

**Minutes of the Meeting of the Service Committees of Council
Held in the Council Chambers of the Municipal Building
On Monday, May 13, 2024, at 6:00 P.M.**

Jennifer Demaline, Chair of the Service Committee called the meeting to order.

Service Committee Members Present

Chair, Ward 1 Council Member Jennifer Demaline

Council Member At-Large Mary Berges; Ward 3 Council Member Tony Moore

Other Officials in Attendance

Ward 2 Council Member Dennis McBride; Council Member At-Large Michelle Patton; Ward 4 Council Member Scott Radcliffe; Mayor Bryan Jensen; City Engineer Ryan Cummins; Planning/Economic Development Coordinator Pam Fechter; Finance Director Steve Presley; Law Director John Gasior; Clerk of Council Barbara Brooks

Audience Members in Attendance

Larry Escalante, Pat Jankowski, Ralph White, Brett Bartolovich, Keith Dedek, Adalisa Dedek, Brian Campbell, Andrew Dudukovich, Joseph Sabella

Discussion of the Sidewalks/Stormwater on Lakeland and Garden Drives

Mrs. Demaline advised they have called this meeting for discussion of the sidewalks and stormwater on Lakeland and Garden Drives. She stated Council Member Moore requested she call this meeting and she yielded the floor to him.

Mr. Moore advised some residents reached out to him asking questions about the sidewalk program and in trying to schedule a meeting it was thought that it would be more productive to wait until there was more information to give the residents. He said they also have been looking into some stormwater management concerns for that area and it would be good to address those concerns in this meeting as well. Mr. Moore asked Mr. Cummins to provide an overview of the sidewalk program and the process of information that has been gathered and he knows the residents have some questions and they would be given an opportunity to ask those in this meeting.

Mr. Cummins advised each year for Avon's annual Sidewalk Program areas of the town are selected for sidewalks to be installed where they do not currently exist. He said generally they were areas of town where there has been almost complete or substantially complete development along the streets. Mr. Cummins stated there has been a push over the past few years to speed up how much sidewalk is getting constructed to try and get complete coverage across the City in the coming years. He advised the 2024 Sidewalk Program was no different, they identified some potential areas that seem to make some logical sense with areas that have sidewalks, areas that do not have sidewalks and areas that were developed. He added that areas where there might be future road programs might be avoided for now as well as areas where there was development on the horizon. Mr. Cummins indicated keeping those factors in mind, they came up with a list of over 22,000 lineal feet of sidewalk within the community and it encompassed 13 or 14 different areas. He advised Garden Drive and Lakeland Drive were two of those areas that were identified. Mr. Cummins stated some adjacent streets such as Stoney Ridge Road and Garden Drive further to the north already have sidewalks. He said Lakeland and Garden Drives, the southern end, form a logical connection to get from the Stoney Ridge Road area toward the center of town from a pedestrian perspective. Mr. Cummins advised that was part of the list that was provided to City Council and that list was approved and then the engineering begins, and they start putting plans together. He said he was happy to speak to the individual property owners after this meeting, but each

property owner will receive an individualized plan of their frontage that will show where the sidewalk should be located within the right of way. If there was anything the City needs to do to prepare for that work, it also will be identified. There will be enough information on that plan that a property owner could hand it to a contractor, if they so choose, and based on what is on that plan a sidewalk can be constructed to match the plan. It includes elevation benchmarks noted, distances from the pavement, property lines and the like. Mr. Cummins said some property owners install the sidewalks themselves, others have hired a contractor, and others will engage with the City, and it will become part of a group that the City will hire a contractor to perform that work. He stated where the City is in the process with Lakeland and Garden Drives, both of those areas have been surveyed and they have preliminary plans noting that the Lakeland Drive preliminary plans were more advanced now. Mr. Cummins advised they have substantially complete plans for Lakeland Drive, and they were still working on some of the grading for Garden Drive to make sure there were no issues. He continued by saying that once the first draft is complete, those plans were given to the Service Department and talk through any number of issues such as if a yard drain needs added or a hydrant needs to be relocated and make sure the City is onboard with having those things done and verify if that was work the Service Department should do or the residents should do creating a list to prepare for what the resident will be asked to do by installing the sidewalk. Mr. Cummins said these two areas were part of the many areas that they were working on simultaneously. There is a section of Schwartz Road where a paving project is ongoing so that had a lot of the survey work done for section so that is probably the most advanced section in this year's sidewalk program as far as the plan preparation is concerned, but he believes they have completed most, if not all, of the survey work and were into the drafting phase and then the layout phase. As he stated, he was happy to meet with the residents individually to show where they were currently with the plans for any particular lot, but the goal was to set the sidewalk one foot inside the right of way line and adjust it as necessary should there be a nice tree that they want to avoid or a drive culvert that they may need to work around. He stated those adjustments continue through the design process and then through interactions with the Service Department until they get to a point where the individual plans were ready to be given out to the property owners and that was generally where the official notice goes out to the property owners that City Council has identified the area to have sidewalks installed and they would be provided their plan (or given instructions of where to pick it up) for what to construct and where to construct it. The details of the sidewalk construction such as thicknesses and the like would all be included as well as their options as far as the schedule to have the work completed by and the like. He said there would also be instructions for the property owners if they choose to have the City install their sidewalks. Mr. Cummins stated that is the general process and what they were working through currently and they were very advanced on Lakeland Drive and a little bit behind that on Garden Drive, but he has those with him tonight if anyone present wanted to look and ask questions after the meeting.

Mr. Cummins advised there was some discussion on Lakeland Drive about drainage with the property owners saying there were some issues. He said he talked that over with Mayor Jensen and Council Member Moore and he was instructed to go out and do some more field investigations and some of those were done as late as last Saturday. Mr. Cummins stated they found that there are some problems as there are some things that are clogged and maybe some things that are collapsed and he just got that information into his office today and shared it with Council Member Moore and Mayor Jensen and he was sure they would be talking tomorrow with the Service Department to get the Vactor truck and clean out what can be cleaned out and see what else needs to be fixed or if there is anything that is crushed or the like. He felt like that was a positive thing that came out of this process.

Mr. Moore asked if anyone else on the Service Committee had something to say before the floor is opened for public comment.

The other committee members indicated they did not have anything more to add at this time.

Mrs. Demaline welcomed those who wished to speak to come to the podium and state their name and address for the record.

Brett Bartolovich of 36755 Lakeland Drive said they have not had sidewalks on Lakeland Drive for 60 years and now all of sudden the City felt they needed them installed. He asked how Lakeland Drive became the City's point of interest for sidewalks to be installed.

