

**VOTING ORDER**

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

**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 April 25, 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: April 11, 2016 Regular Council Meeting as prepared and published.**

**Public Hearing: Upon an amendment to Planning & Zoning Code Section 1240.06 (d) (8), regarding fence regulations in standard single family subdivisions.**

**Correspondence**

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

**Audience Participation**

**Legislation**

**Second Readings:**

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

Temporary Legislation #10657, authorizing the Mayor to enter into a lease agreement to acquire two Ford F750 plow trucks.

Temporary Legislation #10658, authorizing the purchase of a Fuelmaster System and software for the Public Works Department.

**First Readings:**

Temporary Legislation #10659, providing for transfers.→

Temporary Legislation #10660, authorizing entering into a Water Pollution Control Loan Fund Agreement.→

Temporary Legislation #10661, adopting a job description for the position of Law Director.

Temporary Legislation #10662, authorizing David Graves to perform Zoning Administrator duties.→

Temporary Legislation #10663, amending Codified Ordinance Chapter 290, Affirmative Action Committee.

Temporary Legislation #10664, approving a conditional use site plan for storage units on Pin Oak Parkway.

Temporary Legislation #10665, approving the final plat for Arrington Village Phase I.→

Temporary Legislation #10666, amending Planning & Zoning Code Section 1268.05, Designating Criteria for Individual Landmarks and Historic Districts.

Temporary Legislation #10667, authorizing appropriations.→

Temporary Legislation #10668, fixing compensation ranges for Avon Lake Regional Water positions.

**Miscellaneous Business and Announcements**

**Public Input**

**Adjournment**

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.

1<sup>st</sup> reading: 3/14/16  
2<sup>nd</sup> reading:  
3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_  
Clerk of Council Mayor

BY: Mr. James

TEMP NO. 10657

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT TO ACQUIRE TWO FORD F750 PLOW TRUCKS, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Avon Lake has entered into a Cooperative Purchasing Program with the Ohio Department of Transportation (ODOT), and

WHEREAS, ODOT has advertised for bids for the lease of two Ford F750 Plow Trucks, and

WHEREAS, ODOT has determined that the bid submitted by Valley Ford Truck, Inc. of Cleveland, Ohio is the lowest and best bid, now therefore;

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

Section No. 1: That the bid by Valley Ford Truck, Inc. of Cleveland, Ohio submitted through ODOT to supply the City with two Ford F750 Plow Trucks for the Public Works Department to be paid in six years at a total annual cost of \$59,463.80 be and it is hereby accepted and approved.

Section No. 2: That the Mayor is hereby authorized to enter into a lease agreement with Valley Ford Truck, Inc. to provide the City of Avon Lake with two Plow Trucks at a total annual cost of \$59,463.80 for six years, such Lease Agreement to be substantially in the form presented to Council with such changes as may be acceptable to the Mayor and the Law Director.

Section No. 3: That upon delivery to this City of two Ford F750 Plow Trucks with the proper specifications, to the full satisfaction of the Public Works Director and Director of Finance, then the Director of Finance is hereby directed to deliver to Valley Ford Truck, Inc. the warrant of this City in the lease amount specified in the Lease Agreement.

Section No. 4: 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. 5: That this Ordinance is hereby declared to be an emergency measure to provide the Public Works Department with serviceable equipment in order that they may promptly and efficiently perform their duties, and further to take advantage of the State purchase price, thus for the health, safety, and welfare of the citizens of Avon Lake. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1<sup>st</sup> reading: 4/11/16

2<sup>nd</sup> reading:

3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_

\_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor

BY: Mr. James

TEMP. NO. 10658

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE PURCHASE OF  
A FUELMaster SYSTEM FOR THE PUBLIC WORKS  
DEPARTMENT, AND DECLARING AN EMERGENCY.

WHEREAS, Section 59 of the Avon Lake City Charter authorizes purchases not exceeding \$25,000.00 without public bidding, and

WHEREAS, quotations were solicited for the purchase of a Fuelmaster System and software for the Public Works Department, with Service Station Equipment Co. submitting the lowest and best bid, and

WHEREAS, Council coming now to consider said quotation has determined that the quotation submitted by Service Station Equipment Co. of Cleveland, Ohio, 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 quotation for a Fuelmaster System and software for the Public Works Department from Service Station Equipment Co. of Cleveland, Ohio in the amount of \$18,600.00 be and it is hereby accepted and approved.

