

VOTING ORDER

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

**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 September 26, 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.

Correspondence

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

Audience Participation

Motions:

Authorizing the Mayor to sign an easement agreement with Kenwyn Village in the City of Avon to assure a setback from the ETL2 line – J. Fenderbosch.

Confirming the Mayor's appointment of Tom Lescher to the Citizen Tree Commission for a term expiring December 31, 2018 – M. O'Donnell.

Legislation

Third Reading:

Temporary Legislation #10727, amending Codified Ordinance Section 220.26, entitled Subpoenas.

Second Readings:

Temporary Legislation #10730, amending Codified Ordinance Section 260.02, entitled Vacations.

Temporary Legislation #10731, amending Codified Ordinance Section 260.03,, entitled Sick Leave.

Temporary Legislation #10732, amending Codified Ordinance Section 260.06, entitled Holidays.

Temporary Legislation #10733, amending Codified Ordinance Section 260.07, entitled Uniform Allowance.

Temporary Legislation #10734, amending Codified Ordinance Section 260.11, entitled Longevity Compensation.

Temporary Legislation #10735, amending Codified Ordinance Section 260.15, entitled Educational Incentive Compensation.

Temporary Legislation #10736, amending Codified Ordinance Section 260.21, entitled Reimbursement of Certain Retired Employee's Cost of Spouse's insurance.

Temporary Legislation #10741, authorizing the purchase of radio repeater equipment for the Police Department. →

Temporary Legislation #10742, authorizing the purchase of radio equipment for the Police Department. →

First Readings:

Temporary Legislation #10748, approving a vacation plat for an alley as part of the Avon Lake Harbor Estates on the east side of Miller Road and Lake Road.

Temporary Legislation #10749, authorizing the Mayor and the Avon Lake Board of Municipal Utilities to enter into an agreement to purchase land.

Temporary Legislation #10750, authorizing the donation of unclaimed property in the Police Department.

Temporary Legislation #10751, authorizing appropriations→

Miscellaneous Business and Announcements

Public Input

Adjournment

→Suspension of the rule requiring three readings

BY: Mr. James

TEMP NO: 10727

ORDINANCE NO. _____

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 220.26, ENTITLED SUBPOENAS.

WHEREAS, the Public Works Committee recommended an amendment to Codified Ordinance Section 220.26, entitled Subpoenas, now therefore;

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

Section No. 1: That Codified Ordinance Section 220.26 is hereby amended as follows:

220.26 SUBPOENAS

Subject to the limitations imposed by Section 268.02 of the Codified Ordinances, Council shall have the power to subpoena witnesses and books, documents, records or other evidence at the request of any member of Council **for the purpose of investigating charges against an officer or employee.** Upon motion adopted by Council, the President of Council or, in his or her absence or unavailability, the President Pro Tem shall sign any subpoena to be issued pursuant to this section, and such subpoena shall be served and executed by any person authorized to serve subpoenas, and in the manner required, by Rule 45 of the Ohio Rules of Civil Procedure. The return of such subpoena shall be filed with the Clerk of Council. The Director of Law, the Assistant Director of Law or in their absence or unavailability any member of Council may administer the requisite oaths to witnesses, and Council shall have the same power to compel the giving of testimony by the attending witnesses as is conferred upon courts of justice. In all such cases, witnesses shall be entitled to the same privileges, immunities and compensation as are allowed witnesses in civil cases, and the cost shall be paid from the General Fund of the Municipality. Any person who refuses to obey a subpoena issued pursuant to this subsection or to testify in response to such subpoena shall be guilty of contempt of Council, a misdemeanor of the third degree.

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 subpoena powers of Council to be consistent with the Avon Lake Charter. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1st reading: 8/22/16
2nd reading: 9/12/16
3rd reading:

PASSED: _____

President of Council

POSTED: _____

Approved

ATTEST: _____

BY: Mr. Shondel

TEMP NO: 10730

ORDINANCE NO. _____

AN ORDINANCE AMENDING CODIFIED ORDINANCE
SECTION 260.02 VACATIONS.

