

**MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE
CITY OF AVON, OHIO HELD MONDAY, APRIL 7, 2025
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
AT 7:30 P.M.**

PRESENT:

Council Members: Council-at-Large – Mary Berges; 1st Ward – Jennifer Demaline; 2nd Ward - Dennis McBride; 3rd Ward -Tony Moore; 4th Ward - Scott Radcliffe; Council-at-Large – Michelle Patton; Council-at-Large and Council President – Brian Fischer; Mayor – Bryan Jensen; City Engineer – Ryan Cummins; Planning/Economic Development Coordinator – Pam Fechter; Law Director – John Gasior; Finance Director– Steve Presley; Safety/Public Service Director – Duane Streater; Clerk of Council – Barbara Brooks

1. [ORDINANCE NO. 18-25](#) – TO AMEND ORDINANCE NO. 413-68, PASSED JANUARY 15, 1969, COMMONLY KNOWN AS THE ZONING ORDINANCE OF THE CITY OF AVON, OHIO, AS AMENDED, REZONING THE 17.7 ACRES OF LAND LOCATED ON THE WEST SIDE OF NAGEL ROAD BETWEEN MIDDLETON & DETROIT ROADS, PERMANENT PARCEL NOS. 04-00-022-102-044, 04-00-022-102-043, 04-00-022-102-039, 04-00-022-102-041, 04-00-022-102-042, 04-00-022-102-047 & 04-00-022-102-048 FROM R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO C-4 GENERAL BUSINESS DISTRICT

Planning Referral

A Public Hearing will be held at 7:25 p.m. on Monday, April 14, 2025
The Third of Three Readings of Ordinance No. 18-25 will be on Monday, April 14, 2025

Ms. Fechter advised she had no new comments to add and noted that nothing new has been submitted by the applicant.

2. [ORDINANCE NO. 23-25](#) – GRANTING A SPECIAL USE PERMIT TO BASP, LLC, TO AUTHORIZE THEIR TENANT, DUNKIN DONUTS, TO CONSTRUCT A 1,682 SQ. FT. DONUT AND COFFEE SHOP WITH A DRIVE-THRU TO BE LOCATED AT 1200 CENTER ROAD, PPN 04-00-016-101-070

Planning Referral

Ms. Fechter advised there used be a Dunkin Donuts across the street from City Hall inside Circle K. She said the tenants left that lease but will still operate a corporate franchise owned business to be located at 1200 Center Road just north of Take 5 Car Wash. Ms. Fechter noted the Planning Commission gave a positive recommendation by a 4 in favor and 0 against vote. She stated there was some conversation at the Planning Commission Meeting regarding the stacking spaces between the order board and the pickup window and it was requested they increase the number of spaces by one to have six spaces in that section, for a total of nineteen stacking spaces and they have added two curbside pickup-only spaces. Ms. Fechter mentioned that their engineer as well as representatives from Dunkin Donuts were present if there were any questions. She added there was no curb being added for the drive-thru lane.

Mr. McBride stated the rendering shows the stacking will block the handicap as well as the curbside pickup spaces and the City Officials were all aware of what happens with drive-thru lanes in Avon. He noted that effectively those spots were going to be blocked and anyone trying to back out of those spaces were going to have an issue. Mr. McBride advised he understood there was probably not much that could be done about it suggesting that it probably needs to be a bigger piece of property, and his opinion is that it is a bad design. He hopes the applicants understand and it should be a part of the agreement that if traffic spills out onto the street that their Special Use Permit could be revoked. Mr. McBride said it appears they have a lot of stacking but cautioned that he has heard that before and the customer base of Avon has proven otherwise in the past. He advised the responsibility is on the applicant to make sure it is right.

Mayor Jensen advised Mr. Radcliffe brought up Mr. McBride's comments in the Planning Commission Meeting and it was discussed that this is a Special Use. He elaborated that the conversation by the Planning Commission Members is that often times they felt that the order board is too far back from the pickup window because

sometimes the line is held at the order board and not at the pickup window. Mayor Jensen confirmed that it was made clear to the applicant that if there are issues, they will have to come back to amend their Special Use Permit.

