

**MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE  
CITY OF AVON, OHIO HELD MONDAY, JANUARY 7, 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. [ORDINANCE NO. 103-18 – TO ACCEPT IMPROVEMENTS IN WEST WICKHAM SUBDIVISION](#) Mr. Farmer  
Third of Three Readings at the Regular Meeting of Council to be held on January 14, 2019

Mr. Farmer stated there were a couple of items that were still being worked on prior to this subdivision being accepted. He believed there is an as-built issue and there are some signage issues that have not been taken care of yet.

Mr. Cummins advised there were some issues that were brought up with the as-built drawings and some additional information was supplied in response to his questions. He said he is currently reviewing that and he hoped it would be cleared up this week.

2. [ORDINANCE NO. 1-19 –GRANTING A SPECIAL USE PERMIT TO GANZHORN REAL ESTATE OF AVON, LLC TO DEVELOP A 51,130 SQ. FT. SINGLE-STORY, MEMORY CARE COMMUNITY TO BE LOCATED OFF HEALTH CAMPUS BOULEVARD](#) Planning Commission Referral

Ms. Fechter advised Ganzhorn Suites is based out of Columbus and would like to build a 64 unit/68 bed 51,000 square foot facility to be located on Health Campus Boulevard just east of Primrose Daycare. She stated that our Code requires a Special Use Permit and representatives were present tonight if there were any questions from Council.

Mr. McBride felt this would create more traffic in and out of Health Campus Boulevard, which is already an issue. He inquired if there would be a traffic study completed because currently there are times when it is difficult to pull out of Health Campus Boulevard.

Ms. Fechter advised currently Ganzhorn Suites has only submitted their general development plan to the City, but they are aware that when their final development plan comes to us that they will be required to do a traffic study. Ms. Fechter stated the non-emergency transportation protocol has been included with the Special Use Permit. She indicated there have been conversations over the past couple of years regarding ambulance service and other items and as such their transportation plan is attached.

Ms. Eleanor Alvarez, CEO and Founder of Ganzhorn Suites Operating Company LLC advised she founded a memory care center because of her experience in senior care as she has been taking care of elders since she was 25 years old. This has been her dream to provide a center that can really meet the needs of people with Alzheimer's and other forms of dementia. Ms. Alvarez stated they have developed what they think is a very special product that starts with the design of the physical plant, which is somewhat unusual and built in four separate households. In each household there is a kitchen, living and dining room area and around it are 12

private suites, private rooms with private baths. She advised this household becomes the center of life for the residents and their family members. It allows the staff to get to know the residents really well because they are in a smaller setting. Ms. Alvarez said it is known that when there is cognitive impairment it is much better to be in a smaller environment where they can get a sense of their surroundings. In addition, they have a really strong focus on technology and they use some very advanced RTLS (real time location systems) to know where the residents and staff members are at any moment during the day. She explained if a resident gets close to an access point there are alerts that are set off in an iTouch device in someone's pocket. There are not big alarms or flashing lights going off. This allows them to offer the residents maximum independence while ensuring their safety. In addition, they have very high staffing levels; there is one care giver to every five residents on days from 3:00 – 11:00. The staff members are highly trained and certified in dementia care. Ms. Alvarez advised they offer a much higher level of dementia care or memory care than the typical center as they staff twice as much and train more than typical centers. She said a critical part of their care model is clinical coordination and in Columbus they have a very strong partnership with Ohio State's neurology department. Dr. Douglas Scharre is their Medical Director and he is a renowned researcher in Alzheimer's care. Dr. Scharre directs their policies and procedures and provides care to some of the more complex residents. Ms. Alvarez stated they have had wonderful conversations with the Cleveland Clinic and are excited that they will be located adjacent to their hospital here in Avon and they have an interest in working with them in the same kind of partnership. She said they take care of some residents who have some complicated disorders and it is important for them to have that clinical relationship. Ms. Alvarez stated they feel like they do something very special and something very different in this area.

Mr. Butkowski asked with staffing levels at 1 to 5 how are patient falls managed. He asked if they handle that in-house or do they look for outside resources to help.

