

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF AVON, OHIO, HELD MONDAY, MAY 24, 2021
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 in 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 and Council President – Brian Fischer; Mayor - Bryan Jensen; City Engineer – Ryan Cummins; Service Director – Michael Farmer; Planning and Economic Development Coordinator – Pam Fechter; Law Director – John Gasior; Finance Director - William Logan; Safety Director – Duane Streater; Clerk of Council – Barbara Brooks

ANNOUNCEMENT

Mayor Jensen advised those employees and City Council Members who have been vaccinated can now go without wearing their masks inside City Hall and in Council Chambers, but they should all still observe social distancing.

MINUTES OF THE WORK SESSION OF COUNCIL HELD MONDAY, MAY 3, 2021

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to dispense with the reading of the minutes of the Work Session of Council held Monday, May 3, 2021, and to approve said minutes as published, 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.

MINUTES OF THE REGULAR MEETING OF COUNCIL HELD MONDAY, MAY 10, 2021

A motion was made by Mr. McBride and seconded by Mr. Moore to dispense with the reading of the minutes of the Regular Meeting of Council held Monday, May 10, 2021, and to approve said minutes as published, 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.

ANNOUNCEMENT OF A PUBLIC HEARING TO BE HELD ON MONDAY, JUNE 7, 2021, AT 7:30 P.M. FOR TAX INCREMENT FINANCING (TIF) AREA NO. 14

The Chairman, Brian Fischer, announced that there would be a public hearing held on Monday, June 7, 2021, at 7:30 p.m. for Tax Increment Financing (TIF) Area No. 14.

Mr. Gasior advised he sent out the revised TIF Ordinance this evening and the Clerk will be sending out the notices to the Avon Schools and the Joint Vocational School this week. He said on June 7, 2021, Council will have the most up to date version of the Ordinance No. 38-21.

Mr. Logan advised when Council reads over the TIF Ordinance, it is a little different than the ones in the past as they are trying this rolling TIF with regards to these parcels and that is explained in Section 2 of the Ordinance.

Mr. Gasior advised this is different from the DRAFT Ordinance Council received earlier. He suggested Council read through it and if they have any questions, he and Mr. Logan would be able to answer them.

ORDINANCE NO. 40-21 – REAPPROPRIATIONS

The Clerk read Ordinance No. 40-21 by title only, entitled:

**AN ORDINANCE TO AMEND AND SUPPLEMENT
APPROPRIATIONS ORDINANCE NO. 108-20
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. 40-21, 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. 40-21, 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. 41-21 – TO AWARD A BID FOR THE JAYCOX ROAD-NORTH PAVEMENT RESURFACING PROJECT

The Clerk read Ordinance No. 41-21 by title only, entitled:

**AN ORDINANCE TO AWARD A BID FOR THE JAYCOX ROAD-NORTH
PAVEMENT RESURFACING PROJECT
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. 41-21, 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. 41-21, and the discussion was:

Mr. Cummins explained that public bids were opened on May 13, 2021, and they received five bids. He advised Chagrin Valley Paving Inc. was the apparent low bidder. Mr. Cummins clarified that Chagrin Valley Paving, Inc. is not associated in any way with Chagrin Valley Engineering. He said Chagrin Valley Paving, Inc. has done a number of projects in the City of Avon including they are currently

working on Moon Road and French Creek Road resurfacing. Mr. Cummins advised the bids were reviewed and recommend Chagrin Valley Paving, Inc. as the lowest and best bidder.

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.

RESOLUTION NO. R-12-21 – IN SUPPORT OF AND AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO DEPARTMENT OF NATURAL RESOURCES NATUREWORKS GRANT PROGRAM FOR VARIOUS PARK IMPROVEMENTS WITHIN VETERAN’S MEMORIAL PARK

The Clerk read Resolution No. R-12-21 by title only, entitled:

A RESOLUTION IN SUPPORT OF AND AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO DEPARTMENT OF NATURAL RESOURCES NATUREWORKS GRANT PROGRAM FOR VARIOUS PARK IMPROVEMENTS WITHIN VETERAN’S MEMORIAL PARK AND DECLARING AN EMERGENCY

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to suspend the rules and act on Resolution No. R-12-21, 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 Resolution No. R-12-21, 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.

