

**MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE  
CITY OF AVON, OHIO HELD MONDAY, APRIL 3, 2023  
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; 2<sup>nd</sup> Ward - Dennis McBride; 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; Assistant Finance Director, Beth Raicevich; Safety/Public Service Director – Duane Streator; Clerk of Council – Barbara Brooks

ABSENT: 3<sup>rd</sup> Ward -Tony Moore and Finance Director– Steve Presley

Council President Fischer noted that item nos. 5a (Ordinance No. 50-23) and 5b (Ordinance No. 51-23) were being added to the agenda tonight.

1. ORDINANCE NO. 38-23 - TO AMEND THE PLANNING AND ZONING CODE SECTION 1270.03 SCHEDULE OF PERMITTED USES AND SECTION 1280.05 MINIMUM LOT AND YARD REGULATIONS FOR SPECIAL USES IN NON-RESIDENTIAL DISTRICTS TO REQUIRE A SPECIAL USE PERMIT FOR DRIVE-THRUS IN THE C-4 DISTRICT Planning Referral

A Public Hearing will be held on Monday, April 10, 2023 at 7:20 p.m.

The Third of Three Readings will be held at a Regular Meeting on Monday, April 10, 2023

Ms. Fechter had no additional information to provide.

2. ORDINANCE NO. 39-23 – TO AMEND THE PLANNING AND ZONING CODE SECTIONS 1228.04, 1230.02 AND 1244.06 TO MAKE PRE-APPLICATION MEETINGS WITH STAFF MANDATORY FOR ALL PROJECTS Planning Referral

A Public Hearing will be held on Monday, April 10, 2023 at 7:25 p.m.

The Third of Three Readings will be held at a Regular Meeting on Monday, April 10, 2023

Ms. Fechter advised she has explained to a few engineers what the process will be going forward. She said those she has spoken with are glad to see the City making this requirement a part of the process because it helps them get their project off to a good start.

3. ORDINANCE NO. 47-23 – AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH HAZEN AND SAWYER TO PERFORM WATER AND SANITARY SEWER SYSTEM DYNAMIC RATE ANALYSIS MODELING Mr. Cummins

Mr. Cummins advised this Ordinance would be to hire the firm of Hazen and Sawyer to perform a rate study of both the sanitary sewer and water distribution rates within the City. One component of that is they will provide a software financial model that would allow the City to run various financial scenarios in the future, Such as if they want to build a new water tower or replace a good amount of water main. This model would give the Finance Department the ability to analyze those scenarios and see how that would impact rates and fund balances and the like. He said Hazen and Sawyer were selected after a request for qualifications process and received two returns; one from Hazen and Sawyer and another from a company called Raftelis. Those responses were evaluated by the Safety/Service Director Mr. Streator, Finance Director Mr. Presley and Utilities Superintendent Mr. Bruce. Members of Chagrin Valley Engineering reviewed the responses and scored them and felt that Hazen and Sawyer was the best option to perform this work. After that, rates were negotiated based on the level of effort that was a required part of their RFQ response and a draft contract was prepared that would be entered into after passage of this legislation.

Mrs. Holtzmeier asked Mr. Cummins to go over what is the deliverable that will be provided to the City and then how that deliverable would be accessed and how long they could expect to utilize it.

Mr. Cummins advised the last rate study that was performed was done in 2014 so, it is something that will be used for a good number of years going forward. The deliverable is the rate study itself. What are the expenses? What are the maintenance costs? What are the expansion costs? All of those types of financial variables of the water and sanitary sewer systems and then the customer base and deriving rates to match up that would cover the costs and provide all those things. That is basically what was done in 2014, a rate study report. Then the City will have to decide as to whether they want to follow those rates or vary somewhat from them. In addition to that because everything is a little more advanced today in all aspects and in many different types of professions, there is a financial model that will be developed. That model will be used by Hazen and Sawyer to develop the rate study, but then it is also made available free of charge to the City of Avon as a work product that they would then be able to run various financial scenarios to see how that would impact rates; if the current rates would hold and still have enough to do some kind of capital improvement project or if they needed to adjust rates higher in order to reach a specific goal or complete a specific project. He said the end product is two-fold as it is the rate study report, but also the ability to have this financial model to run various scenarios at the City's discretion.

