

**MINUTES OF THE REGULAR MEETING
OF THE AVON LAKE MUNICIPAL COUNCIL
JUNE 8, 2020**

The regular meeting of the Avon Lake Municipal Council was called to order on June 8, 2020 at 7:59 P.M. in the Council Chamber with Council President O'Donnell presiding.

Mr. Arnold led the Council, staff, and public in the Pledge of Allegiance.

Present: (Via Zoom) Council Members Billie Jo David and Jennifer Fenderbosch, Finance Director Steve Presley, Public Works Director Joe Reitz; (Council Chamber) Council Members Zach Arnold, Gary Izo, 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 May 26, 2020 Council Meeting and June 1, 2020 Special Council Meeting were approved as prepared and published.

CORRESPONDENCE

The following letters were received requesting Council suspend the rules for three readings on an emergency basis:

- Michael Clark, owner of 681 Commerce Parkway, for Temporary Legislation #11393, to confirm the recommendation of Planning Commission for a conditional use site plan for a storage garage at 681 Commerce Parkway.
- Ken White, legal counsel for JP Morgan Chase Bank, for Temporary Legislation #11394, to confirm the recommendation of Planning Commission for a conditional use site plan for a drive thru ATM machine at 375 Lear Road.
- Bucky Kopf, President of Kopf Construction, for Temp. Legislation #11395 to confirm the recommendation of Planning Commission for the Legacy-Webber Road revised general development plan.
- James Gamellia, of United Model Homes, for Temporary Legislation #11396, to approve the final plat for Lear Road Holdings Subdivision No. 2.

MAYOR'S REPORT

The last report from Lorain County Health Commissioner David Covell stated that there were no positive COVID-19 cases in Avon Lake.

The Governor announced that playgrounds and spray grounds can be opened on Wednesday, June 10th.

In response to the Governor's directive, Public Works Director Reitz reported that his staff is preparing to open the spray grounds at the Ellen Trivanovich Aquatic Center and Overlook Park. Currently, the City is waiting for power to be connected to the controller by the Illuminating Company at the Overlook Park spray ground. Until that has occurred, City staff will turn on the spray ground and leave it running for several hours per day. Once the controller is operational, kids will be able to turn on the water for 15 minute increments by hitting a button. Both spray grounds will be opened to the public from 10 a.m. to 8 p.m. on June 16th and monitored by park attendants. Santizing backpack sprayers were purchased for staff to disinfect the spray grounds twice per day.

Tony Tomanek, President of Heritage Avon Lake is organizing an "unparade" on July 4th. Further details will be announced and available on the City's website (www.avonlake.org).

City buildings will open on Monday, June 15th. All employees were required to acknowledge the City's guidelines for COVID-19, such as, wearing a mask in City buildings, checking temperatures before they report to work, six foot distancing, etc.

Mr. Arnold asked if the park attendants will monitor different parks and if they have access to the sanitary cleaners. Public Works Director Reitz confirmed that park attendants will monitor by rotating from park to park and additional staff in the Public Works Department will be available to subsidize any additional cleaning.

Some Mayors in Lorain County have attended various demonstrations in their communities regarding the police and public's relations and these events have been held without incident, violence, or any type of demonstration detrimental to their community. Avon's Mayor Jenson and Mayor Zilka were invited by students of their respective high schools to attend a demonstration on Saturday, June 6th at Detroit Road and State Route 83 in Avon. Mayor Zilka attended the event with Acting Chief Bockelman and Sgt. Reikowski. The demonstration was very successful and both sides were respectful as the public exercised their right to speak. There was a common understanding as the police and community leaders walked with the demonstrators that the police in attendance were available to provide guidance and ensure the event was incident free.

In response to Mrs. Fenderbosch, Mayor Zilka stated that the opening of City buildings includes the Old Firehouse but rentals of the Folger Home and Lake House are still not

permitted. It is possible that rentals will begin July 1st and when that occurs, the City will follow the Governor's order and only allow 50 percent capacity. An announcement will be forthcoming.

MOTIONS

Mr. Kos made a motion to add a motion to the Council agenda.

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

No: None

Motion carried.

Mr. Kos made a motion to authorize the City to proceed with a mutual aid agreement for the City's Police and Fire Departments with the City of Westlake with legislation to follow. It was determined that a mutual aid agreement would be beneficial for both communities should there be any situation where assistance is needed.

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

No: None

Motion carried.

LEGISLATION

First Readings:

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.

This legislation is the first step in the City's annual budget and highlights the need for Lorain County to levy property taxes, which residents have authorized to be collected for municipal purposes.

Temporary Legislation #11392, AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN EXTENSION OF THE LABOR AGREEMENT WITH THE FRATERNAL ORDER OF POLICE LODGE #25/AVON LAKE DIVISION POLICE OFFICERS AND DETECTIVES AND SERGEANTS AND LIEUTENANTS AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. Zuber moved for passage of Temporary Legislation #11392. This legislation will extend the current Collective Bargaining Agreement with the Fraternal Order of Police 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: Arnold, David, Fenderbosch, Izo, Kos, O'Donnell, Zuber

No: None

Motion carried.

Ordinance No. 61-2020

Temporary Legislation #11393, AN ORDINANCE CONFIRMING THE RECOMMENDATION OF PLANNING COMMISSION FOR A CONDITIONAL USE SITE PLAN FOR A STORAGE GARAGE AT 681 COMMERCE PARKWAY AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mrs. Fenderbosch moved for passage of Temporary Legislation #11393. This legislation will confirm the recommendation of Planning Commission on June 2nd for a conditional use site plan to construct a private storage garage at 681 Commerce Parkway.

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

No: None

Motion carried.

Ordinance No. 62-2020

Temporary Legislation #11394, AN ORDINANCE CONFIRMING THE RECOMMENDATION OF PLANNING COMMISSION FOR A CONDITIONAL USE SITE PLAN FOR A JP MORGAN CHASE BANK DRIVE THRU ATM MACHINE AT 375 LEAR ROAD AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mrs. Fenderbosch moved for passage of Temporary Legislation #11394. This legislation will confirm the recommendation of Planning Commission on June 2nd for a conditional use site plan to construct a Chase Bank drive thru ATM machine in the existing parking area of Learwood Square Shopping Center at 375 Lear Road.

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

No: None

Motion carried.

Ordinance No. 63-2020

Temporary Legislation #11395, AN ORDINANCE CONFIRMING THE RECOMMENDATION OF PLANNING COMMISSION FOR THE LEGACY-WEBBER REVISED GENERAL DEVELOPMENT PLAN AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mrs. Fenderbosch moved for passage of Temporary Legislation #11395. This legislation will confirm the recommendation of Planning Commission on June 2nd for the Legacy-Webber revision to the General Development Plan to add a connector road between English Turn and Avon Belden Road at Webber Road.

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

No: None

Motion carried.

Ordinance No. 64-2020

Temporary Legislation #11396, AN ORDINANCE APPROVING THE FINAL PLAT FOR LEAR ROAD HOLDINGS SUBDIVISION NO. 2 AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mrs. Fenderbosch moved for passage of Temporary Legislation #11396. This legislation will approve the final plat for Lear Road Holdings Subdivision No. 2 consisting of a tri-plex located south of Walker Road and west of Lear Road in an R-2 Multi-Family Residence District.

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

No: None

Motion carried.

Ordinance No. 65-2020

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Mr. Kos moved for adjournment.

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

No: None

Motion carried.

Adjournment: 8:28 P.M.

Approved: *Martin O'Donnell*
Council President

Attest: *Valerie E. Rosmarin*
Clerk of Council