MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE CITY OF AVON, OHIO HELD MONDAY, JUNE 17, 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

Mr. Fischer announced that they would be adding item number 6a. to the agenda for Ordinance No. 71-24 – To Amend and Supplement Appropriations.

1. 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. 10-04-00-022-102-162 FROM R-1 SINGLE-FAMILY RESIDENTIAL TO C-4 GENERAL BUSINESS DISTRICT Planning Referral

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

Ms. Fechter advised she had no additional comments.

2. ORDINANCE NO. 66-24 – AMENDING SECTIONS 277.02(a) & (b) OF THE CODIFIED ORDINANCES OF THE CITY OF AVON RELATIVE TO TREE COMMISSION “MEMBERSHIP AND COMPENSATION” Mr. Gasior

Mr. Gasior advised what he put together for Council in advance of the Work Session is basically an outline form of the amendment, but he believes there are some specific items that they might need to address by way of age and how they were going to define student.

Rick Varga of 33676 Reserve Way, Avon advised the intention of the Tree Commission is to try to get more involvement with the younger residents of the community. He said they thought it would be advantageous to get some students involved in the Tree Commission. Mr. Varga stated the Tree Commission was thinking the age of 16 to 24 would be good so that it could encompass both High School and College level students that would like to get involved, and they would have to be an Avon resident. He discovered that a lot of students in Avon are involved in environmental activities as well as college students and that would be advantageous for the community and the Tree Commission to have that kind of knowledge as a member. Mr. Varga advised it was thought that the term for the student member should be about two years and the student would be a non-voting member.

Mr. Fischer inquired as to the duties of a non-voting member.

Mr. Varga advised the student member would be able to provide the Tree Commission with a perspective of what relates to the younger community and ways to get them involved in the Tree Commission activities such as Arbor Day and Memorial Tree plantings and the overall involvement of Avon’s tree canopy. He suggested getting the student member involved in the Traxler Arboretum and there were many facets they could work on for that property alone and having a younger member perspective would be great.

Mr. McBride said it would be nice to have both a high school and college student at the same time to serve on the Tree Commission. He inquired as to the downside of allowing a student/college member be a voting member.

Mr. Varga stated initially the thought was that the student member would be non-voting because they were not being compensated for their participation on the Tree Commission. He said the Tree Commission is really looking to have ideas from a younger perspective presented to them to provide more ideas as to what would help younger generations to become more involved.

Mr. McBride felt it was a great idea. He said the Tree Commission members do not receive excess per diems, so he was not opposed to the student member being compensated. Mr. McBride agreed it would be nice to have some youth involvement.

Mr. Fischer asked if the student member of the Tree Commission would qualify them for service hours credit in clubs such as the National Honor Society or the like.

Mr. Varga felt that was a real possibility. He suggested it could also apply to college students involved in environmental law that might be interested in earning service hours for credit in their program. Mr. Varga said it was multi-faceted as far as what they could do with it. He stated it may be a great idea to have two members on the Tree Commission who qualify as student members as Mr. McBride suggested. Mr. Varga advised the more involved, the better it would be for the community.

Mr. Radcliffe said it is a wonderful idea and he felt that a high school student would be easier to classify as far as membership and duties on the Tree Commission. A college student as a Tree Commission member might be a little more difficult since the meetings are once a month and a college student out of the immediate area might not be able to attend regularly. He suggested starting with a high school student member and possibly add the college student later. Mr. Radcliffe agreed it is a great idea to have a high school student as well as could earn service hours through their participation in the Tree Commission.

Mayor Jensen asked Mr. Gasior if the City could award a scholarship in place of a monthly stipend. Mr. Gasior said Mr. Presley could speak to that issue if that was something that could be budgeted.

Mr. Gasior advised in thinking about a student member he felt they would receive better commitment from a volunteer rather than from a paid member.

Mr. Varga said that was also the original thought from the members of the Tree Commission.

