

**MINUTES OF THE REGULAR MEETING  
OF THE AVON LAKE MUNICIPAL COUNCIL  
MARCH 23, 2020**

The regular meeting of the Avon Lake Municipal Council was called to order on March 23, 2020 at 7:30 P.M. in the Council Chamber with Council President O'Donnell presiding.

Mrs. Fenderbosch led the Council, staff, and public in the Pledge of Allegiance.

Present: Council Members Zach Arnold, Billie Jo David, Jennifer Fenderbosch, Gary Izo, David Kos, Marty O'Donnell and K. C. Zuber; Mayor Zilka; Law Director Gary Ebert; Finance Director Steve Presley; Public Works Director Joe Reitz; and Clerk of Council Valerie Rosmarin.

**APPROVAL OF MINUTES**

The minutes of the March 9, 2020 Council Meeting were approved as prepared and published.

**CORRESPONDENCE**

Mrs. Fenderbosch received numerous correspondence from residents on Heron Bay regarding Temporary Legislation #11373 and will address their concerns when the legislation is presented for first reading.

**MAYOR'S REPORT**

Commissioner David Covall of the Lorain County Public Health Department provided Mayor Zilka with an update on COVID-19, as follows: five persons in Avon Lake have tested positive. The residency and location where a person is quarantined determines how cases are documented. Of the five who tested positive, four are residents and one is a resident of Cleveland but is quarantined in Avon Lake. One is a City police officer who had limited contact with City staff and no access to the public. Based on that limited contact, no one was quarantined. Hospitals report all cases to Columbus, which are reported back to the respective county. As new reports are disseminated, Mr. Covall will notify the City. The City's EMS services were not involved or exposed in any of these five cases. A local company donated a significant amount of masks to the Avon Lake Police Department and to the Sheffield Village Fire Department. This donation increased the Personal Protection Equipment (PPE) inventory. As of today, there have been 21 reported cases in Lorain County.

Avon Lake City Schools has provided lunches, not only for individuals who qualify for the lunch program, but for all students attending Avon Lake schools. Also, they have expanded deliveries to any non-students including senior citizens. On March 21<sup>st</sup>, 230

lunches were delivered of which 50 were non-students. The Cleveland Clinic is offering a similar program for Avon Lake and lower Lorain County.

The Governor mandated additional closings, ordered the public to stay in place, and established a category of essential businesses or a supply chain to essential businesses. Several businesses in Avon Lake notified the Administration that they are supply chains to essential businesses in the community and will remain open.

The Mayor will tape weekly videos on the latest news concerning the number of COVID-19 cases, any changes to City services, and other pertinent information. The videos can be viewed at [www.avonlake.org](http://www.avonlake.org). If necessary, the videos will be increased.

Chief Duane Streator announced that he has postponed his retirement date of April 12<sup>th</sup> to April 27<sup>th</sup> since one of his staff received a positive test for the coronavirus.

### **COUNCIL PRESIDENT'S REPORT**

Due to the state of emergency, Mr. O'Donnell reported on the changes Council will implement, as follows:

- Temporary Legislation #11370 will be voted on tonight to permit a reduction in the number of monthly Council meetings. If passed, Council will be limited to two meetings per month. Therefore, the next meeting will be held April 13<sup>th</sup> at 6:30 p.m. It will be a combined Collective Committee Meeting and Council Meeting and open to the public. This meeting will be open to the public because a public hearing has been scheduled and legislation will be voted on to permit two businesses to build in Avon Lake.
- The next Collective Committee Meeting/Council Meeting will be held April 27<sup>th</sup>. That meeting will be closed to the public.

These changes are necessary to keep business in operation and the City moving forward.

Since the public will not be permitted to attend and provide their comments on agenda topics or any other topic, a process to submit comments will be followed. The agendas will be posted earlier to provide the public with an opportunity to submit their comments prior to the meeting. The comments can be emailed to [vrosmarin@avonlake.org](mailto:vrosmarin@avonlake.org) or a letter dropped off at City Hall, 150 Avon Belden Road. Those comments will be read at the requested meeting. All instructions will be posted on [www.avonlake.org](http://www.avonlake.org), ALCTV, and the City's Facebook.

Law Director Ebert noted that Temporary Legislation #11370 allows Council to suspend the Charter rule of two meetings per month because of this health emergency. House Bill 197 was introduced on March 16<sup>th</sup> and will be voted upon by the Ohio General Assembly later this week. If passed, that bill will permit technology meetings.

