

**MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE
CITY OF AVON, OHIO HELD MONDAY, JUNE 3, 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; City Engineer – Ryan Cummins; Planning/Economic Development Coordinator – Pam Fechter; Law Director – John Gasior; Finance Director– Steve Presley; Safety/Public Service Director – Duane Streator; Clerk of Council – Barbara Brooks

1. **DISCUSSION AND REVIEW OF THE TREE CITY USA WORKSHEET**

Rick Varga, City Arborist

Mr. Varga thanked Council for their time tonight. He specifically thanked Mr. McBride, Mr. Moore, and Mayor Jensen for playing an essential part in getting the Tree City USA designation process underway. He said Ms. Berges and him attended a Tree Academy educational program as part of Avon being designated a Tree City USA. Mr. Varga mentioned that as part of their assignment, the Urban Foresters aimed to ensure that all cities were informed about the criteria necessary to maintain their status as a Tree City USA. He noted that everyone at the Tree Academy received a worksheet to assess themselves and gauge their community's compliance with the Urban Foresters' standards, allowing each community to evaluate its performance as a Tree City. Mr. Varga thanked Council for completing the worksheet and tonight they were going to review the Tree Commission Academy Homework.

Ms. Berges and Mr. Varga reviewed the worksheet as follows:

- 1) The Tree Commission Academy (TCA) Freshman Homework sheet for activity number one, 50% selected Optimal by those who responded and 50% selected Moderate and Mr. Varga and Ms. Berges believe they are Optimal.
 - Tree Commission Meetings – Optimal
 - Tree Commission meets monthly and meets their quorum. Council representative and public employee representative regularly attend. The meetings have a written agenda and follow Robert's Rules of Order.

Ms. Berges noted that Avon's Tree Commission Meetings do not have a public employee representative regularly attend. She added some communities have a Service Department employee regularly attend Tree Commission meetings.

- 2) 100% of those who responded felt that Avon is Optimal. Mr. Varga and Ms. Berges agreed.
 - Tree Ordinance Review – Optimal
 - Tree Commission reviews tree and tree commission ordinances at least once per year and updates are made when needed.

Ms. Berges noted that about a month ago interested parties met to look at the legislation and they were working on revisions to the Tree Ordinance to be presented to City Council in a few months.

- 3) 50% of the responders said Optimal and 50% said Poor. Mr. Varga and Ms. Berges felt they are at an Optimal level.
 - Tree Risk Assessment – Optimal
 - Systematic tree risk assessment of all public trees by a qualified professional. All trees are evaluated within a two-year period.

Ms. Berges noted this is important for the City because some cities have had major lawsuits because of damage from a tree falling and killing someone.

Mr. Radcliffe asked if over the last two years, someone has evaluated every public tree in Avon.

Mr. Varga advised he went around the City, and distinguished which trees were a hazard as far as a risk possibility. He said the risk possibility criteria was what were the consequences if that tree failed. Mr. Varga added if there was a dead tree in Schwartz Road park and that was 20 feet away from the walkways, he was not as concerned as he would be if it were by one of the walkways or in the City right of way. He said there was a tree on Long Road, and he was called out to look it by the Service Department and discovered the tree was in stress and if it failed and injured someone that the City could have a major lawsuit against it.

Mr. Radcliffe asked for confirmation that there was a record of the tree evaluations over the two-year period to which Mr. Varga answered yes.

- 4) 50% thought the City was Moderate, 25% said Poor and 25% said None. Mr. Varga and Ms. Berges believe they are Optimal.
 - Tree Removal – Optimal
 - Hazard trees are removed in a timely fashion, less than 3 months, based on systematic assessment.

Mr. Varga noted that the Parks and Streets Department take care of what they can, but occasionally they had to call Lescher Tree Care to come handle a tree removal.

- 5) 100% of the responders said Poor. Mr. Varga and Ms. Berges agreed they fall in the Poor category.
 - Mature Tree Pruning - Poor
 - Mature trees are pruned as needed.

Mr. Varga noted that the City only trims mature trees if there is a dead branch or something that looks hazardous. He added that they trim mature trees in the right of way.

- 6) 66% of the responders said Poor and 33% said None. Mr. Varga and Ms. Berges felt Avon was at the Poor level.
 - Young Tree Training – Poor
 - Young trees are pruned as needed.

Mr. Varga noted that was in conjunction with the right of way.

- 7) 66% rated Avon as Moderate and 33% rated Avon as None. Mr. Varga and Ms. Berges felt Avon was in the Poor category.
 - Tree Mulching – Poor
 - All newly planted City trees have a maintained mulch bed.

Ms. Berges said it was mentioned that the City mulches the first year, but wondered about mulching after the first year since most people mulch flowerbeds and gardens annually.

Mr. McBride referenced the Optimal standard of mulching from the sidewalk to the curb and asked if they really want to have 12 feet of mulch in his tree lawn as it is 12 feet from the sidewalk to the curb in his neighborhood.

Mr. Varga said these criteria categories were subjective to some degree because what is being indicated now from the Urban Foresters was, they do not want circular tree rings, but rectangles around the trees for an optimum scenario.

Ms. Berges noted a rectangle was easier to maintain by the City employees as opposed to the circle.

Mr. Varga said when the City plants a tree it is mulched.

- 8) 66% answered Optimal and 33% answered None. Mr. Varga and Ms. Berges felt Avon was in the Moderate category.
- New Tree Watering – Moderate
 - New trees are watered when planted and then as needed.

Mr. Varga advised the Parks Department irrigates the trees when newly planted and the same with watering the Memoria trees.

- 9) 66% answered Moderate and 33% answered None. Mr. Varga and Ms. Berges felt Avon was in the Moderate category.
- Site preparation - Moderate
 - The sites are prepared with The Recipe at time of planting.

Mr. Varga explained that “the recipe” is basically how you dig the hole in accordance with the standards.

- 10) 75% thought Avon rated as Moderate, and 25% thought Avon rated as None. Mr. Varga and Ms. Berges felt Avon was in the Moderate category.
- Tree Planting – Moderate
 - Trees are planted by a contractor, or an in-house crew and the community assumes that the experts know what they are doing, but no formal inspections are performed.

Ms. Berges stated when looking at the worksheet for Optimal, they now have a tree planting guide in the recently approved revisions to the Construction Standards. She said there is a very specific planting guide that meets the ISA (International Society of Arboriculture) standards or ANSI (American National Standards Institute), so that the City or its contractors have those specific standards for planting the trees. Ms. Berges thanked Mr. Cummins for his help in getting those into the Construction Standards and she thanked Council for approving it.

- 11) 50% of the respondents voted Optimal and 25% said Moderate and 25% said None. Mr. Varga and Ms. Berges felt Avon was in the Moderate category.
- Systematic Planting Plan – Moderate
 - Tree species are selected with thought to diversity but there is no master plan.

Mr. Varga said they have a tree list, and they recommend diversity, but there is not a specific plan yet. He noted that was what they were trying work on with recommending changes to the tree ordinances to have clearer definitions.

- 12) 75% answered None and 25% answered Moderate. Mr. Varga and Ms. Berges felt Avon was in the Moderate category.
- Utility Relationship – Moderate
 - Community meets with the utility company representative when the utility is in town and there is a problem.

Ms. Berges noted this is usually when the utility companies have to do line clearance by trimming branches. She said other suburbs have indicated that they have developed relationships with the utility company so that before they come into the City to trim branches, they meet with them and talk about what they were going to be doing. Ms. Berges advised the tendency for utility companies was to go out and remove branches the quickest way possible, but that is not always the best thing for the trees. She stated the idea is for the Service Department to work with the utility companies to make sure that they were doing proper trimming of trees in Avon.

Mr. Varga asked Mr. Streator if he has ever had an encounter with the utility companies regarding trimming branches.

Mr. Streator advised when the City receives complaints about the way the branches were being trimmed was when he would first find out that they were in Avon. He indicated the utility companies have not let the City know

ahead of time that they would be doing this kind of work in Avon. Mr. Streator said there was not a lot of communication between the government liaison at the utilities companies and the tree trimming crew.

Mr. Varga noted that was a problem across the board with other communities as well. He said that is why the Urban Foresters are recommending establishing a good relationship with the utility companies to help with those kinds of situations. Mr. Varga stated he gets calls occasionally, from residents blaming the City for maiming or killing their tree. He advised it is hard to communicate with the utility companies, but they were trying to establish a relationship and was a part of this whole process.

13) 100% answered Moderate. Mr. Varga and Ms. Berges felt Avon was in the Moderate category.

- Marketing – Moderate
 - The community has a successful Arbor Day event attended by the Mayor and citizens.

14) 75% of those who responded felt Avon is Optimal and 25% felt Avon is Moderate. Mr. Varga and Ms. Berges felt Avon was in the Moderate category.

- Relationship with Council and Mayor – Moderate
 - The Mayor and Council may or may not know about the urban forest, but they do not interfere with the management.

Mr. Varga said the definition of an urban forest is any city that has to maintain trees within its confines, and he noted that is a broad definition.

15) 50% said Moderate, 25% said Poor and 25% said None. Mr. Varga and Ms. Berges felt Avon was in the Poor category.

- Strategic Planning – Poor
 - Community loosely plans on an annual basis based on previous needs. Support for program is mixed.

16) 75% said Optimal and 25% said Moderate. Mr. Varga and Ms. Berges felt Avon was in the Moderate category.

- Regional Urban Forestry Conferences – Moderate
 - Some tree commissioners and staff attend every 1-3 years.

Ms. Berges said what they have seen in the last year has been increased attendance from two members of the Tree Commission to almost everyone on the Tree Commission attending a conference.

Mr. Varga noted that anyone on City Council could attend these conferences as well. He advised it is the same for the Tree Academy that he and Ms. Berges attended. Mr. Varga said he would try to make the information available so that Council and the City Administration know when these conferences were being held. He noted that the conferences were all relatively local.

17) 75% indicated Poor and 25% indicated Optimal. Mr. Varga and Ms. Berges felt Avon was in the Poor category.

- Tree Commission Academy – Poor
 - At least 1 tree commissioner or staff have attended at least the Freshman class of TCA.

Ms. Berges said this was an item that was mentioned briefly when these homework sheets were passed out initially. She stated Optimal may not be realistic for Avon's Tree Commission Members because it requires them to take eight days a year to attend the Academy and they are held during the weekday. Ms. Berges advised if a Tree Commission Member had a full-time job, they would have to use vacation time to attend the Academy. She said that while Optimal is not realistic, they have seen an increase in interest by some of the Tree Commission Members to attend the next time it is offered so, it is improving.

Mr. Varga advised what they were trying to convey tonight was the importance of trees in the community and he appreciates the support from City Council, the Mayor, and the Administration. He said the Tree Commission has

been instrumental in the Arbor Day activities. They won a Big Tree Award, and they won an award at the Crusher's Stadium for beautification through a program with AT&T. They are working on developing a historical Tree Ring that will be on display to show the history of Avon. They have a City of Avon tree, the Cercis Canadensis "Hearts of Gold" tree. They also developed and received an award for the Monarch Butterfly Waystation at the Cahoon House. Mr. Varga stated on May 15, 2025, Avon would be hosting the Tree City USA awards at Tom's Country Place for 30 surrounding communities. He said it would be nice to have some Avon City Officials including City Council attend that event and he would send out reminders. Mr. Varga said they were working with Mr. Gasior on updating the Ordinances so that there is more of a tree preservation and plan to replant the urban canopy of Avon. He reminded everyone that the trees would be happy if there were no humans, but if there were no trees there would be no humans. Mr. Varga advised 30 million acres of trees were taken down last year and 70 billion tons of concrete was poured. He said Willoway Nursery is holding their sale again this year to raise money for the Avon School District on Saturday, September 14, 2024. He believes they raised \$15,000 last year for the Schools. Mr. Varga said Avon's Arbor Day would be held on Saturday, October 5, 2024. He thanked them for their time and support.

Mr. Fischer thanked Mr. Varga and said the City appreciates everything the Tree Commission has done. He said it is impressive what they have been able to accomplish in such a short time.

2. ORDINANCE NO. 59-24 - TO AMEND ORDINANCE NO. 413-68, PASSED JANUARY 15, 1969, COMMONLY KNOWN AS THE ZONING ORDINANCE OF THE CITY OF AVON, OHIO, AS AMENDED, REZONING THE NORTHERN 13.6414 ACRES OF LAND LOCATED AT 34440 DETROIT ROAD, PERMANENT PARCEL NO. 10-04-00-022-162 FROM R-1 SINGLE-FAMILY RESIDENTIAL TO C-4 GENERAL BUSINESS DISTRICT

Planning Referral

The Second of Three Readings of Ordinance No. 59-24 will be held on Monday, June 10, 2024

A Public Hearing for Ordinance No. 59-24 will be held on Monday, June 24, 2024, at 7:25 p.m.

Ms. Fechter said she had nothing to add at this time.

3. REPORTS AND COMMENTS

MAYOR JENSEN had no comments.

COUNCIL MEMBERS:

MS. BERGES, AT LARGE had no comments.

MRS. DEMALINE, WARD 1 had no comments.

MR. MCBRIDE, WARD 2 had no comments.

MR. MOORE, WARD 3 had no comments.

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 had no comments.

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

MR. GASIOR, LAW DIRECTOR had no comments.

MR. PRESLEY, FINANCE DIRECTOR had no comments.

MR. STREATOR, SAFETY DIRECTOR/PUBLIC SERVICE DIRECTOR reports that the Fire Department ambulance calls were down by about 10 from last year at 283 calls for the month of May. He said they had 65 Fire calls which were similar to last year.

Mr. Streator advised the Police Department has been very busy as the weather has gotten warmer and people are out and about.

Mr. Streator reminded Council as they talk to their constituents that the Service Department changed the way the Branch Pickup program works. He said they have been trying to get the information out to the residents that they now must add their address to a list by calling the Service Department or by filling out a form on the City website.

AUDIENCE:

There were no comments from the audience members.

4. ADJOURN: 7:58 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