The regular scheduled meeting of the Avon Lake Municipal Council was called to order on January 14, 2019 at 7:30 P.M. in the Council Chamber with Council President O’Donnell presiding.

Mrs. Campo led the Council, staff, and public in the Pledge of Allegiance.

Present: Council Members Zach Arnold, Eileen Campo, Jennifer Fenderbosch, Rob James, Marty O’Donnell, K. C. Zuber; Mayor Zilka; Law Director Abe Lieberman; Finance Director Steve Presley; and Clerk of Council Valerie Rosmarin.

Absent: David Kos and Public Works Director Joe Reitz.

There being no objections, Mr. Kos and Public Works Director Reitz were excused from attendance at the Council meeting.

APPROVAL OF MINUTES

The amended minutes of the December 17, 2018 Council meeting were approved as prepared and published.

MAYOR’S REPORT

Jim Janis, Vice Chairman of the Civil Service Commission submitted a letter of resignation effective January 14, 2019.

The Ward 1 & 2 Meeting will be held Tuesday, February 12th at 6:30 p.m. at Learwood Middle School.

The Ward 3 & 4 Meeting will be held Wednesday, February 27th at 6:30 p.m. at Troy Intermediate School.

Wendy Miller from Compass Point Planning LLC is in the early stages of rewriting the Planning & Zoning Code.

Three companies submitted proposals for the 2019-2023 trash contract. Only two companies submitted bids that included yard waste pickup. The bid from Republic Service did not include yard waste. The bids will be discussed at the Public Service Committee meeting on January 28th at 6 p.m. The bid from Kimble is the only one that meets the City requirements. The cost for a 95 gallon trash cart, a 65 gallon recycle cart, and the pickup of yard waste will be $73.11/quarter. Rumpke submitted the other bid at a cost of $152.77/quarter.
Through November 2018, the Building Department reported that construction began on 67 homes. The total number of homes constructed in 2017 was 78. When the housing market was high, in 2005, there were 232 homes constructed. Then the housing market dropped with the lowest number of 47 built in 2011. The total number for 2018 will be reported at a future meeting.

COUNCIL PRESIDENT’S REPORT

In observation of Martin Luther King, Jr. Day, Council will not meet on Monday, January 21st. The reschedule date for the Collective Committee Meeting will be held Tuesday, January 22, 2019 at 7:30 p.m.

The next Council Meeting will be held Monday, January 28, 2019 at 7:30 p.m.

LAW DIRECTOR’S REPORT

The Law Director’s litigation update was distributed.

NATURAL RESOURCES, ENVIRONMENTAL & PUBLIC MEDIA COMMITTEE REPORT

Mrs. Campo reported that due to the Federal government shutdown, the FCC has suspended action on the cable franchising issue.

The next meeting of the Digital Media Commission will be held January 17th at 7 p.m. at the Avon Lake Public Library.

Also due to the Federal government shutdown, the deer culling program in Avon Lake has been suspended for the month of January. The helicopter survey conducted in March may be impacted.

The Public Works Department did not pick up any deer carcasses for the month of December. The total deer carcass pickups for 2018 was 28. This was the lowest number since the start of the Deer Management Program.

There were two deer/auto accidents for the month of December. The total deer/auto accidents for 2018 was 13. This was also the lowest number since the start of the Deer Management Program.

There were no coyote sightings reported for the month of December. The total coyote sightings in 2018 was 25.

The Environmental Affairs Advisory Board is sponsoring a presentation on Eastern Coyotes on February 19th at 7 p.m. at the Avon Lake Public Library.
FINANCE COMMITTEE REPORT

The next meeting of the Finance Committee will be held Tuesday, January 22nd at 6:30 p.m.

HUMAN RESOURCES COMMITTEE REPORT

Mr. Zuber reported on the following topics discussed at the Human Resources Committee meeting on January 14th: the pay range for the Technical Support Specialist, the appointment of the Interim Fire Chief to the Fire Chief position; step increases for the Program Manager in the Recreation Department; and employee evaluations.

SAFETY COMMITTEE REPORT

The next Safety Committee meeting will be held Wednesday, January 16th at 6:00 p.m. in the Council Conference Room.

