

**MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE  
CITY OF AVON, OHIO HELD MONDAY, APRIL 19, 2021  
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING  
AT 7:30 P.M.**

**PRESENT:** Council Members: 1<sup>st</sup> Ward – Bob Butkowski; Council-at-Large – Brian Fischer; Council-at-Large – Tammy Holtzmeier; 2<sup>nd</sup> Ward - Dennis McBride; 3<sup>rd</sup> Ward -Tony Moore; 4<sup>th</sup> 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 Streater; Clerk of Council – Barbara Brooks

1. PRESENTATION – THE OHIO HOCKEY PROJECT

Russ Sinkewich

Ms. Fechter introduced Russ Sinkewich, founder, of the Ohio Hockey Project, who is interested in property near Crushers' Stadium and next to T3 Performance. She said Mr. Sinkewich would like to give a brief presentation on what his company is all about. Ms. Fechter stated Mr. Sinkewich has been talking with her for a couple of months now and he wanted to see how this body felt about his proposal before going any further.

Mr. Sinkewich thanked Council for the opportunity to present tonight as it was a privilege. He said he was excited to tell them a little bit about himself, the organization, its history, plans moving forward and how ultimately the City of Avon could be a big part of that. Mr. Sinkewich advised the mission of what they do at the Ohio Hockey Project is to positively influence the Cleveland hockey market. They have a comprehensive players development program both on and off the ice and ultimately the goal is to help every athlete maximize their potential on and off the ice and not just with one of their programs, but through their career and through the sport and to help with life skills as they transition out of the sport. He stated he is a proud ambassador of Cleveland hockey. He grew up in Westlake and started playing hockey at the North Olmsted recreation center when he was 4 years old, and he has made a lifelong commitment to hockey. He played 7 of those years professionally and he finished his career playing for the Cleveland Monsters downtown for 2 years. Mr. Sinkewich advised the organization has been around for 10 years officially. He said outside of what he does with his full-time obligation with the Ohio Hockey Project he also sits on the Board of Directors for the Cleveland Suburban Hockey League, which helps to provide a great platform for kids to help them pursue their dreams in this field. Mr. Sinkewich advised they started in 2011 regionally, but in that time, they have had over 20,000 attendees and they are partnered with 15 different youth associations, and 8 different high school programs. In that time, they have sent 110 athletes out to play collegiately and 29 have gone on to play professionally. During their peak season, which is the off-season for hockey June through August, they employ 19 members, from project managers to social media experts to hockey's premiere coaches. He said something that his organization does that he is very proud of is their OHP Cares program and when he played professionally it was something that he felt he was able to make the most impact outside the arena with speaking at schools and hospitals and the like. He understood the impact he could make as an athlete went far beyond the arenas he plays in and it is something he is very proud that they provide within the organization as well. In 2019, partnered with the Ohio Guidestone, they adopted over 150 families simply by a few emails and social media posts, which is remarkable. Mr. Sinkewich stated they host several annual charity events partnering with not only Ohio Guidestone, but Cleveland Food Bank, St. Malachi's, Hockey Saves and several different associations.

Mr. Sinkewich advised to be clear, they are not a travel team, they are not a team, they are not an association or an AAU Youth Program, but they are a third-party skill development organization, and their mission is to improve the landscape of Cleveland hockey. He said they do that through week-long training camps and weekly development programs. They have 2 different leagues; one has age 8 to 18 and the other is summer league which is all Division One professional players. Outside of that, they have a youth team consulting & skill development program with many area high schools and youth organizations. They have drop-in training sessions as well as individual and small group sessions. Mr. Sinkewich stated this year they plan to have over 3,000 attendees that include over 1,200 participants. He said they are partnered with some elite organizations such as T3 Performance, Perani's Hockey, Dick's Sporting Goods, Warrior Hockey, Cleveland Monsters, Nooma,

Lululemon, Ganas Fitness Gear, Ohio Hockey Digest. These are some reputable organizations not only locally, but nationally that are behind their project and what they are all about. Mr. Sinkewich stated the OHP's advisory board is made up of local entrepreneurs and hockey facility experts such as:

Tim and Kevin McCarthy of The Business of Good and Raising Canes  
Steve Sinisgalli of Goldman Sachs  
Mike McNeil, Facility Manager, Gilmour Academy  
Ralph Murovich, Owner, Ice Castle Arena  
Brandon and Jarred Smith, Founders, Nooma

