

**MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE  
CITY OF AVON, OHIO HELD MONDAY, AUGUST 5, 2019  
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING  
AT 7:30 P.M.**

**CHAIRMAN, CRAIG WITHERSPOON, CALLED THE MEETING TO ORDER**

**PRESENT:** Council Members: 1<sup>st</sup> Ward – Bob Butkowski; Council-at-Large – Brian Fischer; 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; Mayor – Bryan Jensen; City Engineer – Ryan Cummins; Service Director – Mike Farmer; Planning and Economic Development Coordinator – Pam Fechter; Law Director – John Gasior; Finance Director – William Logan; Clerk of Council – Barbara Brooks

The following items were considered in this Work Session:

1. DISCUSSION OF THE AVON POLICE STATION HVAC IMPROVEMENTS

Ronald Cocco, AIA of Clark & Post Architects, Inc.  
Michael Denk, PE of Denk Associates, Inc.

Mr. Cummins advised they have Ron Cocco of Clark & Post Architects and Michael Denk of Denk Associates, Inc. present tonight. He said this issue has been before Council in past years and there have been several presentations about how the HVAC system inside the Police Station is operating. Several companies have looked at the HVAC system and it is recognized as a building envelope type issue. There are some issues with how the insulation was performing inside the building and that was manifesting in how the HVAC system was performing. Mr. Cummins stated that while the companies all agree on the cause, they looked at different ways of trying to address it. He said the City first engaged a company called C.T. Consultants and they took a very over the top way of fixing the issues. Mr. Cummins advised Mr. Denk was brought in by C.T. Consultants at the end to look at the HVAC system and he liked what Mr. Denk had to say about how the HVAC system was designed and operates and how it could run, but the City did not agree with the recommendations of C.T. Consultants. He said in speaking with Mr. Denk, they thought it would be good to get an architect on board because it really is a building envelope issue at its core and that led to discussions with Mr. Cocco to come and look as well. Mr. Cummins stated Mr. Denk and Mr. Cocco looked at the building in tandem from the architectural point of view as well as the mechanical engineering point of view. He said Council has a copy of the report they released dated June 14, 2019 where they noted the conditions and made some recommendations. There have been further discussions based on that report and they were asked to prepare a fee proposal to take the ideas in that report and turn it into a set of plans and construction documents to go through a public bidding process to ensure the City is getting the best possible price for the work to be done and then Clark & Post would also oversee the project to its completion.

Mr. Cocco advised they provided their analysis of the building conditions as a building envelope and the mechanical condition. To simplify the explanation of the proposed process he brought a visual aid that was a clear box with a smaller white box inside. He stated there is an attic space in the police station in which there is a volume that is inside of it and all of the mechanical systems sit in this attic space and it has supply air that is ducted back down into the ceiling for the supply air, but all the return comes up through the plenum, through this volume, and feeds to the mechanical equipment that is in this attic space. Mr. Cocco said that air is creating some pressurization issues as a result. He advised their recommendation in a simplified format is to take that attic space where the mechanical equipment is located and to build a box around it. The clear box was representative of the attic space and the white box was representative of the enclosure that would be added around the mechanical equipment. Mr. Cocco continued by saying the white box will create a separate room environment within the attic space. The red in his visual aid represents the return air that would not be ducted directly back into the space and would not impact the attic space, the void around the white box, that they would be creating in the new room. He stated these are very simplified terms of what they propose and what they

believe will help solve the issue by getting ducted returns back to the units and encapsulate the upper level attic space where the mechanical equipment is housed to keep that as a separate stand alone room. And then the attic space will act as it was originally intended as a vented area.

Mr. Denk advised Mr. Cummins stated it very well that there is some insulation performance issues that are in that attic space that manifested itself through the HVAC system. He said as a result in the summer when it gets warm up there the ducts condense and there are some drips of moisture and possibly some control issues as the controls suffered some moisture damage. Then in the winter they would see some ice dams because the heat from the building is finding its way up to the underside of the roof. Mr. Denk stated that Mr. Cocco's visual aid shows that what will be inside the white box will be the mechanical equipment and everything around that box will be unconditioned, at almost the same temperature as outside and it will be able to separate the two. He said the other thing that must be done in that process is a fire suppression system that is throughout the attic space demonstrated by the clear cube and they will have to make that suppression system freeze proof so that it can withstand those conditions. Then by ducting to the space, they have encapsulated the HVAC system and the migrating of outside air to the inside and vice versa would be eliminated.

Mr. Cocco reiterated that is the process is very simplified terms. He feels it would provide a very effective and a very affordable solution.

Mr. McBride stated at one time there was an ad hoc workout room in that attic space. Mr. Cocco stated room is still there. Mr. McBride asked if something would be done with that workout space. Mr. Cocco explained that area would be enclosed within the finished conditioned space, demonstrated by the white box.

Mr. McBride asked Mr. Denk if it would eliminate the ice dam issue on the front of the building. Mr. Denk stated that sloped roofs and gutters are a little problematic with the sun and melting. This was not a part of the analysis to guarantee that issue would be gone might be difficult. Mr. Denk said what they would be doing is stopping any of the heat from the building from finding that area that would be causing that issue, but they will not be causing that issue.

Mr. Cocco advised it would become a naturally ventilated space and it should balance that whole attic space out. Mr. Denk added it should be cold in that space when it is cold outside and warm when it is warm outside, eliminating those differences that would promote that.

Mr. Butkowski advised that separating those two spaces makes sense. He said Council has had other proposals that brought in the idea of encapsulating or closing off the soffit space so there would not be any air flow above that closed off space. Mr. Butkowski stated that what is being proposed tonight is to keep that soffit open to the outside air but separating the space by enclosing the conditioned area so the area above that would have ambient temperature and they would not prematurely ruin the roof by not allowing the outside air underneath it.

Mr. Cocco confirmed that to be the case. He stated the roof plane is insulated and the shingles lay on top of that and they need natural ventilation to take place in that void between the insulation of the underside of the truss in that insulation because otherwise they risk the chance of moisture and damage to the underside of that insulated roof area.

Mr. Butkowski stated that was what he wanted to make certain because previously there was a proposal to close that space off and that was not going to be a good solution.

Mr. Cocco said additionally there is a certain amount of air volume that is required by code that you must ventilate that space.

Mr. Cocco confirmed there are ridge vents for proper ventilation to a question asked by Mr. McBride.

Mr. Witherspoon asked if there is not a current fire suppression system in place.

Mr. Cocco stated there is a sprinkler system in that attic space, but it is a wet system. He said what they are proposing would be modifying it and put it into a glycol system, antifreeze, to protect it from freezing. Mr. Cocco indicated it was a mystery as to how the current system was not frozen over and they were very lucky.

Mr. Denk advised the new system would take care of the whole building in addition to the attic space and it will be all in one system. He said there are some very costly ways to redo that system, the most cost effective and the tried and true system is to make that a glycol system so that it can exist in that area and it will not freeze.

Mr. Witherspoon asked as to the process for changing the system over.

Mr. Denk explained they have a special consultant that works with them that will oversee the scope of that portion of the project. He said they flush and clean out the system and refill with glycol and it will be checked on a regular basis.

Mr. Cocco advised the new system will have a valve control for that specific glycol line so it does not migrate into the rest of the wet system that will be handled on the lower floor. He clarified that it will not be a 100% glycol solution, but a mix.

Mr. Denk mentioned that the glycol system was actually much cleaner because when water sits in a sprinkler system it can do more damage.

Mr. Cummins stated they have put together draft legislation for Council to consider on Monday, August 12<sup>th</sup> giving Clark & Post the authorization to proceed with professional services to design and put together contract documents to install the fix.

2. [ORDINANCE NO. 48-19 – ADOPTING THE JUNE 10, 2019 REVISION TO THE STANDARD CONSTRUCTION DRAWINGS FOR THE CITY OF AVON](#) Planning Commission Referral  
A Public Hearing will be held on Monday, August 12, 2019 at 7:25 p.m.  
Third of Three Readings will be held at a Regular Meeting of Council on Monday, August 12, 2019

Ms. Fechter advised this issue was referred from City Council to Planning Commission and was heard at the June Planning Commission meeting and was voted in favor 5 to 0 to be referred back to City Council for consideration of approval.