Section No. 2: That upon delivery to this City of a Fuelmaster System and software, with the proper specifications, to the full satisfaction of the Public Works Director and Director of Finance, then the Director of Finance is hereby directed to deliver to Service Station Equipment Co. of Cleveland, Ohio, the warrant of this City in the amount of \$18,600.00 and to cause said warrant to be paid.

Section No. 3: 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. 4: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of providing the Public Works Department with an updated system to allow individual fuel tracking for diesel, unleaded, and propane systems to ensure the most efficient operation of City departments, thus for the health, safety, and welfare of the residents of Avon Lake. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1<sup>st</sup> reading: 4/11/16

2<sup>nd</sup> reading:

3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_

\_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor

BY: Mr. Meiners

TEMP NO: 10659

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 month of April:

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: Mr. Meiners

TEMP NO: 10660

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING ENTERING INTO A  
WATER POLLUTION CONTROL LOAN FUND AGREEMENT,  
AND DECLARING AN EMERGENCY.

WHEREAS, the City of Avon Lake through its Board of  
Municipal Utilities desires to upgrade its wastewater system, and

WHEREAS, the City of Avon Lake through its Board of  
Municipal Utilities intends to apply to the Water Pollution  
Control Loan Fund (WPCLF) for the design and construction of the  
facilities, and

WHEREAS, the Ohio Water Pollution Control Loan Fund requires  
the government authority to pass legislation for application of a  
loan and the execution of an agreement as well as designating a  
dedicated repayment source, now therefore;

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

Section No. 1: That the Mayor and appropriate City staff  
members are authorized to sign all documents related to a WPCLF  
loan authorized by the Board of Municipal Utilities for design  
and construction of wastewater system improvements.

Section No. 2: That the Board of Municipal Utilities has  
designated wastewater-related revenues as a source of repayment.

Section No. 3: 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. 4: That this Ordinance is hereby declared to be  
an emergency measure, the emergency being the necessity of filing  
documents in a timely manner to secure funding to upgrade the  
Avon Lake Regional Water wastewater system, 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: Mr. Shondel

TEMP NO: 10661

ORDINANCE NO. \_\_\_\_\_

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

WHEREAS, it has been recommended by the Human Resources Committee that a job description for the position of Law 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 Law 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 shall take effect and be in force from and after the earliest date allowed by law.

1<sup>st</sup> reading:  
2<sup>nd</sup> reading:  
3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_  
Clerk of Council Mayor

CITY OF AVON LAKE  
POSITION DESCRIPTION

**LAW DIRECTOR**  
(Part-time)

March, 2016

Job Title: Law Director  
Department: Law Department  
Immediate Supervisor: Mayor  
Positions Supervised: Assistant Law Director  
City Prosecutor  
Zoning Administrator  
Civil Service Status: Unclassified  
FLSA Status: Exempt  
Bargaining Unit: None

**General Responsibilities:**

The Law Director shall prepare all contracts, bonds and other instruments in writing in which the Municipality is concerned and shall serve as legal counsel and attorney for the various officers and heads of the Municipality in the performance of their official duties. When required to do so by resolution of council, the Law Director shall prosecute or defend, as the case may be, for and in behalf of the Municipality, all complaints, suits, and controversies in which the Municipality is a party, and such other suits, matters and controversies as he shall by resolution or ordinance be directed to prosecute; but shall not be required to prosecute any action for the violation of a municipal ordinance without first advising such action. In general and without limitation as to particularity, the Law Director shall discharge the duties and functions of the Law Director of a municipality.

### **General Qualifications:**

- Graduation with a Juris Doctorate (or equivalent) from an accredited school of law;
- Active license to practice law in the State of Ohio; in good standing with no discipline;
- Must be a member in good standing of the bar of the State of Ohio;
- Demonstrate adherence to appropriate rules of professional and ethical conduct as set forth in the Ohio Rules of Professional conduct, or as otherwise prescribed by law or generally accepted professional standards;
- Shall have engaged in the active practice of law continuously for a period of five (5) years preceding his appointment.
- Shall have been a resident and qualified elector of the Municipality for at least two (2) years prior to appointment.

