

**MINUTES OF A SPECIAL MEETING
OF THE AVON LAKE MUNICIPAL COUNCIL
HELD NOVEMBER 21, 2011**

A Special Meeting of the Avon Lake Municipal Council was called to order on November 21, 2011 at 7:30 P.M. in the Council Chamber with Council President Zilka presiding.

Mr. Bucci 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 Nancy Bryan, Engineering Department Manager Joseph Reitz, Clerk of Council Barbara Dopp.

LEGISLATION

Temporary Legislation #9906, AN ORDINANCE CONFIRMING THE APPOINTMENT OF STEVEN V. MARTI AS A LIEUTENANT IN THE FIRE DEPARTMENT, AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. Rush moved for passage of Temporary Legislation #9906. Mr. Marti was certified by the Civil Service Commission and recommended for appointment to the position of Lieutenant.

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

No: None

Motion carried.

Ordinance No. 124- 2011 adopted.

ADMINISTRATION OF OATH OF OFFICE

Law Director Kerner administered the Oath of Office to Mr. Marti for the position of Lieutenant.

ADJOURNMENT

Mr. O'Donnell moved to adjourn to the Collective Committee.

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

No: None

Motion carried.

Adjournment: 7:35

RECONVENING OF THE SPECIAL COUNCIL MEETING

The Special Council Meeting was reconvened at 8:15 P.M.

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 Nancy Bryan, Engineering Department Manager Joseph Reitz, Clerk of Council Barbara Dopp.

Motion

Mrs. Fenderbosch moved to add a motion to permit Mr. Rush to abstain from voting on the motion to authorize an agreement for legal services related to a job growth incentive program.

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

No: None

Motion carried.

Mrs. Fenderbosch moved to permit Mr. Rush to abstain from voting on the motion to authorize an agreement for legal services related to a job growth incentive program.

Mr. Rush is a local business owner and could potentially benefit from the proposed program. Law Director Kerner stated that he does not necessarily see a conflict of interest in Mr. Rush's case, but there is a possibility of legislative interest and, therefore, it is Council's decision whether or not to excuse or include Mr. Rush in voting on the issue.

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

No: None

Motion carried.

Mr. Bucci moved to authorize the Mayor to enter into an agreement with Walter & Haverfield LLP for legal services related to a job growth incentive program for an amount not to exceed \$3000.

Walter & Haverfield will offer a legal opinion on the legality of the proposed program.

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

No: None

Abstention: Rush

Motion carried.

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Mr. O'Donnell moved for adjournment.

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

No: None

Motion carried.

Adjournment: 8:20 P.M.

Approved: _____
Council President

Attest: _____
Clerk of Council