MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE CITY OF AVON, OHIO HELD MONDAY, JULY 6, 2026 IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING 36080 CHESTER ROAD, AVON, OHIO 44011 AT 7:30 P.M.

PRESENT:
Council Members: Council-at-Large – Mary Berges; 1st Ward – Jennifer Demaline; 2nd Ward – Anne Marie Etienne; 3rd Ward – Anthony Moore; Council-at-Large – Michelle Patton; 4th Ward – Scott Radcliffe; 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.

Council President Brian Fischer called the meeting to order.

1. DISCUSSION REGARDING PUBLIC RIGHT-OF-WAY EXCAVATION PRACTICES Mayor Jensen

Mayor Jensen opened this item by providing context, noting that following a recent gas explosion in Twinsburg Township, the City Administration convened a meeting at City Hall with representatives from Columbia Gas, Brightspeed, and Brightspeed's subcontractors. Mayor Jensen then turned the floor over to Mr. Cummins to detail what was discussed.

Mr. Cummins confirmed that the meeting took place the prior Thursday and was called specifically in response to the Twinsburg Township explosion. He acknowledged that details about that particular incident were still limited at the time of the meeting but emphasized that the gathering served an important purpose regardless: to refocus all parties on protecting Avon residents and their property, ensuring that restorations are completed in a timely manner, and improving coordination between the gas company and the contractors working in the City's right-of-way. Mr. Cummins noted that each side had an opportunity to share the difficulties they face, which he described as a valuable and constructive exchange. He characterized the overall outcome as "very positive" and expressed optimism that, as the project ramps up toward completion, there would be greater dedication to addressing problems quickly and improving communication.

Mr. Radcliffe followed up, noting that while the gas safety concern was one issue, the ongoing problem of contractors failing to properly restore residents' right-of-way areas — such as grass, landscaping and other disturbed areas— had been a persistent complaint throughout the duration of the project. Mr. Cummins confirmed that this issue was raised directly with both Brightspeed and its subcontractors during the meeting. He noted that Ms. Morahan from the Service Department, who handles those resident calls on the front lines, was present and spoke to her experiences. Mr. Cummins added that Brightspeed and its contractors expressed appreciation for the way Avon has managed the process and demonstrated a willingness to be more proactive going forward.

Mrs. Demaline asked whether, to Mr. Cummins' understanding, all safety protocols were being followed and whether all utility lines were being properly marked prior to any excavation. Mr. Cummins responded affirmatively, stating that this topic was specifically discussed at the meeting. He noted that Brightspeed had generally done a good job of waiting for utility markings before proceeding, and that the contractors expressed their own frustration with the time it sometimes takes for the gas company to complete those markings — which, Mr. Cummins suggested, was precisely why the face-to-face dialogue was so valuable. He concluded by stating that, to his knowledge, all safety requirements were being met.

Mr. Fischer then raised the question of a second fiber installation company operating in the City, noting that Brightspeed was approaching from the north and another company had been working from the south. Mr. Streator clarified that Ripple Fiber had not yet started their work and was still in the review process, with Mr. Fischer suggesting that the conversation about safety and right-of-way restoration practices be held with Ripple Fiber before they commence operations.

2. ORDINANCE NO. 65-26 – 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 A PARCEL OF LAND CONSISTING OF APPROXIMATELY FIVE (5) ACRES LOCATED AT 34550 CHESTER ROAD, PERMANENT PARCEL NO.: 04-00-021-000-092 FROM C-4/O-2 GENERAL BUSINESS/PLANNED RESEARCH OFFICE PARK OVERLAY TO C-4/M-1/O-2 GENERAL BUSINESS/GENERAL INDUSTRIAL/PLANNED RESEARCH OFFICE PARK OVERLAY

Planning Referral

The third of three readings of Ordinance No. 65-26 will be held on Monday, July 13, 2026

A Public Hearing for Ordinance No. 65-26 will be held on Monday, July 13, 2026, at 7:25 p.m.

No discussion was held about this agenda item.

3. ORDINANCE NO. 74-26 – 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 THIRTEEN (13) PARCELS OF LAND CONSISTING OF APPROXIMATELY 95.24 ACRES 12 OF WHICH ARE LOCATED BETWEEN 33000 AND 33501 JUST IMAGINE DRIVE, AND ONE AT 1443 NAGEL ROAD, FROM C-4/M-1 GENERAL BUSINESS/GENERAL INDUSTRIAL OVERLAY DISTRICT TO C-4 GENERAL BUSINESS DISTRICT Planning Referral

The first of three readings of Ordinance No. 74-26 will be held on Monday, July 13, 2026

A Public Hearing for Ordinance No. 74-26 will be held on Monday, September 14, 2026, at 7:25 p.m.

Ms. Fechter explained that the purpose of the Ordinance is to remove the M-1 General Industrial zoning district overlay from the stretch of property running from the Cleveland Clinic signage westward to the GetGo at the intersection of Nagel Road and Just Imagine Drive. Ms. Fechter stated that given the significant development activity along that corridor — including the expansion of the Cleveland Clinic, new retail establishments, a jewelry store under construction, and a daycare facility soon to begin construction — the City Administration and Planning Commission agreed it was no longer appropriate to permit industrial uses in that area. She indicated that while most applications coming before the City in that zone do not propose industrial uses, the more appropriate course of action is to formally remove the industrial designation and establish the area as strictly commercial. Ms. Fechter confirmed that the Planning Commission voted 3-0 in favor of the referral.

4. ORDINANCE NO. 75-26 – AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE CITY OF NORTH RIDGEVILLE FOR THE ASPHALT RESURFACING OF MILLS ROAD FROM STONEY RIDGE ROAD TO WESTLAKE MUNICIPAL BOUNDARY Mayor Jensen

Mayor Jensen confirmed that the Ordinance represented the formalization of the previously discussed joint paving effort with the City of North Ridgeville. Mayor Jensen noted that the same item was expected to appear on North Ridgeville's Council agenda that same evening, and that the City was proceeding with the expectation of a favorable outcome there as well. The goal is to complete the resurfacing of Mills Road in the current year through a cooperative arrangement between the two municipalities.

Mr. Radcliffe asked whether the agreement would include sidewalk improvements in the affected area on the north side of Mills Road. Mayor Jensen confirmed that it does not — the cooperative agreement covers asphalt resurfacing only.

No further questions were raised.

5. ORDINANCE NO. 76-26 – AUTHORIZING THE MAYOR TO ENTER INTO MASTER DONATION AGREEMENTS WITH CHARITABLE ORGANIZATIONS UNDER THE CURRENT CONTRACT WITH ENCOMPASS MARKETING Mr. Gasior

Mr. Gasior explained that the Ordinance is intended to formalize a process that has already been occurring in practice. Specifically, it establishes a framework by which donors who wish to receive tax benefits under Section 501(c)(3) can channel their donations through a qualifying nonprofit organization, which then ensures the funds are directed to the City. Mr. Gasior described it as a "master agreement" that would not be used in every instance, but only where it is appropriate for a given donor.

Ms. Berges asked whether there was a defined list of charitable organizations through which the City would work for these pass-through arrangements. Mr. Gasior invited Paula Pitasky of Encompass Marketing to address the question directly.

Ms. Pitasky, from Encompass Marketing at 36311 Detroit Road, Suite 201, provided two concrete examples of how the arrangement has already been utilized. She explained that the French Creek Foundation served as the pass-through for the Ford Motor Company donation which was intended to purchase a vehicle for the Senior Center, and that the local baseball league served as the pass-through for the batting cage donation — also at Ford's request, as Ford required the gifts to flow through a nonprofit. Ms. Pitasky explained that the purpose of this Ordinance is to create a formal agreement that protects all parties and ensures donations are properly directed to the City in a timely manner. She indicated that, when possible, the City would prefer to work with the French Creek Foundation given the positive working relationship that has developed.

Ms. Berges noted that she recalled the French Creek Foundation also serving as the conduit for playground donations in the past and expressed satisfaction with the clarification. Mayor Jensen added that once the City's Community Improvement Corporation (CIC) becomes operational, it would represent another available 501(c)(3) option and would likely be the preferred vehicle going forward.

No further questions were raised.

6. ORDINANCE NO. 77-26 – TO AMEND AND SUPPLEMENT APPROPRIATIONS ORDINANCE NO. 106-25 Mr. Presley

Mr. Presley presented the supplemental appropriations ordinance, walking Council through each line item in detail.

Under the General Fund, Mr. Presley noted the following additions: a transfer of $230,000 to the Mills Road Paving Fund No. 440 to cover the City's anticipated costs for the cooperative resurfacing project with North Ridgeville, with Avon performing all accounting, contracting, and engineering and billing North Ridgeville for its proportionate share; a transfer of $225,000 to the State Route 611 Urban Paving Fund No. 429 to begin engineering for that corridor, which has received State funding; a new part-time Construction Manager position under the Safety Director at $50,000, which was not included in the original budget; corresponding increases for OPERS $7,000 and Medicare $725 associated with that position; and an increase of $50,000 in City Hall contract services for architect/engineering work on the Council Chambers renovation. The total General Fund increase was stated as $562,725.

Under the Economic Development Fund, Mr. Presley noted an increase of $150,000 in building improvements to cover the renovation of the Jameson House, the relocation and renovation of the donated rail car, and related work. Within the SR-611 Fund and the Mills Road Fund, the respective $225,000 and $230,000 were appropriated to mirror the transfers from the General Fund. The total increase in appropriations was stated as $1,167,725, with Mr. Presley noting that a significant portion reflects double-counting due to the transfer-in and corresponding appropriation in the respective funds.

Mr. Radcliffe requested a brief update on the two new expenditure items — the rail car and the part-time Construction Manager position. Mayor Jensen responded that the Construction Manager position is tied to the second Fire Station construction project, as previously discussed. Regarding the rail car, Mayor Jensen explained that the rail car is being donated by Mr. Larson, and is currently located in Olde Avon Village, near the Strip Steakhouse. The City will need to fund the relocation of the rail car to the Jameson House site. The $150,000 in the Economic Development Fund is intended to cover the rail car relocation, renovation of the Jameson House itself to prepare it for use by the Recreation Department, and the construction of restrooms on the second floor of the building to make that space usable.

Mayor Jensen also took the opportunity to invite all Council Members to arrive at the new City Hall at 6:30 p.m. on the following Monday, July 13, prior to the Regular Meeting of Council, to tour the gymnasium space (future Council Chambers) and the second-floor restrooms, and optionally to walk over to the Jameson House to visualize the condition and understand the renovations needed. Mayor Jensen confirmed that the Construction Manager position had not yet been filled, but that the funding was being established in advance of hiring, and that resumes from applicants — many of whom are from out of state and have relevant experience with projects of similar magnitude — would be distributed to Council Members for review.

Mrs. Demaline asked for clarification on the State Route 611 Urban Paving Fund appropriation. Mr. Cummins explained that ODOT had notified the City of funding availability for a pavement condition resurfacing project on State Route 611 north of I-90, from Detroit Road to the Sheffield border, for asphalt resurfacing as well as concrete repairs. Mr. Cummins clarified this is not the area of the I-90 interchange and the on-ramp at State Route 611 but is a pavement condition resurfacing project.

Mayor Jensen elaborated on the area Mrs. Demaline was referring to regarding the on ramp at State Route 611 saying that rather than waiting three or four years to receive State funding — which by that time would likely be offset by increased construction costs — the City intends to move forward more independently. Mayor Jensen also referenced the need for a right-turn lane improvement on that corridor, noting that drivers were already navigating that way informally, and emphasized that waiting on State grant timelines would mean losing years of opportunity.

Mrs. Demaline asked for a timeline on the Urban Paving Project on State Route 611 that Mr. Cummins explained. Mr. Cummins stated it would likely be in the 2028 fiscal year with bidding anticipated in the fall of 2027.

7. RESOLUTION NO. R-11-26 – TO ADVERTISE FOR BIDS FOR THE MILLS ROAD RESURFACING PROJECT Mr. Cummins

Mr. Cummins explained that the purpose is to authorize the City to go out to bid for the Mills Road resurfacing project in advance of the cooperative agreement being formally ratified by both municipalities (Avon and North Ridgeville). Mr. Cummins stated that initiating the bid process now would give the project the best chance of being completed within the current construction season, with an anticipated start of construction shortly after the Labor Day holiday. The plan is to return to Council with acceptable bids once the intergovernmental agreements are fully executed.

No questions were raised from Council.

8. RESOLUTION NO. R-12-26 – TO ADVERTISE FOR BIDS FOR THE TRAXLER FAMILY ARBORETUM PEDESTRIAN BRIDGE PROJECT IN THE CITY OF AVON Mr. Cummins

Mr. Cummins presented this Resolution, noting that the project would be delivered as a design-build contract. He referenced an image of a bridge from a different location in the State as an example of what the final product might look like at the Traxler property. Mr. Cummins explained that while the City is prepared to go out to bid, the award of any contract cannot occur until the grant agreement documents with the Ohio Department of Natural Resources (ODNR) are finalized, as the City secured approximately $500,000 in grant funding from the most recent State capital budget, and that funding flows through ODNR's contracting and award process. He noted that given the limited number of Council meetings in July and August, the Administration wished to get the bid advertisement underway so that it could move quickly once the grant paperwork is in order.

Mr. Radcliffe inquired about the width of the bridge, noting the approximately 70-foot span in length listed in the materials. Mr. Cummins indicated the bridge is planned to be 8 feet wide. Mayor Jensen added that while the bridge would not accommodate automotive traffic, it would be wide enough for a Kubota utility vehicle, allowing Police or Fire Department personnel access through the park if needed.

Mrs. Demaline asked whether this bridge was intended to replace the one that existed on the property prior to acquisition, specifically the connection on the Stoney Ridge Road side of the property. Mayor Jensen confirmed that was correct. Mrs. Demaline then asked about the timeline for the overall Traxler property design, noting that Council had previously engaged a design firm for that parcel.

Mr. Cummins elaborated that it is a design-build project, where the construction team would finalize the design, which could affect lead times for bridge fabrication.

Mayor Jensen also clarified the broader site plan context: the bridge is sited as the pedestrian entry point, with a driveway accessing the two parcels purchased on Stoney Ridge Road, and a trail connecting through to the Avon High School's secondary egress point.

Mrs. Demaline asked when Council would see the design for the Traxler property from that design company.

Mayor Jensen stated that the design firm had recently completed a coordination meeting with the Tree Commission, which was involved in the planning process, and that the full design should be available to Council sometime the following week.

Ms. Berges asked whether the City had a preference for type of bridge materials that would be used. Mr. Cummins explained that the image provided depicts a bridge constructed of Corten steel — a material that intentionally weathers to a rust-like patina — with wood railings. Mayor Jensen noted the similarity in appearance to the bridge at the park located at Jaycox Road and Riegelsberger Road, suggesting it would have a cohesive aesthetic consistent with existing park infrastructure in the City.

9. <u>ACKNOWLEDGEMENT OF RECEIPT OF "NOTICE OF RELOCATION" FROM THE VILLAGE OF WALTON HILLS, OHIO CONCERNING THE CLEVELAND CLINIC FOUNDATION PURSUANT TO OHIO REVISED CODE 3735.673</u> Mayor Jensen

Mayor Jensen explained that the Village of Walton Hills is seeking to enter into a Community Reinvestment Area (CRA) agreement with a company proposing to build a facility for the Cleveland Clinic Foundation. As required by Ohio Revised Code Section 3735.673, all potentially affected municipalities — 19 in total — received formal notification of the proposed relocation. Mayor Jensen noted that the CRA agreement filing indicates a potential movement of 11 employees from the existing Cleveland Clinic location in Avon. He offered context to temper any concern, pointing out that Avon's Cleveland Clinic facility has already exceeded that number in new hires during the current year alone, and that the notification pertains only to a first phase of activity at the Walton Hills location. It does not encompass the ongoing expansion of the Avon campus — including the second bed tower, the emergency department expansion, or additional medical facilities under development — which are entirely separate matters. Mayor Jensen's characterization was that the Walton Hills project appears to be a consolidation of operations from multiple locations into a single new facility.

No questions were raised from Council.

10. <u>REPORTS AND COMMENTS</u>

MAYOR JENSEN reported that Finance Director Mr. Presley would be on vacation the following week and encouraged Council members to direct any questions about the supplemental appropriations or other financial matters to Mr. Presley or to Mayor Jensen directly. He closed his remarks with an enthusiastic "Go USA," referencing the U.S. Men's National Team soccer match scheduled for that evening.

COUNCIL MEMBERS:

MS. BERGES, AT LARGE, reported positively on the Fourth of July Bike Parade, calling it a great success despite the heat, and thanked everyone involved. She then raised a question about an upcoming rodeo event at the Crusher Stadium, asking whether it would take place in the parking lot or on the artificial turf field. Mayor Jensen confirmed it would be held on the turf, noting that the organizers that represented the event had done this in similar indoor arenas elsewhere, and that protective materials such as plywood and plastic sheeting would be laid down. Mayor Jensen noted that Mr. Presley had already raised the issue of ensuring the event organizers carry sufficient insurance to cover any potential damage to the turf.

MRS. DEMALINE, WARD 1, offered thanks to Mayor Jensen, the Administration, and the full team, citing the volume of positive projects moving forward — Mills Road, the Traxler Bridge, and sidewalks on Detroit Road — as evidence of productive collaboration between Council and the Administration. Mayor Jensen confirmed that a contract had been signed for the Colorado Avenue sidewalk work and that he had spoken with Ms. Clements that day to ensure the work would proceed promptly. Mayor Jensen graciously acknowledged that Council's support and approval is what makes all of these projects possible and reflected warmly on the number of residents who had approached elected Officials at the Bike Parade to express appreciation.

MS. ETIENNE, WARD 2, shared that the Fourth of July Bike Parade was her first as a Council Member and that she thoroughly enjoyed being a part of it. She concluded her remarks by saying, “Go USA!”

MR. MOORE, WARD 3, had no comments.

MS. PATTON, AT LARGE, had no comments.

MR. RADCLIFFE, WARD 4, expanded on Ms. Berges’ concern about the stadium turf, raising a broader question about the overall condition and wear of the artificial surface. He noted that the field has seen a significant volume and variety of uses — soccer matches, wrestling events, the upcoming rodeo, and others — that were perhaps not all anticipated when the turf was originally installed. Mr. Radcliffe asked whether the City had an independent inspection process in place to document the turf's condition and protect the City's interests, particularly in the event of damage attributable to a specific event. Mr. Streator responded that a company has been under annual contract since the turf was installed to perform repairs and condition inspections, and confirmed that he and Mr. Gasior had recently discussed the possibility of commissioning an independent evaluation from the City's own perspective — separate from the vendor's assessment — given the increasing intensity of use across different areas of the field, including wear patterns from soccer that differ from those of a traditional baseball field. Mr. Streator indicated this was a high priority item. Mr. Radcliffe acknowledged that he supported all the uses the field was seeing and merely wanted to ensure the City was protecting its long-term investment.

MR. FISCHER, AT LARGE, concluded his comments by saying, “Go USA!”

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER, had no comments.

MS. FECHTER, PLANNING/ECONOMIC DEVELOPMENT 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, added that the Police Department had been noticeably active over the prior three weeks in addressing an uptick in e-bike activity among youth and even some adults/parents in the community, with efforts focused on education and safety awareness. He also noted that the Fire Department had been extremely busy, citing frequent siren activity as evidence, though he indicated he had inadvertently left his call volume report behind. Mr. Fischer mentioned that there was a fire in his neighborhood this past week and there was an outstanding response by the both Avon Fire Department and Avon Police Department. He asked Mr. Streator to pass along his appreciation.

AUDIENCE:

There were no comments from the audience.

11. ADJOURN: 8:04 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