### **Knowledge, Skills, and abilities:**

Position must possess knowledge of:

- The practice of law;
- Municipal government structure and process;
- State statutes, City Charter, City Ordinances, and other legislation affecting municipal operations;
- Legal research principles and practices;
- Trial practices and procedures;
- Management practices;
- Departmental policies and procedures;
- Budgetary procedures.

Position must have the ability to:

- Communicate effectively;
- Collect, analyze, and interpret data;
- Prepare and maintain accurate documentation;
- Develop and maintain working relationships with co-workers, elected officials, other professionals, and the general public.

### **SPECIFIC DUTIES:**

- Prepare for and represents or directs the representation of the City in matters of litigation;
- Conduct research and provides consultation and/or legal opinions to the Mayor, City Council, City Boards and Commissions, or other representatives of the City;
- Prepare and/or review contracts, ordinances, resolutions, and other documents or instruments requested by the Mayor or City Council;
- Attend City Council meetings in order to discuss legal issues involving the City;
- Represent the City in meetings with other government or private sector agencies to discuss or attempt to resolve legal issues;
- Direct the operation of the law department;

- Maintain required licensure and certification;
- Perform other related duties as assigned.

*The position description does not constitute an employment agreement between the City of Avon Lake and the employee, and is subject to change by the City as the needs of the City and the requirements of the job change.*

BY: Mr. Shondel

TEMP NO: 10662

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING DAVID GRAVES TO PERFORM ZONING ADMINISTRATOR DUTIES, ESTABLISHING THE RATE OF COMPENSATION FOR SAID DUTIES, AND DECLARING AN EMERGENCY.

WHEREAS, due to a leave of absence of the Zoning Administrator, it is necessary to have coverage of the Zoning Department, now therefore;

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

Section No. 1: That David Graves is hereby authorized to perform Zoning Administrator duties up to four hours a week effective March 27, 2016.

Section No. 2: That based on Mr. Graves' experience and ability, Council does hereby fix and establish a rate of \$100.00 per hour effective March 27, 2016.

Section No. 3: That Mr. Graves shall perform Zoning Administrator duties from March 27, 2016 until such time as the Zoning Administrator returns to the position or Council acts to fill the position with another individual.

Section No. 4: 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. 5: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity to authorize a qualified individual to perform Zoning Administrator duties in the absence of the Zoning Administrator to ensure the efficient operation of the department and to serve the needs of the residents, thus for the public health, safety, and welfare. Therefore, this Ordinance shall be in full 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: Mr. Shondel

TEMP NO: 10663

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER  
290, AFFIRMATIVE ACTION COMMITTEE.

WHEREAS, the Human Resources Committee at its meeting of April 11, 2016 recommended to Council an amendment to Codified Ordinance Chapter 290, 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 Codified Ordinance Chapter 290 is hereby amended as follows:

**CHAPTER 290 Affirmative Action ~~Committee~~ Commission**

EDITOR'S NOTE: Resolution 55-84, passed March 26, 1984, adopted a minority business enterprise program to provide a policy of equal opportunity in the contracting of business enterprises. Copies of such Resolution and of the Policy Statement may be obtained, at cost, from the Clerk of Council.

**290.01 ESTABLISHMENT; COMPOSITION.**

There is hereby established in and for the City an Affirmative Action ~~Committee~~ Commission. The ~~Committee~~ Commission shall consist of the Director of Finance, the Chairperson of the Human Resources Committee and one citizen member to be appointed by Council for the term of Council.

(Res. 122-85. Passed 10-14-85; Ord. 146-06. Passed 12-18-06.)

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.

1<sup>st</sup> reading:  
2<sup>nd</sup> reading:  
3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_  
Clerk of Council Mayor

BY: Mrs. Fenderbosch

TEMP NO: 10664

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING A CONDITIONAL USE SITE  
PLAN FOR STORAGE UNITS ON PIN OAK PARKWAY.

WHEREAS, Planning Commission has at its meeting of April 5, 2016, recommended the approval of a Conditional Use Site Plan to construct a storage unit complex on Pin Oak Parkway west of Avon Belden Road, 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 review by this Council, Council hereby confirms the recommendation of approval by Planning Commission of a Conditional Use Site Plan to construct a storage unit complex on Pin Oak Parkway west of Avon Belden Road.

Section No. 2: That the proposed storage unit complex will consist of single story buildings within a secured fenced complex including an additional emergency gate.

Section No. 3: 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 take effect and be in force from and after the earliest date allowed by law.

1<sup>st</sup> reading:

2<sup>nd</sup> reading:

3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_

\_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor

BY: Mrs. Fenderbosch

TEMP NO: 10665

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING THE FINAL PLAT FOR  
ARRINGTON VILLAGE, PHASE 1, AND DECLARING AN  
EMERGENCY.

WHEREAS, Planning Commission has at its meeting of April 5,  
2016, approved the final plat for Arrington Village, Phase 1, now  
therefore;

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

Section No. 1: That the final plat for Arrington Village,  
Phase 1, consisting of 24 attached dwelling units on private  
streets, submitted to and approved by Planning Commission 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 is hereby declared to be  
an emergency measure, to allow for the timely recording of the  
final plat to prevent unnecessary delay in the mortgage closings  
of homes and to allow the City to begin collecting taxes on these  
properties to add to the revenue of the City, thus for the public  
health, safety, and welfare. Therefore, this Ordinance shall be  
in full 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: 10666

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING PLANNING & ZONING CODE  
SECTION 1268.05, DESIGNATION CRITERIA FOR  
INDIVIDUAL LANDMARKS AND HISTORIC DISTRICTS.

WHEREAS, Planning Commission at its meeting of April 5, 2016 recommended to Council an amendment to Planning & Zoning Code Section 1268.05, Designation Criteria for Individual Landmarks and Historic Districts, 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 1268.05 is hereby amended as follows:

1268.05 DESIGNATION CRITERIA FOR INDIVIDUAL LANDMARKS AND  
HISTORIC DISTRICTS.

~~In considering the designation of any area, property or site as a historic district or of any building or structure as a landmark, the ALHPC shall apply the following criteria:~~ **In considering the designation of any building, structure, site, work of art or object as a "landmark" or any area which contains within definable geographic boundaries, buildings, structures or sites of historic architectural or archaeological significance as a "historic district", the Avon Lake Historical Preservation Commission shall apply the following criteria:**

- (a) The character, interest or value of the area, property, or site as part of the development, heritage or cultural characteristics of the city, state, or nation;
- (b) The location as a site of a significant historic event;
- (c) The identification with a person or persons significant in our past;
- (d) The exemplification by the area, property, or site of the cultural, economic or social heritage of the city, state, or nation;
- (e) The portrayal of a group of people in an era of history, characterized by a distinctive architectural style;
- (f) The embodiment of distinguishing characteristics of a building type or architectural style;
- (g) The embodiment of elements of architectural design, detail, materials or craftsmanship, which represent architecture of significant character;
- (h) The identification as the work of an architect or master builder whose work has influenced the city, state, or nation;

- (i) The potential to yield information important in prehistory or history; and
- (j) A unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood or of 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 shall be in full force and effect from the earliest period allowed by law.

1<sup>st</sup> reading:  
2<sup>nd</sup> reading:  
3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_

AN ORDINANCE TO MAKE APPROPRIATIONS FOR THE CURRENT AND OTHER EXPENDITURES OF THE CITY OF AVON LAKE FOR THE FISCAL YEAR 2016, AND DECLARING AN EMERGENCY

WHEREAS it has been determined by the Director of Finance that certain adjustments to the permanent appropriations are needed:

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

Section 1: That to provide for the current expenses and other expenditures of the City of Avon Lake during the fiscal year ending December 31, 2016, the following sums be and they are hereby set aside and appropriated from the funds herein specified as follows, to wit:

Section 2: That there be appropriated transferred and advanced from the following funds and as further detailed in the Schedules attached hereto as Exhibit "A" and incorporated herein:

<b>General Fund - 100</b>							
<b>Fund #</b>	<b>Fund Activity</b>	<b>Personal Service</b>		<b>Other</b>	<b>Capital Improvement</b>	<b>Transfers/Advances</b>	<b>Total</b>
	Beginning General Fund Appropriations	\$	-	\$	-	\$	-
	100 Total General Fund Adjustments	\$	-	\$	-	\$	-
	Ending General Fund Appropriations					\$	-

<b>Special Revenue Fund Group - 200</b>							
<b>Fund #</b>	<b>Fund Activity</b>	<b>Personal Service</b>		<b>Other</b>	<b>Capital Improvement</b>	<b>Transfers/Advances</b>	<b>Total</b>
202	SCM&R Fund	\$	-	\$	-	\$	-
203	State Highway Fund	\$	-	\$	-	\$	-
204	Income Tax Transfer	\$	-	\$	-	\$	85,000.00
205	Improvement Fund	\$	-	\$	-	\$	-
206	Paramedic Fund	\$	-	\$	-	\$	-
207	Income Tax Capital improvement	\$	-	\$	-	\$	85,000.00
208	Office On Aging	\$	-	\$	-	\$	-
209	Dial-A-Bus Fund	\$	-	\$	-	\$	-
210	Cable TV Improvement	\$	-	\$	-	\$	-
212	Law Enforcement Trust Fund	\$	-	\$	-	\$	-
213	Law Enforcement Education	\$	-	\$	-	\$	-
214	Indigent Drivers Alcohol Treatment	\$	-	\$	-	\$	-
215	Municipal Court Computer Fund	\$	-	\$	-	\$	-
216	COPS Fast Fund	\$	-	\$	-	\$	-
225	AL/Bay Park Improvement Fund	\$	-	\$	-	\$	-
226	Fire apparatus Acquisition Fund	\$	-	\$	-	\$	-
230	Board of Building Standards Assmnt	\$	-	\$	-	\$	-
231	Employee Sick time Buy Back Fund	\$	-	\$	-	\$	-
232	Street Tree Fund	\$	-	\$	-	\$	-
235	Continuing Professionals Training	\$	-	\$	-	\$	-
236	ALMC-Court Security Fund	\$	-	\$	-	\$	-
237	ALMC- Interlock Fund	\$	-	\$	-	\$	-
601	Police Pension Fund	\$	-	\$	-	\$	-
602	Fire Pension fund	\$	-	\$	-	\$	-
603	Recreation Fund						
	<b>Total Special Revenue Funds</b>	\$	-	\$	-	\$	170,000.00

<b>Debt Service Fund Group - 300</b>							
<b>Fund #</b>	<b>Fund Activity</b>	<b>Personal Service</b>		<b>Other</b>	<b>Capital Improvement</b>	<b>Transfers/Advances</b>	<b>Total</b>
301	General Bond Retirement	\$	-	\$	-	\$	-
302	GO Bond Retirement (Voted)	\$	-	\$	-	\$	-
501	Special Assessment Bond Retirement	\$	-	\$	-	\$	-
	<b>Total Debt Service Funds</b>	\$	-	\$	-	\$	-

<b>Capital Project Fund Group - 400</b>						
<b>Fund #</b>	<b>Fund Activity</b>	<b>Personal Service</b>	<b>Other</b>	<b>Capital Improvement</b>	<b>Transfers/Advances</b>	<b>Total</b>
400	OCP Rt 83/Webber Rd	\$ -	\$ -	\$ -	\$ -	\$ -
401	Lear/Krebs Intersection	\$ -	\$ -	\$ -	\$ -	\$ -
410	Sewer Seperstion Projects	\$ -	\$ -	\$ -	\$ -	\$ -
417	OCP Police/Court Facility	\$ -	\$ -	\$ -	\$ -	\$ -
424	OCP Canterbury Road Imp	\$ -	\$ -	\$ -	\$ -	\$ -
426	OCP Troy School Driveway	\$ -	\$ -	\$ -	\$ -	\$ -
440	Walkeer/Lear Roads Intersection	\$ -	\$ -	\$ -	\$ -	\$ -
443	North Point Erosion Control	\$ -	\$ -	\$ -	\$ -	\$ -
445	Pool Reconstruction Fund	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Capital Project Fund Group</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

