

**MINUTES OF THE REGULAR MEETING
OF THE AVON LAKE MUNICIPAL COUNCIL
OCTOBER 13, 2020**

The rescheduled meeting of the Avon Lake Municipal Council was called to order on October 13, 2020 at 7:13 P.M. in the Council Chamber with Council President O'Donnell presiding.

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

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

Absent: Finance Director Steve Presley.

APPROVAL OF MINUTES

The minutes of the September 28, 2020 Council Meeting were approved as prepared and published.

CORRESPONDENCE

- James Motz resigned from the Zoning Board of Appeals effective September 22, 2020.
- Ann Seltzer Izo thanked City Council and the Administration for their support at Gary Izo's last Council Meeting.

MAYOR'S REPORT

The Board of Elections confirmed the following polling locations for the November 3rd election: the American Legion Post, Avon Lake Public Library, Avon Lake United Church of Christ, Lakeshore United Methodist Church, and Learwood Middle School. The number of registered voters in Lorain County is 179,001. Avon Lake has 16,328, representing 9.1%, Avon has 13,733 or 7.7%, and North Ridgeville has 18,425 or 10.3%. Safety measures at the polling places will be discussed with Police Chiefs at the next Mayors and Managers meeting.

The Jaycox Culvert Replacement Project is completed and Jaycox Road will be open to the public on Thursday, October 15th.

In response to Mrs. Fenderbosch, Public Works Director Reitz explained that the manholes will be dropped down to grade level to match the existing pavement and center and edge lines will be marked. Also, Public Works Director Reitz noted that this

project was funded by a grant of approximately \$500,000 from the Ohio Public Works Commission.

COUNCIL PRESIDENT'S REPORT

The next Collective Committee Meeting and Council Meeting will be held Monday, October 26th at 6:30 p.m.

The Avon Lake Community Council, consisting of 23 non-profit organizations, has selected Tony Tomanek as Citizen of the Year and the Bicentennial Celebration as the Project of the Year. The following individuals who organized the project of the year are Tommie Patton, Pav Shalov, Sherry Spenser, Ted Esborn, and Barb Cagley. A special recognition will be awarded to Rudy Breglia for his efforts to educate and encourage school and community leaders in Avon Lake and other communities to install seat belts on school buses. These awards will be presented by the Avon Lake Community Council on Thursday, October 22nd at 6:30 p.m. at the Lake House.

MOTIONS

Mr. O'Donnell moved to approve the composition of the 2020/2021 Standing Committees of Avon Lake City Council, as follows:

Economic Development

Zach Arnold, Chair
Jennifer Fenderbosch
Mark Spaetzel

Finance

Marty O'Donnell, Chair
Jennifer Fenderbosch
K. C. Zuber

Human Resources

K. C. Zuber, Chair
David Kos
Marty O'Donnell

Natural Resources, Environmental & Public Media

Billie Jo David, Chair
Mark Spaetzel
K. C. Zuber

Public Service

Jennifer Fenderbosch, Chair
Zach Arnold
David Kos

Safety

David Kos, Chair
Billie Jo David
Marty O'Donnell

Walker Road Ad Hoc

Billie Jo David, Chair
Mark Spaetzel
Marty O'Donnell

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

No: None

Motion carried.

Mrs. Fenderbosch moved to confirm the recommendation of Planning Commission to permit a conditional use for the Ilg Family Park. The Planning & Zoning Code requires the issuance of a conditional use permit for the parcel of land known as the Ilg Family Park prior to its dedication as a City park.

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

No: None

Motion carried.

Mrs. Fenderbosch moved to confirm the recommendation of Planning Commission to permit a conditional use for 58 West Shore Road. The Planning & Zoning Code requires the issuance of a conditional use permit for the parcel of land known as 58 West Shore Drive prior to its dedication as a City park.

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

No: None

Motion carried.

Mr. O'Donnell moved to accept the resignation of James Motz from the Zoning Board of Appeals effective September 22, 2020. Due to health issues, Mr. Motz submitted his letter of resignation.

Any Avon Lake resident interested in filling a vacancy on the Zoning Board of Appeals for a term expiring December 31, 2020 should submit a letter of interest and resume to Valerie Rosmarin, Clerk of Council at vrosmarin@avonlake.org or 150 Avon Belden Road, Avon Lake by October 21st at 4:30 p.m. The individual selected can be re-appointed for a five-year term beginning January 1, 2021 and expiring December 31, 2025.

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

No: None

Motion carried.

LEGISLATION

Second Readings:

Temporary Legislation #11418, AN ORDINANCE ESTABLISHING A NEW CHAPTER OF THE CODIFIED ORDINANCES ENTITLED COMMUNITY RELATIONS BOARD AND REPEALING CHAPTER 290 OF THE CODIFIED ORDINANCES ENTITLED AFFIRMATIVE ACTION COMMISSION, was read by title only.

