

**MINUTES OF THE WORK SESSION OF THE COUNCIL OF THE
CITY OF AVON, OHIO HELD MONDAY, AUGUST 10, 2020
IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
AT 7:00 P.M.**

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

Council President Fischer announced that City Council was going back to the normal format of Work Sessions on the first and third Monday night and Regular Meetings on the second and fourth Monday night beginning in September. He advised safety precautions were taken with the installation of plexiglass in appropriate areas to allow City Council to conduct business properly and safely. Mr. Fischer noted, the next meeting would be a Work Session of Council held on Tuesday, September 8, 2020 at 7:30 p.m. City Hall is closed on Monday, September 7, 2020 due to the Labor Day holiday. He reminded those in attendance that if they choose to speak that there is hand sanitizer and Clorox wipes available and he asked that they wipe the microphone and podium down at the conclusion of their comments.

1. RECOGNITION OF ASSISTANT FIRE CHIEF MICHAEL J. EMLING, UPON HIS RETIREMENT FOR HIS 36 YEARS OF SERVICE WITH THE AVON FIRE DEPARTMENT Mayor Jensen

Mayor Jensen invited Mr. Emling and Fire Chief Root to the platform. He said there was a video taken of Mr. Emling on his last day before his retirement. Mayor Jensen stated he was impressed with the number of people present and the award given him from the Fire Department was much nicer than this proclamation. He read a couple lines from the proclamation that he felt sums up Mr. Emling’s career, “Michael’s unique sense of humor and amusing antics always kept his crew laughing. As he made his way up through the ranks, he always kept that sense of humor and his crew always knew he had their best interest at heart.” He said in talking with Mr. Emling he realized how many things he gave up for his family over the years and he wanted his wife and family to know that there was never a doubt in any of our minds how much Mr. Emling loved his wife and children as that was something that Mike always let them know and they were always appreciative of someone who sacrificed so much. On behalf of the City of Avon and Avon City Council, Mayor Jensen thanked Mr. Emling for his service to our community.

Fire Chief Frank Root III remembered that back in 1984 six young men joined the Avon Fire Department and said it was not much of a Fire Department back then, but they had a lot of fire in their hearts and they were bound and determined they were going to change Avon Fire Department for the better. He stated thirty-six years later they have something that he believes is the best around. Chief Root advised so much of that is attributed to Mike and all things he has done over the years and he cannot thank him enough and it has been a pleasure to be able to work with him, especially these last couple of years. He wished him a long and happy retirement.

Mayor Jensen congratulated Mr. Emling on his retirement and he thanked him for his service to the community. A round of applause was given to Mr. Emling by all in attendance.

Mr. Emling thanked everyone. He said he had the pleasure of being a part of the growth of the City and the Avon Fire Department and over the thirty-six years they have seen a lot. Mr. Emling advised it is a department that he hates to retire from but he said it was time. He stated he watched the City grow and he has not worked with anyone he dislikes in all of the departments over all those years. Mr. Emling encouraged Mayor Jensen and City Council to keep working hard for the City. He closed by asking God to bless all of them and hoped that next year he could shake their hands without plexiglass in between them.

2. ORDINANCE NO. 72-20 – TO PROVIDE FOR THE ISSUANCE AND SALE OF MUNICIPAL RECREATION FACILITY NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS OF THE CITY IN A PRINCIPAL AMOUNT NOT TO EXCEED \$6,750,000 FOR THE PURPOSE OF PAYING THE COST OF CONSTRUCTING, RENOVATING, FURNISHING AND EQUIPPING MUNICIPAL RECREATION FACILITIES Second of Three Readings at Regular Meeting August 10, 2020 Mr. Logan

Mr. Logan advised these are the notes that financed the original pool construction and all the infrastructure in that area over the last five years. He said the maximum amount issued will be approximately \$6,750,000; however, once they see the TIF money in a couple of weeks they may pay down those notes even a little bit more. Mr. Logan stated they will sell these notes ideally on August 20th so he is asking Council that tonight at the second reading that they consider passing this ordinance by emergency to get the process moving. He said that interest rates are still very favorable for the City for new debt issuance and they should be well under .50% for rolling over notes like these.

3. ORDINANCE NO. 74-20 – AUTHORIZING THE DEVELOPMENT OF ENGINEERING PLANS AND SPECIFICATIONS FOR THE INSTALLATION OF AN ASPHALT MULTI-USE TRAIL ALONG THE ENTIRETY OF FRENCH CREEK ROAD IN CONJUNCTION WITH A TRANSPORTATION FOR LIVABLE COMMUNITIES INITIATIVE (TLCI) IMPLEMENTATION GRANT Mr. Cummins
Second of Three Readings at Regular Meeting August 10, 2020

Mayor Jensen advised he knows some on Council have questions moving forward with this project and this is another step in the process. He said he asked Randy Lane of NOACA and Jim Ziemnik of the Lorain County Metroparks to attend tonight's meeting and speak on this topic. Mayor Jensen stated they are both Avon residents and Mr. Ziemnik can address some of the questions regarding maintenance and other issues brought up previously. He said Mr. Ziemnik has a lot of experience with these types of trails and he asked him to speak on the trends he is seeing across the country and within Lorain County of people wanting that connectivity for walking and biking.

Jim Ziemnik, Director of the Lorain County Metroparks who resides at 39704 French Creek Road advised leading up to this process, the Metroparks have had a master plan for probably twenty years about the overall connectivity of Lorain County as it relates to trails and how it can connect through the communities bringing more people into the parks, and experiencing the parks. He added they can have a magnificent park system, but if they do not get the people to it and experience it then they have all failed and he said they take that very near and dear to what they do working with his Board and his Staff to make that happen. Mr. Ziemnik advised that they take any opportunity that they can to partner with communities, which is what builds success throughout our County. He said as Mayor Jensen indicated they have well over 120 miles of paved trail and about the same in gravel trails and that is often dictated by where those trails are located, based on the flora and fauna and the acidity of certain gravels. Mr. Ziemnik stated some areas lend themselves better to gravel because it is more of a naturalist or more permeable type of surface, but he believes most people prefer a paved trail. He said with the paved trail people feel safer and they can bike on it and run on it and are not worried about tripping, although the gravel trails are very safe and are ADA compliant. He advised they had been having conversations with Mayor Hunter in Sheffield Village about introducing some connectivity to some trails. Mr. Ziemnik said those discussions led to discussions with NOACA and Randy Lane suggested they all work together with the City of Avon as they received a TLCI planning grant. He advised the Metroparks took advantage of that opportunity and he believes there was a meeting in Avon with the Executive Director of NOACA, Grace Gallucci, and he believes Randy Lane sat in on that meeting with Mayor Jensen, Mayor Hunter, Mr. Cummins, Ms. Fechter and himself and it was determined that would be the way forward. Mr. Ziemnik advised the Metroparks have skin in the game as they have financial resources put into that plan and he does not believe he would have been able to get his Board to support it if he would not have communicated how important it was and how this was going to benefit all of the County and all of the communities and getting people into and through our parks and that is what they strive to achieve.

Mayor Jensen asked Mr. Ziemnik if he could explain why a ten-foot wide path and why an asphalt surface and if he could also explain the history of a blacktop surface and what could be expected and what they should prepare for as far as maintenance is concerned.

Mr. Ziemnik advised throughout our Metroparks they have a variety of different widths and a lot of that is attributed to the time in which they were constructed. He said they have some paths as wide as twelve feet depending on the projected usage, but most of them are ten-foot wide asphalt and that derives from a Federal Highway standard (AASHTO – American Association of State Highway Transportation Officials). Mr. Ziemnik stated when dealing with NOACA, they are the conduit for all of our federal funds; all of the Federal Highway Transportation dollars in Northeast Ohio are filtered and funneled through NOACA. He explained very specifically those trails for which they have received Federal Highway Transportation monies through NOACA are ten-foot wide and two-foot of shoulder on each side; however, there are design exceptions when working with ODOT, the Administrator of the funds. Mr. Ziemnik advised their experience is primarily ten-foot wide asphalt trails and the oldest paved trail is through the Black River and it is over thirty years old and they have never had to overlay it. He said the Metroparks have dedicated \$10,000 a year for all asphalt throughout the Metroparks for crack sealing as a part their annual maintenance program; if they can seal up the cracks before water can penetrate it, they can prevent damage. Mr. Ziemnik advised with regards to that oldest trail, in thirty years they have only had to seal coat it once. He indicated some of the biggest problems with trail longevity is when vehicles not meant to be on the trail use it such as law enforcement or service department vehicles as they are not built to be roads for vehicles and when people understand that and use the trail for its intended purpose then they will last a long time. Mr. Ziemnik said there are two asphalt trails in the County that are connectors in the City of Elyria that are in the right of way through residential areas. He stated at first some of those residents were a bit taken aback but have since come to accept it and it is very well utilized and people feel safe and it has been wonderful. Mr. Ziemnik advised costs have been minimal for maintenance of those connector trails. He advised Mr. Butkowski sent him a request for some information as to what the City's obligations are and that information has probably been shared now with everyone. Mr. Ziemnik said if the City accepts those dollars, then for twenty years the City has to make a commitment to own it and maintain it and the Metroparks do not get into a lot of snow removal as the Black River Trail is the only one they focus on keep cleared of snow. He said if as a resident of French Creek Road there is the expectation to clear the trail or his sidewalk then of course he is going to do that as he has done wherever he has lived.

Mayor Jensen indicated when he and Mr. Ziemnik spoke the other day about grant money, it was mentioned that as sections of the trail are installed it becomes easier to get approved for the next section. He said the City has not fully determined which side of the road on French Creek would be the best for this section of the trail and that can only be decided once they move forward and get some engineering work completed to see which would be more advantageous. Mayor Jensen advised once there is a section of trail installed in the City then organizations were more likely to provide additional grant funding to add more sections.

Mr. Ziemnik agreed and advised his experience with NOACA had been that if they made application for implementation funds and if they are fortunate enough to capture those funds then once those funds are invested into trails it leads to more consideration from NOACA for those communities as they evaluate those applications. He indicated his recommendation and advice to the Mayor and the City Administration was that if they give that money back that there are plenty of communities willing to accept it especially in this time with COVID-19 as people need those dollars. Mr. Ziemnik added that NOACA definitely takes the "shovel ready" approach and if the City can start implementation, they have a better chance of continuing to get funding. He felt that if they invest those dollars into trails in the community that it leads to greater success of future funding

Mr. Butkowski advised he believes they all agree there is a necessity for trails in the City of Avon. He said as he talks to the community and to the residents in his Ward, the feedback that he is hearing is a confounding confluence between connectivity and a trail. Mr. Butkowski stated that the City has been working diligently over the years to access that connectivity through the sidewalk program and they are still hearing feedback that the City needs to improve that connectivity. He felt the confluence is whether this is a trail or were they addressing the connectivity issue currently on French Creek Road. He said Mr. Ziemnik brought up the point that within the

Lorain County Metroparks System there are some trails that are ten-foot wide such as on Ford Road, but Ford Road is a very rural residential road and he was uncertain if the trail was actually on the residential side or across from it.

Mr. Ziemnik confirmed the trail was on the residential side of Ford Road. He advised both sides of Ford Road have residential properties.

Mr. Butkowski advised if they were to look at the overall percentage of the trails within the Lorain County Metroparks System, he asked how many as a percentage would be going through a residential area itself.

Mr. Ziemnik advised as a percentage it is probably in the single digits, as the majority of trails are in the parks. He said it is also a function of time and success as they have a lot of trails in our parks as they are substantially completed and built out and now it is about the connectivity. Mr. Ziemnik indicated they are not like Cleveland Metroparks who one hundred years ago had a vision for park land. He stated in Lorain County, the Metroparks are primarily a bunch of islands and so the mission becomes how do they connect those islands to get people into and through their parks. Mr. Ziemnik advised they are getting federal highway transportation dollars to build these trails and they become transportation routes in and of themselves. He indicated once French Creek Road has this trail, now someone can walk or bike down French Creek Road and get to the local schools or LCCC or the shopping areas in town. Mr. Ziemnik advised he received a letter that came to him through NOACA from a lady from Elyria near Cascade Park who rides her bike to work at Avon Commons and she told them every hairpin turn, every place where she gets honked at and has asked them to please find a way for her to get to and from work on her bike safely. He said that story is anecdotal, and it was one person's story, but he felt it starts to ask how they work together to get people more safely to the places they want to get to.

Mr. Butkowski said he thinks they were both after that same goal; the question is how they do it in a cost effective manner. He stated in regards to this particular trail, there is no trail head that is associated with it so the access to the Metroparks from someone who does not live along that trail is quite limited as they would then have to find another place to park and get their bike out and access the trail. Mr. Butkowski advised the example Mr. Ziemnik gave addressed more of the connectivity issue as opposed to the trail issue. He felt there are plenty of opportunities within the City of Avon such as the Metroparks facility off of Riegelsberger Road would be a great place for a ten-foot wide trail where it would not impact the residents' driveways as they are backing out to now have to worry about a bicyclist. Mr. Butkowski said the question for him becomes can they accomplish that same goal of addressing the community needs or wants for a trail and also address that connectivity in a different and much more cost effective manner.

Mr. Ziemnik advised a trail in and of itself is connectivity so if they build the trail that is connectivity. He agrees that connectivity could mean a whole host of different things as it could mean a five-foot sidewalk or an eight-foot asphalt path around some subdivisions like on Moon Road.

Mr. Butkowski advised the feedback he has received from the residents in his Ward is that they realize the trail was to get from point A to point B but did not realize it was going to be a ten-foot wide path in their front yard. He said that is the question he has to address for these residents.

Mr. Ziemnik advised the Metroparks were involved in this partnership with the City of Avon and Sheffield Village on that TLCI plan, and it very specifically talks about French Creek Road being the location. He said if they are debating on whether the path was going to be a five-foot wide sidewalk or ten-foot wide trail on French Creek Road, that very specifically said that is the French Creek Greenway. Mr. Ziemnik stated the multimodal transportation route is to come down French Creek Road.

Mr. Butkowski asked who made that determination.

Mr. Ziemnik advised that was through the planning study that the City of Avon put up most of the money and were able to get NOACA to help sponsor and the Metroparks bought into it as well as Sheffield Village. He said

that is spelled out in the accepted plan and he believes that was accepted by NOACA and they have had multiple public meetings. Mr. Ziemnik stated there were multiple opportunities for people to discuss it and it was very clearly spelled out, as he attended several of those public meetings, that French Creek Road was going to be the spine of this multimodal multi-use trail through Avon.

Mr. Butkowski said there were also some other opportunities that were presented prior to that being put forth, but that is the evolution of this process. He said he understands that there were other meetings with regards to that, but as with most things they can evolve and through that evolutionary process they have to look at what is best as things come more to light as to what this is going to look like and the reason for some of his questions about to this specific situation and to address the residents' concerns that he has heard loud and clear with regards to this trail.

Mr. Ziemnik said living on French Creek Road near Moon Road he has watched people walk up and down the street, he watched people jog and he has watched people bike. He stated he has observed three cases where young people were riding their bikes on French Creek Road. Mr. Ziemnik indicated one instance when someone came along walking their dog one girl on a bike veered off and went into French Creek Road to avoid the dog putting herself in a dangerous situation because of the traffic and fortunately no one was hurt. He said there was another situation of two young boys riding their bikes along the berm on French Creek Road, closer to Detroit Road, and he was driving toward them and he waited until the young man got on the shoulder and then went around when the traffic allowed. Mr. Ziemnik said there are people riding their bikes on French Creek Road and he would love to think that the City would make a commitment to provide a safe route for them to be able to do that.

