

VOTING ORDER

M. O'Donnell
J. Shondel
D. Bucci
J. Fenderbosch
R. James
D. Kos
L. Meiners

CITY OF AVON LAKE
150 AVON BELDEN ROAD
AVON LAKE, OHIO

The following business is to be considered at the regular meeting of the Avon Lake City Council on March 14, 2016 at 7:30 P.M. in the Council Chamber.

Pledge of Allegiance

Roll Call: Mr. Bucci, Mrs. Fenderbosch, Mr. James, Mr. Kos, Mr. Meiners, Mr. O'Donnell, Mr. Shondel, Mayor Zilka, Director of Law Lieberman, Director of Finance Presley, Public Works Director Reitz.

Approval of Minutes: February 22, 2016 Regular Council Meeting as prepared and published.

Public Hearing: Upon an amendment to the Planning & Zoning Code with the addition of Section 1260.10, defining the restrictions and conditions applicable to farmers markets.

Correspondence

Reports Mayor
Council President
Public Works Director
Director of Law
Director of Finance
Standing Committees
Special Committees

Audience Participation

Motions

Authorizing improvements at the Folger Home – R. James.

Authorizing a contract with Weed Pro Ltd. in an amount not to exceed \$11,900 for fertilization at Weiss Field and Walker Road Park – R. James.

Authorizing an in-kind grant to the Avon Lake Saddle Club – R. James.

Authorizing an in-kind grant to the Avon Lake Youth Baseball Federation – R. James.

Authorizing a \$1000 sports affiliate grant to the Avon Lake Lacrosse Club – R. James.

Authorizing a \$15,000 sports affiliate grant to the Avon Lake Soccer Organization – R. James.

Authorizing a \$3000 sports affiliate grant to the Avon Lake Swim Team – R. James.

Authorizing a \$1000 sports affiliate grant to the Avon Lake Wrestling Club – R. James.

Confirming the Mayor's appointment of Kara Erdman as the Ward II representative to the Parks & Recreation Commission for a term expiring December 31, 2016 – R. James.

Accepting the resignation of Randy Bowling from the Environmental Affairs Advisory Board effective March 3, 2016 – J. Shondel.

Appointing Terry Wyrock to the Environmental Affairs Advisory Board for a term expiring December 31, 2017 – J. Shondel.

Authorizing the Mayor to sign a MOU and other documents for the City to join Lake Erie Allegheny Partnership (LEAP) organization and to adopt the LEAP Position Statement on White-Tailed Deer Management – J. Shondel.

Legislation

Third Readings:

Temporary Legislation #10631, adopting a job description for the position of Economic Development Director.

Temporary Legislation #10633, amending Codified Ordinance Section 840.04 (d) regarding solicitation during certain hours.

Second Reading:

Temporary Legislation #10637, amending the Planning & Zoning Code with the addition of Section 1260.10 regarding farmers markets.

→Suspension of the rule requiring three readings

First Readings:

Temporary Legislation #10641, awarding a contract for Miller Road Park sand dredging.→

Temporary Legislation #10642, approving the General Development Plan for Port West P.U.D.

Temporary Legislation #10643, approving the Improvement Plans for Arrington Village.

Temporary Legislation #10644, amending Ordinance 104-2015.→

Temporary Legislation #10645, authorizing an agreement with the Lorain County General Health District to provide health services.

Temporary Legislation #10646, providing for transfers.→

Temporary Legislation #10647, amending Planning & Zoning Code Section 1240.06 (d) (8), Accessory Use Regulations.

Temporary Legislation #10648, authorizing an agreement with Coldwater Consulting LLC for ecological restoration services.

Miscellaneous Business and Announcements

Public Input

Adjournment

BY: Mr. Bucci

TEMP NO: 10631

ORDINANCE NO. _____

AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF ECONOMIC DEVELOPMENT DIRECTOR FOR THE CITY OF AVON LAKE, ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION, AND DECLARING AN EMERGENCY.

WHEREAS, it has been recommended by the Economic Development Committee that a job description for the position of Economic Development Director for the City of the Avon Lake be adopted, now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE,
STATE OF OHIO:

Section No. 1: That the specifications, responsibilities, and duties applicable to the position of Economic Development Director for the City of Avon Lake shall be as shown on the job description, a copy of which is attached hereto and made a part hereof.

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance is hereby declared to be an emergency measure in order to move forward with the hiring of a full-time Economic Development Director to promote economic development in Avon Lake and bring revenue into the City and create jobs, thus for the health, safety, and welfare of the public. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1st reading: 2/08/16
2nd reading: 2/22/16
3rd reading:

PASSED: _____ President of Council

POSTED: _____ Approved

ATTEST: _____ Clerk of Council
Mayor

CITY OF AVON LAKE

POSITION DESCRIPTION

ECONOMIC DEVELOPMENT DIRECTOR
(FULL-TIME)

Job Title: Economic Development Director

Department: Economic Development

Immediate Supervisor: Mayor

Positions Supervised: None

FLSA Status: Exempt

Bargaining Unit: None

Civil Service Status: Unclassified

GENERAL RESPONSIBILITIES:

This full-time position is responsible for initiating, directing, promoting, and facilitating economic development activities for the City of Avon Lake. The position is also responsible for achieving the goals and objectives outlined by the Mayor and City Council. The position shall implement economic development initiatives that are consistent with the City's Comprehensive Land Use Plan and the Master Thoroughfare Plan. The position shall consult with the West End Redevelopment Commission and other ad-hoc entities that may come into existence. The position performs other related duties as directed, and all other duties as described in the Avon Lake Codified Ordinances.

GENERAL QUALIFICATIONS:

- A Bachelor's Degree in public administration, urban planning, business administration, economics, marketing, finance or related field and at least five years, and preferably ten

years of experience in economic development, community development or redevelopment activities in the public or private sector; or,

- A Master's Degree in public administration, urban planning, business administration, economics, marketing, finance or related field and at least three years, and preferably five years of experience in economic development, community development or redevelopment activities in the public or private sector.
- Experience in the State of Ohio is preferred.
- It is preferred that the position possess the following personality traits: outgoing; self-motivated; organized; ambitious; enthusiastic; and be able to think strategically.
- The abilities to multi-task, work under pressure and deadlines and with the highest level of integrity is required.

KNOWLEDGE, SKILLS AND ABILITIES:

Position must possess knowledge of:

- Operational characteristics, services and activities of an economic development program;
- Management methods and techniques to analyze programs, policies and operational needs;
- Financing, market analysis and development;
- Public administration and local government operations; and,
- Pertinent Federal, State, and local laws, codes and regulations.

Position must have the ability to:

- Oversee and manage the operations, services and activities of the economic development program;
- Use sound judgment;
- Present written and oral reports, design technically complex visual aids such as maps, tables and charts;
- Prepare clear and concise reports;
- Analyze problems, identify alternative solutions, project consequences of proposed actions and implement recommendations;
- Research, analyze, and evaluate new service delivery methods and techniques;
- Apply laws and regulations; and,
- Communicate clearly and concisely both orally and in writing.

SPECIFIC DUTIES:

- Implement initiatives that creates an overall business environment that enables current employers to maintain and expand their business, and attract new businesses to move into the City.
- Develops and administers a comprehensive economic development strategy – including business retention, expansion and recruitment – for the City.
- Administers a comprehensive outreach program to new and expanding businesses.
- Create and lead a rapid response team that can quickly address economic development leads.

- Develops a business visitation program and, along with the Mayor, conducts personal visits to City businesses to assess business climate issues and concerns.
- Manages the marketing efforts of the City to include developing and implementing promotional and marketing programs and materials.
- Develops and administers a small business development program.
- Promotes, monitors and evaluates the effectiveness of various economic development programs and efforts.
- Reviews and evaluates economic development proposals for feasibility and funding consideration.
- Establishes and maintains a database of existing City businesses, commercial property owners and vacant commercial property.
- Researches sources of possible federal, state, regional, or port authority funding affecting local goals and objectives.
- Develop strategies using local sources of revenue, including general fund or tax levy revenue, special improvement districts, and tax-increment financing.
- Develop strategies using municipal redevelopment tools including eminent domain, adaptive reuse ordinances, and enterprise zone agreements.
- Develops and maintains supportive relationships with other local, regional and state economic development organizations, existing City businesses, and real estate networks.
- Participate in local and regional committees and boards addressing business issues and concerns.
- Research and apply for appropriate governmental and private sector grants.
- Serves as a resource to, and works collaboratively with, the West End Redevelopment Commission, the Community Improvement Corporation and other entities that may come into existence with approval from the Mayor and Council;
- Prepares annual budget requests for the Economic Development Department; monitors expenditures to ensure expenses do not exceed budgetary constraints.
- Drafts policies/procedures, and makes presentations as needed.
- Maintains database of contacts and presentations including the number of contact hours per week.
- Prepares bi-weekly activity reports for the Mayor and Council.
- Attends weekly staff meetings.
- Other duties as assigned.

LICENSES AND CREDENTIALS:

- National Development Council certification as an Economic Development Financial Professional is preferred.
- A valid Ohio driver's license is required.

BY: Mr. Kos

TEMP NO: 10633

ORDINANCE NO. _____

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 840.04 (d), AND DECLARING AN EMERGENCY.

WHEREAS, the Safety Committee recommended an amendment to Codified Ordinance Section 840.04 (d), now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That Codified Ordinance Section 840.04 (d) is hereby amended as follows:

840.04 SOLICITATIONS PERMITTED ONLY DURING CERTAIN HOURS

(d) In this section "sunset" means the time of day provided by the Astronomical Applications Department of the U.S. Naval Observatory ~~published on the weather page of the Cleveland Plain Dealer~~ as the time for sunset on that day in the City.

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of clearly defining the time that solicitors are permitted to call on residents in evening hours to ensure their safety, thus for the public welfare. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1st reading: 2/08/16

2nd reading: 2/22/16

3rd reading:

PASSED: _____

President of Council

POSTED: _____

Approved

ATTEST: _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE PLANNING & ZONING CODE
WITH THE ADDITION OF SECTION 1260.10, AND
DECLARING AN EMERGENCY.

WHEREAS, Planning Commission at its meeting of February 2, 2016 recommended to Council an amendment to the Planning & Zoning Code with the addition of Section 1260.10 regarding Farmers Markets, and

WHEREAS, Council coming now to consider said recommendation approves it in full, now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE,
STATE OF OHIO:

Section No. 1: That the Planning & Zoning Code is hereby amended with the addition of Section 1260.10 as follows:

1260.10 FARMERS MARKET

A) Definition. "Farmers Market" means an outdoor location where vendors congregate to offer one or more of the following items for sale:

- a. Fresh unprocessed fruits and vegetables, herbs, grains, legumes, nuts, honey or other bee products and maple syrup;
- b. Flowers and plants
- c. Livestock food products (including meat, milk, yogurt, cheese and other dairy products)
- d. Products of a cottage food production operation as defined by Ohio R.C. 3715.01;
- e. Handmade items made by the vendor provided they comprise less than 20% of the total displayed inventory at the Farmers Market. (Commercially manufactured goods or products shall not be offered for sale.)

B) Location. Farmers Markets may be permitted on property that is not designated as within a Residential District and on property that is in a Residential District provided that the property is being utilized as a place of worship, school, public library or public facility.

C) Duration. Farmers Markets shall not be operated more than one day of each week on any one property. Farmers Markets may only be operated during the months of April through October and only between the hours of 9:00 a.m. and 8:00 p.m.

D) Requirements and Standards. Farmers Markets shall be subject to the following requirements and standards:

- 1) No person may display or offer for sale in a Farmers Market any item that was purchased directly or indirectly from any other person or any item that was not

produced upon land either owned or leased by the person displaying or offering such item.

- 2) All electrical connections, erections of temporary structures, stands, tents, etc. shall comply with all applicable codes and regulations and all permits and licenses required for such connections and erections and by the persons making same must be obtained.
- 3) The Farmers Market operator shall be responsible for cleanup of the Farmers Market site at the end of each day of operation including removal of trash, temporary structures, stands tents, signage, and banners.
- 4) Sanitary facilities for vendors of the Farmers Market must be provided by the host property.
- 5) The Farmers Market shall not be operated or conducted in a way that is a nuisance or disturbance to the occupants of neighboring properties.
- 6) No cooking shall be permitted at the Farmers Market.
- 7) The Farmers Market operator or his designated representative authorized to direct the operations of all vendors participating in the market shall be on the site of the market during all hours of operation.
- 8) The Farmers Market and every vendor must comply fully with all applicable federal, state, county and local health codes and be registered with the Ohio Department of Agriculture, Division of Food Safety.
- 9) Adequate parking for the Farmers Market must be provided. Required on-site parking spaces of the host property may be used for the Farmers Market provided such arrangement does not render the host property deficient in its parking requirement or that there is no parking demand associated with the use of the host property for the same parking spaces during the hours of the Farmers Market operation.
- 10) One temporary free-standing sign not to exceed ten (10) square feet in area and six (6) feet in height may be permitted for the Farmers Market provided that a temporary sign permit is obtained. The temporary sign authorized by this subsection shall be installed no sooner than the day before the Farmers Market and shall be removed by the end of the day of the Farmers Market.
- 11) Musicians may perform at the Farmers Market, subject to such conditions imposed as part of the Zoning Permit.

E) Approval Process. Application for a Zoning Permit for a Farmers Market shall be submitted on the form provided by the Zoning Administrator. A Zoning Permit shall be issued only when an administrative board made up of the Mayor, the Building Inspector, the Fire Chief, the Police Chief and the Public Works Director and the Zoning Administrator find that the proposed use is a Farmers Market, as defined in subsection (A) hereof, and complies with all the requirements and

standards of this section. The Zoning Permit for a Farmers Market shall expire on the 31st of October of the calendar year issued.

F) Documentation. Prior to the first day of the Farmers Market, the person responsible for coordinating the Farmers Market shall provide to the Zoning Administrator a list of vendors who will be participating in the Farmers Market. The list shall contain the name, address and contact number of each vendor, products to be sold, dates of participation in the Farmers Market and any other information required by the Zoning Administrator. Along with the above referenced list, a copy of any required food service licenses or other applicable licenses for each vendor must be provided. Said licenses (or copies) shall be in the possession of the Farmers Market operator and the vendor as applicable, on the site of the Farmers Market during all hours of operation.

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of establishing definitions and regulations of farmers markets in time for the upcoming season to provide for the health, safety, and welfare of the public. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1st reading: 2/08/16
2nd reading:
3rd reading:

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____

BY: Mr. James

TEMP NO: 10641

ORDINANCE NO. _____

AN ORDINANCE AWARDED A CONTRACT FOR THE
MILLER ROAD PARK SAND DREDGING PROJECT, AND
DECLARING AN EMERGENCY.

WHEREAS, in accordance with the direction of Council, the Public Works Department has prepared plans and specifications for the Miller Road Park Sand Dredging Project, which have been and are now on file in the Public Works Department, and

WHEREAS, further in accordance with the direction of Council, the Public Works Department has caused notice to be given as provided by law, inviting bids for said improvement, bids having been received, opened, and tabulated as provided by law, and

WHEREAS, Council coming now to consider said bids has determined that the bid submitted by NGW Dock & Dredge of Sheffield Lake, Ohio, is the lowest and best responsive bid and is acceptable to this Council, now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE,
STATE OF OHIO:

Section No. 1: That the bid by NGW Dock & Dredge of Sheffield Lake, Ohio, (hereafter referred to as "Contractor") for the Miller Road Park Sand Dredging Project for the City of Avon Lake, Ohio, in accordance with the plans and specifications prepared by the Public Works Department be and the same is hereby awarded to said Contractor in accordance with said plans and specifications and bids received. The total amount of said contract is in the sum of \$44,875.00.

Section No. 2: That the Contractor shall furnish his good and sufficient performance bond in the amount of \$44,875.00 to the satisfaction of the Mayor and approved as to form by the Director of Law, conditioned to insure faithful performance of the contract thereby awarded, and completion of the work free and clear of all claims and encumbrances.

Section No. 3: That the Contractor shall deposit and keep in force and effect on file with said Director of Finance memoranda of policies of insurance in the amounts and under the conditions set forth in the specifications of the contract documents.

Section No. 4: That upon receipt by the Director of Finance of the certificate of the Public Works Director that the project has been completed to his full satisfaction and in accordance with the plans and specifications, then the Director of Finance shall be authorized and directed to issue to said Contractor the warrants of the City in payment therefore the amount of money determined by said Public Works Director to be due said Contractor under the contract thereby awarded to him and to cause said warrants to be paid.

Section No. 5: That the Mayor shall be and he is hereby authorized and directed to sign and execute the contract hereby awarded.

Section No. 6: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 7: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of dredging the sand from the boat launch area at Miller Road Park before the fish spawning season and to be in time for the upcoming boating season to ensure safe boating, thus for the public health, safety, and welfare. Therefore, this Ordinance shall go into immediate force and effect from and after its passage and approval by the Mayor.

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

BY: Mrs. Fenderbosch

TEMP NO. 10642

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE GENERAL DEVELOPMENT
PLAN FOR PORT WEST P.U.D.

WHEREAS, Planning Commission has at its meeting of March 1, 2016, approved the request for the General Development Plan for Port West P.U.D., now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE,
STATE OF OHIO:

Section No. 1: That after approval by Planning Commission and consideration by this Council, there is hereby approved the General Development Plan for Port West P.U.D. for a 57.4 acre site to include a total of 143 residential units with a total of 16.35 acres of open space. All streets will be dedicated public streets.

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance shall be in full force and effect from the earliest period allowed by law.

1st reading:
2nd reading:
3rd reading:

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

BY: Mrs. Fenderbosch

TEMP NO: 10643

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE IMPROVEMENT PLANS
FOR ARRINGTON VILLAGE,

WHEREAS, Planning Commission has at its meeting of March 1, 2016, approved the Improvement Plans for Arrington Village, now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE,
STATE OF OHIO:

Section No. 1: That the Improvement Plans for Arrington Village, consisting of 24 attached dwelling units on private streets, submitted to and approved by Planning Commission as required by the Planning & Zoning Code, and referred to this Council, be and it is hereby approved.

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance shall be in full force and effect from the earliest period allowed by law.

1st reading:

2nd reading:

3rd reading:

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 104-2015
AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE,
STATE OF OHIO:

Section No. 1: That Ordinance No. 104-2015 is hereby
amended as follows:

Section No. 1: That the employees in the following non-
bargaining unit positions be granted wage increases as follows,
effective July 1, 2014 and other terms of previously enacted
ordinances shall otherwise remain in full force and effect:

	Effective July 1, 2014	effective 7/1 2015	effective 7/1 2016
Police Chief	2%	2%	2%
Police Secretary	2%	2%	2%
Fire Chief	2%	2%	2%
Fire Department Secretary	2%	2%	2%
Clerk of Council	2%	3%	2%
Public Works Director	2%	2%	2%
Recreation Director	2%	2%	2%
Chief Building Official	2%	2%	2%
Plumbing Inspector	2%	2%	2%
Electrical Inspector	2%	2%	2%
Public Works Foreman	2%	2%	2%
Finance Director	2%	2%	2%
Finance Secretary	2%	2%	2%
Zoning Administrator	2%	2%	2%
Mayor's Secretary			2%
Production Coordinator			2%

Section No. 2: That it is found and determined that all
formal actions of this Council concerning and relating to the
adoption of this Ordinance were adopted in an open meeting of
this Council and that all deliberations of this Council and any
of its committees which resulted in such formal actions, were in
meetings open to the public, in compliance with all legal
requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance is hereby declared to be
an emergency measure, the emergency being the necessity of
fulfilling commitments to certain City personnel and complying
with the Wage and Salary Administration Code. Therefore, this
Ordinance shall be in full force and effect from and immediately
after its passage and approval by the Mayor.

PASSED: _____

President of Council

POSTED: _____

Approved

ATTEST: _____

BY: Mr. Meiners

TEMP NO: 10645

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH THE LORAIN COUNTY GENERAL HEALTH DISTRICT TO PROVIDE HEALTH SERVICES TO THE CITY OF AVON LAKE, AND DECLARING AN EMERGENCY.

WHEREAS, the contract with the City of Lorain to provide the City of Avon Lake with health services expires July 31, 2016, and

WHEREAS, it has become apparent that the City of Lorain will not be able to continue to maintain its own health department due to financial constraints, and

WHEREAS, the Mayor has negotiated with the Lorain County General Health District to provide health services to the City of Avon Lake, now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE,
STATE OF OHIO:

Section No. 1: That the Mayor is hereby authorized and directed to enter into an agreement with the Lorain General County Health District to provide health services to the City of Avon Lake and he is authorized to sign all necessary documents to become a member of the Lorain County General Health District.

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity to begin the process of joining a health district to ensure health services will continue to be available to the residents of Avon Lake, thus for the public health, safety, and welfare. Therefore, this Ordinance shall go into immediate force and effect from and after its passage and approval by the Mayor.

1st reading:
2nd reading:
3rd reading:

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

BY: Mr. Meiners

TEMP NO: 10646

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR TRANSFERS, AND DECLARING AN EMERGENCY.

WHEREAS, it has been determined by the Finance Director that certain transfers of funds are needed, now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the following transfers be executed for the months of February and March:

From 204	Income Tax Transfer Fund	\$759,375.00
To 101	General Fund	\$609,375.00
To 207	Income Tax Capital Improvement Fund	\$62,500.00
To 301	Bond Retirement (Unvoted) Fund	\$87,500.00

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of transferring funds for the current and necessary expenses of the City of Avon Lake, thus for the public welfare. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

PASSED: _____

Council President

POSTED: _____

Approved

ATTEST: _____

Clerk of Council

Mayor

BY: Mrs. Fenderbosch

TEMP NO: 10647

ORDINANCE NO. _____

AN ORDINANCE AMENDING PLANNING & ZONING CODE
SECTION 1240.06 (d)(8), ACCESSORY USE REGULATIONS.

WHEREAS, Planning Commission at its meeting of March 1, 2016 recommended to Council an amendment to Planning & Zoning Code Section 1240.06 (d) (8) regarding fences, and

WHEREAS, Council coming now to consider said recommendation approves it in full, now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE,
STATE OF OHIO:

Section No. 1: That Planning & Zoning Code Section 1240.06 (d) (8) is hereby amended as follows:

1240.06 ACCESSORY USE REGULATION

(d) Fence Regulations in Standard Single Family Subdivisions

(8) Exceptions

(E) Where the side yard property line of one residential property is also the rear yard property line of another property, that portion of the fence in the side yard that abuts the adjoining property's rear yard and that is installed at such property line shall be permitted rear yard regulations.

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance shall be in full force and effect from the earliest period allowed by law.

1st reading:
2nd reading:
3rd reading:

PASSED: _____

President of Council

POSTED: _____

Approved

ATTEST: _____

BY: Mrs. Fenderbosch

TEMP NO: 10648

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH
COLDWATER CONSULTING LLC FOR PROFESSIONAL
SERVICES FOR ECOLOGICAL RESTORATION, AND
DECLARING AN EMERGENCY.

WHEREAS, Coldwater Consulting has been assisting the City of Lorain and Lorain County for ecological restoration and has authored over \$27 million in successful grant applications, and

WHEREAS, the City of Avon Lake wishes to enter into an agreement with Coldwater Consulting to implement The Ecological Restoration Grants Program and additional grant writing and restoration design to restore the Lake Erie shoreline and Avon Lake tributaries, now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE,
STATE OF OHIO:

Section No. 1: That the Mayor is hereby authorized and directed to enter into an agreement with Coldwater Consulting for professional services as stated in said Agreement pending approval by the Law Director.

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity to sign the Agreement in order for Coldwater Consulting to begin the grant process as soon as possible for ecological restoration to protect the shoreline and tributaries, thus for the public health, safety, and welfare. Therefore, this Ordinance shall go into immediate force and effect from and after its passage and approval by the Mayor.

1st reading:
2nd reading:
3rd reading:

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor