



CITY OF AVON LAKE

150 Avon Belden Road
Avon Lake, Ohio

**WORK SESSION
AND
COLLECTIVE COMMITTEE MEETING**
Council Chamber
November 9, 2020
6:30 P.M.

WORK SESSION

Ways to abate erosion along the Lake Erie shoreline by creating Special Improvement Districts (SID) - presented by Amanda Gordon, McDonald Hopkins

COLLECTIVE COMMITTEE MEETING

FINANCE COMMITTEE

- Supplemental Appropriations

PUBLIC SERVICE COMMITTEE

- OPWC Grant Application - Walker Road Paving Project between Avon Belden Road & Armour Road

OTHER BUSINESS

- Zoning Board of Appeals Appointment

Third Reading:

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

Second Readings:

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.

First Readings:

As determined at the Collective Committee Meeting.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

PUBLIC INPUT

ADJOURNMENT



VOTING ORDER

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

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 November 9, 2020 immediately following the 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 26, 2020 Council Meeting.

Correspondence

Reports

Mayor/COVID-19
Council President
Public Works Director
Law Director
Finance Director
Standing Committees
Special Committees

Audience Participation

→Suspension of the rule requiring three readings

Motions

Appointing Nicole Slivinski to the Zoning Board of Appeals for a term expiring December 31, 2020 - J. Fenderbosch.

Accepting the donation of a Chimney Swift bird house to be installed in Walker Road Park - B. David.

Legislation

Third Reading:

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

Second Readings:

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. →

First Readings:

Temporary Legislation #11436, amending appropriations for the current expenses and other expenditures of the City. →

Temporary Legislation #11437, authorizing the Mayor to prepare and submit an application to participate in the Ohio Public Works Commission (OPWC) State Capital Improvement and/or local transportation improvement program(s). →

Miscellaneous Business and Announcements

Public Input

Adjournment

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.

1st reading: 10/13/2020

2nd reading: 10/26/2020

3rd 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, 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.

1ST reading: 10/26/2020

2nd reading:

3rd 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.

1st reading: 10/26/2020

2nd reading:

3rd reading:

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

AN ORDINANCE TO AMEND APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF AVON LAKE FOR THE FISCAL YEAR 2020 AND DECLARING AN EMERGENCY.

WHEREAS it has been determined by the Director of Finance that certain adjustments to the permanent appropriations are needed;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE
STATE OF OHIO

Section 1: That to provide for the current expenses and other expenditures of the City of Avon Lake during the fiscal year ending December 31, 2020, the following sums be and they are hereby set aside and appropriated from the funds herein specified as follows, to wit:

Section 2: That there be appropriated transferred and advanced from the following funds and as further detailed in the Schedules attached hereto as Exhibit "A" and incorporated herein:

General Fund - 100						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
	Beginning General Fund Appropriations	\$ 11,737,283.00	\$ 3,110,440.00		\$ 692,725.00	\$ 15,540,448.00
	100 Total General Fund Adjustments	\$ -	\$ -	\$ 30,000.00	\$ -	\$ 30,000.00
	Ending General Fund Appropriations					\$ 15,570,448.00

Special Revenue Fund Group - 200						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
202	SCM&R Fund	\$ -	\$ -	\$ -	\$ -	\$ -
203	State Highway Fund	\$ -	\$ -	\$ -	\$ -	\$ -
204	Income Tax Transfer	\$ -	\$ -	\$ -	\$ 225,000.00	\$ 225,000.00
205	Improvement Fund	\$ -	\$ -	\$ -	\$ -	\$ -
206	Paramedic Fund	\$ -	\$ -	\$ -	\$ -	\$ -
207	Income Tax Capital improvement	\$ -	\$ -	\$ -	\$ -	\$ -
208	Office On Aging	\$ -	\$ -	\$ -	\$ -	\$ -
209	Dial-A-Bus Fund	\$ -	\$ -	\$ -	\$ -	\$ -
210	Digital Media	\$ -	\$ -	\$ -	\$ -	\$ -
212	Law Enforcement Trust Fund	\$ -	\$ -	\$ -	\$ -	\$ -
213	Law Enforcement Education	\$ -	\$ -	\$ -	\$ -	\$ -
214	Indigent Drivers Alcohol Treatment	\$ -	\$ -	\$ -	\$ -	\$ -
215	Municipal Court Computer Fund	\$ -	\$ -	\$ -	\$ -	\$ -
216	COPS Fast Fund	\$ -	\$ -	\$ -	\$ -	\$ -
225	AL/Bay Park Improvement Fund	\$ -	\$ -	\$ -	\$ -	\$ -
226	Fire apparatus Acquisition Fund	\$ -	\$ -	\$ -	\$ -	\$ -
227	Safety Services Communications Fund	\$ -	\$ -	\$ -	\$ -	\$ -
230	Board of Building Standards Assmnt	\$ -	\$ -	\$ -	\$ -	\$ -
231	Employee Sick time Buy Back Fund	\$ -	\$ -	\$ -	\$ -	\$ -
232	Street Tree Fund	\$ -	\$ -	\$ -	\$ -	\$ -
235	Continuing Professionals Training	\$ -	\$ -	\$ -	\$ -	\$ -
236	ALMC-Court Security Fund	\$ -	\$ -	\$ -	\$ -	\$ -
237	ALMC- Interlock Fund	\$ -	\$ -	\$ -	\$ -	\$ -
240	Recreation Fund	\$ -	\$ -	\$ -	\$ -	\$ -
200	Total Special Revenue Funds	\$ -	\$ -	\$ -	\$ 225,000.00	\$ 225,000.00

Debt Service Fund Group - 300						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
301	General Bond Retirement	\$ -	\$ -	\$ -	\$ -	\$ -
302	GO Bond Retirement (Voted)	\$ -	\$ -	\$ -	\$ -	\$ -
501	Special Assessment Bond Retirement	\$ -	\$ -	\$ -	\$ -	\$ -
520	SA Walker Rd/Lear East	\$ -	\$ -	\$ -	\$ -	\$ -
521	SA Lear Rd/Walker South	\$ -	\$ -	\$ -	\$ -	\$ -
522	SA Titus Pitts-Hill Ditch	\$ -	\$ -	\$ -	\$ -	\$ -
525	Sidewalk Street Lighting	\$ -	\$ -	\$ -	\$ -	\$ -
527	Cove Avenue Improvements	\$ -	\$ -	\$ -	\$ -	\$ -
	Total Debt Service Funds	\$ -	\$ -	\$ -	\$ -	\$ -

Capital Project Fund Group - 400						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
400	OCP Rt 83/Webber Rd	\$ -	\$ -	\$ -	\$ -	\$ -
401	Lear/Krebs Intersection	\$ -	\$ -	\$ -	\$ -	\$ -
410	Sewer Speration Projects	\$ -	\$ -	\$ -	\$ -	\$ -
417	OCP Police/Court Facility	\$ -	\$ -	\$ -	\$ -	\$ -
421	OCP 45's Sewer Speration Project	\$ -	\$ -	\$ -	\$ -	\$ -
424	OCP Canterbury Road Imp	\$ -	\$ -	\$ -	\$ -	\$ -
426	OCP Troy School Driveway	\$ -	\$ -	\$ -	\$ -	\$ -
440	Walkeer/Lear Roads Intersection	\$ -	\$ -	\$ -	\$ -	\$ -
442	Curtis Road Sewer Improvements	\$ -	\$ -	\$ -	\$ -	\$ -
443	North Point Erosion Control	\$ -	\$ -	\$ -	\$ -	\$ -
445	Pool Reconstruction Fund	\$ -	\$ -	\$ -	\$ -	\$ -
480	Fairfield/Brookfield	\$ -	\$ -	\$ -	\$ -	\$ -
400 Total Capital Project Fund Group		\$ -	\$ -	\$ -	\$ -	\$ -

Enterprise Fund Group- 700						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
701	Water Fund	\$ -	\$ -	\$ -	\$ -	\$ -
703	Water MOR SUB Fund	\$ -	\$ -	\$ -	\$ -	\$ -
704	Waterworks Construction Fund	\$ -	\$ -	\$ -	\$ -	\$ -
706	Water Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -
721	Sewer Fund	\$ -	\$ -	\$ -	\$ -	\$ -
724	Sewer System Construction Fund	\$ -	\$ -	\$ -	\$ -	\$ -
725	Trunk Sanitary Sewer Fund	\$ -	\$ -	\$ -	\$ -	\$ -
727	Sewer Debt Service Fund	\$ -	\$ -	\$ -	\$ -	\$ -
729	LORCO Force Main & Pump	\$ -	\$ -	\$ -	\$ -	\$ -
739	LORCO Collection System Fund	\$ -	\$ -	\$ -	\$ -	\$ -
749	LORCO Custodial Account Fund	\$ -	\$ -	\$ -	\$ -	\$ -
762	Trunk Water Avon Improvement	\$ -	\$ -	\$ -	\$ -	\$ -
765	Later Loan Fund	\$ -	\$ -	\$ -	\$ -	\$ -
700 Total Enterprise Fund Group		\$ -	\$ -	\$ -	\$ -	\$ -

Internal Service Fund Group - 600						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
601	Police Pension Fund	\$ -	\$ -	\$ -	\$ -	\$ -
602	Fire Pension fund	\$ -	\$ -	\$ -	\$ -	\$ -
603	Recreation Trust Fund	\$ -	\$ -	\$ -	\$ -	\$ -
611	Deposit Trust	\$ -	\$ -	\$ -	\$ -	\$ -
600 Total Internal Service Fund Group		\$ -	\$ -	\$ -	\$ -	\$ -

Deposit Fund Group - 801						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
801	Transfer fund	\$ -	\$ -	\$ -	\$ -	\$ -
800 Total Deposit Fund Group		\$ -	\$ -	\$ -	\$ -	\$ -

Grand Total All Funds		\$ -	\$ -	\$ 30,000	\$ 225,000	\$ 255,000.00
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Section 3: That the City Director of Finance be and is hereby authorized and directed to draw warrants against the appropriations set forth upon presentation of proper vouchers.

Section 4: That all expenditures within the fiscal year ending December 31, 2020 shall be made in accordance with the code accounts set forth above, and shall be made within the appropriations herein provided ("Appropriations" as used means the total amount appropriated for an individual fund).

Section 5: 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 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 6: This Ordinance is hereby declared to be an emergency measure, the emergency being the necessity for the current operations 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.

PASSED: _____

PRESIDENT OF COUNCIL

POSTED: _____

APPROVED

ATTEST: _____
CLERK OF COUNCIL

MAYOR

EXHIBIT "A"
SCHEDULE OF BUDGETS BY DEPARTMENT FOR GENERAL FUND

Department	Personal Service	Other	Equipment Replacement	Transfers	Total
Police	\$ -	\$ -	\$ 30,000.00	\$ -	\$ 30,000.00
Fire	\$ -	\$ -	\$ -	\$ -	\$ -
Public Health	\$ -	\$ -	\$ -	\$ -	\$ -
Recreation	\$ -	\$ -	\$ -	\$ -	\$ -
Building Inspection	\$ -	\$ -	\$ -	\$ -	\$ -
EAAB	\$ -	\$ -	\$ -	\$ -	\$ -
Planning Commission	\$ -	\$ -	\$ -	\$ -	\$ -
Historic Preservation	\$ -	\$ -	\$ -	\$ -	\$ -
Public Works	\$ -	\$ -	\$ -	\$ -	\$ -
Mayor	\$ -	\$ -	\$ -	\$ -	\$ -
Human Resources	\$ -	\$ -	\$ -	\$ -	\$ -
Economic Development	\$ -	\$ -	\$ -	\$ -	\$ -
IT	\$ -	\$ -	\$ -	\$ -	\$ -
Finance	\$ -	\$ -	\$ -	\$ -	\$ -
Law	\$ -	\$ -	\$ -	\$ -	\$ -
Council	\$ -	\$ -	\$ -	\$ -	\$ -
Court	\$ -	\$ -	\$ -	\$ -	\$ -
Civil Service	\$ -	\$ -	\$ -	\$ -	\$ -
General Government	\$ -	\$ -	\$ -	\$ -	\$ -
GRAND TOTAL	\$ -	\$ -	\$ 30,000.00	\$ -	\$ 30,000.00

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED AND DECLARING AN EMERGENCY.

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

WHEREAS, the City of Avon Lake is planning to make capital improvements to the City's infrastructure; and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs;

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 to apply to the OPWC for funds as described above.

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

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 is hereby declared to be an emergency measure, the emergency being the necessity of filing the application with OPWC by the deadline in order to receive a grant to provide improvements to the City's infrastructure and provide safe driving conditions on City roads, thus for the health, safety, and welfare of the public. Therefore, this Resolution shall go into immediate force and effect upon passage and approval by the Mayor.

PASSED: _____

President of Council

POSTED: _____

Approved

ATTEST: _____

Clerk of Council

Mayor