

**PUBLIC HEARING
MONDAY, APRIL 13, 2020**

7:20 P.M. – Council President Brian Fischer opened the Public Hearing for Ordinance No. 29-20

**ORDINANCE NO. 29-20 – TO AMEND SECTIONS 1222.02, 1278.03, 1280.05 AND
1280.06 OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO INCLUDE
GARDEN CENTER ON THE SCHEDULE OF PERMITTED AND SPECIAL USES IN
THE M-1 GENERAL INDUSTRIAL AND M-2 LIGHT INDUSTRIAL DISTRICTS**

There being no comments, the Public Hearing for Ordinance No. 29-20 was closed at 7:21 p.m.

The Chair advised the third of three readings would be held on Monday, April 27, 2020

7:25 P.M. – Council President Brian Fischer opened the Public Hearing for Ordinance No. 28-20

**ORDINANCE NO. 28-20 – ADOPTING THE JANUARY 14, 2020 REVISION TO THE
STANDARD CONSTRUCTION DRAWINGS FOR THE CITY OF AVON**

There being no comments, the Public Hearing for Ordinance No. 28-20 was closed at 7:26 p.m.

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF AVON, OHIO, HELD MONDAY, APRIL 13, 2020
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
AT 7:30 P.M.**

The Chairman, Council President Brian Fischer, called the meeting to order and led the Pledge of Allegiance.

PRESENT

Council Members: 1st Ward – Bob Butkowski; Council-at-Large – Tammy Holtzmeier; 2nd Ward – Dennis McBride; 3rd Ward – Anthony Moore; 4th Ward - Scott Radcliffe; Council-at-Large – Craig Witherspoon; Council-at-Large – Brian Fischer, Council President; Mayor - Bryan Jensen; Law Director – John Gasior; Finance Director – William Logan; Clerk of Council – Barbara Brooks

ABSENT

City Engineer – Ryan Cummins; Service Director – Michael Farmer; Planning and Economic Development Coordinator – Pam Fechter; Duane Streater, Safety Director

ADDITIONS AND DELETIONS TO THE AGENDA

A motion was made by Mr. McBride and seconded by Mr. Moore to amend the agenda by deleting item #9, Ordinance No. 29-20, and the vote was: Mr. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Fischer, “yes”.

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

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to accept the agenda as amended, and the vote was: Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”.

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

MINUTES OF THE WORK SESSION OF COUNCIL HELD MONDAY, MARCH 16, 2020

A motion was made by Mr. McBride and seconded by Mr. Moore to dispense with the reading of the minutes of the Work Session of Council held Monday, March 16, 2020, and to approve said minutes as published, and the vote was: Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. Fischer, “yes”.

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

MINUTES OF THE REGULAR MEETING OF COUNCIL HELD MONDAY, MARCH 23, 2020

A motion was made by Mr. Radcliffe and seconded by Mr. Moore to dispense with the reading of the minutes of the Regular Meeting of Council held Monday, March 23, 2020, and to approve said minutes as published, and the vote was: Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Fischer, “yes”.

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

MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD MONDAY, APRIL 6, 2020

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to dispense with the reading of the minutes of the Special Meeting of Council held Monday, April 6, 2020, and to approve said minutes as published, and the vote was: Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Fischer, “yes”.

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

ORDINANCE NO. 28-20 – ADOPTING THE JANUARY 14, 2020 REVISION TO THE STANDARD CONSTRUCTION DRAWINGS FOR THE CITY OF AVON

The Clerk read Ordinance No. 28-20 by title only, entitled:

AN ORDINANCE ADOPTING THE JANUARY 14, 2020 REVISION TO THE STANDARD CONSTRUCTION DRAWINGS FOR THE CITY OF AVON

The Chair declared this to be the third of three readings of Ordinance No. 28-20.

