The regular meeting of the Avon Lake Municipal Council was called to order on September 23, 2019 at 7:30 P.M. in the Council Chamber with Council President O'Donnell presiding.

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

Present: Council Members Jennifer Fenderbosch, Rob James, David Kos, Marty O'Donnell, K. C. Zuber; Mayor Zilka; Law Director Abe Lieberman; Finance Director Steve Presley; and Clerk of Council Valerie Rosmarin.

Absent: Zach Arnold, Eileen Campo, and Public Works Director Joe Reitz.

CORRESPONDENCE

A letter was received from Jim Gamellia requesting Council to suspend the rules for three readings on an emergency basis for Temporary Legislation No. 11308, approving the Improvement Plans for Lear Road Holdings.

APPROVAL OF MINUTES

The minutes of the August 26, 2019 Council Meeting were approved as prepared and published.

MAYOR’S REPORT

Big Trucks was on September 21st at the Safety Center. This annual event was a huge success because of the efforts of City staff from the Fire and Police departments. All free will donations from concessions were distributed to the ALPS (Avon Lake Play Space) renewal project. Also, the Bicentennial Committee donated the balance of their fund (approximately $19,000) to the ALPS renewal project to provide equipment for children with disabilities. The group organizing this renewal project has solicited input from residents through an online survey and they are considering incorporating an area for Senior Citizens to use for exercise or rehabilitation purposes.

A ceremony dedicating a “MIA” (Missing In Action) seat at the Avon Lake High School stadium was held prior to the high school football game on September 20th.

The Small Business Development Center from Lorain County Community College offered “Morning Mingle” at the Avon Lake Public Library. Morning Mingle provides small businesses opportunities to network while learning new skills.
The new playground at Overlook Park has been installed and the finishing touches, such as landscaping and grading, will be completed soon.

Shred Day will be held Saturday, September 28th from 9 a.m. until 12 noon at the Public Works Department near the railroad tracks.

Heritage Avon Lake hosted a Native American Fest at Veterans Memorial Park on September 15th.

Northcoast Christmas Kickoff will be held December 5th for Camp Imagine, and Light Up the Park will be December 6th.

A Beer Fest will be held on Saturday, September 28th at Miller Road Park from 1 p.m. until 8 p.m. This event is sponsored by the Avon Lake Booster Club.

COUNCIL PRESIDENT’S REPORT

Monday, September 30th is the fifth Monday of the month and Council will not meet.

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

In observation of Columbus Day on Monday, October 14th, Council will not meet. The rescheduled Council Meeting will be held Tuesday, October 15th at 7:30 p.m.

LAW DIRECTOR’S REPORT

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

HUMAN RESOURCES COMMITTEE REPORT

The next meeting of the Human Resources Committee will be held Tuesday, October 15th at 6:30 p.m. in the Public Works Conference Room.

Mayor Zilka reported that Human Resources Director DeTillio will retire December 31, 2019 and the City is seeking his replacement. All resumes and letters of interest must be submitted by October 14th.

PUBLIC SERVICE COMMITTEE REPORT

Mr. James reported on the topics discussed at the Public Service Committee meeting on September 23rd: amending the fee schedule to include the Veterans Memorial Park gazebo, accepting a donation for signs relating to bike safety, and establishing an alcohol policy for the Old Firehouse and potentially for The Anchor.
SAFETY COMMITTEE REPORT

Mr. Kos highlighted some of the topics discussed at the Safety Committee meeting on September 18th:

(1) Increase in manpower in the Fire Department. This increase was implemented to alleviate the need for mutual aid requests. Chief Betsa provided a comparison of overtime hours for 2018 and 2019. In 2019, the total overtime charges were $283,762.88, which is a reduction of $32,751 in 2018 and $38,824.28 in 2017. Not only has this program increased staff on hand, but it has reduced overtime charges. The Fire Department will continue to proceed with the increased staffing and further evaluation will be conducted to determine if manpower should be expanded.

(2) Bicycle safety in Avon Lake. A recommendation to review existing bike lanes in the City will be conducted by Recreation Director Pinchek, Public Works Director Reitz, and Police Chief Streator to determine how to make the lanes safer and/or where to expand. Brian Blaney, a representative from NOACA, met with City officials to discuss expanding bike trails, signage, and other methods to make bicycle paths safer in communities. A public meeting will be held in the future to gather public input on this topic. Since State Route 6 is scheduled to be paved in 2022, this is the time to evaluate the needs of the bike lanes along that route.

SEWER COMMITTEE REPORT

Mrs. Fenderbosch reported on storm water discussed at the Sewer Committee meeting on September 12th as it pertains to the issue of flooding onto neighboring properties because a neighbor has changed the grade, added landscaping, or failed to maintain and clean the storm water drains. The Public Works Department is contacting other communities to determine how they handle these situations and the Clerk of Council will contact other clerks to request their requirements.

PLANNING COMMISSION REPORT

The next meeting of Planning Commission will be held on Tuesday, October 1st at 7:30 p.m. in the Council Chamber.

MOTION

Mr. Kos 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 for Ricos Tacos & Tequilas, 33491-93 Lake Road indicating that the City does not request a hearing. The Police Chief has reviewed this request and has no objections.

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

LEGISLATION

Second Reading:

TEMPORARY LEGISLATION #11302, AN ORDINANCE ADOPTING THE HOMEOWNERS ASSOCIATION STREET TREE PROGRAM, was read by title only.

This legislation will establish a policy for homeowners associations for planting trees on streets within HOA developments.

First Readings:

Temporary Legislation #11306, AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF SENIOR OPERATOR AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION, was read by title only.

This legislation will adopt a job description for Senior Operator in Avon Lake Regional Water. This position is the highest union position within the plant. The position of Operations Supervisor and Chief Operator may be consolidated into this Senior Operator position.

Temporary Legislation #11307, AN ORDINANCE AUTHORIZING A COOPERATIVE SERVICE AGREEMENT BETWEEN THE CITY OF AVON LAKE AND THE UNITED STATES DEPARTMENT OF AGRICULTURE, ANIMAL AND PLANT HEALTH INSPECTION SERVICE RELATED TO THE DEER MANAGEMENT PLAN, AND DECLARING AN EMERGENCY, was read by title only.

This legislation will authorize a cooperative agreement with the U.S. Department of Agriculture to implement the City’s Deer Management Plan to cull the white-tailed deer at cost not to exceed $34,347.

Temporary Legislation #11308, AN ORDINANCE APPROVING THE IMPROVEMENT PLANS FOR LEAR ROAD SUBDIVISION NO. 2, AND DECLARING AN EMERGENCY, was read by title only.

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

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

Mrs. Fenderbosch moved for passage of Temporary Legislation #11308. This legislation will approve the improvement plans for Lear Road Subdivision No. 2 for the
construction of a single building with three residential units on the southwest corner of Walker Road and Lear Road within an R-2 Multi-Family Residential District that was approved by Planning Commission on September 10th.

Yes: James, Kos, O'Donnell, Zuber, Fenderbosch
No: None
Absent: Arnold, Campo
Motion carried.
Ordinance No. 110-2019 adopted.

Temporary Legislation #11309, AN ORDINANCE APPROVING A 12-MONTH EXTENSION OF TIME FOR SUBMISSION OF AN APPLICATION TO PLANNING COMMISSION FOR PLAT REVIEW FOR SOUTH PORT SUBDIVISION.

This legislation will approve an extension of 12 months for the approval of the preliminary plan for a single family subdivision on the south side of Walker Road, east of Lear Road. Prior to the submission of preliminary plans, environmental issues must be resolved.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

The 1,700 tickets for Boo by the Woods and the Trail of Haunted Tales to be held Saturday, October 19th were sold out. If students wish to volunteer for the event, service hours will be awarded along with a letter of recognition from the City of Avon Lake.

PUBLIC INPUT

Gerald W. Phillips, 461 Windward Way, Avon Lake addressed Council regarding a violation of his constitutional rights when he attended the Planning Commission meeting on September 10th. Attached is a copy of his demand notice.

EXECUTIVE SESSION

In compliance with Ohio Revised Code Section 121.22(g), Mrs. Fenderbosch moved to adjourn to Executive Session to discuss imminent litigation.

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

Adjournment: 8:10 P.M.

RECONVENING OF COUNCIL MEETING
The Council meeting was reconvened at 8:30 P.M.
Present: Council Members Jennifer Fenderbosch, Rob James, David Kos, Marty O’Donnell, K. C. Zuber; Mayor Zilka; and Law Director Abe Lieberman.

Mrs. Fenderbosch moved for adjournment.

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

Adjournment: 8:31 P.M.

Approved: Martin O’Donnell
          Council President

Attest: Valerie E. Rosmarin
        Clerk of Council