Mr. Moore advised he has been on City Council for seven years and it has been City Council's as well as the Administration wish to have better connectivity and they were overwhelmingly hearing that same thing from residents. He said he has been a part of the sidewalk program since 2019 and they have added thousands of linear feet of connectivity in the City. Mr. Moore stated each year suggestions from Mr. Cummins to Council and Lakeland Drive was not on the radar five years ago, but as they started to connect areas throughout Ward 3, they could still see gaps where residents were needing pedestrian access through the City. He advised the goal was to get the City connected all throughout the City and it is something that Council was trying to accomplish based on what they are hearing from residents.

Mr. Bartolovich asked to connect to what because Lakeland Drive connects to Stoney Ridge Road and Garden Drive connects to Detroit Road.

Mr. Moore said that would be one way to get to the middle of downtown Avon without going all the way around. He states residents were asking to get through there without walking down the middle of the road.

Mr. Bartolovich said he does not walk down the middle of the road, but he walks on the side of the road.

Mr. Moore said that was dangerous.

Mr. Bartolovich indicated he does not know of any accidents on Lakeland Drive that involved a pedestrian or even a motorist.

Mr. Moore asked if they want to risk having that accident.

Mr. Bartolovich stated he was talking about something that could potentially happen.

Mr. Moore asked if he wanted them to take that chance and someone gets hit.

Mr. Bartolovich asked then why they did not have sidewalks all the way down Center Road. He said if there was one thing he noticed in this City it is that sidewalks were intermittent to where they go to nowhere.

Mr. Moore said they were trying to connect all the way through the City.

Mr. Bartolovich said he does not see that. He asked how they can hodge podge. Mr. Bartolovich stated he personally would work on the main arteries that come into the City as he felt those were the areas they should attack first. He said Lakeland and Garden Drives were just thru streets. Mr. Bartolovich advised if they want to connect to the pool, they could take Stoney Ridge Road to Detroit Road as he felt it was the same distance versus cutting through to Lakeland and down to Garden Drives.

Mr. Moore advised they have been very consistent with how we have been taking the approach over the last 7 years that he has been on Council.

Mr. Bartolovich stated he does not believe that, because of the way it is hodge-podged across the City.

Mr. Moore stated he is happy to sit down with Mr. Bartolovich and Mr. Cummins to show him, at least in Ward 3, some of the areas that have been missing and we connected with one being on Schwartz, which was a big connector. He said in front of ZZ's Big Top on Detroit Road they finally connected as residents on Palmer Lane and Covington Place had no way to walk there, so those sections are getting filled up with sidewalks.

Mr. Bartolovich stated yes but if you take a tour around the city like he did this morning, he was surprised about how things have stopped to nowhere and start from anywhere. He asked why they cannot just finish one area.

Mr. Moore stated it cannot all get done at once.

Mr. Bartolovich commented that he knows that the City of Avon looked at 1.8 million dollars grant from the State for pedestrian safety and that is going towards sidewalks on State Route 83. Why can't they take some of the money from that grant and put it toward other areas that need sidewalks? Is it because it is a State Route?

Mr. Cummins advised that is correct.

Mr. Bartolovich asked if the property owners on State Route 83 do not have to pay for their sidewalks.

Mr. Cummins advised there will be a portion of local funding that will have to be added to the grant money to make that project happen. He said he does not believe City Council has yet made the determination about how much, if any, of that will be assessed to those residents or not.

Mr. Bartolovich stated he thought it was also code that when you build a new house you had to have sidewalks in front of it.

Mr. Cummins stated that is code. Mr. Bartolovich interjected that is not happening.

Mr. Cummins continued that is why they see a lot of places where the sidewalks seem like they go to nowhere because when the house was built, they installed sidewalks. Some new home builders have approached the Board of Zoning and Building Appeals to ask for variance to wait to install sidewalks since there is not a connection, but they will have to install their sidewalks when the development gets to them. Mr. Cummins added they have been allowed to not install their sidewalks for a time, so it looks like it is not happening, but there is a mechanism and an agreement for it to happen when the other areas are built up.

Mr. Bartolovich stated he chose to buy a house on Lakeland Drive, he has lived on Lakeland Drive for 60 years, his parents live down the street. He chose that street because there were no sidewalks and the price was good, those were the two major reasons he bought his house. He added you can have a development where these people bought their houses, they have sidewalks, they know what it looks like, they make that decision to buy that house with sidewalks, the only difference here is this is being imposed on them without any of their feedback. Mr. Bartolovich said he found out through a friend of his that he is getting sidewalks, he is embarrassed by the lack of transparency of this Council. He added he does not know why there is not feedback from the residents that the sidewalks are going to be installed on that street. Mr. Bartolovich suggested that before they tell him that was something they would do in the

future, he felt this is the way Avon does business, City keeps them in the dark. Mr. Bartolovich stated he has been hearing about sidewalks for 25 years, and suddenly, he sees surveyors in his yard taking surveys of the drain and everything else. He asked the surveyors what they were doing and was told they are getting sidewalks. Mr. Bartolovich stated he was the one who informed the other residents present that they are getting sidewalks. He said Mr. Moore told him that there was a survey conducted in Avon that people wanted connectivity with sidewalks, but he felt no one on Lakeland Drive was asked that question nor on Garden Drive. Mr. Bartolovich said he took his own survey from the residents on Lakeland Drive and no one on that street wants sidewalks and if they have been down there lately, they would see “No Sidewalks” signs.

Mr. Moore stated he has been down Lakeland Drive many times and there were some people that might say he has not been, but he has been.

Mr. Bartolovich inquired what is the right of way on Lakeland Drive as he felt that must be known.

Mr. Cummins advised it is known and it varies depending on where they are at and that is shown on each individual plan as well.

Mr. Bartolovich inquired if that plan was available to them now, because he felt that should be pretty consistent across all Lakeland Drive.

Mr. Cummins advised it is generally 60 feet.

Mr. Bartolovich confirmed 60 feet from the middle of the road.

Mr. Cummins stated no, 60 feet from the center and the road is not necessarily in the center.

Mr. Bartolovich asked if it is a 60-foot slot, with 30 feet on each side or 60 foot on his property.

Mr. Cummins stated no it is 60 feet wide in general, with 30 feet on each side of the center line. He noted it is a survey center line, most times that survey center line lines up with the center of the roadway; however, that is not always the case.

Mayor Jensen advised if they look on the GIS map of their property they would see approximately where that center line is located.

Mr. Bartolovich stated that it is 30 feet more into his property than what he has today. He added that sidewalk can be 29 feet because it was said there is about 1 foot inside the right of way.

Mr. Cummins stated he would be happy to show Mr. Bartolovich the plan after the meeting.

Mr. Bartolovich stated that is fine, but the other thing is that they were talking about safety and sidewalks. He added but they are bringing people 30 feet closer to his front door, and he loses privacy, has safety concerns. Mr. Bartolovich noted the City of Avon has a football game every Friday night and people park up and down that street left and right and he is sure they are not from Avon. He commented that they will be walking on his sidewalk closer to my house all the way to the stadium. Mr. Bartolovich stated he does not like that.