A motion was made by Mr. McBride and seconded by Mrs. Holtzmeier to adopt Ordinance No. 28-20, and the vote was: Mr. Witherspoon, “yes”; Mr. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Fischer, “yes”.

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

ORDINANCE NO. 34-20 – TO AWARD THE BID FOR THE DOOVYS STREET, JULIA AVENUE AND MIRIAM AVENUE PAVEMENT RESURFACING PROJECT

The Clerk read Ordinance No. 34-20 by title only, entitled:

AN ORDINANCE TO AWARD THE BID FOR THE DOOVYS STREET, JULIA AVENUE AND MIRIAM AVENUE PAVEMENT RESURFACING PROJECT AND DECLARING AN EMERGENCY

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to suspend the rules and act on Ordinance No. 34-20, and the vote was: Mr. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Fischer, “yes”.

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

A motion was made by Mr. McBride and seconded by Mr. Moore to adopt Ordinance No. 34-20, and the vote was: Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”.

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

ORDINANCE NO. 35-20 – TO AWARD THE BID FOR THE VETERANS MEMORIAL PARK STORM SEWER IMPROVEMENT PROJECT, PHASE 1

The Clerk read Ordinance No. 35-20 by title only, entitled:

AN ORDINANCE TO AWARD THE BID FOR THE VETERANS MEMORIAL PARK STORM SEWER IMPROVEMENT PROJECT, PHASE 1 AND DECLARING AN EMERGENCY

A motion was made by Mr. McBride and seconded by Mr. Moore to suspend the rules and act on Ordinance No. 35-20, and the vote was: Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. Fischer, “yes”.

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

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Ordinance No. 35-20, and the vote was: Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Fischer, “yes”.

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

ORDINANCE NO. 39-20 – TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$4,000,000 BOND ANTICIPATION NOTES OF THE CITY OF AVON, OHIO IN ANTICIPATION OF THE ISSUANCE OF BONDS TO PAY THE PROPERTY OWNERS’ PORTION AND THE CITY’S PORTION OF THE COSTS, IN ANTICIPATION OF THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS, RELATED TO THE IMPROVEMENT OF ELIZABETH AVENUE, JOSEPH STREET, PUTH DRIVE AND DETROIT ROAD BETWEEN THE ADDRESSES OF 34008 AND 34901 BY THE CONSTRUCTION OF A SANITARY SEWER, TOGETHER WITH ALL NECESSARY APPURTENANCES AND RELATED IMPROVEMENTS THERETO

The Clerk read Ordinance No. 39-20 by title only, entitled:

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$4,000,000 BOND ANTICIPATION NOTES OF THE CITY OF AVON, OHIO IN ANTICIPATION OF THE ISSUANCE OF BONDS TO PAY THE PROPERTY OWNERS’ PORTION AND THE CITY’S PORTION OF THE

COSTS, IN ANTICIPATION OF THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS, RELATED TO THE IMPROVEMENT OF ELIZABETH AVENUE, JOSEPH STREET, PUTH DRIVE AND DETROIT ROAD BETWEEN THE ADDRESSES OF 34008 AND 34901 BY THE CONSTRUCTION OF A SANITARY SEWER, TOGETHER WITH ALL NECESSARY APPURTENANCES AND RELATED IMPROVEMENTS THERETO AND DECLARING AN EMERGENCY

The Chair declared this to be the first of three readings of Ordinance No. 39-20.

Mr. Logan clarified these are notes in anticipation of bonds in answer to a question from Mr. McBride. He advised ultimately the City may bond out, when the project is completed, a portion or all of the notes depending on the environment at that time. Mr. Logan stated assuming Council passes this Ordinance on its third reading on May 11th, the notes would be sold that week. He said they are not sure yet what avenue they would be selling them as they have some flexibility. Mr. Logan noted it is a volatile market right now for issuing any kind of debt and they are going to play it by ear. He added that the sale of the notes will be contingent on the contract for the construction of the project being awarded by that time. Mr. Logan advised if the contract is not awarded for some reason then they would possibly delay the sale of the notes.

