The regular meeting of the Avon Lake Municipal Council was called to order on December 16, 2019 immediately following the Collective Committee Meeting in the Council Chamber with Council President O'Donnell presiding.

Mrs. Fenderbosch 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; Public Works Director Joe Reitz; and Clerk of Council Valerie Rosmarin.

Absent: Mr. James.

PROCLAMATION

Mayor Zilka presented Barbara (Bobbe) Rudge with a proclamation to honor her service on the Avon Lake Historic Preservation Commission. Under Bobbe’s leadership, 11 homes in Avon Lake received historic designations.

Mrs. Campo was thanked by members of Council for her service as Council Ward III representative as her term will expire on December 31st. A commemorative clock was presented to Mrs. Campo.

CORRESPONDENCE

A letter was received from Michael Lisi tendering his resignation on Planning Commission effective December 31, 2019.

APPROVAL OF MINUTES

The minutes of the December 9, 2019 Council Meeting were approved as prepared and published.

MAYOR’S REPORT

Shop Local concluded with a raffle drawing held Friday, December 13th. A total of 32 businesses donated gift cards for the raffle and Karen Hutman of Amherst was selected as the grand prize winner of $1,825 in gift cards. She qualified for the raffle when visiting Salad Kraze. Approximately 10,000 participated in the raffle at various locations.
COUNCIL PRESIDENT’S REPORT

A special Council Meeting will be held Monday, December 30th at 6 p.m. in Council Chamber.

The Organizational Meeting of Council will be held Thursday, January 2nd at 7:30 p.m. in Council Chamber.

PUBLIC WORKS DIRECTOR’S REPORT

The Public Works Director's weekly update was distributed prior to the Council Meeting.

In response to Mr. O'Donnell, Public Works Director Reitz stated that leaf pick up will conclude December 31st and chipper trucks will pick up branches thereafter. Kimball Recycling will continue to pick up brown bags until December 31st.

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

Public Works Director Reitz reported on the Deer Management Program. To date, 21 deer have been culled. The program has been suspended due to the holiday season and will resume the end of January. The aerial count will be conducted in February.

FINANCE COMMITTEE REPORT

Mr. O'Donnell reported on the Finance Committee meeting on December 16th. The topics discussed were the 2020 budget and the tax renewal levy.

HUMAN RESOURCES COMMITTEE REPORT

The next meeting of the Human Resources Committee will be held Monday, January 13th at 6:30 p.m. in the Public Works Conference Room.

SAFETY COMMITTEE REPORT

The Safety Committee meeting scheduled for Tuesday, December 17th has been cancelled.
SEWER COMMITTEE REPORT

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

ECONOMIC DEVELOPMENT COMMITTEE REPORT

Mr. Arnold reported on the Economic Development Committee meeting on December 16th. An application for a 15-year tax abatement by Hinkley Lighting was discussed. It is the intention of Hinkley Lighting to acquire property adjacent to their headquarters on Pin Oak Parkway and construct a 100,000 square foot building. The tax abatement is pending approval by Avon Lake City Schools. Legislation will be presented for passage at a special Council Meeting on January 21st.

PLANNING COMMISSION REPORT

The next meeting of the Planning Commission is Tuesday, January 7th at 7:30 p.m. in the Council Chamber.

ZONING BOARD OF APPEALS REPORT

Mayor Zilka reported on the results of the Zoning Board of Appeals meeting on December 11th, as follows: (1) area variances were granted for 619 Avon Belden Road, 509 Danbury Lane, 407 Armour Drive, and 32449 Lake Road; and (2) area variances were denied for 171 Cove Avenue, 176 Parkwood Avenue, and 242 Sunset Road.

PARKS & RECREATION COMMISSION REPORT

The next meeting of the Parks & Recreation Commission will be Wednesday, January 22nd at 5:30 p.m. at the Lake House.

AUDIENCE PARTICIPATION

Gerald W. Phillips, 461 Windward Way, Avon Lake addressed Council in support of Temporary Legislation #11326 amending Codified Ordinance Section 1010.11 Tree Lawns and suggested Council consider how to handle any misuse or maintenance issues of a property owner.

Mr. O’Donnell noted that this is the second reading and there will be an opportunity to incorporate any changes, if necessary, prior to the third reading. Further, Mr. Phillips was instructed to discuss his recommendations directly with Mrs. Fenderbosch, as the legislation sponsor.

Brian Sabin, 32290 Orchard Park, Avon Lake addressed Council. Mr. Sabin is working with a group of residents interested in a new design for Avon Lake Play Space (ALPS).
The group, also known as Renew ALPS, has proposed a concept to offer the public of all ages and physical abilities the opportunity to enjoy ALPS in Bleser Park. Council and the Administration have agreed to procure a design study for this concept which has garnered community support.

MOTIONS

Mrs. Fenderbosch moved to accept the resignation of Michael Lisi from Planning Commission effective December 31, 2019. Due to professional obligations, Mr. Lisi is no longer available to participate on Planning Commission.

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

LEGISLATION

Third Reading:

Temporary Legislation #11318R, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 260.02, VACATIONS, was read by title only.

Mr. Zuber moved for passage of Temporary Legislation #11318R. This legislation will amend Codified Ordinance Section 260.02 by providing non-bargaining unit employees benefits consistent with the bargaining unit employees. The Human Resources Committee recommended prior service in the City of Avon Lake be included and limited service in governmental agencies within the State of Ohio. Also, prior military service of non-bargaining unit employees, who have received an honorable discharge, will be factored into vacation calculations.

Yes: Fenderbosch, Kos, O’Donnell, Zuber, Arnold, Campo
No: None
Absent: James
Motion carried.
Ordinance No. 131-2019 adopted.