Mr. Gasior advised in Section 2 of the Ordinance, the very first condition is that the owner would have to come back and address any concerns if there were problems with backups at the drive-thru window among other conditions. He said this one is unique in the sense that the City has not really done that much in other similar circumstances related to drive-thru line situations, but they may incorporate that language going forward. Mr. Gasior added as long as the owner/applicant was notified at the Planning Commission meeting that those are the conditions, and those conditions are listed in the Ordinance.

Mr. McBride added it would be nice if our Police had the authority to close them down if that kind of activity continued.

Mr. Gasior clarified there are no public improvements being made on SR83 at this location so there would not be a Developer's Agreement, only a Special Use Permit.

3. [ORDINANCE NO. 24-25](#) – AUTHORIZING AN AMENDMENT TO THE LOCAL PUBLIC AGENCY AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO CONSTRUCT THE STATE ROUTE 83 & STATE ROUTE 254 INTERSECTION IMPROVEMENT PROJECT, KNOWN AS PID 111283 LOR SR 0254 05.66 Mr. Cummins

Mr. Cummins advised this amendment to the LPA agreement is for one purpose and that purpose is to formally accept additional safety funding that ODOT is offering the project as they recently offered an additional \$460,873.00 toward the project bringing the total federal and state funding up to \$6,576,873.00.

4. [ORDINANCE NO. 25-25](#) – TO AMEND AND SUPPLEMENT APPROPRIATIONS ORDINANCE NO. 109-24 Mr. Presley

Mr. Presley advised the items in the Exhibit that refer to Salary, Wages and Benefits are the result of the 2024 Workers Compensation True Up, the Employee Time Buy Back that happens in January, and Uniform Allowance. He said they are breaking these out separately, so they are not seen as part of annual operating wages or overtime.

Mr. Presley advised regarding the Fire Department Equipment Fund that was added that afternoon, there are some issues with the HVAC systems that were not anticipated. He said the Fire Department received quotes to replace and get it fully new and functional and that is the reason for the additional \$28,000.00.

Mr. Presley advised additionally the last supplemental appropriation he is requesting is for the Storm Water Utility Fund for \$35,000.00 for the Northgate Storm Water/Sewer System Analysis to take care of some ongoing issues that were not included in the original budget.

Mr. Presley noted the total for all Supplemental Appropriations is \$104,000.00.

Mrs. Demaline thanked Mr. Presley for the information, and she asked about all the increases in various departments for salaries, wages, and benefits that were all based on the payroll True Up.

Mr. Presley clarified that a portion of it is based on the payroll True Up and a portion of it is based on the employee time buy back that happens in January and then a portion was also the changes in uniform allowance pursuant to the union contract that was not known at the time the budget was established, as it depended on the individual department.

Mrs. Demaline asked what kind of rating program the City was in for Workers Compensation.

Mr. Presley advised the City is in a retrospective rating program.

Mayor Jensen advised they talked several months ago about installing some more streetlights on Nagel Road and Jaycox Road. He said he has a quote for 36 streetlights to be installed and that will take care of installing/replacing streetlights on most of Detroit Road to Schwartz Road for about \$38,000.00.

Mayor Jensen advised over the winter Timberview Drive and Keller Drive are in terrible shape with the freezing and thawing. He said the contractor awarded the bid for the Schwartz Road Resurfacing Project and has agreed to give the City the same rate or less per square foot to do those additional road repairs and Council may see an amendment to that contract and he believed that it was approximately \$142,500.00. Mayor Jensen believes there would be less grinding necessary on Timberview Drive and Keller Drive and he hoped to get those areas repaired this year.

Mr. Radcliffe said regarding the streetlights that Mayor Jensen mentioned, he asked how those would be spaced or how they decided where they would be located. He asked if there were guidelines set.

Mayor Jensen indicated that Ohio Edison follows specific guidelines that will be followed. He added that the street will be well lit and the reason there are 36 to be installed. Mayor Jensen said most of the time, the City streetlighting is based on lighting the intersections or specific area, but now it will light up a whole section. He explained this is a trial area noting that there are other places in the City where they want to add streetlighting such as the rest of Nagel Road and Jaycox Road and then move over the Long Road and some other areas in the City. Mayor Jensen stated most of the City's streetlighting was all rural and they were slowly trying to improve that.

Mr. McBride commented that some Avon residents have moved here from very developed areas such as Lakewood and Rocky River where there are, in his estimation, an over abundance of street lighting. He felt the City does not want to overdue the addition of streetlights as the City pays the bill.

Mayor Jensen said the cost is \$80 per month per streetlight and that is why they want to start with these two sections to see how it is going to do.

Mr. Fischer asked that any additions to the appropriation amendment be sent to Council before the end of the week.

5. [ORDINANCE NO. 26-25](#) – AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH GPD GROUP TO PERFORM ENGINEERING SERVICES FOR THE CHESTER ROAD RESURFACING PROJECT ALSO KNOWN AS THE LOR MR 4313-0.33 (PID 120604) PROJECT Mr. Cummins

Mr. Cummins advised NOACA (Northeast Ohio Areawide Coordinating Agency) came through the City and based on the pavement conditions along certain sections of Chester Road, west of American Way to Chester/Industrial, offered to put forth a little over \$730,000.00 to do a resurfacing project covering up to 80% of the cost. He said that comes with federal funds. Mr. Cummins stated normally Chagrin Valley Engineering (CVE) would do those plans, but there is now a requirement that comes with federal funds that the City Engineer can either serve as an owner's representative role or do the design work, not both. He advised in this case; he has chosen to serve as the owner's representative for this project, so the City did a Qualifications Based Selection Process to select an engineering company to do the actual plans. Mr. Cummins said two responses were received and those were scored by himself, Mr. Streater, Utilities Superintendent, and the Superintendent of Streets scored those and selected GPD Group.

Mayor Jensen asked Mr. Cummins if he is seeing this new requirement as more costly compared to how it was done in the past. He suggested that City Council may want to contact State Representatives to let them know this new process costs the City more time and money.

Mr. Cummins confirmed there will be more costs involved noting that design costs were going to be higher, but it is also having a third party involved. He advised there are certain projects later on this year where the CVE is doing the design, and they are now required to have another entity involved to serve as the owner's representative and that adds time and effort to select those firms and make those arrangements as well as additional costs to

have those services performed. Mr. Cummins stated previously those things were all part of the normal interaction and now those must be broken out separately and with that comes extra costs.

Mayor Jensen suggested that once this project is complete, Mr. Cummins and Mr. Presley could give Council a report showing how much more it cost the City compared to what it would have cost with the old method. He asked who the other firm was that provided a proposal to which Mr. Cummins responded that it was Osborn Engineering.

Mr. Radcliffe asked if this sort of practice is what Council should expect going forward on any projects for which the City receives federal funding, which is to have two engineering firms doing the work.

Mr. Cummins confirmed Mr. Radcliffe's statement to be correct, and said it is a new ODOT policy that they believe is being mandated by the Federal Highway Administration. He said it is for situations where communities have outsourced their engineering work to an outside consultant. Mr. Cummins stated the new policy is that consultants cannot serve as the design engineer and the owner's representative at the same time. He advised ODOT has divided up those responsibilities forcing two different entities. Mr. Cummins said ODOT does not care about Home Rule in this instance and Chagrin Valley Engineering representatives have had meetings with ODOT in their central office and this is what ODOT feels they need to do.

Mr. Radcliffe asked if it is required to have both the owner's representative and the design engineer and there is no option of not to have an owner's representative to which Mr. Cummins answered, that is correct.

Mayor Jensen said he believes the intention is to spread the work out and give smaller corporations opportunities, but he felt it was not really accomplishing the attention and just costing the City more money.

Mr. Radcliffe quipped that he has not seen any taxpayers come to Council saying they want the City to spend more money on engineering for projects.

Mayor Jensen agreed that it does not make a lot of sense as it is more costly and that is disappointing.

Mr. Radcliffe felt the City would have support from the community to say that this is redundant and unnecessary.

Mayor Jensen advised he wants to be fair to ODOT as the City has received a lot of benefits from working with them, but also when a project is finally completed, they would be able to look back and compare the cost difference.

Mr. McBride said his guess is that there was an entity somewhere that engaged in a conflict of interest and now this is the rule. He stated while he does not believe this rule would be reversed, he is more than happy to pass a Resolution to oppose this change if one is presented.

6. [ORDINANCE NO. 27-25](#) – AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH O.R. COLAN ASSOCIATES, LLC AND WITH BOWMAN APPRAISAL SERVICES, INC. TO PERFORM RIGHT-OF-WAY ACQUISITION RELATED SERVICES FOR THE STATE ROUTE 83 SIDEWALK (LOR 83-16.76, PID 119934) Mr. Cummins

Mr. Cummins advised this project is moving along and there is both preliminary bridge and right-of-way plans prepared. He noted those plans have been looked at by ODOT and they are starting the next step, which is to acquire the needed property rights in order to construct the project. Mr. Cummins stated once again they had a qualification-based selection process in compliance with ODOT's standards and that was performed. He said the City received two responses and those responses were scored by Mr. Streater, Utilities Superintendent and the Assistant Superintendent of Streets. Mr. Cummins noted he did not participate in the selection process. He stated the O.R. Colan Associates team was selected to do that work. Mr. Cummins advised along those lines, O.R. Colan Associates was selected to serve the same role that they have served at the SR83 & SR254 project and that is appraisal and then right-of-way acquisition negotiations and the like. He said one of the other federal requirements that goes along with that, if the City hires an appraiser, they also have to hire a review appraiser to

look over the shoulder of the appraiser and make sure the property is being appropriately classified and evaluated for its worth. Mr. Cummins stated the City has worked in the past with Bowman Appraisal Services and they do a very nice job and are easy to work with; noting that they also secured a proposal from Bowman Appraisal Services, and they would like to have that approved by Council as well. He clarified that these two functions were placed in one Ordinance for the same task of right-of-way acquisition.

Mr. Moore asked if there has been any discussion about cleaning up the French Creek to improve the flow of the water in the area where the bridge work will be taking place.

Mr. Cummins advised there has not as that area is cut into rock edges, banks and the like so they have not looked at expanding that. He said they have not really seen any flow limitations in that area as he felt there was more fall or slope to the creek and the water moves along fairly well. Mr. Cummins stated with this project, they only looked at the footprint of what is needed to construct the project, noting they will be constructing a pedestrian bridge on each side of SR83.

Mr. Moore felt that French Creek with the recent heavy rainfall backs up quite a bit and he said he knows that is the area where all the water flows to and he asked if there were future plans to help that a little bit, if needed. He advised he wants the sidewalks installed, but he also wants to make sure that they can get the water to move a little better. Mr. Moore wondered if the City was limiting themselves.

Mr. Cummins advised the bridges that are designed are going to be set back a little and are up a little higher so they will not be at the limitation.

Mayor Jensen advised they have looked at that situation and noted there is a lot of bedrock underneath that area. He said almost every other year; the City has made a point to clean along the banks. Mayor Jensen stated the Metroparks has allowed the City to get into the area owned by them any time that it is needed. He confirmed the pinch point is definitely the bridge as that is the spot where the water backs up and then works its way back through. Mayor Jensen advised they will continue to look at it and if the bridge is ever replaced and the area widened, then they want to make sure they open that water flow up even more noting there are no issues on the other side.

7. ORDINANCE NO. 28-25 – AUTHORIZING THE MAYOR TO TAKE ALL ACTIONS NECESSARY TO ACCEPT THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) ENERGIZED COMMUNITY GRANT(S) Mr. Presley

Mr. Presley advised this grant is through NOPEC and the 2025 grant dollar amount was around \$58,000 and this legislation allows the Mayor to complete the necessary paperwork to claim that grant from NOPEC.

8. ORDINANCE NO. 29-25 – AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH K. E. McCARTNEY & ASSOCIATES, INC. TO PERFORM CONSTRUCTION ADMINISTRATION & INSPECTION SERVICES FOR THE STATE ROUTE 254 & STATE ROUTE 83 INTERSECTION IMPROVEMENT PROJECT (LOR 254-05.66, PID 111283) Mr. Cummins

Mr. Cummins advised as they move toward construction, one of the requirements utilizing federal funds, ODOT funds, is that there is a construction administration firm hired that provides project management, project inspection and testing services during the construction. He said this is a local let, Local Public Agency (LPA) project. Mr. Cummins noted that Avon will be the letting agent, therefore it is up to Avon to hire out for those construction administration services.

9. ORDINANCE NO. 30-25 – AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH K. E. McCARTNEY & ASSOCIATES, INC. TO PERFORM THIRD-PARTY REVIEW SERVICES FOR THE STATE ROUTE 83 SIDEWALK PROJECT (LOR SR83-16.76, PID 119934) Mr. Streator

Mr. Streator advised this is authorizing a third-party review to go over the work of Chagrin Valley Engineering and Mr. Cummins because of the requirements by ODOT and federal funding for the sidewalks.

10. [ORDINANCE NO. 31-25](#) – TO ACCEPT IMPROVEMENTS CONSTRUCTED BY NCC CONSTRUCTION, LLC FOR THE INSTALLATION OF PUBLIC UTILITIES CONSISTING OF PUBLIC SANITARY SEWER AND ALL APPURTENANCES THERETO Mr. Streator

Mr. Streator advised this is for Hunter International located on Chester Road when the sewer was extended, which has been completed now for a considerable amount of time. He said this legislation is to accept those improvements. Mr. Streator confirmed everything has been done appropriately and all the paperwork was recently filed for the easements.

Mr. Cummins confirmed that saying that there were some access easements, utility easements and sidewalk easements granted.

Mr. Streator stated this legislation is to accept those public improvements.

Mr. Fischer asked if all deposits have been made to which Mr. Streator confirmed they were.

11. [RESOLUTION NO. R-13-25](#) – DECLARING IT NECESSARY TO CONSTRUCT CONCRETE SIDEWALKS TO COMPLETE THE 2025 SIDEWALK PROGRAM Mr. Cummins

Mr. Cummins advised this is legislation to enact the 2025 Sidewalk Program based on the Service Committee meetings that were held over the past few weeks. He said as such, a couple areas have been identified where sidewalks need to be installed for this year's program. Mr. Cummins stated passage of this Resolution will kick off that program's efforts.

Mrs. Demaline thanked Mr. Cummins for putting this all together for Council to consider. She said it is her understanding that this legislation is requesting that sidewalks be installed within 30 days of receipt of notification or on or before October 1st. Mrs. Demaline asked if there was an idea of when the property owners would be notified.

Mr. Cummins advised Chagrin Valley Engineering has not been authorized to do any survey work or otherwise as of yet. He said he would imagine that it is at least a couple of months before they have those notifications out since there is not a large number of areas in this year's program. Mr. Cummins stated they would try to get it done as quickly as they could, but it will still take some time to survey and lay out those plans.

Mayor Jensen noted that it was discussed in the committee meeting that the City would be sending letters to the affected property owners by regular mail once this Resolution is passed next week to inform them that they will be required to install sidewalks and to prepare for it before the official notice is sent. He advised once the engineering is complete, then certified letters will be sent. Mayor Jensen mentioned it was Council's wish to send these letters out ahead of the official notice.

12. [RESOLUTION NO. R-14-25](#) – TO ADVERTISE FOR BIDS FOR THE STATE ROUTE 83 & STATE ROUTE 254 INTERSECTION IMPROVEMENT PROJECT, LOR SR 0254 05.66, PID 111283 Mr. Cummins

Mr. Cummins advised as they move towards the construction of this project, he wanted to get this Resolution before City Council to advertise for bids as normal. He said they would go out for a public bid and tally them and evaluate them and then come back to City Council with a recommendation prior to any work beginning.

13. [RESOLUTION NO. R-15-25](#) – TO AUTHORIZE THE MAYOR TO PARTICIPATE IN A COOPERATIVE PURCHASING PROGRAM WITH THE OHIO DEPARTMENT OF TRANSPORTATION, WINTER CONTRACT FOR ROAD SALT Mr. Streator

Mr. Streator advised this is the annual Resolution seeking authorization to participate in the program. He said he was just notified on Friday, April 4, 2025, of this year's program and the Resolution needs to be passed to

participate. Mr. Streator stated the City will work within that contract to get the State pricing for road salt for next winter.

Mr. Fischer inquired as to how the City ended this year with regards to road salt.

Mr. Streator advised they ended closer than anticipated, but indicated they have a small supply of salt remaining.

14. REPORTS AND COMMENTS

MAYOR JENSEN reported that this Friday, April 11, 2025, he will be meeting with North Ridgeville's Mayor Corcoran to talk about the repaving of Mills Road. He said North Ridgeville has their own schedule of projects and he was not sure it would be in North Ridgeville's plans for this year, but for sure next year. Mayor Jensen stated they previously talked about Avon and North Ridgeville making it a joint project and they would be discussing that further on Friday.

Mayor Jensen advised he also has talked with Mayor Corcoran about a roundabout at Mills Road and Nagel Road. He said Avon is applying to the Ohio Public Works Commission for funding for that roundabout and he wanted to go over those discussions with Mayor Corcoran again about a joint effort for that roundabout.

