

**MINUTES OF THE REGULAR MEETING  
OF THE AVON LAKE MUNICIPAL COUNCIL  
JUNE 22, 2020**

The regular meeting of the Avon Lake Municipal Council was called to order on June 22, 2020 at 7:41 P.M. in the Council Chamber with Council President O'Donnell presiding.

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

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

**APPROVAL OF MINUTES**

The minutes of the June 8, 2020 Council Meeting were approved as prepared and published.

**MAYOR'S REPORT**

Lorain County Health Commissioner David Covell reported there were 10 additional positive COVID-19 cases in Avon Lake. Of those cases, eight were from a nursing home and two were from people in the general population, (a 28-year old and a 50-year old), who are recovering at home. The total cases in Avon Lake is 92.

Big Trucks scheduled for September 16<sup>th</sup> has been cancelled for the safety of the public. Due to the uncertainty of COVID-19, this "hands on" event, which draws a large crowd, will be too difficult for the City to follow the guidelines of social distancing and the requirement to sanitize all surface areas.

The annual Police Academy, which is offered to 20 members of the public one night per week for 10 weeks, has been cancelled. Acting Chief Bockelman stated that the academy's activities are not designed for social distancing.

The Ohio Assembly Plant of Ford Motor Company has donated \$25,000 to the Second Harvest of North Central Ohio. North Central Ohio serves Crawford, Erie, Huron, and Lorain County. This donation is part of the \$50,000 awarded to the Avon Lake Ford facility under the Avon Lake 2019 Jobs Growth Incentive Program.

**MOTION**

Mrs. Fenderbosch made a motion to refer a petition to vacate a portion of Overlook Drive, east of Tomahawk Drive to Planning Commission. Two property owners have

petitioned and offered to pay the City \$1,500 to vacate a stub street between their properties which has been used as a driveway for many years. This motion will refer their petition to Planning Commission for its review and recommendation. If Planning Commission recommends the vacation, it will return to Council for consideration.

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

No: None

Motion carried.

## **LEGISLATION**

### Second Reading:

Temporary Legislation #11391, A RESOLUTION TO ADOPT AND DECLARE THE TAX BUDGET FOR THE YEAR 2021 AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. O'Donnell moved for passage of Temporary Legislation #11391. This legislation will adopt the 2020 requirements for the City's annual budget as submitted to the Lorain County Budget Commission. Upon passage, the Finance Director will forward this resolution to the Lorain County Auditor to calculate the tax levy for the tax year 2021.

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

No: None

Motion carried.

### **Ordinance No. 66-2020**

### First Readings:

Temporary Legislation #11397, 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: David, Fenderbosch, Izo, Kos, O'Donnell, Zuber, Arnold

No: None

Motion carried.

Mr. O'Donnell moved for passage of Temporary Legislation #11397. This legislation authorizes the Finance Director to transfer the amount of \$1,084,078.32 in the months of July, August, and September for the necessary expenditures of the City.

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

No: None

Motion carried.

**Ordinance No. 67-2020**

Temporary Legislation #11398, A RESOLUTION AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT A DISTRIBUTION OF FEDERAL CORONAVIRUS RELIEF FUNDING TO THE CITY OF AVON LAKE AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. O'Donnell moved for passage of Temporary Legislation #11398. This legislation will authorize the Finance Director to accept all funds received from the Lorain County Coronavirus Relief Distribution Fund established by the Ohio General Assembly House Bill 481.

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

No: None

Motion carried.

**Ordinance No. 68-2020**

Temporary Legislation #11399, AN ORDINANCE ESTABLISHING THE LOCAL CORONAVIRUS RELIEF FUND (FUND NO. 207) AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. O'Donnell moved for passage of Temporary Legislation #11399. This legislation will establish a new fund, entitled Fund 207, as the depository for all revenue generated from Local Coronavirus Relief Fund distributions.

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

No: None

Motion carried.

**Ordinance No. 69-2020**

## **PUBLIC INPUT**

Ron Holub, 32862 Lake Road, Avon Lake submitted a text to inquire if the bike study presentation by Mannik Smith Group will be available after this meeting. In response, Public Works Director Reitz stated that the presentation will be posted on the City website.

## **LEGISLATION**

### First Reading – *continued*

Temporary Legislation #11400, AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF DARWIN WARD TO THE POSITION OF ASSISTANT PUBLIC WORKS DIRECTOR, ESTABLISHING THE COMPENSATION FOR SAID POSITION AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. Zuber moved for passage of Temporary Legislation #11400. This legislation will appoint Darwin Ward to the position of Assistant Public Works Director effective July 1, 2020 at the annual salary of \$83,000. Mr. Ward was selected from a pool of candidates based on his experience and knowledge in the private and government sector. Also, he is a Navy veteran, who owns a plumbing business, and is a part-time plumbing/property maintenance inspector for the City of Elyria and a part-time plumbing inspector for the City of Amherst.

Mr. Ward explained that he operates a plumbing business to maintain his state license and by doing so, his current employer benefitted from his license and received a cost savings on projects. His priority will be the City of Avon Lake and any part-time inspections will be completed outside regular scheduled work hours.

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

No: None

Motion carried.

### **Ordinance No. 70-2020**

Temporary Legislation #11401, AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN EXTENSION OF THE LABOR AGREEMENT WITH THE UNITED STEEL, PAPER AND FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED-INDUSTRIAL AND SERVICE WORKERS INTERNATIONAL UNION AFL-CIO & CIC LOCAL 836 AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. Zuber moved for passage of Temporary Legislation #11401. This legislation will extend the current Collective Bargaining Agreement with the employees in the Public Works Department to March 31, 2021 with the provision that the extension will allow a one-time carry over of up to two weeks' vacation time to be used by December 31, 2021.

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

No: None

Motion carried.

**Ordinance No. 71-2020**

Temporary Legislation #11402, AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN EXTENSION OF THE LABOR AGREEMENT WITH THE UNITED STEEL, PAPER AND FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED-INDUSTRIAL AND SERVICE WORKERS INTERNATIONAL UNION AFL-CIO & CIC LOCAL 836-1 AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. Zuber moved for passage of Temporary Legislation #11402. This legislation will extend the current Collective Bargaining Agreement with the secretarial employees to March 31, 2021 with the provision that the extension will allow a one-time carry over of up to two weeks' vacation time to be used by December 31, 2021.

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

No: None

Motion carried.

**Ordinance No. 72-2020**

Temporary Legislation #11403, AN ORDINANCE APPROVING A ONE-TIME VACATION TIME DEFERRAL FOR CERTAIN FULL-TIME, NON-BARGAINING UNIT PERSONNEL, was read by title only.

This legislation will provide the non-bargaining unit employees with the same benefit as the Collective Bargaining Unit employees of a one-time carry over of up to two week's vacation time to be used by December 31, 2021.

## MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

The Gable Creek culvert replacement project on Jaycox Road will begin Monday, June 29<sup>th</sup> and last for approximately 60 days. Signage has been placed to alert the public.

Due to COVID-19, the fishing tournament, "Hooks For Hunger" has been cancelled. However, a "Fill the Boat" event for food and funds on behalf of Community Resource Services (CRS) will be held Saturday, June 27<sup>th</sup> at Miller Road Park from 11 a.m. to 2 p.m.

## EXECUTIVE SESSION

In compliance with Ohio Revised Code Section 121.22, Mrs. Fenderbosch moved to adjourn to Executive Session to discuss pending litigation and labor negotiations.

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

No: None

Motion carried.

Adjournment: 8:05 P.M.

## RECONVENING OF COUNCIL MEETING

The Council meeting was reconvened at 8:21 P.M.

Present: Council Members Zach Arnold, Billie Jo David, Jennifer Fenderbosch, Gary Izo, David Kos, Marty O'Donnell, K. C. Zuber; Mayor Zilka; and Law Director Ebert.

Mr. Kos moved for adjournment.

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

No: None

Motion carried.

Adjournment: 8:21 P.M.

Approved: */s/ Martin E. O'Donnell*  
Council President

Attest: */s/ Valerie E. Rosmarin*  
Clerk of Council