Mrs. Demaline thanked Mr. Bartolovich for coming to the meeting and providing his feedback and his comments. She stated they understand his concerns about the notification of residents, and she

apologized that they all found out about the sidewalks by having seen surveyors in their yard. She said Council has asked the Administration to be on top of that going forward and she apologized again.

Mr. Bartolovich commented he knows that is not going to happen.

Mrs. Demaline advised that is what City Council has asked of the Administration going forward.

Mr. Bartolovich stated if they put in 121,000 feet of sidewalk already, wouldn't they think some residents were going to kick back on that when the City is assessing them the cost of about \$5,000 on a 100-foot-wide lot, he would think so.

Ralph White, 36735 Lakeland Drive, stated he has heard rumors in the past 7 or 8 years that sidewalks are coming. He stated that being involved in the City and growing up here, he knew all about sidewalks going in and the vision for that. Mr. White stated when he looks around and sees sidewalks it seems that the majority of them are reasonable, but now when he hears there is going to be a 5-foot-wide sidewalk, he believes that to be ridiculous as you could drive a golf cart down on that type of sidewalk. Mr. White stated he is concerned that the sidewalks will infringe on his property. He noted that his lot is very wet, and it does not drain. Mr. White commented that the storm sewers are inadequate as all it does is take water from the street and fills his ditch which results in his whole lot being under water and his basement was constantly wet. Mr. White advised he can only do his best short of tearing the house down and re-grading or building a new house which he cannot do.

Mr. White advised his driveway is low and noticed that everything seemed low; however, noted that his neighbor's properties are elevated higher as well as the street. He noted his concern regarding differing high and low property elevations and that now they are planning to put in a sidewalk. Mr. White advised that he spoke with Mr. Cummins and Mr. Moore on the phone prior to the meeting to discuss the issues further. Mr. White also advised that Ms. Berges had stopped by to look at the property so she could understand the issues he was facing.

Mr. White stated that Mr. Cummins advised him that every property would be handled individually. Mr. White stated Mr. Cummins believes that some of the storm sewer sections could be caved in and he noted that he has had three cave-ins in the last 20 years. He noted that when this happens the City is on the spot and they come and fix it, but he believes that to be a band aid as it is an old system.

Mr. White advised his gutters are at half the flow and due to this he cannot install gutter guards on the water comes down. He noted he has a sump crock and two sump pumps that run five hours continuously during heavy water intake. Mr. White stated when he checks his downspouts he is sloshing in water the entire way. Mr. White explained that he wakes up in the middle of the night when it is raining and thundering, he starts wondering if the power is going to go out because then he is concerned that the sump pump will also go out. He noted he makes sure he is up, and he does not mind just in case he has to plug in his generator. Mr. White advised that if he is out somewhere and notices storm clouds, he worries he must get home as he is concerned about the water. He added he is always on top of it. Mr. White mentioned this is very stressful and it creates a lot of anxiety for him. He advised he decided to purchase the house so he believes it is his fault; however, if he had known of the water issues, he would have never bought it.

Mr. White stated that he talks to his wife about moving all the time. He added that his home is on a nice street, and he believes it was built to not have sidewalks. He commented that if you put sidewalks in the mix, they would have to fill in the ditch. Mr. White stated if the ditch is filled there would be nowhere for the water to go which would result in more water in his yard, it would be like the Hoover Dam. He added

especially a 5-foot-wide sidewalk at almost 30 feet into his property. Mr. White does not understand that reasoning. He noted the main thing was that he does not think sidewalks are needed because there is minimal foot traffic. Mr. White noted that is retired so at times he will sit out and watch the neighborhood and noticed that there is not a big flow of foot traffic except maybe a couple joggers or a mother with a stroller but otherwise there is no traffic. He added if you look online it will say "low traffic, low noise."

Mr. White noted that the reason why Garden Drive has sidewalks on the second half was because that is the newer section when those houses were built. He commented that the older part of Garden Drive does not have sidewalks; however, Garden Drive lawns are slanted, and the water goes to the street which has curbs that also have drains and the water flows. He stated they talked about not doing much on Garden Drive and noted that is easy as half of it is already done. Mr. White believes that Lakeland Drive is the hard part as it is flatter and where he is located is even worse and all their basements flood, yet no one is calling the City demanding something be done about it.

Mr. White added this big push and vision for sidewalks, he knows that there are other areas in town where you have a flat street with no curbs and no curb drains, citing sections of Detroit Road as one of them, including State Route 611, but for some reason they do not have an obvious water problem there. He added that on State Route 611 in the Northgate Subdivision by Doovy's Drive, there is a pvc pipe right in a yard that goes under the sidewalk and sticks out. Mr. White commented that is the most unsophisticated thing he has ever seen and asked if that was the answer to a water problem because he does not understand that. Mr. White added if it is not connected directly to the storm sewer then it is half-done and if the City is going to say it is a connection thing he noted that it is the same distance to go from Stoney Ridge Road at the pond all the way around, as it would be to cut through Lakeland Drive.

Mr. White commented regarding football games, he likes them, he enjoys the cheering, music, the noise and stated the pedestrian traffic is not a problem. Mr. White stated the police patrol the streets pretty well up and down every day and he commented that he has seen them at least three times a day but believes no one ever seems to set the radar. Mr. White stated that he feels like no one seems to care and yet they want to install a sidewalk, but the police cannot do something about the reckless and distracted driving situations. He commented maybe they are not writing as many tickets as they used to. He stated although the police were watching, and he felt that they do not do that as much anymore which he mentioned may be a good thing in a way but not for people who disrespect the law.

Mr. White advised his main concern is that he does not want a sidewalk and he cannot afford one. He added that at least the option to have it go on to the taxes is a good thing and let the City do the work because he does not have \$5,000 or \$10,000. He added he needs a roof, a new furnace, new gutters, and a new driveway apron. He commented he might have to put in an apron as he cannot put a sidewalk to that, then there is another \$10,000 and it just snowballs. Mr. White stated that he does not have that kind of money as he is retired and believes that not everyone in Avon makes six figures plus. He stated that there is a lot of people that are lower income residents. Mr. White commented that he was in the skill trades his entire life and as a result of that experience he does not always have a lot of faith in engineering. He added that it seems to always look good on paper. He wanted to make known his concern and he was resigned to the fact that there is nothing they can do. Mr. White stated the City has a vision and that is what it is going to be, but it is not his vision or their vision as he does not want to have to pay for the sidewalk to be installed but understands he will have to despite his views.

Mr. White continued that with taxes, it was more painless. He noted that it is only a little bit every year for ten or twenty years. He added he might not even live for 20 more years. Mr. White inquired if he were to sell his home, would he have to pay that or does the new owner assume the cost on their taxes.

Mr. Moore stated it would transfer with the new owner.

Mr. White okay that is a good thing.

Mr. White advised that he has lost sleep over this for the past two months. He added another thing he does not understand is why just the south side of Lakeland Drive? He asked why not install a smaller sidewalk section on both sides? He inquired why were they punishing the south side and then the north side does not get anything and believed it was the most common and best place to put sidewalks as it is flat. He noted there are no drainage problems on the north side of Lakeland Drive, although there are problems there. Mr. White stated for a five-foot wide sidewalk on the south side, they would have to bring in dirt and fill in his ditch as there is nowhere for the water to go. He added that he has paid attention to the sidewalks and on Detroit Road the sidewalks tend to go with the flow as there are drains in the sidewalks. He noted from what he has observed he believes they must be efficient as they must be working.

Mr. White advised he would like to see the plans and ideas and maybe even the Council Members to come by his house. He added Ms. Berges is the only one that came to his house so he could show her what water damage has been done to his property, front steps, sidewalk and driveway, garage floor, basement, as his back lot has been flooding for 20 years.

Mr. White added that 7 or 8 lots completely flood with water deep and as wide as this room and added his shed is consumed with water and it creeps closer and closer to his house. Mr. White mentioned that he will wake up in the middle of the night and on occasion he looks out the window wondering where the water is going and gets nervous if it starts getting closer. He added he is relieved when the power is on and observes that the sump pumps have been running five hours continuously. He noted that he has had sump pumps break right in the middle of heavy rainfall, he and his wife take the water out of the sump pump crock and put it into totes to be carried out. He added that he does not believe people in the new houses have this problem and that is not to say are not water problems in other areas of town. Mr. White added he is sure there are yet before someone looks at a map and states "oh Lakeland Drive, that's a good place for it." that maybe if they think about it a little bit. He noted when he heard about the sidewalk program five years ago, he was sitting on his porch thinking they are not going to put sidewalks down here, what are they are going to do with water meters, gas valves, fire hydrants, and trees what are they going to do with that? He commented they mentioned moving a fire hydrant and he wondered how expensive that is. How much money are they going to spend to put in a sidewalk for a couple of people?

Mr. White stated he cannot justify it and obviously it will be forced upon the residents who will have to pay. He added that he looked it up on the internet, he believes its unconstitutional. Mr. White commented that its funny to him how the people that make the laws they always seem to put the little guy last.

Mr. Moore stated in response to a couple things that Mr. White mentioned and in reference to flooding issues, he has not heard from any of the residents about any flooding issues until the sidewalks came up and he has been on Council for seven years so the one good thing that has come of this is we can look at that. He added he knows that he and Mr. White have talked, and regarding the speeders that he has no problem reaching out to the Avon Police Department and getting police to sit over there as he is sure that they would. He advised that this is a common problem all throughout the City and even his street where he lives. He added that he moved to Avon 16 years ago and they, his whole street was flooded, he walked out to the middle of the street and water was up to his waist. He commented that cars and fire hydrants were covered, and that people were pumping water out of their basements which had flooded in some cases all the way to the second step in their basement.

Mr. White added that was probably poor planning and poor engineering that allowed that to happen. He added people are allowed to build, he understands constitutionally they can, yet they cannot tell some guy on Riegelsberger Road, that he cannot make that mess that he is making as that place is a disaster. Mr. White commented anyone that lives in Avon knows that area is wet, and that guy is going to have to build up a mile high which would result in everyone getting the water runoff. Mr. White stated he thinks all of the houses that developer is building on that property is going to have water issues and he believes that builder will go broke but that is just his opinion. He added the water issues on Lakeland Drive have always been there although they are getting worse, but he is not a complainer. Mr. White felt it was his fault and his responsibility as it is private property.

Mr. Moore stated as Council Members if they do not hear from the residents, they do not know what is going on.

Mr. White agreed with Mr. Moore.

Mr. Moore added they cannot go out and see every single residence as he has a family and kids. He advised that residents should reach out and call. He stated he has never heard from anyone in that area, not once in the seven years he has been on Council. He added he has no problem advocating if there is a stormwater issue, and they would look at that.

Mr. White stated he is going to have to in this case with the water situation because it is going to create more of a problem when they add sidewalks. He added the way it is now, he and his wife have talked about it even before the sidewalk issue that they cannot sell their house to someone as they would have to disclose the water issue, and no one would want to buy it. Mr. White noted it is like "well they will put a drain in his yard maybe and have it go out to the ditch. He noted probably 30-yard drains would be needed because those are large lots it is not like a lot in the Northgate Subdivision or smaller. He added it is a lot to even try to remedy. He stated the thought of somebody coming in and re-grading, he cannot even do that because of his driveway, his steps, and sidewalks as they are lower. Mr. White added he cannot build up around that as he would have to tear that it all out and replace it and if that involved the garage floor that would have to get torn up as he believes its junk anyway, but that's \$100,000. He stated he would have to tear down his house or move.

Mr. White stated he cannot do it as he cannot afford to put in sidewalks; however, at least with being able to put them on the taxes it would make it a little bit better, a little more painless. He added regarding taxes, they are lucky here in Avon as it is not too bad, but he believes it is still too much. Mr. White commented he believes taxes are high, everyone wants a levy; a fire levy, a police levy, school levy, mental health levy, LCCC levy, parks and recreation levy, library levy and now they are going to throw in sidewalks. Mr. White stated sometimes they have to think of some people who are not in the circumstances of being wealthy as not everyone is, at least not in the old neighborhoods of Avon.

Keith Dedek, 36795 Lakeland Drive, said he called City Council about 15 years ago about the flooding, we have been on Lakeland Drive 20 years and in Avon 30 years. Mr. Dedek stated he gets a river in his backyard. He added the City Engineer 15 years ago agreed to meet him after he got off work, but when he got home, his three teenage boys told him that some guy was walking around the yard. Mr. Dedek stated he then emailed the City Engineer, and was told everything is fine, nothing connects to the pond at Lakeland Drive, which it does, and that was not what he was told.

Mr. Dedek advised the Campbell's yard next to his turns into a retention pond in heavy rain, they have little kids, and someone is going to drown in that yard and sidewalks have nothing to do with this, they

were just going to make it worse. He inquired if there is an estimate on their cost of sidewalks as they were roughly 100-foot lots.

Mr. Cummins advised the cost for sidewalks will vary and it will depend on whether you can do the work yourself or have a family member or hire a contractor.

Mr. Dedek stated he would think the City would have a contractor in mind that is giving the City a price.

Mr. Cummins advised that they do not yet for this year have a contractor in mind. He believes last year was in the \$7.50/sq. ft. range approximately.

Mr. Dedek inquired when they were going to be notified. He added when Councilman Moore knew of this, he should have come to their houses and knocked and said, "hey we are going to get sidewalks, what are you think of it?"