Mr. Butkowski asked where Sheffield Village was with regards to their part of this process and how far along in the process is Sheffield Village.

Mr. Ziemnik advised Sheffield Village had one major piece that they were committed to and they brought their path along Abbe Road from the center of town (SR254 and Abbe Road) and they will eventually end at French Creek Road. He said the Metroparks commitment is to pick it up at Abbe Road and French Creek Road and run it along French Creek Road. Mr. Ziemnik stated the Metroparks are planning a ten-foot wide trail that would take it from the UAW hall to the French Creek Reservation. He indicated it is the genesis of a great collaboration with NOACA, the Lorain County Metroparks, Sheffield Village and the City of Avon to build this sensational trail system in that part of the County.

Mrs. Holtzmeier advised Mr. Ziemnik mentioned the connectivity for people to get to and from Avon to Sheffield and vice versa down Abbe Road and along French Creek Road and the Metroparks are paying for that ten-foot wide connection from Abbe Road to French Creek Road. She said when people continue along that trail from Avon to Sheffield, they follow along the trail onto Abbe Road into Sheffield. Mrs. Holtzmeier asked how wide the trail is that Sheffield Village is providing.

Mr. Ziemnik advised he does not believe that it is more than four or five feet wide. He said he does not know Sheffield Village's Ordinances as they relate to people riding bikes as some communities are more strict about that than others. Mr. Ziemnik stated it is not recommended for people to walk, jog and ride bikes on a five-foot wide paved surface.

Mrs. Holtzmeier asked if the trail in Sheffield that is four or five-foot wide was made of asphalt.

Mr. Ziemnik advised it is concrete and he believes Mayor Hunter in Sheffield received State Capital dollars from then Senator Gayle Manning.

Mrs. Holtzmeier said the five-foot wide concrete trail in Sheffield sounds like a sidewalk to her and she asked if it went across any driveways along Abbe Road.

Mr. Ziemnik confirmed it crosses a lot of driveways.

Mrs. Holtzmeier felt it sounds very similar to Avon's French Creek Road. She asked who decided the Master Plan. Mrs. Holtzmeier advised here in Avon they have made some decisions and she knows there were various meetings and various representatives, but when it comes down to implementing this plan as a Council she felt they really needed to look at three things:

- Is it appropriate for the neighborhood or the street where it will be located?
- Is it a responsible use of taxpayer money?
- Is it legally compliant with our current Code?

Mrs. Holtzmeier advised what Sheffield has done is basically install a sidewalk, whether it is called a path or a trail and they are close to completion. She asked Mr. Ziemnik if there was a timeline as to when the Metroparks would begin their portion.

Mr. Ziemnik advised as soon as possible as there is a lot of decision making that goes into it regarding utilities and the location of the right of way line and the pole locations and hydrant locations. He said right now they are pursuing with Mayor Hunter what side of the road is appropriate as the preferred side is the north side, but there are hydrants that need to be relocated to the edge of the right of way line as that space is needed in order to get the ten-foot wide trail installed. Mr. Ziemnik stated if Mayor Hunter will not commit to moving those hydrants then they will most likely install the path on the south side, which is more open although more ditches and culverts would need to be installed. He added that now is the best time for it to go out for bids.

Mrs. Holtzmeier asked if they have any preliminary engineering estimates.

Mr. Ziemnik advised approximately half a million dollars. He said the rule of thumb is \$1million a mile and they are fairly confident they would be able to bring it in for substantially less than that noting that asphalt prices right now are rock bottom.

Mrs. Holtzmeier advised even at that small stretch in Sheffield there are a lot of other expenses attached to it such as the culverts and relocation of hydrants and utility poles mentioned. She said installing a ten-foot trail has a lot in its wake that needs to be merited.

Mr. Ziemnik advised the half million-dollar figure was a conservative high number and he felt it was more than sufficient to cover the cost of the project. He added that if Mayor Hunter is willing to install the culverts as a part of his project that would be less than the Metroparks has to pick up.

Mrs. Holtzmeier advised she has been on City Council for over seven years and from when she was first running for office until yesterday people constantly are asking when they were going to connect the City. She asks the residents to provide her more detail as to what they mean by that statement. Mrs. Holtzmeier said the response she receives is that they want to get from their house to the pool or the library, the Middle School or to the High School or into town. She asked those she spoke with if what they were talking about was sidewalks and she said the answer was so much yes. Mrs. Holtzmeier stated in seven years she has never had anyone tell her that there were too many sidewalks or that they need something wider, but what she hears is that there are not enough sidewalks. She said that is what she is struggling with and then the cost associated with it and what is appropriate and what people are looking for.

Mr. Ziemnik said he was here to offer some history and experience. He advised he does not know the local Ordinances and he asked if they allow bicycle riding on the five-foot sidewalks in Avon.

Mrs. Holtzmeier responded they do.

Mr. Ziemnik felt that was a good thing to allow children and families to ride their bikes on sidewalks unlike some communities that force bicyclists to ride on the street. He indicated that is a leadership decision moving forward.

Mrs. Holtzmeier advised she was trying to listen to what she has been hearing and apply it in a way that is the best use of taxpayer money and give them more bang for their buck.

Mr. Ziemnik advised he was not involved with the TLCI grant dollars, but there are other specific programs that fund sidewalks such as Safe Routes to Schools, but he did not know if the TLCI grant for the French Creek Greenway would fund five-foot concrete sidewalks. He believes NOACA agreed to give Avon that grant to build a ten-foot wide path.

Mr. McBride advised the vast majority of Avon's sidewalks are only four-foot wide. He feels they are substandard and always have been.

Randy Lane of 36104 Billingsley Row advised by day he works for NOACA and he was not prepared to talk tonight on behalf of NOACA, but if the City does have a proposal that is different from what was competitively selected in accordance with the criteria up against four million dollars of other projects, it would have to be resubmitted and recomputed. He said it is an incredibly popular program and this project was only one of a handful that was funded so it would have to go back and recompute for funding under that program based on the new proposal if they are indeed talking about going from something that promotes and enhances a bicycle facility versus a sidewalk and there is great distinction between those two. Mr. Lane stated he bikes all over Avon and he bikes on the sidewalks because he does not have a choice. He said it is more unsafe to bike with all of the driveways and access points than it is a safe wide trail where you can remove yourself from conflicts of oncoming pedestrians or other types of conflicts. Mr. Lane advised he would like to take this opportunity to say that he is a resident that has participated in every opportunity for public engagement in the City whether it was coming to Council meetings, Planning Commission meetings or participating in the four public meetings that were conducted as part of the Citywide bicycle/pedestrian plan. He said the numerous surveys that have taken place in the seven years that he has been a resident of Avon overwhelmingly support bicycle and pedestrian connections. Mr. Lane advised it is a tricky thing as he heard asked what they would be connecting to and what is the purpose of that connection. He said this specific connection is to provide bike access to not just a small core neighborhood or street but beyond by connecting to regional assets like the French Creek Metroparks and connecting to the larger transportation network in Lorain County from an active transportation standpoint. Mr. Lane noted the health and livability benefits that come along with that. He said they all know that not everyone is riding their bike to and from work every day. Mr. Lane advised in his experience in fifteen years as a transportation planner at the State level, at the regional level, these projects are successful and they are successful at not just providing health and livability benefits at the core level, but beyond. He said there are also economic benefits and there are many businesses that would love to be located along a trail project with that kind of access and other types of opportunities. As a resident, Mr. Lane feels he has a very tough job of balancing the growth and the livability. He said his fear is in ten years some of the opportunities are going to pass by to keep maintaining Avon as a livable community with those features that are very desirable from a livability standpoint such as walkability, riding a bike to get ice cream and those kinds of things. Mr. Lane advised he was not going to speak to this particular project, but overall getting into a design process and a project development process and hearing people out and hearing their concerns and trying to implement for their concerns is a step that is needed or else he fears that many of the projects born and planned in that plan are not going to come to fruition. He commended City Council and the Administration for hearing everyone and taking those concerns to heart through the continuous public engagement process.