Mrs. Holtzmeier inquired if that program was run in a specific software program. Was it something they could model on Tableau or was it a simple Excel spreadsheet? How were they working with the model?

Mr. Cummins advised it was very important that it not be proprietary. The Raftelis model was proprietary and the City would be required to use Raftelis' service. This model is not proprietary. He said he thinks it is partially spreadsheet based, but he does not have all of the specifics of that.

Mrs. Holtzmeier advised what she is hearing is that it is open and not locked and the City can use it at their discretion and can continue to expand on it.

Mr. Cummins confirmed that to be correct. He said Finance Director Presley was a part of these discussions and evaluations and Mr. Presley was comfortable with what Hazen and Sawyer would be providing.

Mayor Jensen said things are always changing and replacements may or may not be coming up. He said when they talked with Avon Lake, it was made clear that the City of Avon is going to have to participate in some of those changes and/or replacements and this model would allow the City to plug that data in to see if our rates are following along to meet our expenses and planned projects. Mayor Jensen felt it is a valuable tool to have in place and will allow them to use it without another costly analysis.

Brian Bruce, Superintendent of Utilities, advised it is a Microsoft Power BI software program. He said as Mr. Cummins said our previous rate study was in 2014 and it had ten years predicted and there was really no way to manipulate that information without going back to the original company. Mr. Bruce stated this will allow the City to run many different scenarios. He thinks the most important and challenging part of it is that we have rates from North Ridgeville for sewer, the French Creek Wastewater Treatment Plant and they have Avon Lake sewer rates and Avon Lake water rates that all have to come into play for Avon to manage its own rates. This will be a great tool to really be able to understand where we are and where we are going. We typically get a few years of rates or at least an idea from North Ridgeville, and from Avon Lake where they can now see a little further down the road and hopefully not have to adjust so quickly. He advised fortunately that has not been the case and they would like to keep it that way.

Mr. Radcliffe advised this model is mainly based upon taking the rates that Avon is being provided from their suppliers and how they interact within our system and then the overall cost is out so that they know if they are overspending with the system.

Mr. Bruce said that is correct. He advised they will also be looking at their capital plan as to what is coming up.

Mr. Radcliffe added so it is not just the expenses going out, but the software also provides an analysis of capital expenditures going forward. He said this will have the ability to add in planned capital projects that are perhaps six years out.

Mr. Bruce confirmed that to be correct. He advised the first step will be gathering the data. There will be some general questions asking our planned capital projects over the next ten years; after five years it can get tough to determine, but they have an idea.

Mr. Radcliffe said it appears that Hazen and Sawyer is looking for a lot of data from the City for where the City's future is headed.

Mr. Bruce agreed and advised they will look at current consumption, which thankfully, because of the existing water meter technology, they have a good idea and can easily provide that data.

Mr. Radcliffe inquired if this program will be able to provide a forecast of the growth of residents in Avon that includes the consumption increase as well.

Mr. Bruce said yes; they will be looking back at previous growth and anticipated growth.

Mr. Radcliffe said the details on the scope of services were pretty cool and it sounds like it is a really great tool that could be used.

Mr. Bruce advised he believes it really will. He said with the recent change in the Finance Department that he felt it gives everyone, even those in his own department, a really good handle on where they are. Mr. Bruce stated the former Finance Director, Mr. Logan, had a lot of years of his hands around that.

Mr. Radcliffe asked if this program will also be able to give us a comparison for other cities or would that still be a manual evaluation by either the Finance Department or the Utilities Department in terms of rates.

Mr. Cummins felt that would be more of a manual process. He said this is going to deal with the Avon data specifically.

4. [ORDINANCE NO. 48-23](#) – REAPPROPRIATIONS

Mrs. Raicevich, Assistant Finance Director

Mrs. Raicevich read the reappropriations as follows:

General Fund No 101

Increase Maintenance-Stadium by \$75,000 as the original budget is insufficient for the necessary repairs.

Total General Fund Re-Appropriations \$75,000.00

Capital Improvements-Water Fund No 303

Increase Refunds by \$10,000 as it was not included in the Original Budget

Total Capital Improvements- Water Fund Re-Appropriations \$10,000.00

Sanitary Sewer Replacement Fund No 406

Increase Capital Outlay by \$30,000 as the original budget is insufficient.

