

**DRAFT MINUTES OF THE REGULAR MEETING
OF THE AVON LAKE MUNICIPAL COUNCIL
HELD JULY 12, 2010**

The Regular Meeting of the Avon Lake Municipal Council was called to order on July 12, 2010 at 7:30 P.M. in the Council Chamber with Council President Zilka presiding.

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

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

APPROVAL OF MINUTES

The minutes of the June 21, 2010 Special Council Meeting and the June 28, 2010 Regular Council Meeting were approved as prepared and published.

RESOLUTION OF GRATITUDE AND APPRECIATION

Temporary Legislation #9724, A RESOLUTION OF GRATITUDE AND APPRECIATION FOR PAUL AUFDENKAMPE, was read in its entirety.

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

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

No: None

Motion carried.

Mr. Rush moved for passage of Temporary Legislation #9724. Mr. Aufdenkampe is retiring after 22 years of service as an Avon Lake Firefighter/Paramedic.

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

No: None

Motion carried.

Ordinance 85-2010 adopted.

CORRESPONDENCE

A letter was received from Kopf Builders stating they no longer desire to develop the lots on Belmont Road in Avon Center Estates Subdivision.

Community Resource Services sent a letter thanking City Council for the recent \$6000 donation to assist Avon Lake families.

MAYOR'S REPORT

Mayor Zuber made the following announcements.

The municipal pool receipts as of July 9th are as follows: \$71,000 from pool admission fees, and \$22,000 from the concession stand; \$124,000 was budgeted for admission fees, and \$40,000 was budgeted for concession stand sales.

A "Small Business Session", sponsored by the Economic Development Advisory Board, is scheduled for July 20th from 7:00 P.M. until 9:00 P.M. at the Lake House.

COUNCIL PRESIDENT'S REPORT

Mr. Zilka made the following announcements.

Council will be on recess from July 13th until August 15th.

The next Collective Committee meeting is scheduled for August 16th. The next Regular Council Meeting is scheduled for August 23rd.

Community Resource Services forwarded the Quarterly Summary Report. Twelve families were assisted with utility bills and one family was assisted with a car payment. The current balance with the recent \$6000 donation from the City is \$8,760.46.

ENGINEERING DEPARTMENT REPORT

The Engineering Department Update was distributed.

Installation of the sanitary sewer mainline has been completed on Electric Boulevard as part of the Jaycox Road Sewer Project. The roadway crossings to Yoder and Cherry have begun and work will continue on the side streets.

LAW DIRECTOR'S REPORT

The Law Department Update was distributed.

ENVIRONMENTAL COMMITTEE REPORT

Mrs. Fenderbosch reported on the vehicle no idling voluntary program discussed at the July 1, 2010 Environmental Committee meeting.

FINANCE COMMITTEE REPORT

A Finance Committee meeting is scheduled for August 16, 2010 at 6:30 P.M.

PUBLIC SERVICE COMMITTEE REPORT

Mr. O'Donnell reported on the following topics discussed at the July 7, 2010 Public Service Committee meeting: Bridgeside retention pond maintenance; and the Historic Preservation Commission's duties regarding the Folger House renovations.

PUBLIC UTILITIES COMMITTEE REPORT

Mr. Kos reported that NOPEC announced its Board of Directors authorized funding for an additional electric generation discount for the last six months of 2010. The discount will be in addition to any generation discounts currently being received by NOPEC customers. Discounts will begin with the July 2010 meter reading and will continue until January 2011. The discount will be displayed on NOPEC customers' electric bills as a separate line item called the "NOPEC Customer Credit". For NOPEC residential customers, the credit will be 2%, and .5% for commercial customers. There is no guarantee that NOPEC's additional generation discount will continue beyond January 2011. It will be reviewed on an annual basis; the goal is to provide additional discounts in the future of at least 1%. The discounts are funded solely by NOPEC.

PLANNING COMMISSION REPORT

Mrs. Fenderbosch reported on the following results of the July 6, 2010 Planning Commission meeting: a site plan and a lot split for Aquamarine multi-family development phase three was approved; the signage site plan for Avon Lake High School was approved; and a site plan for Allen Refrigeration was approved. Kopf Construction requested that any discussion of the development of Avon Center Estates be removed from the agenda.

ZONING BOARD OF APPEALS REPORT

A fence variance for property located at 106 Tomahawk was denied at the June 22, 2010 meeting.

MOTIONS

Mr. O'Donnell moved to authorize the Engineering Department to advertise for bids for the Moore/Walker Road Intersection and Powdermaker Ditch Culvert Project.

This project should begin around the middle to the end of September and should be completed within 60 days. The project will be divided into two phases. The culvert replacement portion of the project will cause the most traffic disruption.

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

No: None

Motion carried.

Mr. Rush moved to authorize the Mayor to sign the Medical Control Service Agreement with St. John Westshore Medical Center

St. John Westshore Medical Center acts as the medical control for the Avon Lake Fire Department paramedics. They will provide the Fire Department with software, computers, and accessories in order to download squad run information and data sharing. All data will comply with Federal and State law regarding privacy and HIPAA requirements. The agreement has been reviewed by Law Director Kerner.

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

LEGISLATION

Third Reading:

Temporary Legislation #9714, A RESOLUTION TO ADOPT AND DECLARE THE TAX BUDGET FOR THE YEAR 2011, AND DECLARING AN EMERGENCY, was read by title only.

Mr. Zilka moved for passage of Temporary Legislation #9714. The City is required to submit the 2011 tax budget to the County Auditor by July 20th. The required Public Hearing was conducted at the June 28, 2010 Council Meeting.

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

Ordinance No. 82-2010 adopted.

Second Readings:

Temporary Legislation #9721, AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LICENSE AGREEMENT WITH NOEL ILG AND ILG ENTERPRISES, was read by title only.

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

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

Mr. O'Donnell moved for passage of Temporary Legislation #9721. The City purchased the Ilg property for parkland. This License Agreement will allow Mr. Ilg to continue to operate his business on the property as he requested at the time the land was sold to the City.

Yes: Zilka, Bucci, Fenderbosch, Kos, Meiners, O'Donnell, Rush
No: None

Motion carried.

Ordinance No. 83-2010 adopted.

Temporary Legislation #9723, A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO DISPOSE OF CERTAIN SURPLUS CITY PROPERTY NO LONGER NEEDED FOR PUBLIC USE BY INTERNET AUCTION FOR THE PERIOD OF AUGUST 1, 2010 THROUGH DECEMBER 31, 2010, AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. Zilka moved for passage of Temporary Legislation #9723. This legislation will allow the City to use four different websites to auction certain City assets that are no longer of use. This is a means by which the City can realize greater revenue than by local advertising.

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

No: None

Motion carried.

Ordinance No. 84-2010 adopted.

First Reading:

Temporary Legislation #9725, AN ORDINANCE PROVIDING FOR ADDITIONAL APPROPRIATIONS, TRANSFERS, AND ADJUSTMENTS IN ESTIMATED REVENUE, AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. Zilka moved for passage of Temporary Legislation #9725. The Finance Director determined that certain adjustments to the budget are needed for the Jaycox Road Sewer Project, the reduction in the recycling grant received by the City, and the roof repair to the City Hall garage.

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

No: None

Motion carried.

Ordinance No. 86-2010 adopted.

ANNOUNCEMENTS

The Peter Miller House received its historical designation plaque. A dedication ceremony took place on July 4th.

Mr. O'Donnell moved to adjourn.

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

No: None

Motion carried.

Adjournment: 8:10 P.M.

Approved: _____
Council President

Attest: _____
Clerk of Council