The rescheduled meeting of the Avon Lake Municipal Council was called to order on November 12, 2019 at 7:30 P.M. in the Council Chamber with Council President O'Donnell presiding.

Mr. Zuber led the Council, staff, and public in the Pledge of Allegiance.

Present: Council Members Zach Arnold, Eileen Campo, Jennifer Fenderbosch, David Kos, Marty O'Donnell, K. C. Zuber; Mayor Zilka; Law Director Abe Lieberman; Finance Director Steve Presley; Engineering Technical Aide I Kelly Marton; and Clerk of Council Valerie Rosmarin.

Absent: Rob James and Public Works Director Reitz.

CORRESPONDENCE

On November 3, 2019, a formal communication to address campaign contributions was received via email from Gerald Phillips.

APPROVAL OF MINUTES

The minutes of the October 28, 2019 Council Meeting were approved as prepared and published.

MAYOR’S REPORT

First Energy has scheduled a power outage on November 14th. This outage will facilitate electrical repairs and affects customers in the vicinity of Shoreham apartments on Electric Boulevard from 8 a.m. to 2 p.m. In the event of inclement weather, the outage will be re-scheduled for Friday, November 15th. Customers with a valid telephone number on record will receive a telephone message two days prior. If anyone has any questions, please call 800-589-3101.

Northcoast Christmas at Veterans Memorial Park will be held December 5th from 5:30 p.m. to 7:00 p.m. and December 7th and 8th from 11 a.m. to 3 p.m.

Shop Local will be held November 29th thru December 7th. This year, 40 local businesses will participate and have donated gift cards for a raffle valued at $1,800. The public is encouraged to Shop Local and stop in and fill out a raffle ticket at these establishments during the week long event.
Since July 1, 2000, the City of Avon Lake has been a member of NOPEC and was recognized at their annual meeting. NOPEC has 7,387 electrical accounts and 6,086 gas accounts for a total of 13,473 customers in Avon Lake. Through the City’s membership, NOPEC has awarded grants in the amount of $97,982. In 2019, the City used the grant to replace furnaces at the Fire Station and replace windows on the north side of City Hall. Also, NOPEC donated $3,500 toward various City events including the Bicentennial Celebration and the Fourth of July Fireworks.

Mayor Zilka thanked all residents who participated in the general election and was honored to be selected for another term. He will continue to develop the economic base of the City, and in particular, the west end of this City.

On November 1st, Ford Motor Company announced their plans to invest $900 million into the Ohio Assembly Plant in Avon Lake and Sheffield Lake and $125 million into the Cleveland Engine Plant in Brookpark.

COUNCIL PRESIDENT’S REPORT

The next Collective Committee Meeting will be held Monday, November 18th at 7:30 p.m.

The next regular Council Meeting will be held Monday, November 25th at 7:30 p.m.

The 2020 Budget Meetings will be held in the Public Works Conference Room on the following dates:

- Monday, November 18th at 6 p.m. – Capital Improvements
- Saturday, December 7th at 8 a.m. - Operating Budgets
- Monday, December 16th at 6 p.m. - Operating Budgets

The Organizational Meeting of Council Elect will be held immediately following the Collective Committee Meeting on Monday, November 18th.

LAW DIRECTOR’S REPORT

The Law Director’s litigation update was electronically distributed prior to the Council Meeting.

NATURAL RESOURCES, ENVIRONMENTAL & PUBLIC MEDIA COMMITTEE REPORT

Mrs. Campo reported on the following deer statistics for the month of October:

- Auto/deer accidents - none; the total for the year is five. The goal of the Deer Management Plan is less than 10 per year.
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- Deer carcass pickups - six; the total for the year is ten. The goal of the Deer Management Plan is less than 20 per year.

Based on the totals to date, the City is achieving the goals of the Deer Management Plan through a partnership with the U.S. Department of Agriculture and the Ohio Department of Natural Resources.

FINANCE COMMITTEE REPORT

Mr. O’Donnell reported on the legislation for the City’s comprehensive general liability and property insurance and a change order request for the new fire truck.

HUMAN RESOURCES COMMITTEE REPORT

Mr. Zuber reported that the Human Resources Committee meeting scheduled for Thursday, November 14th has been cancelled. The Human Resources Director extended the deadline to submit a letter of interest and resume for the part-time Human Resources Director position. After the Administration has a recommendation, the Human Resources Committee will meet.

SEWER COMMITTEE REPORT

Mrs. Fenderbosch reported that only four properties are in need of separation. One of the four properties will be separated by the end of this month and another property is in foreclosure.

The next Sewer Committee meeting will be held Thursday, January 9, 2020 at 6:30 p.m. in the Public Works Conference Room.

Mr. O’Donnell recognized and thanked Mrs. Fenderbosch for all her efforts in the sewer lateral program and assistance she provided to Avon Lake Regional Water to ensure the City’s timely compliance.

ECONOMIC DEVELOPMENT COMMITTEE REPORT

Mr. Arnold reported that at the meeting on November 4th, the Economic Development Committee discussed the potential development of Miller Road Park. Discussion on this item will be conducted in the coming months.

PLANNING COMMISSION REPORT

The next meeting of Planning Commission will be held Tuesday, December 3rd at 7:30 p.m. in the Council Chamber.
ZONING BOARD OF APPEALS REPORT

The next meeting of the Zoning Board of Appeals will be held Wednesday, December 11th at 7:00 p.m. in the Council Chamber.

AUDIENCE PARTICIPATION

Tony Tomanek, 217 Yoder Boulevard, Avon Lake, addressed Council regarding the Kekic airplane. The airplane was erected in 1927 to commemorate the Atlantic Crossing by Charles Lindbergh. There were 145 airplanes across the State of Ohio. The one in Avon Lake was iconic to the residents. The reasons to place the airplane at Miller Road Park were to keep it on Lake Road, (the original location on Lake Road is not possible because it is privately owned), and to notify the public of the wind conditions on the lake since the airplane is also a weathervane.

Nick Zangas, 205 Seaward Way, Avon Lake, addressed Council regarding his Eagle Scout project and stated that he is in the design phase of illuminating the airplane and noted that a plaque describing its history will be placed on a small boulder.

MOTIONS

Mrs. Fenderbosch moved to permit the Kekic airplane replica to be situated in Miller Road Park. This airplane is a replica of an iconic and historic emblem and has been approved by the Parks and Recreation Commission, Planning Commission, and Zoning Board of Appeals.

Mrs. Campo congratulated Nick on his Boy Scout achievements; however, she stated that she does not support the location of the airplane. Miller Road Park is one of the focus areas in the Comprehensive Land Use Plan prepared by OHM Advisors. It was recommended that the City develop an identity to that area to attract visitors through boating, the lake front, bike trails along Lake Road, and to provide a lakefront access point. Based on the potential development of this area, she is concerned that the airplane may not fit the goal or vision and suggested locating it near the new Avon Lake Play Space (ALPS).

Mayor Zilka stated that this proposal was first presented at the Parks and Recreation Commission; and initially, he was unsure if this was the best location. But after hearing the explanation and receiving support from Heritage Avon Lake, he stated his support. Then, the project was presented to Zoning Board of Appeals. They, too, were very interested and supportive. The Administration and City Council appoint residents on these various boards or commissions to represent their fellow residents; and the project and location received unanimous support from the Parks and Recreation Commission and the Zoning Board of Appeals.

Mr. Zuber stated his support and noted that the City has the foresight to return the airplane to the lakefront.
Mrs. Fenderbosch commented that the airplane will be another landmark for the City which will aid in the park’s identity.

In response to Mr. Kos, Mrs. Fenderbosch stated that the airplane and boulder can be relocated should a future Council or the public sentiment determine another location would be preferred.

Mr. Arnold appreciated the history attached to the airplane, but recommended Council consider a different location, such as ALPS.

Yes: Zuber, Arnold, Fenderbosch, Kos, O’Donnell
No: Campo
Absent: James
Motion carried

Mrs. Fenderbosch moved to authorize the Economic Development Director to issue a Request for Proposal (RFP) for a grant writer. City Council and the Administration would like to experiment with using the services of a grant writer on a contingency fee basis. Because of their expertise and connections with the State and other agencies, it is hoped that the grant writer will be able to find opportunities for additional grant funding on behalf of the City.

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

Mrs. Fenderbosch moved to authorize the Mayor to accept the NOACA 2021-2024 Transportation Improvement Program (TIP) award for the Moore Road Rehabilitation Project. The City received notice from Northeast Ohio Areawide Coordinating Agency (NOACA) that they will fund this project for the amount of $869,365 and have requested the Mayor’s acceptance.

