

**MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE  
CITY OF AVON, OHIO HELD MONDAY, AUGUST 1, 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; 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

**ABSENT:** 2<sup>nd</sup> Ward - Dennis McBride

1. PROCLAIMING MARCH 21<sup>ST</sup> AS SAVE SOIL DAY IN AVON Mayor Jensen  
Mayor Jensen advised as stewards of the earth he, in cooperation with City Council, proclaimed March 21<sup>st</sup> as Save Soil Day in Avon as soil is vital to all life and he urged all citizens to be a part of the Save Soil movement to create a brighter future for our children and our planet. He presented the Proclamation to Ram Appana, a representative of the Save Soil movement, and a group photo was taken with Mr. Appana, City Council and Mayor Jensen. Mr. Appana expressed his appreciation and gratitude.

2. ORDINANCE NO. 83-22 – TO AMEND SECTION 1244.12(d)(5)(A),(D)(3) and (D)(4) OF THE CODIFIED ORDINANCES OF THE CITY OF AVON REGARDING FINAL PLAT SUBMISSION REQUIREMENTS FOR ADDRESS MAPS Planning Referral  
A Public Hearing will be held on Monday, August 8, 2022 at 7:25 p.m.  
The Third of Three Readings will be held at the Regular Meeting on Monday, August 8, 2022

Ms. Fechter advised she had no new comments to add.

3. ORDINANCE NO. 94-22 – GRANTING A SPECIAL USE PERMIT TO 951 REALTY, LTD. TO ALLOW THEIR TENANT, ADVANCED POLYMER COATINGS, INC., TO INSTALL A 45' 3 ¼" HIGH ABOVE GROUND STORAGE CONTAINER FOR HAZARDOUS MATERIAL ON PROPERTY LOCATED AT 951 JAYCOX ROAD Planning Referral  
Ms. Fechter advised Advanced Polymer Coatings came before the Planning Commission proposing a 20,000 square foot expansion of their facility. She said they plan to have a silo on the property for chemical storage of microcrystalline silica. Ms. Fechter stated the Avon Fire Department reviewed the structure and asked that bollards be placed around the silo, but they recommend its approval.

4. ORDINANCE NO. 95-22 – 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 12.24 ACRE PARCEL OF LAND LOCATED NORTH OF MIDDLETON ROAD AND WEST OF PENDLETON COURT, PERMANENT PARCEL NO. 10-04-00-022-102-072 FROM R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO C-4 GENERAL BUSINESS DISTRICT Planning Referral  
First of Three Readings on Monday, August 8, 2022  
A Public Hearing to be held on Monday, September 26, 2022 at 7:25 p.m.

Ms. Fechter advised back in 2006 the City took another look at the overview map and came up with Ordinance No. 95-06 carving out a few sections of the Code. She said many refer to this area in the purple box as the halo and it is located on the overview map just north of Middleton Road where Meijer is located. Ms. Fechter stated in that purple box it was determined that property should be zoned commercial even though it is currently designated as residential. She advised what that means is that the applicant still must go through the process for rezoning through Planning Commission and City Council, but it does not require a vote of the people because it was determined that area should be commercial. Ms. Fechter said the property owner has had a survey conducted to make that definitive line of where the proposed Middleton Road is going to be located to the south and to the north. She stated all the properties south toward Detroit Road will continue to remain zoned residential.

Ms. Fechter advised the applicant is requesting that their property from Middleton Road north to the freeway be zoned commercial.

Mr. Gasior advised he believes they are going to be dealing with two permanent parcel numbers and this Ordinance currently only reflects one parcel, but because this is a Work Session, he wanted to get the legislation in front of Council. He said he believes there is a very small portion of the one permanent parcel number that extends from Detroit Road north that will be included in the rezoning and then there is a portion that is from I-90 going south, but not the entire parcel, that will be included in the rezoning. Mr. Gasior stated the Ordinance currently only reflects one permanent parcel number, but over the course of the week he would have both permanent parcel numbers added to this Ordinance with the exact amount of acreage in each one.