3. [ORDINANCE NO. 65-19 – TO PROVIDE FOR THE ISSUANCE AND SALE OF MUNICIPAL RECREATION FACILITY NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS OF THE CITY OF AVON, OHIO, IN A PRINCIPAL AMOUNT NOT TO EXCEED \\$7,500,000 FOR THE PURPOSE OF PAYING THE COST OF CONSTRUCTING, RENOVATING, FURNISHING AND EQUIPPING MUNICIPAL RECREATION FACILITIES](#) Mr. Logan  
Third of Three Readings at a Special Meeting of Council  
Immediately Following this Work Session

Mr. Logan reminded Council that the maximum amount of the notes is \$7,500,000. He said in discussing it with the Mayor they plan to pay down these notes by 10%, \$750,000, from either TIF funds and/or General Fund. Mr. Logan advised they are going to treat this note sale by going out for a competitive bid, meaning that the underwriter who is going to sell these notes is going to bid on it. He said that will happen on August 21<sup>st</sup>. Mr. Logan stated it is thought the notes will go out at a 1.45 reoffer yield, which is a good rate as these notes last year were at a 1.90 total and that is in the City's favor. He reminded Council these are the pool notes and the infrastructure around the pool. The maturity date is September 4, 2019 so the new notes will be dated the 4<sup>th</sup> or 5<sup>th</sup> of September.

4. [ORDINANCE NO. 69-19 – REAPPROPRIATIONS](#) Mr. Logan

Addressed at a Special Meeting of Council  
Immediately Following this Work Session

Mr. Logan explained the appropriation amendments as follows:

General Fund No. 101

Increase appropriations for legal fees associated with the Kopf Construction Company special assessment lawsuit, \$125,000.00. The status of this lawsuit will be discussed with Council in Executive Session.

Mr. Logan advised the next three were all project funds coming up in the next couple of years. He said they were starting to incur additional engineering and other preliminary expenses and the reason he would like to transfer some money into the actual project funds prior to them taking place, which will be next year or the year after.

Appropriate and transfer funds in the amount of \$50,000.00 to the Detroit/Nagel Road Intersection Project Fund No. 404 for plan preparation, Safety Funding Application and other preliminary engineering expenses. This project will take place in 2020 or 2021.

Appropriate and transfer funds in the amount of \$50,000.00 to the Detroit Road Re-surfacing Project Fund No. 415 for program administration, field data collection and other preliminary engineering expense. This project will take place in 2020 or 2021.

Appropriate and transfer funds in the amount of \$50,000.00 to the Detroit Road Widening Project Fund No. 416 for surveying and preliminary engineering work. This project will take place in 2020 or 2021.

Total General Fund Re-appropriations \$275,000.00

Special Revenue Funds

Avon Aquatic Facility Fund No. 255

Increase appropriations \$20,000.00 for various operating expenses as the original budget for certain line items has been exhausted.

Total Special Revenue Funds Re-appropriations \$20,000.00

Capital Project Funds

Detroit/Nagel Road Intersection Project Fund No. 404

Appropriate for plan preparation, Safety Funding Application and other preliminary engineering expense. This project will take place in 2020 or 2021.

Detroit Road Re-surfacing Project Fund No. 415

Appropriate for program administration, field data collection and other preliminary engineering expense. This project will take place in 2020 or 2021.

Detroit Road Widening Project Fund No. 416

Appropriate for surveying and preliminary engineering work. This project will take place in 2020 or 2021.

SR 83 – Mills Road Round-a-bout Project Fund No, 482

Increase appropriations \$1,724.00 for the final settlement due the City of North Ridgeville in the amount of \$11,724.00. The City's final cost for this project is \$306,157.00.

Total Capital Projects Fund Re-appropriations \$151,724.00

Total Re-appropriations all funds \$446,724.00

Mayor Jensen reminded Council regarding the projects being funded by ODOT that the engineering is paid for by the City. He said when looking at a project that costs \$5 million, \$3 million is paid for by ODOT and a part of the \$2 million paid for by the City is for engineering. Mayor Jensen explained the City is appropriating ahead of time so when the projects come through there will be less money needed at that time.

Mr. Cummins added that it is typical of ODOT to require municipalities to pay for the engineering costs. He felt the common way to look at is that ODOT likes to see that the municipalities have "some skin in the game" and will take the efforts to make sure the project moves along and is completed.

Mr. Logan advised even if these costs were covered through an ODOT or federal grant, the City would still ask Council to appropriate the funds, spend the money and then seek the reimbursement once the project was underway.

