

**MINUTES OF THE REGULAR MEETING
OF THE AVON LAKE MUNICIPAL COUNCIL
JANUARY 9, 2023**

The regular meeting of the Avon Lake Municipal Council was called to order on January 9, 2023, at 7:14 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, Jennifer Fenderbosch, David Kos, Marty O'Donnell, Mark Spaetzel, and K. C. Zuber; Mayor Zilka; Law Director Ebert; Finance Director Widman; City Engineer Fulton; and Clerk of Council Valerie Rosmarin.

Absent: Billie Jo David.

APPROVAL OF MINUTES

The amended minutes of the Special Council Meeting on December 5, 2022, and the regular Council Meeting on December 12, 2022 were approved as prepared and published.

CORRESPONDENCE

Julie Short from the Avon Lake City Schools emailed Mayor Zilka and requested the following announcement be read:

The Avon Lake City Schools Board of Education is seeking the community's input as they search for a new superintendent to replace Bob Scott who is retiring at the end of the school year. The Board of Education has contracted with the Ohio School Boards Association (OSBA) to assist in the search for a new superintendent. In the group's effort to select the best candidate, the Association will be hosting several focus groups to meet with stakeholders. The focus groups will help the team enhance the profile developed for Avon Lake's next school leader. The meeting of the focus groups will take place on January 19th at Avon Lake High School in the LAKE Center. Parents of Avon Lake students are invited to come at 6:00 p.m. followed by another focus group meeting at 7:00 p.m. for businesses and members of the community. The Board of Education welcomes additional feedback and has created a survey which is on the school district website and Facebook page.

MAYOR'S REPORT

Mayor Zilka commented on Ms. Short's email by explaining that the Ohio School Boards Association will be guiding the schools through the search process for a superintendent. They are seeking input from students, parents, and the public about the prospect of a new superintendent. The candidate selected will be instrumental in planning the new school campuses that are being proposed across the City which will include consolidating existing buildings and constructing new buildings.

Mayor Zilka attended a special meeting requested by the Ford Ohio Assembly Plant that included Mayors Bring and Hunter. The purpose of the meeting was to update the three communities about their expansion project. The retention basin was redesigned and expanded but the proposed construction positioned the basin very close to the adjoining property owners in Sheffield Lake. Additional meetings were held with Ford executives and engineers and with residents affected along with three Mayors and the Law Director of Sheffield Lake to address everyone's concerns. Ford agreed to reposition the retention basin a further distance from the residents' properties. Construction will begin on January 12th. This was an example of the three communities working together to ensure the expansion project is successful. Ford will be presenting their improvement plans to all three Planning Commissions. Rather than having to attend each Planning Commission, Ford may conduct one virtual presentation to the three communities. Then every Planning Commission will conduct its approval process individually. The City of Avon Lake does not want to be the sole determinant of the layout of the plant. The three communities have worked well together. Ford complimented this alliance which has made their expansion project easier.

Demolition of the Power Plant has begun on the west side of the building where the electrostatic precipitator is located. It will probably take until May to complete its demolition because it must be removed carefully and in an environmental manner. The public will begin to see another view of the lake during this process.

At the end of 2022, the communities who participated in the Meals on Wheels program (Avon Lake, Avon, Sheffield Lake, and Sheffield Village) were informed that Neighborhood Alliance would be managing the program. Neighborhood Alliance is constructing a building that will house a state-of-the-art kitchen. They will use heated trucks to deliver meals that will be heated at their facilities. In the warmer months, they will serve cold meals. This announcement was a shock to the volunteers at Meals on Wheel and very upsetting to their clientele, who they visit three days a week. Previously, the program was funded through the Lorain County Office of Aging. Now Avon Lake will pay Neighborhood Alliance for the home-delivered meals. If residents have any questions or if they receive phone calls about this new program, they can contact the Mayor. For 2022, the City budgeted approximately \$60,000 for the Meals on Wheels Program and has budgeted the same amount for 2023.

In response to Mr. Zuber, Mayor Zilka stated that there are approximately 86 residents in Avon Lake that participate in this program.

Mrs. Fenderbosch asked if Neighborhood Alliance operates through Lorain County and if they will work with Community Resource Services (CRS) to ensure volunteers will refer clientele that have other needs connected with CRS. Mayor Zilka stated that Lorain County does not have oversight with the Neighborhood Alliance home-delivered meal program, but Neighborhood Alliance does receive state funding. He was aware conversations with CRS have occurred, and both agencies will rely on each other to serve the needs of the residents who they service.

COUNCIL PRESIDENT'S REPORT

In observation of Martin Luther King, Jr. Day on Monday, January 16th, Council will not meet. The re-scheduled Collective Committee Meeting will be held Tuesday, January 17th at 7:00 p.m. in the Council Chamber.

The next Council Meeting will be held Monday, January 23rd at 7:00 p.m. in the Council Chamber.

BUILDING AND UTILITIES COMMITTEE REPORT

The next meeting of the Building and Utilities Committee will be held on Thursday, January 12th at 6:30 p.m. in the Council Chamber.

ECONOMIC DEVELOPMENT COMMITTEE REPORT

The next meeting of the Community Improvement Corporation will be held on Friday, January 13th at 9:00 a.m. in the Council Chamber.

HUMAN RESOURCES COMMITTEE REPORT

Mr. Zuber reported on the Human Resources Committee meeting held earlier. The following topics were discussed: 1) job descriptions and the reorganization of the Digital Media Department as the Community and Technology Department; 2) salary increase for the Law Director; 3) promotion of two Public Works Laborers to the position of Equipment Operators; and 4) legal aspects of City employees who work part-time outside the City.