This legislation will amend the Codified Ordinances to repeal the Affirmative Action Commission and establish the Community Relations Board. The Community Relations Board will be comprised of the Law Director, Finance Director, HR Director, Human Resources Committee Chair, and two community members appointed by City Council.

Its purpose will be to analyze civil service testing and recruitment procedures, review and evaluate departmental policies of inclusion and diversity training, support the community's efforts to recruit, orientate, and retain roles for any protected classes, and encourage and support safe and sound performance and management practices.

Temporary Legislation #11419, A RESOLUTION DENOUNCING ALL FORMS OF RACISM, HOMOPHOBIA, SEXISM, AGEISM, XENOPHOBIA, RELIGIOUS DISCRIMINATION AND DISABILITY DISCRIMINATION AND REAFFIRMING THE CITY'S POLICIES AND PRACTICES OF BEING WELCOMING TO ALL PEOPLE IRRESPECTIVE OF RACE, SEXUAL ORIENTATION, GENDER, NATION OF ORIGIN, RELIGION OR DISABILITY STATUS OR ANY OTHER IMMUTABLE CHARACTERISTIC, was read by title only.

This legislation will support the establishment of the Community Relations Board and acknowledge the current events in the country. It will not permit emergency powers and does not declare any public health crisis.

First Readings:

Temporary Legislation #11425, AN ORDINANCE AUTHORIZING A COOPERATIVE SERVICE AGREEMENT BETWEEN THE CITY OF AVON LAKE AND THE UNITED STATES DEPARTMENT OF AGRICULTURE, ANIMAL AND PLANT HEALTH INSPECTION SERVICE RELATED TO THE DEER MANAGEMENT PLAN AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mrs. David moved for passage of Temporary Legislation #11425. This legislation will authorize the Mayor to enter a cooperative agreement with the U.S. Department of Agriculture on behalf of the City's Deer Management Plan, which has existed since 2015. The services outlined in the agreement include baiting, sharp shooting, collecting, and transporting deer carcasses to a facility to be processed. All processed deer meat will be donated to a local food bank. Also, included is the aerial count to be conducted in the Spring of 2021. The goals of the Deer Management Plan are to reduce deer/vehicle accidents and damage to residential property. This legislation is declared to be an emergency for the health, safety, and welfare of the public and to begin the culling process in November when conditions are favorable.

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

No: None

Motion carried.

Ordinance No. 94-2020 adopted.

Temporary Legislation #11426, AN ORDINANCE CONFIRMING THE RECOMMENDATION OF PLANNING COMMISSION FOR THE KREBS ROAD PUD REVISED GENERAL DEVELOPMENT PLAN AND DECLARING AN EMERGENCY, was read by title only.

This legislation will confirm Planning Commission's recommendation dated October 6, 2020 for the Krebs Road PUD revised general development. Based on input from the neighboring subdivisions, the developer revised the general development plan to reduce the density and propose cluster lots instead of townhomes on the north side of Woodbridge Way and single family homes on the south side of Woodbridge Way.

Temporary Legislation #11427, AN ORDINANCE TO REZONE PERMANENT PARCEL NUMBER 04-00-017-101-090 AND PERMANENT PARCEL NUMBER 04-00-017-101-066 FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO AN R-2 MULTI-FAMILY RESIDENTIAL DISTRICT AND DECLARING AN EMERGENCY, was read by title only.

This legislation will rezone two residential properties located at 544 Avon Belden and 550 Avon Belden Road from an R-1 Single Family Residential District to an R-2 Multi-Family Residential District as approved by Planning Commission on October 6, 2020. A Public Hearing will be conducted at the second reading.

In response to Mr. Kos, Mrs. Fenderbosch stated that the nearby property designated historical will not be affected by this rezone proposition and all residents within 300 feet will be notified by the Clerk of Council of the rezoning request and will be afforded an opportunity to address City Council at the Public Hearing.

Temporary Legislation #11428, AN ORDINANCE APPROVING THE FINAL PLAT FOR SOUTH PORT SUBDIVISION NO. 1 AND DECLARING AN EMERGENCY, was read by title only.

This legislation will approve the final plat for South Port Subdivision No. 1 consisting of 33 residential lots on 13.618 acres located south of Walker Road between Lear Road and Treeside Lane in an R-1 Single Family Residential District as approved by Planning Commission on October 6, 2020. This final plat is subject to the developer receiving a credit of \$72,059.21 which will be applied toward inspection fees, grading plan fees, and building permit fees for this subdivision in exchange for the developer enclosing a portion of Gable Creek.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

Boo by the Woods and Trails of Haunted Tales will be held Saturday, October 17th at Weiss Field from 6 p.m. to 10 p.m. Weiss Field and the Dog Park will be closed beginning at noon to prepare for this event and will reopen Sunday, October 18th.

Mrs. Fenderbosch moved for adjournment.

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

No: None

Motion carried.

Adjournment: 7:44 P.M.

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

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