REPORTS AND COMMENTS

MAYOR JENSEN advised Council has been discussing the sidewalk program as well as the bike path. He said Mr. Cummins and he discussed that the City has an extensive bike path master plan for the City. Mayor Jensen stated they also have an extensive plan for sidewalks. He advised he would like a Committee Meeting called some time in August with all of Council to go over that program. Mayor Jensen stated they would like to come up with a way to get more sidewalks installed each year. He said when the City installed the sidewalks on S.R.83 a couple of years ago, the program went very smoothly. Mayor Jensen reminded Council that the sidewalk program that year did not wait for the property owner to hire for their sidewalks to be installed, but rather the City contracted with one company to do the entire stretch and then the property owners were assessed. He stated this could help keep costs down for the property owners contracting on their own for sidewalks and the City would be the facilitator for the installation of the sidewalks. Mayor Jensen advised there are sections in every Ward where sidewalks are needed, and he would like Council to put something together to look at how the City can continue to move the sidewalk program forward as well as take the burden away from the property owners to install the sidewalks themselves. He said the property owners would have the option, once the sidewalks are

installed, to pay for it up front or have it placed on their property tax duplicate. Mayor Jensen reiterated this would allow the City to get it done in a timely manner instead of waiting on the property owner to get it done. He advised at the current rate they could be twenty years out and still waiting on those last few pieces to connect. Mayor Jensen said there are still farmland or wooded areas, but the goal would be to install sidewalks everywhere they possibly could and get a lot more accomplished in a couple of years and make everyone happier and the connectivity would be a lot better. He indicated at the Committee Meeting they could get an overview of the sidewalk program and an area could be determined for improvement and the Ward Council Members would have input as to the areas in their Ward most in need of sidewalks.

COUNCIL MEMBERS:

MR. BUTKOWSKI, WARD 1 had no comments.

MRS. HOLTZMEIER, AT LARGE asked if this Master Bike Plan encompasses the entire City from east to west.

Mayor Jensen advised yes.

Mr. Cummins confirmed it does.

Mrs. Holtzmeier inquired when that gets presented in August if that was something that they were planning to have Council approve.

Mayor Jensen answered no, they have the plan already. He advised the bike path is separate from the sidewalk program, but the proposed bike path may encompass some of the areas where a sidewalk may typically be put if there is not one already installed. Mayor Jensen said his thought was that the initial Committee Meeting was to discuss the sidewalk plan.

Mrs. Holtzmeier advised she looks forward to a discussion about a Master Bike Plan for the entire City to connect the whole City together. She said her goal would be, to have as much transparency as possible to be able to show the residents an active map so that they can know where it is planned to go and to know if it will affect their property and to have an idea of what the City's, Council's and the Administration's, plans are going forward. Mrs. Holtzmeier stated if there is that plan, whether that is something to enact now or whether it is going to take 15-20 years to complete, the plan should be communicated to folks so they can see it and know.

Mayor Jensen advised the City has a plan, but there was a problem when this was discussed a couple of times before as it is very difficult to identify sidewalks and/or bike paths on the overview plan map. He felt working with Mr. Cummins they hope to give each of them a more simplistic overview, but if they want to look at a specific area, they can tell them where those plans are moving forward. Mayor Jensen advised there are always going to be people who are not happy no matter where the paths are determined to be located, but it is important for people to see the reasoning behind how it is planned to be connected and the ultimate connectivity of where these bike paths are going and how they interact with North Ridgeville, Sheffield Village and Avon Lake and beyond. He indicated with the Overview Plan map it is difficult to designate between all the different symbols especially with sidewalks. Mayor Jensen felt they needed to peel away the layers for people to see the sidewalks and the bike paths and everything else along with it.

Mrs. Holtzmeier advised they agree on the point of having it on a map so people can clearly see if there is going to be a 10' wide bike path or a 5' wide sidewalk across their property as that would be good to have as part of the City's Master Plan. She said a lot of times people will ask where a project is located and how is their property zoned and where are the City's plans for these things. Mrs. Holtzmeier stated she often refers people back to the Master Plan map and to have that updated and to have Council

review it and say yes, they approve that as a vision for the City would be a good stamp that she encourages them to obtain.