WHEREAS, the Human Resources Committee recommended amending Codified Ordinance Section 260.02, Vacations, to make non-bargaining unit employee benefits consistent with the bargaining unit contracts, 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 260.02 is hereby amended as follows:

260.02 VACATIONS.

(a) All regular full-time employees of the Municipality who have been in the continuous employment of the Municipality for twelve months or more preceding January 1, whether employed on a monthly salary basis or at an hourly rate of pay, shall be allowed an annual vacation, with pay, of two normal work weeks. All regular full-time employees who have been employed for less than twelve months preceding January 1, will receive one full day of vacation for each full month of employment during the previous year up to a maximum of two normal work weeks.

(b) The basis of computing the compensation of an employee who works on an hourly rate of pay, for the period of his or her respective vacation, shall be the normal straight time earnings of the particular employee working a full week at the hourly rate fixed for his or her employment in the particular Municipal department where employed.

(c) Each person having charge of a department of the Municipality wherein there are other employees under the supervision of such person, shall arrange a schedule of vacations as nearly as possible to conform with the proper functioning of the particular department, as well as to suit the convenience of the respective employees. In any event, vacations shall be taken subject to the review of such determination by the Mayor or the Board of Municipal Utilities.

(d) All full-time employees who have been in the employment of the City for five years of continuous service shall be granted three normal weeks of vacation with pay. After ten years of continuous service, they shall be granted four normal work weeks of vacation with pay. After twenty years of continuous service, they shall be granted five normal work weeks of vacation with pay. All earned vacations shall become effective the January 1 after the completion of such years of service.

(e) Vacations may not be accumulated and shall be taken not later than the end of the subsequent year of service for which the vacation was earned, unless an extension is authorized by Council.

(f) An employee whose employment with the City is terminated, or upon retirement, shall be paid for vacation time earned the previous year but not yet taken, and for vacation time earned but not yet taken in the year of termination or retirement. Compensation shall be calculated by dividing the employee's bi-weekly wage by the number of hours normally worked bi-weekly, times the unused hours of vacation, provided that the employee has twelve months or more continuous service.

(g) Vacation allowance calculated pursuant to subsection (f) hereof shall be paid to the next of kin or to the executor or administrator of the estate of a deceased employee.

(Ord. 135-91. Passed 10-14-91.)

(h) In the year of the fifth, tenth and twentieth anniversary date of employment, and only in those years, full-time employees not covered by a collective bargaining agreement shall be granted one additional day of paid vacation for each two full months of employment between their anniversary date and December 31. The employee shall be allowed use of this prorated additional paid vacation time only on or after his or her employment anniversary date. This pro rata paid vacation shall be taken prior to December 31 and cannot be carried over into the next year.

(i) Employees shall be eligible to "cash-in" up to ten (10) vacation days per year at the employees appropriate hourly rate. Reimbursement for unused vacation days shall be in full day (8 hours) or half day (4 hours) increments. The employee shall receive payment for the "cashed-in" vacation days on the next payday after "cashing-out".

(j) If entitled to more than three weeks paid vacation per year, the Public Works Foreman shall have the option of working up to five days of said vacation days for full regular pay plus another full day's pay for each of the first four days opted to be worked and plus one day's half pay for the remaining day opted to be worked by such employee, in lieu of vacation pay.

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: 9/12/16

2nd reading:

3rd reading:

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

ORDINANCE NO. _____

AN ORDINANCE AMENDING CODIFIED ORDINANCE
SECTION 260.03 SICK LEAVE.

WHEREAS, the Human Resources Committee recommended amending Codified Ordinance Section 260.03, Sick Leave, to make non-bargaining unit employee benefits consistent with the bargaining unit contracts, 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 260.03 is hereby amended as follows:

260.03 SICK LEAVE.

Sick leave shall be provided to each full-time employee in accordance with State law and this section.

(a) Sick Leave Accumulation.

(1) Each full-time employee shall be advanced five days of immediate sick leave credit which will be charged against the first four months of his or her accumulation of sick leave.

(2) Sick leave shall be accumulated at the rate of one and one-fourth days per month. For full-time members of the Fire Department employed on a twenty-four hour shift basis, one day equals a twelve-hour shift.

(3) The accumulation of sick leave is unlimited.

(4) Any full-time employee who has been employed with another public agency or political subdivision shall be credited with the unused balance of his or her accumulated sick leave from such public agency or subdivision.