Mr. Gasior advised if they put a dollar figure behind this position, he felt they could have a lot of people asking for the position and maybe not be truly sincere about trying to do something for the community but doing it more for the pay. He said if they make it a volunteer position, he felt they would truly get someone who was committed to the community and the commission.

Mr. Varga felt it could always be reassessed later if they determine someone should be compensated for their position. He was agreeable to start with a high school student and decide later about compensation, but they should start with baby steps and implement the student member as that would be fabulous.

Mrs. Demaline said she likes the idea of attracting more interest to this cause. She stated although it may be desired for a certain age group, she cautioned against excluding any class by placing a maximum age in the legislation since there was not a component to it like the Police or Fire forces where the Ohio Revised Code allows them to do so. Mrs. Demaline felt that stating high school student was enough information. She said a minimum age may be important to indicate, but a maximum age may not be important especially if there was going to be compensation involved.

Mr. Gasior asked if there was going to be compensation involved to which Mr. Varga answered not at this juncture. Mr. Gasior asked if they were going to say high school student with a minimum age of 16 to which Mr. Varga confirmed and Mrs. Demaline was agreeable.

Mr. Gasior asked about the term for the student member. Ms. Berges answered the Tree Commission thought that a two-year term would be appropriate.

Mr. McBride asked if they were looking for a student currently attending Avon High School.

Mr. Varga said a student that is an Avon resident would be his suggestion. He stated there are Avon residents who are high school students that attend St. Ignatius, St. Edward among other high schools in the area.

Mr. Moore asked if it would make more sense to have the student member term limit be one year versus a two-year term. He presented a scenario of possibly there were two 16-year-old high school students who were qualified and interested in serving, but by the time the first term was up for the one, the other student would already be 18 years old and possibly out of high school, which would not allow the second student the opportunity.

Mr. Fischer felt the time frame for the term limit was always going to be a challenge because a senior in high school would graduate and be going off to college and may not be able to serve after one year on the Tree Commission.

Mr. Varga agreed it was going to be a challenge, but initially he felt they have to start somewhere and see how it goes. He suggested it could be changed later on if they find the 2-year term was not working out.

Mr. Gasior confirmed the legislation could be amended later on and agreed they had to start somewhere and see whether it is working out. He felt the goal was to try to get the younger member and then after the student member graduates out, perhaps they would like to become a permanent member if there is a vacancy.

No further discussion. Mr. Fischer thanked Mr. Varga.

3. ORDINANCE NO. 67-24 – EXTENDING THE TEMPORARY MORATORIUM ON THE FUTURE DEVELOPMENT OR CONSTRUCTION OF ANY HOTEL, MOTEL, EXTENDED STAYS, BOARDING HOUSES OR THE LIKE WITHIN THE CITY OF AVON Ms. Fechter/Mr. Gasior

Mr. Gasior advised this moratorium has been in effect for a year now and he has seen a lot of legislation come through from some other communities regarding this topic. He said he has noticed a licensing component in some of that legislation, which is something that he did not anticipate. Mr. Gasior stated the Administration would like another six months to try to determine how to incorporate that licensing concept into the City's legislation to control these types of uses. He advised in addition, they were also looking at the short-term rentals such as Airbnb's, VRBO's and Bed & Breakfasts. Mr. Gasior felt another six months would not hurt and they should be able to get things wrapped up in that time frame.

Ms. Fechter agreed and added that the City was not looking to get rid of hotels and motels but were looking at extended stays in depth to decide how to regulate those and then looking at the Airbnb's, VRBO's and the like to see if they can regulate those with licensing by researching to figure out the best way.

Mr. McBride advised he was under the impression that the City does not want any Airbnb's, VRBO's, etc. because of the conflict it creates in some of the neighborhoods.

Mr. Gasior explained that when the City is asked about the uses of Airbnb's, VRBO's, etc. the response is that they are prohibited because they are not specifically outlined in the Code and that is how that has been handled up to this point. He said whether people are abiding by that, he could not say citing that when looking at the Airbnb and VRBO websites there were locations available within the City of Avon. Mr. Gasior advised the City has not cited anyone for doing that at this point, but this is where the whole licensing component comes into play. He said it makes more sense to require a license to be issued for a person to operate any of these because there is a tax involved. Mr. Gasior stated a short-term rental was no different than a hotel and they should be paying the bed tax, which is 6%. He advised the only way the City can track that is if the person comes into City Hall and fills out a registration form and gets a license to operate that Airbnb or Bed & Breakfast. Mr. Gasior said if the operator fails to do that then the City would be able to cite them for operating without a license, which he felt was easier to prosecute than trying to prosecute a zoning violation. He stated that was what they were working on and they were hoping to come back with something comprehensive that will probably contain a licensing component.

Mr. McBride said what he was hearing, was that the City was going to acquiesce the short-term housing rentals to which Mr. Gasior said that was up to Council.

Mr. Gasior advised what they may find is that there may be a draft piece of legislation coming before Council at some point and almost all of those uses will be listed in the legislation and it will be up to the Planning Commission and City Council to decide which ones should stay and which ones should go. He added that by deleting them they would be prohibited. Mr. Gasior said that Council would have plenty of opportunity to decide on those uses and he felt they should try to cover them all as they go through the process during this moratorium period. He stated when it comes before the Planning Commission, which will be the first step, everyone will be able to see what is being proposed and the Planning Commission will make a recommendation and Council will have three readings before anything passes. Mr. Gasior advised anyone with strong feelings about one type of use or another he was sure would be vetted at that point.

Mayor Jensen advised the Administration is not in favor of allowing Airbnb's from the perspective of the Safety Forces, especially the Police trying to monitor activities as there have been some properties in various neighborhoods that the City was aware of that use, and it was difficult to monitor. He indicated it was Council's decision, but he hoped Council agrees with the Administration's standpoint that they would not be in favor of allowing them.

Mr. Gasior advised if Council specifically prohibits that use as opposed to the way it is prohibited now by it simply not being in the Code, will also be something that Council can decide to do when they see the proposed legislation.

4. ORDINANCE NO. 68-24 – TO AWARD THE PUBLIC BID FOR THE DESIGN AND CONSTRUCTION OF A FIRE TRAINING TOWER — Mr. Streator

Mr. Streator advised this is the next step in the process for this project. He said Chief Swope presented to Council a number of months back to show the intentions for adding a fire training tower. Mr. Streator stated it went through the Planning Commission approval process and Council subsequently gave authority to bid the project. He advised they held the bid opening and unfortunately there was only one company that submitted a bid, Infinity Construction, for the project. Mr. Streator said the bid was reviewed by the architect and Chief Swope and he was accepting of the bid and their proposal. He noted that what was before Council tonight was asking for acceptance of that bid along with the two alternate parts of the bid which incorporates a false sprinkler system for training since most of the commercial buildings have sprinkler systems giving the firefighters a place to train on a similar system. Mr. Streator advised also there were PVC risers that allow them to introduce fake smoke into the building assimilating conditions for training purposes.

Mr. Fischer asked how the bid came in compared to the engineer's estimate.

Mr. Gasior pointed out that the Ordinance was incorrect as it states $780,000.00 as the bid total and it should say $784,500. He said he did not have the second alternate bid amount of $4,500 available to him at the time this Ordinance was prepared. Mr. Gasior stated this final tabulation that included alternate #1 and #2 came to him yesterday and the Clerk distributed it to Council this morning. He advised the final tally for the base price and alternate #1 and alternate #2 was $784,500.

Mr. Streator advised the engineer's estimate from the architect for the base bid was $740,000 so the bid amount was a little over the engineer's estimate for the base bid. He noted it was under the 10% overage allowable.

Mr. McBride said he would like to see the City re-bid for this project as there was only one bidder to see if they can increase the number of companies participating in the bid. He advised this company that submitted the bid has a history of a couple of projects in the City such as the Police Station and the Crusher Stadium, but it would be nice to have 2 or 3 bidders.

