

**MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE
CITY OF AVON, OHIO HELD MONDAY, JUNE 7, 2021
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
AT 7:30 P.M.**

PRESENT: Council Members: 1st Ward – Bob Butkowski; Council-at-Large – Brian Fischer; Council-at-Large – Tammy Holtzmeier; 2nd Ward - Dennis McBride; 3rd Ward -Tony Moore; 4th Ward - Scott Radcliffe; Council-at-Large – Craig Witherspoon; Mayor – Bryan Jensen; City Engineer – Ryan Cummins; Service Director – Mike Farmer; Planning and Economic Development Coordinator – Pam Fechter; Law Director – John Gasior; Finance Director – William Logan; Safety Director – Duane Streator; Clerk of Council – Barbara Brooks

1. PUBLIC HEARING FOR THE TAX INCREMENT FINANCING (TIF) AREA NO. 14 Mr. Fischer
Chairman Fischer opened the Public Hearing for the tax increment financing (TIF) area No. 14 and asked if there was anyone present who would like to be heard regarding this matter.

No comments were made from the public.

Mr. Gasior asked the Clerk if she received the signed notice back from the schools.

Mrs. Brooks advised she received the signed notice back from the Avon Schools, but has not received it yet from the JVS; however, she has a signature that the JVS received their packet.

No further comments on this matter were made and the Chairman closed the Public Hearing at 7:31 p.m.

2. ORDINANCE NO. 38-21 – DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF AVON TO BE A PUBLIC PURPOSE; DECLARING THE IMPROVEMENT OF SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATING INFRASTRUCTURE IMPROVEMENTS MADE, TO BE MADE OR IN THE PROCESS OF BEING MADE, THAT DIRECTLY BENEFIT OR THAT ONCE MADE WILL DIRECTLY BENEFIT, SUCH PROPERTY FOR WHICH IMPROVEMENT IS DECLARED TO BE A PUBLIC PURPOSE; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND; AUTHORIZING EXECUTION OF ONE OR MORE TAX INCREMENT FINANCING AGREEMENTS AND PROVIDING RELATED AUTHORIZATIONS

Mr. Logan

Mr. Logan advised these are 21 mostly commercially zoned parcels along Mills Road. He said this came about when the property on the corner of Mills and Jaycox Roads was sold, although nothing has been constructed yet. Mr. Logan stated the City would like to get this TIF in place before too much develops in this area. He advised this is very similar to the other 13 TIF agreements the City currently has with no real differences other than in Section 2 of the Ordinance where it talks about a parcel by parcel basis. Mr. Logan said the clock starts ticking upon either a parcel increasing in value by \$50,000 assessed value or the first day of the tax year of when the ordinance is passed. Mr. Logan clarified that the clock will not start ticking until that valuation increases by at least \$50,000 on a parcel or the year 2030, whichever comes first. He said other than that difference this is similar to the other 13 TIF agreements that the City already has in place.

Mr. Gasior advised one more thing to add would be that the schools are made whole.

Mr. Logan confirmed that the schools are made whole and advised so Avon Schools as well as the Joint Vocational School will receive exactly what they would have received had there been no TIF.

3. ORDINANCE NO. 42-21 – REAPPROPRIATIONS Mr. Logan

To Be Considered at a Special Meeting Immediately Following this Work Session

Mr. Logan explained the reappropriations as follows:

Special Revenue Funds

Fire Department Equipment Fund No. 106

Increase appropriations \$19,500.00 for necessary upgrades to the 2007 ladder truck.

Mayor Jensen recognized Fire Chief Swope in the audience and asked if he could speak to the repairs needed for the ladder truck. He believes they have come up with a solution to fix it and the cost of repairs are going to be a lot less than anticipated because the company appears to be acknowledging they have some issues. Mayor Jensen advised it is a very expensive piece of equipment and to not have it in service right now is troubling.

Chief Swope advised it is a 2007 ladder truck and about every 2-3 years the swivel joint, which is how the ladder rotates, the bolts tend to break. He said the Fire Department has their own mechanic, which is nice as he has been able to fix it temporarily. Chief Swope stated they have replaced the swivel under warranty before and it really needs to be addressed as a more permanent fix. He advised the engineers came up with some ways to fix the swivel so they are not being bolted, but are pinned similar to the new design models. Chief Swope said they are hopeful for a more permanent solution versus replacing this \$10,000 joint every couple of years. He stated they are waiting for a part to come in to finalize the work because they want to make sure the ladder moves freely like it is supposed to do.

Mr. McBride asked if the ladder truck is the same as the aerial truck to which Chief Swope answered yes. He inquired if they recall what the original warranty was on the truck to which Chief Swope answered he does not. Mr. McBride advised if it was repaired under warranty and it breaks again, to him that warranty continues. He said if it is an original 2-year warranty on that part and it keeps breaking every 2 years and it is doing the same to a lot of other aerial trucks, a design flaw as he mentioned, he would question why the City would even be paying \$20,000 to fix it and he felt the City's Law Director should be asking some hard questions.

Chief Swope advised that he asked KME Fire Apparatus Manufacturers, and they admitted it was a design flaw. He said the other ladder trucks that are not manufactured by KME have not had the swivel joint break. Chief Swope stated they are told it is a steel ladder as opposed to some other material and if it is tweaked in just the right way it breaks. He advised the repair should hold it regardless of how it is used.

Economic Development & Tourism Fund No. 285

Increase appropriations \$100,000.00 for improvements at the Cahoon House, including foundation work in the back, electrical work and a deck on the back of the house.

Mr. Logan pointed out that pictures of the Cahoon House were displayed for Council to see the repair work being scheduled.

Mayor Jensen advised the City has to abide by all the building codes and even though the Cahoon House was once a residential structure it is going to be used for a commercial purpose and the City has to bring it all up to code to make it structurally sound. He said they are required to add a handicap accessible ramp and it has to have handrails and it has to meet the standards of the commercial code and even the steps have to be replaced. Mayor Jensen stated this next week, even though some will be absent, he would like to get Council out there to take a look at the updates so far as it looks really sharp. He believes this property is going to be something that everyone will be proud of for years to come. Mayor Jensen advised the engineers felt with possible groups being in the kitchen and/or on the deck all at once it would have a tendency to fail and now it is all going to be up to code and reinforced properly. He said it will be done right and that they can all feel good about what they have done and how they have done it because it is all up to code and will be safe. Mayor Jensen advised the fear is that someone could get hurt. He stated the steel I-beam goes down 20 feet to stabilize it as the ground slopes toward the creek. Mayor Jensen said it may not be necessary to use all these funds, but they did not want to

come back to Council if they came across something else that had to be taken care of. He advised Mr. Farmer has done some upgrades to the electric and there is now outside lighting and they can add security.

Park Development Fund No. 251

Increase appropriations \$70,465.00 for the City share of a proposed Veteran's Park Expansion through an Ohio Department of Natural Resources Nature Works Grant. The grant will provide up to \$98,675.00 for this project.

Mayor Jensen advised the City is applying for a grant and for the City's \$70,000 they can get \$98,000 in grant funds and the City will have a project that is worth approximately \$160,000.

Total Special Revenue Fund Re-appropriations \$189,965.00

Agency & Fiduciary Funds

Governmental Accounting Standards Board (GASB) Statement No. 84 was implemented by the City of Avon beginning with fiscal year 2019. GASB 84 asks that we identify fiduciary activities for purposes of accounting and financial reporting. As such, we would like to begin budgeting for these funds beginning with fiscal year 2021. Revenues for each of these funds will be budgeted in the same amounts of the appropriations. The agency funds include:

Fund No. 701 – Trust Fund \$900,000.00

Fund No. 708 – Health Insurance – Employee Withholding \$450,000.00

Fund No. 709 – Ohio Board of Building Standards (OBBS) Assessment Fund \$25,000.00

Fund No. 730 – 799 – Developer/Subdivider Funds \$300,000.00

Fund No. 801 – Clearing Fund \$15,000.00

Fund No. 804 – Flexible Spending Account Fund \$50,000.00

Total Agency & Fiduciary Fund Re-appropriations \$1,740,000.00

Mr. Logan advised these funds are a way to track deposits such as developer deposits, building occupancy deposits, facility rentals and various other sources of deposits. He said he calls them pass-through funds, but they are fiduciary in nature. Mr. Logan stated they are not going to treat these funds any differently than they have in the past and they would not be creating purchase orders for these funds or spending money out of these fund accounts, as it is money that truly belongs to someone else whether an outside person such as a developer or an employee for their health insurance contributions and other such benefits that are payroll deducted. He said the 701, 709, 730-799 and the 801 Fund all roll into the General Fund in the financial reporting once a year as well as the CAFR. Mr. Logan advised they could have some budget variances of not budgeting these items and the reason he would like to get it started for 2021.