Mr. Sinkewich advised what they are looking forward to doing is partnering with a local community to build Cleveland's first hockey-specific training center. He said it would be world renowned and it would be the first in Northeast Ohio and there are only a handful that exist in our country. It would be a 30,000 square foot build and would be a  $\frac{3}{4}$  ice rink and an off-ice skating development with 4 synthetic ice shooting lanes. Mr. Sinkewich stated construction and development would be partnered through Freeman Building Systems, who is also responsible for the T3 builds. He advised something that is exciting and what they would plan to do is that it would not only be a world class venue to support all Avon ice sports, with hockey being their expertise, but it would be the home for Avon High School for their training needs, open skates, senior skates, learn to skate & play programming. Mr. Sinkewich added that activities would also include fundraising, parties, events, and summer camps, which is their expertise and that is just the tip of the iceberg of what the venue would offer. He advised it would be a great new tax revenue for the City, local employment as they would probably jump from 19 employees to well over 25-30. Mr. Sinkewich stated with everything going on with T3, not just with their current building, but the future building with the hard courts and the baseball field across the street, an ice arena would round out and complete the athletic arm at the Avon recreation campus. He said it could be incredible and he was sure most of them were aware that T3 is in and of itself an absolute goliath in the sports community as it is nationally recognized and to be able to put an ice arena as a hockey stream would be an incredible piece to that puzzle.

Mr. Sinkewich advised as far as a suggested timeline, this has really been two years in fruition from his business, to be in the position to be able to sustain this venture. He said Ms. Fechter, Mayor Jensen and himself have been discussing this back and forth for months and have talked with developers and several different cost estimations. The proposal and negotiations are something they hope to have wrapped up by the end of the summer. Construction, per Freeman, is a 6-8-month timeframe and they have a third-party vendor from Minneapolis that will come in and do the rink install, making it an October 2021 to a May 2022 build out. Mr. Sinkewich stated their hope is to open in June of 2022, which is the start of the hockey off-season and school is out for the summer and one of busiest months for his business. He advised the proposed site is north of T3 and is a vacant lot next to French Creek. The layout of the training center shows the ice arena, the locker rooms, the classroom, the shooting lanes, the skating development area, office spaces and a viewing area with just enough seating. Mr. Sinkewich said from an aesthetics and a facade standpoint they were strategic with that design because if they are given the opportunity to do this project, they wanted it to be uniform and create that athletic campus and the groundwork has already been laid by T3 and the YMCA and the Crushers' stadium, and to have a building that resembles what is already freestanding makes sense.

Mr. Sinkewich advised he understands there is quite a bit to unpack with this presentation and he is very appreciative of the opportunity to present and be considered and he was happy to answer any questions they may have for him.

Mr. McBride asked why just a  $\frac{3}{4}$  rink.

Mr. Sinkewich stated that is what is sustainable in their model. He said they do not host any games or tournaments, but they are purely training development. Mr. Sinkewich advised they looked at their footprint on an ice rink and what they do with their programming and that was the driving factor on top of the upfront build out costs, so all their lending is already in place and their building is going to be between a \$2.5 to \$3 million build out. He stated the big thing that gets a little tricky when they do a full-size rink is besides the upfront build out it also goes into the operating costs. Mr. Sinkewich said typically for a  $\frac{3}{4}$  rink they do about \$10,000-15,000

monthly utilities that includes water, electric and the like, but they would jump another \$5,000-\$10,000 per month for a full-size rink given that their core competencies are not games, tournaments, and the like. He stated they felt it was best to stay with what they know and what could sell.

Mr. McBride stated Mr. Sinkewich mentioned that Avon's hockey program would train at this facility, but he inquired if there was any discussion if the hockey program would pay an additional cost to get a full-size rink to be able to play their home games at this facility.

Mr. Sinkewich advised that is a conversation he has yet to have. He said certainly making the transition to a full-size facility is something that he is more than happy to discuss and be brought to the table as obviously they have not built anything yet. Mr. Sinkewich stated they understand the value in having a full-size rink and what that could do for tournaments, but he did not understand how they could measure the economic impact of bringing in tournaments and games, but it is something that they certainly would be open to. He advised what is exciting is that historically ice arenas have a negative connotation of being financial drains, but the beauty of it is that they have a very sustainable training arm, which makes a rink sustainable. Mr. Sinkewich said to bridge that gap to a full-size rink he would absolutely love to have that discussion and certainly as far as a gain standpoint it would benefit games and tournaments and that is something they would be more than happy to manage and oversee.

Ms. Fechter advised they have been talking to Mr. Sinkewich about the costs from a  $\frac{3}{4}$  to a full-size rink knowing the importance of having these teams and the games in town. She said they are still trying to get some of the pricing on what those numbers would look like. Ms. Fechter stated the reason she asked Mr. Sinkewich to present is because his  $\frac{3}{4}$  ice rink model is sustainable. She said Mr. Sinkewich is here asking if the City will entertain selling the property for \$1 and that is all for a  $\frac{3}{4}$  rink. Ms. Fechter advised the conversations turned to what it would cost if they were to build a full-size rink and his builder is looking into that option trying to get some ideas as to those figures. She said they have a vacant plate opportunity, and the City can decide what direction they want to go and if they want to have any participation in this endeavor in making this a full-size rink.

Mr. Sinkewich advised Michael Burns, Vice-President of Freeman Building Systems unfortunately had a family emergency this week or he would have been able to get all those figures by the end of last week and into this presentation, but they should be forthcoming any day now.

Mr. McBride advised Avon has a history of businesses who regret not building big enough and were overrun and shocked at how busy they were. He said granted, they are a training facility, and he does not know what the demand is for ice skating offered to the public or hockey teams.

Mr. Sinkewich advised just within his organization they have over 80 Avon residents that participate in our programs. He said he would imagine that the demand would be huge and what is so exciting about this location geographically is that they would be the furthest west rink in Northeast Ohio. The closest rink outside of a pavilion, that is a temporary rink in Fremont, is his alma mater at Bowling Green State University. Mr. Sinkewich stated he could see the draw for all these west side communities, and he has no doubt it would be hugely populated. He agreed that moving to a full-size rink has always been the dream, but they must do the numbers and then they would certainly need to talk about more City support because then it will mean a larger parking lot, more bathrooms, more locker rooms, and the like. Mr. Sinkewich advised the model would still be train first because that is their sustainability, and he has yet to see what a second site plan would look like and then it would be a matter of crunching the numbers.

Mr. Butkowski advised he would echo Mr. McBride's comments about going to a full-size ice rink and he understands there would be more operating costs, but he believes they would fill up that ice time quickly just with regular training times for all the teams in the area. He said short of Winterhurst and North Olmsted there is nothing else on the west side and they are always clambering for ice time and Mr. Sinkewich should be able to cover that extra \$5,000 a month in utilities easily just in training time. Mr. Butkowski stated he would support what Mr. McBride mentioned that if they are going to build it, it would make sense to stretch it a little more and

go to a full-size rink. He also said the tournaments and the games that can be played here locally would help draw more people to the area.

Mr. McBride asked if Rocky River still operates an ice rink.

Mr. Sinkewich indicated Rocky River operates their rink Labor Day to St. Patrick's Day each year.

Mr. Butkowski advised to Mr. Sinkewich's point about how his business model differs from what Winterhurst and North Olmsted offer because he has a training site, whereas those other sites are just looking to rent the ice space. He stated OHP is building on that business model beyond that by having that expertise and driving revenue from that perspective in addition to offering the ice space and he agreed he has a solid business model to help move that, but also cover his expenses.

Mr. Sinkewich advised in speaking to a lot of people he hears those little rinks can make money and they can when they are well managed and there are driving tenants and that is the beauty of what OHP offers. He said to give a little bit more scope of the capacity of what they do, they are on the ice over 600 hours in 10 weeks in the summer, which is remarkable, and they are probably top ten in the country. Mr. Sinkewich stated that bridging that gap to a full-size rink is something that he would love to continue discussing and ultimately that would be phenomenal.

Mr. Radcliffe advised he loves the idea of this venture and he is certainly in support of it. He said he is curious about other similar models as he stated he has a model that works with revenues and the like. Mr. Radcliffe stated he read in the presentation something about Ice Castle and asked if they do something similar to what Mr. Sinkewich is proposing. Do they have a full-size rink or are there other  $\frac{3}{4}$  rinks, like he is proposing, in Michigan or Wisconsin or Minnesota that have the same type of model that work and are positive that run only at the  $\frac{3}{4}$  size rink or do they work from a full-size rink.

Mr. Sinkewich advised the Ice Castle in Pennsylvania is a twin sheet, which is 2 full-size ice rinks. He said they are a little bit of a different animal as there was a construction tycoon at that time. Mr. Sinkewich stated as far as the model that they are going with, there are several different people that they compete with nationally, certainly not locally, as there is one in Minnesota, one in Phoenix, one in Los Angeles that went with this studio version, the training route. He advised that was kind of the driving factor simply because he knows what OHP's numbers are, and they are sustainable tomorrow. Mr. Sinkewich said they could open tomorrow, and would have no problem covering the note on the loan and operating expenses, but it is the additional size and all the associated expenses that would be a concern.

Mr. Radcliffe inquired if there are  $\frac{3}{4}$  rink models that function and have been in business for several years.

Mr. Sinkewich confirmed that and answered for years.

Mr. Radcliffe asked if he is correct in saying Mr. Sinkewich has been in business since 2011.

Mr. Sinkewich said yes, they formed an LLC in 2011. He stated 2008 was when he graduated college and when he started OHP as a young entrepreneur who wanted to get on the ice and help kids, but he quickly learned.

Mayor Jensen stated he and Mr. Sinkewich talked the other day about the possibility of a full-sized rink. He advised Mr. Sinkewich to continue to follow his goals, but he felt the residents of the City of Avon would love to see a home field for hockey. Mayor Jensen said he knows that OHP's model is for training and he understood they would not want to get away from that too far. He advised the push is that Avon residents want a home field, and he felt the City is looking for the training that OHP could bring like T3 does that brings people from all over the area and that model has been proven sustainable and a huge success and to put in a full-size arena could take away from that. Mayor Jensen stated this body would like to see that so that Avon can have a home ice rink, not necessarily a place to practice all the time, but a place to train. He suggested Mr. Sinkewich to stay with his proven model and not to let them convince him otherwise, but they would certainly like to see it where Avon

could play at home in Avon. Mayor Jensen advised Mr. Sinkewich that the next step would be to try to get a solid plan together that he could present to the City and Ms. Fechter would assist him. He said they could see there is interest from Council to move forward, but they want to see what it would look like.

Mr. Sinkewich thanked Council and the City Administration for their time.

2. ORDINANCE NO. 31-21 – TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$3,600,000 BOND ANTICIPATION NOTES OF THE CITY OF AVON, OHIO IN ANTICIPATION OF THE ISSUANCE OF BONDS TO PAY THE PROPERTY OWNERS' PORTION AND THE CITY'S PORTION OF THE COSTS, IN ANTICIPATION OF THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS, RELATED TO THE IMPROVEMENT OF ELIZABETH AVENUE, JOSEPH STREET, PUTH DRIVE, AND DETROIT ROAD BETWEEN THE ADDRESSES OF 34008 AND 34901 BY THE CONSTRUCTION OF A SANITARY SEWER, TOGETHER WITH ALL NECESSARY APPURTENANCES AND RELATED IMPROVEMENTS THERETO Mr. Logan

Second of Three Readings at the Special Meeting Immediately Following this Work Session.

Mr. Logan advised they spoke about this item last week and he is asking Council to have the second reading tonight at the Special Meeting and then the third reading and adoption at the Regular Meeting next week. He said they can then proceed with selling the notes. Mr. Logan stated they would be dated early June and \$3.6 million is the maximum amount of the notes and they have not determined exactly what they will issue, but certainly it will be no more than that amount. He reminded Council that with these notes they are putting in a 90-day call provision, meaning after 90 days of their issuance they could call them back and issue bonds and that is something they are still considering.

Mr. McBride inquired as to the current anticipated interest rate.

Mr. Logan speculated it was not going to be much higher than what they did in the notes that were sold at the end of January or early February. He believes those previously sold notes had a net interest cost of around .35% or .40% and felt the same would hold true with these notes. Mr. Logan advised they will sell the notes and probably generate some premium and felt they would most likely carry a 1% to maybe a 1.25% coupon. He stated with that premium offsetting that net interest cost, it would probably be around .40%. Mr. Logan said the Treasury rates are not moving right now and are even a little bit lower than a few days ago. He reminded them they were 5 or 6 weeks away from selling these notes.