Mr. Streator advised the bid was extended another 10 days from the original publication of the bid and there was a local company that they thought was going to submit a bid, but decided not to because they were unsure of the steel prices.

Mr. McBride asked how many companies were contacted.

Mr. Streator advised there were 3 companies that were contacted by either the architect or the City Administration that they were aware of.

Mr. Gasior asked if those three companies asked for the plans to which Mr. Streator confirmed they did.

Mr. Streator added there were a lot of subcontractors that received copies of the plans from the General Contractor.

Mr. Fischer asked if they had any idea why no other companies were interested in bidding on this project.

Mr. Streator advised he did not know.

Mr. McBride asked if the architect was local to which Mr. Gasior answered Cincinnati. Mr. McBride felt that could be a reason since it was not a local architect that could encourage other contractors in the area to bid. He said he is in favor of this project and wants to move it forward, but he has an issue with only one bidder. Mr. McBride clarified that he would go along with what the rest of Council to do, but right now he was not recommending awarding the project to a single bidder.

Mr. Radcliffe asked if the company that provided the bid was the same one that was consulted about the design and the building of this fire training tower when they were first talking about this two years ago.

Mr. Streator answered yes that when they were first talking about this project with the architect, the company that provided the bid was involved in that discussion from the beginning.

Mayor Jensen asked Mr. Streator if there was a way to look at this as more of a design build. He said he would hate the see the project delayed. He inquired if there was a way before next week to talk about if there were other options as he did not believe the project was that complicated of a build. Mayor Jensen advised if they have to go out for bid again, it will probably delay the project at minimum another six weeks which could lead into 2025 before the work would begin. He indicated he was not sure they would save enough money or come up with a different result to make a re-bid worthwhile.

Mr. Streator agreed and said he was not sure there would be a financial savings based on what the City has already invested with the architect and other costs to go out and re-bid. He advised he was not sure the City would see any interest from more companies wanting to submit a bid.

Mr. Gasior advised the last meeting was the 8th of July before Council's break. He said he did not know if they could have something ready by that time for a re-bid.

Mr. Streator advised he could meet with the architect and try to determine if there is another option.

5. ORDINANCE NO. 69-24 – TO ACCEPT DEDICATION OF PUBLIC RIGHT-OF-WAY AND PERMANENT UTILITY EASEMENTS ALONG DETROIT ROAD AND STATE ROUTE 83 FOR UPCOMING STATE ROUTE 254 AND STATE ROUTE 83 INTERSECTION IMPROVEMENT PROJECT Mr. Cummins

Mr. Cummins advised before City Council is a dedication plat for the City owned parcels along the south side of Detroit Road; the post office, the fire station, and the police station. He said while it is publicly owned land, ODOT requires that the portion that would be the road right-of-way be dedicated and recorded on a plat stating that it is for right-of-way use only. Mr. Cummins stated there was a plat in 2022 that was passed through City Council and recorded with the County. He advised since that time, decisions were made to expand the footprint to add the left turn lane and an additional lane in the fire station area. Mr. Cummins said the turn lanes necessitated changes along the frontage of the cemetery. He stated there have been investigations and Council has heard him talk about that before as far as the cemetery is concerned to make sure they were not disturbing any graves or anything of that nature. Mr. Cummins advised a ground penetrating radar survey was conducted as well as an archeological survey. He said all of those turned out fine and so this is a second plat to dedicate these extra strips of land that result from the widened footprint of the project since 2022. Mr. Cummins stated once this legislation is approved by City Council, it will be recorded with the County and then go on file with the Ohio Department of Transportation (ODOT).

Mrs. Demaline inquired as to the timeline for the project.

Mr. Cummins advised they have started the process of appraisals for right-of-way acquisition and that will continue into the summer. He said they are waiting for a formal draft agreement from ODOT that he will bring before City Council requesting passage that will allow them to again be making offers for right-of-way purchase. Mr. Cummins stated they were looking to bid the project in the spring of 2025 and go into construction some time around May 1, 2025.

Mayor Jensen confirmed with Mr. Cummins that this is a project that the City employees would be running.

Mr. Cummins said that is correct. He stated in the end it is going to be a local let project and the City of Avon will be in charge of bidding the project and the contract with the contractor will be with the City of Avon. Mr. Cummins advised ODOT will be providing grant funds to help pay for that and the City received an earmark designation recently for some initial grant funding to help as well. He confirmed it will be the City of Avon project and will not be an ODOT run project.

Ms. Patton asked when they anticipate the completion of the project.

Mr. Cummins advised the project will extend into 2026; it will be two construction seasons. He said the reason for that is that there are a number of phases, and they can only work in certain areas for an expansion and then flip over the traffic flow and the like so it will extend into 2026.

6. ORDINANCE NO. 70-24 – ACCEPTING THE INSURANCE PROPOSAL SUBMITTED BY OSWALD COMPANIES — Mr. Presley

Mr. Presley advised in the Ordinance; the McGowan Government Underwriters should be stricken under the Whereas clause because McGowan is in fact underwriting it through the Oswald Companies. He said it is correct in that Gallagher Insurance utilizing Travelers and Jackson-Deacon indicated they were not going to be competitive. Mr. Presley confirmed they were not competitive last year with the underwriters. He advised as Council was aware, if they have had the unfortunate experience of renewing their auto insurance, it is not a pleasant thing to do. Mr. Presley said with the cost for repairs to vehicles it is not surprising that costs were rising based on the large fleet the City has and that liability has increased more than16% over last year based on new value of replacement vehicles. He stated with this proposal from the Oswald Companies, the City will see a 27.2% increase and 9% is based on rate only and the additional amount is based on change in the coverage limits relative to the increased values of all the City's buildings, new vehicles added and the automobile physical liability that has increased. Mr. Presley advised the City is in a tough tightening market and he felt this was still a good proposal based on what he was seeing, and he recommends that Council accept this at next week's meeting.

Mr. Presley said in reference to the cyber liability insurance, the City currently has a $2 million limit. He stated a proposal was made to increase the policy to a $3 million limit for cyber liability insurance and that would increase the premium by roughly $9,000 plus applicable State taxes. Mr. Presley advised he wanted to put that on the table for Council's consideration. He said cyber is everywhere and anywhere and all it takes is one miss click on something that looks very legitimate and the City could find themselves in a situation of ransomware and shutdown with a lot of problems. Mr. Presley said while he does not doubt the security in place, but it is still a human error situation that can easily take place. He asked if it was worth the extra $10,000 over the life of the policy and said that was a tough call and he was putting that in front of Council for their consideration and advisement.

Mr. Gasior advised that would cover the City's legal expenses in this situation because the insurance company would retain Counsel for the City. He said looking at it from that standpoint, he felt it was well worth the $10,000. Mr. Presley agreed and said especially with what some of these hacks can cost and they were very heavily getting into municipalities as there have been some recent entities that have been hacked. He added he would feel more comfortable with the additional coverage. Mr. Presley advised he would provide a final breakdown for next week, but said the cost without this extra cyber consideration, the total premium is $280,970.65 as it was a draft amount listed in the legislation currently. He said he would provide a hard number and get the Ordinance updated with the exact figure for next week. Mr. Presley stated if Council would like to increase the cyber liability coverage to $3 million, he would get that figure as well.

Mr. Fischer advised he would be in favor of adding the additional cyber coverage.

Ms. Berge advised she would say that the City of Cleveland would gladly pay $10,000 not to have the issues they are currently having due to a breach in their cyber security.

Mr. Gasior advised they will add the additional cyber coverage in the Ordinance and then if Council decides they do not want it, the legislation could be revised before the vote.

6a. ORDINANCE NO. 71-24 – TO AMEND AND SUPPLEMENT APPROPRIATIONS Mr. Presley

Mr. Presley explained the supplemental appropriations as follows:

General Fund No. 101
Increase Misc. Contracted Servies- Law budget by $25,000 as the original budget is insufficient to complete the year.

Total Increase in Fund 101 $25,000.00

Mr. Presley advised the outside Miscellaneous Contracted Services for the Law Department needed increased because of appraisals for various properties and utilizing additional outside legal counsel to represent the City in a couple of cases that may or may not go forward.

Economic Development & Tourism Fund No. 285
Increase Misc Contracted Services by $50,000 as the original budget is insufficient to complete the year.

Total Increase in Fund 285 $50,000.00

Mr. Presley advised the other supplemental is in the Economic Development & Tourism Fund to increase Miscellaneous Contracted Services by $50,000.00 and he yielded the floor to Ms. Fechter for questions or additional comments.

Ms. Fechter advised they need to pay the Montrose Group from July through December. She said the Montrose Group is an Economic Development Group that the City hired and there was a misunderstanding about that budget item for the remainder of the year and the money needs to be added back for that budget item. Ms. Fechter stated in addition there have been a couple prospective projects that the City has been working on some of the funds from the Miscellaneous Contracted Services which were utilized for preliminary work.

Ms. Fechter said since the City has hired the Montrose Group and they have helped the City receive earmark funds for the project at SR83 and Detroit Road. Ms. Fechter advised the Montrose Group was also instrumental in acquiring grant funding for the City.

Mayor Jensen added along with help from Senator Nathan Manning, Representative Gayle Manning and Senator Sherrod Brown with putting the funding packages together; Mr. Cummins also put the grant applications together and then those elected officials helped to push it forward and connect Avon to other officials to help promote Avon's projects. Mayor Jensen noted that three projects have been awarded funding.

Ms. Fechter added the Montrose Group has helped the City in acquiring almost $3 million worth of grant funding.

Grand Total of All Supplemental Appropriations $75,000.00

7. REPORTS AND COMMENTS

MAYOR JENSEN advised the Board of Zoning and Building Appeals has a meeting on July 3, 2024, which is the same night as the City fireworks display, and he asked Mr. Gasior if Council needed to take any action to change the meeting time and/or date.

Mr. Gasior advised the Chairman of the BZBA made a declaration in writing that the time of the meeting was being changed. He said that declaration would go out with all of the notices, and it will be on the website that the meeting time is being moved from 7:00 p.m. to 6:00 p.m. that night.

Ms. Fechter added that the Public Hearing notices have not been sent out as yet so that information for the meeting time change would be sent with those notices.

COUNCIL MEMBERS:

MS. BERGES, AT LARGE thanked Mayor Jensen for helping residents who were having issues with a noise/nuisance problem from an adjoining agricultural property. She said is sounds as if things have been resolved so far thanks to Mayor Jensen's intercession.

MRS. DEMALINE, WARD 1 advised the Legal Committee of Council met two weeks ago and discussed the restructuring of the Ward boundaries. She said she wanted to follow-up and make sure that they continued to move that issue forward since the summer Council recess was approaching and fall would be upon them before long. Mrs. Demaline stated she was hoping that they could continue that conversation and understand the next steps in that process. She advised she was not sure that responsibility falls back on the Legal Committee of Council or where they go from here.

Mayor Jensen advised he spoke with Mr. Gasior about that matter today and Mr. Gasior will be contacting the Lorain County Board of Elections to see what they need from the City and what this change will look like from their side. He said if there were changes made to the Ward boundaries, the precincts and voting locations may also change. Mayor Jensen indicated he was also looking for confirmation from the Board of Elections that there was still plenty of time to decide any changes to Ward boundaries. He stated once that information is known, then Council could meet again for further discussions.

Mr. Gasior advised he would have that information at the next meeting or even before and he would let Council know as soon as he finds out. He said he does not believe that there is a problem with going to the end of the year, although Council may not want to do that, but he wanted to confirm with the officials at the Board of Elections.

Mr. McBride advised he would love to put this issue to bed and have these Ward boundaries decided. He said July may be overly optimistic but felt Council could certainly take care of it no later than August. Mr. McBride stated he would like the Ward map boundaries without the heavy color overlay so he can see the numbers in relation to the areas. He felt having that would make it much easier to do some analysis of what make sense to try to balance the Ward population. Mr. McBride said he would like to see where the current boundaries are alongside suggested boundaries and then have a continuation of the previous Legal Committee discussion. He advised he would hope he and the other three Ward members come to some kind of consensus and be done with it.

MR. MCBRIDE, WARD 2 advised the ODOT fences along SR83 were not looking very good with the overgrown vegetation and it would be nice to get that cleaned up. He said he was willing to be the squeaky wheel, but he would coordinate that with Mayor Jensen.

Mr. McBride asked Mr. Cummins if they were able to regrade any part of the tree lawn/right-of-way at the one property on south side of Chester Road west of American Way.

Mr. Cummins advised it was his understanding that the contractor went out and regraded the front yard that was used as a lay down area and that was done. He said it was his understanding that while they were there, the contractors also regraded a section of the ditch. Mr. Cummins stated there were discussions with the contractors about adding a couple of yard drains to help out that area, but since they went ahead and regraded the ditch, he believes the current plan is to wait to see if that solves the problem or if there were low areas that develop again and starts holding water. He advised the contractors have been out there and it was not the original plan, but they will see how that turns out and if the City needs to take further action they will.

Mr. McBride asked Mr. Streator for the status of the property located at 36925 Chester Road to the east of the one just discussed with Mr. Cummins.

Mr. Streator advised Ms. Clements sent a letter to that resident inquiring as to the progress on that property, but he was not aware of the status, but he would find out and report back.

Mr. McBride said that would be great as the owner has said that he would remove his construction materials and then allegedly tear the house down, but this has been ongoing for at least ten years. He felt the house just needs to come down even if the Health Department comes in and condemns it.

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 said he knows Mrs. Demaline mentioned it at a previous meeting, but he has received quite a few calls and comments from residents remarking on the status of City properties and how well everything looks especially the baseball fields. He advised he and Mayor Jensen used to get weekly phone calls from the Little League wanting turf to be installed on the baseball fields because it was such a mess. Mr. Fischer stated once our guys took over, it proves that it can be done right and since parents and the league were happy it makes his job easier. He asked Mr. Streator to give the crew a shoutout from him and City Council that they appreciate all their hard work.

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 updated City Council that the negotiations with the Police Union (OPBA) have been finalized. He said City Council voted a few months ago to go with the Fact Finder Report and that was rejected by the Police Union at the time. Mr. Streator advised it then had to go to the next step of conciliation and on Friday they received the conciliator’s report awarding the Fact-Finding Report with the only change beginning in 2025 to allow for an HSA (Health Savings Account) or HRA (Health Reimbursement Account) program should it be offered by the City. He said the decision is binding and will be in place and they were working on the details of getting the contract signed.

AUDIENCE:

There were no comments from the audience members.

8. <u>EXECUTIVE SESSION:</u> 8:20 p.m.

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to Enter Into Executive Session for the Purpose of Discussing the Purchase of Real Estate, and the vote was: Ms. Berges, “yes”; Mrs. Demaline, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Ms. Patton, “yes”; Mr. Radcliffe, “yes”; Mr. Fischer, “yes”.

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

9. RECONVENE: 8:58
A motion was made by Mr. McBride and seconded by Mr. Radcliffe to Reconvene the Work Session of Council, and the vote was: Mrs. Demaline, “yes”; Mr. McBride, “yes”; Mr. Moore, “yes”; Ms. Patton, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Fischer, “yes”.

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

10. ADJOURN: 8:59 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