Mayor Jensen felt the roundabout project was probably still a couple years out, so the repaving of Mills Road was the more immediate project. He said he would update Council on anything significant to come out of that meeting.

COUNCIL MEMBERS:

MS. BERGES, AT LARGE, had no comments.

MRS. DEMALINE, WARD 1 had no comments.

MR. MCBRIDE, WARD 2 felt the conversation that Mayor Jensen was scheduled to have with Mayor Corcoran on Friday was right on schedule. He said he drove down Mills Road a couple of weeks ago and the asphalt pavement over the culvert/creek east of Nagel Road is in terrible condition.

Mr. McBride stated he sees that illegal signs posted in the right of way and other places have sprung up again. He noted there are three or four at the west corner of SR83 and Detroit Road. Mr. McBride felt it would be nice if the Zoning Enforcement Officer would take a picture of the signs and then issue a citation suggesting \$500 to \$1000 fine. He said he understands it starts with a community organization or church posting signs, but then to go overboard and all the businesses and other entities start to place their signs in the right of way. Mr. McBride was particularly annoyed by those who are not located in Avon. He advised he appreciates anything that could be done to help improve this situation.

MR. MOORE, WARD 3 agreed with Mr. McBride's comments about signs located in the right of way. He noted that he saw those signs as well and sent a picture to the Zoning Enforcement Officer over the weekend.

MS. PATTON, AT LARGE, had no comments.

MR. RADCLIFFE, WARD 4 asked for an update from Mr. Cummins or Mayor Jensen as to the culvert located on Chester Road by Petitti's Garden Center and he asked when that is scheduled to be replaced.

Mr. Cummins advised they have plans prepared both for an intermediate step and a full step that requires the acquisition of right of way. He said if they do the full step, it will also require relocation of a substantial gas line. Mr. Cummins stated that it is his understanding that they are working with the property owner for what used to be the golf driving range to see about acquiring the necessary right of way. He indicated the idea for development seems to go forward and then stall so they are waiting to get the property rights.

Mayor Jensen added that the City was awarded some funding for that project. He said City Officials would be meeting with the group considering development, but because of the governments pending imposed tariffs, the City received a letter from the applicant saying that project is on hold. He indicated it was still worthwhile to meet with them and let them know that if they provide the necessary right of way acquisition that it would only improve the property so that when the property owners/developers were ready to move forward with development

that they would be in a better position to do so. Mayor Jensen advised that culvert is an important piece for future development in that area. He thought if they can get right of way acquisition squared away this fall and through the winter that everyone would be in a much better place regardless of what happens with tariffs.

MR. FISCHER, AT LARGE said it is getting close to the May primary and residents will be voting on the City income tax ballot issue, and he inquired as to how many people have contacted the City inquiring about it and he wondered how many voters may not be aware of it or understand it. Mr. Fischer stated he saw a comment on social media where someone said that their taxes are going to double if that issue passes. He advised that based on his understanding of the issue, he did not see how that was even possible. Mr. Fischer said he wanted to make sure that City Officials were on top of what is going on and as there seemed to be misinformation floating around.

Mr. Presley stated he had one individual call him and ask him to walk through the tax calculator on the City website and the individual was thankful and appreciative of the information and assistance. He noted that he saw the same post that Mr. Fischer was referring to on social media and the only conclusion he could come up with was that this was an individual living in a very modest house who is earning substantial income and is looking at very little being reduced in property taxes and a significant amount on the income tax side. Mr. Presley said otherwise, it does not fit the normal scenario of what they have seen or anticipate the residents experiencing. He advised going from a 1.75% to a 1.95% income tax if the individual is working outside of Avon, they would be paying the .25% currently so to say that their income tax would double did not make sense as the City was not going from a .25% net that the individual would pay to a .50%, but up to a .45%. Mr. Presley said without getting a lot more detail from the individual, he was not sure how to explain the comment made.

Mr. Fischer agreed that City Officials were not going to engage in a back and forth on social media, but indicated it only takes a few comments to fuel misinformation.

Mr. Presley asked if Mr. Fischer had any recommendations that he would like followed up.

Mr. Fischer felt it was something the City needs to look at because they were quickly approaching election day.

Mr. Presley added in looking over at recent social media posts that was the only comment he noticed that has been negative. He commented that he did not understand the reasoning from the poster.

Mayor Jensen said in speaking with Mr. Moore, they were going to try to get another specified time for questions and answers regarding the income tax ballot issue. He agreed the only way the poster on social media could have the outcome portrayed was that they have a substantial income because someone who earns \$50k or \$100k did not fit. Mayor Jensen stated Mr. Presley and him were going to work through various scenarios and would be sending that out to Council and putting that information on social media as well. He said they were also providing the tax rates of surrounding communities to give scenarios of working in another city and living in Avon. Mayor Jensen advised there is a luncheon with over 50 seniors at the Senior Center tomorrow where they could ask questions about the ballot issue, and they also met with close to 100 seniors at the Avenbury Lakes Subdivision and there were 30+ seniors at another event where they met and answered questions about the ballot issue. He said they were continuing to seek ways to get the word out and they are considering a formal explanation in the newspaper for educational purposes before May 6th. Mayor Jensen explained that anyone with earned income in the City of Avon will be affected and the City website (Issue #3 Information) has the interactive tax calculator that residents can utilize regarding their personal situation. He stated that 60% of the residents will not be adversely affected.

Mr. Fischer said the closer they get to election day, they felt they would start seeing more social media posts and he felt they want to be on top of it.

Mr. Fischer thanked the City Administration and Mr. Streater and the City crews for dredging the creeks on a regular basis and he asked Mr. Streater to give an update as there is a lot of talk about flooding in the news.

Mr. Streater advised the City crews made a substantial impact this Spring on cleaning a lot of the City's ditches and creeks. He confirmed there is good water flow since last Wednesday when they had that deluge of rain noting that it is difficult when they get that much rain in such a short amount of time. Mr. Streater explained there is not a system designed that is going to be able to absorb that much rain, but said they worked Wednesday through Saturday cleaning some areas and they found that regular maintenance by the residents in those areas was lacking at some of the catch basins on their property and the reason some flooding was experienced which was mostly in yards. He said once the City crews figured those situations out with the residents, they had some success in alleviating the situation. Mr. Streater noted there were not any large-scale problems like they saw in the past.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER, had no comments.

MS. FECHTER, PLANNING/ECONOMIC DEVELOPMENT COORDINATOR reported that Dick's Sporting Goods store in Avon would be opening this week. She said she was trying to get some more information on their grand opening so she would let Council know by email once she had more to share.

Mr. Fischer asked if the Westlake Dick's Sporting Goods store would be closing to which Ms. Fechter confirmed they are.

MR. GASIOR, LAW DIRECTOR, announced that there is going to be a TREX Transfer of a liquor license to an entity called Las Margaritas and the location will be the old ZZ's Big Top at 35015 Detroit Road. He said typically these TREX Transfers are permitted when there is an economic development of significance. Mr. Gasior explained in this case the City will be acquiring right-way off Detroit Road as well as Jaycox Road on this parcel and he believes the new owner of the property will also be installing sidewalks on Jaycox Road noting that sidewalks were already installed along Detroit Road at this location. He advised that acquisition is important to the City because over the next three years or so there will be improvements to that intersection and the City will not need to worry about acquiring that right-of-way because they will have already done so. Mr. Gasior said there is a lot split on the upcoming Planning Commission agenda for this month, and he noted that the City will separate the additional right-of-way from the existing property. He noted, in addition, there is going to be a consolidation of the two lots noting that the parcel known as ZZ's Big Top is situated on two separate parcels and they would be combined into one parcel. Mr. Gasior reported that Mayor Jensen would be signing off on the TREX Transfer because it has a significant benefit to the City to acquire that right-of-way. He stated that Council would be seeing a purchase agreement for that right-of-way which would be a straightforward agreement, and he hoped that would get passed by Council because they would like to get that lot split and the acquisition of the right-of-way taken care of before the end of the month. Mr. Gasior advised Las Margaritas intends to acquire the property and according to the TREX Transfer they were going to invest \$100,000 into the building and he speculated they would most likely be hiring a few more employees. He said he was happy to answer any questions that Council may have on the matter.

MR. PRESLEY, FINANCE DIRECTOR, had no comments.

MR. STREATOR, SAFETY DIRECTOR/PUBLIC SERVICE DIRECTOR, had no comments.

AUDIENCE:

There were no comments made from the audience members.

15. ADJOURN: 8:20 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