Mr. Gasior advised they are still working on acquiring all the necessary property rights.

Mr. McBride asked what the rates for notes and bonds are currently.

Mr. Logan advised notes are approximately 1.4% to 1.5%. He said bonds are a whole different story because when you are looking out further the municipal market is volatile right now, which is why the City has not yet sold or issued those advance refunding bonds talked about in previous meetings. Mr. Logan stated at one point, the City was looking at \$4.5 million in savings on those advance refunding bonds, but if they were to go out to market today, they probably would not sell, and the savings now is projected at under \$2 million. He advised they are holding back and playing it by ear until the market stabilizes. Mr. Logan said luckily it is something they do not have to issue as those were advance refunding bonds.

Mr. McBride advised Council previously approved that advance refunding to occur and Mr. Logan and his financial advisors could act on it should a small window of opportunity arise.

Mr. Logan confirmed everything was in place except the volatility of the market.

ORDINANCE NO. 40-20 – AUTHORIZING AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE PAVEMENT RESURFACING AND ASSOCIATED IMPROVEMENTS ALONG CERTAIN SECTIONS OF STATE ROUTE 254 (DETROIT ROAD)

The Clerk read Ordinance No. 40-20 by title only, entitled:

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE PAVEMENT RESURFACING AND ASSOCIATED IMPROVEMENTS ALONG CERTAIN SECTIONS OF STATE ROUTE 254 (DETROIT ROAD) AND DECLARING AN EMERGENCY

A motion was made by Mr. McBride and seconded by Mr. Butkowski to suspend the rules and act on Ordinance No. 40-20, and the vote was: Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Fischer, “yes”.

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

A motion was made by Mr. McBride and seconded by Mr. Moore to adopt Ordinance No. 40-20, and the vote was: Mr. Witherspoon, “yes”; Mr. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes” Mr. Fischer, “yes”.

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

ORDINANCE NO. 41-20 – TO AUTHORIZE THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE AVON LOCAL SCHOOL DISTRICT TO DELAY PRESENTATION OF THEIR FINAL DEVELOPMENT PLAN REVIEW BY THE AVON PLANNING COMMISSION

The Clerk read Ordinance No. 41-20 by title only, entitled:

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE AVON LOCAL SCHOOL DISTRICT TO DELAY PRESENTATION OF THEIR FINAL DEVELOPMENT PLAN REVIEW BY THE AVON PLANNING COMMISSION AND DECLARING AN EMERGENCY

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to suspend the rules and act on Ordinance No. 41-20, and the vote was: Mr. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Fischer, “yes”.

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

A motion was made by Mr. McBride and seconded by Mr. Moore to adopt Ordinance No. 41-20, and the discussion was:

Mr. Gasior advised back in December when the School contemplated moving forward with this Performing Arts Center at the High School campus, School officials appeared in front of Planning Commission seeking their recommendation to City Council an amendment to their Special Use Permit. Mr. Gasior stated Planning Commission did make that recommendation to Council in Ordinance No. 3-20 and Council granted the amended Special Use Permit. He said the final development plan for the School should have been submitted to Planning Commission for their March 18th meeting, but as a result of the coronavirus there was a very limited Planning Commission meeting that night. Mr. Gasior advised since then the Governor extended the State of Emergency and the Stay at Home Order from April 6th until the end of April. He said it became clear that the City was not going to be able to hold a Planning Commission meeting in April. Mr. Gasior advised the School is invested in moving forward with this project as they have completed the engineering and architectural work and have even gone out to bid and are ready to award construction bids. He stated it is going to cost the School money if the City holds that project up, but typically the City does not allow anyone to go forward without Planning Commission having

