

**MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE
CITY OF AVON, OHIO HELD MONDAY, SEPTEMBER 20, 2021
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
AT 7:30 P.M.**

PRESENT: Council Members: Council-at-Large – Brian Fischer; 1st Ward – Bob Butkowski; 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

ABSENT: Council-at-Large – Tammy Holtzmeier

1. **UPDATE FROM REPUBLIC SERVICES**

Dave Kidder, Manager Municipal Sales

Dave Kidder of Republic Services thanked Council for their time and advised Republic Services, like every other industry, has had to deal with more than what they normally would be dealing with over the last year and a half that they could have never predicted maybe in a lifetime. He stated he thought Republic Services did a pretty good job in 2020 of keeping up with the volume and they were even higher volumes than normal because when people are at home, they find things to throw away. Mr. Kidder said this year raised some different issues, but they have also found that yard waste is heavier than normal. Under normal circumstances when we get through April-May, where volumes are always heavy, in June the volumes normally come down, but this year rainfall has kept the volumes high. Mr. Kidder stated that in addition to higher volumes, another part of the issue Republic Services has had regarding yard waste disposal and processing, is that up until 2019 Republic was using Kurtz Brothers to handle all the yard waste from Avon. Kurtz Brothers is located at the corner of Miller Road and Colorado Avenue and was a 15-20 minute one-way ride from anywhere in Avon. He stated when Kurtz Bros. had some operational issues and some complaints about odors, Republic Services was then shut out of that site in 2019 and had to find alternate locations for the yard waste. Mr. Kidder said the place they are hauling the yard waste to in 2021 is in Valley View, which is a 50-minute drive one-way, narrowing the time in which to get the job done. He advised Republic Services follows DOT rules and they cannot have a driver behind the wheel longer than 12-hours on a routine basis and they should not in all fairness.

Mr. Kidder stated in addition to the increased volumes and the increased drive times needed to haul the yard waste, it was all about labor. He said they are competing for commercial drivers with a whole lot more businesses today than they ever have because of people shopping online and using home deliveries providing opportunities for drivers that did not exist previously. Mr. Kidder advised manual labor and the work that is involved with the collection of yard waste and bulk items is not necessarily the most desirable job someone might find as a commercial driver in each industry. He said when they are asking someone to throw yard waste for 10-12 hours a day, which could be as much as 25-30 tons for one person to throw into a truck for the day, it gets harder and harder to find those people. Mr. Kidder stated one solution may be, like they did with trash and recycling, to automate the yard waste service in the future and he added that bulk items would never fully be automated. He advised given different economic services without as many people home on a regular basis the bulk should come down throughout the course of the year. Mr. Kidder said traditionally bulk is heavy April-May in northern Ohio with spring cleaning after winter. He stated Republic Services is continuing to hire; they have been hiring since February and they have not stopped and there are openings today. He said when they have over 110 residential routes running every day, but they only have 95 or 96 drivers to fill those spots, they have to ask people to do extra work and that has pushed them behind what they normally have been pushed especially this year. He stated they will get it under control; it is just going to take a little longer and he felt that by the end of the season they would be picking up on the regular schedule. Mr. Kidder advised they certainly understand the frustration of the residents, but no one is more frustrated when they do not get routes completed than him as he has been on the phone in the evenings and on weekends. Mr. Kidder stated at some point he believes residents will be hearing from Republic Services about automating the yard waste service where Republic would supply the carts for those who are putting yard waste at the curb. He advised those who are putting yard waste at the curb on a

regular basis in unlimited amounts may eventually see that change to a cart system. Mr. Kidder said they have never set a limitation on yard waste or bulk items ever. He stated if the tree lawn is lined with items, Republic Services picks it up and they will continue to do that as they are not looking to reduce what the residents are putting curbside, but they need to have enough labor ready to go. Mr. Kidder said they have plenty of trucks and many of their trucks are new or fairly new as they have been converting trucks for the last 3 to 4 years from diesel to compressed natural gas and they have their own fueling station at their facility and they are probably 60-65% compressed natural gas operated vehicles and as trucks are replaced, they will all become compressed natural gas versus diesel. He advised in the very near future they will not see black smoke coming out of a garbage truck. Mr. Kidder said the investment made in a truck is \$60,000 more than a diesel vehicle per truck and they run over 200 trucks out of the Elyria business unit.

Mr. Fischer thanked Mr. Kidder for coming in and speaking to Council tonight. He said the communication between the City and Republic Services has greatly improved since the last time he was in front of Council. Mr. Fischer advised any time that Republic is going to be late with picking up the yard waste, they receive an email from the Clerk letting them know it would be finished up the next day. He stated Covid has hit everyone with employee shortages and Council tries to explain to residents there are only a certain number of drivers available each week and that Republic Services would be back the next day to pick up the missed yard waste. He advised communication was the big thing to let City Officials know what was missed and would be picked up the next day so they can respond to residents' questions and that has been 100% better than it was in past years and that is very much appreciated.

Mr. Kidder said that comment is greatly appreciated, and he agreed the communication was not that good in the past, but it has improved. He credits the Republic Services supervisors who work in Avon on a regular basis with knowing what has been picked up, which tells him they were here and knew what routes were done or not and let the City and Council know the status and he commends those Supervisors for that, and he knows they are doing it because he is copied on every email and will continue to be.

Mr. Radcliffe agreed the communication has improved. He asked how Republic Services could look to improve communication to the residents more directly as that is who Council hears from are the residents that are complaining. He suggested the updates be given to the affected residents directly and let the residents know how Republic is working with them to try to do better. Mr. Radcliffe advised he looked at some studies where Republic Services compared to some of their competition does some things differently and he felt those are positive things that people might appreciate in times of duress when things are not getting picked up the way they are accustomed. There are always going to be issues and problems as every job has them and he recommended Republic try to be more proactive toward the residents.

Mr. Kidder advised that is a good point and they do have addresses for all residents, and he indicated the call blast system works in some instances, but they would have to know what addresses were not picked up in the call blast system in order to specialize the notification in that manner and he felt that would be a little bit shaky to do because they may call the wrong residence and their trash gets picked up when they were told it would not be or vice versa. He said to Mr. Radcliffe's point, they can do a postcard and highlight what is going on and what they are doing to improve it.

Mr. Radcliffe suggested updates on the Republic Services website because when the power goes out or there are water issues, those utilities have ways for people to report issues or to find out information related to their area. He said those utility companies are quick to get that information out and post it and he suggested they look into getting that kind of notification out to the residents directly to help alleviate these kinds of reporting issues. Mr. Radcliffe stated everyone remembers the bad and it is the good side that is hard to get out there.

Mr. Kidder advised he would look into it as they have communications people out of their corporate office in Phoenix that can probably come up with something quicker and something that would benefit the residents in terms of timing, so they know what is going on.

Mr. Butkowski advised they were looking at this original agreement several years ago and building on what Mr. Fischer and Mr. Radcliffe mentioned with regards to communication. He commended Mr. Kidder saying that over the last several years the communication from Republic Services has been phenomenal and he appreciates the effort that has been put in compared to what it was prior to this most recent agreement. Mr. Butkowski said he also understands that Covid has affected all of them from a work perspective as well as staffing perspective. He asked Mr. Kidder what reason makes him believe he will be successful in hiring more people to get back up to the staffing levels needed to serve the residents of Avon better.

Mr. Kidder advised Republic Services has held two Job Fairs recently that they had not done in the past and he thinks they have to do more of those because he does not believe everyone understands fully the pay scale and benefit package being offered. He said Republic Services benefit package exceeds most everyone's in the County as the employee contributes zero dollars to their health and wellness benefits, it was 100% paid for by Republic Services and it does not matter if they have a family of 4 or if it was 1 person. Mr. Kidder stated that information needs to get out more as people may not understand what they can make and what their benefits are working for Republic Services.

Mr. Butkowski asked Mr. Kidder if he feels that Republic Services has been living up to the service expectations that the City of Avon has asked for and outlined with regards to this agreement.

Mr. Kidder said other than delays, yes. He advised they still provide all the services that were agreed upon and Republic Services is still providing separate yard waste collection and they are the only ones around northern Ohio that is really doing that and they are keeping the services unlimited and that was part of the agreement with Avon that Republic Services will pick up what the residents put at the curb and they have not stopped doing that and do not intend to anytime soon.

Mr. Butkowski inquired of Mr. Kidder overall with those delays if he considered that being acceptable.

Mr. Kidder answered no and said it is part of the reason he is there tonight, because it is not acceptable.

Mr. Butkowski advised part of that agreement was a recent price increase of 3%.

Mr. Kidder advised the agreement had an increase of 3.5% and Republic Services only raised it 3%.

Mr. Butkowski said that since Republic Services is not living up to the expectation and there was a 3% price increase and prior to that Republic Services was happy with charging the rates they had been charging. He inquired until Republic Services can get that service level back up to where the expectation was with that agreement if they would consider rolling back that 3% price increase until those issues are resolved.

Mr. Kidder advised he could check on it.

Mr. Butkowski asked him to please get back with them regarding that request.

Mr. Kidder said he will say that costs are higher than they have been with the cost of trucks and the cost of labor as their employees are making more this year than they made last year; also the cost of fuel is higher. He stated they are paying more for everything they are doing, but he gave his word and commitment that he would check on it.

Mr. Butkowski thanked Mr. Kidder.

Mr. Fischer thanked Mr. Kidder for coming.

Mike D'Andrea of 1965 Recreation Lane, Avon is the owner/founder of T3 Performance, and he is looking to expand the current facility. He said he wanted to touch briefly on the current facility that the City helped provide funding to build almost five years ago and they are grateful for that. He said the spreadsheet shows some of the impact T3 has had on the Avon High School athletics. Mr. D'Andrea stated T3 does a lot of training for the high school athletes with their baseball teams and lacrosse teams, and they offer some discounts for Avon residents. He advised the \$71,000 shows the annual savings essentially for the community. Mr. D'Andrea said he wanted to come tonight as a follow through as in their original agreement they had to give discounts and offer programs for the schools and the like. He stated the second spreadsheet he displayed was more of the hard dollars and the question at the end of the day is what the return on the City's investment would be for the additional \$500,000 to help with mound removal and the parking lot. Mr. D'Andrea advised it was basically five years for the City to get their money back on their investment. He said Steve Vega, who has been operating since 2002 with The National Basketball Academy (TNBA) runs basketball tournaments all over and the idea is to help bring that back to the City of Avon. Mr. D'Andrea advised his spreadsheet does not account for the boon to restaurants and gas stations and the other local businesses from the visitors coming to Avon every weekend. Mr. D'Andrea stated Anderson Varejão is going to be an investor and a big part of this project as well.

Steve Vega, TNBA operates out of 1200 Chester Industrial Parkway advised he is an Avon graduate, so he has been bleeding purple and gold since 1992. He said he is excited to bring more of their events and programs to Avon that will operate as the hub. Mr. Vega stated Avon will host some of the bigger events and mentioned they have held tournaments with 320 teams anywhere from Lost Nation in Lorain to Spire in Geneva on a given weekend. He advised with their ability to have the right facility and the right program located centrally in Avon will drive a ton of traffic here and not just with events. Mr. Vega said they operate the biggest leagues in northeast Ohio right now and to have the ability to operate practices on essentially 8 practice courts in the same building Monday through Friday is a huge impact. He stated he lives in Avon and has 2 small children in Avon, and he is from Avon, and he is excited to be building Avon programs in Avon. Mr. Vega advised the events side of this is what drives people to a location benefitting the hotels and more. He said in this analysis, there would be approximately 1500 people per tournament based on 150 teams needing 10 hotel rooms per team. Mr. Vega stated they did 8 events at Cedar Point last year and he would love to move that to Avon.

Ms. Fechter asked Mr. D'Andrea to explain for the public how big his phase 1 facility is and how big the phase 2 is proposed and what he plans to do.

Mr. D'Andrea advised the current facility is 56,000 square feet and it is essentially a big training area with wide open turfed fields and batting cages and some sand volleyball courts. He said the new space will be about 81,000 square feet and it will be primarily focused around basketball and volleyball. Mr. D'Andrea stated UH is going to be a big tenant partnering with them in this new space from a sports medicine standpoint and Connor Integrated Services will be there as a branch of what services UH provides. He advised in total there will be approximately 140,000 square feet of sports and recreation space.

Mr. Radcliffe inquired regarding the assumptions for those attending weekend tournaments if those numbers were averages and were they conservative or a high estimate compared to previous experiences.

Mr. D'Andrea advised that is Mr. Vega's domain and he has proven that out already. He asked Mr. Vega how many teams he had in Sandusky.

Mr. Vega advised the teams range anywhere from 150 teams to 320 teams on a given weekend.

Mr. D'Andrea advised 150 teams equals to approximately 1500 people and that is a low-end estimate and about 20% of that demographic is going to be from outside the area and would need a hotel room and that is where they came up with the 3,000 rooms per night. He said this is already stuff that is in existence, they were in a sense bringing it from Sandusky back to Avon.

Mr. Moore inquired regarding the lodging breakdown if someone is going to work with the Avon hotels as far promoting them to encourage people to stay at preferred lodging locations. He asked if it was something that the tournament promoters would be working with the Avon hotels.

Mr. D'Andrea said yes. He advised how it usually works with those tournaments is that whoever runs the tournament gets a little kickback from the hotels. Mr. D'Andrea stated obviously they want to provide a great service and the convenience of staying in Avon makes sense and they would choose Avon hotels first. He said it may even spur another hotel being built.

Mr. Vega said the higher level of event they host the more ability they would have to make it a "stay to play" event. He advised if they were to run one of the Nike events here in Avon and it would be the hub then some of the bigger clubs would be forced to stay in some of the hotels during the tournament.

Mr. Fischer invited Mr. Varejão to the podium to provide his thoughts.

Anderson Varejão of Bay Village and Cleveland Cavalier fame said he feels great about it. He advised coming to Avon as an investor with Mr. D'Andrea and Mr. Vega and T3 is a positive. Mr. Varejão stated he works out at T3 to stay in shape and one of the reasons he re-signed with the Cavs for two weeks was because he stayed in shape by going to T3 and he thanked Mr. D'Andrea for letting him come and work out there. He said he and Mr. D'Andrea would talk a lot about the Institute that he has in Brazil and the programs he has going on there. Mr. Varejão advised at the Institute they work with all classes and the children do not pay for anything as the law in Brazil works in such a way that big companies have the right to pay 1% of what they pay in taxes to go to whatever they choose so in his case it is sports, and he teaches basketball. He stated while he does not know if all the children in the program want to become basketball players, but at the end of the day they might become a better person and that is his goal with the Institute, but tonight he wants to talk more of what is going on with Mr. D'Andrea and Mr. Vega at T3 and that is what he is going to be a part of and be helping to bring in more people to Avon. He advised they can do things from bringing kids from Brazil to have tournaments here and be a part of it, but he feels great about this venture, and he thinks it is awesome for the City and for T3 and for the kids. Mr. Varejão said it is going to be something unique that is not around here. Mr. Varejão added he is happy to be a part of it.

Mayor Jensen advised it is important for our youth to be better people so Mr. Varejão's idea of making better people is what it is all about. He reminded City Council that Mr. D'Andrea is not asking for money for the facility expansion itself, but it is more for the infrastructure around the building as the City needs to move some dirt and to add a roadway by the facility. Mayor Jensen said it was previously discussed to bring a hockey facility to the City of Avon and this would benefit that prospective project as well. He stated is it not a new agreement, but it is an amendment to the other agreement. He welcomed Mr. Varejão to the City of Avon and joked that there are houses for sale in Avon to help make his commute shorter. Mayor Jensen advised they are all about making better individuals.

Mr. McBride asked Mr. D'Andrea to state for the record the square footage of the existing building and what the addition will be.

Mr. D'Andrea advised the current facility is 56,000 square feet and the addition will be 81,000 square feet.

Mr. McBride advised the City is moving that soil, but that was soil that they knew would need to be moved eventually. He said that soil was added to compress what was underneath so that it would be buildable and that goes back a lot of years. Mr. McBride stated he wanted to clarify that the City is not moving the dirt just to move the dirt, but it was known that it would have to be moved eventually to make the property usable. He added that was all part of the original plan.

Mr. D'Andrea advised they also plan to do programming with the Avon Parks & Recreation Department and with the Senior Center. Other ancillary benefits besides the hard tax revenue that the City would see are things they have discussed with the Mayor and the Planning Coordinator.

Mayor Jensen advised he knows the Senior Center is excited to work with T3 in the morning with programming such as Pickle Ball. He said they will be bringing an agreement to allow the Senior Citizens to have a place for an activity center and the T3 staff helping. Mayor Jensen stated helping our Senior Citizens is a positive, along with the Avon Schools, but to keep the Senior Citizens active by having an indoor location for them to walk and exercise.

2. DISCUSSION OF COOPERATIVE PURCHASING THROUGH SOURCEWELL (fka NATIONAL JOINT POWERS ALLIANCE – NJPA - PURSUANT TO RESOLUTION NO. R-32-12) FOR THE STADIUM TURF REPLACEMENT Mr. Farmer

Mr. Farmer advised they are currently working with a company, Field Turf, who has done the Avon High School football field, the Avon High School baseball field and the Avon Lake football field. He said at the Crushers Stadium they are looking to install a 2.25" multi-purpose field that can be used not just for baseball, but possibly lacrosse or more. Mr. Farmer stated belonging to this purchasing program gives the City the ability to work with Field Turf to accomplish that.

Mr. Gasior advised the reason he asked this item be added to the agenda for discussion is because this is a big expense. He said Sourcewell is National Joint Powers Alliance of which the City is a member as the City joined it back in 2012 pursuant to Resolution No. R-32-12. Mr. Gasior stated as a result of being members of that cooperative purchasing, under Ohio law the City can take advantage of anything that is competitively bid in that cooperative purchasing agency. He advised if Sourcewell gets a price established for turf and the City wants to go with that price then the City does not have to go out to bid and can just take advantage of the price the cooperative purchasing company competitively bid on their own. Mr. Gasior explained the coop bids these kinds of things nationwide and comes up with the lowest possible bid for turf and then they offer that price to their members. He said it is a substantial investment that the City would be making with this turf replacement.

Mr. Farmer advised they are following the same protocol that the Joliet Slammers did when they replaced their grass with turf.

Mr. Gasior advised he believes there was another team in the Frontier League that utilized this company. He said because of the significance of the purchase, he was going to ask that the Council President authorize a motion be placed on the agenda for next week to approve moving forward with Sourcewell rather than do a full piece of legislation. Mr. Gasior stated they already have the authority to act under the cooperative purchasing agreement with NJPA and all that is happening with Sourcewell is a name change, but he thought it would be good for Council to make that motion next week with a second and a vote to approve the Administration moving forward in the event that the City chooses to purchase the turf through Sourcewell.

Mr. Butkowski advised he knows they have had many meetings with regards to this turf over the last year and a half to two years now. He inquired if the numbers that they received for the turf estimates were through this cooperative purchasing.

Mr. Farmer advised every turf company that exists essentially belongs to some type of cooperative purchasing program and the City has belonged to NJPA, which is now Sourcewell, since 2012. He said Avon City Schools used Sourcewell when they added their turf and Sourcewell is a very reputable company. Mr. Farmer added that the company is going above and beyond making sure things are right. He said he is still waiting on final numbers to come in because with the current situation that Covid has created materials are in a shortage so the new turf will not be installed this year but will probably be sometime next year. Mr. Farmer stated they have also been in discussions with Mr. Kramig to figure out the scheduling whether the new turf would be laid in the spring or the fall of 2022.

Mr. Butkowski advised before moving forward with anything regarding this turf especially considering the pricing differential from what has been discussed previously to what it could cost now, he felt they might want to consider having a Finance Committee meeting before they approve moving forward with it. He said everything has gone

up in price and he could only imagine the number we were given a year or two ago was going to be significantly higher. Mr. Butkowski stated they had quite a few discussion points with regards to the previous number and he would ask that before they move forward with anything regarding this decision that they might want to run this through the Finance Committee before approving moving forward with its purchase.

Mr. McBride advised he agreed with Mr. Butkowski as he felt they do need to take it back to the Finance Committee. He said he does not know if they will have a lot of choice depending on what the price is, but if it is way too high and they are talking about potentially not having a proper stadium or if they are talking about going to a natural turf those are things they should discuss in committee. Mr. McBride advised they have had those discussions in the past and he felt it would be appropriate to revisit that and just make sure the numbers still make economic sense for the City. He said in some ways it is not a total financial payback, but it is also about maintaining that venue and there are benefits to the local schools, but he agrees they should revisit that topic.

Mr. Fischer advised that was two members of the Finance Committee who would like to have the stadium turf referred back to Committee and he asked that Mr. Butkowski, Chairman of the Finance Committee set that meeting up with the Clerk.

Mr. Butkowski advised they would get that put together.

Mr. Witherspoon advised he understands the concern on the cost, but he felt that in order to get this moving forward, as they would have to come back to Council anyway, that they could at least look at pricing from the cooperative purchasing agent and he would like to see that happen.

Mr. Logan advised they can place it in the budget for next year and he felt Mr. Butkowski was right that they need to refresh their pricing options.

Mr. Witherspoon felt the way to start was to look at the pricing from the cooperative purchasing agent.

Mr. Farmer advised they should have current pricing over the next couple of days which he could provide to the Finance Director and share with Council.

Mr. McBride felt they were talking about a couple different items here. He advised what the Law Director is requesting is more of a housekeeping matter as the name has changed and they need to update the agreement with the current name of the buying cooperative. Mr. McBride said to him that was a done deal. He stated then they will get the pricing in and then we should have a Finance meeting to discuss where we are.

Mr. Witherspoon agreed.

Mr. McBride advised the last time they looked at the natural turf that there are maintenance issues and all the things that go along with it, but if the price gets too high then...we will see where it goes.

Mr. Gasior advised Mr. McBride is correct and nothing will be presented to Council to authorize purchasing the turf, but it is just recognizing that turf can be purchased through what is now known as Sourcewell, which used to be National Joint Powers Alliance and that is what they were trying to accomplish. He said as far as whether Council decides to purchase turf through Sourcewell or someone else, the Finance Committee can take that matter up.

Mr. Butkowski clarified that he was not trying to hold up this housekeeping situation; however, in the Finance Committee meetings when discussing this turf they talked about a couple different options of how they might proceed. He advised with new pricing coming into play this is a good time to at least have an idea of what that number is so they can have these discussions with the budget meeting coming up soon. Mr. Butkowski said if they wait until next year and then start talking about it, it is too late to already have it budgeted and allocated. He stated with regards to the housekeeping issue with the name change, not a big deal, but if they wait too much

longer and not have this preliminary discussion with regards to costs, they could be caught off guard that is the reason for the request for the Finance Committee meeting.

Mr. Witherspoon said he understood and thanked him for the clarification.

3. [ORDINANCE NO. 62-21 – AMENDING “SCHEDULE 1294.08\(a\)” OF THE CODIFIED ORDINANCES OF THE CITY REGARDING REQUIREMENTS FOR FENCES AND WALLS](#) Planning Referral

A Public Hearing will be held on Monday, September 27, 2021, at 7:25 p.m.

Third of Three Readings of Ordinance No. 62-21 will be held on Monday, September 27, 2021

Ms. Fechter advised there was no additional information.

4. [ORDINANCE NO. 67-21 – AMENDING SECTIONS 210.01\(f\)\(1\)\(A\), 1226.01, 1226.02, 1226.07 AND 1262.08 OF THE CODIFIED ORDINANCES OF THE CITY REGARDING ZONING PERMIT FEES FOR HOME OCCUPATIONS](#) Planning Referral

Second of Three Readings of Ordinance No. 67-21 will be held on Monday, September 27, 2021

A Public Hearing will be held on Tuesday, October 12, 2021, at 7:25 p.m.

Ms. Fechter advised Mr. Gasior did a good job pulling this together and he has added in the price for the permit application, the timeline someone has to comply if they have an existing home occupation as well as any penalties.

Mr. McBride advised he was talking to Mr. Gasior and he believes the timeline now is somewhat longer. He said once we pass this Ordinance and with the proper notice, they give those existing home occupation businesses 30 days to comply. Mr. McBride stated he did not see any reason to give them any longer as it was a nominal fee and it will help the City get a handle on some other issues with revenue collection for those who are either underreporting or not reporting at all.

Mr. Gasior advised next week would be the second reading and there would be another Work Session on October 4. He stated at that Work Session on October 4th they can discuss any of the changes Council would like to make. Mr. Gasior said then on Tuesday, October 12th when it is read for the third time, if there have been any amendments made Council can adopt the Ordinance as amended. He advised he would like to get the discussion finalized at the next Work Session. Mr. Gasior stated he tried to plug up a few of the gaps with the timeline as was pointed out previously and he clarified the penalty section. He suggested all of Council look at it over the next couple of weeks and be ready to make whatever changes are necessary on that first Work Session in October.

5. [ORDINANCE NO. 72-21 – AUTHORIZING THE MAYOR TO ENTER INTO DEPOSITORY AGREEMENTS WITH CHASE BANK, DOLLAR BANK, FIFTH THIRD BANK, FIRST FEDERAL LAKEWOOD, FIRST NATIONAL BANK, HUNTINGTON NATIONAL BANK AND KEY BANK FOR DEPOSIT OF PUBLIC MONIES](#) Mr. Logan

Mr. Logan advised the City is required to have depository agreements with any banks that the City deals with or intends to deal with at some point. He said an Ordinance was passed back in late 2016 for 5-year depository agreement with some of these banks and a couple others as they have changed it around a little bit. Mr. Logan stated all the banks they are looking to renew these agreements with have a presence in Avon. He advised they would like to enter into depository agreements with those seven banks for a 5-year period commencing on January 1, 2022 and expiring on December 31, 2026. Mr. Logan said our primary bank is Huntington Bank and the City does have accounts with a couple of these other banks for different reasons.

Mr. Witherspoon pointed out as a matter of bookkeeping that First Federal Lakewood does not have an “of” in its name.

Mr. Logan advised that correction would be made.

6. ORDINANCE NO. 73-21 – REAPPROPRIATIONS

Mr. Logan

Mr. Logan explained the reappropriations as follows:

General Fund No. 101

Appropriate and transfer \$25,000.00 to the Moore Road Rehabilitation Fund No. 417 for preliminary and design engineering expenses. This is a NOACA/ODOT 80% funded project and scheduled for construction in 2022. See Ordinance No. 115-20.

Appropriate and transfer \$25,000.00 to the 2022 Road Program Fund No. 420 for preliminary engineering expenses associated with two Ohio Public Works Commission applications: Just Imagine Drive and Jaycox Road (south of Schwartz Road).

Total General Fund Re-appropriations \$50,000.00

Capital Project Funds

Moore Road Rehabilitation Fund No. 417 Appropriate \$25,000.00 for preliminary and design engineering expenses. This is a NOACA/ODOT 80% funded project and scheduled for construction in 2022. See Ordinance No. 115-20.

2022 Road Program Fund No. 420

Appropriate \$25,000.00 for preliminary engineering expenses associated with two Ohio Public Works Commission applications: Just Imagine Drive and Jaycox Road (south of Schwartz Road).

Total Capital Project Fund Re-appropriations \$50,000.00

Total All Funds Re-appropriations \$100,000.00

7. ORDINANCE NO. 74-21 – AUTHORIZING THE MAYOR TO ENTER INTO A MULTI-JURISDICTIONAL AGREEMENT FOR LORAIN COUNTY SPECIALTY WEAPONS AND TACTICS TEAM (S.W.A.T.)

Mr. Streator

Mr. Streator advised this is an updated MOU with the Lorain County agencies that participate in the Lorain County team. He said the biggest change to this MOU is the financial amount that each city will now contribute to the team. Mr. Streator stated this is still a worthwhile endeavor for the City.

Mr. Gasior said he believes there is a small financial commitment in this agreement, which is unlike some of the other agreements that the City has had with multi-jurisdictional agreements.

Mr. Streator agreed and stated the fee is based on the population of the community.

Mr. Gasior advised it is minor in the big scheme of things, but it is there and he wanted to make sure Council was aware of it.

It was noted that section 1 of the Ordinance states that the City of Avon agrees to pay \$2,500 annually based on those political subdivisions with a population over 10,000.

Mr. Gasior agreed and advised it is a little unique as when they have done these multi-jurisdictional agreements previously they have not had a financial commitment. He said we have agreed to the use of our manpower and perhaps the use of our equipment, but this agreement calls for a contribution.

8. ORDINANCE NO. 75-21 – AMENDING SECTION 256.98 OF THE CODIFIED ORDINANCES OF THE CITY TO REVISE THE CLASSIFICATION SPECIFICATION FOR THE FULL-TIME UNCLASSIFIED POSITION OF ZONING ENFORCEMENT OFFICER Mayor Jensen

Mayor Jensen advised the Zoning Enforcement Officer, Rick Schneider, has given him a letter of retirement as of the end of October or the first part of November. He said as they do with every position when it is vacated, they review the classification specification to see if it needs updated in any way.

9. ORDINANCE NO. 76-21 - TO AUTHORIZE A DEVELOPER'S AGREEMENT WITH NCC CONSTRUCTION LLC FOR THE INSTALLATION OF PUBLIC UTILITIES IN THE VICINITY OF CHESTER ROAD AND MOORE ROAD Planning Referral

Ms. Fechter advised as they are aware, Hunter International has come in front of the Planning Commission proposing to construct an office building on Chester Road. She said Council recently passed the sewer district modification and this Developer's Agreement is merely for all the public infrastructure that they plan to install for that project and make the deposits and then have the City accept those improvements once completed.

10. REPORTS AND COMMENTS

MAYOR JENSEN had no additional comments.

COUNCIL MEMBERS:

MR. BUTKOWSKI, WARD 1 had no further comments.

MRS. HOLTZMEIER, AT LARGE was absent.

MR. MCBRIDE, WARD 2 advised notices were sent out regarding sidewalk improvements to a number of residents in Ward 2. He said normally when the City tells someone they have to install sidewalks or they will be assessed the cost for the City to install them, there is usually some grumbling. Mr. McBride stated in this case, he has received calls from some of these property owners saying they were wondering when they were going to have to put sidewalks in and they are actually more than happy to do it and that was good news. He advised he received some positive comments for sidewalks eventually moving along on Avon Road and on Jaycox Road and on Stoney Ridge Road with more sidewalks to come next year. Mr. McBride said he got some good solid feedback from residents even though they are going to have to spend money. He indicated Council may want to consider passing something to speed along the process for installing sidewalks in certain instances and he said it will help to aid in finalizing connections in a lot of areas in Avon.

Mayor Jensen advised they hoped to have something this next month for Council to consider. He suggested that Finance Committee meet to discuss the details. Mayor Jensen said Mr. Logan and he would have something to present to make the process more streamlined and easier than they have done in the past. He added that Mr. Gasior would be involved with the legal parts and he hoped to have something in front of Council in October.

Mr. McBride encouraged Mr. Cummins to keep looking for some type of funding for the one portion of Avon Road where there is the deep ditch. He advised the Covid money that the City is receiving through the federal government was not as much as originally thought where that ditch could just be taken care of and yes, Avon Road will have sidewalks, but it would be nice to take care of that one stretch of Avon Road where that ditch remains. Mr. McBride said next year they plan to improve the other side of Stoney Ridge Road with sidewalks so there will be sidewalks on both sides of the street.

Mr. McBride thanked the Administration for some of the paving in some of the industrial areas as it was long overdue on some of those stretches of roadway. He advised you did not realize how bad that portion of Chester Road was until you drive it every day. Mr. McBride said the new traffic signals have been a big improvement as well.

MR. MOORE, WARD 3 advised he would be absent for the Meeting on October 4, 2021.

MR. RADCLIFFE, WARD 4 advised he would be absent for the Meeting on September 27, 2021.

MR. WITHERSPOON, AT LARGE had no further comments.

MR. FISCHER, AT LARGE had no additional comments.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER had no further comments.

MR. FARMER, SERVICE DIRECTOR had no further comments.

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

MR. GASIOR, LAW DIRECTOR had no further comments.

MR. LOGAN, FINANCE DIRECTOR advised he sent preliminary budgets out to all the Department Heads today and they would be meeting with them individually starting next week and over the next few weeks. He said he would like a Finance Committee Meeting called for some time in late October to go over everything with Council.

Mr. Logan stated he sent out a reminder this morning that there are two equipment renewal levies on the ballot in November, Fire Equipment and Police Equipment. He said each are .50 mills collecting a lot less than that with the effective millage. Mr. Logan advised this is not an increase in taxes and is a continuation of 5-year property tax levies in those two areas.

MR. STREATOR, SAFETY DIRECTOR reminded everyone the Health & Safety Fair will be held this Saturday at the Avon Aquatic Facility.

AUDIENCE:

Jennifer Demaline of Lorreto Court inquired if the City plans to apply for the NOACA TLCI grant that is currently accepting applications.

Mayor Jensen advised they apply every year. He said they will have something before Council to approve soon as Mr. Cummins is already working on that grant application.

Ms. Demaline asked if they know what that is going to look like yet.

Mr. Cummins answered no, not yet.

Ms. Demaline said speaking of the TLCI grant, what was the status of the bike path on French Creek Road.

Mayor Jensen advised it is something that has to be brought forward again and he hoped to have something in front of Council in October to keep moving forward with that project.

No further comments were made.

11. EXECUTIVE SESSION: 8:38 p.m.

A motion was made by Mr. McBride and seconded by Mr. Moore to Enter Into Executive Session for the Purpose of Discussing the Threat of Imminent Litigation and for the Purpose of Discussing the Sale/Purchase of Real Estate, and the vote was: Mr. Butkowski, "yes"; Mr. McBride, "yes"; Mr. Moore, "yes"; Mr. Radcliffe, "yes"; Mr. Witherspoon, "yes"; Mr. Fischer, "yes".

The vote was 6 for and 0 against and the Chairman declared the motion passed.

12. RECONVENE: 9:26 p.m.

A motion was made by Mr. McBride and seconded by Mr. Moore to Reconvene the Work Session of Council, and the vote was: Mr. McBride, "yes"; Mr. Moore, "yes"; Mr. Radcliffe, "yes"; Mr. Witherspoon, "yes"; Mr. Butkowski, "yes"; Mr. Fischer, "yes".

The vote was 6 for and 0 against and the Chairman declared the motion passed.

13. ADJOURN: 9:27 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