

VOTING ORDER

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

**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 June 13, 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: May 23, 2016 Regular Council Meeting as prepared and published.

Public Hearing: Upon an amendment to Planning & Zoning Code Section 1268.05, designating criteria for individual landmarks and historic districts.

Correspondence

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

Audience Participation

Motion

Accepting the resignation of Ray Nowak from the Environmental Affairs Advisory Board – J. Shondel.

Legislation

Third Readings:

Temporary Legislation #10671R, adopting a recommendation of the Human Resources Committee adjusting the wage rate of the Law Director.

Temporary Legislation #10672, amending the Codified Ordinances with the addition of Section 1024, Emergency Access Gates.

Second Readings:

Temporary Legislation #10666, amending Planning & Zoning Code Section 1268.05, designating criteria for individual landmarks and historic districts.

Temporary Legislation #10678, approving the improvement plans for Legacy Pointe Phase 9.→

Temporary Legislation #10679, approving the improvement plans for Port West Phase 1.→

Temporary Legislation #10682, authorizing a contract with the City of Lorain for health services.

Temporary Legislation #10683, amending Codified Ordinance Section 208.01 (a) (2), of the General Fee Schedule.

First Readings:

Temporary Legislation #10684, adopting and declaring the tax budget for the year 2017.

Temporary Legislation #10685, providing for transfers.→

Temporary Legislation #10686, fixing compensation ranges for the position of Biller-Bookkeeper II.→

Temporary Legislation #10687, authorizing the Mayor to execute a contract with Norfolk Southern Railway Company.

Temporary Legislation #10688, confirming the Mayor's appointment of Edward Esborn to the position of Economic Development Director.→

Temporary Legislation #10689, authorizing the purchase of a brush chipper.

Temporary Legislation #10690, awarding a contract for the 2016 concrete street program.

Temporary Legislation #10691, authorizing the purchase of crosswalk signals.

Miscellaneous Business and Announcements

Public Input

Adjournment

BY: Mr. Shondel

TEMP. NO: 10671R

ORDINANCE NO. _____

AN ORDINANCE ADOPTING A RECOMMENDATION OF THE HUMAN RESOURCES COMMITTEE ADJUSTING THE WAGE RATE OF THE LAW DIRECTOR, AND DECLARING AN EMERGENCY.

WHEREAS, the Administration and Human Resources Committee have recommended a wage adjustment for Abraham Lieberman, Law Director, and

WHEREAS, Council coming now to consider said recommendation approves it in full and desires to put it into effect, now therefore;

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

Section No. 1: That the Law Director is hereby granted a **3%** wage adjustment ~~in the amount of \$2,102 bi-weekly~~ effective June 8, 2016. **The new bi-weekly salary is \$2,102.00.**

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 equitably compensating personnel for job performance. Therefore, this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

1st reading: 5/09/16
2nd reading: 5/23/16
3rd reading:

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES WITH THE ADDITION OF SECTION 1024, EMERGENCY ACCESS GATES, AND DECLARING AN EMERGENCY.

WHEREAS, the Safety Committee recommended to Council an amendment to the Codified Ordinances with the addition of Section 1024, Emergency Access Gates, 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 Codified Ordinances are hereby amended with the addition of Section 1024 as follows:

CHAPTER 1024

Emergency Access Gates

1024.01 DEFINITIONS.

As used in this chapter:

- (a) "Association" means a condominium association or owners association governing all or any portion of a gated community.
- (b) "Gate" means a gate, crossbar, door or other obstructive device that is utilized for the purpose of restricting, controlling or obstructing entry or exit by motor vehicles or pedestrians to or from a private road and that is not manned on a twenty-four hour, seven day per week basis by a person capable of providing immediate access to a police or fire safety vehicle or person.
- (c) "Gated community" means a residential subdivision, apartment complex, condominium development, planned unit development or other residential development access to which is controlled by a gate.
- (d) "Gated community lot" means a lot in a gated community.
- (e) "Private road" means any road that has not been dedicated as a public right-of-way, that is owned by abutting property owners or association of property owners, and that is utilized for the purpose of providing vehicular or pedestrian access to a residential subdivision, apartment complex, condominium development or other residential development. Private driveways serving one single-family residence shall not be deemed private roads.
- (f) "Responsible party" means the person or entity designated in accordance with section 1024.05.

