT bids out the project. He said that for the other road projects such as Shakespeare Lane and Jaycox Road south and more; they were looking at between \$2 to \$2.5 million.

Mayor Jensen advised without that levy the City would only be able to do half the projects that are being planned.

Mr. McBride suggested that they try to get this accomplished before the end of June.

Mr. Gasior advised statutorily the County has 10-15 days to get that valuation back to the City. He said then they should be able to get something acted on by July for placement on the ballot.

## 12. REPORTS AND COMMENTS

MAYOR JENSEN reminded Council that even with the rezoning that could take place for Drug Mart, it is going to be incumbent upon Council and the Administration to put in some of those buffers that are going to be needed because with the development that is going to take place, if it were to pass, they need to hold Drug Mart responsible to put those buffers in place as residents will come to the City after the fact.

## COUNCIL MEMBERS:

MRS. DEMALINE, WARD 1 advised she saw that the Avon Police Department is going to be having the BBQ with the Blue on Saturday at Veterans Memorial Park. She said she felt that is a fantastic community policy opportunity and she gave kudos to Mayor Jensen and Chief Fischbach for that effort.

Mrs. Demaline said she also noticed that there are going to be concerts back this summer at the gazebo at the corner of Stoney Ridge Road and Detroit Road and she is really pleased to see that happening as well. She thanked Mayor Jensen for continuing with that program.

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 advised the Avon Lion's Club is having their annual Fishing Derby at Northgate Park this Saturday. He said they generally have about 200 kids catching fish and he invited Council to stop by as it is a fun event for everyone.

MR. FISCHER, AT LARGE asked Mr. Cummins for an update on when Council would be expecting the bids for the approved sidewalk project this year. He said he understands they are still waiting on some things, but Council wanted sidewalks installed this spring and we are fast approaching summer.

Mr. Cummins advised they will be coming in with the piece of legislation for the assessment for the Avon Road sidewalk project as those plans are complete. He said they are waiting for a utility company, Lumen, to move some guide wires, but plans are ready to go and cost estimates are ready to go and he would be working with Mr. Gasior to come before Council with legislation to assess that project.

Mr. Fischer asked if that would be at the end of June or later.

Mr. Cummins advised he would talk to Mr. Gasior to see if we can get it on the second set of meetings in June.

Mr. Fischer asked if that is when the bids would go out.

Mr. Cummins advised that is when they would come before Council for the assessments.

Mr. Fischer asked if we still had to go through the bid process after that.

Mr. Cummins nodded.

Mr. Fischer asked if there was a ballpark idea of when.

Mr. Cummins advised it could be under construction in the fall.

Mr. Fischer inquired if we are going to miss all summer for sidewalk projects.

Mr. Cummins advised he believes that is true; yes.

Mr. Fischer said that is disappointing.

Mr. Fischer advised he would be out of town next week so he will not be at next week's Council meeting.

## DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER had no comments.

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

MR. GASIOR, LAW DIRECTOR advised he wanted to comment on item #9 – Ordinance No. 77-22 – the Tree Commission. He pointed out that Council Member Tony Moore would not be compensated as a part of that Commission because he is a Council Member and Council's pay cannot be increased during a term so Ordinance No. 77-22 does not apply to Mr. Moore.

MR. LOGAN, FINANCE DIRECTOR advised he would have a reappropriation Ordinance at the next Work Session to budget those Tree Commission salaries for the rest of the year.

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

AUDIENCE:

There were no comments from the audience members.

13. EXECUTIVE SESSION: 8:26 p.m.

A motion was made by Mr. McBride and seconded by Mrs. Holtzmeier to Enter Into Executive Session for the Purpose of Discussing Pending/Imminent Litigation and for the Purpose of Discussing the Purchase of Real Estate; and the vote was: Mrs. Demaline, "yes"; Mrs. Holtzmeier, "yes"; Mr. McBride, "yes"; Mr. Moore, "yes"; Mr. Radcliffe, "yes"; Mr. Witherspoon, "yes"; Mr. Fischer, "yes".

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

14. RECONVENE: 9:12 p.m.

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

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

15. ADJOURN: 9:13 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