Mr. Butkowski inquired if GASB was asking the City to move that money into these funds to pre-fund them so that the appropriation is just a paper allocation for those funds.

Mr. Logan advised, no, they were not pre-funding these accounts. He clarified the City was not moving any monies and the City is not spending any more or any less money than they already were because these funds do not belong to the City.

Mr. Radcliffe asked if this is just a clarification of the funds that are already there, but in the past the City may not have said what they expect to have in these funds on-hold and now they are showing those amounts in the budget.

Mr. Logan confirmed that is what they are doing. He advised when the City is audited at the end of the year they will roll all of the funds into the financial reporting. Mr. Logan said they are putting this budget in place, but they are not going to appropriate more or less or do anything different than the way they have been doing it in the past other than at the end of the year they will get rolled up into certain funds in the financial reporting.

Total All Funds Re-appropriations \$1,929,965.00

4. ORDINANCE NO. 43-21 – TO AUTHORIZE A DEVELOPER’S AGREEMENT WITH AUGUST PROPERTIES, LLC FOR THE CONSTRUCTION OF PUBLIC IMPROVEMENTS ON THE NORTH SIDE OF RIEGELSBERGER ROAD, EAST OF KENSINGTON DRIVE Planning Referral

Ms. Fechter advised she would like to point out a correction to the Planning Commission Referral by saying that it should have read 4 in favor and 1 abstention.

Ms. Fechter advised John Jensen representing August Properties has a parcel on Riegelsberger Road that he would like to supply sanitary sewer to for a single-family home. She said Mr. Jensen has gone over the developer’s agreement with Mr. Gasior and all of the deposits have been made with the City.

5. ORDINANCE NO. 44-21 – ACCEPTING THE INSURANCE PROPOSAL SUBMITTED BY ARTHUR J. GALLAGHER & CO. Mr. Logan

Mr. Logan advised he does not have a formal proposal yet, but the most it is going to be is an increase of about 5.5%. He said they are meeting with representatives from Gallagher on Wednesday afternoon. Mr. Logan stated the City only had one claim filed in this last policy year that runs July through June. He advised that one claim was filed because an uninsured motorist hit the traffic control box on the corner of SR 83 and Chester Road and without that incident there would have been zero claims filed. Mr. Logan said Gallagher is trying to seek retribution from that motorist and the total claim was around \$15,000 to \$17,000. He stated regarding the premiums he emailed Council some information that provided a general overall analysis of where the insurance market is right now and it mentions Covid related and other events that are affecting the market. Mr. Logan advised as far as the City of Avon specifically, they had a very good claims year and the City’s premium, if it does go up 5.5% would go from \$184,528 up to \$195,121, but they are hoping it will be a little less. He said that does not include the City’s cyber liability policy as this past year we paid \$9,265 for that policy and he does not have an idea yet where that might go, but the City has filed no claims against the policy, but cyber liability is becoming a very hot topic. Mr. Logan speculated the City will probably see some increase in the cyber liability policy and said they will be looking at the City’s policy when they meet with the representative on Wednesday afternoon. He advised the Administration has taken some steps internally to strengthen the City’s position from a cyber liability standpoint. Mr. Logan said they are looking at a program that will allow them to encrypt any file they want so those more sensitive files on the server are protected even if someone should gain unauthorized access. He stated he is not asking Council to act on this Ordinance tonight or even next week as it can wait until June 21st or June 28th after speaking with the Gallagher agent on Wednesday afternoon.

Mr. Moore asked when the last time was that they shopped this.

Mr. Logan advised two years ago.

Mr. Moore asked if Gallagher is going to at least kick it out to some of their other carriers that they work with.

Mr. Logan said he thinks they have, but he would confirm that on Wednesday.

Mr. Moore advised he would like to see what analysis they have done of the carriers.

Mr. Logan advised he was sure there would not be one from Travelers as they are not quoting this year for multiple clients. He said as far as the liability and casualty, he believes they did shop it out to some others.

Mr. Moore said he would hope so and he would like to see that due diligence.

6. ORDINANCE NO. 45-21 – AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENTS WITH CLEVELAND COMMUNICATIONS INC. TO LEASE EQUIPMENT AND SPACE ON THE WATER TOWER LOCATED AT 4859 CENTER ROAD FOR THE PURPOSE OF INSTALLING NECESSARY ANTENNAS AND TO PROVIDE THE NEEDED HARDWARE TO FACILITATE COMMUNICATIONS BETWEEN SAFETY FORCES IN THE CITY OF AVON AND OTHER LOCAL GOVERNMENTS

Mr. Streator

Mr. Streator advised this is the radio project that has been talked about in the past and it is coming to fruition now and it is much different than what was first presented a little over a year ago. He said there are two parts to this Ordinance with the first being the agreement with Cleveland Communications that allows the City to lease the equipment instead of purchasing it with the five-city agreement previously discussed. Mr. Streator stated Cleveland Communications is going to own the system and the City is going to pay them per radio per month to be on the system. He advised as part of that agreement Cleveland Communications is also going to provide some equipment to the City in the form of ten mobile radios and ten portable radios to the Fire Department for use on this system. Mr. Streator said the biggest change in the previous presentation that was given to Council in a five-city mutual understanding, is that the City will not be in the radio business and all the equipment will be owned by Cleveland Communications and it is more of a pay as you go program. He stated the benefits to the City and the other cities is that it is going to improve the radio communications coverage for Avon's safety forces. Mr. Streator advised in the agreement Cleveland Communications provides for 95% in building coverage, which is very important for the fire departments and is a two-year agreement. He said the second part of the proposal to make the system work, the City is going to lease space on the Mills Road water tower to install their equipment on top of the water tower. Mr. Streator stated Cleveland Communications is also going to provide an emergency generator and the City will also benefit from having emergency power at that location.

Mr. Radcliffe advised previously the City was looking at the five-city system and would buy radios and do this ourselves and that was a significant cost at that time. He said now the City is going to lease the equipment and he asked who is responsible for maintaining the equipment and making sure it is working right and keeping it available for the City. Mr. Radcliffe stated ten radios is less than the thirty plus radios they were looking at getting before.

Mr. Streator advised Cleveland Communications bears all the responsibility for maintenance of the equipment as it is their equipment.

Mr. Radcliffe asked if Cleveland Communications has been doing this kind of work for years. He said he liked the idea of the City owning their own safety equipment.

Mr. Streator advised Cleveland Communications has put in a system in the City of Parma as well as in Ottawa County and Huron County that is basically the same system that Avon is proposing to contract with Cleveland Communications. He said it is basically the same system that they would have bought, but instead of the City having the initial outlay of the cost to own the equipment with the five cities including the upkeep and the like. Cleveland Communications will be the bearer of the cost and the upkeep and maintenance of the system and the City of Avon will pay \$10 per radio per month. He advised as far as the number of radios, through attrition Chief Swope has obtained some radios. Mr. Streator said the five cities; Avon, Avon Lake, Sheffield Lake, Sheffield Village and North Ridgeville have applied for a grant to get radios to the Fire Department through a fire grant, but they will not hear if they are successful until probably August. He stated in talking with Chief Swope the City will have enough radios and by the time the system gets installed and is operational, it will probably be a couple of months as each of the five cities is doing a separate contract with Cleveland Communications and it is a three antenna system with one on the Avon water tower, one on the Avon Lake water tower on Walker Road and one antenna on the County-owned antenna at the 9-1-1 building by the Community College.

Mr. Radcliffe asked for the overall costs per year or per month.

Mr. Streator advised the cost was dependent on how many radios they have on the system based upon the current needs in the Fire Department. He said as they increase the number of radios it is \$10 per radio per

month. Mr. Streator stated the original estimate just to buy the equipment was in the neighborhood of \$180,000 that each of the five cities would have had to buy so, at \$10 per radio per month it will take the City awhile to get to that initial cost estimate.

Mr. Butkowski asked with one of the antennas located here in Avon if the City should decide to pull out of this agreement in two years what would that do to the system.

Mr. Streator advised they would have to renegotiate with Cleveland Communications for that antenna on the water tower. He said the system will operate off one or two antennas if necessary.

Mr. Butkowski advised he believes last year when they were having this discussion, the police radio system was also brought into the conversation. He said having two different systems within one municipality he assumes that Cleveland Communications could handle both police and fire on the same system.

Mr. Streator advised that is correct. He said this system will be able to handle not only police and fire but if the City wanted to include the Service Department and even the schools, it has the capabilities to do that in the five cities as well and not just in Avon.

Mr. Butkowski asked so the bandwidth capabilities to be able to pull back on the current system in the Police Department and save some money if they were to pull out of that.

Mr. Streator said that is correct. He advised the Police Department currently operates on MARCS (Multi-Agency Radio Communication System), which is basically a very similar system that calls for a 7800 megahertz system and currently at the Avon Police Department, if this new system works, will have the option of reprogramming the existing radios without the need to buy radios and Cleveland Communications will include the coverage that they currently have.

Mr. Butkowski inquired if by reprogramming that the City would then be charged that per radio fee to be able to utilize this system.

Mr. Streator confirmed that to be correct. He advised the City would pay Cleveland Communications the \$10 per month that the Police Department is currently paying the State of Ohio to be on MARCS.

Mr. Butkowski advised he would be interested in taking a look at where the City's costs are with MARCS versus switching over to this system with Cleveland Communications.

Mr. Streator advised basically the Police Department works on MARCS but the Fire Department does not. He said the Police Department is currently paying \$10 per month per radio to be on MARCS so it is a wash. Mr. Streator stated what they are looking at is if they can improve the coverage that they currently are lacking in some areas of the City.

Mr. Butkowski advised it does not make sense to have two different systems; if they were going to be communicating at fires or incidences, he felt they should be on the same system and if the cost is a wash.

Mr. Streator said the two main parts of what they looked at is to improve the coverage and operability amongst the five communities.

Mr. McBride asked which radio system the water tower antenna will be for.

Mr. Streator advised that is for the Cleveland Communications radio system and not MARCS.

Mr. McBride inquired if they are having issues with MARCS.

Mr. Streator advised the Police Department currently operates on MARCS and it works better than the previous radio system. He said they do have some coverage issues from time to time.

Mr. McBride felt that is because the closest MARCS antenna is in Westlake.

Mr. Streator confirmed that the closest MARCS antenna is in Westlake at Columbia Road and Detroit Road and there is an antenna on Murray Ridge Road just west of Elyria.

Mayor Jensen advised he wanted to remind Council that when they were first looking at owning the system that it was the Administration's biggest fear because they did not know the cost moving forward after a certain period. He said this allows them to have the best of everything they were looking for and what the Fire Department was looking for. Mayor Jensen felt it is an upgrade from MARCS without the risk of maintenance with ownership. He stated they also considered that with the five-city agreement, one community may not be able to afford it at some point then the remaining communities would have to take over the burden of operating that system. Mayor Jensen advised Chief Swope and Mr. Streator have done a phenomenal job putting this all together and trying to give the Fire Department what it wanted in terms of the best communications possible with the fear of going into burning buildings and not having that communication. He said having antennas closer to our facilities and in Avon Lake that the coverage for all of them got better. Mayor Jensen stated there is very little risk and the cost that they have to outlay initially is minimum and this is a prudent way to accomplish both. He advised they would be able to use funds needed in other areas to better those departments.

Mr. Witherspoon inquired as to the advantage for Cleveland Communications as \$10 a radio is nothing. He asked what is the benefit to Cleveland Communications that Avon gets involved with this service.

Mr. Streator advised that was the first question they asked Cleveland Communications when they proposed this to them. He said Cleveland Communications answer was they looked at their business model and his guess is that they are trying to eventually expand this radio system throughout Lorain County, which increases the number of radios on their system.

7. [RESOLUTION NO. R-13-21](#) – REQUESTING THAT THE COUNTY AUDITOR, PURSUANT TO OHIO REVISED CODE §5705.03(B)(1), CERTIFY TO THE CITY OF AVON THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A ONE-HALF (.50) MILL RENEWAL LEVY FOR THE AVON POLICE DEPARTMENT

Mr. Logan

To Be Considered at a Special Meeting Immediately Following this Work Session

Mr. Logan advised this is the police equipment levy for tax year 2021 with collections next year as the final year of the five-year levy. He said they are asking Council to pass this resolution so the County Auditor can provide that tax valuation. Mr. Logan stated the second step of this would be to have Council pass resolutions to place this renewal levy on the ballot in November. He advised they are not requesting any changes in the tax rate and people may end up paying a little bit less values in the City increase. Mr. Logan said the Police Department is currently collecting at about .41 mills and the City is receiving roughly \$397,000 of revenue each year and that money goes into the Police Department Equipment Fund.