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

**LEGISLATION**

**Third Readings:**

Temporary Legislation #11314, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 208.01, ENTITLED GENERAL FEE SCHEDULE, was read by title only.
Mrs. Fenderbosch moved for passage of Temporary Legislation #11314. This legislation will amend the Fee Schedule to enact a new fee schedule for the newly erected gazebo at Veterans Memorial Park. The Parks and Recreation Commission recommended the fees to be the same as the fees assessed for the gazebo at Miller Road Park.

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

Ordinance No. 121-2019 adopted.

Temporary Legislation #11317, AN ORDINANCE ADOPTING THE 2019 COMPREHENSIVE LAND USE PLAN FOR THE CITY OF AVON LAKE, was read by title only.

Mrs. Fenderbosch moved for passage of Temporary Legislation #11317. This legislation will adopt the 2019 Comprehensive Land Use Plan prepared by OHM Advisors of Columbus, Ohio. OHM Advisors were contracted to prepare an update of the land use plan of 1995. A group of community and industry members were selected by the Administration as the Steering Committee to assist in the update process.

OHM Advisors attended a variety of public events and gathered input from residents on what they would like to see developed or re-developed and the location of any development(s). After compiling this information, a plan was formulated. The implementation phase will begin after passage of this plan. Since the City is 85% built, this plan focuses on trends across the country, ways to attract people to Avon Lake to keep the community growing, and the financial and self-sustaining means to provide all the services the community desires.

The Planning Commission reviewed and approved the Comprehensive Land Use Plan on October 1st.

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

Ordinance No. 122-2019 adopted.

Second Reading:

Temporary Legislation #11319, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 260.07, UNIFORM ALLOWANCES.

This legislation will amend Codified Ordinance Section 260.07 to increase the annual uniform allowance for the Secretary/Dispatcher in the Fire Department from the amount
of $750 to $950. Other Fire Department staff members received an annual increase and inadvertently, the Secretary/Dispatcher was overlooked.

First Readings:

Temporary Legislation #11320, AN ORDINANCE RATIFYING A CONTRACT FOR THE PURCHASE OF COMPREHENSIVE INSURANCE COVERAGE FOR THE CITY OF AVON LAKE, AND DECLARING AN EMERGENCY, was read by title only.

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

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

Mr. O'Donnell moved for passage of Temporary Legislation #11320. This legislation will ratify a contract for comprehensive insurance coverage from Zurich American Insurance Company by their agent Arthur J. Gallagher of Independence, Ohio in the amount of $138,319 effective November 1, 2019. This one year policy includes TRIA coverage, cyber liability, and cyber deception coverage.

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


Temporary Legislation #11321, AN ORDINANCE APPROVING A CHANGE ORDER TO THE CONTRACT WITH FINLEY FIRE EQUIPMENT CO., AND DECLARING AN EMERGENCY, was read by title only.

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

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

Mr. O'Donnell moved for passage of Temporary Legislation #11321. This legislation will approve a change order to the contract with Finley Fire Equipment Co. in the amount of $12,698.70. The change order included additional items for the new fire truck to safeguard equipment and protect fire personnel.

Yes: Zuber, Arnold, Campo, Fenderbosch, Kos, O'Donnell
No: None
Absent: James
Motion carried.
**Ordinance No. 124-2019 adopted.**

**MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

Mr. Kos acknowledged the 244th birthday of United States Marine Corps on November 10th.

Mr. Kos reported that the annual Toys for Tots campaign has begun and will end Sunday, December 15th. The locations and hours to access the collection boxes are the following:

- Avon Lake City Hall, Monday – Friday 8 a.m. to 4:30 p.m.
- Avon Lake Fire Department, Walker Road; opened 24 hours, seven days a week.
- Avon Lake Regional Water, Miller Road, Monday – Friday 8 a.m. to 4:30 p.m.
- Avon Lake Public Library, Monday – Friday 9 a.m. to 9 p.m.; Saturday 9 a.m. to 5 p.m., and Sunday 1 p.m. to 5 p.m.

The public is requested to drop off new, unopened, and unwrapped toys for children ages infant to 17 years. Please direct all questions to Mr. Kos at [dkos@avonlake.org](mailto:dkos@avonlake.org) or 440-930-7737.

Mayor Zilka reported on an article a resident sent him on aviator Glenn Hammond Curtiss. On August 31, 1910, Mr. Curtiss set a record for flying over water with his home built airplane. He flew from Cleveland and landed at Cedar Point; then the next day, he flew back to Euclid Beach. This article highlights the connection Avon Lake has with the history of aviation.

Mrs. Fenderbosch moved for adjournment.

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

Adjournment: 8:12 P.M.

Approved:  **Martin O’Donnell**  
Council President

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