Total Sanitary Sewer Re-Appropriations \$30,000.00

2022 Road Program Fund 420

Increase Road Program Capital Outlay by \$25,000 as it was not included in the original budget.

2022 Road Program Fund Total Re-Appropriations \$25,000.00

City-Wide Bike Trails Fund 488

Increase Engineering by \$25,000 for Phase II as it was not included in the original budget.

Total City-Wide Bike Trails Re-Appropriations \$25,000.00

Total Re-Appropriations All Funds \$165,00.00

Mrs. Demaline asked what the additional \$25,000 was intended for regarding the City-Wide Bike Trails appropriation to Fund No. 488.

Mr. Cummins advised the Lorain County Metroparks closed on the purchase of the Lustri property. That opens that property as a potential alternate route for the eastern end of the French Creek Road Bike Path. Originally the path was to be along French Creek Road for the entire length up to Detroit Road. More than a year ago with the option of Lorain County Metroparks acquiring the Lustri property, it was thought that would be a more desirable route to get off being adjacent to the roadway and go through the property. So, this initial \$25,000 is to do an environmental evaluation of the Lustri property. They know there is a good amount of wetlands spread out through the property. He said obviously, if they want to take a path through that property it is going to be in the City's best interest to miss those wetlands. So, this will be to start those environmental investigations, wetland delineations, in a sense to chart a route for a path through that parcel that will be the easiest way for keeping regulatory needs in mind. Mr. Cummins stated he was not saying that the City should necessarily choose the easiest route through that property, but they want to choose a route where they are minimizing their regulatory interactions.

Mrs. Demaline asked where they are with this bike path if they are going to continue to allocate funds to this program.

Mayor Jensen advised until Council tells him otherwise, they were still moving forward with the bike path. He said as far as he knows Council was still in favor of moving forward.

Mrs. Demaline inquired as to how much money has been spent to date on the engineering for this project.

Mayor Jensen advised when Mr. Presley gets back, he could provide Council with that information.

Mrs. Demaline advised she would appreciate more information on that.

Mr. Cummins advised he did not have the exact dollar amount in front of him, but it was estimated from the beginning to be over a million-dollar project. He said they spent a good amount of money through evaluation of the site, which side of the road to put the path on and to lay out a desired route and to prepare that with exhibits and the like for public consumption for what would be the western end of the project. Mr. Cummins stated they have also been advancing the engineering design on the western end of the project from the railroad tracks up to the Lustri property. He advised they have not gone anywhere east of the Lustri property as it has always been in the hopper for when the Lustri property was acquired. And for whatever reasons it took a long time for the Metroparks to accomplish the acquisition of the Lustri property. Mr. Cummins said they have been working on the engineering design, final engineering plans up to the Lustri property and now this will start the process of charting a path through the Lustri property to get to Avon Isle, trying to avoid wetlands along the way.

Mrs. Demaline advised this project was something that was before Council for a period of time before she was elected to City Council, and it was her understanding that the intention was for this path to go all the way to the Lorain County Metroparks at French Creek. She asked if that was correct.

Mr. Cummins advised that is correct; the Metroparks is doing a separate project on the west side of the railroad tracks to points west to make that connection. He said yes, that the goal of this phase of the project is to get from the municipal boundary of the west end of Avon to Detroit Road. The initial path for that desired terminus point

was entirely along French Creek Road. With the Lustri property becoming an option, they put the east end on hold hoping that the Lustri property acquisition would come through and it looks like it now has. And so, if they are going to move forward, and NOACA is only interested in the project if they can get from the western municipal line to Detroit Road. So, they would make that connection by going through the Lustri property to the Avon Isle and that would be acceptable to NOACA. Mr. Cummins stated he has had verbal discussions with NOACA, but he could not make any firm commitments because the Metroparks had not officially acquired the property. Now that the Metroparks has officially acquired the Lustri property all of those discussions will be going forward; getting permission from the Metroparks to access the property, looking at the environmental aspect of the project to try to route across the property, going back to NOACA and letting them know we can now go through the Lustri property and determine to make that the official route for this project. He advised there is a whole host of things in the background to go through to get to the desired project, but it would meet the requirements starting at the municipal boundary and getting to Detroit Road.

Mrs. Demaline asked if she was understanding Mr. Cummins properly, that the City still has NOACA funding available.

Mr. Cummins confirmed they still have the NOACA funding. He said they have a quarterly progress meeting via phone with representatives of ODOT and NOACA on the call. Mr. Cummins stated he has been very upfront with these entities about the option of the Lustri property and explaining the benefits of going through the Lustri property and they are all onboard with that and they see those benefits as well. Thus, NOACA and ODOT have been very lenient with the timeframes because he keeps saying to them that the City is being told that the Metroparks are going to close on the Lustri property this month and then they are told it is going to close in six months and so on. But everyone understands that is still the most desirable route and thus far we still have the funding. No one has said we are losing the funding, and everyone has been all positive about potentially utilizing that property as a part of this project.

Mrs. Demaline inquired if they know the status of where the Metroparks is in Sheffield for their portion of the project.

Mr. Cummins advised he believes Sheffield already has plans approved and might be headed toward construction. He clarified he does not know that specifically, but he has heard generalities that Sheffield was pretty far advanced.

Mayor Jensen advised Mr. Ziemnik, Director of the Lorain County Metroparks, told him the other day that they are hoping to get under construction this year in Sheffield.

Mrs. Demaline said she would appreciate it if they could provide her information on what has been spent to date for engineering on this project.

Mayor Jensen advised he believes it was last year that the City applied for TLCI grant funding that would push that project through all the way to Colorado Avenue. He said but since the Metroparks did not own the Lustri property at that time, the City could not put that application through. Also, if this project is moving forward, they still want to look for other opportunities for more grant money. Once the project is close to being under construction, they can go out for other funding opportunities. He said the City received money from the State budget for the Traxler property and they are hoping they can put something similar forward for our State Representatives and Senators to look at with the next budget.

5. [ORDINANCE NO. 49-23 – AUTHORIZING THE MAYOR TO ACCEPT A DONATION MADE TO THE AVON SENIOR CENTER BY THE VETERANS OF FOREIGN WARS OF OHIO CHARITIES, \(VFW POST 7035\)](#) Mayor Jensen

Mayor Jensen advised last week Kerry Barvincak, Commander of the Avon VFW Post 7035, reached out to him and the Senior Center Coordinator and said the VFW would like to make a donation of \$4,000 to the seniors. This legislation will authorize him to accept the check and put it into the proper fund account for the seniors for their expenses. He said as special events for the seniors come about where that money could be utilized then the money will come out of that fund to benefit the seniors.

Mr. Fischer advised Mr. Barvincak and the VFW are always looking for ways to improve things in the City of Avon. He said Mr. Barvincak is a fantastic resident of our City and we appreciate this generous donation from the VFW. Mr. Fischer thanked them for their generosity.

5a [ORDINANCE NO. 50-23 – DETERMINING TO PROCEED WITH THE CONSTRUCTION AND RECONSTRUCTION OF APPROXIMATELY 475 LINEAL FEET OF CHESTER ROAD, TOGETHER WITH ALL NECESSARY APPURTENANCES AND RELATED IMPROVEMENTS THERETO](#)

Mr. Gasior

Mr. Gasior advised this is related to item no. 5b. as they are going to forward with the project. He said this legislation only covers 475 lineal feet, which is essentially the area that encompasses the property owned by Brady-Cam, Avon Pointe Campus Association, on the south side of Chester Road. This Ordinance is required to clearly identify that the bid has been received and they know what the bid construction cost is going to be; prior to this it was an estimate. The statute requires Council to pass the Ordinance to Proceed now that we know that the bid is in and under the bid amount or within 10% and we notify the property owner that the City is moving forward with the project. Mr. Gasior stated this is a standard operating procedure when you are assessing a public improvement. He said once the improvement is completed there will be an Ordinance to finalize the assessment. So they are in the middle stage of the process right now.

5b. [ORDINANCE NO. 51-23 – TO AWARD THE BID FOR THE CHESTER ROAD WIDENING - PHASE II PROJECT](#) Mr. Cummins

Mr. Cummins advised they opened bids for this project last Thursday, March 30<sup>th</sup> and, they received four bids. KMU Trucking and Excavating was the low bid coming in at 3.3% under the engineers estimate with their bid amount of \$2,102,343.39. KMU has an excellent record of working within and for the City of Avon and he reviewed their bid package that was submitted and find it to be complete. He said it is his recommendation that KMU be determined to be the lowest and best bidder for the project and that they be awarded a construction contract. Mr. Cummins stated it is so important to get this done now because every day is important to the process with the construction season upon us.