Ms. Alvarez stated they have nurses around the clock and they have pretty intense staffing patterns. She said with interventions and knowing the residents as well as they do, they can see triggers and they work really hard to prevent falls. Ms. Alvarez stated if there is a fall that requires medical attention, they first identify if it is a life threatening injury and if it is they will call 9-1-1 and if it is not life threatening they will assess the resident and care for them in-house. She advised with the nurses on staff around the clock, they can provide a lot of care. Ms. Alvarez explained there are not a lot of transports out to the hospital and the average is 5 a month in the City of Powell, Ohio and 2 out of those 5 are emergency runs. She said there are some assisted living centers whose policy is that all falls are an automatic call to 9-1-1 and that is not how Ganzhorn operates.

Mrs. Holtzmeier inquired as to how many full-time equivalents will this facility employ in Avon.

Ms. Alvarez stated that currently in Powell they have approximately 80 FTE's and they hire approximately 120 people and that includes some part-time employees as well. She felt they would be a great addition to the community.

Mr. McBride asked as to the average salary of the employees.

Ms. Alvarez advised the caregiver's average salary is \$12/hr. to \$14/hr. depending on their level of experience. She said their nurses are at a much higher rate of pay with RN's around \$30-\$35/hr. LPN's are around \$22-\$23/hr. and the leadership team tended to be around \$75,000 annual salary and up.

Mr. McBride said it sounds as if the average salary was approximately \$40,000/year.

Mr. Witherspoon thanked them for the presentation and said they are looking forward to having them as part of our community.

Ms. Alvarez closed by saying they are excited about coming to Avon and working with community and they have enjoyed all their interactions thus far and she thanked everyone for welcoming them.

3. ORDINANCE NO. 2-19 – GRANTING A SPECIAL USE PERMIT TO FRENCH CREEK SQUARE II, LLC TO AUTHORIZE THEIR TENANT, JP MORGAN CHASE BANK, TO CONSTRUCT A 3,470 SQ. FT. BANK WITH A FREESTANDING ATM TO BE LOCATED AT 36200 DETROIT ROAD

Planning Commission Referral

Ms. Fechter advised per our Code any facility that has a drive-thru has a requirement of asking for a Special Use Permit. She said this facility is going to be located on Detroit Road just east of Taco Bell and they will be sharing the same driveway and they do not have any new curb cuts along Detroit Road. Ms. Fechter explained it is a unique situation as the drive-thru window will only consist of the ATM and will not have personnel who are processing transactions. She stated the inside of the bank is a bit of newer concept as well and it is 3,000 sq. ft. facility and there were representatives present if there were additional questions from Council.

Mr. Aleks Daskalov of FMS Architects and Mr. Seth Berk of JP Morgan Chase Bank were present.

Mr. Daskalov advised this facility is a branch bank facility that would have the drive-up as described close to the new access road proposing to attach to Healthway Drive going through the current Burger King and Taco Bell properties to the west. He said this drive aisle will have a bypass lane in case of the need for someone to pass and make a right hand turn onto Detroit Road. Mr. Daskalov stated the bank itself and everything related to it is within the basic zoning code except for the drive-up ATM. This drive-up ATM is a signature canopy that has the coloring and branding of Chase Bank. It is a freestanding canopy and has one ATM machine that can be accessed from your vehicle and has been found to be a great convenience and very popular for quick transactions. He mentioned that for those interested in more detailed banking there would be two tellers as well as several offices and meeting areas inside the bank.

Mr. Butkowski asked for clarification as to the location of the ATM island to which Mr. Daskalov pointed out the location on the map and explained how the general operation would happen. Mr. Butkowski asked what road they were turning out onto from the bank parking lot.

Mr. Daskalov explained the proposed Chase Bank would be located between the existing Fifth Third Bank and the Taco Bell on Detroit Road.

Mr. McBride asked for confirmation that the access would go all the way through the Burger King parking lot.

Ms. Fechter confirmed they were planning on moving forward this year with the completion of that roadway. She indicated they were still early in the discussion processes.

Mrs. Holtzmeier asked as to how many cars can get in that stack for the drive-up ATM.

Mr. Daskalov advised they have stacked six cars and there is also the bypass lane that allows vehicles to go around. He said they are aware that ten stacking spaces is the basis and they have received a variance to allow six cars stacking. Mr. Daskalov agreed with Mrs. Holtzmeier that six is a lot of cars and said the national standard for Chase Bank is four and they do not anticipate this will be an issue.