PUBLIC SAFETY AND HEALTH COMMITTEE REPORT

The next meeting of the Public Safety and Health Committee will be held on Wednesday, January 18th at 6:00 p.m. in the Council Chamber.

ZONING BOARD OF APPEALS REPORT

The next meeting of the Zoning Board of Appeals will be held on Wednesday, January 25th at 7:00 p.m. in the Council Chamber.

CITIZENS TREE COMMISSION REPORT

Mrs. Fenderbosch reported that the Tree Commission hosted a tour of Avon Lake with a representative from the Ohio Division of Forestry along with staff from the Public Works Department, Council President O'Donnell, Terry Robison, Chair of the Tree Commission, Commission member Michael Thain, Assistant Director Ward, Public Works Director Brubaker, and Mrs. Fenderbosch. As the group traveled around the City, they stopped at various locations and discovered trees that were planted too deeply or too high; trees that were volcano mulched, which causes roots to grow around the tree; high-risk trees and rare biodiverse trees. The group learned about the Bradford Pear tree, which is a

species that was very popular decades ago and was planted in tree lawns throughout the City and the state. But they are failing. If their trunk has split, the City must remove them. They are now illegal to plant in tree lawns because they do split and fall to the ground. The tour was very interesting. Stephanie Miller, the Division of Forestry representative, used to be the Urban Forester for an electric utility. She was able to identify areas in the City that warrant further inspection and would like to return to investigate some of the power fluctuations that have been occurring. There are lines affected by trees and she has a solution. A transcript of the tour will be available, and Ms. Miller will provide a summary of her visit. The Tree Commission will be evaluating the City's ordinances to bring them up to standards with arboriculture and establish standards for tree maintenance.

MOTIONS

Mrs. Fenderbosch moved to authorize the advertisement of bids for LOR CR 610-0.91 to install curb ramps/rectangular rapid flashing beacons (RRFBs) at two locations: 1) Lear Road/Creeside Drive; and 2) Walker Road/Armour Road. The Mannik and Smith Group recommended installing RRFB crosswalks at these locations for pedestrians' safety. City Engineer Fulton stated that Bramhall prepared the design and filed tracings last week. A final review will be conducted to ensure the inclusion of previous comments. Thereafter, ODOT will send the plans to the central office for processing and bidding on the project.

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

No: None

Absent: David

Motion carried.

Mrs. Fenderbosch moved to authorize the advertisement of bids to build a Dog Park Shelter at Weiss Field. Plans for the shelter were prepared and the City is ready to go out for bid. A resident, who is a mason, offered to construct the concrete block wall at no cost to the City, and the shelter's foundation and roof will be completed by an outside contractor.

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

No: None

Absent: David

Motion carried.

Mrs. Fenderbosch moved to authorize the advertisement of bids for the construction and rehabilitation of catch basins in the City. The Administration and Council decided to take an aggressive approach to the repairs of catch basins in the City and placed \$150,000 in the budget to achieve their goal. There are 400 catch basins in the City.

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

No: None

Absent: David

Motion carried.

Council President O'Donnell moved to authorize the donation of a 1938 Dodge Fire Truck to the Avon Lake Historical Society. Years ago, a resident donated the fire truck to the City, and it was stored in the old salt barn at the Public Works garage. The salt barn has deteriorated and will be demolished, and the Avon Lake Historical Society agreed to assume ownership of the fire truck and will restore it. Therefore, the City is required to formally donate the 1938 Fire Truck to the Avon Lake Historical Society for auditing purposes.

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

No: None

Absent: David

Motion carried.

LEGISLATION

First Readings:

Ordinance No. 23-1, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 208.01, ENTITLED GENERAL FEE SCHEDULE AND REPEALING ORDINANCE NO. 22-190, was read by title only.

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

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

No: None

Absent: David

Motion carried.

Mr. Spaetzel moved for the passage of Ordinance No. 23-1. This legislation will amend the General Fee Schedule on the pool fees and the security deposits for the Lake House and Folger Home and repeal Ordinance No. 22-190. After Ordinance No. 22-190 passed on December 19, 2022, the Recreation Director discovered that the date to purchase pool passes at a discount was incorrect and the security deposits for the Lake House and Folger Home were not increased. Therefore, Ordinance No. 23-1 corrected these errors and omissions as requested.

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

No: None

Absent: David

Motion carried.

Ordinance No. 23-1 adopted.

Ordinance No. 23-2, AN ORDINANCE PROVIDING FOR LEGAL REPRESENTATION ON BEHALF OF THE CITY OF AVON LAKE IN AN ACTION FILED BY PARKPLAY SOLUTIONS, LLC, AND THE MEDIATION OF A JOINT ACTION WITH THE CITY OF BAY VILLAGE BETWEEN MARKS CONSTRUCTION AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Absent: David

Motion carried.

Council President O'Donnell moved for the passage of Ordinance No. 23-2. This legislation will provide the City with continued legal defense by Seeley, Savidge, Ebert & Gourash Co., LPA of Westlake, Ohio in the amount not to exceed \$25,000 for an action filed by ParkPlay Solutions, LLC, and the mediation of a joint action with the City of Bay Village between Marks Construction.

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

No: None

Absent: David

Motion carried.

Ordinance No. 23-2 adopted.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

The traditional style ward meetings will be held with Wards 1 and 2 on Wednesday, March 1st at Learwood Middle School from 7:00 to 9:00 p.m. and Wards 3 and 4 on Wednesday, March 15th at Troy Intermediate School from 7:00 to 9:00 p.m.

PUBLIC INPUT

Geoffrey Smith, 32956 Durrell Road, Avon Lake addressed Council to announce his run for Avon Lake Municipal Court Judge.

Mrs. Fenderbosch moved for adjournment.

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

No: None

Absent: David

Motion carried.

Adjournment: 7:45 P.M.

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

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