1024.02 PERMIT REQUIRED.

No gate may be installed or maintained on a private road unless a permit issued by the Fire Chief for such gate is in effect and such gate complies with the requirements of this chapter.

1024.03 APPROVAL PROCESS.

Application for a gate permit shall be submitted on the form approved by the Fire Chief. A gate permit shall be issued only if and when the Fire Chief determines that the gate will

comply with all the requirements of this chapter and will not pose a danger to persons or property.

1024.04 SUBMITTALS FOR ORIGINAL GATE PERMIT.

Each application for an original gate permit must include or be accompanied by:

- (a) The names and contact information for all officers of each association governing any of the gated community lots;
- (b) The name and contact information for any management company retained by any association governing any of the gated community lots;
- (c) The names, addresses and contact information for all owners of gated community lots that are not governed by an association;
- (d) The written consent of each association governing any of the gated community lots;
- (e) The written consent of the owners of all gated community lots not governed by an association. For any gated community lot that is owned jointly or in common by more than one person or entity, the written consent of those persons or entities owning more than fifty percent in interest shall be sufficient;
- (f) A site plan of the area in which the gate is to be located, drawn to scale;
- (g) Plans and specifications for the gate, including method of operation, UL listing numbers of equipment used, and location of radio operated controller and keypad;
- (h) The name and contact information for the contractor who will install the gate; and
- (i) Designation of a responsible party acceptable to the Fire Chief, contact information for the responsible party, and an acknowledgement by the responsible party that he, she or it agrees to and assumes the obligations imposed upon him, her or it by this chapter.

1024.05 RESPONSIBLE PARTY; UDATE OF CONTACT INFORMATION.

(a) A responsible party must be designated for each gate installed or maintained. The responsible party must reside or maintain an office in Lorain County, Ohio. The responsible party shall be primarily liable for the performance of all obligations imposed by this chapter with respect to the installation and maintenance of the gate and the payment of all fees and fines imposed by this chapter with respect to the gate.

(b) The names and contact information required by items (a), (b) and (i) of Section 1024.04 must be kept current at all times. The responsible party shall notify the Fire Chief in writing not later than 48 hours of a change in such information.

1024.06 OPERATION OF GATES.

(a) Gates must be electrically operated.

(b) Wiring for gates shall be provided by AC current, underground installation.

(c) Gates must fail to the open position when the power is off, and must remain open until power is restored.

(d) As their primary means of emergency access, gates must use one of the following access control systems:

- (1) A radio controlled system equipped with a radio receiver capable of receiving access commands from public safety radio transceivers used by the City's fire department and police department; or
- (2) Any other system approved by the Fire Chief.

(e) As their secondary means of emergency access, gates must be accessible by a digital keypad using a code designated by the Fire Chief. The keypad must be attached to the outside of the gate and must be easily visible from vehicles used by emergency responders.

(f) Gates must be lighted sufficiently to allow for visibility at night without the use of any additional external light source.

(g) A conspicuous sign approved by the Fire Chief shall be attached to or placed near each gate indicating the method for gaining emergency access and the location of any control device that must be manually accessed.

(h) Gates and their means of emergency access must be maintained in good working condition.

1024.07 INSTALLATION AND APPROVAL.

A gate may be installed only in accordance with the plans and specifications therefor approved by the Fire Chief. Before a gate may be used to control access, it must be inspected and approved by the fire department to ensure that it has been properly installed, that it complies with the plans and specifications approved by the Fire Chief and that it is in good working condition.

1024.08 DURATION AND RENEWAL OF PERMIT.

Unless earlier revoked in accordance with section 1024.12, a gate permit shall expire on the day preceding the fifth anniversary of its issuance. Application to renew a gate permit shall be submitted on the form provided by the Fire Chief.

1024.09 PERMIT FEES.

The fees for gate permits shall be as specified in Chapter 208 of the Administration Code – General Fee Schedule.

1024.10 MAINTENANCE.

Gates must be maintained in good working condition at all times.

1024.11 PERIODIC INSPECTIONS.

Each gate shall be inspected at least annually by the fire department to ensure that the gate and its emergency access systems are in good working condition and that such gate is in compliance with the provisions of this chapter.