(5) The previously accumulated sick leave of a full-time employee who has been separated from public service shall be placed to his or her credit upon his or her re-employment, provided that his or her employment takes place within ten years of the date on which the employee was last terminated from public service, unless the employee has elected to receive termination pay for such sick leave.

(b) Granting of Sick Leave.

(1) Each employee shall furnish a written and signed statement on forms prescribed by Council to justify the use of sick leave. Such form will be made available by the department head and shall be submitted to the department head when completed by the employee.

(2) Sick leave may be used due to personal illness, pregnancy, injury and exposure to contagious disease which could be communicated to others, and for absence due to illness, injury or death in the employee's immediate family. As used in this paragraph, "immediate family"

means the father, mother, brother, sister, husband, wife, child, and grandparent of the employee **and/or his or her spouse, grandchild, step parent, step child, step brother, and step sister**. It does not provide extended leave for chronic illness within the immediate family.

(3) If medical attention is required, or if the absence exceeds five consecutive days, a certificate stating the nature of the illness from a licensed physician may be required to justify the use of sick leave. The appointing authority or his or her designee in the employee's department may request such certificate.

(4) In the case of pregnancy and/or childbirth of the employee and/or spouse, the employee may utilize a maximum of five (5) days without a certificate from a licensed obstetrician, gynecologist, midwife, obstetric or gynecological nurse practitioner. If the employee, spouse, or child develops medical complications associated with the pregnancy, childbirth, or recovery from said pregnancy, additional days of sick leave may be used upon the filing of a medical excuse signed by a licensed obstetrician, gynecologist, midwife, obstetric or gynecological nurse practitioner that details the nature of the illness, complications or incapacitation associated with said pregnancy and/or birth. Medical information provided by the employee will be consistent with state and federal laws concerning personal medical information.

~~(4)(4)~~—Full-time members of the Fire Department who are employed on a twenty-four hour shift basis shall be charged for sick leave at the rate of one day for absence from a twelve-hour work shift and shall be charged at the rate of two days for absence from a twenty-four hour work shift.

(c) Payment for Unused Sick Leave Upon Retirement.

(1) A full-time employee, at the time of acceptance for retirement by the Public Employees Retirement System, the Police Pension or the Fire Pension, if he or she has ten or more years of full-time service as an employee of the City, and if his or her retirement is within ninety days of his or her last day of service with the City, may elect to receive termination pay.

(2) Each full-time employee who qualifies shall receive ~~twenty-five~~ **fifty** percent of his or her accumulated sick leave credit up to a maximum of 120 days. Payment shall be based on the daily rate of pay at the time of retirement and shall not exceed thirty days of accumulated unused sick leave.

(3) Each full-time non-bargaining unit employee in the Municipal Utilities Department who qualifies shall receive 50% of his or her accumulated sick leave credit up to a maximum of 120 days. Payment shall be based on his or her daily rate of pay at the time of retirement and shall not exceed 60 days of accumulated unused sick leave.

(4) Payment under this subsection shall eliminate all sick leave credit.

(5) No employee shall receive more than one such payment.

(6) If termination is because of death, such remaining accumulated sick leave pay shall be paid to the surviving spouse or dependent children in the order named or to the executor or administrator of the estate.

(7) An employee whose date of employment is prior to December 22, 1980, will not be governed by paragraph (c)(2) hereof. Such employee will receive all accumulated sick leave up to a maximum of 120 days.

~~(d) (1) Certain non-bargaining unit employees in departments covered by the PACE Local 5-836-1 Agreement shall be permitted to convert up to 120 hours of accumulated sick leave to cash.~~

~~—(2) Said conversion of sick leave shall be paid at the employee's current rate of pay on the basis of two hours of sick leave for one hour of pay.~~

~~—(3) The conversion of sick leave must be requested in writing on a City form between November 1 and November 30 of each year.~~

~~—(4) The conversion shall be paid by December 31 of the same year.~~

~~(Ord. 135-91. Passed 10-14-91; Ord. 242-04. Passed 11-8-04; Ord. 163-08. Passed 12-8-08.)~~

Any employee may elect each year to have the employer buy back a maximum of one hundred and twenty (120) hours of sick time for the current year. A written request must be completed by the employee to do so and be submitted to the Employer no later than December 15 of the year of the actual conversion. The employee shall specify in writing the number of sick days to be converted. The rate of conversion will be one (1) day of pay at the employee's regular rate for each two (2) days of sick leave converted. The conversion will result in the employee having his sick leave account reduced by the number of sick leave days converted. Converted hours will not count as "hours worked" in the week paid out for the purpose of calculating overtime, and the leave converted under this program is done on the last in, first out basis.

