



**CITY OF AVON LAKE**

150 Avon Belden Road  
Avon Lake, Ohio

**COLLECTIVE COMMITTEE MEETING**

Council Chamber  
October 26, 2020  
6:30 P.M.

**FINANCE COMMITTEE**

- Comprehensive Insurance
- CARES Act Funds

**PUBLIC SERVICE COMMITTEE**

- Council Chamber Wall Artwork
- LED Crosswalks
- Alterations to City Hall Reception Area
- Grant Funding

**Third Readings:**

Temporary Legislation #11418R, establishing a new chapter of the Codified Ordinances entitled Community Relations Board and repealing Chapter 290 of the Codified Ordinances entitled Affirmative Action Commission.

Temporary Legislation #11419, 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.

**Second Readings:**

Temporary Legislation #11426, confirming the recommendation of the Planning Commission for the Krebs Road PUD revised general development plan.

Temporary Legislation #11428, approving the final plat for South Port Subdivision No. 1.

First Readings:

As determined at the Collective Committee Meeting.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

PUBLIC INPUT

ADJOURNMENT



## VOTING ORDER

Z. Arnold  
B. David  
J. Fenderbosch  
D. Kos  
M. O'Donnell  
M. Spaetzel  
K. Zuber

## **CITY OF AVON LAKE**

150 Avon Belden Road  
Avon Lake, Ohio

The following business is to be considered at the regular meeting of the Avon Lake City Council on October 26, 2020 immediately following Collective Committee Meeting in the Council Chamber.

### Pledge of Allegiance

Roll Call: Mr. Arnold, Mrs. David, Mrs. Fenderbosch, Mr. Kos, Mr. O'Donnell, Mr. Spaetzel, Mr. Zuber, Mayor Zilka, Law Director Ebert, Finance Director Presley, Public Works Director Reitz.

Approval of Minutes: October 13, 2020 Council Meeting.

### Correspondence

### Reports

Mayor/COVID-19  
Council President

### Audience Participation

### Motion

Commissioning artwork for the Council Chamber in an amount not to exceed \$5,000 - J. Fenderbosch.

→Suspension of the rule requiring three readings

## Legislation

### Third Readings:

Temporary Legislation #11418R, establishing a new chapter of the Codified Ordinances entitled Community Relations Board and repealing Chapter 290 of the Codified Ordinances entitled Affirmative Action Commission.

Temporary Legislation #11419, denouncing all forms of racism, homophobia, sexism, agism, xenophobia, religious discrimination and disability discrimination and reaffirming the City's policies and practices of being welcoming to all people.

### Second Readings:

Temporary Legislation #11426, confirming the recommendation of the Planning Commission for the Krebs Road PUD revised general development plan.

Temporary Legislation #11428, approving the final plat for South Port Subdivision No. 1. →

### First Readings:

Temporary Legislation #11429, awarding a contract for the purchase of comprehensive insurance coverage. →

Temporary Legislation #11430, proclaiming that the entirety of payroll costs for public safety forces of the City for the period of March 1, 2020 through December 31, 2020 are eligible for reimbursement from the CARES Act funds. →

Temporary Legislation #11431, authorizing the Mayor to file an application for financial assistance with the Ohio Department of Natural Resources, Office of Coastal Management.

Temporary Legislation #11432, authorizing the Mayor to submit an application for Clean Ohio Green Space Conservation grant funding.

Temporary Legislation #11433, authorizing a contract for the installation of LED crosswalks. →

Temporary Legislation #11434, authorizing the purchase of LED crosswalk equipment. →

Temporary Legislation #11435, authorizing the Mayor to execute a professional services agreement with Clark & Post Architects, Inc. →

## Miscellaneous Business and Announcements

### Public Input

### Executive Session

In compliance with Ohio Revised Code Section 121.22(G), Council will adjourn to Executive Session to discuss the purchase of real property.

### Reconvening of Open Council Meeting

### Adjournment

ORDINANCE NO. \_\_\_\_\_

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.

WHEREAS, it has been recommended by the Human Resources Committee that a new chapter in the Codified Ordinances be established 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;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF  
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That there is hereby established the Community Relations Board. That the Board shall consist of the Law Director, Finance Director, HR Director, Chairperson of the Human Resources Committee, and two community members.

Section No. 3: That the two community members shall be appointed by Council for a two-year term.

Section No. 4: That for matters of state and federal funding, the Finance Director is hereby appointed to serve as Fair Housing Officer, Equal Opportunity Officer, and Complaint Officer.

Section No. 5: That the Board shall meet at a minimum annually.