Mayor Jensen asked Mr. Lane, since he attended those other meetings related to this path, if he felt the City went through the proper process. He indicated Mr. Ziemnik stated this is going to be the spine for future planning. Mayor Jensen asked Mr. Lane if he saw anything within that process that the was not followed properly.

Mr. Lane advised he attended all four public meetings and they were all very positive. He knows there are some members of Council and the Administration who were present at those meetings and he does not remember hearing one negative comment. Mr. Lane felt that over 600 respondents to a survey from a city the size of Avon is remarkable as he does not see that kind of response to surveys to that level unless it is important to people. He said he participated in the recreational surveys approximately five years ago and ninety-six percent overwhelmingly want bicycle and pedestrian facilities. Mr. Lane said the choice is theirs to decide how to best

make those connections and plan and develop for a city like Avon. He stated sidewalks are going to provide transportation choices and recreation choices for about half a mile as people are going to walk 8-10 minutes before they realize it is too far for the destination they are trying to get to and walking is not an option. Mr. Lane advised then they start to look at a bicycle plan where they can connect 2-3 miles citywide and give citywide access through appropriately designed facilities and it was much more meaningful. He said that is his opinion and input as a resident of Avon.

Dave Woolsey of 2238 Garden Drive advised he has been a resident of Avon for thirteen years and he wanted to come and encourage City Council to take a step forward. He said they are talking about French Creek Road as the spine and it is the safest exit and entrance to Avon on a bicycle. Mr. Woolsey stated he rides from Avon to Brecksville and to Cleveland and he rides all the way to Lorain so that he can get back to Avon on French Creek Road. He said the best way out of Avon when heading east is Schwartz Road. Mr. Woolsey advised he is used to riding on the road, but there is no way he is going to take his family. He said he has gone as far as Elmore, Ohio taking French Creek Road. When he first moved to Avon, he said sidewalks were a horrible idea because if you go off the sidewalk on a bicycle you have almost no chance of getting back on without stopping and getting off. Mr. Woolsey stated he crashed into one of his children when she crashed in front of him and he ran her over on Jaycox Road. He advised thankfully they were not going very fast and she was not hurt. Mr. Woolsey said that bicycles and sidewalks do not go together, and it should not be petrol people against pedal people because they all drive cars too. People are going to be more active in the future, and bicycling is going to continue to grow. He advised this Council has the opportunity to jump forward even though it is painful and even though there is pushback because every time there is pushback it means they are going somewhere. Mr. Woolsey relayed a story that in Kipton they extended the trail from Kipton to Wakeman and there was a resident initially adamantly opposed to it, but a year later there is a little connector path from his property onto the trail and this gentleman uses the trail now. He said a multi-use trail is the safest way in and out if you are a bicyclist and he will go eight miles out of his way to come in on French Creek Road because it gets him over I-90 and he thinks it is the lowest traffic road they have.

Bob Malone of 38000 French Creek Road felt the other gentleman who spoke from the Metroparks (Mr. Ziemnik) had a vested interest in this bike path. He said (Mr. Ziemnik) said he saw three incidences of people who have had problems walking or riding on the sidewalk on French Creek Road. Mr. Malone stated that is three out of the total number living in Avon. He advised Mr. Woolsey said French Creek Road was the least traveled road in Avon and he asked Council if any of them travel down French Creek Road.

Mayor Jensen said he travels it every day.

Mr. Malone asked what the average speed limit is on French Creek Road.

Mayor Jensen answered right now it is 35 mph.

Mr. Malone said he did not mean what the posted speed limit is, but what was the average speed driven on French Creek Road.

Mayor Jensen advised the police check those signs that monitor the speed and it is 35 mph.

Mr. Malone advised he wished the police would come and sit on French Creek Road. He felt that 30% of the people that travel on French Creek Road were doing 35 mph and most of those are behind someone else going 35 mph and everyone else was trying to go 50 mph. Mr. Malone stated another word for a hard surface multi-use trail is a sidewalk and they have those on French Creek Road and he does not think the City needs this bike path.

Joe Novak of 38151 French Creek Road advised he is an avid bicyclist and he biked here tonight. He said regarding sidewalks, there needs to be a sidewalk on the south side of Detroit Road from French Creek Road to

Buck's Hardware as there is only loose gravel there and students walk there every day and he bikes there every day. Mr. Novak asked if that could be addressed quickly.

Mayor Jensen advised he would have the Zoning Enforcement Officer check into that situation.

Mr. Novak advised there is a beautiful sidewalk on the north side of Detroit Road to French Creek Road, but then it stops and if something could be connected that would be wonderful.

William Fiorille of 38030 French Creek Road asked where the ten-foot path was going to dead end into; Detroit Road? Where was it going to go after that? He asked why and said it is not necessary. Mr. Fiorille said the sidewalks are there and they are new. He indicated that traffic does not go 35 mph and that he would be happy with 45 mph. He advised his wife was almost killed when a wheel fell off a car and it almost hit her in the front yard.

Diane Fiorille of 38030 French Creek Road advised she does not have a problem with sidewalks being put in, but when the sewers were being installed, not one car on that street was going 25 mph and now they are going to put children on bikes with a ten-foot path. She said she has granddaughters that live in Avon and she thinks they should be able to get to a destination, but she felt they should be logical about it. Ms. Fiorille stated when they were putting the sewers in, her mailbox got wiped out twice. She advised now the City wants to put children's lives on a ten-foot path and she felt there are not that many bikes riding on French Creek Road. Ms. Fiorille felt they should think about it and she was not against a sidewalk being installed, but she had to put a U-shaped driveway in because they cannot get out otherwise. She suggested the bike path be installed in another area.

The Clerk read into the record the following questions submitted by Edward Braunscheidel of 37967 French Creek Road by way of an email regarding Ordinance No. 74-20. "The City of Avon just got rid of a big service headache and cost by the removal of the sewer lift station on French Creek Rd, costing residents a pretty penny, \$15-20,000. Spending more than a million dollars on an asphalt trail that will require annual maintenance at City expense just doesn't make sense. You cannot make residents repair or maintain a public funded trail it has to be on the City. 1. Will all maintenance of the trail be performed and funded by the City and will the life cycle cost estimates be included in the proposed engineering study 2. The trail will cover all utility connections and storm sewers, will the City cover all trail replacement costs if a resident must perform a repair on their utilities that requires digging up the trail 3. Will all parts of the trail fit within the existing right-of-way, or will eminent domain be implemented taking away residents property for something they may not want 4. I payed extra for a concrete driveway apron to minimize maintenance, I would like to keep it if the trail is installed 5. Bicycles will be able to travel at much greater speeds through congested residential areas increasing risks of injuries with our cars as we have to block the sidewalk now when entering French Creek due to sight lines and high speeds that occur on the road. Will there be a Bicycle speed limit on the trail, and who will enforce it. 6. When residents put branches out for pickup, it will cover the trail, what is the liability of residents trying to utilize city services of this type 7. Will guard rails be installed for pedestrian safety, effectively blocking residents views out their front porches. 8. Will the engineering study include alternative options such as mandated sidewalks on both sides and providing a bike lane on the newly to be performed repaving of the road. Even subsidizing sidewalks may be cheaper and less maintenance than the trail. This type of project definitely requires public meetings and three readings both now and in the future. It is a major cost and a headache to residents impacted with minimal benefit vs regular sidewalks and roadside bike lanes. Respectfully, Ed Braunscheidel".

Mrs. Holtzmeier asked the percentages of the addresses on French Creek Road that currently have and do not have sidewalks. She advised Mr. Cummins communicated that on French Creek Road from Detroit Road to the Sheffield Village line there were 66 properties. Mrs. Holtzmeier said those 66 properties represent 8,615 linear feet, and of that, most if not all, of the properties from Detroit Road to North Long Road generally had sidewalks. She stated that 55% of the properties on French Creek Road already have sidewalks in place. Mrs. Holtzmeier advised the part of French Creek Road that does not have sidewalks is generally from North Long Road to the Sheffield Village border and that represents 45% on French Creek Road that is currently without sidewalks. She

felt they would be ripping up 55% of the existing sidewalks on that road in order to install that asphalt trail throughout the entire street. Mrs. Holtzmeier asked Mr. Cummins if that was a fair representation of the numbers.

Mr. Cummins said he believed so.

Mrs. Holtzmeier advised one of the things they looked at were some alternatives. She said they talked about the connectivity versus accessibility and as someone who has spoken up in favor of sidewalks, she wanted them to know that she is also in favor of trails but felt there are appropriate places for both. Mrs. Holtzmeier stated she would not be in favor of putting sidewalks through a woods or forest or around a lake, but she felt those were appropriate places for a trail especially when that accessibility is not already there. She does think they are trying to go from street to street knowing that already the City is populated with sidewalks and she felt it makes sense to continue with that method of development. Mrs. Holtzmeier stated they needed to ask if it is appropriate for the street and is it a good use of taxpayer money and is it compliant with our Code. She appreciates that French Creek Road is a spine of connectivity and she felt it can be a spine of a sidewalk that connects to some really amazing trails through undeveloped land. Mrs. Holtzmeier advised our pedestrian and bicycle master plan provides some of those options and they are exciting. She said some of them connect Avon Isle close to the Sheffield Village border near North Long Road through woods and that is exciting. Mrs. Holtzmeier stated some of it is a connector of the end of French Creek Road by Sheffield Village under I-90 or to French Creek Nature Preserve and then an off-shoot that would go toward All Pro Freight stadium; again not through roads, but through nature and she felt that was an appropriate use of a trail and that is exciting. She said that she just wants to do what is appropriate. Mrs. Holtzmeier advised it is important and incumbent upon them to do what is appropriate. She said if they had a brand new City and they were developing this from scratch then they would have the ability to make these trail spines and to create houses and streets and developments in a way that makes sense. Mrs. Holtzmeier felt they were doing a mish mash by fixing it up and trying to get people from point A to point B and give them alternative ways to explore nature. She said she wants to be responsible with their use of taxpayer money and listen to residents when they tell us they want to get to places and be creative about where it is good to have a trail and where it is smart to have a sidewalk and move forward in a way that is wise.

4. [ORDINANCE NO. 75-20](#) – AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE AVON BRANCH OF THE LORAIN PUBLIC LIBRARY Mr. Gasior

Mr. Gasior advised this is a housekeeping matter. He said when they did the original bond Ordinance to place the issue on the ballot, the library's counsel had prepared the document. Mr. Gasior stated the first page of Exhibit A is the agreement that City Council is essentially adopting stating, "*Pursuant to ORC 3375.42 the board hereby finds and determines it necessary to enter into an agreement...*". He advised that clause should have been in Resolution No. R-30-19 and it was not. Mr. Gasior said there was a clause in Resolution No. R-30-19 that he believes covers this that was more of a blanket clause. He stated someone at the County Auditor's office wanted this particular clause to be inserted so the amendment was drafted by the library's counsel and that is what is before City Council tonight and it is a minor housekeeping matter simply stating that the funds that will be collected through the levy that was already passed will be used in the operation of the library branch and it is something the County asked be done for clarification.

5. [ORDINANCE NO. 76-20](#) – TO AWARD THE BID FOR THE 2020 AVON PAVEMENT MARKING PROGRAM Mr. Cummins

Mr. Cummins advised the public bids were opened on July 31, 2020 and two bids were received. He said the low bidder was Dura Mark Inc. out of Aurora, Ohio at \$186,819.16, which is approximately 8.7% below the engineer's estimate. Mr. Cummins stated Dura Mark has done work for the City of Avon for this annual program in previous years and he would recommend they be considered the lowest and best bidder for this project and recommend proceeding with a construction contract.

6. [ORDINANCE NO. 77-20](#) – TO AMEND CHAPTER 1062 OF THE AVON CODIFIED ORDINANCES TO REVISE REGULATIONS FOR THE AVON CEMETERY Mr. Farmer

Mr. Farmer advised this is also a housekeeping issue as the City needs to get their rules and regulations into the Department of Commerce. He said the City has a registered cemetery that is required to have rules and regulations in place, and this is moving forward with that requirement. Mr. Farmer confirmed there are no more plots for sale in answer to a question by Mr. Fischer and he added that there are open lots, but they are all sold.

7. ORDINANCE NO. 78-20 – TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH KRISTIN HOPKINS OF CT CONSULTANTS TO PROVIDE PROFESSIONAL CONSULTATION TO EVALUATE LAND USE POLICIES WITHIN THE R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

Mr. Gasior

Mr. Gasior advised approximately a month ago they may have seen the notice in the paper about Avon Planning Commission holding a Public Hearing to consider an amendment to the Charter regarding lot sizes and Council Member Butkowski could probably speak to that issue. He said there was not a great deal of time to evaluate the issue properly in order to get it on the ballot in November. Mr. Gasior stated over the last month they have discussed the entire issue of lot sizes and land use in the R-1 Single-Family Residential District and for a number of reasons, they have arrived at the decision to hire Kristin Hopkins, who is in the audience, from CT Consultants to provide some consultation to the City and to evaluate some land use policies going forward. He advised Ms. Hopkins' proposal was published online along with Ordinance No. 78-20 and there is no reference in the Ordinance or the proposal to making any changes to the Charter; however, Ms. Hopkins will be tasked with evaluating the City's R-1 property and perhaps making some recommendations to the City around the idea of best practices and regulations to help achieve and maintain high quality of life for existing and future residents. Mr. Gasior stated if anyone would like to ask Ms. Hopkins any questions she was here tonight. He said the Ordinance along with the proposal is very self-explanatory and he hoped all of Council had a chance to review it. Mr. Gasior advised there was nothing in here that will be of any major concern at this point. He was sure that Council intends, as well as Planning Commission will intend, to have several meetings and all of them will be public meetings and they welcome any input from residents, developers or anybody who has an idea of how to go forward with our residential development.

Mr. Witherspoon advised we sit here and talk about being responsible with taxpayers' money, but yet intend to spend \$20,000 on a proposal to do something different than what they have already in the Code. He felt what was driving this action was the desire by some to increase the minimum residential lot size requirements in Avon. Mr. Witherspoon stated as far as he is concerned, changing the size of the lots in Avon is a terrible idea and it was tried once before. He said the only way he could see spending the \$20,000 to hire someone to look at it is if they are unhappy with the current situation of building residential homes in Avon. Mr. Witherspoon advised as far as he has heard in his fourteen years on City Council there is a blip every once in a while, but there are no major problems with residential building. He said to spend \$20,000 just to look it over to decide if the lot sizes should be increased is, in his opinion, a waste of taxpayer's money.

Mr. Butkowski advised the impetus for this came from the idea of trying to address constituent concerns and as they have all sat here and heard about the issues of flooding, of the tree canopy, of infrastructure, of population density and he took it upon himself to look at how they can make it a better City for all of us. He said the impetus of the minimum lot size was the start of this process to try and address those four issues that they have all heard as City Council Members. Mr. Butkowski stated this was something that was looked at in 1992 within the City and a Planning Service was hired for that purpose. He advised part of those recommendations back in 1992, almost 30 years ago, was to look at the population density and what the City buildout could look like. He said they are now left with 3800 acres of undeveloped land within the R-1 District in the City of Avon. Mr. Butkowski stated that they heard at the last meeting about flooding issues within the City. He said if we can look at this situation and hire a professional to take a deeper dive at this and potentially address all four of those issues, he felt that \$20,000 was money well spent for the whole City of Avon. Mr. Butkowski advised the City has spent a lot more money on other things that might not have impacted as many residents in the City and \$20,000 is money well spent to try to address those four issues that have not been addressed appropriately in almost 30 years or else they would not have these flooding issues they have today.

Mr. McBride advised he agreed there are some flooding issues and there are a couple subdivisions where 100' x 150' lots were never big enough to build big houses on them. He indicated they should regulate the square footage that a house can be, based on a specific lot size but felt that could be accomplished by Ordinance and he did not know that the lot sizes needed to be changed. Mr. McBride felt hiring CT Consultants to look at it was a good idea as it would be nice to have their professional opinion. He asked what the current sideline setbacks were, as he felt it was crazy that they could basically build right up to the property line as that just creates disputes with the neighbors. Mr. McBride added there should not be a/c units in the side lines and there is very little property between the structures. He said it would be nice to have a professional look into it and he would like to see more trees. Mr. McBride felt he could maybe support a moratorium when he was asked by Mr. Butkowski but asked what they were trying to achieve. He advised he does not want to waste money, but felt an outside opinion was a good idea to what our issues really are. Mr. McBride stated CT Consultants does engineering work all over and maybe someone has developed a better system and that they should consider it. He said in terms of basic lot size he did not know that they really need to increase the lot sizes. Mr. McBride advised if someone builds a 7,000 square foot house it should not be on a 100' x 150' lot, at least he would hope not. He felt they should take a look at the findings and see where it goes. He stated there are some developers and property owners present tonight that have a vested interest.

Tom Demaline of 4740 Center Road advised as a taxpayer he agrees with Mr. Witherspoon's question about whether it was really necessary to spend \$20,000; however, if that is what they believe they need to do he would leave that decision up to City Council. He felt they needed to look at it from the big picture and if there is a change in the lot sizes he asked if it would fix the real problem and he felt it probably would not. Mr. Demaline stated he is concerned about land use, whether in the City of Avon or North Ridgeville or points south. He said land is a precious commodity and you cannot make more of it and he felt house density needs to be in the area where it is currently because the urban sprawl keeps getting stretched farther and they are eating up great farmland and people are going to build the house whether it is a 15,000 square foot lot or a 30,000 square foot lot and it would just make a bigger footprint going south which takes down more trees and more roads will be built. Mr. Demaline advised regarding flooding, the water all runs north, and Avon is a victim of North Ridgeville, Eaton, Grafton and those houses not in Avon are going to be in those cities and that water is still coming this way. He said with regards to the road infrastructure, most of those people go down SR83 past his house and the cars are going to be in Avon on the main arteries through the City and that will continue to increase and he felt they were just moving the problem down the street and it may not be in our backyard but in North Ridgeville's back yard. Mr. Demaline advised all those things needed to be considered if they go forward with the review process and if that happens, he would like to request there be a seat at the table for landowners in the City to make sure they are well represented in this decision because it could affect the future of a lot of different people. He said out of the 3800 acres that are left there are maybe 100 people who own the larger pieces of land and the landowners are the minority in the City currently and this change could diminish what land is worth. Mr. Demaline thanked Council for their time in allowing him to speak and he would appreciate being a part of the process as it moves forward.

Ron Paull of 32360 Schwartz Road advised if Council passes an Ordinance requiring a minimum of a 160' of frontage and 32,000 square feet for an R-1 residential lot they would automatically increase the developing cost by 60% minimum. He said that means they are now talking about lots that will cost \$200,000 and if that is the case then only the upper executives will be able to afford those lots. Mr. Paull stated the other issue is trees and if they are going to change the grade of these existing trees by 2 to 3 feet, they would not have any trees as they cannot survive because they rely on each other to support each other. He said there are many varieties of trees that live in large wooded acres and if they are going to allow development and create lots and are going to cost sixty percent more, they are not going to have trees. Mr. Paull said they could then pass legislation to have the developers plant trees that would be adaptable. He stated he worked for the City of Westlake engineering for 32 years and he was in charge of the \$60 million sanitary sewer project and he did a lot of grants for the City of Avon. Mr. Paull advised he had a problem when they built the police department and the two fire stations because everyone insisted all the trees stay in place. He said they worked the grading around as best as they could to reduce the amount of fill and there is not one tree that was left that is still standing today as they all had to be torn out and replaced. Mr. Paull stated the City engineering department will approve a subdivision and raise the grade four feet and he asked how many trees were going to survive that action and he added zero. He advised

when he was proposing development by Doug Haldi and himself with their properties on Schwartz Road for Fieldstone Subdivision, the new subdivision to the east had several trees taken down. Mr. Paull stated when he proposed Fieldstone to the Planning Commission, several residents from that new subdivision to the east came to the Planning meeting demanding that they save trees to protect their property, yet trees were taken down to build their houses. He said he just wanted to point out some of those things and he agreed with Mr. Witherspoon as he felt it was not a viable submission for this Council to entertain and he did not think it was going to work. Mr. Paull felt there were other methods if they want to establish another zoning district to do what they want to do and create more property with housing, but said they were not going to have a builder build houses on a \$200,000 lot that is going to be less than \$500,000.

Mr. Gasior invited Ms. Hopkins to the podium to provide some background to City Council.

Kristin Hopkins of CT Consultants advised she is a land use planner with 30 years of experience working with communities throughout northeastern Ohio. She said she was a part of the team in 2001 when the City Zoning Code was updated so she is familiar with the City of Avon. Ms. Hopkins stated of her over 30 years of experience, 20 of those years were in the private sector serving as consultant to local communities, but she also has 10 years with the Cuyahoga County Planning Commission and directly doing subdivision reviews on behalf of Olmsted Township. She noted that the proposal she submitted after discussing with the Administration and some representatives of Council, that the idea is to find alternative ways to address quality of life issues than a straight change to the lot sizes. Ms. Hopkins advised to the extent of potentially a new zoning district or other alternatives that will help achieve the quality of life standards that you have and make sure that they remain going forward; that is the goal of this study. She clarified the goal is how can the City maintain and enhance the quality of development, the quality of life in the City and for her to present the options after doing an analysis, which is typical of a land use study. Ms. Hopkins stated a land use study should be done periodically anyway especially to assess what sort of growth patterns you have experienced and how that matches or does not match expectations and how some things might need to be tweaked going forward.

Mr. Gasior advised Ms. Hopkins being present allowed her the benefit of seeing that there was a lot of synergy around a number of different agenda items tonight. He felt the proposal is clear that it is not proposing to increase the lot sizes, but it is to look at where the City is currently and what the City can do to work with the existing minimum lot size.

8. ORDINANCE NO. 79-20 – TO AUTHORIZE AN AMENDMENT TO THE DEVELOPER’S AGREEMENT WITH JAF ACQUISITION, LLC and CONCORD VILLAGE PHASE TWO, LLC FOR THE CONSTRUCTION OF PUBLIC IMPROVEMENTS Mr. Gasior

Mr. Gasior advised most of Council is aware that Concord Village Phase Two is being installed and is the old Schafer Development that was never completed. He said they have about 81 units to still complete; however, they got held up on a few things and he mentioned those in the whereas clauses. Mr. Gasior stated there were some delays caused by circumstances beyond their control and he expects that they are going to come before Planning Commission on August 19th asking that their plans be approved for the left turn lane and the widening of Chester Road at the western entrance. He advised they are up against a limit of the number of dwelling units that they can construct and they are requesting 14 more units taking them up to 39 units and the amendment says they cannot build the 40th unit until they have at least started the road improvements on Chester Road. Mr. Gasior said they will probably be dealing with this again in September because they will be coming forward with a Developer’s Agreement for the construction of those road improvements on Chester Road. He stated the City may have to deal with a couple of additional units being permitted at that time, but for now this is all that they are asking Council to do as a goodwill gesture.

Mr. McBride advised while they cannot construct the 40th unit yet how many would there be after the 40th one?

Mr. Gasior advised they are currently at 25 and they have three buildings that they would like to obtain building permits for, and those three buildings consist of 14 units. He said there are 2-five unit buildings and 1-four unit

building. Mr. Gasior stated if they add the 14 to the 25 they are at 39. He advised they can build 2 more units, but they do not have 2-unit buildings to build. Mr. Gasior advised the developer can go up to 39, which would allow them to begin those three buildings that they would like to do. He pointed out he has a map and he would provide it to Council, and he apologized for not having it attached in the packet. He added that Council will see the map for certain in September because the developer will be going in front of Planning Commission for the Developer's Agreement to install the left turn lane on Chester Road and he was sure they would be asking for some additional units while they construct the road improvements.

Mr. McBride asked what the circumstances beyond the control of the developer were.

Mr. Gasior advised he believes the City's construction started and those improvements impacted them in some way when Chester Road was improved by Traveler's Pointe and Pin Oak Preserve.

Mr. Cummins clarified that did not impact them, but stated the developer ran into an issue with the gas company in relocating a gas line.

Mr. Gasior thought there was something with the City's construction going on that impacted them but indicated that must not be the case.

Mr. Cummins advised initially it was discussed that the two projects might occur one right after the other or at a similar time frame, but they did not submit plans accordingly. He said we are moving through the process and are reviewing the plans and they are very far along and then the gas company has thrown a wrench into it that they are trying to work through currently. Mr. Cummins stated they are also running into the time of year.

Mr. McBride said then he is asking why the gas company and the time of year are the City's problem.

Mr. Gasior stated the time of year is not the City's problem and the time of year hit the developer last year, so they have had all spring. He said but then there is the Covid-19 issue and he does not know how that has impacted them, but at this point they are ready to move forward, and he hopes they can get this project completed before winter.

Mr. Cummins advised before the gas line issue came up, he would have expected that they could have very well been on tonight's agenda with a Developer's Agreement for the roadway improvements. He said that is how far along the plans had gotten since they started submitting them and going through the review process.

8a. [ORDINANCE NO. 80-20 – REAPPROPRIATIONS](#)

Mr. Logan

Mayor Jensen advised Mrs. Holtzmeier sent him an email talking about some of the issues with walkability due to the schools making changes because of Covid-19. He said he would like to ask for some available funds in case it is determined that some crosswalks with flashing lights need to be installed. Mayor Jensen stated they have done that along Detroit Road with the repaving, but they may find there are other areas that students will have to walk and he would like to have money available so the signs can be ordered and be able to get those installed as soon as we can. He advised there was a blank amount currently and Council would need to decide how much they wanted to spend, but that is what it would be used for and they want to do it in a way that would be safe for the kids to and from the schools.

Mr. Logan advised he believes they cost approximately \$10,000-\$12,000 for each set of those crosswalks.

Mr. Farmer advised they were about \$15,000 installed.

Mr. Logan said he left the exhibit to the Ordinance blank since he did not know how many Council wanted to purchase.

Mr. Witherspoon felt this was in direct correlation to a letter that was received from a resident.

Mayor Jensen clarified that the area discussed in the letter now has crosswalk signs on Detroit Road at the intersection of Avondale. He said Mrs. Holtzmeier emailed him about other locations and this appropriation of funds would be for those additional crosswalk signs and lights where none currently are installed.

Mr. Witherspoon advised he is concerned about a crosswalk on Detroit Road with a 45-50 mph speed limit. He asked if people were going to stop to allow people to cross.

Mayor Jensen advised they are already crossing there without a proper crosswalk which is more dangerous. He said they hope that once motorists see the flashing lights that people will pay attention and slow down like they have on Chester Road. Mayor Jensen stated they would try to install signs that explain to any pedestrian that just because the lights are flashing does not mean traffic would automatically stop and they need to wait to make sure that it does stop before crossing.

Mrs. Holtzmeier advised with school being only 17 days away, the conversation has reached a fever pitch where there are parents who would not have considered having their child walk to school in the past, but are now faced with the decision whether to put them on the bus if they are not able to drive them themselves. She said she is having a lot of those conversations to quantify how many they might need to purchase, and school will be in session by the time this Council meets again. Mrs. Holtzmeier asked how long they have to act on this legislation and then get these items installed.

Mr. Farmer speculated it will take 6-8 weeks for them to arrive once they are ordered. He said they need to plan ahead and decide what they are going to do. Mr. Farmer stated with Covid-19 many of the pole manufacturers are behind in production and there could be other issues they may face as they go forward.

Mrs. Holtzmeier said she understood, but wondered if there was something they could do sooner than that timeline because they are all pivoting in this manner.

Mr. Farmer advised he would make a phone call tomorrow to find out the lead time.

Mrs. Holtzmeier advised she could share offline a couple of those crossing areas that she has had conversations about as she was sure the rest of Council and the Administration were having conversations about as well or will be as they get closer to the time school starts with people talking about unsafe crossings that they may not have considered crossing before but it perhaps is better than riding on a bus at this point. She asked if they were looking for an amount to reappropriate tonight?

Mayor Jensen indicated he was hopeful for a vote tonight as there is not much time before school starts and they could get the ordering process started. He said in addition he would be working with Mr. Cummins to determine the best areas for placement and while it is not part of the Safe Routes to Schools grant, they do not want students walking through areas that are not safe and not set up properly for walking to their destination. After a brief discussion Council agreed to appropriate \$100,000 as the "not to exceed" amount for the purchase of pedestrian flashing crosswalk signs.

Mr. Butkowski noted that the \$100,000 would be a reasonable start and if it was found that more funds were needed they could do another appropriation amendment.

Special Revenue Funds

Street Construction & Maintenance Fund No. 201

Appropriate for Pedestrian Flashing Crosswalk Signs, \$100,000.00 to be installed at various locations throughout the City. City Council determined this "not to exceed" amount at the August 10, 2020 Council Meeting.

Total Special Revenue Fund Re-appropriations \$100,000.00

Total All Funds Re-appropriations \$100,000.00

9. RESOLUTION NO. R-18-20 – IN SUPPORT OF THE DAVIDSON FLEXIBILITY FOR STATES AND LOCALITIES ACT Mr. Gasior

Mr. Gasior advised Council probably read about this in the Ohio Municipal League Bulletin. He said the U.S. Congress is seeking as many cities and villages as possible to send a Resolution in support to Congressman Davidson's office to try to get something in place in this next round of Coronavirus legislation that will free up municipalities and local governments to utilize the money that Congress is appropriating for Covid-19. He said many local governments fell into shortfalls on their budgets because their income tax projections did not coincide with their expenditures. Mr. Gasior stated this can be a big help to those cities facing budget shortfalls to be able to use funds to plug revenue gaps. He advised in Avon's case, they plan to use the money for Covid-19 related expenditures and possibly the flashing crosswalk signs may qualify. Mr. Gasior said by passing this Resolution they are also supporting other local governments that need the money for more dire things like payroll for Police and Fire. He noted supporting this Act is still valid because Congress still has not reached an agreement as far as he is aware and they were continuing to negotiate.

10. REPORTS AND COMMENTS

MAYOR JENSEN thanked Mr. Ziemnik for being here tonight. He asked Council to really consider the multi-use trail before them, but he would prefer they not vote tonight, but wait and have the second of three readings tonight. Mayor Jensen asked Council to keep in mind that in 2017 they started this process by asking the residents what they wanted and they overwhelmingly said by 96% that a multi-use trail was most important or important. He said the City has already spent almost \$70,000 for this study and they had experts from Envision and Ryan Smalley gave a presentation to Council with the help of Mr. Ziemnik, the Lorain County Metroparks and NOACA that brought in what he believes are the brightest people we have who understand this process and presented to Council what they thought was an overall plan for the City of Avon, this being a portion of it. Mayor Jensen advised he hopes that all of Council will take into consideration the will of what the residents want and also as Mr. Lane mentioned there were 600 responses to a survey in 2019. He said an overwhelming majority of people want to see us move forward, but he would respect whatever decision Council makes, but he asked that they please consider that it is the majority of people they work for and how they are asking how are we going to connect the City. Mayor Jensen stated Mrs. Holtzmeier mentioned that if we could start over with a clean slate what it could look like, but we cannot. He clarified this proposed trail should not change the City's sidewalk program and he did not want people to confuse the two. Mayor Jensen added just because they propose a trail on one side of a road does not mean that we will not still need to connect the other side with sidewalks. He said they have to start somewhere and the experts that were brought in suggest this is the best way to do it. Mayor Jensen suggested Council re-look at the study and hopefully they could move forward from this point. He reiterated that he would ask they not vote on it tonight as he felt there needed to be some more time to consider and re-look at what the residents have requested and also how this will fit into a master plan moving forward. He said if they do not get started, they might as well let the residents know they are not interested in trails, but that Council is only interested in installing sidewalks and if they are happy with that decision then he was as well.

COUNCIL MEMBERS:

MR. BUTKOWSKI, WARD 1 had no further comments.

MRS. HOLTZMEIER, AT LARGE asked what grant was applied for and how much was received when the City first applied for the development of a bicycle and walking master plan route.

Mr. Cummins advised the City applied for a Citywide Active Transportation Plan that also combined a Safe Routes to School (SRTS) component. He said the total project cost to do that plan was \$69,000 and of that

amount the City received a grant of \$45,000 from NOACA and that included a contribution from the Lorain County Metroparks. Mr. Cummins stated when the Metroparks talked with NOACA and saw the benefit of increasing it to make sure there are connection points to what is going on around us, the study got a little bit bigger and the Metroparks stepped in and facilitated that cost. He reiterated it was around \$69,000 for the total cost with the City paying \$24,000.

Mrs. Holtzmeier said for that \$24,000 as well as the SRTS component, the whole plan is about 124 pages, and within that plan there are a lot of good trail recommendations. She advised the plan made seven priorities and what it listed as priority number one was the Avon/Sheffield connector and they actually listed the French Creek Road trail as priority number four. Mrs. Holtzmeier stated if they are going to get started she felt a great place to start might be priority number one for the plan that the City spent taxpayer money to advise us about. Secondly, she said no matter how they look at this and whether they vote on it tonight or the next time they meet, they have to make sure that it matches our Code. Mrs. Holtzmeier asked if where they are spending these funds is appropriate for the streets and was it legal within our Code. She said she put at each place on the Council dais not only the highlights of the bicycle and pedestrian master plan for them to see those seven options, but she also included a copy of the Code where it talks about our Chapter 1246 Design Standards; where she felt there are some problems with this proposal as it relates to the legalities and how it applies within our Code. Mrs. Holtzmeier encouraged Council and the Administration to look at those as far as the width of the trail.

Mr. Cummins inquired if that is what does not comply with the Code because he did not receive a copy of what she handed out.

Mrs. Holtzmeier continued by saying the minimum right of way for a collector street and the pavement width were all things that are spelled out in this proposal that are conflicting with compliance with the Code. She felt they needed to dive into that a little bit further whether they have an issue with it or not. Mrs. Holtzmeier stated if anything they cannot spend taxpayer funds on something that does not comply within our Code. She said she would like to get started on something as well and to get started on an actual trail like the Avon/Sheffield connector, which is listed as priority number one, as that sounds interesting. Mrs. Holtzmeier advised these are her thoughts regarding turning this street into a trail as she felt it was more appropriate for sidewalks.

MR. MCBRIDE, WARD 2 advised four or five-foot wide sidewalks were a joke to ride a bike on. He said he grew up riding the Cleveland Metroparks trail and it needs to be 8-10 to 12 feet wide. Mr. McBride stated people are going to get hurt on sidewalks and as there is more and more connectivity, the less that bikes will be able to pass each other on sidewalks, and it would just lead to issues with people getting hurt. He advised an Avon/Sheffield connector was farther out in the future and he believes the thought was to start at the spine and then branch out.

Mr. Cummins clarified that the reason that particular loop was noted as a priority was because at the time ODOT was undertaking a future I-90 project and there was the thought of being able to build that pathway under I-90 in conjunction with the ODOT project. He advised because of how long it takes to deal with the railroad, ODOT was unwilling to make that change and accommodate the trail at this time because they have already started negotiations with the railroad for their interstate project. Mr. Cummins stated that project, while initially they thought they had to have it be first because of timing, it worked out that door was already closed, they just did not realize it at the time. He said to Mr. McBride's point, in talking with NOACA and the Lorain County Metroparks, the thought was to start with a spine piece, which is what is along French Creek Road. Mr. Cummins advised that is what NOACA saw value in and awarded a construction grant that is there if Council decides to move forward.

Mr. McBride advised they need to tweak part of our Code and that is done all the time as they make housekeeping corrections. He said probably when eight foot was written in the Code, that is what the standard was from ODOT for a multi-purpose trail and it is now ten foot and they need to change the Ordinance.

Ms. Fechter advised the recommendation in that study looked at our Code as well and there is a page which lists the recommendations for Code and policy changes. She said those changes include sidewalk increases, path increases and various other things. Ms. Fechter stated those issues were taken into account when that study was done and it has not been changed in our Code yet, but those things have been identified as to what the standards are for the City to look at to see if they want to consider changing the Code moving forward to make them the industry standards.

Mr. McBride advised he was beat up on his first term on Council when he asked why the sidewalks were not at least five-foot wide and not ten feet wide in the commercial area. He said the answer he received was that it was strictly that it would cost the builder or the developer too much money and that is how a lot of those decisions were made and the reason there are four-foot wide sidewalks in some areas. Mr. McBride closed by saying that they need to move forward but that four-foot wide sidewalks are flat out dangerous.

MR. MOORE, WARD 3 suggested Council revisit adopting new regulations for tree maintenance and preservation now that we are getting back to more of a regular meeting schedule. He felt it would be a good idea since they were talking about trees earlier in this meeting.

Mr. Radcliffe asked if that would be covered as a part of the study from CT Consultants.

Mr. Gasior advised he is assuming Council will vote tonight to hire that firm allowing Ms. Hopkins to complete this work and in her proposal is to include something about the tree canopy. He felt they could take care of both of those things at one time and pick up the discussion where Council left off. Mr. Gasior suggested they also introduce Mr. Varga into the process as well.

Mr. Moore advised he spoke with Mr. Varga separately and he agreed he should be included.

Mr. Gasior stated with what Ms. Hopkins is preparing, she might find it advantageous to speak with Mr. Varga directly and then see what develops from that point. He said he feels if Council meets regarding only the trees he did not know how that might affect the consultant's findings. Mr. Gasior advised he would hate to tie the hands of the consultant's recommendations based on her study.

Mr. Moore said he did not want it to fall by the wayside.

MR. RADCLIFFE, WARD 4 had no comments.

MR. WITHERSPOON, AT LARGE had no further comments.

MR. FISCHER, AT LARGE reminded Council that in September they were going back to the meeting schedule of Work Sessions on the first and third Mondays and Regular Meetings on the second and fourth Mondays. He noted that the next meeting, a Work Session of Council, would be held on Tuesday, September 8, 2020 because of the Labor Day holiday.

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER had no further comments.

MR. FARMER, SERVICE DIRECTOR had no further comments.

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

MR. GASIOR, LAW DIRECTOR wished everyone a Happy Labor Day.

MR. LOGAN, FINANCE DIRECTOR had no further comments.

MR. STREATOR, SAFETY DIRECTOR had no comments.

AUDIENCE:

Corey Barnes of 4676 Churchill Drive said he noticed in the monthly water bills from the City that there is a memo section and he suggested a reminder on the September bill that the voter registration deadline is October 5, 2020 and provide residents with a link to the Lorain County Board of Elections website.

Mayor Jensen asked Mr. Logan if that is something he could handle.

Mr. Logan responded that up to 75 characters are able to be placed on the memo section of the water bill.

11. ADJOURN: 9:13 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