

**MINUTES OF THE RESCHEDULED MEETING  
OF THE AVON LAKE MUNICIPAL COUNCIL  
HELD DECEMBER 19, 2011**

The Rescheduled Meeting of the Avon Lake Municipal Council was called to order on December 19, 2011 at 7:30 P.M. in the Council Chamber with Council President Zilka presiding.

Mr. Kos 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.

**APPROVAL OF MINUTES**

The minutes of the November 21, 2011 and the December 5, 2011 Special Council Meetings were approved as prepared and published.

**RESOLUTION OF GRATITUDE AND APPRECIATION**

Temporary Legislation #9919, A RESOLUTION OF GRATITUDE AND APPRECIATION FOR WILLIAM MORRIS, was read in its entirety.

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

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

No: None

Motion carried.

Mr. Rush moved for passage of Temporary Legislation #9919. Council thanked Chief Morris for 36 years of service to the Avon Lake Fire Department.

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

No: None

Motion carried.

**Ordinance No. 141-2011 adopted.**

Mayor Zuber presented Chief Morris with a Proclamation.

**ADJOURNMENT TO THE COLLECTIVE COMMITTEE MEETING**

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

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

No: None

Motion carried.

Adjournment: 7:37 P.M.

### **RECONVENING OF OPEN COUNCIL MEETING**

The Council Meeting was reconvened at 8:00 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.

### **MAYOR'S REPORT**

The income tax collections for 2011 total \$9.3 million, which is the second highest income tax collection in the history of Avon Lake. In 2007, the income tax collection was approximately \$10 million due to a one-time payout of back taxes.

In 2012 there will be no increase in employee health insurance premiums.

### **COUNCIL PRESIDENT'S REPORT**

Tonight is the last Council meeting of the year.

Council Elect will hold an organizational meeting on January 3, 2012 at 7:30 P.M. The next Regular Council meeting is scheduled for January 9, 2012. If needed, a Collective Committee meeting will be held before the Council meeting.

Vacancies exist on the Environmental Affairs Advisory Board and the Cable Television Advisory Commission. Interested candidates should send a letter of interest and resume to the Clerk of Council at 150 Avon Belden Road or e-mail to [bdopp@avonlake.org](mailto:bdopp@avonlake.org).

Council Elect will be interviewing candidates for the vacant Council at Large seat. Interested candidates should send a letter of interest and resume to the Clerk of Council at 150 Avon Belden Road or e-mail to [bdopp@avonlake.org](mailto:bdopp@avonlake.org).

Council members are asked to have their annual reports and any outstanding committee minutes submitted to the Clerk of Council by January 20<sup>th</sup>.

### **FINANCE COMMITTEE REPORT**

Finance Committee Chair Zilka reported on the following items discussed at the December 19, 2011 Finance Committee meeting: the October financial statement

and general fund report; the November preliminary financial statement; the paramedic levy; fireworks and terrorism insurance coverage; and a transfer ordinance.

## **PLANNING COMMISSION REPORT**

Mrs. Fenderbosch reported that Planning Commission voted unanimously to recommend historical landmark designation for the Peter Miller House.

## **MOTIONS**

Mr. Meiners moved to accept the donation of a finial for the Council flag from the American Legion Post 211.

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

No: None

Motion carried.

Mr. Rush moved to accept the resignation of Chief William Morris from the Avon Lake Fire Department effective December 18, 2011.

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

No: None

Motion carried.

Mrs. Fenderbosch moved to accept the resignation of Robert James from the Environmental Affairs Advisory Board effective December 31, 2011.

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

No: None

Motion carried.

## **LEGISLATION**

### Third Readings:

Temporary Legislation #9908R, A RESOLUTION TO ADOPT AND DECLARE A TEMPORARY BUDGET FOR THE YEAR 2012, AND DECLARING AN EMERGENCY, was read by title only.

Mr. Zilka moved for passage of Temporary Legislation #9908R. The temporary budget will allow the City to function during the first three months of 2012 until the permanent budget is established by March 31<sup>st</sup>. The Finance Director established the temporary budget by using 40% of the 2011 budget.

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

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No: None

Motion carried.

**Ordinance No. 138-2011 adopted.**

Temporary Legislation #9911, A RESOLUTION IN SUPPORT OF ECONOMIC DEVELOPMENT INITIATIVES, was read by title only.

Mr. Bucci moved for passage of Temporary Legislation #9911. The Economic Development Committee developed economic development goals and initiatives to promote economic growth in the City of Avon Lake.

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

No: None

Motion carried.

**Ordinance No. 139-2011 adopted.**

Second Reading:

Temporary Legislation #9915, AN ORDINANCE APPROVING WAGE INCREASES FOR CERTAIN NON-BARGAINING UNIT PERSONNEL, AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. Kos moved for passage of Temporary Legislation #9915. The Human Resources Committee recommended 2.75% wage increases for certain non-bargaining unit personnel retroactive to January 1, 2011. The increases were included in the 2011 budget and have been discussed at several meetings throughout the year.

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

No: Bucci, Fenderbosch

Motion carried.

**Ordinance No. 140-2011 adopted.**

First Readings:

Temporary Legislation #9918, AN ORDINANCE DESIGNATING THE PETER MILLER HOUSE AND PROPERTY AS A HISTORICAL LANDMARK, was read by title only.

Planning Commission recommended to Council that the Peter Miller House and grounds be designated as a historical landmark. Only the property around the perimeter of the house will be included in the historical designation.

Temporary Legislation #9920, AN ORDINANCE PROVIDING FOR TRANSFERS, AMENDMENTS TO PERMANENT APPROPRIATIONS, ADVANCES, AND ADJUSTMENTS TO ESTIMATED REVENUES, AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. Zilka moved for passage of Temporary Legislation #9920. The Finance Director recommended certain financial adjustments necessary for the current expenses of the City.

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

No: None

Motion carried.

**Ordinance No. 142-2011 adopted.**

## **MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

Mr. Meiners stated that the Finance Clerk informed him that the new rate of 2.75% for certain non-bargaining unit employees will be reflected in the December 29, 2011 paycheck. The retroactive salary adjustment will be reflected in a separate check on January 12, 2012.

Mr. Kos thanked everyone for their generous donations and for contributing to the success of the Toys for Tots campaign.

Mr. Zilka commended Mr. Rush on his service as the Ward I Council representative. Mr. Rush did not seek re-election for the next term.

## **PUBLIC INPUT**

Chris Quinlan, 73 Community Drive, Avon Lake, wished Council and the residents a Merry Christmas.

## **ADJOURNMENT**

Mr. O'Donnell moved for adjournment.

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

No: None

Motion carried.

Adjournment: 8:37 P.M.

Approved: \_\_\_\_\_  
Council President Pro Tem

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