Section No. 6: That the Board will work with the residents, businesses, organizations, faith-based institutions, and Building Department and/or Zoning to promote and enforce Fair Housing and ADA objectives, initiatives, and laws.

Section No. 7: That Chapter 290 of the Codified Ordinances entitled Affirmative Action Commission is hereby repealed.

Section No. 8: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the

public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 9: That this Ordinance shall be in full force and effect from and after the earliest period allowed by law.

1<sup>st</sup> reading: 09/28/2020

2<sup>nd</sup> reading: 10/13/2020

3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_

\_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor

ORDINANCE NO. \_\_\_\_\_

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.

WHEREAS, the Declaration of Independence states:

“all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are life, liberty and the pursuit of happiness” ....and our Pledge of Allegiance affirms the ideal of liberty and justice for all....”

WHEREAS, Avon Lake is a community for All Generations that values inclusivity and diversity amongst its people; and

WHEREAS, such diversity is an integral part of the fabric of our community, which makes Avon Lake such a desirable place to live, learn, work, shop, play, and worship; and

WHEREAS, Avon Lake is committed through our elected officials and safety forces to safeguard our community against the myriad of harms that discrimination causes and ensuring that the Constitutional rights of every person in Avon Lake are protected; and

WHEREAS, Avon Lake is committed to an ethos that supports and provides for fairness and equality for all; and

WHEREAS the City Council and Mayor wish to publicly restate its opposition to all other forms of discrimination and bigotry against people; and

WHEREAS, the City Council and Mayor wish to restate our local government's commitment that it is a community that welcomes all people, irrespective of any immutable characteristic; and

WHEREAS, the City Council and Mayor reaffirm and rededicate ourselves to the values of the Declaration of Independence, United States Constitution, Civil Rights Act, Equal Pay Act, Americans with Disabilities Act, Age Discrimination in Employment Act, and any and all other Federal and State laws against discrimination;



NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE  
CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the Avon Lake government will not abide by acts of racism, intolerance, and unlawful discrimination and denounces such actions in the strongest terms.

Section No. 2: That the Avon Lake government shall continue its policies and practices of being welcoming to all people irrespective of race, sexual orientation, gender, age, nation of origin, religion, disability status or any other immutable characteristics which have no bearing on the content of a person's character.

Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 4: That this Resolution shall be in full force and effect from and after the earliest period allowed by law.

1<sup>st</sup> reading: 9/28/2020  
2<sup>nd</sup> reading: 10/13/2020  
3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_

\_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor

BY: Mrs. Fenderbosch

TEMP NO: 11426

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CONFIRMING THE RECOMMENDATION OF  
PLANNING COMMISSION FOR THE KREBS ROAD PUD REVISED  
GENERAL DEVELOPMENT PLAN AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission has, at its meeting of October 6, 2020, recommended that the Krebs Road PUD Revised General Development Plan be approved; and

WHEREAS, Council has determined that the recommendation of the Planning Commission should be confirmed;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL  
OF THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That, in accordance with Section 1252.09(d)(4) of the Codified Ordinances, the recommendation of the Planning Commission that the Krebs Road PUD Revised General Development Plan is hereby confirmed.

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance is hereby declared to be an emergency measure to allow the developer to move forward with the project during the construction season to further the economic growth of the City, thus for the health, safety, and welfare of the residents of Avon Lake. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1<sup>st</sup> reading: 10/13/2020

2<sup>nd</sup> reading:

3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_  
\_\_\_\_\_ President of Council

POSTED: \_\_\_\_\_  
\_\_\_\_\_ Approved

ATTEST: \_\_\_\_\_  
Clerk of Council \_\_\_\_\_ Mayor

BY: Mrs. Fenderbosch

TEMP NO: 11428

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING THE FINAL PLAT FOR SOUTH PORT  
SUBDIVISION NO. 1 AND DECLARING AN EMERGENCY.

WHEREAS, Planning Commission has, at its meeting of October 6, 2020,  
approved the final plat for South Port Subdivision No. 1;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF  
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the final plat for South Port Subdivision No. 1, consisting of 33 residential lots on 13.6189 acres located south of Walker Road between Lear Road and Treeside Lane in an R-1 Single-Family Residence District, submitted to and approved by Planning Commission and referred to this Council, be and it is hereby approved subject to a \$72,059.21 credit to be applied toward fees for construction inspections, grading plans, and building permits pertaining to the South Port Subdivision in exchange for the enclosure of a portion of Gable Creek.

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance is hereby declared to be an emergency measure, to allow for the timely recording of the final plat to prevent unnecessary delay in the mortgage closings of homes and to allow the City to begin collecting taxes on these properties to add to the revenue of the City, thus for the public health, safety, and welfare. Therefore, this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

1<sup>st</sup> reading: 10/13/2020

2<sup>nd</sup> reading:

3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_  
\_\_\_\_\_ President of Council

POSTED: \_\_\_\_\_  
\_\_\_\_\_ Approved

ATTEST: \_\_\_\_\_  
Clerk of Council \_\_\_\_\_ Mayor

BY: Mr. O'Donnell

TEMP NO: 11429

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AWARDING OF A CONTRACT FOR THE  
PURCHASE OF COMPREHENSIVE INSURANCE COVERAGE FOR  
THE CITY OF AVON LAKE AND DECLARING AN EMERGENCY.

WHEREAS, in accordance with the recommendations of the Finance Committee, the Director of Finance has solicited quotes for the procurement of comprehensive insurance coverage for the City of Avon Lake; and

WHEREAS, through Arthur J. Gallagher of Independence, Ohio, a proposal was received for said insurance coverage; and

WHEREAS, Council coming now to consider said proposal has determined that the proposal of Trident Insurance Company as submitted by their agent, Arthur J. Gallagher of Independence, Ohio, is the lowest and best responsible bid;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE  
CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That it is hereby confirmed to award Arthur J. Gallagher a contract for the purchase of a one-year policy of comprehensive insurance coverage commencing November 1, 2020 for a total annual premium of \$151,324.00.

Section No. 2: Upon certification by the Mayor that Trident Insurance Company by their said authorized agent has furnished said policy of insurance coverage, as agreed, then the Director of Finance of the City of Avon Lake shall be, and he is hereby authorized and directed to issue to the Company or its said authorized agent, the warrant of this City under the terms of said contract and to cause said warrant to be paid.

Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 4: That this Ordinance is hereby declared to be an emergency measure, the emergency being the immediate necessity of providing for the protection of the City against claims for damages, injury and loss arising out of municipal operations, and is in the best interest of the preservation of the peace,

health, safety, and welfare of the City. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_

\_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor

BY: Mr. O'Donnell

TEMP NO: 11430

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION PROCLAIMING THAT THE ENTIRETY OF PAYROLL COSTS FOR PUBLIC SAFETY FORCES OF THE CITY OF AVON LAKE FOR THE PERIOD OF MARCH 1, 2020 THROUGH DECEMBER 31, 2020 ARE ELIGIBLE FOR REIMBURSEMENT FROM CARES ACT FUNDS AND ARE CONSISTENT WITH THE REQUIREMENTS OF SECTION 5001 OF THE CARES ACT AS DESCRIBED IN 42 U.S.C. 601(d) AND DECLARING AN EMERGENCY.

WHEREAS, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the CARES Act) was signed into law by the President of the United States on March 27, 2020; and

WHEREAS, the Ohio General Assembly established a process for distributing funds provided by the "Coronavirus Aid, Relief, and Economic Security Act" in Senate Bill 310 of the 133<sup>rd</sup> General Assembly (S.B. 310); and

WHEREAS, according to the Federal Treasury's Coronavirus Relief Fund Guidance for State, Territorial, Local and Tribal Governments, as well as the Ohio Office of Budget and Management, CARES Act funds may be utilized to meet payroll expenses for public safety employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency and substantially differ from any expected use of funds as set forth in the most recently approved budget for the City; and

WHEREAS, according to the Ohio Office of Management and Budget, payroll costs for public health and public safety employees are presumed to be payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency; and

WHEREAS, according to the Ohio Office of Management and Budget, as a matter of administrative convenience, the entire payroll cost of an employee whose time is substantially dedicated to mitigating or responding to the COVID-19 public health emergency is eligible for reimbursement, provided that such payroll costs are incurred by December 31, 2020 because payroll amounts that were budgeted have since been repurposed.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF  
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: The City of Avon Lake hereby proclaims that all full-time public safety employees of the City of Avon Lake, including all full-time employees of Avon



Lake Police Department, dispatchers, full-time employees of the Avon Lake Fire Department and the Mayor/Safety Director, during the period of March 1, 2020 through December 31, 2020, have been substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

Section No. 2: The entire payroll cost of the aforementioned public safety employees for the period of March 1, 2020 through December 31, 2020 substantially differs from the expected use of the funds and is eligible for reimbursement, because the payroll amounts that were budgeted have since been repurposed.

Section No. 3: The City of Avon Lake is therefore entitled to utilize CARES Act funds for reimbursement of the entirety of public safety payroll expenses for the period of March 1, 2020 through December 31, 2020, consistent with the requirements of Section 5001 of the CARES Act as described at 42 U.S.C. 601(d).

