

**MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE
CITY OF AVON, OHIO HELD MONDAY, MAY 6, 2024
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
AT 7:30 P.M.**

PRESENT: Council Members: Council-at-Large – Mary Berges; 1st Ward – Jennifer Demaline; 2nd Ward - Dennis McBride; 3rd Ward - Tony Moore; Council-at-Large – Michelle Patton; 4th Ward - Scott Radcliffe; Council-at-Large and Council President – Brian Fischer; Mayor – Bryan Jensen; Planning/Economic Development Coordinator – Pam Fechter; Law Director – John Gasior; Finance Director– Steve Presley; Safety/Public Service Director – Duane Streator; Assistant Clerk of Council – Rachel Markovitz

ABSENT: City Engineer – Ryan Cummins; Clerk of Council – Barbara Brooks

1. ORDINANCE NO. 54-24 - TO AWARD THE PUBLIC BID FOR THE 2024 AVON PAVEMENT MARKING PROGRAM Mr. Cummins

Mr. Streator advised this legislation is to award the bid for the 2024 pavement marking program. He noted that the City did not participate last year, and they had to start earlier this year in order to get it all done. Mr. Streator said in talking with Mr. Cummins, the company was looking at around mid-June to start and get the work completed sometime in July.

Mayor Jensen advised the low bidder came in at about 10% under the engineer's estimate. He said that Mr. Cummins would be in attendance next week or he could be reached on Thursday of this week should Council have any questions before the vote. Mayor Jensen stated the pavement marking needs to be done this year. He recommended awarding the contract to the lowest and best bid so that the contractor can put Avon on their schedule to complete the work.

2. ORDINANCE NO. 55-24 – TO AMEND AND SUPPLEMENT APPROPRIATIONS Mr. Presley

Mr. Presley explained the supplemental appropriations as follows:

General Fund No. 101

Increase City Hall budget by \$15,000 for Misc Supplies- Eclipse as this was not included in the original budget. It was noted, this was for operating expenses only such as renting billboards, last minute supplies and ordering lunches in for the employees.

Total Increase in Fund 101	\$15,000.00
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Capital Improvement Fund No. 401

Increase Machinery and Equipment by \$150,000 for Safety Screening at Crusher Stadium as this was not included in the original budget.

It was noted, they were installing new high-tension cables and replacing the fencing from home plate to the foul poles to update to the most current standards. Mr. Streator clarified that the netting currently covers the dugout areas and would now extend fully to the left and right fields and would be at least 25 feet high. Mr. Streator stated extending the fence/netting was not a requirement, but a recommendation for minor leagues or independent leagues, but it is required in Major League Baseball, and he noted that a fan was hit at the Crusher Stadium last year. Mayor Jensen said in the past, some felt that extending the fencing would curb the fan experience, but as a City and for liability and safety reasons they feel that this is the best decision noting they could find other ways to continue to make the fan experience enjoyable. Ms. Berges asked the timeframe for getting that netting extended once approved by City Council. Mr. Streator stated they were hoping to have it installed by mid-July as the City is on a waiting

list for installation with Sportsfield Specialties. Mr. Streator noted that Sportsfield Specialties is the only company that does this kind of work for major and minor league parks, so they were trying to stay on schedule with the company.

Total Increase in Fund 401	\$150,000.00
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Grand Total of All Supplemental Appropriations	\$165,000.00
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3. RESOLUTION NO. R-19-24 – TO ADVERTISE FOR BIDS FOR THE CONSTRUCTION OF A FIRE TRAINING FACILITY

Mr. Streator

Mr. Streator advised this legislation is to advertise for bids for the fire training facility that Chief Swope discussed in a previous Council Meeting. He said in going through the process of preparing for a fire training facility, they were now ready to go out to bid and the plans were about 99% complete and this is the next step in the process for the project.

4. REPORTS AND COMMENTS

MAYOR JENSEN provided Council with copies of suggested Ward redistricting options that Mr. Cummins prepared. He advised one map shows the current Ward layout and the population within each Ward currently. Mayor Jensen explained one map option was breaking the Wards up into equal territory blocks within the City, but it was not equal in population for each Ward. He said another option shows dividing the Wards to be more equally divided by population. Mayor Jensen stated what he wanted Council to look at was what the Wards could look like if the boundaries were moved in different configurations so they could decide what the best and most fair Ward boundaries should be. He asked Mr. Gasior what the next step would be and if discussion of the Ward boundaries and possible redistricting should go to a Committee of Council or how would it be voted on.

