

**Minutes of the Meeting of the Service Committee of Council
Held in the Council Chambers of the Municipal Building
On Monday, October 24, 2022, at 6:30 P.M.**

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

Committee Members Present

Chair, Ward 1 Councilwoman Jennifer Demaline

Ward 3 Councilman Tony Moore; Councilman-at-Large Craig Witherspoon

Others in Attendance

Councilwoman-at-Large Tammy Holtzmeier; Ward 2 Councilman Dennis McBride; Council President Brian Fischer; Mayor Bryan Jensen; Ward 4 Councilman Scott Radcliffe; Planning/Economic Development Coordinator Pam Fechter; City Engineer Ryan Cummins; Zoning Enforcement Officer Jill Clements; Finance Director Steve Presley; Safety/Service Director Duane Streater; Clerk of Council Barbara Brooks; Law Director John Gasior

Discussion of the 2023 Sidewalk Program and Sidewalks on the North Side of Avon Road

Mrs. Demaline thanked Mr. Cummins for preparing updated maps which they were able to review prior to this meeting and she turned the discussion over to him.

Mr. Cummins stated that he did prepare the maps which just updated what the status of sidewalk locations are this year compared to last year based on what we had done through the end of last week. There are still a few areas that were previously laid out that are experiencing some construction issues and hopefully those will come into line and be constructed before the end of the year. Beyond that as we talked about previously, we will have prepared plans for the construction of sidewalks at technically six different areas. We had previously prepared plans for one section of Avon Road so that is technically the seventh area. Mr. Cummins said that he was not sure what the nature of the discussion would be tonight so he just kind of summarized where we are with some of the cost estimates, etc. so that City Council is aware of what the program is and what its estimated construction costs are. So he has distributed a simple cover sheet and then for each of the seven areas, he has prepared an individual cost estimation for construction as well as professional services.

Mr. Cummins said that just dealing with construction costs, the seven areas would total just over 10,400 ft. of sidewalk installed. The estimated cost of construction is \$833,000. and there would be 65 different parcels involved that would be assessed, five of which we would need to secure easements for. If the idea is to only assess property owners for the cost of the concrete installed, those numbers are broken out separately. For example, the French Creek Road estimated cost of construction is \$130,000., the securement and the placement of the concrete itself is \$86,300. and then there would be another \$43,690. in associated work such as drainage, grading, maintenance of traffic, restoration, etc. that would not, to his initial understanding, be part of the assessment. There are 17 parcels involved so that \$86,300. assessment would be spread over the 17 parcels based on their front footage along French Creek Road. And then there would be \$43,690. in costs that would be the City's responsibility.

Mr. Cummins said that he has just started to put together assessment spread sheets and the very back two pages of his handout has a column for the costs of sidewalk only, and as the plans exist today, would essentially be what those particular property owners would be assessed. This is not official yet; we are very preliminary at this point as far as costs go. The plans are out being reviewed by the various City Departments and we are going to meet on that next week. Again, this would just be for the procurement and the placement of the concrete. All other costs would be borne by the City. If it is desired to formulate that differently and have other costs go into the assessment, then obviously these numbers would increase and the City's share would decrease.

Mr. Cummins noted, as you look through those two pages, he would say on average the assessment cost is in the \$4,000 to \$4,500 range. There are some that are much lower and there are some that are significantly higher, upwards of almost \$28,000. in one case. He is starting to prepare the easement documents and will be reaching out to five property owners to secure those easements. He is working with City staff to continue to finalize the actual plans themselves. Also, to his understanding, he has not received a clear direction on Moon Road. Is the intent to simply construct a 4 ft. concrete walk along the east side of Moon Road or to put in an 8 ft. wide asphalt path? Putting in the concrete would be \$102,000.; the asphalt path would be \$268,000.

Mr. Cummins said that he would be happy to look at things in the plans now or if anyone has any individual questions, to schedule a time to sit down and go through a section of the plans maybe based on a certain area that they are concerned about.

Mr. Cummins stated, so it is a good amount of money. Putting in a lot of sidewalks would make a lot of positive additions to the community and certainly help with pedestrian access, etc. He would just like some verification along the way that he is doing everything and how they want it to be assessed, etc. Those are questions that he will be needing some guidance on in the coming weeks.

Mrs. Holtzmeier stated that, on the Colorado Avenue sheet, that one is scoped out not as 4 ft. wide but 5 ft. wide and she asked Mr. Cummins to explain that. Mr. Cummins responded that there was legislation passed last year or the year before to set the minimum sidewalk width within the City to be 5 ft. wide. How we have been applying that is if it is in basically a new section of sidewalk, we would have 5 ft. installed. If it is in a section where we are filling in a gap and it is 4 ft. wide sidewalk on either side of that gap, we would fill in the gap with 4 ft. wide. All new subdivisions are coming in with 5 ft. wide sidewalks and that is the reason.

Mayor Jensen stated that when you look at the properties on Moon Road, though the names are different, four of the parcels are Krystowski properties, and it would be over \$28,000. total in sidewalk assessments for those properties so we might want to look at that differently. We still have to fill in the ditches along there and that is not in any of the cost estimates for that piece. Mr. Cummins said, yes, there is a culvert that would have to be extended along French Creek Road. He believes that the Service Dept. is looking at maybe doing that internally or working with a local contractor to do that and that has not been added in here either. There are other small things like that as the Mayor said, such as ditches being enclosed or , hydrants being moved that are not necessarily reflected in here. Just to give a little bit of background about timing if this is an assessment project: construction could begin in April or May of next year and could spread through most of the summer to get all that work done. Then you have to finalize everything out and then present the final assessment numbers. Then there would be an option for people to pay in full at that point or be assessed. It could easily be almost this time next year before you really start collecting any potential assessment dollars and a lot of that he would imagine, certainly in some of the

larger assessments, does not happen until the following year or years if people take time to pay that money back

Mrs. Demaline asked how long property owners have to pay that assessment and Mayor Jensen said that is dependent on when we want to close it out. We would get the bills out to those people who wanted to immediately pay the assessment. For the people who want to be assessed, it would not be on their next year's assessment but it would probably be on the second half of the next year so they would probably have another 9 months to 12 months before it would show up on their taxes and then they would start to be assessed for it. The City has to budget the full amount. So we will get some of that back toward the end of the year from the people who want to pay before we go into the assessment process. The assessment could be paid over 10 or 15 years, depending on what is decided. This project that we are looking at now is a substantial amount. The Mayor said he was not sure that we would ever do this much again so maybe we look at an amount that Council is comfortable with and then try to come back and choose areas from the different wards. Ward 1 has the biggest amount but we talked about Rt. 611 that is both Ward 1 and Ward 2 so that could be combined but we would pick out an amount and say this is how much we will do for this year and see how it works. If it works well then we would keep at the same amount going year after year until everything gets completed.

Mr. Cummins said, yes, that is another decision that would have to be made is whether the assessment period is 5, 10, or 15 years; that would be something that we would have to determine as well.

Mr. Witherspoon noted that a good portion of the Krystowski property is farmland; he thinks that they grow soybeans on it. His concern is that they look at this \$28,000. assessment and decide it is not worth it for them and turn the land into a housing development. So that is a concern that he has and he is sure that on Moon Road there are other farming areas as well. So we need to be extremely careful that we do not force them into just turning the property over and developing more houses which is what we want to try and avoid. So just a point of reference for everybody on that property. Mayor Jensen said, and just to add to that, some of that is a high tension line that goes through there so we would not be able to get the assessment through high tension line that has very little value.

Mr. Cummins stated that is why he did not want to put any type of heading on the assessment sheets. He wanted to give the Committee some sense as to the assessment numbers but he did not want to put any type of heading on the columns because we have not run the valuation of the land test. Will the valuation of the land at the County level support the type of assessments noted? We ran into that issue at the western end of Avon Road that we are trying to work through. And that would lower the amount that could be assessed. And then to Mr. Witherspoon's point, he thought that City Council in the past has faced that issue with the sanitary sewer. Instead of doing an assessment of the sanitary trunk costs along Jaycox Road many years ago, the City did a surcharge where it was payable once the land went to development. So there are options there but those are all things to be discussed and make decisions about.

