MINUTES OF THE REGULAR MEETING
OF THE AVON LAKE MUNICIPAL COUNCIL
SEPTEMBER 9, 2019

The regular meeting of the Avon Lake Municipal Council was called to order on September 9, 2019 at 7:30 P.M. 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: Rob James.

CORRESPONDENCE

A note from Joe & Lois LaGruth of North Olmsted was received thanking City Council for passing legislation increasing the fines and penalties to be assessed for passing a stopped school bus.

APPROVAL OF MINUTES

The minutes of the August 19, 2019 Special Council Meeting were approved as prepared and published.

MAYOR’S REPORT

On September 6th, a group of 500 motorcyclists traveled from Brookpark Veterans Memorial Park through Avon Lake to Lake Erie Harley Davidson in Avon to honor and remember the 7,977 victims of the four hijacked airplanes that crashed into the World Trade Center Towers, the Pentagon, and in the fields of Shanksville, Pennsylvannia on September 11, 2001 along with the 7,000+ fallen heros from operations in Iraq and Afghanistan, which included 49 marines from Brookpark, Ohio.

On September 12th, another group of motorcyclists will leave the American Legion on Walker Road in Avon Lake and travel to Sheffield Lake escorting the “Flags of Honor” trailer. The Ohio Flags of Honor will be displayed in Sheffield Lake on Sepember 13th and 14th.
The following events were held in Avon Lake on September 7th:

- Fishing Derby at Walker Road Park. Approximately 150 kids participated in this event. Perch sandwiches were served by the Avon Lake Boat Club. All donations for the event benefitted the Friends of the Park.

- Dog Swim at the City pool sponsored by Love-a-Stray.

- Hay Days at Weiss Field. This event sponsored by the Avon Lake Saddle Club offered children and adults with disabilities an opportunity to interact with horses.

The following are upcoming events to be held in Avon Lake:

- Big Trucks at the Safety Center on Saturday, September 21st from 10 a.m. to 2 p.m.
- Beer Fest at Miller Road Park on Saturday, September 28th from 1:00 p.m. to 8 p.m.; and
- The Kiwanis Pancake Breakfast at Avon Lake High School on October 6th from 8 a.m. to 1 p.m.

The funeral service of resident Kay Usher was held on September 7th. Kay was a member of the Avon Lake School Board for 16 years, one of the Charter Members of the League of Women Voters, and an active member of Avon on the Lake Garden Club.

A ribbon cutting ceremony for the gazebo at Veterans Memorial Park was held before this Council Meeting. State Senator Nathan Manning, State Representative Gayle Manning, and Patty Knilans were in attendance. Patty’s late husband, Randy Knilans, designed the gazebo.

COUNCIL PRESIDENT’S REPORT

The next Collective Committee Meeting will be held Monday, September 16th at 7:30 p.m.

The next regular Council Meeting will be held Monday, September 23rd at 7:30 p.m.

As of today, there are approximately 1,400 homes registered on the Do Not Knock Registry. A sign up table will be available at Big Trucks on Saturday, September 21st from 10 a.m. to 2 p.m.

Residents are reminded to contact the Police Department at 933-4567 if a solicitor has knocked on their door in violation of the Do Not Knock Ordinance.

In response to Mr. Zuber, Mr. O’Donnell clarified that solicitations of non-profit and political organizations are exempt from the Do Not Knock Ordinance; therefore, they are permitted to knock on your door even if you are listed on the Do Not Knock Registry.
Law Director Lieberman commented that non-profit and political organizations are included in the sign ordinance. If you have a sign posted at residence saying no solicitation, everyone is prohibited.

PUBLIC WORKS DIRECTOR’S REPORT

On September 12th, Underground Utilities will begin lowering the water line under the Powdermaker culvert. Columbia Gas has not provided the City with a date when they will begin relocating the gas lines.

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

The next meeting of the Natural Resources, Environmental & Public Media Committee will be held Wednesday, September 11th at 6:30 p.m. in the Council Conference Room.

FINANCE COMMITTEE REPORT

The next meeting of the Finance Committee will be held Monday, September 16th at 6:30 p.m. in the Public Works Conference Room.

HUMAN RESOURCES COMMITTEE REPORT

Mr. Zuber reported on the topics discussed at the Human Resources Committee meeting held September 9th: a new job description for the Senior Operator for Avon Lake Regional Water; a 2 ½ % wage increase for Deputy Clerk, Michelle Miller; a Wellness Program in the Police and Fire Departments; the retirement of Human Resources Director DeTillio effective December 31st and the process to select his replacement.

SAFETY COMMITTEE REPORT

The next meeting of the Safety Committee will be held Wednesday, September 18th at 6:00 p.m. in the Council Conference Room.

Regarding the school bus passing ordinance, Olmsted Falls and Hudson have followed Avon Lake’s lead and will be introducing similar ordinances. State Senator Nathan Manning stated that the State will begin a review of this issue.
SEWER COMMITTEE REPORT

The next meeting of the Sewer Committee will be held Thursday, September 12th at 6:30 p.m. in the Public Works Conference Room.

ECONOMIC DEVELOPMENT COMMITTEE REPORT

The next meeting of the Economic Development Committee for September 3rd was cancelled and will be rescheduled later this month.

PLANNING COMMISSION REPORT

The next meeting of Planning Commission will be held Tuesday, September 10th at 7:30 p.m. in the Council Chamber. A Work Session will be conducted immediately following that meeting on the Comprehensive Land Use Plan.

ZONING BOARD OF APPEALS REPORT

Mayor Zilka reported on the results of the Zoning Board of Appeals meetings on:

- July 24th area variances were granted on the following: 247 Ashwood Drive, minimum required building set back for principal uses in the front, side, and rear building set backs; 175 Jaycox Road, area and location requirements for accessory building, maximum permitted; and 165 Burton Road, maximum coverage of rear yard and minimum required building setback for principal uses.

- August 28th area variances were granted on the following: 33189 Lake Road, fence regulations in standard single family subdivisions; 32848 Fox Chappel Lane, fence regulations in standard single family subdivisions with a contingency that screening must be installed to conceal fence; 67 Maple Cliff Drive, maximum coverage of rear yard; and 33587 Walker Road, minimum lot width of lots on primary streets.

LEGISLATION

Second Reading:

TEMPORARY LEGISLATION #11299, AN ORDINANCE AUTHORIZING THE DONATION OF UNCLAIMED PROPERTY IN THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY, was read by title only.

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

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

Mr. Kos moved for passage of Temporary Legislation #11299. This legislation will authorize the Police Department to donate unclaimed bicycles to Ohio City Bike Shop.

Yes: Fenderbosch, Kos, O'Donnell, Zuber, Arnold, Campo
No: None
Absent: James
Motion carried.
**Ordinance No. 106-2019 adopted.**

First Readings:

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

This legislation will adopt a development-wide uniform Street Tree Program for homeowners associations as recommended and adopted by the Tree Commission. The program identifies the services provided by the City and that all costs will be shared by the City and the HOA residents.

TEMPORARY LEGISLATION #11303, AN ORDINANCE CONSENTING TO BRIDGE INSPECTION SERVICES BY ODOT, AND DECLARING AN EMERGENCY, was read by title only.

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

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

Mrs. Fenderbosch moved for passage of Temporary Legislation #11303. This legislation authorizes the City’s consent to receive bridge inspection services by ODOT. As a member of the Local Public Agency, the City participates in the Bridge Inspection Program services, which are fully funded by the state.

Yes: Fenderbosch, Kos, O'Donnell, Zuber, Arnold, Campo
No: None
Absent: James
Motion carried.
**Ordinance No. 107-2019 adopted.**

TEMPORARY LEGISLATION #11304, A RESOLUTION APPROVING THE USE OF SUBMERGED LANDS, AND DECLARING AN EMERGENCY, was read by title only.
Mrs. Fenderbosch moved for suspension of the rule requiring three readings.

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

Mrs. Fenderbosch moved for passage of Temporary Legislation #11304. This legislation will approve the request of a resident at 31944 Lake Road to construct an armor stone revetment and concrete block module break wall in Avon Lake. Department Heads have indicated they have no objections to this request.

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


TEMPORARY LEGISLATION #11305, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH K. E. MCCARTNEY & ASSOCIATES, AND DECLARING AN EMERGENCY, was read by title only.

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

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

Mrs. Fenderbosch moved for passage of Temporary Legislation #11305. This legislation will authorize K. E. McCartney & Associates of Mansfield, Ohio to perform construction inspection services of Powdermaker Creek bridge on Moore Road for an amount not to exceed $46,640.00.

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


MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

Boo By the Woods and Trail of Haunted Tales will be held on October 19th at Kopf Family Reservation. Tickets will be available for purchase on Tuesday, September 10th at 9 a.m.
The Avon Lake Play Space (ALPS) Renewal meeting was held on September 5th at the Avon Lake Public Library. The meeting was filmed and is available for viewing on the City’s website. Residents have been asked to complete the online survey to assist in determining the needs of the community.

A letter from the President of Junior Achievement was read by Mr. O’Donnell in recognition and appreciation of Mr. Kos’ many years of service to the Junior Achievement organization.

PUBLIC INPUT

Chris Quinlan, 73 Community Drive, Avon Lake, asked if the West Life newspaper could return to the former name of Avon Lake Press. Mayor Zilka explained that West Life merged with Avon Lake Press and the name was changed to represent all communities on the west side of Cleveland.

Mrs. Fenderbosch moved for adjournment.

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

Adjournment: 8:10 P.M.

Approved: Martin O’Donnell
Council President

Attest: Valerie E. Rosmarin
Clerk of Council