Section No. 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section No. 5: This Resolution is hereby declared to be an emergency measure, the emergency being the necessity of affirming that payroll expenses for public safety employees of the City of Avon Lake during the period of March 1, 2020 through December 31, 2020 have been substantially dedicated to mitigating or responding to the COVID-19 public health emergency and are substantially different from any expected use of funds as set forth in the most recently approved budget for the City. Therefore, this Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: \_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_  
Clerk of Council Mayor

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF AVON LAKE, OHIO TO FILE AN APPLICATION FOR FINANCIAL ASSISTANCE WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES, OFFICE OF COASTAL MANAGEMENT, FOR COASTAL MANAGEMENT PURPOSES, THROUGH THE OHIO COASTAL MANAGEMENT PROGRAM'S COASTAL MANAGEMENT ASSISTANCE GRANTS PROGRAM AND DECLARING AN EMERGENCY.

WHEREAS, the State of Ohio through the Ohio Department of Natural Resources, Office of Coastal Management, administers financial assistance for coastal management purposes, through the Ohio Coastal Management Program; and

WHEREAS, the City of Avon Lake desires financial assistance under the Coastal Management Assistance Grants Program;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF  
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the Council of the City of Avon Lake approves filing this application for financial assistance

Section No. 2: That the City of Avon Lake is hereby authorized and directed to execute and file an application with the Ohio Department of Natural Resources, Office of Coastal Management, and to provide all information and documentation required to become eligible for possible funding assistance.

Section No. 3: That the City of Avon Lake does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms and conditions of the Coastal Management Assistance Grants Program.

Section No. 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section No. 5: This Resolution is hereby declared to be an emergency measure, the emergency being the necessity to file an application in a timely manner for the

financial assistance, thus for the public health, safety, and welfare. Therefore, this Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

1<sup>ST</sup> reading:

2<sup>nd</sup> reading:

3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_  
\_\_\_\_\_ President of Council

POSTED: \_\_\_\_\_  
\_\_\_\_\_ Approved

ATTEST: \_\_\_\_\_  
Clerk of Council \_\_\_\_\_ Mayor

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF AVON LAKE TO SUBMIT AN APPLICATION FOR CLEAN OHIO GREEN SPACE CONSERVATION GRANT FUNDING AND DECLARING AN EMERGENCY.

WHEREAS, the State of Ohio, through the Ohio Public Works Commission, administers financial assistance for conservation purposes through the Clean Ohio Green Space Conservation Grant Program (“Clean Ohio”); and

WHEREAS, the City of Avon Lake desires financial assistance for the purchase, protection, and passive park improvements of a coastal Lake Erie property (“the Property”) located in the City of Avon Lake in Lorain, Ohio, and;

WHEREAS the City of Avon Lake will own and manage the Property, operating it as a public park in line with other City park operations, and installing public passive recreation improvements for the benefit of residents and visitors alike; and

WHEREAS the acquisition of the Property is needed for increased public park access, especially to better access to Lake Erie, as public lakefront access is lacking; and

WHEREAS the creation of the public park is directly in line with the 2019 Avon Lake Comprehensive Plan, notably goals including improved lakefront access, parks and greenspace, and connectivity; and

WHEREAS the preservation of the Property will protect valuable coastal Lake Erie property, including native habitat for wildlife and pollinators, as well as steep-sided bluff prone to erosion if improperly developed.

WHEREAS, the State of Ohio, through the Ohio Public Works Commission, administers financial assistance for conservation purposes through the Clean Ohio Green Space Conservation Grant Program (“Clean Ohio”); and

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF  
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the Mayor is hereby authorized and directed to execute and file an application with the Ohio Public Works Commission (OPWC) for Clean Ohio Conservation Program funds seeking grant support for the purchase of Property.

Section No. 2: That the City of Avon Lake is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Section No. 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section No. 4: This Resolution is hereby declared to be an emergency measure, the emergency being the necessity to file an application in a timely manner for the purpose of acquiring funds for the purchase of the Property, thus for the public health, safety, and welfare. Therefore, this Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

1<sup>st</sup> reading:

2<sup>nd</sup> reading:

3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_

\_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor

BY: Mrs. Fenderbosch

TEMP NO: 11433

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING A CONTRACT FOR THE  
INSTALLATION OF LED CROSSWALKS AND DECLARING AN  
EMERGENCY.