8. [RESOLUTION NO. R-14-21](#) – REQUESTING THAT THE COUNTY AUDITOR, PURSUANT TO OHIO REVISED CODE SECTION 5705.03(B)(1), CERTIFY TO THE CITY OF AVON THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A ONE-HALF (.50) MILL RENEWAL LEVY FOR THE AVON FIRE DEPARTMENT

Mr. Logan

To Be Considered at a Special Meeting Immediately Following this Work Session

Mr. Logan advised this is the fire equipment levy for the tax year 2021 with collections next year as the final year of the five-year levy. He said they are asking Council to pass this resolution so the County Auditor can provide

that tax valuation. Mr. Logan stated the second step of this would be to have Council pass a resolution to place this renewal levy on the ballot in November. He advised they are not requesting any changes in the tax rate and people may end up paying a little bit less values in the City increase. Mr. Logan said the Fire Department, which was a replacement levy five years ago, is currently collecting at about .44 mills and the City is receiving about \$427,000 each year and that money is going straight into the Fire Department Equipment Fund.

Mr. Logan reiterated these resolutions simply ask the County Auditor's Office to provide that tax valuation for two renewal levies to collect basically what is currently being collected. He pointed out these will both be five-year renewal levies running from tax year 2022 through 2026, with the first collections on the renewal levies happening in 2023.

9. REPORTS AND COMMENTS

MAYOR JENSEN cautioned Council in regard to emails on their City accounts. He said Mr. McBride sent him an email he received that appeared to be from Apple. Mayor Jensen advised the City of Avon has been inundated with all kinds of phishing emails and it is better to delete an email that might be valid than to open one that is spyware or ransomware. He reminded everyone with a City email to be very cautious before opening an email as some of these spam emails are using his name and position as well as other top officials in the City trying to get information by pushing urgency. Mayor Jensen said there have been people/companies across the country hacked and losing millions of dollars and if they doubt the validity of an email he would rather they delete it and if it was truly something important from the City they can always be contacted by phone. He advised he has sent a lot of emails to the City's IT Department and a lot of them look very professional and some have had the City logo on them. Mayor Jensen indicated he would rather they err on the side of caution than to risk being compromised. He said he appreciates their help with this situation.

COUNCIL MEMBERS:

MR. BUTKOWSKI, WARD 1 advised it is not too often they get the opportunity to celebrate the accomplishments of one of our own and he congratulated Molly Radcliffe, Scott Radcliffe's daughter, who performed at the State level winning discus and shot put. He said she is the best performing athlete right here from Avon and he wanted to highlight that and say congratulations.

MRS. HOLTZMEIER, AT LARGE advised we all know that behind the accomplishments of good students and good athletes are good parents. She said the amount of time that goes into that, most people have no idea and Mr. Radcliffe probably could tell many stories for that as anyone who has been a parent to a child that has done well. Mrs. Holtzmeier congratulated the whole Radcliffe family and said that is a culmination of a lot of years' work and well done to them all.

MR. MCBRIDE, WARD 2 gave congratulations to Molly and said he knows there was a lot of social media traffic when she won those awards.

Mr. McBride advised he has been receiving some complaints about noise from vehicles with loud mufflers. He said he looked up the noise ordinance and it appears to be vague and it does not appear that our noise ordinance is enforceable, if he is reading it correctly. Mr. McBride stated whether it was the definition or the decibel levels he felt they should look at it so the Police Department and other City officials have some enforcement powers if it is challenged in court. He recommended the Ordinance section be looked at to decide what the standard should be.

Mr. Gasior advised going back a number of years, they addressed this issue. He remembers Chief Bosley mentioning that the Police Department did not have a decibel meter to deal with enforcement as he believes there was a trash dumpster being loaded onto a truck over by Mills Road and Jaycox Road and the City received some complaints from a resident in the Red Tail Development. Mr. Gasior said the issue was resolved without having to issue a citation, but the City can still issue a citation regardless of whether they have the decibel meter and it is not everyone that goes to court and challenges constitutional issues. He stated it would be beneficial for the City to perhaps look into purchasing a decibel meter for the Police Department and then the City might have

a better case to present if they should ever have a noise complaint as they could go out and check the decibel level. Mr. Gasior advised he believes there is a section in the Avon Code that references a threshold level of decibels and if it rises above that level it could be an actionable offense. He said if they want to get better at that type of enforcement he felt they probably needed to get the device.

Mr. McBride advised when he was looking through the noise ordinance he did not even see a baseline threshold level and perhaps he was overlooking it.

Mr. Gasior said he thought there was something in the Code.

