

**MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE
CITY OF AVON, OHIO HELD MONDAY, JULY 1, 2019
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
AT 7:30 P.M.**

CHAIRMAN, CRAIG WITHERSPOON, CALLED THE MEETING TO ORDER

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; CVE Engineer – Scott Wood; Service Director – Mike Farmer; Planning and Economic Development Coordinator – Pam Fechter; Law Director – John Gasior; Finance Director – William Logan; Clerk of Council – Barbara Brooks

The following items were considered in this Work Session:

1. [ORDINANCE NO. 48-19](#) – ADOPTING THE JUNE 10, 2019 REVISION TO THE STANDARD CONSTRUCTION DRAWINGS FOR THE CITY OF AVON Planning Commission Referral
First of Three Readings at a Special Meeting of Council Immediately Following this Work Session
A Public Hearing will be held on Monday, August 12, 2019 at 7:25 p.m.

Ms. Fechter stated this item was heard before the Planning Commission and they voted unanimously that it should be referred to City Council for approval.

2. [ORDINANCE NO. 52-19](#) – REZONING A 0.8607 PORTION OF A 2.8048 ACRE PARCEL OF LAND OWNED BY SHIRE GLENN GREEN, LLC AND LOCATED ON THE NORTH SIDE OF AVON ROAD, FROM R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO O-1 PLANNED OFFICE DISTRICT Planning Commission Referral
Public Hearing at 7:25 p.m. on Monday, July 8, 2019
Third of Three Readings on Monday, July 8, 2019

No comments.

3. [ORDINANCE NO. 59-19](#) – TO AWARD THE BID FOR THE NAGEL ROAD WIDENING IMPROVEMENTS – PHASE 1 BETWEEN MIDDLETON ROAD AND DETROIT ROAD Mr. Scott Wood of CVE on behalf of Mr. Cummins
To Be Addressed at a Special Meeting of Council
Immediately Following this Work Session

Mr. Wood advised that Mr. Cummins indicated the bids were discussed previously with City Council, but he would be happy to provide further detail if there are any questions.

Mr. Gasior added that this is a straight forward clean bid that came within the limits and it is recommended Council accept the lowest and best bid.

4. [ORDINANCE NO. 60-19](#) – AMENDING '256.04 AND '256.98 OF THE CODIFIED ORDINANCES TO CREATE THE PART-TIME AND UNCLASSIFIED POSITION OF SOCIAL WORKER (NON-CLINICAL) AND TO ADOPT THE CLASSIFICATION SPECIFICATION FOR SAME Mayor Jensen

Mayor Jensen advised the Senior Center Coordinator has discussed with him the need for a social worker employee at the Senior Center to provide resources to senior citizens in an environment where they would feel comfortable receiving some assistance. He said he spoke with surrounding communities and the City of Avon is probably the only one close to the same population and the needs of its senior citizens that does not have a

similar position. Mayor Jensen stated that Ms. Barbera is excited to move forward with this addition to the Senior Center and they feel it will be a huge benefit to the community.

Mr. Radcliffe asked what this person would help do for the senior citizens as he was unfamiliar.

Mayor Jensen explained they help find resources for seniors if they need assistance in specific areas. He said they would also provide counseling and it really is a way to help keep seniors in their homes and independent longer. Mayor Jensen advised in social work there are a lot of things that the Senior Center employees do not know that this employee will have the education to be able to help.

Mr. Radcliffe asked if it were things such as finances, healthcare, short-term and long-term assistance, whatever seniors may need help with finding, to which Mayor Jensen answered yes. Mr. Radcliffe said that sounds like a nice idea.

Mrs. Holtzmeier asked who the immediate supervisor of this employee would be.

Mayor Jensen advised the Senior Center Coordinator would oversee this employee.

Mr. Gasior agreed Ms. Barbera would be the immediate supervisor. He believes that is the way the class spec is worded. Mr. Gasior stated there was an issue regarding that, but he believes that issue was resolved.

Mayor Jensen said there was some discussion on the matter because there is a certification that goes along with the position.

Mr. Gasior felt it had to do with whether the employee was full-time or part-time. This is a part-time position. The immediate supervisor was not listed on the classification specification, but it should probably be listed as the Senior Center Coordinator. He said there would not be any civil service status or FLA status as none of that applies because they would be a part-time employee.

Ms. Holtzmeier said if this employee will be based at the Senior Center it makes sense to have the Senior Center Coordinator as the work supervisor, but they are a life and social worker although non-clinical, albeit licensed. Mayor Jensen confirmed that to be an accurate statement.

Mrs. Holtzmeier stated that since this employee will be part-time she wonders if they have looked into having an agency provide a social worker part-time on a contract basis. She knew of a couple of options in Lorain County that can do something like that. Mrs. Holtzmeier said part of the reason she is suggesting that is if there is a licensed social worker they would want their work supervisor to be someone under the employ of the City, but their clinical supervisor should be someone who is a supervising social worker who can provide them with guidance and can help them maintain their license to make sure they stay up to date in their education and their findings. She said there are a couple of groups in Lorain County that may be interested in looking at that to provide the City with someone on a contract basis.

Mr. Witherspoon asked if this employee would be considered licensed or certified.

Mr. Gasior stated it is licensed, part-time. He said when they looked into it a couple of months ago there was an issue with supervision of a licensed social worker with a BA/BS degree, as they needed to be supervised by someone with a Masters. Mr. Gasior believed the status of part-time eliminated that need. He spoke with someone at the County about that issue and there is a State Statute that governs it, but when the position was discussed as part-time those obstacles were eliminated and the legislation was drafted. Mr. Gasior noted that initially there was a problem with a full-time licensed social worker working under the Senior Center Coordinator because the Senior Center Coordinator does not have a Master's degree in social work, but as a part-time licensed social worker he believes that obstacle was overcome. He said he was not able to address the topic tonight because he was not fully prepared to answer the questions that Mrs. Holtzmeier has raised, but he was

happy to look into it over the week and come back next week and provide more information and if Council has to wait until August to vote they could do so. Mr. Gasior stated it would also give the Senior Center Coordinator and the Mayor time to explore the agency option that was brought up.

Mrs. Holtzmeier said she supports that and the Board of Mental Health may be a good resource. Mr. Gasior mentioned that was the agency he spoke with at the County and they simply confirmed what was in the statute and that was that the employee had to be supervised by a social worker holding a Master's degree. Mrs. Holtzmeier asked if he could look into that further and provide Council with an option if they were to go through an agency for that person or does the City want to hire someone part-time internally. Mr. Gasior stated he would try to find out.

Mr. McBride said it was possible the City may end up hiring someone who has a Master's degree and only wants part-time employment. Mr. Gasior said that scenario was talked about previously as well, but they anticipate the salary demands of someone with a Masters' degree would be a lot higher than someone with the undergrad degree, but he felt the private agency aspect was important to look into.

Mrs. Holtzmeier stated as far as having a social worker she felt it was very timely. She said a lot of residents and their caregivers and loved ones have many questions about this process and to have someone who is trained to answer those questions and provide guidance to the right services was another bonus for Avon.

Mr. Gasior felt that is what generated the need and having someone trained professionally to identify issues and help address them with family members he believes was the goal.

5. [ORDINANCE NO. 61-19 – TO ESTABLISH COMPENSATION FOR THE PERMANENT, PART-TIME, UNCLASSIFIED POSITION OF SENIOR CENTER SOCIAL WORKER \(NON-CLINICAL\) IN THE CITY](#)

Mr. Logan

Mr. Logan stated that Ms. Barbera discussed with Mayor Jensen a pay range at \$20-\$25/hr. and it is a part-time position and Ms. Barbera checked with some of the other communities that have this position in place and did some online research and that is where they came up with that range.

Mr. Gasior advised obviously if the classification specification legislation is held up then the pay range ordinance would wait as well.

6. [ORDINANCE NO. 62-19 – TO ESTABLISH A NEW RANGE OF COMPENSATION FOR THE PART-TIME, UNCLASSIFIED POSITION OF CLERK OF MAYOR'S COURT FOR THE CITY](#)

Mr. Logan

Mr. Logan advised this position is already established and previously it was always established as a rate and the person in that role has changed annually with the Ordinance at the beginning of each year where all the Administrative positions are listed that are not covered by the Collective Bargaining Agreement. He said Mayor Jensen and he felt it would be good to establish a pay range for that position. Mr. Logan explained the person currently in this part-time position has given her notice and accepted a position in another municipality for full-time. He stated this would allow the Mayor some flexibility in hiring someone that already has some experience.

7. [ORDINANCE NO. 63-19 – GRANTING A SPECIAL USE PERMIT TO AVON BREWING COMPANY, LLC TO ALLOW FOR THE CONSTRUCTION/INSTALLATION OF A 324 SQ. FT. OUTDOOR STORAGE FACILITY AT 37063 COLORADO AVENUE](#)

Planning Commission Referral

Ms. Fechter advised in the Avon Codified Ordinances any outdoor storage at a facility requires a Special Use Permit. She said the operator of the Avon Brewing Company, Mathias Hauck, was present tonight if Council had any questions or concerns. Ms. Fechter stated Avon Brewing would like to put a storage facility on the outside of the business which is located where the old French Creek Tavern/Stray Goose on the corner of SR611 and Detroit Road. She explained that Mr. Hauck recently purchased the building behind the Avon Brewing Company, the old Assurance Roofing Company and that is what the Special Use Permit is in reference to. Ms. Fechter added

that there is an outside cooler the Avon Brewing Company would like to install on the west side of the building. Approval was already given by the Planning Commission and is in front of Council for consideration of approval for the Special Use.

Mr. Gasior inquired if there was a drawing that would identify the location that can be added to the Ordinance.

Ms. Fechter stated there were 3 pages of drawings in the packet showing the location and the dimensions of the outdoor cooler.

Mr. Gasior requested that be sent to him for attaching to the legislation.

8. ORDINANCE NO. 64-19 – TO AMEND ORDINANCE NO. 54-19 TO AUTHORIZE ADDITIONAL PREMIUM PAYMENT IN AN EFFORT TO DECREASE THE COMPREHENSIVE AUTO DEDUCTIBLE WITH TRAVELER’S INSURANCE Mr. Logan

To Be Addressed at a Special Meeting of Council
Immediately Following this Work Session

Mr. Logan stated in response to Council’s request last week to check the deductible on the comprehensive auto he asked Traveler’s what it would do to the City’s premium if it was reduced from \$1,000 to \$500 and they came back and said it was an increase of \$402. He said if Council agrees with that change then the legislation would need to be amended to add that \$402 to the premium.

9. ORDINANCE NO. 65-19 – TO PROVIDE FOR THE ISSUANCE AND SALE OF MUNICIPAL RECREATION FACILITY NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS OF THE CITY OF AVON, OHIO, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$7,500,000 FOR THE PURPOSE OF PAYING THE COST OF CONSTRUCTING, RENOVATING, FURNISHING AND EQUIPPING MUNICIPAL RECREATION FACILITIES Mr. Logan

First of Three Readings at a Special Meeting of Council
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Mr. Logan advised these are the notes for the pool and infrastructure around the pool. These notes originally were issued in 2014 and mature September 5, 2019. The \$7,500,000 is the amount of the principal that is outstanding today. He said they are hopeful after they see the second half TIF payments and some other income tax payments that they might be able to pay those notes down some. Mr. Logan stated he would like Council to consider this legislation over three readings with one tonight, one reading next week and the third reading at the August Regular Meeting. He said these are the same notes they have rolled over once a year for the last three or four years on the pool and the infrastructure that went in at the Aquatic Facility.

10. ORDINANCE NO. 66-19 – SUBMITTING TO THE ELECTORS OF THE CITY OF AVON THE QUESTION OF REZONING A PORTION OF A PARCEL OF LAND CURRENTLY OWNED BY SHIRE GLENN GREEN, LLC AND CONSISTING OF APPROXIMATELY 2.7113 ACRES LOCATED SOUTH OF I-90 AND NORTH OF DETROIT ROAD ALONG THE NORTH SIDE OF AVON ROAD, PPN 04-00-028-102-067 FROM R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO O-1 PLANNED OFFICE DISTRICT PURSUANT TO ARTICLE VII, SECTION 2 SUBSECTION (e) OF THE CHARTER OF THE CITY OF AVON Mr. Gasior

Mr. Gasior advised this legislation takes the next step where Council passed rezoning with Ordinance No. 13-17 and assuming Council passes Ordinance No. 52-19 that additional acreage would also be included in that 2.7 and will also be placed on the ballot in November.

Mr. Witherspoon advised they received a letter from the property owners stating they do not want it to go to the ballot.

Mr. Gasior advised it is not that they did not want to put it on the ballot, but rather that they did not think it was necessary to be placed on the ballot. He said at a previous Executive Session that issue was discussed. Mr. Gasior stated after that Executive Session he made it clear to the property owners that this must go on the ballot and he explained the intention to create Ordinance No. 66-19 for the purpose of a ballot issue. The electors must vote to approve it before it can be rezoned. He said he does not think there is anything earth shattering or new to the property owner. Mr. Gasior noted he heard from the property owner's attorney last week and he could discuss it further with Council in Executive Session if they wished.

11. RESOLUTION NO. R-17-19 – TO ADVERTISE FOR BIDS FOR THE 2019 PAVEMENT MARKING PROGRAM Mr. Woods of CVE on behalf of Mr. Cummins
To Be Addressed at a Special Meeting of Council
Immediately Following this Work Session

Mr. Woods stated this is a similar project to last year's pavement marking program. He said it would be citywide and would be basically the same pavement marking system that was put in place last year.

Mr. Gasior confirmed it is a citywide project. He believed when the City initially did pavement marking a few years ago they identified certain streets and areas and this legislation does not limit it to specific streets.

12. REPORTS AND COMMENTS

MAYOR JENSEN advised there were some comments on social media he wanted to address. He said the City contracts with a professional lawn care company that treats the grass over by the pool. There were some questions about a fungicide that was applied to the grassy area and when he spoke with the company, they told him that within a half an hour of the application it was okay to walk on the treated area. The company assured the City it was safe, but Mr. Fattlar, the Pool Manager, decided to wait a day before allowing anyone on the grass area of the pool to be on the safe side. Mayor Jensen stated it is as simple as the lawn care company said it was safe to go on the grass and the City official made the decision to not allow anyone on the grass for a day and to let them know the grass was treated. He said it is like any granular product placed on anyone's lawn and the company has done this for the last couple of years. Because the swim team is at the pool early in the morning that was the only reason it was brought to anyone's attention as he doubted that anyone would have known otherwise. Mayor Jensen explained that Mr. Farmer spoke with the company and there have been no issues. He wanted to update Council in case they heard about it in the community.

COUNCIL MEMBERS:

MR. BUTKOWSKI, WARD 1 had no comments.

MR. FISCHER, AT LARGE had no comments.

MRS. HOLTZMEIER, AT LARGE invited everyone to the 4th Annual Great Avon Bike Parade on Thursday, July 4th at 11:00 am at the Aquatic Center.

MR. MCBRIDE, WARD 2 had no comments.

MR. MOORE, WARD 3 advised the development that is being installed off Detroit Road across from Mitchell's Ice Cream has a lot of weeds that are probably three feet high and it looks bad.

Mr. Moore stated the other issue was the property, formerly ZZ's Big Top, on the corner of Detroit Road and Jaycox Road he felt it looks like a crime zone and said the weeds were probably six feet tall at that property and it looks terrible.

Ms. Fechter advised she knows that the owners of ZZ's Big Top are in the process of selling the property and she would see if she could get ahold of some people to try to get that area cleaned up.

Mr. Moore asked if the City would be bringing the speed indicator sign back at Jaycox Road and Schwartz Road. He felt motorist come around that bend too fast and it was a problem.

Mayor Jensen advised they could put that speed indicator sign back up. He said he could bring it up tomorrow in the staff meeting.

MR. RADCLIFFE, WARD 4 had no comments.

MR. WITHERSPOON, AT LARGE had no comments.

DIRECTORS/ADMINISTRATION:

MAYOR JENSEN introduced Mr. Wood and stated that Mr. Wood of Chagrin Valley Engineering was sitting in for Mr. Cummins who is on vacation. He said when the City hired CVE they were asked to do a lot of things for the City and a good portion of that was grant applications for ODOT. Mayor Jensen advised the City is trying to work closely with ODOT and Mr. Wood and Mr. Cummins and the whole team at CVE have put a lot of applications together for grant funding. He announced that this week they received some really good news and the City continues to get news through ODOT and the good working relationship the City now has with ODOT. Mayor Jensen said he would let Mr. Wood explain what happened this week.

MR. WOOD, advised at the end of last year they completed an abbreviated safety study for the Nagel/Detroit Road intersection and one option was to signalize the intersection and the other was to construct a roundabout. He explained that study led to an application and an interview process with ODOT District 3 back in February for safety funding for both projects and that eventually led to fine tuning that application towards doing a roundabout at the Nagel/Detroit intersection. Mr. Wood stated Mayor Jensen, Mr. Gasior, Mr. Cummins and himself went to ODOT headquarters in late May and did a presentation for ODOT and last Friday they received word that the funding was approved for the project. The funding put in place through ODOT is about a \$5 million project and about \$3 million will be supplied by ODOT and \$2 million will be through local funds through the City of Avon. He advised they would have more details on the scheduling as it becomes available, but on the application, it is scheduled to be constructed in 2021.

Mr. Witherspoon said that is great news.

Mr. Radcliffe stated it is a crazy intersection to tackle.

Mr. Wood advised there was a similar process for the intersection of Center Road (SR83) and Detroit Road and that application is in the amount of about \$6 million. Funding through ODOT's safety program would be about \$4 million and \$2 million through local funds through the City of Avon. He stated they received word this past Friday that approval is still pending as ODOT is looking for some more information on that application in regard to the configuration of some of the intersections that are planned to be shifted and relocate traffic signals. Mr. Wood explained that ODOT was looking for some more detailed information and how that would work if signals were shifted from one location to the other. He said it was really on the west side of the intersection of the French Creek commercial development at that location. Mr. Wood advised they would be gathering information and providing it to ODOT to see if it could lead to another successful project.

Mayor Jensen stated the City can still go out and try to get other funding such as OPWC funds. He said for the roundabout project that is around \$5 million, the City might end up paying only \$1 - \$1.5 million for its share. Mayor Jensen advised it is nice how everything is working out, adding that ODOT mentioned that since the gas tax went up there is more funding available and if there were other safety projects, the City can pursue those avenues as well. He advised it was nice to see ODOT recognizing Avon a little bit and he felt it was good news all around.

MR. FARMER, SERVICE DIRECTOR had no comments.

MS. FECHTER, ECONOMIC DEVELOPMENT /PLANNING COORDINATOR wished everyone a Happy 4th of July.

MR. GASIOR, LAW DIRECTOR advised he had a copy of the drawings mentioned earlier in the meeting and he and Ms. Fechter need to review section 1280.06 (w) of the Codified Ordinances to make sure everything is covered.

MR. LOGAN, FINANCE DIRECTOR had no comments.

AUDIENCE: No comments from the audience were made.

ADJOURN: 8:01 p.m.

There being no further business the Work Session of Council was adjourned.

PASSED: _____

SIGNED BY: _____
Craig Witherspoon, Council President

ATTEST: _____
Barbara Brooks, Clerk of Council