WHEREAS, Section 59 of the Avon Lake Charter, entitled Competitive Bidding, authorizes the awarding of contracts under \$50,000 without public bidding; and

WHEREAS, the Public Works Director has solicited quotations for LED crosswalks; and

WHEREAS, Council coming now to consider said quotations has determined that the quotation submitted by Signal Services Company of Warrensville Heights, Ohio, is the best responsive quotation and is acceptable to this Council;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF  
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the bid by Signal Services Company of Warrensville Heights, Ohio (hereafter referred to as "Contractor") to install crosswalks at Avon Belden Road and Redwood Boulevard, Lear Road and Creekside Drive, and Walker Road and Long Pointe/Bridgeside, for the City of Avon Lake, Ohio, be and the same is hereby awarded to said Contractor in accordance with said plans and specifications and bid received. The total amount of said contract is in the sum of \$25,500.00.

Section No. 2: That the Contractor shall furnish his good and sufficient performance bond in the amount of \$25,500.00 to the satisfaction of the Mayor and approved as to form by the Director of Law, conditioned to insure faithful performance of the contract thereby awarded and completion of the work free and clear of all claims and encumbrances.

Section No. 3: That the Contractor shall deposit and keep in force and effect on file with said Director of Finance memoranda of policies of insurance in the amounts and under the conditions set forth in the specifications of the contract documents.

Section No. 4: That upon receipt by the Director of Finance of the certificate of the Public Works Director that the construction has been completed to the full satisfaction of the Public Works Director and in accordance with the plans and specifications, then the Director of Finance shall be authorized and directed to issue

to said Contractor the warrants of the City in payment therefore the amount of money determined by said Public Works Director to be due said Contractor under the contract thereby awarded to him and to cause said warrants to be paid.

Section No. 5: That the Mayor shall be and he is hereby authorized and directed to sign and execute the contract hereby awarded.

Section No. 6: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 7: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of installing the crosswalk signals as soon as possible to ensure safe pedestrian crossing, thus for the public health, safety and welfare. Therefore, this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_

\_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor

BY: Mrs. Fenderbosch

TEMP NO: 11434

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE PURCHASE OF LED  
CROSSWALK EQUIPMENT AND DECLARING AN EMERGENCY.

WHEREAS, the City of Avon Lake has entered a Cooperative Purchasing Program with the State of Ohio; and

WHEREAS, the State has advertised for bids for LED crosswalk equipment and finds that the bid of Traffic and Parking Control Co., Inc. of Brown Deer, Wisconsin, to be the lowest and best bid;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF  
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the bid by Traffic and Parking Control Co., Inc. of Brown Deer, Wisconsin, submitted through the Cooperative Purchasing Program of the State of Ohio, for LED crosswalk equipment to be installed at Avon Belden Road and Redwood Boulevard and Walker Road and Long Pointe/Bridgeside in an amount not to exceed \$25,649.84, be and it is hereby accepted and approved.

Section No. 2: That upon delivery to this City with the proper specifications, to the full satisfaction of the Public Works Director and the Director of Finance, then the Director of Finance is hereby directed to deliver to Traffic and Parking Control Co., Inc. of Brown Deer, Wisconsin, the warrant of this City in an amount not to exceed \$25,649.84 and to cause said warrant to be paid.

Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 4: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of installing LED crosswalks as soon as possible to ensure safe pedestrian crossing and further to take advantage of the State purchasing price, thus for the health, safety, and welfare of the residents of Avon Lake. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.



PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_

\_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH CLARK & POST ARCHITECTS, INC. AND DECLARING AN EMERGENCY.

WHEREAS, the City of Avon Lake desires to retain the personal services of Clark & Post Architects, Inc. of Lorain, Ohio for professional architectural design services to create plans for a single-story addition to City Hall;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the Mayor is hereby authorized and directed to enter into an agreement with Clark & Post Architects, Inc. of Lorain, Ohio, for the purpose of retaining professional services to provide architectural and engineering services for a single story new main entry and meeting room and north stair addition to the existing City Hall.

Section No. 2: The said agreement (Exhibit A) shall state among its terms that the preliminary project scope of the personal services shall be at a cost not to exceed \$42,700. Upon receipt of an itemized billing, in conformance with the guidelines and scope of work as set forth in said agreement to the satisfaction of the Public Works Director, the Director of Finance is hereby directed to deliver to Clark & Post Architects, Inc. the warrant of this City in the amount due and payable and to cause said warrant to be paid.

Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 4: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of providing architectural design services for an addition and alterations to City Hall to ensure the safety and security of City employees and the public, thus for the health, safety, and welfare of the citizens of Avon Lake. Therefore, this Ordinance shall take effect and be in full force immediately after its passage and approval by the Mayor.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_

\_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor