

**MINUTES OF THE RESCHEDULED MEETING
OF THE AVON LAKE MUNICIPAL COUNCIL
HELD OCTOBER 15, 2013**

The rescheduled meeting of the Avon Lake Municipal Council was called to order on October 15, 2013 at 7:30 P.M. in the Council Chamber with Council President O'Donnell presiding.

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

Present: Council President Marty O'Donnell; Council Members Dan Bucci, Jennifer Fenderbosch, Rob James, David Kos, Larry Meiners, John Shondel; Mayor Zilka; Law Director Abe Lieberman; Engineering Department Manager Joseph Reitz; Finance Director Nancy Bryan; and Clerk of Council Barbara Dopp.

APPROVAL OF MINUTES

The minutes of the September 23, 2013 Regular Council Meeting were approved as prepared and published.

MAYOR'S REPORT

Mayor Zilka made the following announcements.

A third drug forum will be held November 19, 2013 at Avon Lake High School to address opiate addiction. The forum will focus on families with students enrolled at Learwood Middle School and Avon Lake High School, but is open to the entire community. Representatives from a number of support and treatment groups will be available to provide information.

A new security system is being installed at City Hall. Employees and Council members will be trained to use the new system which should be fully operational in about two weeks.

The Civil Service tests for the anticipated vacancy positions of Police Chief and Police Lieutenant have been administered. Candidates can challenge test results at this stage of the testing process.

COUNCIL PRESIDENT'S REPORT

The next Collective Committee meeting is scheduled for October 15th and the next Council meeting is scheduled for October 21st.

A budget meeting was held October 12th. Capital expenditures and departmental line items were discussed.

ENGINEERING DEPARTMENT REPORT

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The Engineering Department weekly update was distributed. Final work on the concrete street project will be completed by the end of the week.

Beginning the week of November 4th, branch pick-up will be suspended and leaf pick-up will begin. Branch pick-up will resume when leaf season is over. The leaf pick-up schedule will be posted on the Avon Lake website.

Residents who have not had their trash collected should call the City immediately at 930-4126 in order for it to be reported to the service provider.

Bids for trash collection services will be opened on October 23rd.

LAW DIRECTOR'S REPORT

The Law Director's litigation update was distributed.

ENVIRONMENTAL COMMITTEE REPORT

Mr. Shondel reported the following items were discussed at the October 9th meeting of the Environmental Committee: the propane conversion project; amendments to the hunting ordinance; and the monthly deer carcass pick-up report. In 2013, 15 carcasses were picked up from deer/vehicle collisions and, 75 non-vehicle related carcasses were picked up.

The next meeting of the Environmental Committee is scheduled for November 13, 2013 at 7:00 P.M.

HUMAN RESOURCES COMMITTEE

Mr. Bucci reported the following items were discussed at the October 14th Human Resources Committee meeting: the Engineering Service Director job description, salary, and appointment; the hiring of part-time police officers; the payroll process; and workers' compensation vendors.

PUBLIC SERVICE COMMITTEE REPORT

Mr. James reported the following items were discussed at the October 15th Public Service Committee meeting: department consolidation; reconfiguration of City buildings; and the purchase of picnic tables and benches.

The next meeting of the Public Service Committee is scheduled for October 28, 2013 at 6:00 P.M.

PUBLIC UTILITIES COMMITTEE REPORT

Mr. Shondel reported on the October 3rd meeting of the Public Utilities Committee. A representative from NOPEC discussed potential aggregation for natural gas.

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The next meeting of the Public Utilities Committee is scheduled for November 7th.

Residents should report any power outage or surge, no matter how small, to First Energy at 888-LIGHTSS or 888-544-4877.

SEWER COMMITTEE REPORT

The next meeting of the Sewer Committee is scheduled for November 20, 2013 at 6:30 P.M.

ECONOMIC DEVELOPMENT COMMITTEE REPORT

Mr. Bucci reported the following items were discussed at the October 9th Economic Development Committee meeting: consulting services regarding the GenOn plant; and appointments to the West End Redevelopment Commission.

PLANNING COMMISSION REPORT

Mrs. Fenderbosch reported on the October 8, 2013 Work Session between Planning Commission and the Zoning Board of Appeals. New language for the sign ordinance was discussed.

MOTIONS

Mr. James moved to authorize the purchase of picnic tables and benches from Bright Idea Shops in the amount of \$13,888.87. The purchase will be funded through the Lorain County Solid Waste Management District recycling grant. The remaining grant funds will be used to purchase recycled plastic lumber to be used in the parks.

Yes: Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch, James
No: None
Motion carried.

Mr. Bucci moved to appoint Jeffrey Brausch and AnneMarie Homolka to the West End Redevelopment Commission and confirm the Mayor's appointment of Raymond Arth, Ryan Kozak and Tim Maloney. Mr. Bucci reviewed the resumes of the appointees.

Yes: Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch, James
No: None
Motion carried.

LEGISLATION

Second Reading:

Temporary Legislation #10215, A RESOLUTION SUPPORTING ISSUE 2 FOR LORAIN COUNTY COMMUNITY COLLEGE ON NOVEMBER 5, 2013, was read by title only.

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

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

No: None

Motion carried.

Mr. O'Donnell moved for passage of Temporary Legislation #10215. Issue 2 is a 1.5 mill renewal levy and a 0.6 mill increase to support the high quality, affordable education offered by LCCC, and to further the University Partnership program. If approved by the voters, Issue 2 will add an additional \$1.75 per month on property taxes per \$100,000 property value.

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

No: None

Motion carried.

Ordinance No. 125-2013 adopted.

Temporary Legislation #10218, AN ORDINANCE PROVIDING FOR THE DEFENSE OF THE CITY OF AVON LAKE IN AN ACTION FILED BY JAMES E. PIETRANGELO II, AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. Meiners moved for passage of Temporary Legislation #10218. The ordinance authorizes an expenditure not to exceed \$10,000 for the Law Director and Assistant Law Director to defend the City in a legal action.

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

No: None

Motion carried.

Ordinance No. 126-2013 adopted.

Temporary Legislation #10219, AN ORDINANCE PROVIDING FOR THE DEFENSE OF THE CITY OF AVON LAKE IN AN ACTION FILED BY JAMES E. PIETRANGELO II, AND DECLARING AN EMERGENCY, was read by title only.

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

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

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No: None
Motion carried.

Mr. Meiners moved for passage of Temporary Legislation #10219. The ordinance authorizes an expenditure not to exceed \$40,000 for Margaret Koesel and Tracey Turnbull of Porter, Wright, Morris & Arthur LLP to act at Special Assistant Law Directors in an action filed against the City.

Yes: Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch, James
No: None
Motion carried.

Ordinance No. 127-2013 adopted.

EXECUTIVE SESSION

In compliance with Ohio Revised Code Section 121.22, Mr. Meiners moved to adjourn to Executive Session to discuss pending litigation and the purchase of land.

Yes: Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch, James
No: None
Motion carried.

Adjournment to Executive Session: 8:00 P.M.

RECONVENING OF OPEN COUNCIL MEETING

The open Council Meeting was reconvened at 8:38 P.M.

Present: Mr. Bucci, Mrs. Fenderbosch, Mr. James, Mr. Kos, Mr. Meiners, Mr. O'Donnell, Mr. Shondel, Mayor Zilka, Law Director Lieberman.

Mr. Meiners moved for adjournment.

Yes: Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch, James
No: None
Motion carried.

Adjournment: 8:40 P.M.

Approved: _____
Council President

Attest: _____
Clerk of Council