Ms. Fechter stated the Board of Zoning Appeals looked at this and with the nature of it being solely an ATM with no personal interaction, the variance was granted. She added that if there should be any cars hanging beyond the stacking spaces allowed, they would be in the access drive as opposed to Detroit Road, but they do not anticipate too many cars not being able to get through.

Mr. Daskalov noted there would also be three ATM machines on the interior of the bank in case of a line at the drive-up and people do not want to wait.

Mrs. Holtzmeier advised that Council should know that while the Planning Commission looked at this for the Special Use, the signage was discussed as far as the drive-thru ATM lane. She said that because cars will be driving in from west to east and the driver's side will pull up to the ATM in a lefthand lane manner they discussed the need for appropriate signage to help direct patrons until they become accustomed to the traffic pattern. She asked for confirmation from Mr. Cummins that the signage would be a part of the site plan.

Mr. Cummins advised yes, they would ask that those sign locations be noted on the site plan.

Ms. Fechter stated that currently we have only seen the concept plan/the general development plan, but should they be approved by City Council for their Special Use Permit then they would move forward with engineering to get their final development plan in place.

4. [ORDINANCE NO. 3-19](#) – ADOPTING A NEW CREDIT CARD POLICY FOR THE CITY OF AVON

Mr. Logan

Mr. Logan advised that a couple of State Legislators have been working on House Bill 312 that was introduced in July 2017 in response to credit card fraud that has happened in different government entities. He noted this is not a rampant problem, but a few incidents have made it bad for everyone. Mr. Logan stated he has been Finance Director of Avon for ten years and they have used credit cards for certain purchases for almost that entire time. He said they have followed a brief policy the City has had in place and they feel they have very good internal control procedures in place. Mr. Logan stated we do not use our credit cards as true cards as some entities might call them. He explained that Avon does not use credit cards for purchasing of materials and supplies as those require purchase orders. Mr. Logan advised we basically only use credit cards for travel, seminars and some online purchases. He noted the Parks Department, Police Department and the IT Department are the most involved in the online purchases. Mr. Logan stated once a month the major purchase that the City credit card is used for is to pay our Worker's Compensation bill, which is approximately \$17,000 and by paying that with the City credit card the City receives the Go Green discount and we also receive a half percent rebate on all credit card purchases through Huntington Bank. Annually, the City's credit card purchases might total \$350,000 with approximately half of that amount being those Worker's Comp payments. Mr. Logan advised all entities in the State of Ohio that use a credit card have been asked to comply with HB312 and they put a more comprehensive policy together. He noted with Council's approval they will appoint the Council Treasurer, Megan Zeck, as the Compliance Officer. The City cards have the City of Avon's name on them as well as an individual's name, such as the Finance Director and the Assistant Finance Director's name. Mr. Logan said the Treasurer does not have a credit card in her name and she looks over the credit card purchases along with all purchases throughout the month as she signs every check, approving every payment that goes out of the Finance Office and there are a few reporting things that the Treasurer, in conjunction with the Finance Office, will do for Council every year. He advised they will also be asking all the Department Heads, who have a City of Avon credit card in their name, to sign and agree to an acknowledgement that they will comply with the policy. Mr. Logan believed that HB312 was looking for some additional information as far as if there is credit card abuse or if someone happens to use a government entity credit card in an inappropriate manner that there would be retribution. He clarified the City of Avon has not had any incidents with the credit cards in the ten years he has been here. Mr. Logan mentioned this policy needs to be in place by February 1<sup>st</sup> and if Council would like to discuss it further in a Finance Committee meeting they could do so and he was happy to answer any questions or concerns.