3. ORDINANCE NO. 32-21 – TO AUTHORIZE A DEVELOPER'S AGREEMENT FOR GEIS AT CHESTER, LLC Mr. Gasior

To Be Addressed at the Special Meeting Immediately Following this Work Session

Mr. Gasior advised this Ordinance was brought before Council last Monday in preliminary form. He said they finalized it and the correct entity that is going to enter into the Developer's Agreement is Geis at Chester, LLC. Mr. Gasior stated they had to go back over a couple of items that were not applicable in many of the City's other Developer Agreements because this is strictly a traffic signal and some pavement markings for crosswalks and the like. He advised everything is now in order and he believes the money has been received to which Mr. Logan confirmed the deposits were all received. Mr. Gasior reminded Council this is the traffic signal that will be at the entrance to Bendix on Chester Road, and it will line up with NWQ Jacobs on the other side of the street and the City is not paying any costs here at all as it was being funded by those two entities.

Mr. Fischer asked if Geis is going to be the developer of record.

Mr. Gasior confirmed that Geis at Chester, LLC is the developer and added that the bonding will be done by Geis Construction, of which Geis at Chester, LLC is a subsidiary.

4. ORDINANCE NO. 33-21 – AUTHORIZING THE CREATION OF THE AMERICAN RESCUE PLAN ACT FUND NO. 287 Mr. Logan

Mr. Logan advised the Auditor of State put out a bulletin last week suggesting that the governments in Ohio set up this Special Revenue Fund. He said last year the Coronavirus Relief Fund (CRF) came through the Budget Management Office of the State of Ohio through the County and then to the cities. Mr. Logan assumes that will happen this year with these funds, the American Rescue Plan, and he is requesting Council set this fund up. He said the City should receive their first distribution by May 10<sup>th</sup> or 11<sup>th</sup> as they were told within 60 days of when the bill was signed, which he believes was March 11<sup>th</sup>. Mr. Logan advised this fund is where the City will deposit that money and what they do with it is yet to be determined.

Mr. McBride asked what the guidelines were for spending these funds.

Mr. Logan advised there are restrictions, but the full guidance has not yet been released by the US Treasury Department as he assumes they are still working on it. He said the main uses of these funds are replenishing 2020 lost revenue compared to 2019. Mr. Logan stated they can use it toward certain wages for 2021 if they are directly related to fighting Covid and that sort of thing. He advised thirdly, the largest one that these funds will be used toward will be infrastructure improvements and it was specifically mentioned water, sewer and broadband. Mr. Logan said there has been no more detail than that at this time. He added the City has until December 31, 2024 to use these funds and he was not sure it could be used on past projects, but they can lay things out going forward for the next three and a half years and use the funds toward sewer, water and broadband.

Mr. McBride inquired if that includes storm sewer in the approved use. He advised if they could use the funds for storm water improvement, there is that gap on Avon Road. Mr. McBride felt they could not just assess those homeowners for sidewalks and then tell them they must pay to fill their ditch in. He said it would be nice to be able to tap some other funding.

Mayor Jensen advised that is what they will look at once they have the total guidance of where they can spend these funds. He said that could be one of the projects. The City has talked about finishing sidewalks and the City would have to step in and finish the sidewalks over to Nagel Road. Mayor Jensen believed the funding was going to come in two payments to the City and he did not know if they must use the first half within a certain period or if they could put it all together and have the full time allotted to finish, but they do not have those guidelines yet.

Mr. Logan said he believed it was all to spend up until December 31, 2024. He agreed it was coming in two payments with half this year and the other half coming a year from now.

5. [ORDINANCE NO. 34-21 – AUTHORIZING AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION \(ODOT\) FOR THE PAVEMENT RESURFACING AND ASSOCIATED IMPROVEMENTS ALONG CERTAIN SECTIONS OF STATE ROUTE 254 \(DETROIT ROAD\)](#)

Mr. Cummins

Mr. Cummins advised this agreement is referencing the phase 2 Detroit Road resurfacing project. He said a couple months ago there was the initial legislation for this project which allowed Avon to consent to the work. Mr. Cummins stated this Ordinance establishes the ability for the Mayor to sign a contract with ODOT for the performance of the work and establish the City's estimated contribution to the project at \$295,000 and that gets paid upfront. Once the project is complete any overages would be billed to the City or any underages would be refunded. He advised this is the legislation that sets up that project.

6. [RESOLUTION NO. R-6-21 – TO ADVERTISE FOR BIDS FOR THE JAYCOX ROAD-NORTH PAVEMENT RESURFACING PROJECT](#)

Mr. Cummins

To Be Addressed at the Special Meeting Immediately Following this Work Session

Mr. Cummins advised this legislation will allow for the public bid of Jaycox Road-North resurfacing that would stretch from Chester Road northward up to the City limit just south of the railroad tracks. He said in total the project is 3,700 feet in length and the estimated construction cost is \$490,000. Mr. Cummins reiterated this Resolution will authorize the public bid and said the results would be obtained and brought back to City Council for consideration of moving forward with the construction contract.

7. RESOLUTION NO. R-9-21 – TO ADVERTISE FOR BIDS FOR THE NAGEL ROAD-NORTH PAVEMENT RESURFACING PROJECT Mr. Cummins

To Be Addressed at the Special Meeting Immediately Following this Work Session

Mr. Cummins advised this legislation is like the previous one to authorize the public bid. He said this project would extend along Nagel Road in the area north of Chester Road, but it would begin where the interchange project ended to the north and that would be the project's southern extent. Mr. Cummins stated the northern extent of the project would be where Avon Lake ended its Kreb's Road project, which is basically in front of The Rock Pile landscape area. He said there is an exhibit provided for Council's reference showing that is really the worst section of roadway in that area and they are looking to repave that section. Mr. Cummins advised once the bids are received, they will come back for Council to consider if they want a construction contract awarded.

Mr. McBride advised he understands they will probably be going ahead with the traffic signal at Lear Industrial Parkway/Health Campus Boulevard. He asked if they will be coordinating those projects.

Mayor Jensen advised they have the one project moving forward already. He said this resurfacing project will not impede anything that is going on but will improve what is being installed. Mayor Jensen stated they looked at when installing the traffic light that traffic may increase to this area instead of coming down Chester Road and they thought it would be better to look at resurfacing this portion of Nagel Road this year if the price comes in competitively.

Mr. Butkowski inquired if these bids come in favorable would the point be to do both projects at the same time or stagger them so that traffic will not be as impeded.

Mr. Cummins advised they can look at that at the time. He anticipates having the bids for the Jaycox Road-North project in before the Nagel Road-North project as the Nagel Road plans were still under development and the Jaycox Road plans are essentially ready to go to bid. Mr. Cummins stated he does not anticipate these two projects happening at the same time, but that is something they will have to keep an eye on as time moves forward.

Mayor Jensen said what they are looking at with these paving projects is to do the work in the evening so it would not disturb traffic during regular business hours. He stated they are looking at putting these three projects together to see if a company would provide a better bid by being awarded all three projects at the same time and then asking for the work to be performed in the evening would hopefully alleviate traffic issues and hopefully be enticing for a company to want to go for all three projects.

8. RESOLUTION NO. R-10-21 – TO ADVERTISE FOR BIDS FOR THE CHESTER ROAD PAVEMENT RESURFACING PROJECT Mr. Cummins

To Be Addressed at the Special Meeting Immediately Following this Work Session

Mr. Cummins advised this Resolution is authorizing a public bid. He said the portion of Chester Road that would be in this project is approximately 1600 feet in length and it lies between Jaycox Road and Nagel Road, but it is not the entire length between. Mr. Cummins stated the project would start at the eastern extent of the large Chester Road project that was done a few years ago and would run to the east basically to Lear Industrial Parkway, which happens to be the western extent of the interchange project that was done. He advised this project also is resurfacing of a concrete street so they will be grinding off a couple inches of the concrete and doing base repairs and then replacing it with an asphalt surface.

9. REPORTS AND COMMENTS

MAYOR JENSEN advised last week he mentioned something about getting a committee together to discuss the bike path along French Creek Road and he would like to delay that committee meeting for about a month. He stated the City received a lot of phone calls questioning what is going on with the bike path. Mayor Jensen said the initial reason for the committee meeting would be to discuss why one side of the road was chosen

over the other, but he believes the Administration is going to need more time to answer all the residents' questions before moving forward. He advised they still need to get the school on the agenda to talk about the Performing Arts Center that is currently underway, and the bike path project was probably still two years out. Mayor Jensen asked that if Council receives any calls about the bike path project to please provide their email address to Ms. Fechter and she would make sure to contact them personally to let them know when it will be discussed. He felt they must prepare to answer all the residents' questions and that will take more time and he wanted to get some of the more pressing items addressed first.

COUNCIL MEMBERS:

MR. BUTKOWSKI, WARD 1 had no further comments.

MRS. HOLTZMEIER, AT LARGE had no comments.

MR. MCBRIDE, WARD 2 thanked Mayor Jensen and his Staff on a few items. He said he knows the Zoning Enforcement Officer went out and was finishing up the list of sidewalk improvement areas in some residential areas to hopefully complete some connections and loops. Mr. McBride stated he wanted to emphasize that they need to somehow finish Avon Road; the sidewalks are the easy part, but those culverts are the big issue. He advised Mr. Cummins has been looking for funding to try and make that happen because it will be quite expensive. Mr. McBride said he had a residential complaint, and the police became involved, and the responding officers did a great job in calming the entire situation down and everything seems to be quiet now. He added that he does not think the City wants to be in the position where they must come up with an Ordinance to handle a specific situation.

MR. MOORE, WARD 3 had no comments.

MR. RADCLIFFE, WARD 4 advised regarding the sidewalk list for 2021 as he knows they were starting to get some circulation on the list of potential projects. He said from what they have been provided so far, the total linear feet seem a lot smaller than in years past. Mr. Radcliffe encouraged the City Administration to continue to improve that list for 2021 by continuing to increase the linear feet to be improved and get more done for the residents. He stated he knows there is a lot involved with working with the property owners.

Mayor Jensen advised the Zoning Enforcement Officer is waiting on more input from Council to add to the improvement list. He said the list provided so far are the obvious areas to improved, but Mr. Schneider is hoping that Council will let him know areas in need based on calls they have received.

Mr. Radcliffe advised in 2017 there was a total of 7600 linear feet, and he believes the 2018 and 2019 figures were in the 6000 or 7000 linear feet range. He said he would be happy to send some areas that he feels need improvement and he was sure the rest of Council could as well.

Mayor Jensen advised they would like to get the number double what was proposed and if each Council Member knows of an area in their Ward, that is what Mr. Schneider was asking.

Mr. Radcliffe stated residents are always asking and the City has worked to fix some of those areas on Jaycox Road and it would be nice to continue that.

Mr. McBride advised there is a whole area in his Ward where there are virtually no sidewalks and they could propose those be installed, but he does not know that anyone really cares in that neighborhood. He said he could make a point to talk to people and target that neighborhood when he is circulating his petition this year.

Mayor Jensen felt that is where they are as a City with the sidewalk program as there were some obvious areas that needed to be completed and then there are other areas where constituents are asking about specific areas and that would be the impetus to move forward. He indicated some on Council might be more aware of areas that people are asking to be improved versus an area that no one is inquiring about that could be improved later when the more pressing areas are completed. Mayor Jensen advised they are still trying to work on the bridge on SR83 and the City received some cost estimates of over \$200,000 and that is without the rail for the bridge over French Creek and that is going to be a huge expense and may have to wait until next year.

Mr. Butkowski advised regarding SR83 and that French Creek span as he knows there has been discussion about SR83 potentially being widened and/or repaved. He said he would hope potentially installing a

bridge was a part of that discussion. Mr. Butkowski inquired if there was any update as to where the State is with possible projects on SR83.

Mayor Jensen advised the repaving is for sure going forward, but the widening has not really been discussed. He said they were hoping if the widening was even close to be improved that they could put it together as one project.

Mr. Butkowski asked if there would be an opportunity to get some funding through NOACA with some of their initiatives for installing a bridge at SR83 to get some connectivity along that route.

Mayor Jensen recognized that Randy Lane of NOACA was present and could possibly answer that question.

Randy Lane of 36104 Billingsley Row, who works for NOACA, advised that NOACA is currently talking about east of the bridge on SR83 by the Miller Nature Preserve.

Mayor Jensen clarified they were talking about the west side of the street as they were trying to get some easements to install a bridge.

Mr. Lane advised that is a project that would be eligible. He said he knows that Mayor Jensen and Mr. Cummins are very familiar with NOACA's processes and they are 3 or 4 years out with current approved projects. Mr. Lane stated there are some programs that ODOT operates that include historic bridges that are collected from all over the State that essentially are donated to various entities and that is an option they may want to consider. He added that the City would still have to pay to have the work performed to install the bridge at its new location, but the bridge itself would be free, and the City would have a nice historic bridge. Mr. Lane advised he would discuss with Mr. Cummins those processes from NOACA, but that is an area that would be eligible for federal funds that NOACA administers and potentially would work with ODOT for a future project.

MR. WITHERSPOON, AT LARGE had no comments.

MR. FISCHER, AT LARGE had no comments.

#### DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER advised they had a second pre-construction meeting today for the Elizabeth Avenue, Puth Drive and Joseph Street project. He said the contractor is preparing to come back and begin the final efforts which include resurfacing the roadway, restoration, apron repair and the like. Mr. Cummins stated they are aiming to come back on-site May 3<sup>rd</sup> and begin the roadway resurfacing, which is a recycling and resurfacing program, and they would start seeing more activity going on. He advised the current proposed schedule presented today estimates that the project will be completed the 3<sup>rd</sup> week of June and that includes everything with good weather. Mr. Cummins stated they have been a very good contractor to work with and have been true to their schedule so far so he hopes that continues.

MR. FARMER, SERVICE DIRECTOR had no comments.

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

MR. GASIOR, LAW DIRECTOR advised he wanted to briefly point out that Substitute House Bill 157, to Amend Section 29 of House Bill 197 deals with the location of where businesses tax an employee's income tax. He stated with more people working from home/remotely it has been an issue and the legislature back in April of 2020 passed Section 29 in House Bill 197 that said that if an employee is working remotely/home they would still pay the tax to the City where the office is located. Mr. Gasior said the State Legislature wants to repeal that with House Bill 157. He advised the Ohio Municipal League is very involved in this and he believes RITA, Regional Income Tax Authority, is also on the side of opposing House Bill 157 that allows the situation to remain as it is, the status quo, where the taxing entity is the corporate headquarters and not the home of the remote worker. Mr. Gasior stated he is going to try to send Council some literature that he and Mr. Logan have received on the topic for their review and possibly discuss it at the next Work Session.

Mr. McBride inquired if it is known, where the City would stand should that Bill pass to not pay the income tax where the office is located if you are working from home. He asked if they know if the City would gain or lose.

Mr. Logan advised when RITA came out with guesstimates back in October based on Avon residents who are now working from home that before Covid worked in another taxing city. He said that would be a gain for the City of Avon because now they are working here and if this goes through, they will get taxed where they live. Mr. Logan stated the other side of that is that Avon non-residents who are employees of a business in the City of Avon that are now working from home. He advised that Avon business is now withholding income tax from wherever their working at home employees live. Mr. Logan noted if they live in a township, there is no income tax. He said RITA's best estimate is if 30% of our residents are working from home and if 30% of the non-residents that are employed here, are now working from home, the City of Avon would gain \$64,000, which is a non-event to the City of Avon.

Mr. McBride advised he is guessing that cities like Cleveland and Cincinnati will take a big hit.

Mr. Logan advised he has a listing of the RITA cities where estimates were calculated. He said there was literature he sent around last fall about the major cities such as Cleveland, Cincinnati, Dayton, Columbus, Akron, and Youngstown. Mr. Logan stated the City of Youngstown would be annihilated using those same assumptions; they would lose almost \$10 million a year in income tax. He advised those major cities that are not collected by RITA such as Columbus, Dayton, Cleveland would be devastated. Mr. Logan said they would have a hard enough time because so many of the offices that are downtown are not going to come back to where it was to begin with, with or without House Bill 157. He stated from a pure income tax standpoint it would be a disaster.

Mr. Gasior advised really what the Resolution would be if Council chose to pass one, is a show of support for these larger cities.

Mr. Logan believes that is what the Ohio Municipal League is supporting. He said the economic impact to the whole State would be a big negative and that is where the OML is coming from.

MR. LOGAN, FINANCE DIRECTOR advised to add to that same discussion it would be a bookkeeping nightmare for all these companies. He said instead of the employer withholding for the city the business is in, they would have to withhold for all the employees from here to there, which would be a nightmare just from the accounting side of it.

MR. STREATOR, SAFETY DIRECTOR had no comments.

AUDIENCE:

There were no comments from the audience.

10. ADJOURN: 8:25 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