5. [ORDINANCE NO. 70-19 – TO ACCEPT IMPROVEMENTS IN THE BENTLEY PARK EXTENSION SUBDIVISION](#) Mr. Farmer

Mr. Farmer advised they were looking for acceptance of Bentley Park Extension, Seton Drive, next Monday. He said deposits have been made for engineering for issues that needed to be addressed. Mr. Farmer explained there will be a routing sheet once all the parties sign off before the vote.

Mr. Logan confirmed all the required deposits have been made to the City.

Mayor Jensen explained they would like to get Seton Drive opened with school starting again soon so that everyone would know what the traffic pattern would be. He said if the Police need to make changes to patrolling certain areas then those adjustments can be made early in the school year.

6. [ORDINANCE NO. 71-19 – TO AUTHORIZE THE EXECUTION OF THEN AND NOW CERTIFICATES BY THE FINANCE DIRECTOR AND THE PAYMENT OF AMOUNTS DUE FOR VARIOUS PURCHASE ORDERS](#) Mr. Logan

Mr. Logan advised this is a condition that the Auditors have brought up with the City the last two years. He said from time to time there will be an invoice that there was not already a purchase order for. Mr. Logan stated if that invoice was over \$3000 there should have been a purchase order and subsequently the Auditors would like the City to do a Then and Now Certificate and to seek Council approval within 30 days of the date of the invoice. He said most of Council was at the post Audit conference and it was discussed briefly in that meeting. Mr. Logan stated this is the first one and Exhibit A shows the two invoices involved, each over \$3000 and they were asking for Council to approve the payment of those invoices. He said they have issued the purchase order, but it is dated after that invoice date.

7. [ORDINANCE NO. 72-19 – TO AWARD THE PUBLIC BID FOR THE 2019 PAVEMENT MARKING PROGRAM](#) Mr. Cummins

Mr. Cummins advised last Thursday there was a public bid opening for the 2019 Pavement Marking Program. There was one bid received from Dura Mark Inc., out of Aurora, Ohio. He believed Dura Mark did Avon's Pavement Marking two years ago. Mr. Cummins stated the bid is a valid bid and is under the engineer's estimate.

It has been reviewed and has been determined to be complete and it is recommended that it be considered the lowest and best bid and that a construction contract be awarded so the work can begin at the earliest possible time.

Mr. Radcliffe said the last time the City did this program he believed most of the marking was done in the evening hours away from the heaviest traffic schedules.

Mr. Cummins advised that is correct and it is the same specifications again this year and most of the work will be done overnight.

Mr. McBride asked if we received any feedback from non-bidders as to why they did not submit a bid.

Mr. Cummins stated they spoke with four potential bidders in advance and three of them said they had the specs and planned to bid, but only one ended up submitting a bid. He advised pavement marking companies are notorious for being overbooked and there are not a lot of them out there. Mr. Cummins said the City has received one bid in the past for this program and this was a valid bid.

8. ORDINANCE NO. 73-19 - DECLARING THE INTENTION OF THE CITY TO PARTICIPATE IN THE BRIDGE INSPECTION PROGRAM SERVICES BEING IMPLEMENTED BY THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) Mr. Cummins

Mr. Cummins advised this legislation is again asking for the City to participate in the bridge inspection program. He said probably six years ago the Ohio Department of Transportation stepping into the bridge inspection process. He stated that municipalities are responsible to inspect bridges within their jurisdiction and that was quite honestly being unevenly accomplished by municipalities across the State. Mr. Cummins indicated that ODOT recognized that issue and stepped in and created a program where they hire the bridge inspection consultants with large statewide contracts divvied up throughout the State in certain districts. He said the cities who elect to participate have all the bridge inspections completed at zero cost to the municipality. Mr. Cummins added it is a very good program that would otherwise cost in the \$10,000 to \$20,000 per year range to have all the bridge inspections completed. He said this program also includes load grading of the bridges to make sure if there are any issues with deterioration over time that any load considerations are made. Mr. Cummins stated that ODOT has been easy to work with as a part of this program and the inspections are done in a timely manner and they seem to be very consistent across the board as far as the results that are given as they are choosing good consultants to do the work. He recommends that City Council consider participating in this program again this year for another three-year time period.

Mr. McBride asked if it included all bridges within the City of Avon whether they were State Route bridges or non-State Route bridges.

Mr. Cummins confirmed that to be correct. He said if they are over a span of twenty feet then they are required to be inspected each year.