Mr. McBride said now that Mr. Cummins had brought up Avon Road, he saw the one breakout on the sheets but did not see the second breakout and he asked Mr. Cummins to review the Avon Road status.

Mr. Cummins responded that the east end would be basically from the maintenance entrance to the County Club over to the Westlake line and then the west end is from where there are currently sidewalks coming from Nagel Road that were installed as part of the Interchange project; it is where those sidewalks stop. And then over to the Willow Creek Subdivision, there are some sidewalks there that we will be tying

into. Mr. McBride stated, and that is the one where the valuation may not support an assessment. Mr. Cummins said, that is correct. There is a current valuation of the undeveloped land along the north side that would not fully support even just assessing them the cost of the concrete. That is an issue that he and Law Director John Gasior have been working on. They have had discussions with the developer who owns the property and Mr. Gasior might have talked to their attorney as well. So, yes, those issues could come up other places. He just has not gotten into the assessment part of it deep enough yet to find those if there are any. Mr. McBride said, and with that developer, it is on again, off again as to whether he is going to do housing. Mr. Cummins said, well, this is on the north side and that is zoned office. Mr. Cummins' understanding was when the developer was making applications to the Planning Commission, there were some wetland difficulties over there and so he has not initiated any development even though he did get a rezoning passed to help with that.

Mayor Jensen asked Zoning Enforcement Officer Jill Clements if she had the figures of what we paid this year per linear ft. when we had sidewalks put in. Ms. Clements said that for just Jaycox Road it was \$35,398 for 1,061 ft. The Mayor said, so it was \$30.-some dollars per linear ft. then. He noted that Mr. Cummins has this all broken down and he then asked Mr. Gasior if we could go out for bid on something that is just a linear ft. price. Would it have to be spelled out? Mr. Gasior said that you are identifying what the scope of the project is and how they end up bidding it. If you are going to get a linear ft. cost on it you are going to break it into that cost. Mayor Jensen said that with Rt. 83, we did not do a breakout like this; we did a linear ft. cost. Mr. Cummins said that he has it broken down by sq. ft. and we could just as easily bid it per linear ft. and then say each linear ft. has to be 4 ft. wide. As you can see on there, we used \$10. a sq. ft. for 4-inch thickness; driveways go in at 6 inches thick so we used \$12. He thought that they were a little bit on the conservative side but they were not quite sure what the market is going to do and you are probably bidding this six months from now so that is the reason they had that. Because if you severely underestimate it, then that fouls up your assessment process and that causes problems too. In the end, it will be based on what the actual bid costs are.

Mayor Jensen said, going back to Avon Road, the one that is for the commercial property, could we do that in such a way that we did our sanitary sewer trunk along Jaycox Road years ago because we would not be assessing them until the project is in place so we could really argue the value because we are not basing it on the value of the property. We would just be putting it in and if he developed it, that is when he would be assessed for it. We would have an argument then. Mr. Gasior said that we are going to do a Resolution declaring it necessary to put sidewalks on Avon Road and we can spell out some of those conditions but if we are going to assess him over 10 years or 20 years, it is not going to be a lot for him to pay on his taxes for the first year or so. He does not know why you would want to defer anything. Mayor Jensen stated that the only reason to defer it is so you could get the full amount. Mr. Cummins added, yes, because then you would be able to assess at \$60,000. instead of \$20,000. Mr. Gasior said that he thought that whatever we do on Avon Road is going to have to be negotiated with the property owner. Just to impose an assessment on a piece of property, you still have to establish that that property is receiving a benefit in proportion to the assessment. He does not know how you can say that a property has doubled its value simply because you have added a sidewalk out there and that is essentially what you are doing here with Avon Road. You have Krystowski as another big one. These are the types of situations where you have to bring in the property owner and negotiate with them. He does not think that the smaller ones are going to be as problematic. People will accept the fact that they have to put the sidewalk in or the City is going to put it in for them and they will either take the 10-year assessment or they will pay it up front. We usually give 30 days to pay but you can extend that to 90 or 180 days to pay in full as we did with the sanitary sewer on Joseph/Puth/Elizabeth. On that, he thought that we went to 90 days to pay the assessment in full and some people took advantage of that and that was \$12,000.

