

**MINUTES OF A SPECIAL MEETING  
OF THE AVON LAKE MUNICIPAL COUNCIL  
HELD JANUARY 5, 2009**

A Special Meeting of the Avon Lake Municipal Council was called to order on January 5, 2009 at 7:30 P.M. in Council Chambers with Council President Zilka presiding.

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

Present: Council Members Jennifer Fenderbosch, David Kos, Larry Meiners, Martin O'Donnell, Timothy Rush, Michael Stanek, Gregory Zilka, Mayor Zuber, Law Director William Kerner, Director of Finance Tom DiLellio, Engineering Department Manager Joseph Reitz, Clerk of Council Barbara Dopp.

In compliance with Ohio Revised Code Section 121.22, Mr. O'Donnell moved to adjourn to Executive Session to discuss collective bargaining issues.

Yes: Fenderbosch, Kos, Meiners, O'Donnell, Rush, Stanek, Zilka  
No: None  
Motion carried.

The Council Meeting reconvened at 7:50 P.M.

Present: Council Members Jennifer Fenderbosch, David Kos, Larry Meiners, Martin O'Donnell, Timothy Rush, Michael Stanek, Gregory Zilka, Mayor Zuber, Law Director William Kerner, Director of Finance Tom DiLellio, Engineering Department Manager Joseph Reitz, Clerk of Council Barbara Dopp.

**LEGISLATION**

Mr. Meiners moved to withdraw Temporary Legislation #9510 from the agenda.

Language within this and the following ordinance needs to be revised. Both ordinances will be presented at a future meeting.

Yes: Fenderbosch, Kos, Meiners, O'Donnell, Rush, Stanek, Zilka  
No: None  
Motion carried.

Mr. Meiners moved to withdraw Temporary Legislation #9511 from the agenda.

Yes: Fenderbosch, Kos, Meiners, O'Donnell, Rush, Stanek, Zilka  
No: None  
Motion carried.

Second Reading:

Temporary Legislation #9505, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH BRANDSTETTER CARROLL, INC., AND DECLARING AN EMERGENCY, was read by title only.

The professional service agreement with Brandstetter, Carroll, Inc. is for the Bleser Park aquatic center design at a total cost of \$278,750, with a LEED design not to exceed \$4000. After discussion and concerns by Council, the professional service agreement was reduced by \$31,000 and the LEED design was reduced by \$4000. The construction costs for the aquatic center total \$4,129,730, and cannot exceed that amount without Council authorization.

Mrs. Fenderbosch reviewed the Brandstetter Carroll proposal for a LEED design, which included the following features: solar power, water systems, natural landscaping preservation, and the use of recycled material. Mrs. Fenderbosch referred to Article 12 of the Agreement, Special Terms and Conditions (See attached). She asked, if the City decides not to pursue the LEED certification, would the City need the services which would be covered by the \$4000 LEED design fee? Energy savings features, or LEED features, can be implemented without pursuing certification, which becomes costly.

Mayor Zuber stated that whatever the City decides to pursue regarding LEED will depend on the cost and projected cost savings.

Mr. O'Donnell stated that other communities have indicated that LEED features are beneficial, but they are costly. He further stated that the \$4000 LEED design fee would be valuable.

In answer to Mr. Rush, Mayor Zuber stated that there have not been any more discussions with Brandstetter, Carroll regarding cost savings.

## **ADJOURNMENT**

Mr. O'Donnell moved for adjournment.

Yes: Fenderbosch, Kos, Meiners, O'Donnell, Rush, Stanek, Zilka

No: None

Motion carried.

Adjournment: 8:00 P.M.

Approved: \_\_\_\_\_  
Council President

Attest: \_\_\_\_\_  
Clerk of Council

January 5, 2009 Special Council Meeting Minutes