

**MINUTES OF THE REGULAR MEETING
OF THE AVON LAKE MUNICIPAL COUNCIL
JANUARY 10, 2022**

The regular meeting of the Avon Lake Municipal Council was called to order on January 10, 2022, at 7:15 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: Council Members Zach Arnold, Billie Jo David, Jennifer Fenderbosch, David Kos, Marty O'Donnell, Mark Spaetzel, and K. C. Zuber; Mayor Zilka; Law Director Ebert; Finance Director Presley; Public Works Director Reitz; and Clerk of Council Valerie Rosmarin.

Also Present Via Zoom: Blake Hobson of Midstates Recreation and Recreation Director Pinchek.

APPROVAL OF MINUTES

The minutes of the December 13, 2021 Council Meeting were approved as prepared and published.

MAYOR'S REPORT

The COVID-19 vaccine and booster shots are available through the Lorain Public Health Department at no cost to the public. The next immunization sessions will be January 12th and January 14th at their offices located at 9880 Murray Ridge Road from 8:30 a.m. until 4:00 p.m. A remote vaccination site will be held January 14th at Avon Middle School, 3445 Long Road from 10:00 a.m. until 2:00 p.m.

COVID-19 testing is available at: 1) Urgent Care, 36000 Detroit Road, Avon; 2) UH Avon Urgent Care, 1997 Healthway Drive, Avon; 3) Lorain County Health and Dentistry, 1205 Broadway, Lorain; and 4) CVS and Walgreens locations.

The vaccination rate for the City of Avon Lake has increased to 84% fully vaccinated, and the total number of positive COVID-19 cases is 411 or 16.5/1,000.

The City received a donation of \$3,000 from the Good Neighbor Thrift Shop for the Avon Lake Play Space (ALPS) in memory of the Hull family.

The Good Neighbor Thrift Shop received an overwhelming response of donations of goods and funds from the community for the Socks PLUS program sponsored by the Community West Foundation.

COUNCIL PRESIDENT'S REPORT

In observation of Martin Luther King, Jr. Day, Council will not meet on January 17th, and the rescheduled Collective Committee Meeting will be held Tuesday, January 18th at 7:00 p.m. in the Council Chamber.

The next regular Council Meeting will be held Monday, January 24th at 7:00 p.m. in the Council Chamber.

PUBLIC WORKS DIRECTOR'S REPORT

Public Works Director Reitz reported that his staff completed 14 passes throughout the City during this season's leaf collection. He thanked his staff for their efforts and informed Council of the many positive comments he received from residents.

The chipper trucks will continue their route through the City and a load of asphalt was received to fill potholes. Residents can call his office at 440-930-4126 to report the location of any potholes.

BUILDING AND UTILITIES COMMITTEE REPORT

The meeting of the Building and Utilities Committee scheduled for Thursday, January 13th was cancelled due to the lack of agenda items.

The next regularly scheduled meeting of the Building and Utilities Committee will be held Thursday, February 10th at 6:00 p.m. in the Council Chamber.

COMMUNICATIONS, ENVIRONMENTAL, AND RECREATIONAL PROGRAMMING COMMITTEE REPORT

Mrs. David reported that the City's 2021/2022 Deer Management Program was suspended through the end of January and will resume in February. To date, 27 deer have been culled.

ECONOMIC DEVELOPMENT COMMITTEE REPORT

Mr. Arnold reported on results of the Economic Development Committee meeting held earlier. The Committee discussed the application process for a Brownfield grant.

The next meeting of the Economic Development Committee will be held on Tuesday, January 18th at 5:30 p.m. in the Council Chamber.

HUMAN RESOURCES COMMITTEE REPORT

Mr. Zuber reported on results of the Human Resources Committee meeting held earlier. The following topics were discussed: 1) updated job descriptions in the

Finance Department; 2) Police Department staffing and the issue that many of the staff will be eligible for retirement over the next six years.

COMMUNITY RELATIONS BOARD REPORT

The next meeting of the Community Relations Board will be held Wednesday, January 12th at 4:30 p.m. in the Council Chamber.

PUBLIC SAFETY AND HEALTH COMMITTEE REPORT

The next meeting of the Public Safety and Health Committee will be held Wednesday, January 19th at 6:00 p.m. in the Council Chamber.

PUBLIC SERVICE COMMITTEE REPORT

The next meeting of the Public Service Committee will be held Wednesday, January 12th at 6:00 p.m. in the Council Chamber.

PARKS AND RECREATION COMMISSION REPORT

The next meeting of the Parks and Recreation Commission will be held Wednesday, January 26th at 5:30 p.m. at the Lake House.

CITIZENS TREE COMMISSION REPORT

The next meeting of the Citizens Tree Commission will be held Wednesday, January 12th at 7:00 p.m. at the Old Firehouse and Community Center.

ENVIRONMENTAL AFFAIRS ADVISORY BOARD REPORT

Mrs. David reported on the meeting of the Environmental Affairs Advisory Board (EAAB) on January 5th. The EAAB has sponsored an Environmental Survey which will be promoted in the City's quarterly newsletter to be sent January 25th and via social media. The survey will be available online and paper copies at the Avon Lake Public Library. The goal of the survey is to obtain baseline feedback on the public's general awareness of environmental issues that could impact the City and its importance to them. It will help the EAAB develop priorities for the next several years.

LEGISLATION

Second Reading:

Ordinance No. 21-186, AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE AND ENTER INTO A CONTRACT WITH MIDSTATES RECREATION FOR THE RENEW ALPS (AVON LAKE PLAY SPACE) PROJECT AND DECLARING AN EMERGENCY, was read by title only.

This legislation will authorize the Mayor to negotiate and enter into a contract with Midstates Recreation for the Renew ALPS Project in an amount not to exceed \$499,135.40. The Law Director recommended the procedure followed by the City on the design-build be included in the legislation according to ORC 153.65 and 153.69. It is also in compliance with the City Charter. The basis for the emergency provision is for the 2021 equipment costs and installation to be honored in 2022.

First Readings:

Ordinance No. 22-01, AN ORDINANCE TO AMEND ORDINANCE NO. 21-188 AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. O'Donnell moved for passage of Ordinance No. 22-01. This legislation will amend Ordinance No. 21-188 pertaining to year-end supplemental appropriations. After a closer review of Ordinance No. 21-188, the Finance Director discovered an omission and additional computation adjustments were necessary.

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

No: None

Motion carried.

Ordinance No. 22-01 adopted.

Ordinance No. 22-02, 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: Arnold, David, Fenderbosch, Kos, O'Donnell, Spaetzel, Zuber

No: None

Motion carried.

Mr. O'Donnell moved for passage of Ordinance No. 22-02. This legislation will permit the Finance Director to transfer funds totaling \$1,105,416.66 for the months of January, February, and March as follows:

\$708,333.33 General Fund;
\$208,333.33 Income Tax Improvement Fund;
\$145,833.33 General Bond Retirement Fund;
\$ 42,916.67 Recreation Fund

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

No: None

Motion carried.

Ordinance No. 22-02 adopted.

Resolution No. 22-03, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A COMMERCIAL CREDIT CARD AGREEMENT WITH HUNTINGTON NATIONAL BANK AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. O'Donnell moved for passage of Resolution No. 22-03. This legislation will authorize a commercial credit card agreement with Huntington National Bank for the issuance of credit cards for department heads.

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

No: None

Motion carried.

Resoltuion No. 22-03 adopted.

Ordinance No. 22-04, AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE RESURFACING URBAN PAVING PROJECT AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mrs. Fenderbosch moved for passage of Ordinance No. 22-04. The legislation will authorize an agreement with ODOT to resurface Lake Road with ODOT paying 80% for the project and the City paying 20%. The City's share will be \$1,150,000 for construction costs and \$76,000 for the construction engineering inspection costs.

In response to Council President O'Donnell, Public Works Director Reitz stated that the project will begin in August of 2022, and Avon Lake is the only municipality in Lorain County scheduled for the resurfacing project.

In response to Mr. Kos, Public Works Director Reitz stated that the additional foot for bike lanes will be included when the road is striped.

Mrs. Fenderbosch asked if the proposed demolition of the power plant will affect this project?

Public Works Director Reitz responded that he had preliminary discussions with the Mayor, and he will share some ideas with the Police Department to keep the trucks involved in the demolition off Lake Road as much as practicable by requiring the use of alternate routes.

Mrs. Fenderbosch stated that since the Power Plant Demolition Project is estimated to take 20 months to complete, perhaps the project could begin at the east end of the City; and if there is any damage to the new road, then the contractor could be held responsible to repair whatever damage occurs.

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

No: None

Motion carried.

Ordinance No. 22-04 adopted.

Resolution No. 22-05, A RESOLUTION AUTHORIZING THE CITY OF AVON LAKE TO FILE AN APPLICATION TO PARTICIPATE IN THE STATE OF OHIO BROWNFIELD REMEDIATION PROGRAM FUND AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. Arnold moved for passage of Resolution No. 22-05. This legislation will authorize the City to apply for the State of Ohio Brownfield Remediation Program for financial assistance.

Discussion

Economic Development Director Esborn stated that the companion piece to this legislation is a motion for the City to accept a proposal from Hull & Associates LLC to write the grant at a cost of \$20,000.

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

No: None

Motion carried.

Resolution No. 22-05 adopted.

MOTION

Mr. Arnold moved to use Hull & Associates, LLC for their expertise in completing the Ohio Brownfield Remediation Program application in the amount of \$20,000.

Yes: Arnold, David, Fenderbosch, Kos, O'Donnell, Spaetzel, Zuber
No: None
Motion carried.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

Mayor Zilka displayed the board game, AvonLakeOpoly. It is similar to Monopoly but with Avon Lake locations.

Mrs. Fenderbosch moved for adjournment.

Yes: Arnold, David, Fenderbosch, Kos, O'Donnell, Spaetzel, Zuber
No: None
Motion carried.

Adjournment: 7:45 P.M.

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

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