

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF AVON, OHIO, HELD TUESDAY, AUGUST 9, 2016
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
AT 7:30 P.M.**

The Chairman, Council President Craig Witherspoon, called the meeting to order and led the Pledge of Allegiance.

PRESENT

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

PRESENTATIONS

1. Proclamation – Mayor Jensen proclaimed, along with Avon City Council, the sunflower to be the official flower of the City of Avon, Ohio, in recognition of the “Prayers from Maria” Foundation formed after sunflowers were planted along Interstate 90 on a large tract of land in Avon, in memory of Maria McNamara, who passed away at the age of 7 from a rare childhood brain cancer, as a vibrant symbol to be recognized Citywide. The sight of thousands of beautiful sunflowers became a destination for people and turned into awareness that bloomed and grew, resulting in donations toward research for a cure for childhood gliomas. The “Prayers from Maria” Foundation has become synonymous with the sunflower and the residents and visitors to Avon have been greatly touched by the field of sunflowers in our City.

Mayor Jensen presented the framed proclamation to Mr. and Mrs. McNamara, parents of Maria. A framed proclamation will also hang in City Hall as a way of showing what their family and the sunflower mean to the City of Avon.

2. Living Legacy Award - Mayor Jensen stated when he was reading through the article on the Hricovec family and trying to choose someone for the Living Legacy Award there were so many similarities to his own childhood in regards to hard work and giving back to the community. He told how Bill Hricovec once said to him that he was taught to give until it hurt and to never make a big deal out of it. Mayor Jensen said when we look at our society and the crazy things that are happening he felt that one of the things missing is God and he naturally thought of Father Tom Cleaton and he asked him to speak briefly in terms of what the Hricovec family has meant to him and this community.

Father Cleaton of St. Mary of the Immaculate Conception Catholic Church in Avon relayed a story of coming to Avon 16 years ago in the middle of winter and the elders of his church told him if he was ever in need in Avon such as being locked out of his house that he should just go

to Tom's Country Place because the front door is always open and he could go in and stay until morning. Father Cleaton said that later, when at Tom's Country Place for an occasion, he knew what he was told was true because there was not even a lock on the door. He continued by saying that giving spirit is such a part of the Hricovec family as they are always there for the church or the community any time someone needs help. He said that what the Hricovec family is showing all of us is that it is not just what old Avon was, but what new Avon is too even today.

Mayor Jensen thanked Connie, Marilyn and Mrs. Hricovec for carrying on the tradition of giving back and they have kept the family together and Tom and Bill's legacy alive and he presented the Living Legacy Award to the families of Tom and Bill Hricovec in recognition of their decades of outstanding commitment and unselfish generosity to the City of Avon. Tom and Bill established the tradition of "giving back" to the community and it continues on through their children and grandchildren. It is with great pleasure that we recognize the Hricovec family with this award 2016. Mayor Jensen noted an engraved plaque would also hang in City Hall.

CORRESPONDENCE

There was no correspondence given.

ADDITIONS AND DELETIONS TO THE AGENDA

No additions or deletions were made to the agenda.

MINUTES OF THE REGULAR MEETING OF COUNCIL HELD MONDAY, JULY 11, 2016

A motion was made by Mr. Butkowski and seconded by Mrs. Holtzmeier to dispense with the reading of the minutes of the Regular Meeting of Council held Monday, July 11, 2016, and to approve said minutes as published, and the vote was: Ms. Berges, "yes"; Mr. Butkowski, "yes"; Mr. Fischer, "yes"; Mrs. Holtzmeier, "yes"; Mr. McBride, "yes"; Mr. Radcliffe, "yes"; Mr. Witherspoon, "yes".

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

ORDINANCE NO. 84-16 – TO AUTHORIZE THE FINAL PLAT AND A SUBDIVIDER'S AGREEMENT FOR NORTON PLACE SUBDIVISION NO. 1

The Clerk read Ordinance No. 84-16 by title only, entitled:

**AN ORDINANCE TO AUTHORIZE THE FINAL PLAT AND A SUBDIVIDER'S
AGREEMENT FOR NORTON PLACE SUBDIVISION NO. 1
AND DECLARING AN EMERGENCY**

The Chairman declared this to be the second of three readings of Ordinance No. 84-16.

A motion was made by Mr. McBride and seconded by Mr. Fischer to suspend the rules and act on Ordinance No. 84-16, and the vote was: Mr. Butkowski, "yes"; Mr. Fischer, "yes"; Mrs.

Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Witherspoon, “yes”.

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

A motion was made by Mr. McBride and seconded by Mrs. Holtzmeier to adopt Ordinance No. 84-16, and the discussion was:

Mr. Logan stated the deposits for Norton Place were received today, but there is an outstanding invoice for a water tap, which the City likes to receive before Council passes this legislation, but he felt if we receive those tap fees along with the performance bond paid when the preconstruction meeting is held that would be acceptable. Mr. Farmer added generally the tap-in fees are paid before they can tie into the water main. Mr. Logan felt comfortable with that as long as the Service Director and the Utilities Director were aware. Mr. McBride inquired as to when these fees were historically collected. Mr. Logan said that before they can tap-in they have to have it paid. Mr. Gasior added that typically it is addressed at the pre-construction meeting that those outstanding fees have to be paid before going forward with construction. Mayor Jensen added we have never had an issue unless it was a situation where the Service Director did not know about it ahead of time. Mr. Fischer inquired as to what would happen if for whatever reason they did not pay. Mayor Jensen responded they would not move forward with construction. Mr. Gasior advised we would try to catch that before accepting the improvements and the Council would not accept the improvements and if we do not accept the improvements there are no lots to sell.

The vote was: Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Witherspoon, “yes”.

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

ORDINANCE NO. 86-16 – TO PROVIDE FOR THE ISSUANCE AND SALE OF MUNICIPAL RECREATION FACILITY NOTES, IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$8,500,000

The Clerk read Ordinance No. 86-16 by title only, entitled:

AN ORDINANCE 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 \$8,500,000 FOR THE PURPOSE OF PAYING THE COST OF CONSTRUCTING, RENOVATING, FURNISHING AND EQUIPPING MUNICIPAL RECREATION FACILITIES, AND DECLARING AN EMERGENCY

The Chairman declared this to be the second of three readings of Ordinance No. 86-16.

A motion was made by Mr. McBride and seconded by Mrs. Holtzmeier to suspend the rules and act on Ordinance No. 86-16, and the vote was: Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr.

Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mr. Witherspoon, “yes”.

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

A motion was made by Mr. McBride and seconded by Mrs. Holtzmeier to adopt Ordinance No. 86-16, and the vote was: Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. Witherspoon, “yes”.

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

ORDINANCE NO. 87-16 – REAPPROPRIATIONS

The Clerk read Ordinance No. 87-16 by title only, entitled:

AN ORDINANCE TO AMEND AND SUPPLEMENT APPROPRIATIONS ORDINANCE NO. 150-15 AND DECLARING AN EMERGENCY

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to suspend the rules and act on Ordinance No. 87-16, and the vote was: Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Witherspoon, “yes”.

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

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to adopt Ordinance No. 87-16, and the discussion was:

Mr. Logan stated he added one item for re-appropriating under Special Revenue Funds for the Avon Isle for \$41, 394.00 for a patio and gazebo installation that will be reimbursed 100% through a grant from the Ohio Facilities Construction Commission. The grant is for up to \$82,500 that the City can use for improvements in this area and these are the first items being added. The funds are available; they just need to be appropriated and the City would be reimbursed through the grant funds.

The vote was: Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”.

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

ORDINANCE NO. 88-16 – TO AMEND THE SPECIAL USE PERMIT GRANTED TO COLUMBIA GAS TO INCLUDE A 10’ X 10’ EQUIPMENT SHED TO BE LOCATED AT 33556 AVON ROAD

The Clerk read Ordinance No. 88-16 by title only, entitled:

**AN ORDINANCE TO AMEND THE SPECIAL USE PERMIT GRANTED TO
COLUMBIA GAS OF OHIO, INC. TO ALLOW FOR CONSTRUCTION OF A 10' X 10'
EQUIPMENT SHED TO BE LOCATED AT 33556 AVON ROAD
AND DECLARING AN EMERGENCY**

A motion was made by Mr. Fischer and seconded by Mr. Radcliffe to suspend the rules and act on Ordinance No. 88-16, and the vote was: Mr. Butkowski, "yes"; Mr. Fischer, "yes"; Mrs. Holtzmeier, "yes"; Mr. McBride, "yes"; Mr. Radcliffe, "yes"; Ms. Berges, "yes"; Mr. Witherspoon, "yes".

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

A motion was made by Mrs. Holtzmeier and seconded by Mr. Radcliffe to adopt Ordinance No. 88-16, and the discussion was:

Mr. McBride stated he was sent a picture of the shed, which is basically a prefab structure and while he did not believe we should delay approval of this tonight he felt moving forward the City of Avon could do better. He recommended the Council adopt some type of standard moving forward and placing a moratorium on these prefabricated sheds.

The vote was: Mr. Fischer, "yes"; Mrs. Holtzmeier, "yes"; Mr. McBride, "yes"; Mr. Radcliffe, "yes"; Ms. Berges, "yes"; Mr. Butkowski, "yes"; Mr. Witherspoon, "yes".

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

**ORDINANCE NO. 89-16 – TO APPROVE MODIFICATIONS TO THE SANITARY SEWER
MASTER PLAN**

The Clerk read Ordinance No. 89-16 by title only, entitled:

**AN ORDINANCE APPROVING MODIFICATIONS TO THE SANITARY SEWER
MASTER PLAN AND ADOPTING SAID MODIFICATIONS AS REVISIONS TO THE
OFFICIAL SANITARY SEWER MASTER PLAN FOR THE CITY OF AVON**

The Chairman declared this to be the first of three readings of Ordinance No. 89-16 and announced a Public Hearing to be held on Monday, September 26, 2016 at 7:25 P.M.

**ORDINANCE NO. 90-16 – TO AUTHORIZE THE FINAL PLAT AND SUBDIVIDER'S
AGREEMENT FOR ARLINGTON PLACE SUBDIVISION PHASE 11**

The Clerk read Ordinance No. 90-16 by title only, entitled:

**AN ORDINANCE TO AUTHORIZE THE FINAL PLAT AND SUBDIVIDER'S
AGREEMENT FOR ARLINGTON PLACE SUBDIVISION NO. 11
AND DECLARING AN EMERGENCY**

A motion was made by Mr. McBride and seconded by Ms. Berges to suspend the rules and act on Ordinance No. 90-16, and the vote was: Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mr. Witherspoon, “yes”.

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

A motion was made by Mr. McBride and seconded by Mr. Fischer to adopt Ordinance No. 90-16, and the discussion was:

Mr. Farmer stated this is the acceptance of the final plat as this subdivision has not been built yet. Mr. Radcliffe inquired if all the deposits and paperwork have been received for this project. Mr. Logan advised all the deposits have been paid and we have everything required to this point.

The vote was: Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. Witherspoon, “yes”.

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

ORDINANCE NO. 91-16 – TO AWARD THE BID FOR THE STATE ROUTE 83 PAVEMENT REPAIR PROJECT

The Clerk read Ordinance No. 91-16 by title only, entitled:

AN ORDINANCE TO AWARD THE BID FOR THE STATE ROUTE 83 (CENTER ROAD) PAVEMENT REPAIR PROJECT WITH ALL APPURTENANCES THERETO AND DECLARING AN EMERGENCY

A motion was made by Mr. McBride and seconded by Mr. Butkowski to suspend the rules and act on Ordinance No. 91-16, and the vote was: Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Witherspoon, “yes”.

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

A motion was made by Mr. McBride and seconded by Mrs. Holtzmeier to adopt Ordinance No. 91-16, and the vote was: Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”.

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

RESOLUTION NO. R-20-16 – TO ADVERTISE FOR BIDS FOR THE VETERANS PARK DRIVEWAY AND PARKING IMPROVEMENT PROJECT (PHASE 1)

The Clerk read Ordinance No. R-20-16 by title only, entitled:

**A RESOLUTION TO ADVERTISE FOR BIDS FOR THE VETERANS PARK
DRIVEWAY AND PARKING IMPROVEMENT PROJECT (PHASE1)
AND DECLARING AN EMERGENCY**

A motion was made by Mrs. Holtzmeier and seconded by Ms. Berges to suspend the rules and act on Resolution No. R-20-16, and the vote was: Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Witherspoon, “yes”.

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

A motion was made by Mrs. Holtzmeier and seconded by Mr. Radcliffe to adopt Resolution No. R-20-16, and the vote was: Mr. Fischer, “yes”; Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Witherspoon, “yes”.

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

**RESOLUTION NO. R-22-16 – TO AUTHORIZE THE MAYOR TO PARTICIPATE IN A
COOPERATIVE PURCHASING PROGRAM WITH U.S. COMMUNITIES GOVERNMENT
PURCHASING ALLIANCE**

The Clerk read Resolution No. R-22-16 by title only, entitled:

**A RESOLUTION REQUESTING AUTHORIZATION FOR THE MAYOR, ON BEHALF
OF THE CITY OF AVON, TO PARTICIPATE IN A COOPERATIVE PURCHASING
PROGRAM WITH U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE
AND DECLARING AN EMERGENCY**

A motion was made by Mr. McBride and seconded by Ms. Berges to suspend the rules and act on Resolution No. R-22-16, and the vote was: Mrs. Holtzmeier, “yes”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mr. Witherspoon, “yes”.

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

A motion was made by Mr. McBride and seconded by Ms. Berges to adopt Resolution No. 22-16, and the discussion was:

Mrs. Holtzmeier said there were some outstanding questions about this relationship from our Work Session last week and she inquired if some answers to those questions were found.

Mr. Farmer advised yes, he contacted the City of Westlake and they had a roof replacement and some masonry work and some HVAC work and used Garland twice with no issues. He spoke with the City of Independence and they highly recommend Garland as well. He stated that Garland replaced a couple roofs in North Olmstead and they were pleased with the workmanship and the warranty. Mr. Farmer said Bob Kelley of Westlake commented to him that it was

cheaper to go the route of using the cooperative purchasing program than it was to pay for engineering and bidding and then to have the work done. He said he also spoke with the Lorain Metro Housing Authority and they recommend Garland and they had a couple of high rise roof replacements done. Mr. Farmer said they all agree being a part of the co-op is a good tool to have and is available if needed.

Mrs. Holtzmeier inquired as to what we learned about ownership and how we get a seat at the table. Mr. Logan reminded Council U.S. Communities is a non-profit 501(c)(3) and is a purchasing cooperative. There is an advisory board made up of about 50 entities and officials at each of these entities, such as our Mayor, are listed as the advisory board. Mr. Logan advised he does not know if there is truly an owner, but he would look into it further and see what he could find out.

Mrs. Holtzmeier inquired as to how vendors become a part of this cooperative. Mr. Farmer said they have a bidding process where companies bid their services against other vendors of similar suit. Then an agreement for a certain number of years is made where the prices are locked in for the life of the contract. And at the end of those contracts the vendors rebid for new locked in prices. Mr. Farmer added it was no different than NJPA (National Joint Powers Alliance) and the one through the State of Ohio and they send requests out and determine who has the lowest and best bid and they lock in those prices.

Mrs. Holtzmeier inquired if they felt comfortable with the amount of options available. Mr. Farmer stated that the chosen company will provide the design, the drawings, the specifications and would be onsite during the construction versus the City hiring an engineer to draw up the plans and go out for bid and Mr. Kelley confirmed it was a good way to get the job done without having to do the leg work ourselves. Everyone he talked to said Garland backs up their warranty and workmanship. Mrs. Holtzmeier agreed it was a tool to use as an option.

Mr. Fischer inquired if an engineer's report was required to replace a roof. Mr. Cummins advised it depends on how involved it is and it sounded as if this might not be an engineer, but rather an architect that would prepare a bid package to send out to contractors for pricing. Mr. Cummins said there was some mention at the last meeting about asbestos and that would add to the complexity and would help in getting some professional expertise involved and it sounded like this company brings that to bear on its own.

Mr. Fischer inquired if this was something Mr. Cummins also thought was a time issue. Mr. Cummins clarified if he meant the engineering company he works for and he said that was not an area they deal in such as building maintenance and roofing and typically he felt it would be an architect because it is a building. Mr. Cummins advised it sounded as if Garland does that as part of the design/build process.

Mr. Farmer advised most of the roofing projects that Garland has done to this point are rather large roofs and not a 1500 sf roof, like the one we want to replace. They are doing high rise roofs and a wastewater treatment plant roof. He felt they would evaluate a larger job differently than a smaller 1500 sf roof. Mr. Farmer stated Garland was on the list for U.S. Communities as supplying the materials in answer to a question from Mr. Fischer.

Mr. Fischer stated where he has an issue is he felt we are circumventing the competitive open bidding process. He inquired as to how another company competes with U.S. Communities. Mr. Farmer stated that Garland would still get prices from companies who do these types of roofs. He said everyone he spoke with had nothing but praise for Garland and although they are not the cheapest, in the end, they have a quality roof and a warranty to back it up. Mr. Fischer inquired when others are praising Garland if they were praising their materials or the workmanship to which Mr. Farmer answered they were praising the workmanship and materials.

Mayor Jensen inquired if they had any knowledge on how that works because they are not going out for bids. Mr. Gasior stated that the way these alliances work is that someone does go out to bid for the project. There are companies that have gone out to bid and for roofs, Garland was probably the lowest bid received and then Garland is approached and listed on U.S. Communities website and receives business from that listing, as long as their price remained what they bid. Mr. Gasior said they would have Garland acting as an architect basically and buying the materials, but they have done this before and have proven they can come in at a relatively low price and the statute allows us to take advantage of companies that have bid their product and have listed themselves on these statewide or nationwide purchasing alliances. Mr. Gasior stated the one he was most familiar with was ODOT for purchasing road salt at state bid pricing. He added that ODAS does it for purchasing automobiles and other such items and every government entity can purchase the vehicle at the same price. Mr. Gasior felt that what U.S. Communities is doing on a nationwide level is finding the companies that have come in consistently low with a high quality piece of workmanship and they meet all the statute requirements because they are listed in the cooperative purchasing organization. Ohio Revised Code 9.48 spells out that communities can do this and have received competitive bids and secured a price that entities can use without further competitive bidding.

Mr. Fischer stated that everything mentioned and everything he could find out about cooperative purchasing was for some kind of equipment or material and not for a job. He said that Garland wants to provide the roofing materials and then subcontract out the work. He felt it was not as if they are just giving us the materials and then we use our City employees to install the roof. Mr. Gasior confirmed Garland would do the whole job at a set price. Mr. Fischer felt it undercuts the fair bidding process. Mr. Gasior reiterated that Ohio Revised Code 9.48 gives us the authority to award a contract under these circumstances as long as we are a member in that particular organization. Resolution R-22-16 is designed to authorize the Mayor to become a member of that organization. The U.S. Communities website has various categories of products and services and the roofing category listed The Garland Company. Mr. Gasior said someone has vetted that company otherwise they would not be listed. ORC 9.48 gives the City the right to hire that company without a competitive bid and we can take advantage of that right.

Mr. Fischer said on the U.S. Communities website it states the City of Avon is registered already. Mr. Logan stated he filled out an online form a couple of years ago, but we have never done anything with them, but they say we registered. Mr. Gasior advised when this all came about he said Council should authorize the Mayor to register with them officially in order to be able to take advantage of these prices. Mr. Logan had registered informally, but the City never purchased anything. When it came time to purchase this roof Council needed to formally

authorize the Mayor by resolution for the City to become a member and they were seeking approval from Council tonight. Mr. Gasior agreed it was a new concept for this Council and it is an opportunity to try something a little different on a project that is not that large in scope and see how it works.

Mr. Radcliffe asked what “Plan B” is if we do not go this route. Mr. Gasior stated Plan B would most likely be to advertise for bids, but we would have to hire someone to draw up the plans and then go out to bid. Mr. Radcliffe added with the hope we would come in at less than \$70,000. Mr. Gasior said from his understanding this program is the architect and everything. Mr. Radcliffe added this roof is only 1500 sf and he understands there is the tear off and some concern with the asbestos and possible rotted wood and such, but \$70,000 sounds like a lot to replace a roof the size of his house.

Mr. McBride said there are several exemptions in the Ohio Revised Code that do not require competitive bidding and one of them is the buying cooperatives, which Mr. Gasior fully explained. The second is professional services contracts and a third one was Project 1 to be able to build a new hospital, which relieves government agencies of multi-prime bidding for large projects. Bidding everything out is not always the best way to go as the government typically ends up paying more than they should.

Mrs. Holtzmeier inquired if participating in a cooperative purchasing program precludes us from future bidding. The answer was no and it was confirmed bidding was always still an option.

Mr. Gasior stated we could bid the roof and receive a low bid of \$30,000 to \$40,000 which is under the competitive bid ceiling and the project could be awarded to anyone they want. The Council would be comparing bids and in some instances he felt they could be comparing apples to oranges because there could be differing opinions on what needs replaced and what does not. He felt the goal was to join this cooperative program and take advantage of the statute and award the job to the Garland Company. Mr. Farmer said he would go a step farther and say that Garland is going to be the manufacturer of the warranty. Garland would ensure the roof was installed to the manufacturer’s specifications and one of the biggest reasons we want to go this route is because you can schedule warranty inspections for 3 years or 5 years and if there is a problem with the roof it would be fixed. Mr. Gasior stated this is an opportunity to legally hire one outfit to do it all and take on full responsibility for the job.

Mayor Jensen said the intention here is for a steel roof and if Council wanted to go with regular shingles they could look at different avenues. He said this was something we wanted to do only one time and none of us would see the end of the warranty. Mr. Gasior said all Council was doing at this point is authorizing the Mayor to join U.S. Communities Purchasing Alliance. If we end up contracting with Garland, the Mayor would be authorized to sign it and go forward with the work.

The vote was: Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “no”; Mrs. Holtzmeier, “yes”; Mr. Witherspoon, “yes”.

The vote was 6 for and 1 against and the Chairman declared the motion passed.

RESOLUTION NO. R-23-16 – TO AUTHORIZE THE FINANCE DIRECTOR TO COMPLETE AN APPLICATION FOR MEMBERSHIP IN THE COMMUNITY STAR CREDIT UNION

The Clerk read Resolution No. R-23-16 by title only, entitled:

A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO COMPLETE AN APPLICATION FOR MEMBERSHIP INTO COMMUNITY STAR CREDIT UNION AND DECLARING AN EMERGENCY

A motion was made by Mr. McBride and seconded by Mr. Radcliffe to suspend the rules and act on Resolution No. R-23-16, and the vote was: Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “abstain”; Mr. McBride, “yes”; Mr. Witherspoon, “yes”.

The vote was 6 for and 1 abstention and the Chairman declared the motion passed.

A motion was made by Mr. McBride and seconded by Mr. Fischer to adopt Resolution No. 23-16, and the discussion was:

Mr. Logan stated they were approached by Community Star Credit Union a few weeks back. They service a large number of larger employers such as Bendix and Riddell and a couple cities are members of the credit union. Mr. Logan explained the City becoming a member of this credit union does not commit the City to any obligation and there are no fees or deposits and they are not directly doing any business with the credit union. The City’s point of view for being a member is that it is another avenue the City employees could utilize for loans, financing, etc., although the City employees could currently become members of CommStar with the City formally becoming a member.

The vote was: Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, “abstain”; Mr. McBride, “yes”; Mr. Radcliffe, “yes”; Mr. Witherspoon, “yes”.

The vote was 6 for and 1 abstention and the Chairman declared the motion passed.

REPORTS AND COMMENTS

Mayor Jensen reported he had a meeting Tuesday with Jim Ziemnik from the Metroparks and he would be attending the next Work Session and the Mayor would be asking Council to have a Special Meeting with an Executive Session. Mayor Jensen stated everyone is excited about the piece of property and what we can do there. When he first talked to Mr. Ziemnik he thought it was a 5-10 year plan, but it is looking more like a 2-3 year plan because everything is falling into place in terms of what we can do. Mayor Jensen speculated Mr. Ziemnik would most likely have a diagram he could show and Council would be asked to make a decision about what we want to do moving forward and what it can do to improve that whole area.

COUNCIL MEMBERS:

Ms. Berges, Ward 3 commented that Mayor Jensen spoke earlier on the philosophy of giving back that the Hricovec family has shown over the years. This was displayed Friday night as Levin's hosted Operation Backpack donation drive for school supplies. Ms. Berges said there were members of the police department, the fire department, the football team, cheerleaders and other school groups present and it was very rewarding to see the involvement of these groups and their families donating to those less fortunate. Time and again we have seen that in Avon where the residents and the businesses come together to help those in need. It makes her very proud to live in Avon and be a part of this giving community. Ms. Berges reported that Cabela's held their soft opening for 4,000 people and the parking lot was full and she congratulated Cabela's and wished them success.

Mr. Butkowski, Ward 1 had no comments

Mr. Fischer, At Large congratulated and thanked the McNamara and Hricovec families. The sunflowers in memory of Marie McNamara are an inspiration to the City. He thanked Mayor Jensen for his comments earlier and felt he is correct in stating that God is what is missing in most things today. Mr. Fischer thanked our Safety Services.

Mrs. Holtzmeier, At Large had no comments

Mr. McBride, Ward 2 commented he would like to speak to Mr. Farmer after the meeting as he has some information on the roof that would be beneficial to the City. He alluded to something they originally thought would be a potential issue will not be now regarding the roof. He stated there are differing ACM rules regarding roofing materials and he wanted to update Mr. Farmer.

Mr. Radcliffe, Ward 4 had no comments

Mr. Witherspoon, Council President had no comments

ADMINISTRATION:

Ms. Corrao, Parks and Recreation Director had no comments

Mr. Cummins, City Engineer had no comments

Mr. Farmer, Service Director had no comments

Ms. Fechter, Economic Development/Planning Coordinator had no comments

Mr. Gasior, Law Director had no comments

Mr. Logan, Finance Director had no comments

AUDIENCE:

There were no comments from the audience.

ADJOURN

A motion was made by Mr. Fischer and seconded by Ms. Berges to adjourn the Regular Meeting of Council, and the vote was: Mr. Radcliffe, “yes”; Ms. Berges, “yes”; Mr. Butkowski, “yes”; Mr. Fischer, “yes”; Mrs. Holtzmeier, ‘yes’; Mr. McBride, “yes”; Mr. Witherspoon, “yes”.

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