

MINUTES OF A SPECIAL MEETING
OF THE AVON LAKE CITY COUNCIL
HELD JULY 23, 2012

A special meeting of the Avon Lake City Council was called to order on July 23, 2012 at 6:30 P.M. in the Council Chamber with Council President O'Donnell presiding.

Mr. Meiners led the Council and staff in reciting the Pledge of Allegiance.

Present: Council Members Dan Bucci, Rob James, Larry Meiners, Martin O'Donnell, John Shondel, Mayor Zilka, Law Director Abe Lieberman, Clerk of Council Barbara Dopp.

There being no objections, Mr. Kos, Mrs. Fenderbosch, Ms. Bryan, and Mr. Reitz were excused from attendance at the meeting.

Legislation

Second Reading:

Temporary Legislation #10027, AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF AVON LAKE, THE CITY OF SHEFFIELD LAKE, AND SHEFFIELD VILLAGE FOR SHARED JURISDICTIONAL AUTHORITY FOR ENFORCEMENT OF THE OHIO BUILDING CODE, AND DECLARING AN EMERGENCY, was read by title only.

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

Yes: Meiners, O'Donnell, Shondel, Bucci, James

No: None

Absent: Fenderbosch, Kos

Motion carried.

Mr. O'Donnell moved for passage of Temporary Legislation #10027. The Ford Plant crosses the jurisdictional lines of the City of Avon, the City of Sheffield Lake, and Sheffield Village. Under the Ohio Building Code, the three jurisdictions are required to cooperate with inspections and permitting. The Memorandum of Understanding has been approved by the Law Directors of the three entities. The fee schedule has also been approved which is attached to the Memorandum. If any part of the improvement at the plant is located in Avon Lake, Avon Lake will conduct the inspections and issue permits. If no part of the improvement is located in Avon Lake, the jurisdiction which would receive the greater impact would conduct the inspections and issue the permits.

Yes: Meiners, O'Donnell, Shondel, Bucci, James

No: None

Absent: Fenderbosch, Kos

Motion carried.

Ordinance No. 112-2012 adopted.

First Readings:

Temporary Legislation #10035, AN ORDINANCE FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT TO CHAPTER IX, SECTION 49 OF THE MUNICIPAL CHARTER TO ALLOW THE BOARD OF MUNICIPAL UTILITIES TO MEET IN EXECUTIVE SESSION, AND DECLARING AN EMERGENCY, was read by title only.

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

Yes: Meiners, O'Donnell, Shondel, Bucci, James

No: None

Absent: Fenderbosch, Kos

Motion carried.

Mr. O'Donnell moved for passage of Temporary Legislation #10035. Mr. O'Donnell stated that an amendment to the legislation is necessary.

Mr. O'Donnell moved to amend Section No. 1 as follows: That there shall be submitted to the electors of the City of Avon Lake at the general election to be held on November 6, 2012 the question to the amendment to the Charter of the City of Avon Lake as set forth in Section 2 below if the issue is not approved at the August 7, 2012 Special Election.

Yes: Meiners, O'Donnell, Shondel, Bucci, James

No: None

Absent: Fenderbosch, Kos

Motion carried.

By this amendment, the Board of Municipal Utilities will have the authority to meet in Executive Session to discuss items allowed by the Ohio Revised Code. The Charter amendment will only be placed on the November 6th ballot if it fails passage at the August 7th special election.

The roll was taken on passage of Temporary Legislation #10035.

Yes: Meiners, O'Donnell, Shondel, Bucci, James

No: None

Absent: Fenderbosch, Kos

Motion carried.

Ordinance 113-2012 adopted.

Temporary Legislation #10036, AN ORDINANCE FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT TO THE MUNICIPAL CHARTER TO ENACT SECTION 49A OF CHAPTER IX TO ESTABLISH THE MEETING DAY OF THE BOARD OF MUNICIPAL UTILITIES, AND DECLARING AN EMERGENCY, was read by title only.

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

Yes: Meiners, O'Donnell, Shondel, Bucci, James

No: None

Absent: Fenderbosch, Kos

Motion carried.

Mr. O'Donnell moved for passage of Temporary Legislation #10036.

Mr. O'Donnell moved to amend Section No. 1 as follows: That there shall be submitted to the electors of the City of Avon Lake at the general election to be held on November 6, 2012 the question to the amendment to the Charter of the City of Avon Lake as set forth in Section 2 below if the issue is not approved at the August 7, 2012 Special Election.

Yes: Meiners, O'Donnell, Shondel, Bucci, James

No: None

Absent: Fenderbosch, Kos

Motion carried.

This amendment requires that, as of January 1, 2013, the meetings of the Board of Municipal Utilities shall not occur on the same days as regularly scheduled meetings of the Avon Lake City Council. This will allow Council members and other interested parties to attend Council meetings and meetings of the Municipal Utilities Board. The Charter amendment will only be placed on the November 6th ballot if it fails passage at the August 7th special election.

The roll was taken on passage of Temporary Legislation #10036.

Yes: Meiners, O'Donnell, Shondel, Bucci, James

No: None

Absent: Fenderbosch, Kos

Motion carried.

Ordinance No. 114-2012 adopted.

Mr. Meiners moved for adjournment.

Yes: Meiners, O'Donnell, Shondel, Bucci, James

No: None

Absent: Fenderbosch, Kos

Motion carried.

Adjournment: 6:40 P.M.

Approved: _____
Council President

Attest: _____
Clerk of Council