Mrs. Demaline asked Mr. Cummins to explain the valuation assessment that he was speaking of; what is that ratio? Mr. Cummins said that you cannot assess a property more than one-third of its value. Mr. Gasior added, that is right. You take its value and you cannot assess more than one-third of the value as far as the benefit is concerned. So what generally happens is someone will come in and say that their property is worth \$100,000. and they are being assessed \$20,000. for the sidewalk and their property is not benefitting more than a couple thousand dollars, so the City does not have the right to place an assessment on there that is not going to benefit that property significantly. When you are dealing with a sewer there is more of an argument that can be made that sewerage a property makes it much more valuable than just placing a sidewalk out in front of it. Mr. Gasior stated there was a major case in Avon Lake and the court reiterated that principle. There was never a definitive answer from the court because the parties settled and some people paid 50% of the assessment to dismiss the lawsuit against the City. So again, even after you impose the assessment, somebody is going to sue you so you are still going to be negotiating even with the court. You are not going to get a real definitive answer and if you do, he thinks that it will be in favor of the property owner if these really high assessments go on.

Mrs. Demaline said that it seemed to her that the Krystowski property does not have a very high valuation on the County Auditor's website. Mr. Cummins said that is the type of issue that he has not yet dug into to see if that is a potential problem. Like what we ran into with Avon Road, that property is valued at \$60,000. in general numbers and the owner's proportioned share of the assessment was like \$45,000. and really we could only go to about \$20,000. if we can show that he gets \$20,000 worth of benefit just from the sidewalk. Mr. Gasior said, and he could still make an argument that he is not benefitted to the tune of \$20,000. He can say, "there is nothing on the property; how is my property more valuable now that it has a sidewalk"?

Mrs. Demaline asked how we have proceeded in the past when we have encountered this situation and Mr. Cummins said that in the past, he thought it has been more of a State law process. Mr. Gasior said, yes, we never really had to deal with a property like Avon Road; it is unique. What we have done in the past are individual properties that are generally 100 ft. wide and we have given people an opportunity to put them in and if they do not put them in, the City puts them in for them and then they either pay the City immediately or they put it on their taxes for 10 years. Mr. Gasior said that he understands Council's desire to get all these sidewalks in and get some uniformity and he does not think you will have a problem with these 100 ft. wide lots. Mr. Cummins added that the potential problem of valuation vs assessment would be present even in that other option. It is just that we are only working in areas that were already well established as residential areas maybe as individual lots or groupings of individual lots, not larger tracts of land, not undeveloped tracts of land so we have not had to face that issue. But doing a larger project like this, we bring in those types of issues such as Avon Road. To get the connectivity you can either wait until it gets developed or work your way through these particular types of issues.

Ms. Fechter asked Mr. Gasior if a parcel that is zoned agricultural gets any sort of break from it and Mr. Gasior said he did not believe so. He thought that the agricultural exemption only covers sewer and water, but again, you are bumping up against that principle of what does a sidewalk do for my corn crop?

Mr. McBride stated that these are all good facts and figures to have. There are some other key areas that we need to hit next year too. He thought that at this point, they need to look at where there will be valuation issues and look at alternative funding sources, such as "Safe Routes to School" or some type of safety grant. And Avon Road might be a prime candidate for that, whether those kids ride their bikes to Holy Trinity or they are riding somewhere else. Even if we could assess that commercial property, he would certainly expect the developer to pay that back before 20 years. On a commercial property it

should be paid back at 5 or 10 years at the most. So he thinks we really need to look at some of these and just start targeting other potential founding sources. To him, Colorado Avenue is a busy street and we need sidewalks there preferably on both sides of the street. So we need to go after some funding there and just see what we can do. We can assess but that does not mean that we should not seek out other funding sources for some of those locations. French Creek probably is the same thing; that is another street that is busy. Mr. Cummins stated that, in all honesty, outside funding for sidewalks on their own is probably very limited. You might have the opportunity with the "Safe Routes to School" in certain areas adjacent to a school but as far as other funding, you get back into the idea of a 10 ft. wide asphalt path. That is where federal funding comes in and that is the most prevalent type of funding for that type of project. Mr. McBride asked if there was an option for State Issue One money and Mr. Cummins said that on just a sidewalk type project, he would say the answer is no.

Mayor Jensen suggested having a meeting with Mr. Cummins, the Finance Director, the Zoning Enforcement Officer, one or two people from Council, and himself to go over these things and maybe they could do a hybrid of this where in certain areas, we would do the sidewalks as we have in the past where the residents install them or the City installs them and assesses for them, or choose areas that we think we need to put it in as a bid. On Avon Road, we can still get back with the developer and explain what we are planning on doing and see if we can work something out with him. At some point, we need to appropriate money and say what is going to be part of this year's project. We are going to have to have this meeting pretty quickly to go through this so that before the first of December we will have something before the Committee again. Then a letter should go out on December 1st to property owners, saying that they have until May 30, 2023, to install the sidewalks and then the City is going to take it over and put those in. If we say May 30th and they do not install, we step in and do it. We can do some of the smaller ones but he still thinks for some of the big ones, we need to go out for bid. Colorado Avenue is a big one and part of it is ours, so we might as well do it all at the same time. It is like a Rt 83 thoroughfare there with traffic.

Mr. Radcliffe stated that he feels like they are rehashing a lot of the same things that they have talked about before. He thought that as a group they have said that they want the sidewalks coming in here so that decision needs to be pushed forward. Looking at the breakdown on the costs, there are obviously going to be problems with some of these properties. There are certain parcel owners whether it be commercial, agricultural or just residential, that are really going to fight back. But we have ARPA money coming down the road. We are talking about \$465,000. being assessed to people. What if we just tried to limit the amount that was going to be assessed to people by taking a quarter million from the ARPA money and then dividing the rest of it up to the homeowners and maybe give more biased residential vs agricultural and try to do a fair breakdown that way but keep the option that we need to move this forward. There will be problem spots where people are not going to follow the letter but we are going to get it right to that and then we have to go back again and do those individual spots. There would be legal fees for meeting with all these individual property owners and money would be spent on all that. Mr. Radcliffe said his opinion would be to just throw some extra money at it now, show the residents that we want these sidewalks in and try to continue to push this forward.

Mr. McBride noted we are under \$1.5 million, right? Mr. Radcliffe said next year's costs are estimated at \$833,000. but with increases in labor and material costs, we could be at \$900,000. Mr. Cummins stated that you could choose not to assess anything. Mr. Radcliffe said, yes, we could, but he thought we should assess some. Owners who build their houses now, pay to put those sidewalks in but people who did not put theirs in years back at a different cost period in time, look at these numbers now as a lot higher than they would have paid then. They did not have that choice or did not make that choice back then, and that

is all under the bridge if you will, but it is just where he is with it. We certainly have another distribution of ARPA funds coming down the road and that can be used for this type of thing. Mr. Cummins does a great job of finding "Safe Routes to School" funding and grants, etc. for these type of things and if we can find another spot where those work, that would be wonderful. That is all the less that the City has to cover from those funds but he thinks that the residents have spoken a number of times that they want the sidewalks there.

Mrs. Demaline said that she agreed with Mr. Radcliffe. If you look at the numbers that Mr. Cummins put together, in Ward 1, we only grew our sidewalks by 1%, in Ward 2, we grew 2%, and in Ward 3 and Ward 4, there was a 0% growth on the sidewalks. So she thought it is definitely time we need to make some movement on this program.

Mr. Radcliffe stated that the big inter-connectivity activity is on Moon Road, Colorado Avenue, Rt. 83, Avon Road, and Detroit Road. Those are the biggest ones where people want to be able to walk to those restaurants or shops on Detroit Road, have their kids bike down for ice cream etc.; you have to have these connections coming down these big thoroughfares. In Ward 4 specifically, the sidewalks pattern that is there now is mainly these small dead end older-house streets where there is not a lot traffic so it is not as critical from his standpoint in Ward 4 right now to pull that connectivity in there on those streets. But on some of these other ones it is needed. He thinks that Moon Road needs that 8 ft. path and we will work with that homeowner to help cover some of this cost but that comes right up to Veterans Park and connects all those people down there on both sides of Moon and then on to French Creek where there is still more development and more people moving in down there. We need to get them up to Veterans Park, the new dog park, and Eagle Point Park. Right now they are walking on Moon Road itself or in the grass. We need to put down the 8 ft. path and give them a good, safe place to walk.

Mr. Moore said that now that the Metroparks has their Jaycox/Riegelsberger Phase 1 done and will begin Phase 2 next year, he just needed to keep Rt. 83 on the radar because that is going to connect into the Miller Preserve and there is always talk about property acquisition. That is a key piece in connecting all the way down to Highland Park. He does not know if there has been any recent movement on connecting Wyndemere to Falcon Crest so those residents can access that Metroparks because it is going to be really difficult for them to get access without driving. So have we done any more research on the east side or west side of Rt. 83 there? Mr. Cummins asked, in the area between Riegelsberger and Kinzel? Mr. Moore said, yes, eventually there but he was thinking more Wyndemere to Falcon Crest, right there at Kinzel because that will connect in the piece that the Preserve is going to connect in after Phase 2 is done next year with the Metroparks. Mr. Cummins stated that there is still a property owner there that we would need some property rights from and he does not have an update on that. Mr. Moore said he thought that is a key piece right there. You have Kinzel and Wyndemere which connect over to Stony Ridge, and he knows we have been talking about property acquisition but he would really like to see something done on that sooner than later. That has been talked about even before he started on Council 5 years ago.

Mrs. Demaline asked if we could get an update on that – what it would take to get some sidewalks and development done there? Mr. Cummins said, it is property rights. Mr. Gasior questioned if this was the Wolff property with the pedestrian bridge over French Creek. Mr. Moore said that is on the west side of Rt. 83, though; have we looked at the east side? Wouldn't it be easier on the east side of Rt. 83 where the Miller Preserve is? Mayor Jensen stated, that is the other issue that we keep bringing up is some of the farmland. Those fights are different because those are all that open land so that is why you are getting to them now is because in the past, Council did not want to undertake that battle of \$40-50,000 dollars. And then we would have to get the bridge across, too.

Mr. Gasior said that he looked at the east side of Rt. 83 seven or eight years ago and there is a home that sits back on the southeast side of French Creek and the way the sidewalk was designed with the bridge on the east side, it would have impacted a lot of that wooded area in front of that house. At the time, the property owner was not real happy about losing that tree coverage in the front yard for that pedestrian bridge because we wanted to build the bridge far enough off the right of way, anticipating a widening of Rt. 83 at some point in the future. So that was a problem and he thought if you look to the west side, it was a little bit easier. The Wolff property is there and he did not think there is as much of a problem getting that easement from the Wolf property as it would have been or is on that southeast corner. But the big cost, again, is the pedestrian bridge over French Creek. And you are not going to assess for that.

Mr. Cummins said that we certainly can get an update on that. We will reach back out to the Wolff estate and see if there are any opportunities there. He believed also that the thinking about the future location where a sanitary would go down Rt. 83, was that that would be on the east side as well, but we can re-evaluate under today's conditions, whether we think the east side or the west side would be better. Either way it is going to be property rights and having some uncomfortable discussions and interactions with long-standing property owners. Mayor Jensen stated that the Wolffs have agreed to doing that. They just want to see what it looks like again. When Mrs. Wolf was alive, she agreed to it. The Mayor said that he talked to the step-daughter and she has agreed; she just wants to see it again. But it is still getting the cost of the bridge; that was more the bigger thing. Also, too, we talked about the ARPA money and that is not in an ARPA fund anymore. He believed we moved it to an infrastructure fund.

Mr. Fischer said that he just wanted to comment on the Avon Road project since it is a project that he and Mr. McBride have been trying to get done for at least seven years and luckily this Council agreed to put it in the budget last year. He believed that we have already had the engineering done. Mr. Cummins stated that we have plans complete, we have an environmental permit, we have moved the utility pole guide wires, all the physical things, all the plan development things, all the permitting things have been done. It is down to the questions of are we going to assess, how much to assess and how much we can assess and that is it. Mr. Fischer said that he just wanted to make sure to voice his support for getting those sidewalks done. Also, going forward with these other ones, he just wants Council to realize that whatever we do, Council is going to be setting a precedent for how we move forward and if we are only going to assess for concrete and the City is going to cover everything else. He agrees with Mr. Radcliffe that we need to go forward and get this done and have the Service Committee recommend something to Council so we can move forward.

Mr. McBride said that he just had a couple of final comments. In terms of Rt. 83, he thought that we do need to look at those costs again even if Mr. Cummins breaks it into three or four pieces to say, here is our high swag for the bridge, with a 20% contingency factor and give us the Rt. 83 number. Then in terms of everything else that is on the list today, he agrees with Mr. Radcliffe that we have discussed this all before; we have been down this path for how many years now. If we can afford \$1.5 million, we should just move forward with it and he was rounding our number up higher than what Mr. Cummins has in front of us. Mr. McBride said that he would like to assess as much as we can but then again, he does not want to jeopardize getting the work done just because there are a couple people out there who will object to the assessment.

Mr. Cummins said that he was kind of hearing two different things and he thought it would be good to have the meeting as the Mayor described just so we can nail down some of those details. He was hearing:

“we have the money so we should go full steam ahead but along the way we should assess everyone that we possibly can” and so we need more direction on that.

Mrs. Demaline said she thought it is clear that it is the desire of the Service Committee to move forward with the development of the sidewalks. She asked if the Administration could put together a full, clear plan of what we are going to be responsible for if we assess.

Mayor Jensen said if we get one person from the Service Committee and maybe one person from the Finance Committee and all of us sit down as a group to formulate a plan and then bring it back to full Council and maybe suggest doing a “not to exceed”. The Mayor said that he will get with Ms. Clemens to see what everybody was assessed this year and maybe use that as a template.

Mrs. Demaline said, would the appropriate next step be to identify who is going to be in that meeting and when we are going to have it? She said that she obviously has a strong interest in this and she would be happy to represent the Service Committee and the members agreed. Mrs. Holtzmeier stated that since she is the Chair of the Finance Committee, she would prefer to represent it as well if the other members agreed and they did. Mrs. Holtzmeier said that we have our budget meeting on November 19th, so depending on where we are in that process of those discussions, she would just ask that we have a place-holder amount considered and available for discussion so that we do not lose this, but we continue to discuss it. Mayor Jensen said that he will get with the Finance Director and set a place-holder of a certain amount but it will not be finalized for us until full Council has voted on it.

Mayor Jensen asked Mr. Gasior if there was an action that had to be taken and Mr. Gasior said, no, he thought that the minutes will reflect what your plan is going forward.

A motion was made by Mrs. Demaline and seconded by Mr. Moore to adjourn the meeting. The vote was: Mr. Moore, “yes”; Mr. Witherspoon, “yes”; Mrs. Demaline, “yes.”

The Chair declared the motion passed and the meeting adjourned.

Respectfully submitted by Gail Hayden, Assistant Clerk of Council