Second Readings:

Temporary Legislation #11324, AN ORDINANCE AMENDING SUBSECTION 1070.02(i) OF THE CODIFIED ORDINANCES TO PERMIT ALCOHOLIC BEVERAGES AT THE OLD FIREHOUSE COMMUNITY CENTER AND THE ANCHOR, was read by title only.

This legislation will amend Codified Ordinance Section 1070.02(i) to permit alcohol to be dispensed and consumed at the Old Firehouse Community Center and The Anchor
recreational facility under the same rules the City has established for the Lake House, Folger Home, and the Peter Miller House.

Temporary Legislation #11326, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 1010.11, TREE LAWNS AND CODIFIED ORDINANCE SECTION 1018.13 EMERGENCIES, was read by title only.

This legislation will amend the tree lawn ordinance to facilitate the National Pollinator Highway as recommended by the Public Service Committee. Mrs. Fenderbosch noted that upon application of a property owner, the Director of Public Works may allow trees, shrubs, grasses, vegetation, other plants, or landscape features to be planted, installed, and maintained in the tree lawn if the Director of Public Works determines the following: (1) that it is not in violation of Codified Ordinance Section 668.01; (2) that it is not considered noxious or invasive according to Ohio Revised Code; and (3) that it is not an obstruction or nuisance.

Mr. Arnold asked how will tree lawns without curbs be handled. In response, Mrs. Fenderbosch stated that the Public Works Director will review each application to determine if the property owner will be permitted to plant within the tree lawn.

First Readings:

Temporary Legislation #11329R, AN ORDINANCE TO MAKE APPROPRIATIONS FOR THE CURRENT AND OTHER EXPENDITURES OF THE CITY OF AVON LAKE FOR THE FISCAL YEAR 2020, AND DECLARING AN EMERGENCY, was read by title only.

This legislation will appropriate funds for the 2020 budget as determined through budget meetings held with Council, the Administration, and Department Heads. Additional amendments pertaining to capital improvements and other adjustments will be incorporated and finalized prior to December 30th.

Mr. Zuber stated that he prefers to have more time to review and discuss the budget and that he supports the additional funding for roads that has been included.

Mrs. Fenderbosch stated that a conceptual architectural engineering design for Avon Lake Play Space (ALPS) was placed in the budget and that the design will be utilized in Town Hall meetings to obtain public input.

Temporary Legislation #11330, A RESOLUTION SUBMITTING THE QUESTION OF THE RENEWAL OF A TAX LEVY FOR THE PURPOSE OF PROVIDING FOR THE CURRENT EXPENSES OF THE CITY OF AVON LAKE, PURSUANT TO OHIO REVISED CODE SECTION 5705.19 (A), AND DECLARING AN EMERGENCY, was read by title only.

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

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

Mr. O’Donnell moved for passage of Temporary Legislation #11330. This legislation will submit the question to the ballot for the tax levy renewal to provide for the current expenses of the City in the amount of $1,028,572. It will be submitted to the electors at the primary on March 17, 2020.

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

**Ordinance No. 132-2019 adopted.**

Temporary Legislation #11331, AN ORDINANCE REPEALING SECTIONS 670.43, 672.01, 672.02, 672.025, 672.03, 672.04, 672.05, 672.06, 672.07, 672.085, 672.095, 672.15, 672.16 and 672.17 OF THE CODIFIED ORDINANCES AND AMENDING SECTIONS 467.03, 606.10, 612.06 and 612.09 OF THE CODIFIED ORDINANCES RELATING TO THE OWNERSHIP, POSSESSION, PURCHASE, OTHER ACQUISITION, TRANSPORT, STORAGE, CARRYING, SALE, OTHER TRANSFER, MANUFACTURE, TAXATION, KEEPING, AND REPORTING OF LOSS OR THEFT OF FIREARMS, THEIR COMPONENTS, AND THEIR AMMUNITION; AND DECLARING AN EMERGENCY.

This legislation will repeal and amend the City’s codified ordinances. It will not eliminate what is allowed or allow what is prohibited. It merely removes repetitive sections in the City’s code that appear in the state law. Therefore, if the state law changes, the municipal law would not be in conflict.

**MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

The following boards and commissions will have vacancies effective January 1st:
Citizen Tree Commission; Community Reinvestment Area Housing Council; Environmental Advisory Affairs Board; Historical Preservation Commission; Planning Commission; and Zoning Board of Appeals.

Any interested resident is instructed to forward a letter of interest and resume to Valerie Rosmarin, Clerk of Council at vrosmarin@avonlake.org or 150 Avon Belden Road, Avon Lake.

**PUBLIC INPUT**

Gerald W. Phillips, 461 Windward Way, Avon Lake addressed Council regarding his activism through Ohio Citizens for Honesty, Integrity and Openness in Government, Ltd. and in particular to the time limit afforded to the public for items on the Council agenda.

Kathryn Eyring, 95 Edgewood Drive, Avon Lake addressed Council regarding the wellness classes she offers residents through Avon Lake Recreation Department along
with her efforts to bring the Silver Sneakers Program to the City. Also, she informed Council that she received notice by Recreation Director Pinchek that her services as a fitness instructor/contractor of the City were no longer needed.

Chris Quinlan, 73 Community Drive, Avon Lake addressed Council to thank Mrs. Campo for her service to the City and wished everyone a Merry Christmas and Happy New Year!

Mrs. Fenderbosch moved for adjournment.

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

Adjournment: 8:58 P.M.

Approved: Martin O'Donnell Attest: Valerie E. Rosmarin
Council President Clerk of Council