## **HUMAN RESOURCES COMMITTEE REPORT**

Mr. Zuber reported that Temporary Legislation #11352, adopting the job description for the Assistant Public Works Director is scheduled for third reading. Due to the retirement of Lt. Fishburn and pursuant to the current civil service eligibility list, Chief Streater has requested Sgt. Giardini be promoted to Lieutenant and Patrolman Valencic be promoted to Sergeant both with effective dates of May 3, 2020.

## **PUBLIC SERVICE COMMITTEE REPORT**

Mrs. Fenderbosch reported on the Public Service Committee meeting held March 23rd, as follows: the advertisements for bids to upgrade the HVAC system for City Hall and LED lighting for Bleser Park; the City's participation in an educational recycling cart tagging program; the 2021 ODOT Road Salt contract; a change order for professional services at the closed landfill; a fee waiver for building a telecommunication tower for the Fire Department; and the award of the 2020 Asphalt Street Program.

## **ZONING BOARD OF APPEALS REPORT**

The Zoning Board of Appeals meeting to be held Wednesday, March 25<sup>th</sup> has been cancelled.

## **PLANNING COMMISSION REPORT**

The Planning Commission meeting to be held Tuesday, April 7<sup>th</sup> has been cancelled.

## **MOTIONS**

Mrs. Fenderbosch moved to add a motion to waive fees for the Fire Department to build a communication tower.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

Mrs. Fenderbosch moved to add a motion for the solicitation of quotes to upgrade the HVAC system for City Hall.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

Mrs. Fenderbosch moved to remove the motion to authorize the advertisement of bids for the 2020 Asphalt Street Program.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None  
Motion carried.

Mr. O'Donnell moved to approve the composition of the 2020-2021 Council Committees. Due to the resignation of Mr. James and appointment of Mrs. David, the following changes were necessary to the Council Committees:

**ECONOMIC DEVELOPMENT**

Mr. Arnold, Chair  
Mrs. Fenderbosch  
Mr. Izo

**FINANCE**

Mr. O'Donnell, Chair  
Mrs. Fenderbosch  
Mr. Zuber

**HUMAN RESOURCES**

Mr. Zuber, Chair  
Mr. Kos  
Mr. O'Donnell

**NATURAL RESOURCES  
ENV. & PUBLIC MEDIA**

Mrs. David, Chair  
Mr. Izo  
Mr. Zuber

**PUBLIC SERVICE**

Mrs. Fenderbosch, Chair  
Mr. Arnold  
Mr. Kos

**SAFETY**

Mr. Kos, Chair  
Mrs. David  
Mr. O'Donnell

**SEWER COMMITTEE**

Mr. Izo, Chair  
Mr. Arnold  
Mrs. David

**WALKER ROAD AD HOC**

Mrs. David, Chair  
Mr. Izo  
Mr. O'Donnell

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold  
No: None  
Motion carried.

Mr. O'Donnell moved to confirm the recommendation of the Mayor's appointment of Jennifer Fenderbosch to the Parks & Recreation Commission. The Public Service Committee Chair serves as the Council Representative. Therefore, Mrs. Fenderbosch was recommended for this appointment.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold  
No: None  
Motion carried.

Mrs. Fenderbosch moved to authorize the solicitation of quotes for LED lighting at Bleser Park. The lighting at Bleser Park will be changed from mercury lighting to LED lighting. This project will offer the City with energy efficient lighting at a savings.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold  
No: None  
Motion carried.

Mrs. Fenderbosch moved to authorize the City to participate in the Lorain County Solid Waste Management District's "Reduce Contamination" education program. This free program is offered by MMAC (Management Materials Advisory Council) of the Ohio EPA. Representatives of the program will survey recycling containers throughout the City on three occasions and tag specific containers which have "tangler" items deposited in them. The City's waste contractor, Kimble, will still pick up the tagged containers. The purpose of this program is to educate the public regarding what items are permitted to be recycled.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

Mr. Kos moved to adopt the proposed language for the solar power crosswalk sign. The City has erected a number of power crosswalk signs in areas of heavy pedestrian traffic. The signs provided by the vendor have led to confusion. Therefore, it was determined that the following language be adopted: "Push button to activate crosswalk signal after traffic has cleared and it is safe to cross street. This is not a stop light. Please pay attention to oncoming traffic. Do not step out in front of traffic."