<b>Special Assessment Projects Group - 500</b>						
<b>Fund #</b>	<b>Fund Activity</b>	<b>Personal Service</b>	<b>Other</b>	<b>Capital Improvement</b>	<b>Transfers/Advances</b>	<b>Total</b>
520	SA Walker Rd/Lear East	\$ -	\$ -	\$ -	\$ -	\$ -
521	SA Lear Rd/Walker South	\$ -	\$ -	\$ -	\$ -	\$ -
522	SA Titus Pitts-Hill Ditch	\$ -	\$ -	\$ -	\$ -	\$ -
525	Sidewalk Street Lighting	\$ -	\$ -	\$ -	\$ -	\$ -
527	Cove Avenue Improvements	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Special Assessment Projects Group</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

<b>Enterprise Fund Group - 700</b>						
<b>Fund #</b>	<b>Fund Activity</b>	<b>Personal Service</b>	<b>Other</b>	<b>Capital Improvement</b>	<b>Transfers/Advances</b>	<b>Total</b>
701	Water Fund	\$ -	\$ -	\$ -	\$ -	\$ -
703	Water MOR SUB Fund	\$ -	\$ -	\$ -	\$ -	\$ -
704	Waterworks Construction Fund	\$ -	\$ -	\$ -	\$ -	\$ -
706	Water Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -
721	Sewer Fund	\$ -	\$ -	\$ -	\$ -	\$ -
724	Sewer System Construction Fund	\$ -	\$ -	\$ -	\$ -	\$ -
725	Trunk Sanitary Sewer Fund	\$ -	\$ -	\$ -	\$ -	\$ -
727	Sewer Debt Service Fund	\$ -	\$ -	\$ -	\$ -	\$ -
729	LORCO Force Main & Pump	\$ -	\$ -	\$ -	\$ -	\$ -
739	LORCO Collection System Fund	\$ -	\$ -	\$ -	\$ -	\$ -
749	LORCO Custodial Account Fund	\$ -	\$ -	\$ -	\$ -	\$ -
762	Trunk Water Avon Improvement	\$ -	\$ -	\$ -	\$ -	\$ -
<b>700 Total Enterprise Fund Group</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

<b>Trust and Agency Fund Group - 600</b>						
<b>Fund #</b>	<b>Fund Activity</b>	<b>Personal Service</b>	<b>Other</b>	<b>Capital Improvement</b>	<b>Transfers/Advances</b>	<b>Total</b>
611	Deposit Trust	\$ -	\$ -	\$ -	\$ -	\$ -
<b>600 Total Internal Service Fund Group</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

<b>Deposit Fund Group - 801</b>						
<b>Fund #</b>	<b>Fund Activity</b>	<b>Personal Service</b>	<b>Other</b>	<b>Capital Improvement</b>	<b>Transfers/Advances</b>	<b>Total</b>
801	Transfer fund	\$ -	\$ -	\$ -	\$ -	\$ -
<b>800 Total Deposit Fund Group</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Grand Total All Funds</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ 85,000.00</b>	<b>\$ 85,000.00</b>	<b>\$ 170,000.00</b>

Section 3: That the City Director of Finance be and is hereby authorized and directed to draw warrants against the appropriations set forth upon presentation of proper vouchers.

Section 4: That all expenditures within the fiscal year ending December 31, 2016 shall be made in accordance with the code accounts set forth above, and shall be made within the appropriations herein provided ("Appropriations" as used means the total amount appropriated for an individual fund).

Section 5: 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 that resulted in such formal action were in meetings open to the

public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code

Section 6: This Ordinance is hereby declared to be an emergency measure, the emergency being the necessity for the current operations of the City, thus for the health, safety and welfare of the residents of Avon Lake. Therefore this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