SEWER COMMITTEE REPORT

Mrs. Fenderbosch reported on the sewer separation project discussed at the Sewer Committee meeting on January 12th: Five years ago, 3,068 homes out of 8,600 homes in Avon Lake were identified in the sewer separation area. Out of the 3,068 homes, 1,125 homes were determined to be separated, 1,578 homes did work to comply with the separation project, and 330 homes still need to comply. Currently, 25% are under contract. The compliance date was changed to April 30, 2019 for homes in Group A. Homes in Groups B & C need to be separated by June 30, 2019. There are only 35 homes that have not had an inspection.

ECONOMIC DEVELOPMENT COMMITTEE REPORT

Mr. Arnold reported on the following topics discussed at the Economic Development Committee meeting on January 7th: the listing of vacant land or rentable space or buildings for sale on the City's website; City owned parcels on Pin Oak Parkway; and the future of the Beer and Wine Festivals.

PLANNING COMMISSION REPORT

Mrs. Fenderbosch reported on the following items approved by Planning Commission on January 8th: the improvement plans for Waterside Crossings South No. 8 and a code revision to Section 1244, 1250, and 1212 to permit the use of parking as a sole use of a parcel in a Business District.
MOTIONS

Mr. Zuber moved to add a motion to the agenda to accept the resignation of Jim Janis from the Civil Service Commission.

Yes: Campo, Fenderbosch, James, O'Donnell, Zuber, Arnold
No: None
Absent: Kos
Motion carried.

Mr. Zuber moved to accept the resignation of Jim Janis from the Civil Service Commission effective January 14, 2019. Due to another commitment, Mr. Janis requested to be relieved of his duties on the Civil Service Commission.

Yes: Campo, Fenderbosch, James, O'Donnell, Zuber, Arnold
No: None
Absent: Kos
Motion carried.

Mr. Arnold moved to confirm the Mayor’s reappointment of Jeffrey Brausch and John Sebastian to the Community Reinvestment Area Housing Council for a three year term expiring December 31, 2021. Mr. Brausch, as a Financial Analyst, uses his expertise in evaluating the City’s tax incentives; and Mr. Sebastian, as a small business owner, has a keen understanding of the needs of small businesses.

Yes: Campo, Fenderbosch, James, O'Donnell, Zuber, Arnold
No: None
Absent: Kos
Motion carried.

Mr. Zuber moved to confirm the Mayor’s appointment of Robert Baker to the Civil Service Commission for a term expiring December 31, 2023. Mr. Baker, as a veteran and a retired public servant, is focused on Public Safety, Public Administration, and postsecondary education.

Yes: Campo, Fenderbosch, James, O'Donnell, Zuber, Arnold
No: None
Absent: Kos
Motion carried.

Mr. O'Donnell moved to instruct the Clerk of Council to return the form to the Division of Liquor Control in the matter of a new liquor license from Memphis Cafe at 32820-22 Walker Road. This new liquor license is for the same location as the former Erie Burgers.

Yes: Campo, Fenderbosch, James, O'Donnell, Zuber, Arnold
No: None
Absent: Kos
Motion carried.

LEGALISATION

Second Readings:

Temporary Legislation #11194, AN ORDINANCE CONFIRMING THE
RECOMMENDATION OF THE PLANNING COMMISSION THAT THE GENERAL
DEVELOPMENT PLAN FOR THE HARBOUR PLANNED UNIT DEVELOPMENT
SUBDIVISION BE APPROVED SUBJECT TO CERTAIN CONDITIONS, was read by
title only.

This legislation will confirm the Planning Commission’s recommendation, subject to the
following conditions: (1) to add a 10 foot wide emergency access to Walker Road Park
for egress in compliance with the City’s thoroughfare plan; and (2) to change the design
of the landscape islands from teardrop to round, which will allow safety services, City
vehicles, and other large vehicles to travel into the cul-de-sacs.

Temporary Legislation #11195, AN ORDINANCE APPROVING THE IMPROVEMENT
PLANS FOR CHANDON SUBDIVISION NO. 4, AND DECLARING AN EMERGENCY,
was read by title only.

This legislation will approve the second phase of the subdivision and consists of 12
single family cluster homes north of Krebs Road, west of Hunt Club Way, and east of
Lakeside Drive within an R-1 Residential Zoned area.

First Readings:

Temporary Legislation #11199, AN ORDINANCE AUTHORIZING A DONATION TO
THE LORAIN COUNTY OFFICE ON AGING, AND DECLARING AN EMERGENCY,
was read by title only.

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

Yes: Campo, Fenderbosch, James, O’Donnell, Zuber, Arnold
No: None
Absent: Kos
Motion carried.

