

**MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE  
CITY OF AVON, OHIO HELD MONDAY, JUNE 19, 2023  
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING  
AT 7:30 P.M.**

PRESENT: Council Members: 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– Steve Presley; Safety/Public Service Director – Duane Streater; Clerk of Council – Barbara Brooks

ABSENT: 1<sup>st</sup> Ward – Jennifer Demaline

1. [ORDINANCE NO. 81-23](#) – ACCEPTING THE INSURANCE PROPOSAL SUBMITTED BY MCGOWAN GOVERNMENT UNDERWRITERS Mr. Presley

Mr. Presley advised the City’s insurance will expire on June 30<sup>th</sup> and in preparation for that he solicited proposals for insurance. He said the current expiring insurance is through Gallagher and they have the insurance from Traveler’s and he kept them with the current program to bid. Mr. Presley stated Gallagher did ask if they could also bring in a proposal from Zurich but he had already assigned Zurich to McGowan and so McGowan prepared their quote with the underwriter of Zurich. He advised Jackson Deacon, who was previously the agent for Avon approximately four or five years ago, submitted a proposal for US Specialty. Mr. Presley said as a result of the proposals that were brought in, they could see that the Gallagher renewal with Travelers their service fee would be \$246,605 and the McGowan with Zurich would be \$216,777 and US Specialty through Jackson Deacon would be \$229,992. He stated in looking at all of these insurances and all of the deductibles in the information distributed last week, all of the underlying insurance and deductibles were very comparable and in some instances Zurich has no deductible. Mr. Presley advised for a savings of almost \$30,000 at \$29,828, it would be his recommendation to accept the McGowan proposal utilizing Zurich Insurance. He said he has previously used Zurich and it is a very good company with customer service and claims representation. Mr. Presley stated Zurich has been in the Ohio market for about four or five years and he saw no reason not to accept their proposal and pocket the additional savings. He advised the expiring premium on the package plan that ends June 30<sup>th</sup>, \$221,870 was the cost last year and on the cyber liability it was \$25,928 so the City is under last year’s cost by approximately \$8,000.

Mr. Radcliffe said previously Council met Mr. Zastudil of Gallagher and he asked who the contact would be for McGowan if they are the accepted agency.

Mr. Presley advised he would have to look up his name, but he confirmed they are local with offices in Fairview Park.

Mr. Radcliffe indicated he was looking for confirmation that a contact would be readily available if needed as that was one of the things that was appealing as Mr. Zastudil was available and familiar with the City’s needs. He said the savings was very nice to see.

Mr. Presley advised McGowan is located in the old Ford building on Lorain Road by Fairview Park City Hall. He confirmed that the package includes the general liability that lists the coverages for the \$216,777. He said Ordinance No. 82-23 is for the cyber plan, which would be the \$23,120 with the total cost being \$239,897.

2. [ORDINANCE NO. 82-23](#) – ACCEPTING THE CYBER LIABILITY INSURANCE PROPOSAL SUBMITTED BY MCGOWAN GOVERNMENT UNDERWRITERS Mr. Presley

See discussion above.

3. [ORDINANCE NO. 83-23 – ESTABLISHING A TAX BUDGET FOR THE CURRENT EXPENDITURES OF THE CITY OF AVON, LORAIN COUNTY, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024](#)  
Mr. Presley

Mr. Presley advised this is the first step in fiscal year 2024. He said the Tax Budget is used to establish need so that the County will collect for the City all the property taxes that the residents voted for and approved the City to collect. Mr. Presley clarified that this is not an appropriation Ordinance and it does not give the City the authority to spend any dollars, but shows a need to the County to collect the property taxes that have been approved to collect. He said the amounts are estimates throughout and he does not expect to see the revenue from the real estate taxes come in at these numbers as there is roughly a 3.5% increase for any new construction to cover ourselves because if we do not show the need and there should be the availability of funds we could not collect 100% of the property taxes so it is built up a little higher than what he expects to see. Mr. Presley stated the certificate should come back later this month from the County. He advised in the Special Revenue Funds that number is less and does not include the Parks Levy that will be discussed later in this meeting and since the levy expires at the end of 2023, he cannot include it in the 2024 budget at this time.

4. [ORDINANCE NO. 84-23 – TO ACCEPT IMPROVEMENTS IN RED TAIL SUBDIVISION NO. 17](#)  
Mr. Streator

Mr. Streator advised the City is working with the Developer and we anticipate having everything wrapped up before next Monday's meeting and the sign-off sheet will be distributed prior to the vote and they were pretty close to finishing all the punch list items.

Mr. Presley confirmed he has received all the necessary deposits and bonding documents.

5. [ORDINANCE NO. 85-23 – AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO PURCHASE REAL ESTATE LOCATED OFF OF FRENCH CREEK ROAD \(REAR LOT\) IN THE CITY OF AVON PERMANENT PARCEL NO. 04-00-010-113-071 FROM RANDALL B. FRATIANNE AND GARY C. FRATIANNE](#)  
Mr. Gasior

Mr. Gasior advised this parcel was discussed with Council last week and the price is what the City appraiser appraised the property at and the purchase agreement is attached to the Ordinance and they are all set. He said he was happy to answer any questions from Council, but the agreement is straightforward. Mr. Gasior noted that in these cases, the City usually picks up the closing costs which are about \$800.

6. [RESOLUTION NO. R-26-23 – TO SUBMIT TO THE ELECTORS OF AVON THE QUESTION OF THE RENEWAL OF AN EXISTING .45 MILL TAX LEVY FOR THE PURPOSE OF PROVIDING FOR THE MAINTENANCE, MANAGEMENT AND OPERATION OF PUBLIC PARKS AND RECREATIONAL ACTIVITIES PURSUANT TO ORC SECTION 5705.19\(H\)](#)  
Mr. Gasior

Mr. Gasior advised this Resolution is before Council tonight because the Administration anticipates receiving the total tax valuation from the County Auditor pursuant to our statutory request made in Resolution No. R-25-23. He said it is his understanding that we should get tax valuation by the end of this week and once it is received then Mr. Presley will provide the figures to insert in the body of the legislation. Mr. Gasior stated if we can get those figures and pass this Resolution on June 26, 2023, it will give some cushion to get it to the Board of Elections. He advised the July 10, 2023 meeting will be the last opportunity because the first meeting in August is cutting it too close to get it to the Board of Elections so if there is any kind of hiccup hopefully it will get passed by July 10, 2023, but he expects to have the final draft of this legislation for Monday, June 26, 2023. Mr. Gasior noted this is a renewal levy.

Mayor Jensen asked Mr. Presley what the .45 mills generates currently.

Mr. Presley advised the .45 mills is the actual millage that was adopted at the time the levy was first put before the voters. He said currently, he believes it collects at .28 mills on the residential with total collection for this year at \$369,000.

Mayor Jensen advised the voters are not being asked to increase this levy, but it is just a renewal and not a replacement levy.

Mr. Gasior noted the effective rate will drop even further.

7. REPORTS AND COMMENTS

MAYOR JENSEN had no comments.

COUNCIL MEMBERS:

MRS. DEMALINE, WARD 1 was absent.

MRS. HOLTZMEIER, AT LARGE had no comments.

MR. MCBRIDE, WARD 2 had no comments.

MR. MOORE, WARD 3 advised he would be in St. Louis for a regional soccer tournament for his child and if the team advances there is a possibility he may be absent next week.

MR. RADCLIFFE, WARD 4 had no comments.

MR. WITHERSPOON, AT LARGE had no comments.

MR. FISCHER, AT LARGE had no comments.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER had no comments.

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

MR. GASIOR, LAW DIRECTOR had no comments.

MR. PRESLEY, FINANCE DIRECTOR had no comments.

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

AUDIENCE:

There were no comments from the audience members.

8. ADJOURN: 7:42 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