Mayor Jensen advised he felt it was the same thing if they look at the Willow Way property and some of the bigger undeveloped properties in the City that if they make sure the City is going to put that connectivity through that property eventually that it would show just like the planned area for streets that indicate a road will come through at some point. He said he would like to see the same thing for a bike path.

Mrs. Holtzmeier said that is helpful for residents to know and see.

MR. MCBRIDE, WARD 2 advised through an email, he requested sidewalks be installed on both sides of Colorado Road from I-90 south to Detroit Road. He inquired which side do they pick as there are residents who want to walk from the Stonebridge Subdivision to the Dairy Treat and there are some missing gaps in that area. Mr. McBride said he received some calls from 3 or 4 mothers that live in the Windmill Village Subdivision saying there are at least half a dozen families with children who ride bikes, and they need sidewalks to be able to ride to the high school and other places in town. He advised he copied the Mayor and Mr. Gasior on that email. Mr. McBride said there are some areas on Jaycox Road where he is requesting sidewalks and more importantly on Avon Road where there is a very large ditch in front of a few houses. He stated it is not the homeowner's responsibility to close those ditches and he is hoping the City could use some of the American Rescue Plan Act money to close that ditch and then sidewalks can be installed. Mr. McBride advised those two neighborhoods are completely cut off from the rest of the City and there is no safe way for those kids to ride their bikes without going into the street.

Mr. McBride thanked the Administration for paving parts of Nagel Road, and parts of Jaycox Road that are located in his Ward as they are both in need of it. He said he has also requested that parts of Just Imagine Drive and parts of Chester Road be paved as it is time, and those roads are wearing out.

Mr. McBride advised there has been continuing discussions of Main Street. He said that road is not completely failed and is stabilized and Mr. Cummins and he have discussed the section of roadway a few times as well as the Mayor. Mr. McBride stated for the amount of traffic that section of roadway gets, it is in pretty good shape considering.

Mr. McBride explained that his absence last Monday night was because his daughter graduated from Miami University and he helped her pack up and move back from an apartment four stories up and he had knee surgery ten weeks ago.

MR. MOORE, WARD 3 wished everyone a safe holiday weekend.

MR. RADCLIFFE, WARD 4 thanked the Streets Department and said he has noticed a lot of residents are trimming trees and placing the branches curbside for pickup and it seems as if every week there is more. He stated the crews have been out there getting it collected and he appreciates their work.

Mr. Radcliffe inquired regarding the sidewalks if the committee meeting in July or August would delay some of the sidewalk areas already determined to be improved.

Mayor Jensen said they hoped to come up with a simpler way of doing the sidewalk program moving forward, but everything on the schedule for this year is not going to change.

MR. WITHERSPOON, AT LARGE thanked Mrs. Brooks for a wonderful shred event this past Saturday. He said she was out there directing traffic, and she did a fantastic job scheduling and coordinating the event. Mr. Witherspoon said he knows it is a big worry for her every year, but it went off without a hitch.

MR. FISCHER, AT LARGE advised that next Monday is a fifth Monday so there was no Council Meeting. He advised he will be out of town on Monday, June 14th and Mr. Moore was also out of town that same night. Mr. Fischer reminded Council that with summer coming up if they know they are going to be absent to please let them know ahead of time to be able to plan the agenda accordingly.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER had no comments.

MR. FARMER, SERVICE DIRECTOR had no comments.

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

MR. GASIOR, LAW DIRECTOR congratulated Mr. McBride's daughter on her graduation from college.

MR. LOGAN, FINANCE DIRECTOR advised they would be selling the Elizabeth, Puth, Joseph, Detroit notes tomorrow, and they would settle on June 2nd or 3rd. He reminded Council they are \$3.6 million notes, and it would have a call provision in it and said they may consider bonding that out later this year. Mr. Logan stated they expect the net interest costs to be approximately 20 basis points.

MR. STREATOR, SAFETY DIRECTOR had no comments.

AUDIENCE: There were no comments from the audience.

ADJOURN: 7:52 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. 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.