Mr. Moore advised the 7 years he has been on City Council it has been a very consistent process in how the City notifies the residents. He said typically residents have questions so in notifying them, that packet of information has a lot of the answers to those questions.

Mr. Dedek asked regarding being notified, if that is after you approve that the sidewalks are going in.

Mr. Moore stated that nothing has been formally approved yet. He added they need to do the study and Mr. Cummins could speak to that, but obviously the desire is that they would like that connectivity in that area. Mr. Moore said if Mr. Cummins were to come back to Council and say that feasibly this cannot work then Council would have to go back to the drawing board. Mr. Moore stated he would have no problem with doing things different and learning lessons by letting residents know that sidewalks were coming. He noted that he posts on his social media page about various Service Committee meetings and all the information is out there for residents to attend and ask those questions. He supposed that they could let the residents know sooner, by saying, "hey you are on deck," and maybe that was a lesson they learned. Mr. Moore stated they cannot do things right every time. Mr. Dedek stated he understands that. Mr. Moore added the reason why he did not come and knock on Mr. Dedek's door and say, "we are thinking about putting sidewalks in," was because there was going to be questions and he would not have the answers until the study and research was done. Mr. Dedek responded but it would have been nice to have a heads up. Mr. Moore indicated that Council has asked that the next time, a notification be sent out letting residents know they were "on deck."

Mr. Dedek inquired as to why the City was not paying for the sidewalks. He added they have all kinds of businesses coming to Avon and all kinds of taxes coming in and they are putting this cost on the residents.

Mr. Moore stated every resident has to put their sidewalks in when building a house.

Mr. Dedek advised the reason he moved to Lakeland Drive because it did not have sidewalks. He added he grew up without sidewalks, he likes the charm of it, but they were going to lose that charm but gain water in our houses.

Mr. Moore stated that Avon is growing, and they are trying to do the best that they can, we are a growing community, so you have to understand that.

Mr. Dedek stated that is fine but do not grow on our street, our street is fine. He added they have lived there 20 years, and it is fine. If you want to build a new house, sidewalks are a part of that, but we moved

there because we did not want sidewalks. Mr. Dedek stated he told Mayor Jensen they get 6-10 trick or treaters a year, that is how much traffic we get on that street, 4 of which are the neighbors.

Mrs. Demaline inquired if anyone else would like to speak.

Joseph Anthony Sabella, 2253 Garden Drive, stated his issues are not as extreme as the individuals on Lakeland Drive; however, he does have a few questions for the Committee. Mr. Sabella inquired in regard to selling, it was mentioned that there would have to be a disclosure and then whatever monies were left owed the new property owners would pick up that tab.

Mayor Jensen advised the new owners would assume any remaining assessment amount owed on the property taxes. He said if the assessment was \$500 a year or \$250 and half, it would stay with the property for the new owner. Mr. Sabella asked for confirmation that the new owner would cover that and be liable to which Mayor Jensen confirmed.

Mr. Sabella mentioned in reference to the current sidewalks that are on Garden Drive, if you are heading South to Lilac Lane, those sidewalks are four foot wide. He stated he was under the impression that the engineers will make that aesthetically correct and follow that pattern. Mr. Sabella stated as Mr. White mentioned with the five-foot-wide sidewalks, he inquired as to the planned width of the sidewalks on Garden Drive. He asked if they would be four-foot-wide sidewalks like the other half of Garden Drive.

Mr. Cummins advised going to a five foot is a policy adopted about 3-4 years ago and it is the standard of the Americans with Disabilities Act and was adopted as the City standard. Mr. Cummins said how the City has implemented that was if they are filling in a gap that had four-foot-wide sidewalks on either side they would install a four-foot-wide sidewalk, but if it was a new section of street, it would go in as the five-foot-wide sidewalk. He noted currently Garden Drive was setup in that south section as being five feet wide sidewalks on each side.

Mr. Sabella asked even if the existing sidewalks were four foot wide.

Mr. Cummins confirmed yes because the existing sidewalks were on to their own, as this is a whole entirely new section to the south.

Mr. Sabella sought clarification that this cost can be added to property taxes like Mr. White stated as not everyone has \$10,000 to drop on a sidewalk. He asked what the interest rate would be on that. He asked if it is a 10 year, a 20 year or 1%, 2%.

Mr. Presley advised it is being proposed at a 3% interest rate for the duration. He said in the past he believes Council has allowed it for a period of 5 years, which would be ten payments.

Mr. Sabella inquired if it is 5 years not 10 years.

Mr. Presley said it is his understanding it would be 5 years, which is 10 payments.

Mayor Jensen stated he thinks Council can decide that and it can be discussed further.

Mr. Sabella stated so as of now, it is 3% on the dollar and in 5 years you have to pay it off.

Mr. Presley confirmed that to true but clarified that as Mayor Jensen indicated Council could take a look at that and decide if it should be extended.

Mr. Sabella inquired what type of process is that for that to be extended.

Mayor Jensen responded that Council would have to address that and accept it as a 10 year by Ordinance. He added prices were going up and he believes they will have to really look at where they stand.

Mr. Sabella said that is a fluid situation to which Mayor Jensen confirmed.

Mr. Sabella stated around the neighborhood it was mentioned there was this grandfather clause for my section of Garden Drive next to Faith Lutheran. He asked if that was true.

Mayor Jensen sought clarification regarding what he meant by grandfathered in.

Mr. Sabella clarified as in they were not liable to install sidewalks ever.

Mayor Jensen stated not that he is aware and inquired to Mr. Gasior confirmed that was not true.

Mr. Sabella stated he has noticed around town and has seen some of the work that has been done for these sidewalks and they are already heaving and cracking, the newer ones, so if that is an issue that he runs into, would he be liable for that regarding the construction of the sidewalks. He asked who covers the cost of repair if he has the City install the sidewalks and a year from now it is heaving and cracking.

Mayor Jensen advised that would come back to the City since the City put it in and would be something they would have to look at. He noted that if Mr. Sabella has his own contractor install them then he would have to go back to his contractor, but if it were through the City, they would come back out and look at that.

Mr. Sabella asked if he chooses to have the contractor hired by the City install his sidewalks then would he be liable for the next 3, 4, 5 years.

Mayor Jensen speculated it would be for the first couple years.

Mr. Sabella stated if they look at the newer sidewalks that have been put in, they are already cracking so he does not know if they would stick with the same contractors as they have in the past or how they would work that, but he suggested they be mindful.

Andrew Dudukovich, 36800 Lakeland Drive indicated his property is on the north side of Lakeland Drive and he inquired about the plan for the north side of Lakeland Drive.

Mrs. Demaline stated that she was not aware of any plans to put in the sidewalks on the north side of Lakeland Drive.

Mr. Dudukovich asked Mr. Cummins about Garden Drive having sidewalks on the west side of the street.

Mr. Cummins stated all he can say is that it is not part of the 2024 program. He added back to what was mentioned by City Council regarding the connectivity, he believes the goal is over time is to have all the streets in Avon have sidewalks.

Mr. Dudukovich asked if they are going to install them over the pond.

Mr. Cummins stated that is something that would need to be addressed. He mentioned whether they install a mid-block crossing but that is maybe not ideal. He added there are areas like that and that is a prime example of ones where there might have to be more of a substantial project to get that put in.

Mr. Dudukovich inquired if the floodwater into the pond has been studied.

Mr. Cummins stated as the issue came up about stormwater drainage, they just started doing some field investigations. Mr. Cummins added just over the weekend they collected some more information, and they found some areas that looks like there are some storm sewers pipes that are clogged and potentially collapsed or something like that. He stated the Service Department will take that task on and have a Vactor truck that can jet out those lines and they have video hammer capabilities to hammer the inside of the lines and see what conditions they are in. Mr. Cummins advised he was certain that they will do everything they can to clean out the system that is there and fix any broken areas of pipe.

Mr. Dudukovich stated he thinks that the drainage pipe, which is about a 24-inch pipe that runs into the Lakeland Drive pond and is relatively full of mud, which they would have to dredge the pond.

Mr. Cummins advised that he is sure that the Service Department would do whatever it takes.

Mr. Dudukovich noted he has been told it is on private property, and he asked if anyone knew for sure.

Mayor Jensen confirmed it is on private property. He said it is being used for drainage.

Mr. Dudukovich asked if it not a retention pond.

Mayor Jensen stated that is what they have talked about in the past and in hearing from some of the residents in terms of flooding in their area. He noted that pond was used for different locations to connect. Mayor Jensen said if there is a big storm that comes out of that pond, it is not all connected right, and he knows many people have lived there a long time and no one seems to know how some of these things were connected and so they are going back and looking at them as they become known. He added there is a stormwater utility fee on their water bill of \$2 a month and those funds can be used to fix some of these kinds of things. He said along Stoney Ridge Road he was sure there were all different size pipes, and they were trying to come back and fix those areas. Mayor Jensen added that retention pond is not really set up to be a retention pond for that whole area. He stated it seems like all the water runs into the pond and they have figure out how to get it to the creek because the creek is right on the other side of the road. Mr. Jensen advised he is told once the water gets over a certain level then it dumps into the pond.

Mr. Dudukovich said like most retention ponds.

Mayor Jensen agreed but added that some of that should be more direct.

Mr. Dudukovich noted the pond be deeper to hold a higher volume of water.

Mr. Cummins stated it is a combination of volume available and the amount of water coming in then the appropriate controls for that.

Mr. Dudukovich asked if they would have to dredge it.

Mr. Cummins said as far as stormwater management goes, they generally only care about from the normal water surface up, so it needs to be dredged or maintained that is another question and referred to the

Service Department to look into it further. He said this is newly discovered item for the Service Department.

Mr. Dudukovich stated it is not a new item.

Mr. Cummins stated it may not be a new item for Mr. Dudukovich, but it is certainly a new item to him.

Brian Campbell of 36815 Lakeland Drive said he had an email from 2021 that he sent, and it was forwarded to the Service Department.

Mr. Dudukovich stated he talked to former Mayor Smith about it fifteen years ago, so it was not new.

Mayor Jensen stated that is a different Administration.

Mr. Cummins said that they will transfer the information that they have gathered to the Service Department. He said his interactions with the Service Department over the past few years have been that they strive to fix and improve, and he was sure this would be no different.

Mr. Dudukovich said it was mentioned about the ADA requirements, and he asked if they were familiar with Kinzel Road and Stoney Ridge Road. He stated as you come down Kinzel Road to Stoney Ridge Road on the righthand side, he wants to see them take a wheelchair around that power pole and that crossing sign that is in the middle of the sidewalk.

Mr. Moore stated he was not familiar with that.

Mr. Dudukovich recommended they stop and look at it on the way home.

Mr. Moore said he can stop by and look at it, and he has no problem doing that. He clarified that he cannot see everything, everywhere, all the time.

Mr. Dudukovich asked if the contractor for the sidewalks did not see the power pole in the way.

Mr. Moore said he can only tell him that as soon as he heard there was a storm water problem, he got right on the Administration, and they are happy to try to fix that problem. He cannot speak for what other Councils did or did not do, he has only been on Council for seven years and he has never heard anything about stormwater problems on Lakeland Drive until the sidewalks came up, and when it did, they got right on it.

Mr. Dudukovich asked Mrs. Demaline if she has heard of any stormwater problems on Lakeland Drive. Mrs. Demaline answered not on Lakeland Drive; she had one resident on Garden Drive mention it previously, but she has not heard about that issue on Lakeland Drive.

Mr. Dudukovich stated it is the frustration as he was blown off 15 years ago.

Mr. Moore said to be fair, that does not mean he too is going to blow him off and he would advocate for better stormwater as he has seen it where he lives. He added he also did not want a park right behind his house and it is there. He knows his own neighborhood has had flooding, muddy water and they are trying to mitigate that and address it and that is what they have been doing. Mr. Moore stated he would advocate for the residents on those kinds of issues and getting that fixed but indicated they could not help

if they do not know. He advised Mr. Cummins and Mayor Jensen was right on it getting information just over the past couple weeks once they found out that there is a problem over there that needs looked at.

Mr. Dudukovich asked if it is also the plan to put sidewalks on State Route 83 between Kinzel Road and the Park on the west side.

Mr. Moore confirmed yes on both sides.

Mr. Dudukovich asked if there is supposed to be a sanitary sewer going through there.

Mr. Cummins confirmed that is a future plan.

Mr. Dudukovich commented that they plan to put in sidewalks before installing the sanitary sewer instead of dealing with the sanitary sewer first and then the sidewalks.

Mr. Cummins stated there is no current schedule to do the sanitary sewer and no development calling for it at this time.

Mr. Dudukovich said it seems like they were putting the cart before the horse. He said so the property owner puts in a sidewalk, pays for the sidewalk and potentially two years later the City could decide to put a sanitary sewer in, and he asked if they would tear up the sidewalk up.

Mr. Cummins advised it would be a long time, if ever, before that section gets put into that dept. He said there is a lot of rock in that area.

Mr. Dudukovich said but there is a main sanitary sewer running right along French Creek.

Mr. Cummins confirmed that to be correct.

Mayor Jensen said for the sanitary sewer to be installed along State Route 83, it would have to go under the French Creek.

Mr. Dudukovich stated he thinks its on the south side of French Creek

Mayor Jensen clarified the sanitary sewer is on north side of French Creek because they looked at that. He said it is on the Master Plan, but there would be no reason to install sanitary sewer for the houses along State Route 83 because they were going to nowhere, so they are looking at other alternatives for that.

Mr. Dudukovich asked about the plan regarding the stormwater.