Mr. Gasior advised he felt a Legal Committee of Council would be the best place to work it out and discuss it. He said once everyone seems to agree with the final product, Council could simply pass an Ordinance and adopt the new Ward boundary lines as part of Chapter 220. Mr. Gasior stated there was no hurry, but there was also no reason to put it off.

Mayor Jensen suggested Council wait to schedule the Committee Meeting until after the Chair of the Legal Committee had a chance to hear from Mr. Cummins and then a Legal Committee Meeting could be set.

COUNCIL MEMBERS:

MS. BERGES, AT LARGE advised she provided each Member of Council with a Tree Academy homework assignment sheet that the Tree Commission Members also reviewed and completed. She indicated it is a worksheet from the Tree City USA organization and it is recommended that City Council also complete it to see where they are as a City in comparison to other communities as far as trees and Master Tree Plans were concerned as a benchmark for where they need to improve. Ms. Berges stated in looking at the worksheet there were seventeen activities listed and across the top of the page they were being asked to rate that activity as either Optimal, Moderate, Poor or None. She noted that they could disregard the columns on the righthand side of the page. She said City Council is being asked to go through each activity and then mark or highlight where they believe the City falls in relation to that activity. i.e. Tree Commission Meetings: do they meet the requirements listed under Optimal or do they fall into the Moderate category or somewhere else. Ms. Berges advised it is okay to ask Mr. Streator or Mr. Varga for more information, if any Council Member was unsure, because City Council was not expected to know all the information such as how often the City prunes trees. She said at the end of the worksheet they would add up how many they selected for each rating. Ms. Berges suggested at a meeting soon, they would go over Council's responses and see where they are as a City and where they need to go in relation to trees.

Mr. Radcliffe asked for clarification as to what Ms. Berges was asking Council to do. He inquired if each Council Member was to respond to each activity as to where they felt the City was at currently or where they want the City to be for each activity.

Mr. Berges said they should answer according to where they feel the City is at currently. She stated the Optimal column is where they want to be, that is the goal.

Mr. Radcliffe agreed that they should want optimal for all the activities.

Mayor Jensen advised when reading the worksheet, he felt it was almost impossible to be optimal in every activity. He reiterated that Council should rate the activities according to where they personally feel the City is right now and then Ms. Berges or the Tree Commission could update Council of where the City really is versus where Council may perceive they are. Mayor Jensen said the decision could then be made as to ways the City needs to change to become closer to the Optimal rating in the various activities if Council was still onboard with what the Tree Commission was trying to accomplish. He advised Council might be surprised to learn that the City was doing better than they personally thought in a specific area related to trees and tree maintenance. Mayor Jensen speculated that perhaps there were things being accomplished that Council was unaware of, although he was certain it would take time to accomplish some goals such as having a diversity of trees planted in the tree lawns in neighborhoods as it has been discussed and that could mean an Ordinance might need to be adopted.

Mr. Radcliffe said it was fine to ask Council these questions, but wondered why they would not have City Departments to provide the information needed back to them of where they currently stand with these items. He stated they were looking for reformation for where Council would like to see this progress; that the City should put more time, money, and effort into all these areas to bring the tree level up. Mr. Radcliffe advised having that firsthand data from those groups that have been working in these areas over the last year or more he felt was needed, as they were trimming trees, planting trees, and the like. Mr. Radcliffe stated they have some of that data already and providing that to him ahead of time would be an added benefit. He advised he was happy to add where he believes they are with all of this, but if they were going to discuss where they believe the Tree Commission should go, he felt they should have the data with it and maybe that was the next step.

Mr. McBride asked to be reminded where these standards came from.

Ms. Berges said from the Tree City USA organization.

Mr. McBride said under the tree mulching activity in the Optimal column, it says all trees less than 12 inches DBH (diameter at breast height) have a mulch bed from sidewalk to curb maintained by the community. He felt that was for an urban tree lawn. Mr. McBride stated the tree lawn at his residence was 15 feet from the curb to the sidewalk and he would never want to see a mulch bed that large. He advised that seems inappropriate to him unless they were required to follow these.

Ms. Berges advised when looking at the Optimal rating, which is also what the Tree Commission would be looking at, they should ask themselves if the City was really wanting to do that and did it make sense to do that given the process for planting trees in Avon. She said the City may say that they were comfortable with a Moderate rating as that may be what was working. Ms. Berges pointed out that on the second page it talks about having all the Tree Commission members attend the Tree Commission Academy for an Optimal rating and she did not know if that was realistic as most members of the Tree Commission have full-time jobs outside of their service on the Commission. She said these classes were conducted during the day so unless they were willing to use their vacation time to attend the Academy, that was not realistic. Ms. Berges stated in that instance perhaps the City was happy with a Moderate rating.

MRS. DEMALINE, WARD 1 advised that with spring sports getting in full swing, the new scoreboard at Veterans Memorial Park looks great. She thanked the City and said she heard a lot of compliments from parents, and it is a fantastic addition.

Mrs. Demaline stated she received a question about whether the driveway was going to be paved that was added off of Case Road at Veterans Memorial Park as some of those back lots were currently gravel.

Mayor Jensen said there was definitely a plan, but Council may need to reallocate how some of the road program funds were allocated. He stated next year they budgeted over \$2 million for road programs outside of that work and they were still trying to add some paving projects. Mayor Jensen advised typically budgets for road programs were usually around \$1.5 million so they have exceeded that amount, and they were still trying to finish Northgate and they may have some funds remaining once that area was complete. He stated he received one complaint if that gravel drive was paved it would result in motorists driving that much faster through the park, but they are working through those challenges. Mayor Jensen advised they have also received some complaints about Schwartz Road Park because the access was widened and repaved resulting in speeders in that area and the same with Long Road. He agreed that the gravel drive was dusty and they were aware that if funds become available, that they would come back to Council and ask for funds to be appropriated.

Mrs. Demaline advised the Long Road resurfacing project was coming along nicely and she thanked the Administration.

Mrs. Demaline asked if there was going to be a Memorial Day Parade this year.

Mayor Jensen advised yes, and Ms. Clements could get the information out to everyone as she is the one in charge of organizing that event from the City perspective.

Mr. Streater advised the parade will start at 9:00 am on Monday, May 27th and go from the Senior Center to the Veterans Memorial, located behind the Fire Station and the Post Office, where there would be a short ceremony. He confirmed that Ms. Clements would get the information out soon and she was working with the VFW, who were the organizers.

Mrs. Demaline said she was pleased to hear the Memorial Day parade was happening this year.

Mrs. Demaline thanked the Service Department for fixing a pothole on Orchard Street shortly she reported it.

Mrs. Demaline advised the barn was still located across the right of way at 39016 Detroit Road on the corner of Detroit and Moon Roads. She said that property was listed for sale again and she asked Mr. Gasior if he had any updates on the status of getting that barn moved out of the right of way.

Mr. Gasior advised he spoke with Ms. Clements last week and she indicated she would be following up considering the last time she talked to the owner, or the property manager was around the end of March that they were going to be getting permits to demolish the barn and install the sidewalks, but obviously nothing has happened, and it is close to the middle of May. He said he would check back with Ms. Clements tomorrow.

Mayor Jensen asked if there was something the City could do since the property is up for sale to make sure that whoever is considering purchasing it that they know they will be responsible for removing that barn and installing sidewalks.

Mr. Gasior speculated that they could send a letter to the real estate agent and let the agent know that the City was going to be assessing the property for sidewalks and that the City has been waiting for the current owner to demolish the barn. He said he just would hate to have to go through the legal process to do this because it will be expensive.

Mayor Jensen advised he was concerned that if that property was sold the new owner would not be aware of these pending situations. He said he would ask Ms. Clements to reach out to the real estate agent and let them know that was coming.

Mr. Gasior recommended that be done in writing so they could not deny hearing about it.

Mrs. Demaline reminded everyone that this was part of last year's (2023) sidewalk program and she does not want to delay it further because it changes ownership.

Mr. Gasior said it was quite the project because the stone wall also needs to be removed in order to install the sidewalk. He stated taking down the barn was one thing and then removing that stone wall in the front was another part of the project. Mr. Gasior advised the property manager told Ms. Clements that they were working on it and were going to have the demolition permit and take the barn down. He said his hope was that everything would be done by the end of April, but it is not.

Mrs. Demaline thanked Mr. Gasior for looking into that.

MR. MCBRIDE, WARD 2 advised regarding the house on the corner of Moon and Detroit Roads, it sounded as if the City was at the point where they should send a final letter stating they had a week to get it done or the City was going to take it down and assess the property. He understood that could create other issues, but it puts everyone on notice.

Mr. McBride asked Mayor Jensen if he knows where things stood with Ms. Clements notifying the owners of the property on Chester Road.

Mayor Jensen advised Ms. Clements was supposed to go out and look at that property. He said he would check with her and find out where things stand. Mayor Jensen suggested that Ms. Clements and Mr. Streater go out and look at the situation. He said he was not sure if the house was inhabited at this point.

Mr. McBride confirmed the house was not livable. He said the neighbor told him that the owner is storing construction materials inside.

Mayor Jensen said the lawn was being maintained, but they will check into it.

Mr. McBride felt the owner has taken advantage of the City for quite a number of years.

Mr. McBride advised he spoke with Mr. Cummins and the tree lawn was looked at for the house next door and they were trying to work out a plan for that including where the sidewalk was retaining water from draining out to the street. He said that would be done hopefully soon.

MR. MOORE, WARD 3 advised he had some residents on Lakeland Drive reach out to him who had some questions about the sidewalk program. He said he would like to ask Mrs. Demaline to call a Service Committee Meeting and also include discussion on the stormwater issues in that area. Mr. Moore said the residents of that area would like to get some answers to their questions and he suggested Monday, May 13, 2024 at 6:00 p.m.

Mrs. Demaline said she would be happy to call a Service Committee Meeting for Monday, May 13, 2024 at 6:00 p.m.

Ms. Berges also indicated she was available for said committee meeting.

MS. PATTON, AT LARGE had no comments.

MR. RADCLIFFE, WARD 4 had no comments.

MR. FISCHER, AT LARGE had no comments.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER was absent.

MS. FECHTER, PLANNING/ECONOMIC DEVELOPMENT COORDINATOR advised there is a resident named Dennis Spigel who lives on Long Road and often shares his opinion on various City projects with City Officials. She said recently Mr. Spigel made a point to come into City Hall and applaud the contractor that the City hired to resurface Long Road and the wonderful job they were doing on that road project. Ms. Fechter stated that Mr. Spigel commented about how polite and respectful the contractors were and that it was appreciated, and he wanted the City to know. It was noted that the contractor for that project was Specialized Construction, Inc.

Ms. Fechter added that Friday night (5/10) was opening night for the Crushers baseball and she invited people to attend.

MR. GASIOR, LAW DIRECTOR advised he discussed with Council the purchase of property located on Church Street, a few weeks to a month ago. He said next week he would have an Ordinance before Council next Monday to authorize the Mayor to enter into that purchase agreement since the seller has now signed the agreement.

Mr. Gasior advised regarding the Ward boundaries he suggested that Council look at Chapter 206.02 of the Avon Codified Ordinances and they would see how the Ordinance would be written once Council decides what the Ward boundaries would look like. He said for instance, "Ward One is bounded and described as follows:" and then it describes the location in the City and that will be how the Ward boundaries will be drawn up and Codify them.

MR. PRESLEY, FINANCE DIRECTOR advised if the City was going to do the acquisition of the property, he may need to amend the Supplemental Appropriation before the vote next week.

MR. STREATOR, SAFETY DIRECTOR/PUBLIC SERVICE DIRECTOR advised the April ambulance/rescue calls were at 289, which are up 30 from last year and fire calls were at 77, which are up 11 from last year. He stated the Fire Department is increasingly busier and similarly the Police Department has been very busy.

Mr. Streator advised the Shred Event is this coming Saturday, May 11th at City Hall from 9:00 am to noon. He added that the following Saturday, May 18th was Beautiful Day, and several volunteer organizations would be planting flowers at various locations to help beautify the City.

Mr. Streator stated additionally, they were working feverishly to get the pool ready to open.

AUDIENCE:

There were no comments from the audience members.

5. ADJOURN: 8:02 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