Mr. Cummins confirmed Mr. Gasior's comments to be correct.

Mr. Gasior advised tonight Council only was given one permanent parcel number, but he wanted them to bear in mind that there is that meeting of the north and the south and the critical piece is Middleton Road.

Ms. Fechter said that is correct.

Mr. Fischer asked if he heard correctly that this rezoning request does not have to go on the ballot for a vote.

Ms. Fechter said correct, it does not have to go before the voters. She stated the map was updated in the early 2000's and some areas were determined that the zoning should not be designated as it is currently but that it would be more conducive to being commercially zoned.

Mr. Fischer inquired who made this determination.

Ms. Fechter advised the City hired D.B. Hartt Inc of Cleveland to review the zoning map to verify what has been done and recommend any changes. He said it was the consultant's professional opinion that the properties along I-90 should not be zoned residential but should be zoned commercial. Ms. Fechter stated the City did not require the property owner to rezone the property at that time, but when they were ready, they would be able to request rezoning and not have to go before the voters.

Mr. Fischer asked if it would eventually have to go before the voters.

Ms. Fechter advised no, it would not.

Mr. Fischer asked how we got around that requirement by law when rezoning.

Mr. Gasior advised the parcels that are being impacted here are all within what they have been calling the halo, which is that purple box. He said Middleton Road runs east to west and any parcel that is north of Middleton Road will need to be rezoned commercial, but it will not have to go on the ballot. Mr. Gasior stated if they cross over the imaginary Middleton Road and go outside of that box then a rezoning request would have to go to the ballot. He advised that the key to this whole rezoning is that the City has to make sure that all the permanent parcels (there are two parcels here) are included on the north side of Middleton Road and make sure they are in that purple box or halo to confirm they do not have to be placed on the ballot. Mr. Gasior said if any property for rezoning crosses over to the south side of the proposed Middleton Road, then it would have to go to the ballot, if it should want to be designated as residential, but that is not what they are looking at, at this point.

Mr. Cummins advised to Mr. Gasior's point, he believes that is correct. He said he wanted to add that as part of this request to rezone, the property owner is offering to extend a highway easement under 100' wide that would be the future home of the Middleton Road extension on either side. Mr. Cummins stated in addition to the 100', they are offering to establish a 12' utility easement on both sides of the future Middleton Road right of way extension. He advised there are also three different creeks or ditches that cross this particular area; Heider Ditch, and then two feeders into that ditch. Mr. Cummins said the property owners are also offering to provide for drainage easements outside of the Middleton Road right of way extension and the associated utility easements

that will be needed for the future extension of Middleton Road, to physically construct the road across there. He stated to his understanding they have offered to grant those easements to the City as part of this process.

Mrs. Holtzmeier inquired if those considerations Mr. Cummins just mentioned are part of any legislation or in writing for the City.

Mr. Gasior advised not at this point, but they have been part of the discussion. He said the legislation currently in front of Council only reflects one permanent parcel number so to the extent that something like that needs to be added in verbiage, he would be happy to do that. Mr. Gasior reiterated that Council will be seeing a second permanent parcel number, but he did not get in touch with the property owner as Ms. Fechter was out of town and a lot of other things going on so he was not able to nail that down. He stated they are going to have two permanent parcel numbers and they will try to reflect something along the lines of Mrs. Holtzmeier's point in the verbiage.

Mrs. Holtzmeier thanked Mr. Gasior.

Mr. Fischer asked to see the area being discussed on the map.

The area was pointed out on the overview map as the area in the purple box known as Charter Amendment Area 6.

Mr. Gasior advised he believes the understanding from day one with this request was that the exact location of Middleton Road was always open to question, but it was clear that as far as you go west to that one parcel as long as it was north of Middleton Road and of course dedicating a portion of land for Middleton Road as Mr. Cummins pointed out that 100' would be dedicated to the City for use as Middleton Road.

Ms. Fechter added that Ordinance No. 95-06 was included in their Council packet which shows a number of areas that were passed by the voters, but she only included the area being discussed which is Area 6. She advised in that document it shows the area in question. Ms. Fechter said as Mr. Gasior stated they were not sure where Middleton Road was going to be placed because Meijer might have installed Middleton Road so there might be a little bit of adjustment on the north for Middleton Road to make that commercially zoned.

It should be noted that Ms. Fechter was referring to Ordinance No. 95-06 where a Charter Amendment of Article VII, Section 2(e)(1)(2)(3) was passed by the voters on November 7, 2006, to allow exceptions for rezoning requests without an affirmative vote of a majority of the electors if the property to be rezoned meets certain criteria.

5. [ORDINANCE NO. 96-22 – REAPPROPRIATIONS](#)

Mr. Logan

Mr. Logan explained the reappropriations as follows:

General Fund No. 101

Increase appropriations \$2,191.00 for the purchase of new cash receipt software to be used for building permit receipts in conjunction with the existing building and planning software, City View. The total cost of this software is \$24,382.00 and will be split equally between the building and finance departments.

Appropriate \$10,000.00 for demolition of the structure behind recently acquired City property on Detroit Road and general clean-up of the property. He advised this is the property formerly known as Buck's Hardware.

Appropriate \$1,000.00 for operating supplies for the Tree Commission. Mr. Logan advised they realized when they budgeted for the compensation of the Tree Commission Members, they probably should have included some other miscellaneous expenses.

Total General Fund Re-appropriations

\$13,191.00

Special Revenue Funds  
Recycling Fund No. 202

Increase appropriations \$800.00 items to promote recycling in the City.

Total Re-appropriations All Funds

\$13,991.00

Mrs. Demaline inquired regarding the \$10,000 for the demolition of the structure as to what exactly is the status with that property and that building.

Mayor Jensen advised the only thing they are doing with that property right now is that there are some outbuildings that need to be removed. He said they still have not gotten back all the reports yet if the building is salvageable or what the structure is like, but they know the outbuildings behind the main structure are in disrepair. Mayor Jensen stated before the City owned the property it was believed that someone was living in the outbuilding and the City wants to make sure that is all cleaned up. He advised that is the reason they are only asking for this minimum amount to get that cleaned up and once they have more information on the condition of what is left, they will be coming to Council with the next step in the process. Mayor Jensen said Mr. Gasior asked someone to look at the property as did the City Building Department. He stated once there is a real plan for the main structure he would update Council, but these are the outbuildings behind the main building.

Mrs. Demaline asked if it was safe to assume that more funds will be reappropriated to do more cleanup of this property.

Mayor Jensen answered absolutely and said once they know more information they will be coming back to Council and Council will have to decide based on the information they are given which direction they want the City to go.

Mrs. Demaline inquired as to when they anticipate knowing more.

Mayor Jensen advised he hoped within this month.

Mrs. Demaline inquired regarding the \$1,000 for operating supplies for the Tree Commission if that was part of the Arbor Day events.

Mr. Logan answered no and said a minimal amount of this \$1,000 was for the purchase of nameplates for the Tree Commission for when they hold their meetings. He said it could be used for these kinds of supplies. Mr. Logan stated that the Arbor Day expenses would come out of the Tree Commission line item where the \$50,000 is set up and allocated.

Mrs. Demaline inquired about the \$800 for the recycling promotional items.

Mrs. Brooks advised the City is required to spend 10% of the grant funds on advertising

Mrs. Demaline asked how the City advertises for recycling.

Mrs. Brooks advised the City has a recycling table at several events throughout the year such as the upcoming Safety Fair and provides recycling information and hands out giveaways.

Mr. Witherspoon asked if Buck's Hardware is on the historical building listing.

Mayor Jensen answered that he believes it is on the historical building listing. He advised if it should be determined that the main structure is not sound then the City will have to go through the demolition application process before anything can be done.

6. [ORDINANCE NO. 97-22 – TO REJECT THE BID FOR CONSTRUCTION OF RESTROOM FACILITIES AT THE AVON AQUATIC CENTER, NORTHGATE PARK AND EAGLE POINT PARK](#) Mr. Cummins

Mr. Cummins advised the City went out to bid recently for those restroom facilities and the architect previously estimated the cost of the project to be approximately \$328,322.00. He said the bids were opened on July 7, 2022, here at City Hall and only one bid was received from a contractor who bid \$784,100.00, which is 240% higher than estimated. Mr. Cummins stated it is the City's recommendation to reject that bid. He advised they have since had discussions with the architect about a plan to move forward and he still is of the opinion that the estimated cost for those facilities should be about \$137,000 per facility. Mr. Cummins said they are asking the architect to reorganize the bid documents as before there was a single set of documents to construct a very specific type of building. He stated there is legislation on tonight's agenda that asks for permission to rebid and that will be the basis for a design build. Mr. Cummins advised it is possible that a contractor could bid from the exact plans that the architect has already prepared, but a contractor that has a working relationship with an architect could also prepare his own plans to incorporate more value engineering into the design. He said they have also structured the bids in such a way that prefabricated units could be bid as well. Mr. Cummins stated they are trying to get as much competition as they possibly can. He advised in talking with the contractor who submitted a bid, the high bid was blamed on labor market conditions as this contractor said he generally has 3 to 4 subcontractors giving him prices for each package i.e. electrical, carpentry and the like. Mr. Cummins said this contractor indicated that he would have to beg people to get a number, or he might only get one or two numbers. He stated the City also had a time frame of finishing the construction project this year, so they are considering relaxing the time frame by setting a June of 2023 date for the first unit to be completed at the Aquatic Center. Mr. Cummins advised they are setting the bid up in such a way that if we can get an acceptable bid for one unit then have a price if they want to go on and build other units from that point. He said they are trying to make the rebid as flexible as they can and introduce as much competition as we can in hopes of combatting some of these economic forces that the City is dealing with at this time.

7. [ORDINANCE NO. 98-22](#) – AMENDING §256.04 OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO REVISE THE CLASS SPECIFICATION TO CREATE THE PERMANENT FULL-TIME POSITION OF CLERK OF COURTS Mayor Jensen

Mayor Jensen advised this position is currently permanent part-time and as some of the duties that the Clerk has been performing by assisting the Human Resources Specialist, they are asking Council to move this into a permanent full-time position. He said the current employee in this position is already working approximately 32 hours so it would be an additional 8-12 hours per week.

Mr. Gasior advised he looked at the Class Spec in Section 256.98 and in speaking with the outside counsel there was no need to amend the Class Spec. He said whether this position is part-time or full-time the duties and the general job description remain the same. Mr. Gasior stated what Council has in front of them is the addition of that position with the asterisk that denotes an unclassified full-time position.

8. [ORDINANCE NO. 99-22](#) – TO ESTABLISH A RANGE OF COMPENSATION FOR THE FULL-TIME, UNCLASSIFIED POSITION OF CLERK OF COURTS FOR THE CITY OF AVON Mayor Jensen

Mayor Jensen advised this is to establish the pay range. He said the current employee is paid somewhere around \$21.50/hr. and would be staying close within that range.

9. [ORDINANCE NO. 100-22](#) – AUTHORIZING THE MAYOR TO ENTER INTO A MULTI-JURISDICTIONAL AGREEMENT FOR THE NORTHEAST LORAIN COUNTY TACTICAL RESPONSE TEAM COMPRISED OF THE CITY OF AVON, CITY OF AVON LAKE AND CITY OF NORTH RIDGEVILLE Mr. Streator

Mr. Streator advised the Police Department established a tactical response team with these two jurisdictions. He said currently Avon Police Department participates in the Lorain County S.W.A.T. team and this is a tactical team that would serve these three communities well and on a quicker basis. Mr. Streator stated the Chiefs of the respective communities got together and drafted the response team and the MOU and their respective Law Directors have reviewed the agreement. He advised this agreement basically takes our officers and teams them up with the other two cities to comprise a three-city tactical team.