PASSED: \_\_\_\_\_

POSTED: \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT OF COUNCIL

\_\_\_\_\_  
CLERK OF COUNCIL

\_\_\_\_\_  
APPROVED

\_\_\_\_\_  
MAYOR

**EXHIBIT "A"**  
**SCHEDULE OF BUDGETS BY DEPARTMENT FOR GENERAL FUND**

Department	Personal Service	Other	Equipment Replacement	Transfers	Total
Police	\$ 3,835,765.00	\$ 343,551.45	\$ -	\$ -	\$ 4,179,316.45
Fire	\$ 2,354,275.00	\$ 172,540.00	\$ -	\$ -	\$ 2,526,815.00
Public Health	\$ -	\$ 100,000.00	\$ -	\$ -	\$ 100,000.00
Recreation	\$ 539,900.00	\$ 319,450.00	\$ -	\$ -	\$ 859,350.00
Building Inspection	\$ 387,835.00	\$ 32,975.00	\$ -	\$ -	\$ 420,810.00
EAAB	\$ 680.00	\$ 1,640.00	\$ -	\$ -	\$ 2,320.00
Planning Commission	\$ -	\$ 2,000.00	\$ -	\$ -	\$ 2,000.00
Historic Preservation	\$ -	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00
Public Works	\$ 2,029,375.00	\$ 1,022,150.00	\$ -	\$ -	\$ 3,051,525.00
Mayor	\$ 196,790.00	\$ 62,850.00	\$ -	\$ -	\$ 259,640.00
Human Resources	\$ 40,390.00	\$ 10,000.00	\$ -	\$ -	\$ 50,390.00
Economic Development	\$ 100,095.00	\$ 125,000.00	\$ -	\$ -	\$ 225,095.00
IT	\$ -	\$ 70,000.00	\$ -	\$ -	\$ 70,000.00
Finance	\$ 405,580.00	\$ 366,750.00	\$ -	\$ -	\$ 772,330.00
Law	\$ 232,500.95	\$ 148,200.00	\$ -	\$ -	\$ 380,700.95
Council	\$ 192,975.00	\$ 21,600.00	\$ -	\$ -	\$ 214,575.00
Court	\$ 336,885.00	\$ 65,800.00	\$ -	\$ -	\$ 402,685.00
Civil Service	\$ 5,825.00	\$ 8,175.00	\$ -	\$ -	\$ 14,000.00
General Government	\$ -	\$ 523,300.00	\$ -	\$ 517,372.42	\$ 1,040,672.42
<b>GRAND TOTAL</b>	<b>\$ 10,658,870.95</b>	<b>\$ 3,396,981.45</b>	<b>\$ -</b>	<b>\$ 517,372.42</b>	<b>\$ 14,573,224.82</b>

BY: Mr. Shondel

TEMP NO: 10668

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE FIXING COMPENSATION RANGES FOR  
AVON LAKE REGIONAL WATER POSITIONS.

WHEREAS, the Avon Lake Board of Municipal Utilities has established a policy regarding pay ranges for positions within the utility, and

WHEREAS, this policy is used to determine appropriate rates of compensation for existing and prospective employees, and

WHEREAS, the Board of Municipal Utilities must pay locally and nationally competitive salaries in order to attract and retain appropriate talent, and

WHEREAS, pursuant to Section 12 of the Avon Lake Charter, entitled Salaries and Pay of Officers and Employees, Council shall fix all salaries and rates of compensation, and

WHEREAS, it is the intention of Avon Lake Regional Water to have compensation ranges for positions fixed, now therefore;

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

Section No. 1: That the following compensation ranges are hereby fixed as follows:

WATER POLLUTION CONTROL MANAGER	\$31.54	to	\$44.81	/hour
WATER FILTRATION PLANT MANAGER	\$31.88	to	\$45.23	/hour
MANAGER OF DISTRIBUTION AND COLLECTION	\$35.49	to	\$51.77	/hour
ENGINEERING SERVICES MANAGER	\$43.11	to	\$63.55	/hour
CHIEF OF UTILITIES OPERATIONS	\$44.21	to	\$65.18	/hour
CHIEF UTILITIES EXECUTIVE	\$56.55	to	\$83.37	/hour
COMMUNITY OUTREACH SPECIALIST	\$22.10	to	\$44.20	/hour
BILLER BOOKKEEPER II	\$20.05	to	\$22,73	/hour
GIS ANALYST	\$49,982	to	\$72,782	/year

Section No. 2: That these compensation ranges are set for three years from the effective date of passage, and new ranges must be established or wages fixed for subsequent years.

Section No. 3: 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. 4: That this ordinance shall be in full force and effect from the earliest period allowed by law.

1<sup>st</sup> reading:  
2<sup>nd</sup> reading:  
3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_  
Clerk of Council Mayor