

AVON CITY COUNCIL – MONDAY, AUGUST 5, 2024

7:00 P.M. - OVERVIEW OF THE SR83 AND SR254 INTERSECTION IMPROVEMENT PROJECT

Council President Fischer called to order the public discussion for the overview of the upcoming SR83 and SR254 Intersection Improvement Project and yielded the floor to Mr. Cummins, City Engineer.

Mr. Cummins introduced Jim Shea, a partner at Chagrin Valley Engineering, specializing in Transportation Engineering. He said Mr. Shea was the lead engineer and designer of the project and knows the ins and out of it better than anyone and Mr. Cummins thought it would be good to have Mr. Shea present tonight should there be questions that he would be best suited to answer.

Mr. Cummins advised the project is centered on the intersection of State Route 83 and State Route 254, aka Center Road and Detroit Road. He said the project came about when ODOT approached the City back in 2017 that they wanted to do a safety study of the intersection as it had a high crash rate. Mr. Cummins stated ODOT hired a consultant and conducted a safety study and came back with several recommendations. After that, Chagrin Valley Engineering and Mr. Cummins at the direction of Mayor Jensen submitted a Safety Funding application through the ODOT Safety Program and was able to secure \$4.6 million in Safety Funding for the project. At the time, it was largely centered on addressing those safety concerns at the intersection and some of the corridors leading up to it as there was not room for traffic to come together well as some of the turning movements were problematic. He advised the City secured the project funding and then started working on putting the project together. As they progressed through that process, certain other aspects in the corridor came to light and it was determined that if they were going to be working on this area that they would really like to see other things addressed. He noted that he would be going through the extent of the project and talk about some of the more capacity type aspects that came into the project as they went along.

Mr. Cummins advised the project starts on Detroit Road west of Healthway Drive not quite to Garden Drive and extends up to Pickering Hills Farm vicinity to the east. To the north, the project begins south of where the freeway entrances are located on SR83, noting that it was to the north extent of French Creek Square. To the south, the project extends almost to the south end of the open field that is south of Winking Lizard.

Mr. Cummins advised the light gray area shown on the [maps](#) is the footprint of the new project area noting that they could see the aerial underneath to differentiate between the current footprint and the proposed footprint to be added. He said from where the current curb line is located to the south, they could see they were adding about a lane and a half. Mr. Cummins stated the work to make all the ADA upgrades, and pedestrian aspects will be accomplished as part of this project as well. He referenced the area to the west where the traffic starts merging back into a single lane and advised that instead of that merge happening by the Chase Bank and Taco Bell area, there will be two full lanes westbound through Healthway Drive that come back into one westbound lane. Mr. Cummins said as they go to the east, they will develop two full lanes in the eastbound direction. He stated this is a capacity addition in the area as there was discussion about French Creek Square doing their second phase and the traffic that would be generated by that addition, so it was decided to put in this logical next step while they were working in the area with the thought of touching it once and be done. Mr. Cummins said that is the same mantra that was used when improving Chester Road in the five-lane section to the east of the SR83 and Chester Road intersection.

Mr. Cummins advised although it is still part of the long-term plan, one aspect that they did not address, was to install a traffic light at the Police Station. He said there needs to be a partner on the other side to be able to accept the traffic in that development, and it would have to get reworked internally. Mr. Cummins stated it is setup for that, but it will remain as the current intersection. He advised once they

get further to the east, one of the last things that was added was going to be the double left turn lane from Detroit Road onto SR83 heading northbound. Mr. Cummins said they have also added a dedicated right turn lane in that same area.

Mr. McBride said in speaking with Mr. Cummins previously, he knows they were looking into an additional through lane eastbound of the Healthway Drive intersection. He asked if ODOT was opposed to that addition.

Mr. Cummins clarified ODOT was against paying for it. He advised adding the second through lane eastbound of the Healthway Drive intersection was not a safety upgrade from ODOT's stance, but rather it is considered a capacity upgrade and therefore that is something that the City would be responsible to pay for should the City chose to make that upgrade. Mr. Cummins said there will be two lanes westbound through the Healthway Drive intersection and that was an ODOT recommendation for safety for the merging back to one lane. He stated the second lane eastbound is a capacity issue and that was added later on.

Mr. McBride asked if it was ODOT's design for the left lane to merge into the right lane.

Mr. Shea advised geometrically that is how it works at the west end. He said ODOT really wanted lane continuity with the project, and it was a major recommendation of the safety study such as the southbound lane continuity so that motorists would not become trapped in those left and right turn lanes but rather merging instead of being forced to turn. Mr. Shea stated he understands it is a little atypical, but with the major utilities on the north side of the corridor, the flexibility was on the south side of the corridor to complete that merge.