Mr. Cummins asked Mr. Dudukovich if he was referring to the Lakland Drive area.

Mr. Dudukovich confirmed, yes.

Mr. Cummins stated as he mentioned, they will turn over the information gathered in the field, to the Service Department and he would recommend they go out with a Vactor truck to flush out the lines then he would recommend they videotape the lines to see if there are any broken pipes or anything like that. He added if there is an issue with the pond, it would obviously have to get investigated to see what is needed to be done, what can be done, do they have to go to an outside contractor to do what is needed

there. He said there are a lot of questions, but it all starts with looking at the situation and seeing what information is available, what can be done, when it can be done and what resources are available and when those resources can be appropriated by City Council and weighed against all the other things going on in town. Mr. Cummins noted that it all starts with what they just did. He advised they went out, saw problems, communicated that there are problems, and he was sure that steps will start to be taken to correct what is visible.

Mr. Dudukovich asked if the Avon Police Department could block off Lakeland Drive for football parking.

Mayor Jensen stated absolutely not, it is a public road.

Mr. Dudukovich stated but it is only one lane. He said they will park from Stoney Ridge Road to around the corner and he asked how motorists can navigate that.

Mayor Jensen stated he thinks they have to be careful. He said but it would be impossible for the City to do what he is asking.

Mr. Dudukovich asked why they do not park at the high school.

Mayor Jensen advised they do.

Mr. Dudukovich asked if they fill up the high school parking lot to which Mayor Jensen confirmed by saying, absolutely.

Mayor Jensen stated they even park on the other side to help facilitate some of that, but even with that being done, both areas are completely filled up. Mayor Jensen advised that is why with some of the discussions with the schools, he knows they are looking at buying the property that is adjacent to that property, the old Wolf property. He added he believes there is an agreement with the schools to buy that property to build a new school over and that will add more parking to that area and another exit out of the school property on State Route 83. He added it is a bad and a good thing that the Schools have so much support that the motorists park on Hunter's Trail and everywhere that people think of to park. He said right or wrong, even on Kinzel Road, motorists park in front yards.

Mr. Dudukovich said thank you and had no further comments.

Mrs. Demaline thanked Mr. Dudukovich for his comments especially about the pond, and they will be looking into that.

Mr. White said he wished to comment on the existing storm sewer. He stated when it caves in, there is a sinkhole, but there is nothing caved in right now. Mr. White advised when he had his cave-ins, he motioned with his hands the size of the sinkhole and said it happens quick. He added they fixed it, and they did a good job and down on the other end of the street closer to Stoney Ridge Road, they did one last year, he believes Mr. Bartolovich has had a cave-in, and when it happens there is a sinkhole, if there is no sinkhole there is no cave-in. Mr. White said they are suggesting that they take an old storm sewer and put a pressure line in it to clean it out, which would probably damage it.

Mr. Cummins advised right now it is completely full, from the picture he saw this afternoon, so they have to try to do something.

Mr. White agreed. He said the City Service Department guys came to his house last year and took the camera and they went from the storm drain in his yard to under his driveway and said everything was good. Mr. White said his driveway apron is fills up with water and is caving in, but he was told it was not caving in. He said before they do something like run the Vactor truck that they might want to check out the situation.

Mr. Cummins stated that is what they do with the video tape so you could see what is going on before they put a shovel in the ground.

Mr. White agreed and said it will tell them the integrity of the line.

Mr. Cummins agreed and said they could see if it is cracked or the joints are in poor condition, what it is made of and all those things.

Mr. Bartolovich stated the reason why people get water in their basements is because the backyards flood and there used to be a drainage system for septic tanks, leech field, and it travels all the way behind Bauerdale Court and Lakeland Drive and comes back in between his mother's house, Carol Bartolovich 36881 Lakeland Drive, and the property directly to the east, 36855 Lakeland Drive. Mr. Bartolovich stated ever since the City installed sanitary sewers, he thinks that is what is their problem lies. He said there is a drain back there and it travels all the way, and he guarantees that it is clay, and they would not be able to see anything through that. He commented what happens is that pond gets huge creeps backwards into their leech field and brings all that water closer to his house and it comes up through the cracks in the floor of his basement and it is all related to the height of the water that resides back there. Mr. Bartolovich stated he knows Bauerdale Court residents have complained about that in the past, such as the former resident of 36744 Bauerdale Court. He believes that is the crux of their problem, and he thinks that is the problem that Mr. Campbell had in his backyard, and he thinks they may have put a drain back there, Mr. Campbell interjected there are four drains back there.

Mayor Jensen asked if they drain.

Mr. Campbell showed Mayor Jensen and other members of the Service Committee pictures on this phone.

Mayor Jensen commented that was that major rain event the City had in August of 2023.

Mr. Dedek commented at least once a year, Mr. Campbell's backyard turns into a retention pond. He added years ago, before Mr. Campbell moved in, they had just two four-inch drains in the backyard, the City came out. Mr. Dedek said Bauderdale Court drains into their backyards also. He commented that from the corner of Garden Drive it turns into a river in his backyard and then turns into a retention pond in Mr. Campbell's backyard. Mr. Dedek commented he has been out there to his waist cleaning the drains out.

Mayor Jensen said they are hearing some more about the water problems in that area, He said the saw concrete blocks behind Lakeland Drive, and they could not figure out what those blocks were for, we thought maybe there was an easement or a storm sewer or something that comes through there, and they went back as far as they could and could find any reason. Mayor Jensen said Mr. Cummins saw that the way that the water swales move, but he noted that calling the Service Department when it is on private property in the backyard and there was major rain event that took place, they went out there and looked at it and eventually the water went down although it took some time to go down. He said it was not anything on the City's part in terms of the drain. Mayor Jensen said maybe with the septic system if they all came together.

Mr. Dedek stated there is supposed to be a drain that runs between the property lines. He added at Mr. Campbell's house, it comes up between our houses and drains into the drain for the pond.

Mayor Jensen clarified not from the City standpoint. He said if there is an easement through there then the City is responsible for making sure that is clean.

Mr. Dedek inquired as to who's storm sewer it is.

Mayor Jensen advised that is what they are trying to figure out when they looked at the back of the property. He said there is nothing on record that says there is a storm sewer back behind there as that was his original thought when they discussed it. He added that Bauerdale Court drains there, and Lakeland Drive drains back there and then Mr. Cummins showed him it finds a way to come down the swale and come through and out. He added he thinks that is part of the discussion that needs to keep happening. Mayor Jensen added if they can fix the issue, he is almost certain that the drain along Lakeland Drive is a clay tile drain, it is going to need to be replaced and the only way that they were going to keep that open. He said even a 4-inch drain was too small but if they have a 4-inch drain and it was draining constantly, at least they were getting the water out of there, even if they have a clay tile and it is collapsed, and the water was still flowing. He believes Mr. Cummins showed him one drain that was blocked, but water was still getting through there, it is just going to take a long time. Mayor Jensen added they have to correct those kinds of things; he believes there are at least a 24-inch pipe that is blocked and need to get cleared and then they will have to go right up to the line to figure out where that water was blocked. He said if there is a 24-inch pipe going into the pond, but if its blocked and it cannot get in the pond it still needs to get in and out of the pond and that elevation changes.

Mr. Dedek stated but with all the yards draining, it is still going to be a river.

Mayor Jensen stated if they can get it to drain to those other storm sewers or if they can connect to that other storm sewer. He said if a new storm sewer is installed, it is going to drain a lot differently. He said they watched after that heavy storm last August and it slowly all went away, although it had to find its way to get there because it was all backed up. He added when it is backed up, that means it was not flowing out of there.

Mr. Dedek added in addition he believes it is a 12-inch drainpipe.

Mayor Jensen advised a 12-inch drainpipe should be able to carry a lot of water so that means it is not flowing correctly.

Mr. Dedek agreed and stated but the fact that it is a river in Mr. Campbell's yard, and they were relying on a 12-inch and a 4-inch drainpipe.

Mayor Jensen stated if they look in the backyards, all the water drains to that one area and that is the natural slope of the land.

Mr. Dedek agreed.

Mayor Jensen stated they have to figure out how they get drainage from the City storm sewer that is working correctly, because that are is not draining correctly based on the pictures they have seen. He advised again, it is private property and he asked if there was a way to talk about that. He suggested possibly a Legal Committee of Council or all of Council could discuss granting them an easement and the City could install a storm sewer back there. He commented it is not as simple as that, but in looking at the

GIS map there is block back there on each of their properties and from what he is hearing now is the City granted it back to the property owners.

Mr. Dedek advised that when he moved there, he was not informed of any easement. He said but the water issues were brought up years ago and he asked how many times they were going to bang their head against the wall, and he gives the City credit for addressing it now.

Mayor Jensen stated sometimes it depends on the situation and he does not know what the City's financial issues were back then, but when you do certain things, you have to do it for the good of the whole City.

Mr. Dedek felt the way he was blown off years ago was unprofessional.

Mayor Jensen said Mr. Knopf was the City Engineer at that time, but whatever the reason was he wanted to assure them that Mr. Cummins is not that way, and he certainly tries to work with everyone.

Mrs. Demaline thanked Mr. Dedek for his comments and the others who came forward. She inquired if anyone else present in the audience or the Members of the Service Committee of Council or Members of Council had anything else they wished to comment about.

Mr. Moore thanked the residents for coming in and talking to them and for letting Council and the City Administration of their concerns and he appreciates that.

Mr. Cummins stated he wanted to clarify one bit of information. He said they talked about the distance from the front of the homes to the existing right of way and he was able to pull that information up on the GIS. He advised in general the front of the house varies a little bit by a couple of feet here and there, but in general it is approximately 76 feet from the front of the house to the southern right of way line. He noted the water distribution system and hydrants are there and the hydrants looks to be pretty close to where the right of way line is located.

Mr. Dedek asked Mr. Cummins if they were going to keep the sidewalks north of the hydrants.

Mr. Cummins stated yes, they would try to stay to the north. He stated what he is looking at is not survey accurate, its GPS accurate. He advised they could look into each individual parcel but yes, where they could avoid things like hydrants, they would avoid them, and if they do not feel they have a chance they will seek to move them.

Mr. Bartolovich stated the tree lawn used to be line with trees on Lakeland Drive and there are four trees that are left still standing. He inquired if trees would need to be removed because they would have to be if they are going to put the sidewalks north of the fire hydrants.

Mayor Jensen advised the City Arborist looked at those four trees and was told that they are in terrible shape. He said they had some informal discussions with the City Arborist. He his thought was, with permission from Council, to remove those trees and replace them as he is told they are past their useful life. The Arborist looked at the trees and thought that none of them were really salvageable in reference to installing sidewalks. Mayor Jensen stated with the trees being in bad shape he would ask Council to replace those trees for each property owner with a tree more suitable and in agreement with the property owner.

Mr. Bartolovich agreed.

Mr. Bartolovich said regarding to the 24-inch pipe in the pond, he believes that collapsed years ago and they replaced it with an artery of a 6-inch pipe that leads into that pond from that same drain. He believes they would find that pipe worthless too.

Mr. Dudukovich stated he knows that sidewalks are coming and other improvements such as curbs, drains, and the like. He inquired with the City's estimate of \$7.50 per square foot for a sidewalk, if that includes forming, excavation, and haul away. Mr. Dudukovich asked how much for a City permit for the installation of a sidewalk.

Mayor Jensen advised with the Sidewalk Program the City covers the cost of the permits whether it is an outside contractor or one of the City's, there was no cost for the permit. He clarified they would still need to acquire the permit, but any costs associated with the permit were waived by the City.

Mr. Dudukovich asked if the City would cover the interest rate charged if it gets placed on the property taxes.

Mayor Jensen advised typically not.

Mr. Dudukovich asked why, and said the City gives abatements to big companies that buy property and build.

Mayor Jensen advised they give very few abatements.

Mr. Dudukovich asked if it has ever happened.

Mr. Gasior advised that it has happened on a sanitary sewer assessment where the cost was adjusted.

Mr. Dudukovich inquired about big commercial properties.

Mr. Gasior advised there has been a few abatements.

Mr. Dudukovich asked what about the residents.

Ms. Fechter clarified that there is not one single commercial property in the City of Avon that has received a tax abatement. She advised only industrial and headquarters, not no one else.

Mr. Dudukovich asked why not give the citizens a break. He asked if City Council could rally for the citizens to give them a zero interest rate on their sidewalk assessment placed on their property taxes.

Mrs. Demaline stated this is the first time that such a request has been proposed that she is aware of and she appreciates the thought process that was put into that.

Mayor Jensen advised it typically takes a year to a year and a half before the assessment shows up on their property tax duplicate regarding an assessment. He added even last year's sidewalk program, still not been placed on their property taxes so they will still not see it on their property tax bill for probably another year because of the way it cycles.

Mr. Dudukovich advised City Council is still asking property owners to come up with money that they did not plan for.

Mayor Jensen stated it was probably a year and a half away before it would be placed on their property taxes. He clarified that if they choose to pay for it upfront that was completely different.

Mrs. Demaline thanked everyone for being here tonight and said she appreciated their feedback and input.

Adjourn: 7:18 P.M.

Mrs. Demaline adjourned the Meeting of the Service Committee of Council

Respectfully submitted by Rachel Markovitz, Assistant Clerk of Council

PASSED: _____

SIGNED BY: _____
Jennifer Demaline, Chair of the Service Committee

ATTEST: _____
Rachel Markovitz, Assistant Clerk of Council