

**MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE
CITY OF AVON, OHIO HELD MONDAY, MARCH 8, 2021
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
AT 7:00 P.M.**

PRESENT: Council Members: 1st Ward – Bob Butkowski; Council-at-Large – Brian Fischer; Council-at-Large – Tammy Holtzmeier; 2nd Ward - Dennis McBride; 3rd Ward -Tony Moore; 4th Ward - Scott Radcliffe Council-at-Large – Craig Witherspoon; Mayor – Bryan Jensen; City Engineer – Ryan Cummins; Service Director – Mike Farmer; Economic Development Coordinator – Pam Fechter; Law Director – John Gasior; Finance Director – William Logan; Safety Director – Duane Streater; Clerk of Council – Barbara Brooks

1. [ORDINANCE NO. 9-21 – TO ACCEPT A LAND DONATION FROM NWQ JAYCOX/I-90, LLC](#) Mr. Gasior
Second of Three Readings at the Regular Meeting Immediately Following this Work Session

Mr. Gasior advised that there was nothing new since the last meeting. He said it is the Haslett Ditch property, as they have come to know it, and it will have the second of three readings at the Regular Meeting tonight.

2. [ORDINANCE NO. 11-21 – AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT WITH THE LORAIN PUBLIC LIBRARY FOR REAL ESTATE LOCATED AT 37485 HARVEST AVENUE, PERMANENT PARCEL NO. 04-00-010-111-024](#) Mr. Gasior

Mr. Gasior advised this topic has been discussed a few times with Council in Executive Session and the agreement attached to the Ordinance is the one that all of Council has seen and there is nothing unusual here. He said the City has been leasing the property to the Library since 1994 for \$1 a year. Mr. Gasior explained that all that is being asked is to transfer the property over to the Library so that when the Library constructs and operates the new building, which is going to be attached to the existing building, it will be the Library's property and the City will not have any related liabilities or things of that sort. He stated he sent out a brief memo late this afternoon outlining about 8 points as to why the City should transfer this property to the Library. Mr. Gasior advised Mr. Logan has read the memo as well and they both believe it is a good thing to do. He knows there are other issues that have been raised during those Executive Session discussions, but said what Council has in front of them is simply the agreement with the key component being the definition of library purposes and then the reversion clause, which means if the property should not be used as a library then the property would revert back to the City. Mr. Gasior stated there are no closing costs or anything of that nature that the City is responsible for paying as the Library is taking care of all of that.

3. [ORDINANCE NO. 12-21 – DECLARING THE INTENTION OF THE CITY OF AVON TO CONSENT TO PAVEMENT RESURFACING AND ASSOCIATED IMPROVEMENTS ALONG CERTAIN SECTIONS OF STATE ROUTE 254 \(DETROIT ROAD\) BY THE OHIO DEPARTMENT OF TRANSPORTATION \(ODOT\)](#) Mr. Cummins

Mr. Cummins advised this is another portion of the repaving of Detroit Road. He said as they may recall, ODOT repaved sections at the east end and west end of town last year. Mr. Cummins stated this is the second phase of this project. He noted that it does not include the area that is subject to the improvements that will be occurring at the intersection of State Route 83 and 254 and that is why the project starts 800' east of Avon Commons and then proceeds through the Nagel Road intersection.

Mr. Fischer advised he was recently informed that the City is not going to be widening that section.

Mr. Cummins confirmed that to be correct.

Mr. Fischer asked why.

Mr. Cummins said he believes that the project was put on hold due to Covid and concerns over finances.

Mayor Jensen advised they looked at doing the widening and if they would have done the project as they originally anticipated it would have taken place this year and they would have delayed the repaving another one or two years. He said that there also would need to be curb and gutter work and that made the project cost prohibitive at this point. Mayor Jensen stated they will look at it again, but to basically be adding turn lanes it would have cost almost a million dollars more.

Mr. Cummins confirmed it would have cost a couple million dollars.

Mayor Jensen said the project was a couple million dollars total, but it would cost at least another million dollars on top of what they had anticipated so they held off moving forward with the project at this time thinking it is better to get the road repaved at this point in time. He stated it could take 3 or 4 years to get the funding for the road widening because they have improvements planned for the intersection at Nagel Road and Detroit Road for a round-a-bout and they were also looking at improvements at the intersection of State Route 83 and Detroit Road. Mayor Jensen advised putting those together with the \$2 million plus project, they do not think they have the funding for those projects, so they are holding off installing that extra lane at this time.

4. [ORDINANCE NO. 13-21 – REAPPROPRIATIONS](#)

Mr. Logan

Mr. Logan advised the Mayor will be speaking about an additional item, but currently the request is for the audio/video system for Council Chambers. He said that includes the additional electrical receptacles discussed with Mr. Jenkins, the IT Coordinator, when Mr. Fischer and Mr. Butkowski met a few weeks ago. Mr. Logan stated they received a quote from Integrated Technology Solutions. He advised Mr. Jenkins met with a couple different companies and this seems to be the best quote to upgrade the Council Chambers. Mr. Logan added that Mayor Jensen and he spoke earlier today, and he had a second item he would like Council to consider.

Mayor Jensen advised is asking for a temporary traffic signal at the intersection of Nagel Road and Lear Industrial Parkway by Rose Senior Living. He said he receives calls all the time or whenever he stops by Rose Senior Living to visit, saying they have a difficult time getting out of that intersection. Mayor Jensen stated also motorists coming off Lear Industrial Parkway trying to make that turn were having issues. He said he spoke with Mr. Riley, the City Traffic Signal Technician/Electrician and Mr. Riley put together a quote. Mayor Jensen explained it would be a temporary signal because they would be putting up poles at this point, like they did on Jaycox Road and Middleton Road. He advised when they go to do the improvements on Nagel Road then they will install mast arms and everything else that is necessary for permanent signalization. Mayor Jensen stated there will also be pre-emptive activation devices underground so that if no vehicle is waiting at that intersection then traffic will continue traveling north and south without any impediment. He said Mr. Riley indicated that he could also connect the signal to the Nagel Road and Chester Road traffic signal pattern so the traffic could flow straight through into Avon Lake. Mayor Jensen advised they will be speaking with Avon Lake officials to see if they will allow us to tie into the light at the railroad tracks so that if something happens it would push back to the other two traffic lights. Similarly, most of the residents in Avenbury have been very pleased with the light at Jaycox and Middleton and have said that it has helped quite a bit and that is what they are hoping to do here.

Mr. Logan distributed a revised sheet that shows the traffic light expense of \$30,000 added into the total re-appropriations of \$72,000.

Mayor Jensen advised if Council is not comfortable with the added reappropriations at this time, they could wait another two weeks and ask for approval at the next meeting. He said that he just received the quote from Mr. Riley and he wanted to get that out as soon as they could so the equipment could be ordered if Council approves as it was still a couple weeks before they could get anything scheduled.

Mr. McBride advised he would like to echo some of what the Mayor said as he too gets calls all the time from Primrose School, Rose Senior Living as well as the detached retirement housing and it is just a matter of time before there is an accident at that intersection. He stated there have been times when he has attended meetings in that area and there is even trouble coming out of that area and turning right as so much traffic is coming north.

Mr. McBride advised he sees trucks trying to turn left onto Chester Road and he feels a traffic light will help alleviate some of the mess that is over there.

Mr. Radcliffe agreed and believes that area was also considered for a round-a-bout for the future.

Mr. Witherspoon asked regarding the audio/video system for the Chambers as to what was the plan.

Mayor Jensen explained that the system would be all new and the Clerk would be able to control everything from her seat for projecting onto the different screens as all the equipment would be in one location. He said it would also correct the issues with the speakers making it easier for the audience members to hear the discussions as well as those on the dais even with the plexiglass dividers and masks and the video capabilities would be updated as well. Mayor Jensen advised they would like to get the process started as it was probably a couple months out with ordering and programming and installation before they would be able to benefit from it. He added that the hope is that they will not be required to wear masks any longer at that point and that he has heard comments from the audience over time that they struggle to hear what is being discussed. Mayor Jensen stated all the new equipment is portable should improvements be made at City Hall or if the Chambers should be relocated so they were not expending money where the system could not be reused.

Mr. Witherspoon asked if there were plans to video record the Council Meetings.

Mayor Jensen advised the new system has the capacity to do that, but they do not have any plans to do that at this point unless Council decides differently.

The funds are requested to be appropriated as follows:

General Fund No. 101

Appropriate \$42,000.00 for an audio/video system for Council Chambers.

Total General Fund Re-appropriations \$42,000.00

Special Revenue Funds

Street Department Fund No. 201

Appropriate \$30,000.00 for a temporary traffic signal at the intersection of Lear Industrial Parkway and Nagel Road.

Total Special Revenue Re-appropriations \$30,000.00

Total All Funds Re-appropriations \$72,000.00

5. [ORDINANCE NO. 14-21](#) – TO RESCIND ORDINANCE NO. 13-20, AWARDING THE PUBLIC BID FOR THE DESIGN, PERMITTING, PROVISION & INSTALLATION OF A FIRE TRAINING FACILITY

Mr. Gasior

Mr. Gasior advised they may recall that back in January of 2020, Council passed an Ordinance to award a bid to construct the Avon Fire Department Training Facility pursuant to a Special Use Permit behind the existing Fire Station. He said shortly thereafter, the Governor declared a state of emergency due to the Covid-19 pandemic and the company that was willing to do the work, American Fire Training Systems, was also quarantined in their home state of Illinois. Mr. Gasior stated it was agreed between the parties that they would put off construction of the site until at least the Spring of 2021. He advised in the interim, the City has looked at some additional property on Schneider Court and the Fire Department, Safety Director Streator and himself have met with Captain Panehal and Assistant Chief Swope. Mr. Gasior said if the City is able to acquire the additional property that they would best be serving the Fire Department by perhaps locating this Fire Training Facility at that site away from the Fire Station, which was somewhat of a controversial location and they may make the new training tower slightly bigger than the one originally ordered. He stated they have discussed all of that with the owner of Fire Training Systems, Rick Gibson. Mr. Gasior advised he wants Council to understand that the City had a signed contract, even though certain events intervened, but Mr. Gibson was willing to rescind that contract in exchange for his costs in putting forth his bid and having that bid awarded with the main cost being about \$8,000 for a performance bond. He said Mr. Gibson is agreeable to sign an agreement to rescind the contract and the City

would be officially done with that contract and free to re-bid this project at a later date and possibly at a different site. Mr. Gasior stated what Council has in front of them tonight is simply an ordinance that authorizes the Mayor to execute this agreement to rescind the contract in general release and basically put Ordinance No. 13-20 and the contract entered into pursuant to that Ordinance to bed; it would be null and void. He advised Mr. Streater was in agreement that this is probably the best way to go and the Mayor is in favor of moving forward in this fashion. Mr. Gasior stated if they were to hold the contractor to the contract, they would have so many change orders that they probably would be running into problems in other areas so he felt this is probably the best way to resolve it.

Mr. Butkowski advised the ordinance mentions over \$12,600.00 from the Avon Finance Department and Mr. Gasior mentioned \$8,000 and he asked if the \$12,600 was the amount the City has to pay to rescind this contract.

Mr. Gasior advised there were some additional costs incurred by the company. He apologized as he did not have the breakdown with him tonight and he could provide that in the interim. Mr. Gasior said there were some costs for engineering to draw up the plans initially and he believed the bond was the biggest portion of the funds.

Mr. Butkowski said back when the Fire Department presented this option of putting the fire training tower behind the Fire Station, there was going to be a sizable savings of approximately \$100,000 in training costs because they would be training on site at the station as opposed to off-site. He asked if that savings would be lost if the training tower is moved to an off-site location.

Mayor Jensen advised with the possibility of making a campus of a police and fire training facility, they would have the ability for the safety equipment to be on-site at the training facility when in use so the first responders could still go on a call. He said this facility would not be out of town where they could not go on calls.

Mr. Streater advised it is the Avon Safety Services intention to not only have a training tower at this proposed site, but to have a training facility, which would include the ability to have some equipment located there permanently to allow for better training and there would be more space for just a training tower.

Mr. Fischer said it is his understanding that the Fire Department may want the radio communication equipment purchased first and this training facility may wait until 2022.

Mr. Streater advised that depends. He said in talking with the Fire Department personnel they still want to do the training tower in conjunction with the purchase of that property. Mr. Streater stated they have had meetings with other City departments to try to make this happen as quickly as possible. He advised overall, they have come to the conclusion that locating the fire training tower at the Fire Station for a short period of time and then moving it would not be cost effective. Mr. Streater said they were not sure of an exact date but in talking with Mr. Gasior and the company they know that the City was previously limited with the size they could put behind the Fire Station and now the Fire Department is willing to forego the time constraints to get a bigger facility that will help them in the long run.

Mr. Cummins, who was able to pull up an email with the cost breakdown, advised to fill in the gap from the discussion earlier in the meeting the total is \$12,678.70. He said this was a design build contract and there was some initial design work right after the contract was awarded: \$3,148.00 in CAD design, \$660.00 for professional engineering services, \$143.45 in Fedex costs, \$342.25 in travel costs, plus the bond that Mr. Gasior mentioned earlier to reach that \$12k number.

Mrs. Holtzmeier inquired as to the amount that was placed in the 2021 budget for this project.

Mr. Logan advised the City encumbered the training tower in 2020 when the Ordinance was passed, and the bid was awarded, and that amount was \$279,000 and some change. He said out of that \$279k, if Council approves this Ordinance, the City is going to pay the settlement of \$12,678.70 and the rest of that money will come back into the Fire Department Equipment Fund.

Mrs. Holtzmeier advised the grant for the communication systems is still in process and she asked if there was a timeline for that by which they will be hearing about it moving forward.

Mr. Streator advised the grant was reapplied for and he was not certain when they would hear back. He said they are still in discussions about the radio system and he hoped they would have a resolve to that issue soon and know better what they were looking at as far as cost to go forward. Mr. Streator stated they did not have enough information yet to come back to Council, but he anticipates within the next month he should come back with more information based on some recent conversations. He said it is a priority in the Fire Department.

Mr. Radcliffe said he believed a year or two ago Council was provided a list of upcoming capital expenditures from the Fire Department that listed radios, squads, trucks and where they were on the expected replacement/upgrade listing. He advised with this bid award coming off and the radio communications systems still being out there, he said it would be nice to see an updated listing for anticipated capital outlay in the Fire Department over the next five years.

Mr. Streator advised since he has been here, he has had discussions with the Fire Department personnel and they have put some things together especially for this last budget prioritizing needs.

Mr. McBride agreed it would be good to see the five-year projection. He said it was probably going to end up being a bigger facility where they could potentially do some other training. Mr. McBride asked if there were any benefits to having the Police Department share any part of that complex in terms of training. He wondered if it would behoove them to invest a little more money and make it more realistic for the patrolmen and the other officers in the Police Department.

Mr. Streator advised that is the case based on their discussions and they intend to make it more of a Public Safety Training Facility. He said additionally, in discussions with Mr. Farmer and the other City Departments, they also want to make it a big enough facility for these additional Departments to have a place for classroom training as well. Mr. Streator stated the proposed property is large enough to encompass the training tower and a lot of other things. He said some of the thoughts with what they want to do with that piece of property include it being used as a multi-department facility including the possible storage areas that the City is severely lacking.

6. REPORTS AND COMMENTS

MAYOR JENSEN advised by the end of the week the link on the County Health Department website will be active for those age 50 years and older to be eligible for the vaccine. He said people could get on the site and choose the location best suited for them and an available time slot. Mayor Jensen stated the Health Department would like to remind people to not arrive too early for their appointment as that only increases the wait time and potentially causes a backlog and most of those people have been senior citizens. He advised the system works properly when people arrive within 10-15 minutes of their appointment. Mayor Jensen said there is a vaccine reserved for those who have an appointment and it is not necessary to arrive 2 hours prior to your appointed time. He asked people to please sign up and stated there were a lot of slots available and time slots will continue to be made available through the month of April.

COUNCIL MEMBERS:

MR. BUTKOWSKI, WARD 1, advised this past week, he and Mr. Logan discussed some upcoming Finance Committee Meeting topics. He said would like to call a meeting of the Finance Committee of Council for Monday, March 22, 2021 at 6:00 p.m. Mr. Butkowski stated would like to discuss the YMCA Operating/Lease Agreement and the City Investment Policy to consider a different investment adviser role for the City. Mr. Butkowski asked Mr. McBride and Mrs. Holtzmeier if they were agreeable to that date and time to which they replied that they were.

Mrs. Holtzmeier thanked Mr. Logan for sending out the ten-year financial forecast and felt if time allows that it would be worthy to give a general overview at the committee meeting.

Mr. Logan asked that Mr. Farmer attend that committee meeting as well since it involves the current agreement and maintenance costs with the YMCA.

Mr. Butkowski asked if the YMCA could provide them with a five-year plan prior to that meeting for the committee's review.

Mr. Logan advised he would try to get something out to Council early next week.

MRS. HOLTZMEIER, AT LARGE, advised with this being the first day over 60 degrees in a while, on her way home from work today she happened to pass by two of our City parks and it was so nice to see folks playing and enjoying the weather. She thanked the Parks and Service Departments for keeping those parks in good condition so that people can use when the weather allows. Mrs. Holtzmeier said especially lately with the pandemic, a lot of our young people have needed outlets with which they could get some exercise and work together as a team and she wanted to give kudos to the Parks Department for putting together a safe and successful recreation basketball league that just finished their six weeks of the program. She stated there was a lot of collaboration by volunteers in the community and a lot of work from that department and they followed all guidelines that were put out and all the participants followed those guidelines. Mrs. Holtzmeier advised people really needed an outlet to be able to exercise and cheer on their children and she was glad the City was able to provide that and that they found a way to make that happen because it was necessary and it went really well. She again gave kudos to that group.

MR. MCBRIDE, WARD 2, advised for those using Cleveland Clinic, they have opened up Covid vaccinations at a number of their facilities and it was easy to schedule an appointment for age 60 years old and up right now and you need to have a "My Chart" account, and it works well.

MR. MOORE, WARD 3, advised the new development going in on Schwartz Road reminded him that he would like to start up the conversations again to see if they can get some type of tree ordinance. He said it has been over a year since he asked about it and they are losing a lot of trees in the City and he wants to see what can be done about it.

MR. RADCLIFFE, WARD 4, thanked Mr. Farmer and Mayor Jensen for helping to get some sidewalk issues resolved on Jaycox Road by the bridge. He said as people continue to enjoy this nicer weather it was helpful to get some things worked out for those homeowners and residents in that area and he appreciated it.

MR. WITHERSPOON, AT LARGE, had no further comments.

MR. FISCHER, AT LARGE, advised it was nice to see that the vaccine distribution was progressing as people are getting their first and second shots. He said in conjunction with that, Governor DeWine is starting to loosen some of the restrictions. Mr. Fischer stated the next meeting of Council will be Monday, March 22, 2021 and would be another double meeting with a Work Session followed by a Regular Meeting and God willing, he hoped they would be back to a normal meeting schedule in April.

Mr. Fischer congratulated Mr. Radcliffe's daughter for winning the State in the weight throw competition.

Mr. Fischer agreed with Mrs. Holtzmeier as he too felt the schools and the recreation department are doing a great job with how they have handled all the sporting events and activities. He advised his wife is a City of Cleveland teacher and they were finally going back to in-person schooling. Mr. Fischer said he believes that Avon Schools and some of these other local schools are a little bit ahead of the curve with that, but it is nice to see a light at the end of the tunnel.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER, had no further comments.

MR. FARMER, SERVICE DIRECTOR, advised as an update he wanted to let Council know that he is still gathering information for the fiber network and internet service providers and once he has that he will provide Council with more information.

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

MR. GASIOR, LAW DIRECTOR, advised as a follow up to the Mayor's comments about vaccination appointments, he urged people to arrive about 5 minutes before their allotted time to help avoid congestion and a longer than necessary wait time. He agreed there were some problems because people were arriving well before their scheduled time. Mr. Gasior advised one of the officials at LCCC told him that people were showing up hours in advance and would get in line and then it would delay the whole process. He hopes the press could help get the word out that people should not arrive too early or they might end up waiting a couple of hours.

MR. LOGAN, FINANCE DIRECTOR, advised that of the \$1.9 trillion Covid Relief Bill recently passed by Congress, the City of Avon's share will be \$4.5 million from what he saw the other day according to the schedule that was posted. He said he has not yet seen any restrictions on that money or if it was going to work like last year's relief money.

MR. STREATOR, SAFETY DIRECTOR, had no further comments.

AUDIENCE:

Pat Jankowski of 1409 Hollow Wood Lane felt that not all the blame should be placed on the senior citizens for the long lines at the vaccination locations. She said people could sign up for their vaccination from Lorain County Department of Health and then they hear nothing and then another place tells them if they can get their shot and then three days later they receive something from the Health Department that says they are scheduled at the college at 10 am and she already received her shots. Ms. Jankowski advised there was no place on the notification to respond that you cannot make the appointment, or that you have already received your vaccination; leaving open appointments and then she hears news reports that the senior citizens are not showing up for their appointments. She indicated her frustration was because they are not given the ability to confirm or deny their appointment.

Mr. Fischer welcomed Ms. Jankowski back to the meetings and said it was nice to have her here and he felt like things were starting to get back to normal.

7. ADJOURN: 7:38 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