Mr. Radcliffe advised currently Avon relies on Lorain County S.W.A.T. for situations where the City might need additional assistance and heavier responses to specific situations. He inquired if we are now forming an agreement with Avon Lake and North Ridgeville, what does that mean for training and budgeting for equipment.

Mr. Streator advised Avon has already obtained a lot of the equipment and most of the equipment of the three officers that the City supplies to the Lorain County team are using Avon's equipment. He said there is a little bit of an increased cost in equipment, but it is well within the Chief's budget and anything that is purchased outside with the three cities would be part of the team expenditure.

Mr. Radcliffe inquired if it would be a team account per sé amongst the three cities.

Mr. Streator advised if something is purchased together then yes, but each city is responsible for their officers and their equipment.

Mr. Radcliffe inquired if it were a situation thing where Avon would need to have the current guys that respond to a Lorain County S.W.A.T. issue.

Mr. Streator advised in the future, it is the plan to have those officers serve on this tactical team and not the Lorain County team.

Mr. Radcliffe inquired if the City would have officers that would serve on both.

Mr. Streator clarified that Avon officers would only serve on the tactical team and that Avon no longer would participate in the Lorain County team and the City would no longer supply the officers to that program.

Mr. Radcliffe asked if there was any issue with the management of the current Lorain County program.

Mr. Streator advised he believes the three Chiefs feel they can devise their own team and be more efficient for our communities.

Mrs. Demaline advised she felt this is a great idea. She said when she was campaigning for her Ward seat on Council she met with the different Chiefs and different Directors and that was something that the Avon Chief of Police expressed to her that a quicker swifter response is needed in a crisis on the eastern end of Lorain County. Mrs. Demaline stated she is pleased to see that this is moving forward. She said to be able to understand it more she asked if she is correct in that it is three stand-alone cities who will continue to stand alone, and they were not forming any Council of Governments or any specific entity that would govern this group.

Mr. Streator confirmed her statement and said it is the three Chiefs and the agreement provides for them to agree by a two-thirds vote. He said there is no financial Council of Governments or anything of that nature, but each City is responsible for the equipment and will provide the manpower for the team.

Mrs. Demaline said it looks like they are going to start this off with fifteen positions; twelve operators, two team leaders and a team commander.

Mr. Streator advised that is the hope of the group to get that established.

Mrs. Demaline asked for confirmation that those employees will remain employees of their respective communities. She asked if this would be done on training time or overtime or whatever is needed to make this a functional team.

Mr. Streator said that is correct.

Mrs. Demaline advised she was not sure where they stand as far as population to Avon Lake or to North Ridgeville, but she asked if each community has an equal stake in this even though each community may have different needs from this tactical team and that the input is all going to be the same.

Mr. Streator advised that is correct.

Mrs. Demaline asked if each City would have five members of the fifteen on the team as stated in Section 7.

Mr. Streator advised he thought the exact numbers were taken out of the draft agreement. He said the numbers will work off the operational guidelines so there is not a minimum amount. Mr. Streator apologized for the confusion and stated he would get that corrected and provide Council with the final agreement prior to next week's vote.

Mrs. Demaline said regardless of the numbers each community would have an equal amount of participants going into this agreement.

Mr. Streator said the short answer is yes. He stated they took the exact numbers out of the agreement so that if there is a team where they only had twelve from amongst the three cities they could still operate as a team as the number was not tied to the MOU.

Mrs. Demaline advised she feels this is important and she is pleased to see these departments working together on this effort.

10. RESOLUTION NO. R-26-22 – TO READVERTISE FOR BIDS FOR THE CONSTRUCTION OF RESTROOM FACILITIES AT THE AVON AQUATIC CENTER, NORTHGATE PARK AND EAGLE POINT PARK Mr. Cummins

Mr. Cummins advised this is the item spoken of earlier in this meeting. He said he would like to stress that the desire is to build three structures; however, based on the market conditions and providing the flexibility as much as they can it is possible that out of this process comes a recommendation to build the first structure or the first and the second structures. Mr. Cummins stated it is also possible that the recommendation comes to build all three structures, but they are trying to go one step at a time to see about getting good prices and then hopefully being able to project that across multiple structures.

Mr. Fischer inquired if it would be based on the estimated cost per structure of \$137,000.

Mr. Cummins advised yes, that is the architect's estimated cost per structure and the bid could vary from that somewhat. He said then the City will make a recommendation depending on the contractor and the price that was bid and the timeline whether it is appropriate to try and project that across all three or two or only the first structure.

11. RESOLUTION NO. R-27-22 – TO ADVERTISE FOR BIDS FOR THE AVON POLICE DEPARTMENT TO PURCHASE AND INSTALL NEW DISPATCH CONSOLES Mr. Streator

Mr. Streator advised this is for the Police Department dispatch operation to upgrade the dispatch area. He said the building was built in 2007 so this would be the first upgrade to the dispatch center and its configuration. Mr. Streator stated they will install new dispatch consoles as a lot has changed since 2007 and many things are now paperless, and these consoles will be able to incorporate more of the computer systems in a better fashion. He advised the Chief is looking at changing the layout of the room so that it is more efficient and the flow of the room better. Mr. Streator said this item was budgeted for this year but because the consoles are estimated at over \$50,000 to purchase the three consoles they will be going out for bid.

12. REPORTS AND COMMENTS  
MAYOR JENSEN had no comments.

COUNCIL MEMBERS:

MRS. DEMALINE, WARD 1 asked Mayor Jensen and/or Director Streator if they have any information about the recent times that the Lorain County 9-1-1 system has gone down. She asked if those problems have been rectified.

Mr. Streator advised he spoke with Lorain County Commissioner Lundy on Friday, and they are working with Windstream as the provider. There are three phone systems in Lorain County, but Windstream is the major provider, and it is Windstream's equipment that is causing the system to go down and it is out of the County's control. He said Commissioner Lundy indicated they are looking at going up the chain of command at Windstream to make sure this does not happen again.

Mrs. Demaline inquired if the City has ever considered or looked at other options for consolidated dispatch outside of what the County operates.

Mr. Streator advised the problem that we have in Lorain County with the 9-1-1 system is that because there are separate phone systems in Lorain County the 9-1-1 system must go through a central answering point. He said when you call 9-1-1 anywhere in Lorain County it goes to the central answering point, but in Cuyahoga County it goes to a specific location unless you are calling from a cell phone which changes everything. Mr. Streator stated to go with anything different he believes the State law is controlling how the 9-1-1 answering points are set up. He advised to his knowledge anything different in Lorain County has never been explored.

MRS. HOLTZMEIER, AT LARGE had no comments.

MR. MCBRIDE, WARD 2 **arrived at 8:08 p.m.** and had no comments.

MR. MOORE, WARD 3 advised Mr. McBride has mentioned this issue quite a lot, but there are tons of temporary signs that keep popping up in the public right of way. He mentioned a psychic reader sign and a Pristine Power Wash sign as examples. Mr. Moore said he spent the whole day calling Ms. Clements, the Zoning Enforcement Officer. He suggested Council might want to consider revisiting this issue as these temporary signs are popping up all over and it is obnoxious and unsightly. Mr. Moore stated he does not know how the rest of Council feels but suggested they might want to consider stricter enforcement and imposing fines. He advised he would be in favor of looking at this issue and having a zero-tolerance policy.

MR. RADCLIFFE, WARD 4 had no comments.

MR. WITHERSPOON, AT LARGE advised Avon now has a dog park. He said Mayor Jensen cut the ribbon on Sunday for the official grand opening and there were probably 50-60 people present and 30 dogs and everyone got along well for the most part. Mr. Witherspoon stated it is a beautiful dog park if any of them get a chance to go see it. He advised the dogs were having a good time as well as the people. Mr. Witherspoon said the City did a fantastic job designing and creating the dog park as it is a very large dog park and there are a number of items for the dogs to play on and around. He stated Matt Canning and his family donated a lot of what was purchased for the dog park and it is a fantastic situation and the dogs are happy in Avon.

MR. FISCHER, AT LARGE thanked the Canning family for their generous donation that allowed the City to have such a nice dog park. He said Mrs. Fischer loves the dog park already.

#### DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER advised he was working with the Administration on an Ohio Public Works Commission application, and he may be bringing a piece of legislation for consideration next Monday. He said the legislation would be authorization to submit an application for Ohio Public Works funding and the Administration is doing some checking with the City of North Ridgeville about a potential joint project, otherwise they have another project to pursue. Mr. Cummins stated that issue will get worked out and they will potentially have a Resolution to authorize the submission of the grant application for Council to consider next Monday.

MS. FECHTER, ECONOMIC DEVELOPMENT/PLANNING COORDINATOR handed a packet of information to Council of Patriot Productions' "Remembering Our Fallen" program. She apologized as she was off last week and did not get a chance to work with Mr. Gasior before she left, but she is hopeful to work with him this week to bring something next Monday for Council to vote on. Ms. Fechter advised before the pandemic they looked into having a traveling Veterans Memorial wall come through Avon. She said due to Covid they considered pushing it back to 2023, but last minute there was a cancellation for September 1-5. Ms. Fechter stated they are traveling towers to remember our fallen and she provided the cost. She advised Sheri Seroka, a City business consultant, really was the one to dive right into this project. Ms. Fechter said Ms. Seroka scheduled opening ceremonies for September 1, 2022, at 10:00 am and has already set up the presentation of colors, the national anthem and a program for that morning. She stated the towers would be on display at the Veteran's memorial by Every Child's playground and would be there from September 1<sup>st</sup> to September 5<sup>th</sup>. Ms. Fechter advised it is a self-guided tour of sorts, but Patriot Productions provides an individual who is present for the entire

event plus Ms. Seroka has coordinated volunteers from the VFW who will rotate in and out to help answer any questions. She said she wanted to bring this to Council for their authorization for the Mayor to sign the agreement that would allow her to spend the money from the Economic Development budget to fund this event.

Mr. Fischer advised he felt it is a fantastic idea and he is all for it.

Mr. Radcliffe asked if there is enough space at the proposed location.

Mayor Jensen advised yes; it will be set up right along the blacktop walking trail by the Veterans Memorial toward the pavilion.

Mr. Fischer asked if he understood that someone will be present overnight to avoid vandalism.

Ms. Fechter advised the Police Station is right next door and there are cameras. She said someone would be present from early morning until dark each day. Ms. Fechter explained that part of the cost are the accommodations for the individual supplied by Patriotic Productions to be that tour guide and oversee the installation of the product. She stated it is an interesting setup as the towers are filled with water which allows them to remain in place without blowing over. This company has been doing this for quite a long time and people have positive things to say about it when it comes through their community.

MR. GASIOR, LAW DIRECTOR inquired if something needed to be added to the Reappropriations legislation for the traveling towers.

Ms. Fechter advised there are enough funds in the Economic Development budget.

MR. LOGAN, FINANCE DIRECTOR had no comments.

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

AUDIENCE: There were no public comments made from the audience members.

13. EXECUTIVE SESSION: 8:22 p.m.

A motion was made by Mrs. Demaline and seconded by Mr. Moore to Enter Into Executive Session for the Purpose of Discussing Pending/Imminent Litigation, 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: 8:44 p.m.

A motion was made by Mr. Moore and seconded by Mr. Radcliffe 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: 8:50 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