Mr. McBride asked if the City has any bridges that span under twenty feet that should be inspected.

Mr. Cummins felt that was possible when you get into the area of culverts, but none come to mind right away.

Mr. McBride asked about the one on Mills Road.

Mr. Cummins advised he would have to look at that specifically to know the span of that bridge. He said there is some discussion currently about bridges along Avon Road and Just Imagine Drive that were constructed when the freeway was built, and no one ever took possession of them. Mr. Cummins stated ODOT has recently identified those bridges and he will be reaching out to Lorain County to see if they have any input. He said he may be back before Council requesting the City take possession of those bridges.

9. ORDINANCE NO. 74-19 – AUTHORIZING THE ENGAGEMENT OF CLARK & POST ARCHITECTS, INC. FOR THE PROVISION OF PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES RELATED TO BUILDING ENVELOPE AND HVAC IMPROVEMENTS AT THE AVON POLICE STATION  
Mr. Cummins

Mr. Cummins advised this is the proposed legislation discussed at the top of the meeting to hire Clark & Post Architects. He said it will be both Clark & Post and Denk Associates performing the work. Mr. Cummins stated they would like to get them going with design so we can get into construction.

10. RESOLUTION NO. R-18-19 – IN SUPPORT OF AND AFFIRMING AN APPLICATION MADE THROUGH THE CAPITAL BUDGET PROCESS FOR VARIOUS CAPITAL PROJECTS LISTED HEREIN  
Mr. Logan

Mr. Logan advised every two years the City applies for Capital Budget projects through the State Legislature, Gayle Manning’s office in this case. He said they neglected to put a Resolution in front of Council to authorize the City to submit that application. Mr. Logan explained that applications were submitted in December of 2017 for four different projects and Mr. Cummins prioritized those projects. The top project was the Veterans Memorial, for which the City was awarded \$200,000 through this budget process. The grant is administered through the Ohio Department of Natural Resources. At this point, the City is basically done with that project and would like to receive our \$200,000 reimbursement. He said legislation needs to be passed to include in the contract and in the reimbursement request to ODNR to get that grant money. Mr. Logan stated it is after the fact, but the City received the grant award and we would like to have Council affirm that we did submit these applications and were awarded the one.

Mrs. Holtzmeier asked for copies of those grant applications that were submitted. Mr. Logan advised he would be happy to email them to Council.

11. RESOLUTION NO. R-19-19 – IN SUPPORT OF REPLACING THE FIELD TURF AT SPRENGER STADIUM AT THE CLOSE OF THE 2021 FRONTIER LEAGUE BASEBALL SEASON  
Finance Committee Referral

Mrs. Holtzmeier advised the Finance Committee met prior to tonight’s meeting and by a unanimous vote of 3 to 0 determined to send it to full Council to replace the field turf at the stadium in the fall of the 2021 baseball season.

12. REPORTS AND COMMENTS

MAYOR JENSEN had no comments.

COUNCIL MEMBERS:

MR. BUTKOWSKI, WARD 1 had no comments.

MR. FISCHER, AT LARGE had no comments.

MRS. HOLTZMEIER, AT LARGE had no comments.

MR. MCBRIDE, WARD 2 advised he has received multiple calls from the residents in Avenbury Lakes about the traffic at the intersection of Jaycox Road and Middleton Road. He said the residents are having a difficult time getting in and out of that area. Mr. McBride stated he indicated to those residents that he would request that the City conduct a traffic survey and it appears that they will do that in late August or early September.

MR. MOORE, WARD 3 had no comments.

MR. RADCLIFFE, WARD 4 advised he drove by the new Veterans Memorial at the pool area and everything looks really nice.

MR. WITHERSPOON, AT LARGE had no comments.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER had no further comments.

MR. FARMER, SERVICE DIRECTOR had no comments.

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

MR. GASIOR, LAW DIRECTOR had no comments.

MR. LOGAN, FINANCE DIRECTOR had no comments.

AUDIENCE:

No comments were made from the audience members.

13. ADJOURN: 8:05 p.m.  
There being no further business the Work Session of Council was adjourned.

PASSED: \_\_\_\_\_

SIGNED BY: \_\_\_\_\_  
Craig Witherspoon, Council President

ATTEST: \_\_\_\_\_  
Barbara Brooks, Clerk of Council