Mr. McBride advised with knowing how people drive and trying to merge, he could see that being a high accident area.

Mr. Shea advised they would look at it and see if it can be modified a little bit. He said they had a lot of flexibility on the south side because it was City property, but as they move to the west they were getting onto private property.

Mayor Jensen advised that is the same problem they talked about with merging traffic by the Avon Commons. He said there have been discussions about which lane should merge. Mayor Jensen stated they are in discussions with the owners of the Avon Commons to see if they were willing to install a second lane into the Commons so that there could be two left turn lanes in the Commons, it would help. He advised during the major shopping times of the year; the traffic backs up all the way to SR83 from the Commons.

Mr. Moore asked if there would still be a traffic light by the Bob Evans.

Mr. Cummins confirmed the existing light will stay.

Mr. Moore asked how far from that traffic light at Bob Evans to the intersection of SR83 and Detroit Road.

Mr. Cummins advised he believed it is about 550 feet. He said they would be able to sync the traffic lights to keep the traffic flowing in answer to another question from Mr. Moore. Mr. Cummins stated it would now have the two left turn lanes at the main intersection of Detroit Road and SR83, where currently there is a single left turn lane. He advised it was recommended for there to be two left turn lanes when the Commons was originally constructed or have the left lane be twice as long and for

whatever reason when that development was built, it was built with just the single left turn lane at the shorter distance. Mr. Cummins said this will correct that issue and they were making this area the maximum footprint for this intersection by handling all the options available.

Mr. Cummins explained that what got them into more than the initial footprint of the cemetery and to make two through lanes line up they did both a ground penetrating radar study to see where graves were located because of the extra width needed at the area of the cemetery. He said based on those results, they felt they were clear and were not disturbing anything but to be extra cautious they also did an archeology study, which confirms the outlines of the graves by coloration and such when the topsoil was scraped away, even if the gravesite was constructed decades ago. Mr. Cummins advised back in the February/March 2024 timeframe they staked out what the footprint would be for this project and KMU Trucking and Excavating was hired and scraped off the topsoil and an archeologist documented that nothing was found within the footprint of the proposed project. He stated that report was then submitted to ODOT, and they feel they are in good shape with that area.

Mr. Cummins advised they maintained a very short left turn lane into Old Center Road, although ODOT's recommendation was to not provide a left turn lane into Old Center Road and make it a right-in and right-out only, but the Administration rejected that idea. He said while it is not substantial, it was felt to be valuable to maintain that turn movement.

Ms. Berges asked if the cars on SR83 going south turning east onto Detroit Road to go to the Avon Commons. She asked if those were going to be two full lanes turning left as they currently are today.

Mr. Shea advised that area will be improved explaining that the two southbound left turn lanes on SR83 coming from I-90 heading east toward the Commons. He said right now, there is some overhead signage telling them which lane to be in for entrance into the Commons per the recommendation from the ODOT Safety Study. Mr. Shea noted that when making that left turn now, they were kind of trapped in one lane and motorists often weave when they were not sure where they needed to be. Mr. Shea stated there will now be two dedicated left turn lanes and they would be the same two left turn lanes as when they came from the southbound lanes turning east. He advised motorists would then choose if they wished to enter a dedicated left turn lane to go into Avon Commons and the two through lanes would continue past Avon Commons and then they would see the more traditional right lane merging into the left lane at the end of the project area. Mr. Shea said that will eliminate all that weaving and confusion coming from the freeway because both lanes would go through.

Mr. McBride asked if there is going to be two left turn lanes southbound on SR83 turning eastbound and if the owner of the Avon Commons agrees to widen their entrance to accommodate two left turn lanes into the Commons, would they lose one of the through lanes. He inquired if the footprint would essentially be from the Avon Commons entrance toward SR83 and if they would have two left turn lanes going into Avon Commons.

Mr. Cummins advised they would have to look at that as they have not laid that scenario out. He said he was sure it would be a benefit to have two left turn lanes there and they were creating the footprint to facilitate something there, but they do not have that specifically laid out at this point.

Mr. Cummins stated there would be a new signalized intersection on SR83 (Center Road) at the west entrance of City Centre (which is on the east side of Center Road), between Huntington Bank and Red Wing Shoes and across from the plaza on the west side of Center Road where Barry Bagels is located. He advised it would have a dedicated left and dedicated right on both the north and south sides of Center Road.

Mr. McBride asked regarding Detroit Road headed east if the lane would start to merge in near Pickering Hill Farms.

Mr. Shea advised heading east after the entrance to Avon Commons, the two through lanes continue and then it tapers and merges. Mayor Jensen added in front of the nursing home, St. Mary of the Woods.

Mr. McBride felt that would do nothing for the traffic during and after school. Mr. Cummins clarified it would get the traffic through the intersection at the Avon Commons safely.

Mr. Shea said similarly one of the bigger changes was the two dedicated left turn lanes from the south to the north at French Creek with two through lanes and they continue through past the new signalized intersection and then it merges in to go down to the two-lane section to the south.

Mr. Fischer asked if that would be the only new traffic signal that will be installed.

Mr. Shea clarified that all the signals in the project area were being replaced or upgraded, but this is the only one that does not currently exist.

Mr. Radcliffe sought clarification if there would be one lane turning eastbound onto Detroit Road for the Avon Commons entrance, but it will back up farther or would there be two left turn lanes into the Commons from Detroit Road.

Mr. Shea advised the current proposal calls for one left turn lane into the Commons and it is a maximum left turn lane, which is 600-700 feet long. He said that length of a left turn lane into the Commons from Detroit Road will accommodate the traffic for the Commons on most days. Mr. Shea clarified possibly not during peak holiday time, but it is more than accommodating for a typical weeknight traffic for most of the year.

Ms. Patton inquired how they would prevent motorists from turning left from Detroit Road at Burger King when headed eastbound. She advised currently the City has installed the yellow barriers.

Mayor Jensen advised Mr. Gasior will be reaching out to the corporate legal team of Burger King, but the City's intention is to close off that entrance to Burger King. He said that may be an issue for Burger King when the City speaks with their legal team, but it was agreed upon in a meeting years ago that Burger King was aware that the City would be closing that entrance. Mayor Jensen said there are other options such as Taco Bell which abuts Burger King in the front of their property. He stated in the back of Burger King's property it is setup to connect. Mayor Jensen advised they also want to have discussions to see if they can get that connection all the way through so that any motorist could continue from Healthway Drive all the way through to Bob Evans. He said everything hinges on Burger King's willingness to have the back part of their property connect, but the front portion where Taco Bell is they can see where it abuts Burger King. Mayor Jensen stated they will need to discuss how to make it easier for both businesses, but they can see there is already a turn lane to go into Taco Bell and motorists could go to their left into Burger King. He clarified right now there is no left turn lane. Mayor Jensen advised the City does not like the idea of the delineators in the center of the road and how beat up they get in addition to being run over so it would be better to close that entrance off so that motorists could then make a left turn into Taco Bell and go over the Burger King. Currently motorists cannot make a left turn at Taco Bell to go into Burger King, so people must turn around and make a right in and right out only because of the delineators. Mayor Jensen stated they were hopeful that all parties will listen to reason and reach a reasonable solution to that issue.

Mr. McBride advised this goes back to when Mayor Jensen was a Council Member and Mr. McBride remembers that the owner of Burger King agreed to that arrangement verbally in a meeting.

Mr. Cummins advised as they get into that configuration, it could also be turned into a right in and right out only. He said obviously it would be much better if it would go away and have more interconnectivity so there are some options.

Mr. McBride felt the delineators would still be needed if they have a right in and right out because people would try to cross over the westbound lanes to get in or out.

Mr. Cummins advised work is underway for the acquisition of the right of way, the appraisal work has been done and offers are starting to go out, and they are having discussions with property owners. He said on the north side, the curb line essentially stays the same as the work really is more to the south. Mr. Cummins added that a lot of that property thankfully is owned by the City and the reason that Council has had a couple dedication plats in front of them to formally take that City property and dedicating that. He stated the work is ongoing and they look to go to construction next spring, and it is a two-year project and will go through the construction season of 2026. Mr. Cummins advised if anyone had any questions, he was happy to sit down with them one on one and go through any aspect of the project. He had some poster boards of the project as well as pdf's should Council wish to view them.

Mr. McBride asked if they would be upgrading street lighting during this project.

Mr. Cummins advised yes, they have talked about adding conduits for fiber and power for streetlights as part of that as well.

Mayor Jensen advised they were working with the City Electrical Manager/Traffic Signalization Technician as there is a new software program that will be in front of Council for approval in next year's budget. He said they will be talking about upgrading some of the software using AI so when the time gets closer, and the company is ready to give a presentation, they would be at an upcoming meeting if they believe it is viable. Mayor Jensen stated it appears the AI will be able to predict what happens at specific times of day at the intersections and it will adjust the traffic lights accordingly such as during rush hour. He said it will improve over time as it pulls more data to know the pattern during specific times of the day throughout the week.

Mr. McBride said he was assuming this upgrade will have signal preemption to which Mr. Shea confirmed it would.

There being no further discussion, Mr. Fischer closed the Overview of the SR83 and SR254 Intersection Improvement Project at 7:28 p.m.

**MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE
CITY OF AVON, OHIO HELD MONDAY, AUGUST 5, 2024
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
AT 7:30 P.M.**

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

ABSENT: Finance Director– Steve Presley; Safety/Public Service Director – Duane Streator

Council President Brian Fischer, called the Meeting to order.

1. ORDINANCE NO. 73-24 – TO AMEND THE PLANNING AND ZONING CODE SECTION 1270.03 “SCHEDULE OF PERMITTED USES” AND SECTION 1280.05 MINIMUM LOT AND YARD REGULATIONS FOR SPECIAL USES IN NON-RESIDENTIAL DISTRICTS TO REQUIRE A SPECIAL USE PERMIT FOR URGENT CARE CLINICS IN THE C-2 DISTRICT Planning Referral

The Second of Three Readings of Ordinance No. 73-24 will be held on Monday, August 12, 2024

A Public Hearing will be held on Monday, September 9, 2024 at 7:25 p.m.

Ms. Fechter said there was nothing new to add.

2. ORDINANCE NO. 74-24 – TO AMEND SECTIONS 1222.02, 1270.03, 1270.08, 1280.05, AND 1280.06 OF THE CODIFIED ORDINANCES OF THE CITY OF AVON TO PROHIBIT CERTAIN USES THEREIN IMMEDIATELY ADJACENT TO OR WITHIN 500 FEET OF DETROIT ROAD Planning Referral

The Second of Three Readings of Ordinance No. 74-24 will be held on Monday, August 12, 2024

A Public Hearing will be held on Monday, September 9, 2024 at 7:20 p.m.

Ms. Fechter reminded City Council that since the last time they were in session, Mr. Gasior added the EV Charging Stations to the legislation, so they are included with gasoline stations. She advised if they need to revisit that at another time, they could, but for now they are incorporated in the Ordinance.

3. ORDINANCE NO. 75-24 – TO AMEND ORDINANCE NO. 413-68, PASSED JANUARY 15, 1969, COMMONLY KNOWN AS THE ZONING ORDINANCE OF THE CITY OF AVON, OHIO, AS AMENDED, REZONING THE 2.58 ACRE PARCEL OF LAND LOCATED ON DETROIT ROAD, NEAR JAYCOX (ACROSS FROM MARTIN’S DELI), PERMANENT PARCEL NO. 10-04-00-022-102-083 FROM R-1 SINGLE-FAMILY RESIDENTIAL TO C-1 NEIGHBORHOOD BUSINESS DISTRICT (WASILKO)

Planning Referral

The Second of Three Readings of Ordinance No. 75-24 will be held on Monday, August 12, 2024

A Public Hearing will be held on Monday, September 9, 2024 at 7:15 p.m.

Ms. Fechter advised she had nothing new to add.

4. ORDINANCE NO. 78-24 – DECLARING THE INTENTION OF THE CITY OF AVON TO CONSENT TO LIGHTING LUMINAIRE REPLACEMENTS AND ASSOCIATED IMPROVEMENTS ALONG CERTAIN SECTIONS OF INTERSTATE 90 (I-90) BY THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT)

Mr. Cummins

To be Addressed at a Special Meeting Immediately Following this Work Session

Mr. Cummins advised this was a request from the Ohio Department of Transportation District 3. He said it is his understanding that they are replacing some standard light fixtures with LED light fixtures for some of the I-90 highway lighting.

5. ORDINANCE NO. 79-24 – TO ACCEPT THE TENTATIVE AGREEMENT REACHED IN THE MATTER OF THE CITY OF AVON AND THE FRATERNAL ORDER OF POLICE/OHIO LABOR COUNCIL, INC. (FOP/OLC), SERB CASE NUMBER 2023-MED-12-1109 (LIEUTENANTS AND SERGEANTS-RANK)

Mayor Jensen

To be Addressed at a Special Meeting Immediately Following this Work Session

Mayor Jensen advised as Council remembers the City went to fact finding with the Patrol Officers and then also to conciliation. He said the result was what Council had agreed to and the Sergeants and Lieutenants Rank are asking for the same thing. Mayor Jensen stated typically Council discusses the tentative agreement in Executive Session, but since this is the same he does not feel it is necessary to do that tonight. He advised he was asking Council to vote in favor of accepting that contract during the Special Meeting later tonight.

6. ORDINANCE NO. 80-24 – TO ACCEPT THE PUBLIC IMPROVEMENTS (ROADWORK), CONSTRUCTED BY LIG LAND, LLC AT 1846 NAGEL ROAD, ADJACENT TO THE MIDDLETON CROSSING DEVELOPMENT SITE Mr. Cummins
To be Addressed at a Special Meeting Immediately Following this Work Session

Mr. Cummins advised this is public infrastructure work associated with the Middleton Crossing Development Site, which is where the new Sheetz gas station has been constructed. He said previously, Council accepted another aspect of public infrastructure, the water main, which allowed the construction of the structures on this site to proceed. Mr. Cummins stated there was also some turn lane improvements and that is what is covered under this acceptance before Council tonight. He advised this will wrap that project up as this is the last piece to be accepted.

7. ORDINANCE NO. 81-24 – TO AMEND AND SUPPLEMENT APPROPRIATIONS Mr. Presley

Mayor Jensen advised Mr. Presley will be back in the office tomorrow and he will send Council out the information for this supplemental appropriation before the vote next week. He explained some of the line items were bookkeeping issues that the auditor would like to see changed and it does not change the amount being spent but the way that the auditors would like to see it expended. Mayor Jensen added if Council does not feel comfortable passing it next week, they could hold off until September, but Mr. Presley could explain further when he returns.

8. REPORTS AND COMMENTS

MAYOR JENSEN reported that he sent an email out to Council regarding Republic Services billing as some residents have seen a recent increase in their quarterly billing. He advised there were some negotiation meetings held with Republic Services regarding entering into a new Memorandum of Understanding for another 5-year period. Mayor Jensen indicated in trying to come up with what would be a fair increase for Avon residents, the City learned that Republic Services billing was all over the board and some accounts have not seen an increase in years and were being undercharged. He stated Republic Services wants to bring all the accounts on an even scale and the City did not want to take on Republic Services failure to keep the billing current for all Avon customers when residents started to see a 15% increase just to bring their account billed at the current rate. Mayor Jensen advised the City said they would wait until Republic Services adjusted their billing prior to the City entering into a new MOU so all accounts were on an even playing field and then the City would negotiate a new MOU after the first of the year.

Mr. Gasior advised as a follow-up, he felt it was most important to note that each individual property owner contracts with whomever they choose for trash pickup service. He said it just so happens that the City has an MOU, a Memorandum of Understanding, with Republic Services that if they pick up residential refuse in the City they agree to charge no more than the set amount in the MOU. Mr. Gasior stated the City has entered into a series of MOU's over the last at least 20 years. He advised the current MOU expired and Mayor Jensen has been working with Republic Services to try to reach another agreement on an MOU to try to limit the amount that Republic Services will charge residents for trash pickup. Mr. Gasior said the first step in that process, as Mayor Jensen pointed out, is for Republic Services to get everyone in the City on the same level for the 8,000 residential customers. He speculated that there were probably 5,000 Avon customers paying one rate and 3,000 paying another and out of those 3,000 customers that rate varied from \$5-\$15 a month. Mr. Gasior stated before the City will do anything with Republic Services regarding a new MOU, Republic Services wanted to address the issue with the disparity in the current pricing and several have received that increase, but it was going up to the rate that the old MOU was set at. He advised we are going to stay at that rate through the balance of the year and then hopefully enter into another MOU for the next five years. Mr. Gasior added so when a percentage increase is called for then everyone will pay the same amount for trash pickup. He said they cannot have people paying \$65 a quarter and some paying \$45 a quarter for the same service and just say they were going to see a 5% increase. Mr. Gasior stated they should have everyone at the same level and then deal with the percentage increase. He said he was happy to answer any questions, but it is currently up to Republic Services to get everyone on the same dollar amount and then they would discuss the next MOU.

Mayor Jensen advised Mr. Cummins has set up an estimate for all the different projects over the next five years on the paper he distributed to Council. He said they will see all the projects that the City has been looking at over the course of the last couple of years and they put some of them down on paper. Mayor Jensen stated

some items that may not be listed are road improvements they may not be aware of that may take precedence as far as priority. He advised the bigger projects are listed and they have discussed them with Mr. Gasior and developers as they come to the Administration asking the City to participate. Mayor Jensen said they want to be able to show that these projects are in the planning stages on top of trying to help a developer or someone else that it is not possible with the funds that they are trying to allocate. He stated this spreadsheet should help Council know what they have planned and if they have other suggestions, they can reach out to him or Mr. Cummins to let them know of another area they would like considered. Mayor Jensen said minimum road repairs are not on this list, but the majority of the projects were listed for their review.

COUNCIL MEMBERS:

MS. BERGES, AT LARGE advised regarding Republic Services that the customer service representatives do not seem to know why there is an increase on bills and she felt that might have added to some confusion. She said one representative will say that everyone got an increase without explaining why as if it was time for the annual increase. Ms. Berges wondered if the current MOU or when there is a new MOU if the rates could be added to the City website. She stated those who underpaid would not have known they underpaid all these years unless they have the MOU. Ms. Berges advised having that transparency going forward might help.

Mr. Gasior advised when the City entered into the MOU with Republic Services back in 2019 there was an assumption that was created by Republic Services that everyone would pay the same amount for the same service. He said what the City found out when they sat down with the current representative was that deals were struck when residents called to complain about their bill going up and Republic Services made concessions to some individual residences without notifying the City. Mr. Gasior stated as far as the City knew everyone was paying the same amount until they sat down to negotiate a new MOU and then Republic Services showed them the documentation that there was this wide disparity in what people were paying. He advised with that, Republic Services needed to bring everyone up to the rate the 5,000 Avon accounts were paying, and they would have seen a 20%-30% increase if it was after the new MOU was set. Mr. Gasior said the City asked Republic Services to get their house in order and then they would sit down and negotiate the next MOU. He advised the City did not have any control over how Republic Services was going to answer customer service questions.

MRS. DEMALINE, WARD 1 advised at the last meeting she asked Mr. Cummins to prepare information on where they were at year to date on the sidewalk program. She said she emailed Mr. Cummins some lingering questions she had on the 2023 sidewalk program. Mrs. Demaline thanked Mr. Cummins as she sees he put everything together and she asked if it was a good time to talk about it to which Mr. Cummins was agreeable.

Mr. Cummins advised the spreadsheet he handed out in response to Mrs. Demaline's request was a summary of where they are with everything. He said putting the sidewalk plans together is a multi-step process. He explained that while the number they conveyed to the City as completed projects represents about 43% of the total, there have been varying stages of work completed on the different parts. Mr. Cummins stated they will continue to advance the designs and finish the survey process, to know where the sidewalk is to be located on Detroit Road, specifically, which is historically difficult from a survey perspective as it is an old road. He advised to date about 43% of the 21,110 linear feet have been provided to the City. Mr. Cummins said he anticipates the next grouping of about 900 linear feet to be turned in on Wednesday of this week and then there are three other sections in process and others after that. He advised a couple properties that are tricky in nature from a design perspective; item #3 Jaycox Road from Mills Road north, firmly sits on his desk. Mr. Cummins said two of those properties were straightforward and completed and he conveyed those to the City. He stated the remainder is the development area owned by KMU which is the northeast quadrant of Jaycox Road and Nagel Road intersection and there is just a lot going on as far as drainage ditches and the like. Mr. Cummins advised he needs to look at that and probably meet with KMU as well as Mr. Streater to see how they want to lay that out. He said otherwise they are going through the process and will be turning these over to the City. He added efforts have begun to put together the information and letters will be going out shortly for the areas that are conveyed currently. Then as new sections come in, those property owners will also be notified. Mr. Cummins said there has been progress made at the property on the corner of Detroit Road and Moon Road as well as one of the properties on Colorado Avenue.

Ms. Fechter advised Concrete and More at the old computer store location on Colorado Avenue were remodeling the existing building, so they were not required to come in front of a governing body, but they

have been working with the Building Department. She indicated she would check with the Zoning Enforcement Officer to see what kind of conversations they have had.

Mr. Cummins advised he was sure everything that has been identified along Colorado Avenue was in some type of process between the Zoning Enforcement Officer and the Service Department whether the property owner will install the sidewalks at a time convenient for them or the Service Department would schedule it to be done. He said the one larger undeveloped parcel recently submitted plans through the Planning Department that have been approved and it included the construction of sidewalks as part of their overall site development. Mr. Cummins stated to his knowledge, all of those pieces and parts are still moving forward, but some were waiting for different triggers.

Mrs. Demaline asked when speaking of the large undeveloped parcel, if that was the one that was slated to be the doggie daycare to which Mr. Cummins confirmed it to be the doggie daycare. She advised the house at 37475 Colorado Avenue was from the 2023 sidewalk program and she asked if there was an update on the status of that property.

Mr. Cummins answered he did not know the status of that property, but he believes that Ms. Clements, the Zoning Enforcement Officer has been speaking to those residents. He said he was sure that it was in some manner of process, but at that moment, he does not personally know exactly where it stands.

Mrs. Demaline asked if it was possible to add a column that indicates the resident has been notified regarding the 2024 sidewalk program spreadsheet.

Mr. Cummins confirmed they could do that and said they should be notified in the coming days.

Mrs. Demaline agreed for those that were ready, but some have not been developed yet and she would like some kind of timeline as to what that looks like, as it would be helpful.

Mayor Jensen advised as the letters go out, the information could be provided to Council.