1024.12 REVOCATION OF PERMIT.

The Fire Chief may revoke the permit for any gate that is not in good working condition or that is otherwise not in compliance with the provisions of this chapter.

1024.13 REMOVAL OF NON-CONFORMING GATE.

The Fire Chief shall have the right to remove or order the removal of any gate that doesn't function properly, violates any section of this chapter or for which there is not a valid and current permit, and neither the City, the Fire Chief nor any employee or official of the City shall be liable for any damage caused by such removal.

1024.14 NON-LIABILITY FOR DAMAGE TO GATE.

Neither the City, Fire Chief nor any employee or official of the City shall be liable for damage to a gate if in responding to an emergency or perceived emergency or for any other authorized purpose City employees or officials deem it necessary to damage or remove the gate to gain access to any gated community or gated community lot.

1024.15 DIRECTIONAL BARRIERS PROHIBITED.

Direction-limiting devices, such as tire spikes, are not permitted on any fire access road.

1024.16 EXISTING GATES.

The owners of gates already in existence on the effective date of this chapter must comply with the provisions of this chapter and obtain permits for such gates or remove such gates within one hundred eighty (180) days after the effective date of this chapter.

1024.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the fourth degree and shall be fined not more than two hundred fifty dollars (\$250.00) or imprisoned not more than thirty days, or both.

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 emergency access gates to allow for prompt access of the safety forces coming to the aid of the residents, 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: 05/09/16
2nd reading: 05/23/16
3rd reading:

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.

1st reading: 4/25/16
2nd reading:
3rd reading:

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____

BY: Mrs. Fenderbosch

TEMP NO: 10678

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE IMPROVEMENT PLANS FOR LEGACY POINTE PHASE 9, AND DECLARING AN EMERGENCY.

WHEREAS, Planning Commission has at its meeting of May 3, 2016, approved the Improvement Plans for Legacy Pointe Phase 9, 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 Legacy Pointe Phase 9, consisting of thirteen single family sublots and a new stormwater detention basin, 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 is hereby declared to be an emergency measure to allow construction during the 2016 building season in order for the project to move forward and permit the City to begin collecting property taxes as soon as possible to further the economic stability of the City, 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: 05/23/16
2nd reading:
3rd reading:

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

BY: Mrs. Fenderbosch

TEMP NO: 10679

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE IMPROVEMENT PLANS
FOR PORT WEST PHASE 1, AND DECLARING AN EMERGENCY.

WHEREAS, Planning Commission has at its meeting of May 3, 2016, approved the Improvement Plans for Port West Phase 1, 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 Port West Phase 1, consisting of eighteen single family sublots with retention basins, 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 is hereby declared to be an emergency measure to allow construction during the 2016 building season in order for the project to move forward and permit the City to begin collecting property taxes as soon as possible to further the economic stability of the City, 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: 05/23/16
2nd reading:
3rd reading:

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

BY: Mr. Meiners

TEMP NO: 10682

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE RENEWAL OF THE HEALTH SERVICES CONTRACT WITH THE LORAIN CITY HEALTH DEPARTMENT AND AUTHORIZING THE MAYOR TO ENTER INTO SAID CONTRACT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Avon Lake has been under contract for health services with the City of Lorain and wishes to continue contracting for said services, and

WHEREAS, the present contract will expire on July 31, 2016, and

WHEREAS, this Council finds that the City of Avon Lake should continue said services with the City of Lorain, 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 contract with the Lorain City Health Department to provide health services for a one year period beginning August 1, 2016 and ending December 31, 2016. Such contract shall provide for health services as prescribed by the Ohio Revised Code and shall further provide for an alteration of health services as discussed with the Health Department.

Section No. 2: That the contract authorized in Section No. 1 above is hereby approved and confirmed by the Council of the City of Avon Lake.

Section No. 3: That the City of Avon Lake in return for receiving the health services prescribed in the contract will pay to the City of Lorain and its Board of Health the sum of \$35,420.00

Section No. 4: That the effective date of this Ordinance shall be contingent upon the City of Lorain passing and approving the necessary concurrent legislation on its part authorizing the health contract between the City of Avon Lake and the City of Lorain and that this Ordinance shall go into

effect and be in force only when approval has been finally received by the legislative action of the City of Lorain.

Section No. 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 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. 6: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of approving the health services contract with the City of Lorain before the contract expires in order to ensure continued health services to residents of Avon Lake, 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: 05/23/16
2nd reading:
3rd reading:

PASSED:	_____	_____
		President of Council
POSTED:	_____	_____
		Approved
ATTEST:	_____	_____
	Clerk of Council	Mayor

BY: Mrs. Fenderbosch

TEMP NO: 10683

ORDINANCE NO. _____

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 208.01, (a) (2), OF THE GENERAL FEE, SCHEDULE, AND DECLARING AN EMERGENCY.

WHEREAS, the Safety Committee recommended amending Codified Ordinance Section 208.01 (a) (2), of the General Fee Schedule to add a permit fee for emergency access gates, 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 Section 208.01 (a) (2) is hereby amended as follows:

(2) <u>Fire.</u>	
A. Copies of fire and rescue reports (see paragraph (e)(4)G. hereof)	
B. Permits for fire protection and alarm systems	
1. New systems	25.00
2. Extending or enlarging of existing systems	25.00
C. Transporting of hazardous materials out of the City or from one location to another within the City	\$25.00
D. Permits required by <u>Ohio Fire Code</u>	25.00
1. Except for tents, air supported and other temporary structures	15.00
E. Private hydrant annual maintenance and inspection (see Section 1610.01(b)(5))	15.00 per hydrant
F. Emergency ambulance transport service	
1. Basic life support (BLS)	500.00 per patient
2. Advanced life support (Level 1)	600.00 per patient
3. Advanced life support (Level 2)	700.00 per patient
4. Loaded patient transport mileage	11.00 per mile from pick-up point to hospital

5. EMS response without transport	No charge
6. Emergency Access Gate Permit	\$25.00

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 establishing permit fees in order to implement the emergency access gate regulations to ensure access of the safety forces into gated communities in emergency situations, 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.

1st reading: 05/23/16

2nd reading:

3rd reading:

PASSED: _____

President of Council

POSTED: _____

Approved

ATTEST: _____

Clerk of Council

Mayor

BY: Mr. Meiners

TEMP NO: 10684

RESOLUTION NO. _____

A RESOLUTION TO ADOPT AND DECLARE THE TAX BUDGET FOR THE YEAR 2017, AND DECLARING AN EMERGENCY.

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

Section No. 1: That the Council of the City of Avon Lake, does hereby adopt the 2016 requirements for the several funds of the City of Avon Lake as being the budget required by State Law to be submitted to the County Budget Commission, which requirements are as shown on Exhibit A attached hereto and made a part hereof.

Section No. 2: That the Director of Finance of the City of Avon Lake is directed to submit this Resolution to the Auditor of Lorain County.

Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 Resolution is hereby declared to be an emergency measure, the emergency being the immediate necessity of adopting and declaring the tax budget for the year 2017 and submitting it to the Lorain County Auditor. Therefore, this Resolution shall be in full force and effect from and immediately 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

CITIES TAX YEAR 2017 ANNUAL BUDGET OF ESTIMATED REVENUES and EXPENDITURES

Date: June 1, 2016

Per Ohio Revised Code Section 5705.28.1 The Budget Commission of Lorain County, Ohio requests the following information to be completed and returned to the Lorain County Auditors Office, by July 20th in order to perform its duties.

AVON LAKE CITY

FUND	ESTIMATED UNENCUMBERED BALANCE January 1, 2017	ESTIMATED REAL ESTATE TAXES	ESTIMATED LOCAL GOVERNMENT ALLOCATION 2017	OTHER SOURCES	TOTAL	ESTIMATED EXPENDITURES	OVER/UNDER REVENUE
General Fund	\$ 1,050,000.00	\$ 4,086,120.00	\$ 342,500.00	\$ 9,653,670.00	\$ 15,132,290.00	\$ 14,573,225.00	\$ 559,065.00
TIF Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Special Revenue Funds	\$ 12,237,038.75	\$ 2,127,045.00	\$ -	\$ 16,790,035.75	\$ 31,154,119.50	\$ 21,829,909.00	\$ 9,324,210.50
Debt Service Funds	\$ 7,024,702.28	\$ 343,220.00	\$ -	\$ 7,747,671.13	\$ 15,115,593.41	\$ 8,156,180.00	\$ 6,959,413.41
Capital Project Funds	\$ 1,083,084.44	\$ -	\$ -	\$ 5,200.00	\$ 1,088,284.44	\$ 27,500.00	\$ 1,060,784.44
Special Assessment Fund	\$ 1,360,364.54	\$ -	\$ -	\$ 115,320.76	\$ 1,475,685.30	\$ 115,000.00	\$ 1,360,685.30
Enterprise Funds	\$ 7,309,456.57	\$ -	\$ -	\$ 58,186,822.00	\$ 65,496,278.57	\$ 57,285,624.00	\$ 8,210,654.57
Internal Service Funds	\$ 6,703.68	\$ -	\$ -	\$ 1,000.00	\$ 7,703.68	\$ 3,500.00	\$ 4,203.68
Trust and Agency Fund	\$ 36,534.81	\$ -	\$ -	\$ 2,000.00	\$ 38,534.81	\$ 5,000.00	\$ 33,534.81
TOTAL	\$ 30,107,885.07	\$ 6,556,385.00	\$ 342,500.00	\$ 92,501,719.64	\$ 129,508,489.71	\$ 101,995,938.00	\$ 27,512,551.71

AVON LAKE CITY - FINANCE DIRECTOR


 DIRECTOR OF FINANCE

SIGNATURE AND TITLE:

***SUBJECT TO FURTHER REVIEW BY
BUDGET COMMISSION

BY: Mr. Meiners

TEMP NO: 10685

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 June:

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. Shondel

TEMP NO: 10686

ORDINANCE NO. _____

AN ORDINANCE FIXING COMPENSATION RANGES FOR THE POSITION BILLER/BOOKKEEPER II, AND DECLARING AN EMERGENCY.

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, now therefore;

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

Section No. 1: That effective July 1, 2016 the following hourly compensation is hereby fixed for the Biller/Bookkeeper II position:

Step 1	Step 1B	Step 1C	Step 2	Step 3	Step 4	Step 5
\$19.56	\$20.95	\$22.76	\$24.03	\$25.38	\$26.76	\$28.09

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 commitment to certain City personnel and complying

with the Wage and Salary Administration Code. Therefore, this Ordinance shall be in full force and effect immediately upon passage and approval by the Mayor.

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

BY: Mr. James

TEMP NO: 10687

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE
A CONTRACT AND CONTRACTOR RIGHT OF ENTRY WITH NORFOLK
SOUTHERN RAILWAY COMPANY, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Avon Lake has found it necessary to improve Lear Road including the railway crossing at Lear Road in Avon Lake in cooperation with Norfolk Southern Railway Company, now therefore;

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

Section No. 1: The the Mayor is hereby authorized to execute a contract and Contractor Right of Entry with Norfolk Southern Railway Company for improvements to the railway crossing at Lear Road in Avon Lake. Said contract shall not exceed \$468,063.00.

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 to begin this project as soon as possible to ensure the safety of motorists at this highly travelled railway crossing, thus for the health, safety, and welfare of the public. Therefore, this Ordinance shall be in full force and effect from and immediately upon 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. Shondel

TEMP NO: 10688

ORDINANCE NO. _____

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE
THE MAYOR OF EDWARD ESBORN TO THE POSITION OF
ECONOMIC DEVELOPMENT DIRECTOR, ESTABLISHING
THE COMPENSATION FOR SAID POSITION, AND
DECLARING AN EMERGENCY.

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

Section No. 1: That the appointment by the Mayor of Edward Esborn to serve as Economic Development Director for a term concurrent with the term of the Mayor, effective June 30, 2016 is hereby confirmed by Council.

Section No. 2: That the powers, duties, and responsibilities to be performed and undertaken by the Economic Development Director shall be those provided in Ordinance No. 28-2016.

Section No. 3: That effective June 30, 2016 Council does hereby fix and establish an annual salary of \$76,500.00 for Mr. Esborn, Economic Development Director, to be adjusted periodically as provided by ordinance.

Section No. 4: That Mr. Esborn shall be entitled to receive the applicable benefits provided to full-time, non-union employees, including, but not limited to, Sick Leave (260.03 Cod. Ord.), Holidays (260.06 Cod. Ord.), Life Insurance (260.09 Cod. Ord.), Vacation (260.02 Cod. Ord.), Dental and Eye Care Insurance (260.08 Cod. Ord.), Bereavement Leave (260.18 Cod. Ord.), and Jury Duty (260.22 Cod. Ord.).

Section No. 5: That in addition to the benefits provided, Mr. Esborn shall be entitled to receive 8 days of paid vacation during 2016. Further, effective January 1, 2017, Mr. Esborn shall be granted an annual vacation of three normal weeks. Mr. Esborn shall also receive two personal days to be taken by December 31, 2016. Mr. Esborn shall be eligible for 4 weeks of vacation after 5 years of full-time employment.

Section No. 6: That Mr. Esborn shall be entitled to carry over sick time from his previous employment pursuant to Ohio Revised Code Section 124.38 and Avon Lake Codified Ordinance Section 260.03.

Section No. 7: 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. 8: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of making immediate provisions for the performance of the duties required by a full-time Economic Development Director to further economic growth and bring revenue into Avon Lake, 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: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

BY: Mr. James

TEMP NO: 10689

ORDINANCE NO. _____

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

WHEREAS, the City of Avon Lake has entered into a
Cooperative Purchasing Program with the State of Ohio, and

WHEREAS, the State has advertised for bids for the purchase
of a brush chipper and finds that the bid of Vermeer Sales &
Services, Inc. of Medina, Ohio to be 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 Vermeer Sales & Services,
Inc. of Medina, Ohio submitted through the Cooperative Purchasing
Program of the State of Ohio, to supply to the City with a brush
chipper in the amount of \$53,449.72, be and it is hereby accepted
and approved.

Section No. 2: That upon delivery to this City with the
proper specifications, to the full satisfaction of the Public
Works Director and the Director of Finance, then the Director of
Finance is hereby directed to deliver to Vermeer Sales &
Services, Inc. of Medina, Ohio the warrant of this City up to the
amount of \$53,449.72 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 safe and reliable
equipment in order that they may promptly, safely and efficiently
perform their duties and further to take advantage of the State
Purchasing Program price, 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.

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

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

BY: Mr. James

TEMP NO: 10690

ORDINANCE NO. _____

AN ORDINANCE AWARDDING A CONTRACT FOR THE 2016
CONCRETE STREET PROGRAM, AND DECLARING AN
EMERGENCY.

WHEREAS, in accordance with the direction of Council, the Public Works Department has prepared plans and specifications for the 2016 Concrete Street Program, 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 construction of said improvements, with 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 H & J Construction, Inc. of Avon, 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 H & J Construction, Inc. of Avon, Ohio (hereafter referred to as "Contractor") for the 2016 Concrete Street Program for the City of Avon Lake, Ohio, in accordance with the plans and specifications, be and the same is hereby awarded to said Contractor in accordance with said plans and specifications and bid received. The total amount of said contract is in the sum of \$469,950.82.

Section No. 2: That the Contractor shall furnish his good and sufficient performance bond in the amount of \$469,950.82 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 construction has been completed to the full satisfaction of the Public Works Director 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 Department 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 implementing the 2016 Concrete Street Program during the summer construction season to provide safe roads in the City of Avon Lake, thus for the public health, safety, and welfare. Therefore, this Ordinance shall be in full force and effect from and immediately 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. Kos

TEMP NO: 10691

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE PURCHASE OF SOLAR
POWERED CROSSWALK SIGNALS, AND DECLARING AN
EMERGENCY.

WHEREAS, the City of Avon Lake has entered into a
Cooperative Purchasing Program with the State of Ohio, and

WHEREAS, the State has advertised for bids for the purchase
of solar powered crosswalk signals and finds that the bid of
Tampco of Brown Deer, Wisconsin, to be 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 Tampco of Brown Deer,
Wisconsin, submitted through the Cooperative Purchasing Program
of the State of Ohio, to supply to the City with four sets of
solar powered crosswalk signals in an amount not to exceed
\$17,571.20, be and it is hereby accepted and approved.

Section No. 2: That upon delivery to this City with the
proper specifications, to the full satisfaction of the Public
Works Director and the Director of Finance, then the Director of
Finance is hereby directed to deliver to Tampco of Brown Deer,
Wisconsin, the warrant of this City up to the amount of
\$17,571.20 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
installing the crosswalk signals as soon as possible to ensure
safe pedestrian crossing and further to take advantage of the
State purchasing price, 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.

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

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor