

**MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE
CITY OF AVON, OHIO HELD MONDAY, OCTOBER 18, 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; Council-at-Large – Tammy Holtzmeier, 2nd Ward - Dennis McBride; 3rd Ward – Anthony Moore; 4th Ward - Scott Radcliffe; Council-at-Large – Craig Witherspoon; Mayor – Bryan Jensen; City Engineer – Ryan Cummins; Service Director – Mike Farmer; Law Director – John Gasior; Finance Director – William Logan; Safety Director – Duane Streater; Clerk of Council – Barbara Brooks

ABSENT: Planning and Economic Development Coordinator – Pam Fechter

1. PRESENTATION OF BRONZE SCULPTURE CONCEPT FOR THE CENTER OF TOWN AND A
“SCRIPT AVON”

Mayor Jensen/Bob Leathers, Cleveland Artist

Mayor Jensen advised he had 2 presentations this evening and before the presentation of the sculpture he wanted to reveal a concept design of something that has been discussed for the City for a long time. He said a local company, Maximum Velocity, has worked on 2 concepts that they will be presenting tonight to highlight Avon as well as make Avon a better City and he asked Dan Repas, VP of Maximum Velocity to present a proposed script Avon sign for the City.

Mr. Repus of 37102 Hunters Trail advised he and Bill Fischer founded Maximum Velocity in 2012 and they recently moved the business to 38670 Detroit Road, Avon in the old Wearsch home. He said they converted the home into their offices, and they are loving every minute of being in Avon. Mr. Repus said they are a creative marketing agency, and the thought was for Avon to do something that would create destination points within the City as well as promote the City on their website and through social media platforms. He stated most of them are familiar with the script Cleveland sign that appears throughout the City of Cleveland, and they thought why not Avon. Mr. Repus advised he worked with a local artist, Bob Leathers, to come up with a “script Avon” and a rendering was put on the overhead screens for Council to see a proposed concept of such a sign and for them to see the scale. He said the proposed sign would measure approximately 5 feet high and they suggest it be placed at the entrance to Every Child’s Playground behind the Post Office near the Aquatic Facility. Mr. Repus pointed out that the “A” and “N” would have filigrees flowing from each end of the design and the stature will allow people to sit on and around it for photos. He stated the construction will all be fabricated out of aluminum with a vinyl coating that will prevent rusting and scratching and prolong the life of the sign as well. Mr. Repus said the City would only have to create the concrete pad and excavate the area.

Mayor Jensen advised he wanted to present the idea and design to Council to tonight to see if there were any objections. He said the City receives grant funding from recycling each year and other areas and they were looking at ways to finance these projects. Mayor Jensen stated this is a first step for moving forward with something of this nature. He added that about 80,000 people come and go from the playground/pool area every year and they thought this would be a great location.

Mayor Jensen advised the second part being presented tonight was from local artist, Bob Leathers, as well. Mr. Leathers is famous for his paintings of “fans in the stands” and is working with Maximum Velocity. He said Mr. Leathers was an Avon resident years ago and Mayor Jensen invited Mr. Leathers to the podium to present the next collaboration.

Mr. Leathers thanked Council for inviting him to come and said it is an honor to present to them what he has been working on. He stated he was approached by Mr. Bill Fischer at Maximum Velocity as he has worked with them for a few years now. Mr. Leathers said he was asked if he would be interested in doing something for his alma mater, Avon, as he graduated from Avon High School in 1968 and he loves this City. He said they met with

Mayor Jensen to find out the parameters and what could be accomplished, and ideas were discussed and then he came up with a few drawings of what he envisioned from their discussions. From the drawings, the concept that is on the table, a maquette or model of a bronze tree with children climbing on it, was chosen. Mr. Leathers stated the actual sculpture will be a ½" to 3" thick bronze tree on a granite base. The tree will be approximately 8' tall and 8' wide and about 4' or 5' in depth. He said some of the bronze sculpture will be made from recycled bronze. Mr. Leathers stated the maquette in front of them tonight is made from Sculpey and Magic Sculpt and plastic and a little bit of steel wire and is bronze coated. He explained the leaves they see on the model will not be quite that detailed on the sculpture, but it will be very close, and they could see that there are children depicted climbing and playing on the tree. Mr. Leathers stated that is the basic premise of what they intend to create, and it would probably be a year long process from sculpting to molds to installation. He advised it will be sculpted in seven different parts and then those parts are molded and there are approximately 15 different molds. Mr. Leathers said from that point there is a lost wax process where the bronze is poured into sand molds and the wax is melted and then bronze shapes are left. He stated those bronze pieces are welded together and the pieces are transported on a flatbed truck from the foundry in Cleveland and placed into position and bolted down in the center of town. Mr. Leathers advised it will be a strong solid piece if someone should try to climb on it although they hope that doesn't happen and he supposed that there would be some decorative fencing around it, but it would be a safe piece, and nothing would bend or break off; it will be solid.

Mayor Jensen advised he wanted to give credit to Paul Burik, who first approached him saying there needs to be something in the center of town. He said there is a block of concrete next to the Senior Center and the town clock on Detroit Road that he felt would be a great location. Mayor Jensen stated that was when they reached out to Maximum Velocity and Mr. Leathers asking for something that they would like to be a centerpiece for the City of Avon and the Christmas Tree lighting ceremony is held in that same area. He advised the concept for a Tree of Life and that Avon's roots grow deep and that there would be children playing on the tree and an eagle would be perched on the top of the tree to represent Avon Eagles. Mayor Jensen said what Mr. Leathers created far surpassed any ideas he had or had thought of, and he felt it is going to be something that people can be proud of. He stated there has been some question as to whether people would try to damage it or hurt it; but the Senior Center is right next door and there are security cameras in place to help monitor activity. Mayor Jensen advised as people travel through the center of town that would be something to complete that concrete block that has been there for a long time. He said this is going to take over a year to construct and his thought is to get the script Avon next year and the tree the following year would be the goal.

Mr. McBride said he thinks these are great. He was going to ask if the tree was climbable like the script Cleveland and script Avon; he imagines that people are going to want to climb up the tree and take a picture. Mr. McBride advised he does not know the size of the finished bronze children in terms of overall stature but...

Mr. Leathers said the model is 1/24th scale so, the children would probably be about 3' to 3.5' in height sitting down. He stated the whole sculpture will be able to be seen well from Detroit Road.

Mr. McBride again said he thinks it is great. He again added that he would love to see it be climbable. Mr. McBride agreed there should be appropriate signage about climbing at your own risk because he feels that people will end up on it anyway.

Mayor Jensen advised they are going to try to keep people from climbing on it, but they will allow people to stand around it for photos. He said they will have to decide once it is completed if it would hold the weight of a small child and there would be appropriate signage. Mayor Jensen stated with a statue of this nature, people are going to want to be as close as they can to it and take pictures with family and he believes it will be something that Avon is proud of, and he invited Council and the audience to get a closer look after the meeting.

Mr. Fischer asked as to the lifespan of the completed structure.

Mr. Leathers advised it will last quite a long time, for many many generations. He said it will be covered with a patina that was sprayed on and that lasts forever. He said it will gather a little greenish blueish tint as the years go by just like a typical bronze statue that you would see in any park. Mr. Leathers stated it will take the weather very well.

Mr. Butkowski inquired if there was a thought to install, in addition to the tree, a monument of some sort to explain whether it is a historical monument that explains Avon and its history or a little more than just placing the bronze tree.

Mr. Leathers advised there will be plaque on the granite base, and he does not know what will be chosen to be written on it, but he assumed the typical information of commissioned by the City of Avon and then possibly a statement by the project manager and then the dates and things of that nature.

Mr. Butkowski said he would offer the suggestion for someone to reach out to the Historical Society as that might be a great opportunity for them to be able to put something more. He stated if it is going to be a showcase piece, they could expand beyond what Mr. Leathers just suggested and allow folks who visit to learn a little bit more about Avon.

Mr. Leathers felt that was a great idea and they would be sure to talk to the Historical Society.

Mayor Jensen and Council President Fischer thanked Mr. Leathers and Maximum Velocity for presenting tonight.

2. [ORDINANCE NO. 81-21 – TO ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY GALIK BUILDING CO., INC., ALONG JAYCOX ROAD](#) Mr. Farmer

Mr. Farmer advised the improvements that were installed during the process of the sanitary sewer and the storm sewer have been reviewed and are ready for acceptance. He confirmed the City has all the as-builts and required deposits and the Utility Department and Street Department have signed off as being completed.

3. [ORDINANCE NO. 82-21 – AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH LORAIN COUNTY PUBLIC HEALTH TO PROVIDE CERTAIN PHASE II STORMWATER SERVICES IN THE CITY OF AVON](#) Mr. Cummins

Mr. Cummins advised as part of the City's phase II program, stormwater MS4, Municipal Separate Storm Sewer System, they are required to have the availability to do certain water testing if they anticipate or see evidence of an illicit discharge as spelled out by the Avon Codified Ordinances. He said they have had this agreement with Lorain County Public Health for several years to provide those sample collection and testing services on an as needed basis. This legislation extends that MOU out a couple of years, so they do not have to come back year after year and matches the City's phase II permit timeline.

4. [ORDINANCE NO. 83-21 – AUTHORIZING THE MAYOR OF THE CITY OF AVON TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE CITY OF NORTH RIDGEVILLE FOR THE CONSTRUCTION OF A TRAFFIC ROUNDABOUT AT THE INTERSECTION OF STONEY RIDGE ROAD, MILLS ROAD AND AVALON DRIVE](#) Mr. Cummins

Mr. Cummins advised the City of North Ridgeville is proposing to construct what is known as a peanut roundabout at that intersection of Avalon Drive, Stoney Ridge Road and Mills Road. He said it is North Ridgeville's project and they are pursuing that on their own. Mr. Cummins stated during Avon's review of the project they pointed out that Avon would like to see certain sidewalk and asphalt path aspects of that project be installed that line up with Avon's Master Pedestrian Access Plan. He advised North Ridgeville came back and said they would be happy to install those improvements provided that the City of Avon pay those costs. Mr. Cummins said he anticipates a cost around \$33,000 and that would be the City of Avon's only contribution to this project as all engineering, construction, and everything else about the project is the responsibility of North Ridgeville. He stated the agreement before Council is the cooperative agreement acknowledging the project and committing to paying for those sidewalk and asphalt path costs.

5. REPORTS AND COMMENTS

MAYOR JENSEN had no further comments.

COUNCIL MEMBERS:

MR. BUTKOWSKI, WARD 1 advised he would be absent for the meeting November 8, 2021, as he would be out of town.

Mr. Butkowski advised it has been 4 weeks since Mr. Kidder of Republic Services was in front of Council regarding an update on Republic and their services and their inability to maintain the standard that is expected out of them. He said he asked Mr. Kidder at the time if he could see if the resident's rates could be reduced until they could get back in line with service expectations that the City and Council have of Republic. Mr. Butkowski stated at that time, Mr. Kidder said he would get back to us and he sent an email to Mr. Kidder two weeks later October 5th and he said he was still working on it. He advised it has now been 4 weeks since that question was asked, and he wanted to ask if any of the others on Council and in the Administration have heard anything from Mr. Kidder because he has not.

No response was given that anyone present heard from Mr. Kidder.

Mr. Butkowski advised he would send Mr. Kidder another email as a follow-up. Mr. Kidder indicated he wants to have a good working relationship with Avon and Mr. Butkowski said we will see if he follows through on that statement.

MRS. HOLTZMEIER, AT LARGE advised she wanted to acknowledge the peaceful passing of an important Avon resident. Wally Pence was 101 years old. He was a WWII hero, and a lot of folks might remember him from being the Grand Marshal at the Avon Bike Parade a couple of years ago. She said to the Pence and Eby family she wanted to acknowledge for the record what a grateful community we are and the impact he had Avon, adults, and children alike, who really got to connect living history with him as someone who experienced it. Mrs. Holtzmeier advised he signed up to serve his country on D-Day and he fought for our country in WWII and to have him as a resident of our community and to be the Grand Marshall of the Bike Parade for two years was an honor. She said he came out and greeted the children at the Bike Parade with such joy and represented the greatest generation. Mrs. Holtzmeier stated that deserves a moment in our minutes for that to be remembered.

Mrs. Holtzmeier advised speaking of heroes she noticed the banners that were hung in the French Creek District for the community that recognize some of Avon's veterans. She thanked the Administration and the Avon VFW for collaborating on that project. Mrs. Holtzmeier said it is a wonderful segue to those who have served our country and that we as a community remember them and she is happy to see that.

MR. MCBRIDE, WARD 2 inquired as to the status at Norton Place with installing speed limit signs and were speed signs called for during acceptance of that street and he also asked about the removal of the developer's sign.

Mr. Farmer advised when that development was accepted, the speed limit signs were installed. He said he believes there was one on Middleton Road and one also when you first turn on Norton Place and he believes there is one on the opposite side of the street when coming out of that development. Mr. Farmer stated as far as the developer's sign that should have been taken down when the houses were completed.

Mr. McBride advised the K. Hovnanian signs are still there. He requested some City signs be posted and he believes there is a speed limit sign as you drive into the development on Middleton Road, but he did not see one on Norton Place going in or coming out.

Mr. Farmer asked if the No Parking signs were missing as well.

Mr. McBride advised he believed there were some No Parking signs, but there were issues in that development, and he asked Mr. Farmer to look and supplement for whatever is needed.

Mr. McBride asked Mr. Cummins if he could update Council regarding the pond and smell at UH. He said apparently UH is going to do some further work on what the French Creek Townhomes call the swamp.

Mr. Cummins advised he was contacted by the representative, Mr. Pebworth, who was here before Council a few weeks ago, at the end of last week. He said that Mr. Pebworth indicated to him that arrangements were made with a different contractor to come on site to mow down more of the cattails that were left standing and start to do some dredging work particularly down the center of the pond to try to get some of the water that is being held to flow out of the pond. Mr. Cummins stated that Mr. Pebworth assured him that any materials that were removed would be placed far away from any residences in case there are any smells or anything that goes along with that. He advised he encouraged Mr. Pebworth to consider taking the material away right away and he indicated he would investigate that further. Mr. Cummins said he was left with the impression that they would be starting to do that work at the beginning of this week. He stated he did not have the opportunity to check during the day today if they were in fact working there yet.

Mr. McBride thanked Mr. Cummins. He felt the City should at least give Mr. Pebworth and UH this week and then if they do not move forward the City could act and place the cost on their tax duplicate.

MR. MOORE, WARD 3 had no comments.

MR. RADCLIFFE, WARD 4 thanked Mr. Streator and Mr. Farmer for helping with some signage in the Red Tail area.

Mr. Radcliffe advised secondly; he believes the rest of Council also received at least two emails from two residents on Williams Court regarding sewers for Mass Estates Subdivision. He said these residents are asking for discussion regarding relief of some of the tap-in fees. Mr. Radcliffe stated he asked the Mayor to put together some information about what was done in the past and maybe they could set a committee meeting soon to talk about that.

Mayor Jensen advised they could put it on an upcoming Work Session agenda for further discussion. He said if they remember when the sewers were improved on French Creek Road, the tap-in fees were waived as were those on Elizabeth Avenue, Joseph Street and Puth Drive and these residents are requesting something similar. Mayor Jensen stated when Avon Lake does a connection to an existing home, they waive the tap-in fees. He said the Williams Ct. residents realize there was nothing the City could do about North Ridgeville's fee and they were not asking for any relief there, but were asking for consideration on the tap-in fees in that area. Mayor Jensen reminded everyone that some of the property owners along Williams Court have had limited income and they were asking for the same consideration that was done for others.

MR. WITHERSPOON, AT LARGE had no comments.

MR. FISCHER, AT LARGE had no 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 was absent.

MR. GASIOR, LAW DIRECTOR advised it was time again for the Charter Review pursuant to Article XIII, Section 7 of the Charter. He said Avon's Charter is to be reviewed every five years and the last time it was reviewed was in 2017 and is due to be reviewed again in 2022. They need to find 9 electors and 2 alternates to serve. He said there is a Selection Committee that is already appointed except for 2 Council Members. The Selection Committee consists of the Chairman of the Planning Commission, the Chairman of the Board of Zoning, the Mayor and 2 Council Members that the Council President appoints. Mr. Gasior stated they need registered voters of Avon to submit applications to be members of the Charter Review Commission by November 1st and he knows that is short notice, but there are still two weeks. He suggested Council take some applications and hand out to their constituents. Mr. Gasior advised they need at least one representative from each Ward and of course, they cannot have anyone from the same family serving on the Commission. He said they need to get those names submitted and some time in November the Selection Committee should meet and begin to review the applications and whittle it down depending on the number who apply. Mr. Gasior stated according to the Charter by the end of the year, the Selection Committee will make a written recommendation to City Council and Council will appoint those members. He advised those members then will be seated before the end of January and typically they hold their first meeting the first week in February and schedule the remainder of their meetings for the next several months. The Commission comes up with any proposed Charter Amendments to Council with sufficient time to be able to put those in an Ordinance and have them placed on the ballot in November 2022. Mr. Gasior said there is short notice for the applications to be received in the Clerk's office and he suggested they help to get the word out that the City of Avon is soliciting applications for the Charter Review Commission with a deadline of November 1st. It was noted that the application was going to be posted on the City website or people could contact the Clerk of Council's office.

MR. LOGAN, FINANCE DIRECTOR reminded Council that this Saturday, October 23, 2021 at 8:00 am in Council Chambers was the Finance Committee Meeting to discuss the 2022 Budget. He advised he will be emailing out the schedules to everyone tomorrow afternoon and they would get uploaded to Council's OneDrive folders. Mr. Logan said he can provide hard copies to anyone who requests them.

MR. STREATOR, SAFETY DIRECTOR advised this Saturday, October 23, 2021, the Avon Police were having their annual prescription drug drop-off day from 10:00 am to 2:00 pm at the Avon Police Station to encourage proper disposal of prescription drugs. He said it will be set up as a drive-thru event to make it easier for people.

AUDIENCE: There were no comments from the audience.

6. ADJOURN: 8:05 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