5. [ORDINANCE NO. 4-19](#) – AMENDING §256.04 AND §256.98 OF CODIFIED ORDINANCES OF THE CITY TO CREATE THE FULL-TIME AND UNCLASSIFIED POSITION OF GROUNDS MANAGER AND TO ADOPT THE CLASSIFICATION SPECIFICATION FOR SAME

Mayor Jensen

Mayor Jensen said that, as he mentioned to Council previously, if the Charter Amendment passed at the ballot eliminating the Director of Parks, he would like to place someone in charge of the maintenance of the City grounds. He stated there would be a small group of employees this person will oversee, and they felt Grounds Manager would be the proper name for the position. Mayor Jensen said we have Ms. Harasimchuk as the

Recreation Coordinator and this will be a good match with that position. He explained the Ordinance with the pay range will be in next week's Council packet for this position. Mayor Jensen confirmed this employee will be strictly in charge of the grounds maintenance and it separates the positions from recreation programs and property maintenance. He felt the added expense would not be substantial as the pay range would be only slightly higher than a general laborer's position.

6. REPORTS AND COMMENTS

MAYOR JENSEN had no comments.

COUNCIL MEMBERS:

MR. BUTKOWSKI, WARD 1 advised he would be absent next week as he would be out of town for work.

MR. FISCHER, AT LARGE had no comments.

MRS. HOLTZMEIER, AT LARGE inquired as to the salt supply for the inevitable winter weather. Mr. Farmer responded the Service Department currently has a full shed of salt and they were ready.

Mayor Jensen added there was nervousness on the City's part trying to see if they would be able to get enough salt because there had been a shortage and the price has gone up considerably, but he added we do not have the shortage we were initially anticipating. Mayor Jensen said they originally looked at alternatives of where to get salt supplied, but that is no longer the case as we are in good shape.

MR. MCBRIDE, WARD 2 had no comments.

MR. MOORE, WARD 3 had no comments.

MR. RADCLIFFE, WARD 4 had no comments.

MR. WITHERSPOON, AT LARGE had no comments.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER had no comments.

MR. FARMER, SERVICE DIRECTOR had no comments.

MS. FECHTER, ECONOMIC DEVELOPMENT /PLANNING COORDINATOR updated Council that the Visitor's Bureau website "All About Avon" is close to being ready to launch. She said she asked her consultant, Sheri Seroka, to present the website to Council on February 18<sup>th</sup> and on February 19<sup>th</sup> they will do an internal soft launch to allow for changes and they hope to do a full launch the first week of March. Ms. Fechter advised this is a lot of communication out there with the businesses and they were looking forward to us launching the site as well.

MR. GASIOR, LAW DIRECTOR wished everyone a happy new year.

MR. LOGAN, FINANCE DIRECTOR had no comments.

AUDIENCE:

Mr. Jim Strand of 32203 Detroit Road advised he is substitute teacher in Avon Public Schools and every day, twice a day, he drives past what appears to him to be an attractive nuisance waiting to inflict great pain on our community. He said at the construction site on Detroit Road where the new phase of Bentley Park Subdivision will be located is a retention basin approximately 150' long by 50' wide and now there is about 6' to 8' of water in it. Mr. Strand stated if we would get a thin layer of ice, a child from the neighborhood is going to go out and test that ice and we are going to have a tragedy in our town, he fears. He said his daughter, who is a lawyer, says it fits what the law describes as an attractive nuisance, something that entices kids to come onto the property. Mr. Strand explained there is no fence around that pond and in the current state of construction, its mud banks on a steep slope down to that body of water. Mr. Strand advised the site bothers him and he sees it every day and the scenario unfolds in his mind and when he was a reporter he covered stories like this and he does not want it to happen here. He said he does not know that the City has any responsibility in this other than to urge the contractor to put up some kind of fence to at least make a token resistance to what could happen. Mr. Strand reiterated it is an attractive nuisance and he does not want to see a tragedy happen.

Mayor Jensen advised he would have Mr. Farmer reach out to the contractor.

Mr. Farmer stated he would call the contractor first thing in the morning.

7. EXECUTIVE SESSION: 8:03 p.m.

A motion was made by Mrs. Holtzmeier and seconded by Mr. McBride to Enter Into Executive Session for the Purpose of Discussing the Disposition of Real Property Owned by the City, and the vote was: Mr. Butkowski, "yes"; Mr. Fischer, "yes"; Mrs. Holtzmeier, "yes"; Mr. McBride, "yes"; Mr. Moore, "yes"; Mr. Radcliffe, "yes"; Mr. Witherspoon, "yes".

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

8. RECONVENE: 8:20 p.m.

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

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

9. ADJOURN: 8:21 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