Mrs. Demaline clarified it is great to know before they go out, so they were aware of what was going on in their Wards.

MR. MCBRIDE, WARD 2 advised they were starting to get a lot of signs in the public right of way again and said he pulled one out and threw it in the dumpster. He asked if they have a projected date as to when the Ward boundaries would officially change.

Mayor Jensen said he believes Mr. Cummins has all the information and he asked if Council would need to accept the changes by Ordinance.

Mr. Gasior advised the next step would be write it up so that they know exactly by street where the Ward boundaries are. He said he referred Council to the Code section a few months back and that it will added by Ordinance to that Code section. Mr. Gasior stated it is a street identifier.

Mr. Cummins advised he has been given the unofficial boundaries and they were in the midst of putting those back into the GIS system and creating an official map off of that input of information. He said his plan was to distribute that draft official map back to the Administration and City Council if needed. Mr. Cummins stated once it is determined that those boundaries are still a go, one of the steps they then would have to take was to write a worded description of each ward. For example, it could say something like, down the center line of Stoney Ridge Road to the intersection of such and such. He explained it is not a meets and bounds description, it is a worded description of each ward so that it is not just on the map, but there is a written identification as well. Mr. Cummins advised that is all in process and right now it is printing it from the GIS map and shortly after they could get to work on creating the worded descriptions.

Mayor Jensen inquired if it was possible to have it ready for the first meeting in September.

Mr. Cummins answered yes.

Mr. Gasior said it would require the written description to have an Ordinance ready for consideration.

Mr. McBride thanked them saying he was just looking for an approximate timeline.

MR. MOORE, WARD 3 said he saw on the list of upcoming projects provided at their desks tonight the Kinzel Road to Riegelsberger Road (State Route 83 widening) project. He stated he believes it was a year to a year and half ago that it was discussed that Council would like sidewalks in that area all the way to Bob-o-Link Golf Course. Mr. Moore advised he knows there are some challenges on State Route 83, but the project is anticipated to be constructed in "to be determined" (TBD). He said one year turns into two years which turns into four years which turns into six years from now. Mr. Moore asked if there was the possibility of looking at what they think is needed from an infrastructure fix and then take that and get the sidewalks installed to where they potentially could then do the road improvements so the sidewalks can come before the road improvement. He

stated he just does not see the sidewalk connection happening within six years if they wait for the road improvements to be completed first. Mr. Moore advised he knows that Council has talked about connecting to Bob-o-Link Golf Course with sidewalks and he understands they need to do some infrastructure improvements on SR83, but he asked if they could look at what that would entail to do them sooner rather than waiting for those road improvements. He added so that the sidewalks could get installed knowing what they were going to need for road improvements so they could accomplish getting sidewalks in that area sooner.

Mr. Cummins advised they certainly can lay out what the engineering would be. He said they would need to know the scope of the project that the City was interested in looking at. Mr. Cummins asked if they were looking at just keeping the 2-lane road section and not widening it and figure out a way to get sidewalks. He asked if they were looking at keeping the 2-lane section but widening it out as there has been talk about that in the past as well. Mr. Cummins stated adding sidewalks could add into a different scope. He said or what was a little more likely was to have it be a 3-lane section so that they could have safer lefthand turn movements and that would lead to a different result about what the infrastructure would be. Mr. Cummins advised he was more than happy to lay out any option, but he would want to have some input on the option that everyone would like to see in order to do that.

Mr. Moore advised he would like for Mr. Cummins to at least look at it and try to get the ball rolling a little bit because if they were waiting for road improvements to be done it was going to be several years out for sure.

MS. PATTON, AT LARGE advised she was excited about some of the businesses coming to Avon. She spoke with Ms. Fechter about getting Cava to come to Avon, but instead Hummus Republic is coming and she was very excited about that as it was nice to have some healthier options come to Avon.

MR. RADCLIFFE, WARD 4 thanked the Administration for the updates on the sidewalk and construction projects. He said those were great updates to have.

MR. FISCHER, AT LARGE had no comments.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER advised there are two companies that are interested in coming to Avon and they are making efforts to do that. He said one is Britespeed and they already have some amount of fiber in town and are looking to provide fiber to about 2/3 of the community, residential hookups. Mr. Cummins stated that entails going down every street in that service area that they have defined. He advised if the fiber will be going underground, the City wants to keep them away from the City's infrastructure as best they can such as water main, sanitary sewers, storm sewers. Mr. Cummins said that requires working with them to produce plans that accurately reflect what is in the ground and then identifying where they want to put that information. He stated Lit Communities also wants to come into Avon and they want to service the entire community. Mr. Cummins advised in about a three-day period, Lit Communities dropped 82 plan sets to his office basically covering 142 miles of roadway and Lit Communities is expecting it to be reviewed as quickly as possible so that they can get underway. He said his office has provided Lit Communities an example based off the project that the schools contemplated doing a couple years ago. Mr. Cummins stated those plans got to the point where those plans were accepted and approved by the City through all the necessary departments. He said even though Lit Communities was given an example up front, their plans did not reflect that and so it has been an ongoing process with them to tell them what the City wants and if Lit Communities needs to do extra work to produce that then that was what they need to do. Mr. Cummins advised all of those are looking for the City to approve roughly a mile a day of underground plans and that is very difficult. He said there has been a lot of effort and he believes they are making progress both in the fiber companies understanding the quality and type of plans that the City is looking for and the protections that the City is looking for as far as infrastructure, but it is still a very time-consuming process.

MS. FECHTER, PLANNING/ECONOMIC DEVELOPMENT COORDINATOR advised Sheetz opened on July 25th and she was excited to see that they gave \$2500 to the Special Olympics. She said Sheetz also brought in a young man and honored him for the work he has done with the Special Olympics. Ms. Fechter reported that Sheetz also gave \$2500 to Second Harvest Food Bank, and it was really nice to see these new businesses come into Avon and give back to the community.

Ms. Fechter advised on Saturday, July 20th they held a Christmas in July event in partnership with the French Creek Foundation. She said it was a great day with the Santa Claus they all know and love and there were princesses and carnival games and were able to help a lot of families have a great day and they went home with a lot of good food and memories. Ms. Fechter stated it was nice to see that this event made a difference in a lot of faces even if for only one day.

MR. GASIOR, LAW DIRECTOR advised he would be sending out a flyer from NOPEC to City Council for their information. He said it is a Natural Gas Opt-In flyer and it relates back to when there was a problem with natural gas prices increasing and many opted-out of NOPEC to avoid higher prices. Mr. Gasior stated according to this flyer, the City's Plan of Operation and Governance makes it difficult for people to opt back in and they would like for City Council, by Ordinance, to amend the Plan of Operation and Governance and make the opt-in provision a little less burdensome. He advised he would be sending this flyer out so that Council is aware of what is going on. Mr. Gasior mentioned he would meet with Mr. Presley and discuss further.

Mayor Jensen advised when the PUCO deregulated natural gas you could not opt-in whenever you wanted like you could with electric because there was a waiting period for natural gas to opt-in once they opted-out. He added this change needs to be done by Ordinance.

MR. PRESLEY, FINANCE DIRECTOR was absent.

MR. STREATOR, SAFETY DIRECTOR/PUBLIC SERVICE DIRECTOR was absent.

AUDIENCE:

Pat Jankowski, 1409 Hollow Wood Lane said she wanted to comment about Republic Services. She said she spoke with someone at Republic Services and part of the discrepancies in billing could be partly because at one time Republic Services offered smaller carts at a lower rate and there was also a senior citizen discount. Ms. Jankowski stated currently in our District, according to Republic Services, they no longer offer any of those options. She advised she did not know if the City was involved in the negotiations with Republic Services about those other services or were they just eliminated when the new contract was entered into with Avon.

Mr. Gasior advised the contract that the City was under from 2019 had provisions for all of that as there was a different price for the smaller cart and he believes there might have been a senior citizen discount as well. He said however, it was not being applied uniformly is what the City Administration found out. Mr. Gasior stated Republic Services is now going to apply those rates as they were spelled out in the 2019 MOU and he noted there was a 3% increase allowed in 2021, he believed.

Ms. Jankowski asked if they were going to offer the smaller carts or the senior discounts as she believed those were now gone.

Mr. Gasior said he does not know that yet.

Ms. Jankowski said that is what the representative at Republic Services told her and stated it was no longer offered to this District.

Mr. Gasior advised right now there is no MOU with Republic Services and the City of Avon as it expired April 30, 2024. He said he appreciates that Ms. Jankowski is relaying what she was told. Mr. Gasior stated what he and Mayor Jensen have been told by Republic Services is that they were going to try to get everyone on the same plane that they should have been on as of April 29, 2024, which is the day before the MOU expired. He advised then the City will be negotiating something new in the future, but until everyone is being charged the same rate per the expired MOU the City does not want to negotiate anything with Republic Services until everyone is on the same playing field.

Mayor Jensen advised they need to look at the last MOU because if there was a senior citizen discount, that should not change. He indicated the District was irrelevant because Avon's MOU was different than the District.

Ms. Jankowski said she was just letting them know what she was told. She stated a lot of her neighbors had the smaller carts because single people do not fill up those cans as they could set it curbside only once a month.

9. ADJOURN: 8:12 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