Mr. McBride said he would go back and look again.

Ms. Fecher advised there is something in the R-1 district regulations about decibel levels in the zoning code.

Mr. McBride said he felt it should be in the noise ordinance. He stated there is more noise acceptable in an industrial area versus a residential area, but that has always been an issue that noise should not carry over from one zoning district to another. Mr. McBride remembered an issue with the GetGo on the corner of Chester Road and SR83 and said they were playing music at night over the speakers, which is rude in general.

MR. MOORE, WARD 3 advised driving on Jaycox Road he noticed that the developer is starting on those houses and he sarcastically added they are doing a fine job in ripping out those trees. He said he is going to beat his drum about trees and getting our Tree City designation. Mr. Moore stated he wanted to share some facts about being designated a Tree City. He read a Tree City designation can reduce costs for energy, storm water management and erosion control. Trees can cut energy consumption by up to 25% and the designation will boost property values across the community ranging from 7% to 20%. Mr. Moore advised he has been asking months now and Fairview Park, Bay Village, Avon Lake and Lakewood are all Tree City designations. He wondered why they have not scheduled a Legal Committee Meeting to talk about working with developers and doing more to help get a Tree City designation for Avon and he requested the Legal Committee consider scheduling a meeting to discuss these issues.

Mr. McBride apologized and said they have spoken about this topic numerous times and he admitted he has not scheduled it yet.

Mayor Jensen advised Arborist Rick Varga is going out of town this next week and he spoke with him recently about the push for Avon to become a Tree City. He said he and Mr. Varga talked about some properties that the City is looking at and in order to help with grant monies, Avon needs to be a Tree City. Mayor Jensen stated he let Mr. Varga know that the City's focus would be in the next couple of months to try to get that designation taken care of and Mr. Varga is excited about that possibility and that he has some items ready for discussion and that he will be available after he gets back from vacation.

Mr. Moore advised he spoke with Mr. Varga as well and Mr. Varga has some really good ideas.

Mayor Jensen agreed and said that Mr. Varga has indicated there is a lot grant funding out there if Avon is a Tree City. Mayor Jensen stated later this year they could schedule the committee meeting to bring this topic forward.

Mr. Moore said that would be great and he appreciates it and he thanked Mayor Jensen.

Mr. McBride advised he would set a tentative meeting for some time in July.

Mr. Moore congratulated Molly Radcliffe on her accomplishment.

MR. RADCLIFFE, WARD 4 thanked everyone that has reached out to him and his family. He advised as Mrs. Holtzmeier indicated it does go back a long way and the time and commitment that Molly put in is unbelievable. Mr. Radcliffe said it has been amazing to watch as a parent and it has been amazing over these years and he is grateful to have had that opportunity. He named all those that reached out and supported Molly and his family: the City, the School System, the Coaches, the Teammates and the Community. Mr. Radcliffe advised the largest group of competitors from Avon went to State than ever before and the kids and coaches were all great and the support from people has been amazing and Molly is appreciative of all that and she is looking forward to trying more and keeping up with her sport and she is very happy. He thanked everyone again from his family.

MR. WITHERSPOON, AT LARGE had no comments.

MR. FISCHER, AT LARGE congratulated Molly Radcliffe.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER had no comments.

MR. FARMER, SERVICE DIRECTOR congratulated Molly Radcliffe. He said it has been fun to watch her perform in her sport.

MS. FECHTER, ECONOMIC DEVELOPMENT/PLANNING COORDINATOR congratulated Molly Radcliffe.

MR. GASIOR, LAW DIRECTOR congratulated Molly Radcliffe.

MR. LOGAN, FINANCE DIRECTOR advised they sold the Elizabeth, Puth, Joseph notes on May 25th for a little over \$3.6 million and they were one-year notes at an interest rate of .18%, 18 basis points. He said there is a call provision in the notes and later this year they will look and see how we want to proceed with those notes as well as the Recreation Facility Notes that will be coming due in September.

Mr. Logan advised on the June 21st Work Session he will have the preliminary 2022 budget, the Tax Budget, for Council's review. He said it will not need to be passed until the second Regular Meeting in June or the Regular Meeting in July. Mr. Logan stated it is due in the County office around July 20th. He said the formal budget will be fine-tuned in the fall.

MR. STREATOR, SAFETY DIRECTOR congratulated Molly and the Radcliffe family.

AUDIENCE: There were no comments from the audience.

10. ADJOURN: 8:22 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