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

Mr. Kos moved to initiate a pilot program to establish the use of reflective delineators to be placed in high volume pedestrian crossing locations. The Safety Committee recommended installing delineators in certain roadways to cause traffic to slow down, and establishing this pilot program will authorize the Public Works Director and the Police Department to work with the Administration, the Safety Committee, and the Avon Lake City Schools to determine the locations where these delineators would be most effective. Also, the program will allow the Public Works Director to research and obtain funding for the design and purchase of the delineators.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

Mrs. Fenderbosch moved to authorize the solicitation of quotes for the updates to the HVAC system for City Hall. The cost for these upgrades will be funded through the NOPEC grant previously awarded.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

Mr. Kos moved to rescind Temporary Legislation #11331 repealing and amending sections of Codified Ordinances relating to the regulation of firearms. After the second reading of this legislation, Law Director Ebert reviewed the proposed ordinance and recommended substantial edits. Therefore, it was necessary that this legislation be rescinded and a new temporary legislation be presented for first reading.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

Mrs. Fenderbosch moved to waive fees to build the communications tower for the Fire Department. The Fire Department is preparing to obtain a five-City radio system which will require a new communication tower and have requested a waiver of Planning Commission and Building Department fees.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

## **LEGISLATION**

### Third Readings:

Temporary Legislation #11352, AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF ASSISTANT PUBLIC WORKS DIRECTOR, ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION AND REPEALING ORDINANCE NO. 104-91, was read by title only.

Mr. Zuber moved for passage of Temporary Legislation #11352. This legislation will adopt a job description for the new position of Assistant Public Works Director recommended by the Administration and approved by the Human Resources Committee. Upon approval, the position of Public Works Foreman will be repealed.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

**Ordinance No. 26-2020 adopted.**

Temporary Legislation #11355, AN ORDINANCE AUTHORIZING ENTERING INTO A WATER POLLUTION CONTROL LOAN FUND AGREEMENT FOR THE FLOW DIVERSION PROJECT AT THE WATER RECLAMATION FACILITY AND DECLARING AN EMERGENCY, was read by title only.

Mr. Izo moved for passage of Temporary Legislation #11355. This legislation will authorize the Mayor to enter an agreement to obtain a loan from the Water Pollution Control Loan Fund for the design and construction of a flow diversion structure at the

Water Reclamation Facility to upgrade the Avon Lake Regional Water wastewater system. The Board of Municipal Utilities has dedicated wastewater revenues as a source of repayment.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

**Ordinance No. 27-2020 adopted.**

Temporary Legislation #11357, AN ORDINANCE APPROVING THE IMPROVEMENT PLANS FOR THE HARBOUR PLANNED UNIT DEVELOPMENT SUBDIVISION NO. 1 AND DECLARING AN EMERGENCY, was read by title only.

Mrs. Fenderbosch moved for passage of Temporary Legislation #11357. This legislation will approve the improvement plans for The Harbour Subdivision No. 1 consisting of 29 single family lots, east of Brennan Court, west of the Avon Lake/Bay Village border, and on the south side of Walker Road within an R-1 Single Family Residential District as approved by Planning Commission on February 4th.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

**Ordinance No. 28-2020 adopted.**

Second Readings:

Temporary Legislation #11358, AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR THE CURRENT YEAR AND OTHER EXPENDITURES OF THE CITY OF AVON LAKE FOR THE FISCAL YEAR 2020 AND DECLARING AN EMERGENCY, was read by title only.

Mr. O'Donnell moved for suspension of the rule requiring three readings.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

Mr. O'Donnell moved for passage of Temporary Legislation #11358. This legislation will approve supplemental appropriations and transfer several unclaimed funds (employee sick-time buy back and miscellaneous construction funds) into the general fund as recommended by the Finance Director and approved by the Finance Committee.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

**Ordinance No. 29-2020 adopted.**

Temporary Legislation #11359, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PERSONAL SERVICES AGREEMENT WITH AMERICAN LEGAL PUBLISHING CORPORATION AND DECLARING AN EMERGENCY, was read by title only.

Mr. O'Donnell moved for suspension of the rule requiring three readings.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

Mr. O'Donnell moved for passage of Temporary Legislation #11359. This legislation will authorize a personal services agreement with American Legal Publishing Company of Cincinnati, Ohio to recodify the City's ordinances at the base cost of \$21,850.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

**Ordinance No. 30-2020 adopted.**

Temporary Legislation #11361, AN ORDINANCE AWARDED A CONTRACT FOR THE MILLER ROAD PARK SAND DREDGING PROJECT AND DECLARING AN EMERGENCY, was read by title only.

Mrs. Fenderbosch moved for suspension of the rule requiring three readings.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

Mrs. Fenderbosch moved for passage of Temporary Legislation #11361. This legislation will award a contract to Huffman Equipment of Eastlake, Ohio in the amount of \$60,100 to dredge the Miller Road Park boat launch. The Ohio Department of Natural Resources requires the sand to be dredged at the boat launch annually.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

**Ordinance No. 31-2020 adopted.**

Temporary Legislation #11362, AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2020 ENERGIZED COMMUNITY GRANT(S) AND DECLARING AN EMERGENCY, was read by title only.

Mrs. Fenderbosch moved for suspension of the rule requiring three readings.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

Mrs. Fenderbosch moved for passage of Temporary Legislation #11362. This legislation will authorize the City to accept community grants from NOPEC in the amount of \$95,000.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

**Ordinance No. 32-2020 adopted.**

First Readings:

Temporary Legislation #11363, AN ORDINANCE PROVIDING FOR TRANSFERS AND DECLARING AN EMERGENCY, was read by title only.

Mr. O'Donnell moved for suspension of the rule requiring three readings.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

Mr. O'Donnell moved for passage of Temporary Legislation #11363. This legislation authorizes the Finance Director to transfer the amount of \$1,084,078.32 in the months of April, May, and June for the necessary expenditures of the City.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

**Ordinance No. 33-2020 adopted.**

Temporary Legislation #11364, A RESOLUTION TO ACKNOWLEDGE THE LEGAL OPINION OF THE COMMUNITY REINVESTMENT AREA TAX INCENTIVE AGREEMENT BETWEEN THE CITY OF AVON LAKE AND LUMIN-AVON LAKE, LLC AND HINKLEY LIGHTING, INC. was read by title only.

Mr. Arnold moved for suspension of the rule requiring three readings.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

Mr. Arnold moved for passage of Temporary Legislation #11364. This legislation will acknowledge the tax abatement between the City and Hinkley Lighting dated December 18, 2007 and clarify the duration of the abatement expiring December 31, 2022.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

**Ordinance No. 34-2020 adopted.**

Temporary Legislation #11365, AN ORDINANCE APPROVING A VACATION OF A PORTION OF OVERLOOK ROAD TO CHANGE FROM RIGHT-OF-WAY TO A FEE SIMPLE PARCEL, was read by title only.

Mrs. Fenderbosch moved for suspension of the rule requiring three readings.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

Mrs. Fenderbosch moved for passage of Temporary Legislation #11365. This legislation will approve a vacation for a portion of a paper street platted in 1920. The right of way of this paper street will be changed to fee simple and recorded with the Lorain County Recorder.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

**Ordinance No. 35-2020 adopted.**

Temporary Legislation #11366, AN ORDINANCE AUTHORIZING THE PURCHASE OF AN AMBULANCE FOR THE FIRE DEPARTMENT AND DECLARING AN EMERGENCY, was read by title only.

Mr. Kos moved for suspension of the rule requiring three readings.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

Mr. Kos moved for passage of Temporary Legislation #11366. This legislation authorizes the purchase of an ambulance for the Fire Department through the State Cooperative Purchasing Program from Horton Emergency Vehicles of Grove City, Ohio in the amount of \$301,158.47 less a trade in amount of \$15,000 for a net total of \$286,158.47. The source of funding for this ambulance will be the paramedic levy fund.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

**Ordinance No. 36-2020 adopted.**

Temporary Legislation #11367, AN ORDINANCE AWARDED A CONTRACT FOR THE 2020 ASPHALT STREET PROGRAM AND DECLARING AN EMERGENCY, was read by title only.

Mrs. Fenderbosch moved for suspension of the rule requiring three readings.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

Mrs. Fenderbosch moved for passage of Temporary Legislation #11367. This legislation will award a contract for the 2020 Asphalt Street Program to Ronyak Paving of Burton, Ohio in the amount of \$941,689.55.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

**Ordinance No. 37-2020 adopted.**

Temporary Legislation #11368, A RESOLUTION AUTHORIZING PARTICIPATION IN THE ODOT ROAD SALT CONTRACT AWARDED IN 2020 AND DECLARING AN EMERGENCY, was read by title only.

Mrs. Fenderbosch moved for suspension of the rule requiring three readings.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

Mrs. Fenderbosch moved for passage of Temporary Legislation #11368. This legislation will authorize the City's annual participation in ODOT's road salt contract.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

**Ordinance No. 38-2020 adopted.**

Temporary Legislation #11369, AN ORDINANCE APPROVING A CHANGE ORDER TO THE CONTRACT WITH HZW ENVIRONMENTAL CONSULTANTS, LLC AND DECLARING AN EMERGENCY, was read by title only.

Mrs. Fenderbosch moved for suspension of the rule requiring three readings.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

Mrs. Fenderbosch moved for passage of Temporary Legislation #11369. This legislation will approve a change order to the contract with HzW Environmental Consultants in the amount of \$4,000. The Ohio EPA requires measurements of the closed landfill twice per year and have requested quarterly measurements due to an increase in water levels.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

**Ordinance No. 39-2020 adopted.**

Temporary Legislation #11370, AN ORDINANCE AUTHORIZING THE MAYOR TO TAKE ANY AND ALL ADMINISTRATIVE ACTION DEEMED NECESSARY IN THE HANDLING OF STATE OF EMERGENCY MANDATES BY THE GOVERNOR OF THE STATE OF OHIO AS IT PERTAINS TO THE CITY'S OPERATIONS AND DECLARING AN EMERGENCY, was read by title only.

Mr. O'Donnell moved for suspension of the rule requiring three readings.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

Mr. O'Donnell moved for passage of Temporary Legislation #11370. This legislation will permit Council to postpone or suspend Council meetings and limit or restrict public attendance due to the current threat of the Pandemic COVID-19 virus.

In response to Mrs. Fenderbosch, Law Director Ebert stated that Council does not need to pass any further legislation to return to their regular schedule of meetings. This legislation is specific to COVID-19 and it is his recommendation that the legislation be modified in the future to cover all emergencies.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

**Ordinance No. 40-2020 adopted.**

Temporary Legislation #11371, AN ORDINANCE REPEALING SECTIONS 670.43, 672.01, 672.01, 672.025, 672.03, 672.04, 672.05, 672.06, 672.07, 672.085, 672.095, 672.15, 672.16, 672.17, AND 850.03 OF THE CODIFIED ORDINANCES AND AMENDING SECTIONS 467.03, 606.10, 612.06, 612.09, 672.09, AND 672.095 OF THE CODIFIED ORDINANCES RELATING TO THE OWNERSHIP, POSSESSION, PURCHASE, OTHER ACQUISITION, TRANSPORT, STORAGE, CARRYING, SALE, OTHER TRANSFER, MANUFACTURE, TAXATION, KEEPING, AND REPORTING OF LOSS OR THEFT OF FIREARMS, THEIR COMPONENTS, AND THEIR AMMUNITION AND DECLARING AN EMERGENCY, was read by title only.

This legislation repeals and eliminates all redundancies within the City's Codified Ordinances and amends the Codified Ordinances to be in alignment with the Ohio Revised Code.

Temporary Legislation #11372, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PERSONAL SERVICES AGREEMENT WITH SIMVAY SYSTEMS FOR INFORMATION TECHNOLOGY (IT) MANAGED SERVICES AND DECLARING AN EMERGENCY, was read by title only.

Mr. O'Donnell moved for suspension of the rule requiring three readings.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

Mr. O'Donnell moved for passage of Temporary Legislation #11372. This legislation will approve a personal services agreement for IT managed services with Simvay Systems of Westlake, Ohio in the amount of \$46,200. Simvay Systems offers proactive services and will have a presence in the City twice per week addressing the needs of employees and their computers. Prior to entering this agreement, they came in and set up employee VPNs (virtual private networks) providing employees with remote access to their City work files and offering the ability to work from home. Due to the virus, employees have been rotating shifts and working from home.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

**Ordinance No. 41-2020 adopted.**

Temporary Legislation #11373, AN ORDINANCE CONFIRMING THE RECOMMENDATION OF THE PLANNING COMMISSION FOR REFINEMENTS TO THE APPROVED GENERAL DEVELOPMENT PLAN FOR LEGACY ISLE, was read by title only.

This legislation will confirm the recommendation for refinements to the general development plan of Legacy Isle approved by the Planning Commission on March 3<sup>rd</sup>. After the general development was approved 18 months ago, refinements were made to address the concerns of the residents in Legacy Pointe. Some of the changes include, increasing the distance between the backyards of the neighboring streets by 200 feet, removing three buildings around the multi-family area to reduce the density, and adding a swimming pool. Another concern the residents have is the location where Heron Bay and Innsbrook Lane meet. The HOA pays for the existing gate along with the maintenance and upkeep of the street since it is a private street. Many residents do not want the interconnectivity; however, all public and private streets have to comply with the City's thoroughfare plan to provide access for the safety forces. The exact location of the gate will be identified in the improvement plan, which is the next phase of this

development. Residents will have other opportunities to present their concerns during the improvement plan phase. The final phase of the development is the final plat. Development will not begin until all three phases have been approved (general development, improvement plan, and final plat).

Mrs. Fenderbosch moved for adjournment.

Yes: Fenderbosch, David, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

Adjournment: 9:07 P.M.

Approved: Martin O'Donnell  
Council President

Attest: Valerie E. Rosmarin  
Clerk of Council