Mr. O’Donnell moved for passage of Temporary Legislation #11199. This legislation will
authorize a donation to Lorain County Office on Aging for home delivered meals and
other social services for residents in Avon Lake in an amount not to exceed $45,957.
January 14, 2019 Council Meeting Minutes

Yes: Campo, Fenderbosch, James, O'Donnell, Zuber, Arnold
No: None
Absent: Kos
Motion carried.

Ordinance No. 2-2019 adopted.

Temporary Legislation #11200, AN ORDINANCE AWARDING A CONTRACT FOR THE 2019 FOURTH OF JULY FIREWORKS, AND DECLARING AN EMERGENCY, was read by title only.

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

Yes: Campo, Fenderbosch, James, O'Donnell, Zuber, Arnold
No: None
Absent: Kos
Motion carried.

Mr. O'Donnell moved for passage of Temporary Legislation #11200. This legislation will award a contract to Zambelli Fireworks of New Castle, Pennsylvania for the display of fireworks on July 4th in the amount of $20,000. The rain date for the fireworks display is July 7th.

Yes: Campo, Fenderbosch, James, O'Donnell, Zuber, Arnold
No: None
Absent: Kos
Motion carried.

Ordinance No. 3-2019 adopted.

Temporary Legislation #11201, A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO DISPOSE OF CERTAIN SURPLUS CITY PROPERTY NO LONGER NEEDED FOR PUBLIC USE BY INTERNET AUCTION FOR THE PERIOD OF JANUARY 15, 2019 THROUGH DECEMBER 31, 2019, AND DECLARING AN EMERGENCY, was read by title only.

This legislation will permit the Finance Director to dispose of surplus City property by internet auction on the following internet auction sites: govdeals.com, propertyroom.com, and publicsurplus.com.

Temporary Legislation #11202, AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF TECHNICAL SUPPORT SPECIALIST, ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION, AND REPEALING ORDINANCE NO. 56-2017, was read by title only.

This legislation will adopt the position of Technical Support Specialist in Avon Lake Regional Water and repeal the job description of Analyst/Assistant as recommended by the Chief Utilities Executive and approved by the Avon Lake Municipal Utilities Board.
Temporary Legislation #11203, AN ORDINANCE ESTABLISHING A PAY RANGE FOR THE POSITION OF TECHNICAL SUPPORT SPECIALIST, AND DECLARING AN EMERGENCY, was read by title only.

This legislation will establish the pay range for the Technical Support Specialist as recommended by the Chief Utilities Executive and approved by the Avon Lake Municipal Utilities Board.

Temporary Legislation #11204, AN ORDINANCE CONFIRMING THE APPOINTMENT OF JEREMY BETSA TO THE POSITION OF FIRE CHIEF IN THE FIRE DEPARTMENT, AND DECLARING AN EMERGENCY, was read by title only.

This legislation will appoint Interim Fire Chief Jeremy Betsa to the position of Fire Chief effective February 11, 2019. Mr. Betsa was certified on the eligibility list of the Civil Service Commission as Fire Chief Huerner’s successor.

Temporary Legislation #11205, AN ORDINANCE AMENDING PLANNING & ZONING CODE SECTIONS 1244, 1250, AND 1212 TO PERMIT THE USE OF A PARKING LOT AS A SOLE USE OF A PARCEL IN A BUSINESS DISTRICT, AND DECLARING AN EMERGENCY, was read by title only.

This legislation will amend the Planning & Zoning Code to permit the use of a parking lot as a sole use of a parcel in a business district and was approved by the Planning Commission on January 8th. A public hearing will be held on February 25th.

In response to Mrs. Campo, Mrs. Fenderbosch stated that this amendment will permit a business owner to obtain a conditional use permit to use a parcel as a parking lot.

Mayor Zilka stated that PolyOne and Kowalski Ford have requested this amendment to the code. The amendment will benefit both when they expand their business by providing additional space for parking for their employees and customers.

PUBLIC INPUT

Don Johnson, residing at 412 U.S. Grant Street, LaGrange and as an employee of Kimble Recycling and Disposal, addressed Council on the bid proposal submitted by Kimble.

Mrs. Fenderbosch moved for adjournment.

Yes: O'Donnell, Zuber, Arnold, Campo, Fenderbosch, James, Kos
No: None
Motion carried.
January 14, 2019 Council Meeting Minutes

Adjournment:  8:56 P.M.

Approved:  Martin E. O'Donnell  
            Council President

Attest:   Valerie E. Rosmarin  
           Clerk of Council