Mr. Fischer asked if the project would get started immediately assuming that this legislation passes next week.

Mr. Cummins advised they would start in mid-May. Generally, it is around a month from the time the contract is awarded until they have shovels in the ground. At the preconstruction meeting they will get out some public information and KMU will be ordering materials and getting their material suppliers approved and all of those things will be happening in the background. He said in the bid, he believes that KMU noted around May 15<sup>th</sup> as a start date.

Mayor Jensen said for everyone to keep in mind that the Middle Avenue project would be getting started and they are going to want to offset the projects if they can, to get the Middle Avenue project completed and then almost immediately afterward begin the Chester Road Widening project.

Mr. Gasior advised regarding the cost, the assessment for this project is somewhere in the area of \$400,000 to \$420,000. If Council recalls about a year and a half ago, Concord Village was committed to paying approximately another \$350,000 for this project. He said he believes there was also some State Issue One funds to which Mr. Cummins confirmed that to be correct. Mr. Gasior stated not all of this \$2 million would be coming out of the City's coffers, which is a pretty good deal.

6. RESOLUTION NO. R-21-23 – TO AUTHORIZE THE MAYOR TO PARTICIPATE IN A COOPERATIVE PURCHASING PROGRAM WITH THE OHIO DEPARTMENT OF TRANSPORTATION, WINTER CONTRACT FOR ROAD SALT Mr. Streator

Mr. Streator advised this is the annual contract with ODOT through their Cooperative Purchasing Program that we enter into every year. He said the City is required to pass a Resolution to participate in the program and they plan to participate in this program for the 2023-2024 winter season as they have for the last number of years.

7. REPORTS AND COMMENTS

MAYOR JENSEN had no comments.

COUNCIL MEMBERS:

MRS. DEMALINE, WARD 1 asked for an update on having AED's available with access to these devices in our parks.

Mr. Streator advised they have discussed this topic with others within the Administration. He said there are some AED's in our parks and usually our parks personnel are trained in their use. Mr. Streator stated they are trying to find creative ways to make them accessible; because if these devices are located in the parks buildings, the building could still be quite some distance away from the sports activities especially in the park system specifically, so they are trying to work through that and determine how to go about doing that. He advised they are trying to find ways and have the proper people, whether Little League or Soccer and other organizations, aware of their location and have access to the devices.

Mrs. Demaline advised she was at Veterans Memorial Park tonight for Little League practice and there was no indication anywhere of AED's or what to do in case of an emergency. She asked if there is an AED at Veterans Memorial Park.

Mr. Streator answered no, not currently. He said they are looking at ways to install them in the areas that are accessed by the umpires. Mr. Streator advised right now accessibility for public access to AED's is limited as there are many areas that would not be secure. He stated the park areas can be very problematic for how to resolve this issue.

Mrs. Demaline asked if they were still working toward having access to AED's in the parks.

Mr. Streator confirmed they were still working toward that.

Additionally, Mrs. Demaline reported that she will not be at the meeting next Monday night, April 10, 2023.

MRS. HOLTZMEIER, AT LARGE had no comments.

MR. MCBRIDE, WARD 2 said as a follow-up to Council Member Demaline's comments, that moving forward it may be tough to set up those AED's where they are conveniently accessed for people to utilize. He advised it very well could be that all these organizations, whether an Avon program or baseball travel teams or what have you, the City may need to require them to provide their own portable AED's. Mr. McBride said if we cannot find a convenient or logical place where they are continually charged then the City would have to go to plan B and require those organizations that are sponsoring the events to bring a device and be responsible for it being charged.

Mr. McBride advised there is some landscaping that is failing at a fairly new building on Detroit Road and he has spoken with the Planning Coordinator about it. He said he would provide addresses in an email to the Administration, but he felt the City really needs to start enforcing when landscaping fails at some of these commercial developments whether a single building or a collection of buildings that they have to replace the landscaping. Mr. McBride stated just cutting some dead trees down and then not doing anything else he felt was unacceptable.

Mr. McBride said there are also two or three homes that have an issue with property maintenance. He advised there are some on Detroit Road and one in the Willow Creek Subdivision. Mr. McBride stated that the City may need to look at improving our property maintenance code if the City has no way to enforce getting these properties cleaned up. He said two of the properties were both in the same area.

At one property, trash was being thrown were out the back door such as boxes and the like and that is unacceptable in Avon. Mr. McBride said the house in the Willow Creek Subdivision is a corner house and there are a number of torn screens and if people cannot afford to maintain a screen, then it should be removed from the window area.

Mr. McBride stated the other property he wanted to follow up on he knows they have been sent a letter although he does not believe they have been officially cited. He said there is a house being rehabbed by a contractor on Chester Road and the last time he drove by he had not seen any noticeable change and it has been over a year now. Mr. McBride felt it may be time to cite the property owner and there is a State statute that the City can enforce, to board up properties and move the occupants out if they do not fix their properties and in some cases the City can tear down the structure and the cost can be assessed to the property taxes. He said that may be what needs to go on with a couple properties in town.

Mr. McBride said he and Mr. Moore spoke over the weekend regarding the signs popping up all over the public right-of-way throughout the City. He felt the City needed to go over the offenders and suggested that the fees be increased. Mr. McBride stated he does not know what else to do and unfortunately it was going to impact a couple of our community organizations because when we start taking these signs out of the public right-of-way then we cannot have other organizations, including the City, doing the same posting event signs and the like in the right-of-way.

Mayor Jensen advised he met with the Zoning Enforcement Officer, Jill Clements, last week and said there was a business owner who was very upset. He wanted to put signs in the right-of-way and was told not to do so. The business owner responded with asking when the City Council meetings were held. He said he was hoping this business owner was present tonight, but he does not see him in the audience. Mayor Jensen stated this business owner was very upset that the City would not allow him to put signs in the right-of-way to advertise his business. He advised many people feel like the right-of-way is their area to advertise and it is not and Council may see this business owner at a future meeting tell them that the City is not friendly to businesses because they are not allowed to put signs in the public right-of-way to advertise their business.

Mr. McBride said in some ways he could understand this business owner's frustration because of what they see every weekend with the builders putting signs up in the right-of-way and there seems to be no penalty for them doing so. He suggested a hefty fee be imposed for violators.

MR. MOORE, WARD 3 was absent

MR. RADCLIFFE, WARD 4 had no comments.

MR. WITHERSPOON, AT LARGE asked Mrs. Demaline if it is mandatory for the coaches to be trained in CPR.

Mrs. Demaline said she could not speak for Little League, but her husband is an Avon travel Soccer Coach and there is no CPR training or AED certification necessary.

Mr. Witherspoon advised he felt they should take a look at that factor because the City could provide AED's in the parks and still have no one who knows how to use them. He said he has been through the classes with the Fire Department on CPR and AED, but he does not know if the Fire Department could provide such training for the coaches. Mr. Witherspoon stated it has been in the news where one young person was not attended to and they unfortunately passed away while participating in sports. He advised he would hate to see that happen in Avon so he does not know which way to go on this issue as he does not believe they could force coaches to be certified in and administer CPR and using an AED, but he felt it was a good idea to have every coach take a class on CPR. Mr. Witherspoon said he hopes all of them on City Council have gone through those classes; if not, it is a good idea that they do. He asked Mr. Streator if he had anything to add to his comments.

Mr. Streator advised the Fire Department has continued to offer CPR classes to the community. He said they do it for different organizations as well. Mr. Streator stated it is required of the Parks Department employees who work in our parks throughout the summer months. He advised in talking with the Recreation Coordinator, Clare Harasimchuk, one of the challenges with the different organizations that are not a part of the Parks Department programs was that it was difficult to even get someone to agree to coach these programs so putting other restrictions or requirements on them, they are concerned they would get even less participation from a coaching standpoint. Mr. Streator said they would



encourage people to get CPR and AED certified and try to help them in any way they could, but to require it was difficult.

Mr. Witherspoon suggested that maybe they could reach out to the organizations and offer the training rather than make it mandatory.

Mr. Streator advised that was one of the things that Fire Chief Swope and Ms. Harasimchuk and he were discussing was how to do that.

Mr. Witherspoon suggested that Mrs. Demaline and her husband could help get the word out to the coaches they were familiar. He said it was just a thought.

MR. FISCHER, AT LARGE advised he agrees with all three of them about the AED discussion. He advised that he completely agrees with Mr. Witherspoon as he believes everyone should be CPR trained. Mr. Fischer said he agrees with Mr. McBride that organizations should be required to bring their own equipment. He stated he agrees with Mrs. Demaline that the City should be required but asked where do we stop? Where do we put them? In our City there are so many organizations that are using our facilities so, where do we put it? Who is going to be required to tell someone they have access to it as it is an expensive piece of equipment? He said we want to make it accessible, but there are so many different organizations using our fields, how do we regulate that? As a City, do they want to get involved with that? Mr. Fischer stated he agrees with all of them that we need to get our coaches certified in CPR. There are so many people using our facilities, so it is so hard to make it that available to everybody. They want to make it available, but in a public park it has got to be extremely hard.

Mr. Streator agreed it is extremely hard to make AED's available in the parks. He said in looking at the parks in general and Ms. Harasimchuk has done some research with other Parks Systems, even the Metroparks, as to how they handle this kind of situation and they have not found a good answer. Mr. Streator stated even with some of the organizations, the City does not check and/or require their first aid supplies or whether these teams such as Little League show up with any kind of first aid kits and the City does not provide that for them and there is not a centralized first aid station. He advised the City would expect that these leagues would have first aid, but there are no requirements even from a basic first aid standpoint. Mr. Streator stated whether it is soccer, baseball, lacrosse or football whether the coaches have some sort of first aid kit, or what their training was in first aid, he was not really sure of. Where do we draw the line as the City, the owner of the parks which supplies the field? Or do we rely on the user of the parks to do that kind of thing? AED's have become more popular and put in many public areas and there is no doubt they have saved lives because they are so accessible similar to first aid being readily available, but whose responsibility is that?

Mr. Fischer said that was perfectly stated by Mr. Streator. He stated he also agreed with Mr. McBride that Council might want to look at giving Ms. Clements, the Zoning Enforcement Officer, some more teeth in enforcing clean up of the properties in Avon that are in disrepair. Mr. Fischer advised he knows that Ms. Clements responds to a lot of calls and there is only so much she can do based on what is allowed, but he felt Council could look at providing her a little bit more enforcement availability.

#### DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER advised they are getting into the construction season. They have three pre-construction meetings this week for the three paving projects. For two of those projects they received preliminary schedules today. The Just Imagine Drive project is tentatively looking at starting to place maintenance of traffic items next Monday and begin the actual work the following Monday. He said on Main Street and Middle Road, maintenance of traffic items were to be placed on April 17<sup>th</sup> and then following up on the 24<sup>th</sup> of April with getting started with the work. Mr. Cummins stated they still are waiting on the schedules for Cherry Street, Pear Street, Willo Road and Jennie Street and hopefully they will have that at the time of the preconstruction meeting if not sooner this week and we already talked about Chester Road phase II. So, it is a busy season coming up and he asked for everyone's patience.

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

MR. GASIOR, LAW DIRECTOR had no comments.

MRS. RAICEVICH, ASSISTANT FINANCE DIRECTOR had no comments.

MR. STREATOR, SAFETY DIRECTOR/PUBLIC SERVICE DIRECTOR advised the Fire Department had 290 runs in March, which is very close to last year. He said there were 244 calls for EMS and 46 for Fire.

Mr. Streator said Mother Nature has picked the last two Saturdays to be very windy. They survived both and this last Saturday was worse than the previous one as there were some road closures due to downed trees and/or lines. He stated he has Mr. Conley from FirstEnergy on speed dial and he has been very receptive to the needs in the community and he gets back to him right away to try to provide as much information as possible.

AUDIENCE:

There were no comments from the audience members.

8. EXECUTIVE SESSION: 8:21 p.m.

A motion was made by Mr. McBride and seconded by Mrs. Holtzmeier to Enter Into Executive Session for the Purpose of Discussing the Purchase of Real Estate and invite Mr. Cummins, and the vote was: Mrs. Demaline, "yes"; Mrs. Holtzmeier, "yes"; Mr. McBride, "yes"; Mr. Radcliffe, "yes"; Mr. Witherspoon, "yes"; Mr. Fischer, "yes".

The vote was 6 for and 0 against and the Chairman declared the motion passed.

9. RECONVENE: 8:30 p.m.

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

The vote was 6 for and 0 against and the Chairman declared the motion passed.

10. ADJOURN: 8:31 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