reviewed the final development plan. Mr. Gasior said to try to deal with this problem he prepared a memo which recites many of the circumstances under which the City would like to move forward with this agreement. He said the agreement essentially says that the School can move forward and as soon as the Planning Commission can meet, the School agrees to come before Planning and present that final development plan, much of which will already be completed. Mr. Gasior noted there should not be any issue because the City Engineer is continuing to work with the Schools' engineer on all the details. He said he knows there were some issues with buffering that will most likely be addressed at the time the School comes before the Planning Commission. Mr. Gasior advised any abutting property owners that still feel they need to address something with regard to the plan, can do so at that time. He said in the interest of having the School move forward and save the taxpayers money, it is probably in the City's best interest to agree to this MOU. Mr. Gasior noted he sent out a draft of the memo over the weekend and this morning the Counsel for the Schools made a few redline comments. He said most of the proposed wordsmithing is in the last three Whereas clauses and a few of the other clauses after that. Mr. Gasior advised the Planning Commission is not going to waive the required step and that is the reason for the MOU and the School understands that.

Mr. McBride advised he just wanted to make certain that the Schools are required to meet all parking and other zoning and Planning Commission requirements.

Mr. Gasior advised Section 3 in the MOU says all provisions of the Ohio Building Code and Avon Codified Ordinances applicable to building construction shall remain in full force and effect... He said in one of the Whereas clauses in the MOU he pointed to ACO §1228.11 which covers all the final development plan review points.

Mr. McBride stated he wanted to make certain because X number of parking spaces are going to be lost because of that structure and for trailers and whatever else the construction crew would be doing. He advised they must have those spaces back in operation before the school year starts because parking will be a nightmare. Mr. McBride said students have already been parking on adjacent properties and cutting through to get to that School and that is the Schools' responsibility to provide those parking spaces. He advised he imagines the traffic study will show a traffic signal will be required.

Mr. Gasior advised it was good Mr. McBride put that into the record tonight before his vote, but they did not want to get into itemizing every line in 1228.11 and decide whether that had been met or for something to be met later. He said they tried to put together in the MOU the understanding that the School will come back in front of the Planning Commission as soon as it is safe to come back. Mr. Gasior felt it is going to take the School quite some time to complete construction of this facility. He added that School construction is considered an essential infrastructure activity. Mr. Gasior said he is hopeful there will be a Planning Commission meeting sometime in the next four months and all those issues will be addressed.

Mr. McBride advised his fear is that school begins in August and if they are not cutting out and installing the parking lot, there will not be enough spaces for the coming school year, assuming school resumes in August.

Mr. Gasior advised they are all watching the news and the activity of this State of Emergency and what is going to happen for the rest of this school year. He said with all this uncertainty, they still want the School to be able to move forward and that is the reason for the MOU.

Mr. McBride advised he is fully supportive of the MOU and he is fully supportive of the Schools, but he knows how things get pushed aside when there are more important priorities. He agreed the School needs a Performing Arts Center. Mr. McBride added the current Superintendent of the Schools has been very good for the City.

Mayor Jensen advised he spoke with Superintendent Laub recently and when it comes to parking, that is going to have to be something that the City and the School will need to discuss during construction. He felt the City is going to need to allow some temporary parking spots to get through the construction phase.

Mr. Witherspoon noted Section 3 of the MOU and said he understands the City's part in all of that, but the School redlined that section and he is wondering what that means. He asked if that is going to be a problem for the City.

Mr. Gasior advised no and where it states that the Schools maintain their autonomy as a political subdivision, that has been stated many times throughout the Whereas clauses and that has always been the case. He said the Schools have consistently over the years submitted themselves to review by the Planning Commission and City Council and the original Special Use Permit was issued in 1996 and since that time they have been back seven or eight times for amendments to that Special Use. Mr. Gasior stated it has been a good relationship all those years and he does not see anything that would interfere with that even with this agreement. He said these are unusual circumstances and the final development plan would have been reviewed and approved in some way shape or form by now, but for this coronavirus.

Mr. McBride clarified the Schools are a developer; however, they are not a private developer and that is the only reason the City is agreeing to this MOU. He said the Schools are a separate political subdivision of the State of Ohio. Mr. McBride advised if this was a commercial/residential property developer, the City would most likely not be agreeing to this MOU.

And the vote was: Mrs. Holtzmeier, "yes"; Mr. McBride, "yes"; Mr. Moore, "yes"; Mr. Radcliffe, "yes"; Mr. Witherspoon, "yes"; Mr. Butkowski, "yes"; Mr. Fischer, "yes".

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

RESOLUTION NO. R-14-20 – TO AUTHORIZE THE MAYOR TO PARTICIPATE IN A COOPERATIVE PURCHASING PROGRAM WITH THE OHIO DEPARTMENT OF TRANSPORTATION, WINTER CONTRACT FOR ROAD SALT

The Clerk read Resolution No. R-14-20 by title only, entitled:

A RESOLUTION TO AUTHORIZE THE MAYOR TO PARTICIPATE IN A COOPERATIVE PURCHASING PROGRAM WITH THE OHIO DEPARTMENT OF TRANSPORTATION, WINTER CONTRACT FOR ROAD SALT AND DECLARING AN EMERGENCY

A motion was made by Mr. McBride and seconded by Mr. Moore to suspend the rules and act on Resolution No. R-14-20, and the vote was: Mr. McBride, "yes"; Mr. Moore, "yes"; Mr. Radcliffe, "yes"; Mr. Witherspoon, "yes"; Mr. Butkowski, "yes"; Mrs. Holtzmeier, "yes"; Mr. Fischer, "yes".

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

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Resolution No. R-14-20, and the discussion was:

Mr. Radcliffe asked if confirmation was ever received as to whether the volume was planned to be more or less from what it was last year.

Mayor Jensen advised it will be less than last year as they still have quite a bit of road salt left from last year.

And vote was: Mr. Moore, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Fischer, “yes”.

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

REPORTS AND COMMENTS

Mayor Jensen advised as we continue through this time of emergency, they have talked about only having two meetings a month with the Work Sessions directly before the Regular Meetings, but he wanted to let Council know that he plans to bring back the Directors and Staff that have not been attending recent meetings. He said the seating would still be spaced and they will probably need to add additional tables to accommodate that. Mayor Jensen felt it is important for Council to be able to get answers to some questions they may not have been able to ask with Department Heads absent these last few weeks.

Mayor Jensen advised Council should have received an email today that showed that the City of Lorain reached out to Republic Services and requested Republic to honor their contract to haul yard waste and bulk items by reestablishing those services. He said Republic agreed to reestablish those services for the City of Lorain and we sent a letter to Republic today asking for that same consideration for Avon. Mayor Jensen said the Lorain County Health Department confirmed that the paper bags that yard waste is collected in were not a health concern for spreading the virus. He advised there were 30 loads of full dumpsters that were emptied with the temporary solution provided the residents. Mayor Jensen stated even though there were some negative responses about the dumpsters with some taking advantage of it, he felt overall it was a positive as it helped a lot of people. He said there were a lot of “thank you’s” and most of the criticism was toward other residents who overdid it. Mayor Jensen stated City employees came in at 5:00 am this morning to clean up before the windstorm. He said our Staff did a great job coming in on Saturday and while it was not a perfect solution he was proud of our employees and they never gave him a hard time through all the mess.

Mr. Radcliffe confirmed that Republic Services provided those dumpsters in place of not collecting bulk items for the month of April to which Mayor Jensen confirmed that to be true.

Mayor Jensen advised the City will still have Spring Clean Up days where dumpsters will be provided by the City at a date to be determined.

COUNCIL MEMBERS:

Mr. Butkowski, Ward 1, had no comments.

Mrs. Holtzmeier, At Large, gave Kudos to the Service Department for getting it done. She said they were at the dumpsters with a backhoe picking up what was left outside of the dumpsters and that is a lot of work. Mrs. Holtzmeier said they do it because it helps people and if the negative aspect gets you down, she encouraged them to remember they were filling a need that many appreciated.

Mrs. Holtzmeier reminded people to continue to be safe and as they see more community members wearing masks and people maintaining a safe social distance. She said there is a tendency as this goes on to get lax in our actions and it remains important to keep vigilant and be persistent about all the actions they need to take to fight this virus.

Mr. McBride, Ward 2, gave kudos to the Service Department for handling the dumpster issue. He thanked Mr. Farmer and Mr. Cummins for meeting him on Nagel Road along the multipurpose path on the east side of Nagel Road earlier today to try and figure out what the Red Tail Developer needs to do to get that multipurpose path to the condition it should have been originally. Mr. McBride advised there is no easy solution there and it is going to be a little more painful than anticipated by the developer and probably more expensive.

Mr. McBride stated he and Mr. Farmer met at a home on N. Doovys that has some erosions into that drainage ditch. He said they gave suggestions to the homeowner that may work but will still require some work.

Mr. McBride advised regarding the dumpsters, just from reading some of the comments on Facebook on the Avon sites, it appears to have been a lot of contractors throwing items into the dumpsters. He knows the City has video surveillance on a couple of those locations, but he feels they need to have video surveillance on all dumpster sites in the future. Mr. McBride stated if people are going to do things that lack common sense maybe there should be some follow-up consequences with possible fines imposed. He said the City should not be paying for contractor disposal.

Mr. McBride advised there is a resident on Pin Oak that needs a variance from the Board of Zoning Appeals. He said he asked the City's Building Official to verify if they pulled a permit and whether that contractor/homeowner filed for a variance for what would have been the April BZA meeting.

Mr. McBride suggested to Mr. Cummins, in regards to the Detroit Road repaving that it would be nice if the City held a meeting to brief residents on the scope of the project and the impact to the residents or get it out on the social media pages to let the residents know what will be happening. He felt it would help alleviate some questions and concerns if residents were informed in some way before these roadway projects begin.

Mayor Jensen advised regarding the project on Chester Road they would get that construction traffic information out again. He said originally the contractor wanted 6 weeks of one-way traffic and the City compromised and is allowing them 3 weeks of one-way traffic. Mayor Jensen stated he will also get the information out about the road program. He said since traffic is lighter during this time, they are going to allow the crews to work daylight hours unless it changes and then it would go back to evening hours only.

Mr. McBride asked that the political signs be removed from the right of way throughout the City. Mayor Jensen advised he would have the Zoning Enforcement Officer do that tomorrow.

Mr. Moore, Ward 3, had no comments.

Mr. Radcliffe, Ward 4, had no comments.

Mr. Witherspoon, At Large, had no comments.

Mr. Fischer, At Large, reminded Council there is no meeting next Monday night April 20th. He said that while it sounds as if Council is having less meetings, they are just having two meetings in one night to lessen the number of days that Council meets, but the number of meetings remains the same. The next Work Session of Council will be at 7:00 p.m. on Monday, April 27th with the Regular Meeting at 7:30 p.m. on that same night.

DIRECTORS/ADMINISTRATION:

Mr. Cummins, City Engineer, was absent.

Mr. Farmer, Service Director, was absent.

Ms. Fechter, Economic Development/Planning Coordinator, was absent.

Mr. Gasior, Law Director, had no comments.

Mr. Logan, Finance Director, had no comments.

Mr. Streator, Safety Director, was absent.

AUDIENCE:

No comments were made from the audience members.

ADJOURN: 8:14 p.m.

A motion was made by Mr. McBride and seconded by Mr. Moore to adjourn the Regular Meeting of Council, and the vote was: Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”; Mr. Butkowski, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Mr. Fischer, “yes”.

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