The employee will receive the payout no later than the first pay day of the next year, No employee shall be permitted to convert any more leave than he would otherwise earn in a calendar year less any leave earned and used in the calendar year.

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: 9/12/16

2nd reading:

3rd reading:

PASSED: _____

President of Council

POSTED: _____

Approved

ATTEST: _____

Clerk of Council

Mayor

BY: Mr. Shondel

TEMP NO: 10732

ORDINANCE NO. _____

AN ORDINANCE AMENDING CODIFIED ORDINANCE
SECTION 260.06 HOLIDAYS.

WHEREAS, the Human Resources Committee recommended amending Codified Ordinance Section 260.06, Holidays, to make non-bargaining unit employee benefits consistent with the bargaining unit contracts, 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 260.06 is hereby amended as follows:

06 HOLIDAYS.

(a) All full-time members of the Fire Department working a twenty-four tour of duty shall be granted twenty-four hours of time off for each of the following holidays:

New Year's Day	Thanksgiving Day
Good Friday	Day after Thanksgiving Day
Memorial Day	Christmas Day
Independence Day	Two personal holidays granted after the first anniversary of employment
Labor Day	

(b) Full-time members of the Fire Department who work a forty-hour week shall be entitled to the following holidays:

New Year's Day	Thanksgiving Day
Good Friday	Day after Thanksgiving Day
Memorial Day	Christmas Day
Independence Day	Four personal holidays granted after the first anniversary of employment
Labor Day	

(c) All shift employees of the Police Department shall be granted an eight-hour period of time for each of the following holidays:

New Year's Day	Thanksgiving Day
Easter Sunday	Day after Thanksgiving Day
Memorial Day	Christmas Day
Independence Day	Three personal holidays granted after the first anniversary of employment
Labor Day	

In addition to the above, all shift employees shall be compensated at a rate of 200 percent of their hourly rate of pay when they work Thanksgiving Day or Christmas Day, and 150 percent of their hourly rate for the remaining six holidays.

(d) Full-time members of the Police Department who work a forty-hour week shall be entitled to the following holidays:

New Year's Day	Thanksgiving Day
Good Friday	Day after Thanksgiving Day
Memorial Day	Christmas Day
Independence Day	Four personal holidays granted after the first anniversary of employment
Labor Day	

(e) (1) All other full-time Municipal employees shall be entitled to the following holidays:

New Year's Day	Thanksgiving Day
Good Friday	Day after Thanksgiving Day
Memorial Day	Christmas Day
Independence Day	Four personal holidays after the first anniversary of employment
Labor Day	

(2) The Mayor shall receive two personal holidays in addition to the four personal holidays provided in this division.

(f) For employees included in subsections (b), (d) and (e) hereof, if a holiday falls on a Sunday, the following Monday shall be the holiday. If a holiday falls on a Saturday, the preceding Friday shall be the holiday.

(g) (1) A "personal holiday", as authorized and allowed in this section, is defined as time off similar to other holidays in which the employee may designate the day or time off as a holiday. Such personal holiday is authorized only when the employee has given his or her supervisor at

least seventy-two hours notice, prior to the taking of such holiday. The department head may, at his or her discretion, schedule such personal holidays in a manner which will maintain effective and efficient operation of the department. Such personal holidays may not be accumulated, with the exception of the non-bargaining unit employees in the Municipal Utilities Department.

(2) Non-bargaining unit employees ~~in the Municipal Utilities Department~~ shall be compensated for all personal holidays not taken prior to December 31 of each year no later than the end of January immediately following at the rate of pay in effect the preceding December.

(h) Upon retirement or termination of employment with the City, an employee shall be compensated for any unused holiday time and personal holiday time. Compensation shall be at an hourly rate, computed by dividing the employee's bi-weekly wage by the number of hours normally worked bi-weekly, times the number of unused holiday or personal holiday hours accumulated. In the case of a deceased employee, holiday pay shall be paid to the next of kin or to the executor or administrator of the estate. In addition to the above, all shift employees shall be compensated at a rate of 200 percent of their hourly rate of pay when they work Thanksgiving Day or Christmas Day, and 150 percent of their hourly rate for the remaining six holidays.

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: 9/12/16
2nd reading:
3rd reading:

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

ORDINANCE NO. _____

AN ORDINANCE AMENDING CODIFIED ORDINANCE
SECTION 260.07 UNIFORM ALLOWANCES.

WHEREAS, the Human Resources Committee recommended amending Codified Ordinance Section 260.07, Uniform Allowances, to make non-bargaining unit employee benefits consistent with the bargaining unit contracts, 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 260.07 is hereby amended as follows:

260.07 UNIFORM ALLOWANCES.

(a) Police Department.

(1) There is hereby established an annual uniform allowance for each officer of the Police Department for the purpose of maintaining and replacing his or her official police uniform as becomes necessary or advisable by reason of use and wear in the performance of active duty. The amount and specifics of the uniform allowance will be described in the Collective Bargaining Agreement for the unit in question. Such annual uniform allowance shall be paid by the Director of Finance in two installments on the scheduled pay days immediately preceding April 1 and October 1 of each year.

(2) The Chief of Police shall receive a clothing allowance of one thousand dollars (\$1,000) for the purchase and maintenance of regulation uniforms and clothing to be paid in two installments of five hundred dollars (\$500.00) each on the scheduled pay days immediately preceding April 1 and October 1.

(3) There is hereby established an annual uniform allowance for each full-time employee covered by the FOP Police Dispatchers Collective Bargaining Agreement for the purpose of maintaining and replacing his or her official police uniform as becomes necessary or advisable by reason of use and wear in the performance of duty. The amount and specifics of the uniform allowance will be described in the Collective Bargaining Agreement for the unit in question. Such annual uniform allowance shall be paid by the Director of Finance in one installment on the scheduled payday immediately preceding April 1 of each year.

(b) Fire Department.

(1) There shall be a first year uniform allowance for each new full-time firefighter/paramedic of the Fire Department. The amount and specifics of the uniform allowance will be described in the Collective Bargaining Agreement covering the Avon Lake Firefighters.

Thereafter, there shall be an annual allowance for each full-time employee covered by the Collective Bargaining Agreement for the purpose of maintaining and replacing his or her official uniform as becomes necessary or advisable by reason of use and wear in the performance of active duty. Such annual uniform allowance shall be paid by the Finance Director in two equal installments on the scheduled pay days immediately preceding April 1 and October 1 of each year.

(2) The Fire Chief shall receive a uniform allowance of one thousand dollars (\$1,000) for the purchase and maintenance of regulation uniforms to be paid in two installments of five hundred dollars (\$500.00) each on the scheduled pay days immediately preceding April 1 and October 1.

(3) The Secretary/Dispatcher in the Fire Department shall receive a uniform allowance of seven hundred fifty dollars (\$750.00) annually for the purchase and maintenance of uniforms as prescribed by the Fire Chief, to be paid by the Director of Finance in two equal installments on the scheduled payday immediately preceding April 1 and October 1 of each year. There shall be a first year uniform allowance of seven hundred fifty dollars (\$750.00) payable in one lump sum as soon as practical after the appointment of a Secretary/ Dispatcher, and the same is intended to be for the calendar year in which the employee is hired. Beginning January 1 following the year of employment, he or she shall be eligible for the annual uniform allowance.

(c) Department of Municipal Utilities. Full-time Municipal Utilities Department employees shall be furnished work clothes and equipment where necessary, as determined by the Director of Utilities.

(d) Public Works Department and Building Department. The Public Works Foreman, the Plumbing/Building Inspector, the Residential Inspector, the Electrical Inspector, and the Zoning Administrator shall receive a uniform allowance of ~~five~~ *six* hundred dollars (~~\$500.00~~) (*\$600.00*) annually. Payment shall be made on the scheduled pay day immediately preceding April 1 of each year. In addition, each such employee shall be furnished gloves and one pair of boots each calendar year and one rainsuit every third calendar year or as needed.

(e) Public Works Director. The Public Works Director shall receive a uniform allowance of ~~five~~ *six* hundred dollars (~~\$500.00~~) (*\$600.00*) annually. Payment shall be made on the scheduled pay day immediately preceding April 1 of each year. In addition, such employee shall be furnished gloves and one pair of boots each calendar year and one rainsuit every third calendar year or as needed.

(f) Commercial Driver's License Allowance. The City shall pay an annual commercial driver's license allowance on the pay date preceding October 1 of a calendar year to those non-bargaining unit employees in the Public Works Department who are required to hold such license in order to perform their job. The payment shall be equal to the rate negotiated in the current PACE Local 5-836-1 collective bargaining agreement.

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: 9/12/16
2nd reading:
3rd reading:

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

BY: Mr. Shondel

TEMP NO: 10734

ORDINANCE NO. _____

AN ORDINANCE AMENDING CODIFIED ORDINANCE
SECTION 260.11 LONGEVITY COMPENSATION.

WHEREAS, the Human Resources Committee recommended amending Codified Ordinance Section 260.11 Longevity Compensation, to make non-bargaining unit employee benefits consistent with the bargaining unit contracts, 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 260.11 is hereby amended as follows:

260.11 LONGEVITY COMPENSATION.

(a) (1) The following longevity compensation plan is hereby established for all full-time, non-bargaining unit employees (~~except those named in the Utilities Department under this section.~~) Eligible full-time, non-bargaining unit employee(s) shall be paid longevity compensation equal to the rate negotiated in the current collective bargaining agreement of that department. ~~Employees working in a department without a bargaining unit will be paid in accordance with the scale below:~~

Consecutive Full Years of Service	Amount of Annual Longevity Pay
6	\$350 —
7	400 —
8	450 —
9	500 —
10	575 —
11	650 —
12	725 —
13	800 —
14	875 —
15	950 —
16	1,025 —

17	1,100 —
18	1,175 —
19	1,250 —
20 or more	1,600 per year until termination

(2) Non-bargaining unit employees with more than one collective bargaining agreement in their department shall be paid according to the longevity scale with the higher beginning dollar value. Employees working in a department without a bargaining unit will be paid in accordance with the scale below:

(3) ~~The Chief Utilities Executive, the Chief of Utility Operations, the Water Plant Manager, the Superintendent of Collection and Distribution, the WPCC Manager, the Equipment Maintenance Supervisor, the Engineering Services Manager, the Cashier Bookkeeper, the Biller Bookkeeper I and the Biller Bookkeeper II shall be eligible for the following longevity plan:~~

Consecutive Full Years of Service	Amount of Annual Longevity Pay
6	\$ 450
7	500
8	550
9	600
10	675
11	750
12	825
13	900
14	975
15	1,050
16	1,125
17	1,200
18	1,275
19	1,350
20 or more	1,700 per year until termination

The aforementioned increases in longevity compensation in division (a)(3) of this section shall be retroactive to January 1, 2006.

(b) Longevity compensation shall be paid to eligible full-time employees. Longevity compensation shall be paid on the scheduled pay day immediately preceding November 1.

(c) Any full-time employee receiving longevity compensation as set forth in subsection (a) hereof shall, in addition thereto, be required to be employed and work not less than 1,800 hours during the twelve months preceding the computation of such compensation.

(d) Longevity compensation rates shall be computed on continuous years of employment service and not upon any wage or salary rate. Service for purposes of longevity compensation is defined as a full-time position of trust or employment in the service of the City involving not less than 1,800 hours of work per twelve-month period from December 1 until December 1 of the following year.

(e) Hours of work is defined as working or duty hours, including hours paid for vacations, sick leave or other paid authorized absences. Overtime hours worked will not be counted or computed in determining the 1,800 hour basic computation requirement for an eligible service year.

(f) For full-time employees who leave the service of the City, for reasons other than discharge or resignation, the following provisions for longevity compensation shall apply:

(1) In cases of separation from public service because of death or permanent disability, longevity compensation will be prorated and paid as of the time of separation. In the case of a deceased employee, longevity compensation shall be paid to the next of kin or executor or administrator of the estate.

(2) Any employee retiring before December 1 of the calendar year shall receive longevity compensation on a pro rata basis as determined on the date of his or her retirement, payable at the time of retirement.

(g) In computing longevity compensation for the first eligible year, the employee shall be compensated on a pro rata month-to-month basis, determined by the number of months (an eligible month for prorata being twenty or more days) between the employee's sixth anniversary date of employment and the next December 1. Such pro rata compensation shall be added to the first entitlement of longevity compensation.

(h) The monetary value of proration as described in this section shall be determined by the following formula: eligible months divided by twelve, times the entitlement amount as set forth in subsection (a) 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 be in full force and effect from the earliest period allowed by law.

1st reading: 9/12/16
2nd reading:
3rd reading:

PASSED: _____

President of Council

POSTED: _____

Approved

ATTEST: _____

Clerk of Council

Mayor

BY: Mr. Shondel

TEMP NO: 10735

ORDINANCE NO. _____

AN ORDINANCE AMENDING CODIFIED ORDINANCE
SECTION 260.15 EDUCATIONAL INCENTIVE COMPENSATION.

WHEREAS, the Human Resources Committee recommended amending Codified Ordinance Section 260.15 Educational Incentive Compensation to make non-bargaining unit employee benefits consistent with the bargaining unit contracts, 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 260.15 is hereby amended as follows:

260.15 EDUCATIONAL INCENTIVE COMPENSATION.

~~(a) Any full-time employee of the City (with the exception of the Municipal Utilities Department) who has attained the minimum of an Associates Degree in an area directly related to the job he or she is performing is entitled to additional compensation of three hundred dollars (\$300.00) per year while in the employ of the City. The Chief of Fire shall receive compensation equal to the education incentive rate in the current International Association of Fire Fighters Local 1361 bargaining agreement. *The Police Chief shall receive compensation equal to the educational incentive rate in the current bargaining agreement for the FOP Lodge #25, Avon Lake Division.* Such compensation shall be paid on the first day of June of each year, commencing June 1, 1983. The determination as to whether or not the Degree is eligible for the educational incentive compensation shall be made by the department head, the Human Resources Committee and Council. There shall be no educational incentive compensation paid for additional education when such education is a requirement of the job.~~

~~—(b) Such compensation shall not be paid until such time as the employee furnishes to his or her department head a certificate from an accredited educational institution evidencing that the employee has satisfactorily completed all the requirements necessary to be granted the minimum of an Associates Degree by such educational institution. Copies of such certificate shall be forwarded to the Director of Finance and shall be filed with the employee's permanent records.~~

~~—(c) The City shall not reimburse an employee for expenses incurred in obtaining such Degree, such as tuition, books, fees, travel expenses, etc., nor shall the City compensate such employee for time expended by him or her in attending such educational institution. The department head is not authorized to allow the employee time off from his or her regularly assigned job in order to attend such educational training. Such training shall be accomplished on the employee's own personal time.~~

~~—(d) Any full-time employee who is serving within his or her initially hired probationary period is not entitled to such educational incentive compensation, whether or not he or she has a qualified degree.~~

~~(Ord. 135-91. Passed 10-14-91; Ord. 108-04. Passed 5-10-04.)~~

(b) Full-time employees who have attained an Associate's Degree in an area directly related to the job the employee is performing shall be entitled to additional compensation of \$450.00 per year while in the employ of the City. Such compensation shall be paid the first pay day in June each year.

© Full-time employees who have attained a Bachelor's Degree in an area directly related to the job the employee is performing shall be entitled to additional compensation of \$500.00 per year while in the employ of the City. Such compensation shall be paid the first pay day in June each year.

(d) Full-time employees who have attained a Master's Degree in an area directly related to the job the employee is performing shall be entitled to additional compensation of \$750.00 per year while in the employ of the City. Such compensation shall be paid the first pay day in June each year.

(e) Full-time employees who have attained a Doctorate Degree in an area directly related to the job the employee is performing shall be entitled to additional compensation of \$1000.00 per year while in the employ of the City. Such compensation shall be paid the first pay day in June each year.

(f) Such compensation may not be cumulative with payment for the highest degree earned. The determination as to whether an employee is eligible for the Education Incentive shall be made by the Mayor and the Human Resource Director. There shall be no educational incentive compensation paid for additional education when such education is a requirement for the job.

(g) Such compensation shall not be paid until such time as the employee furnishes to his department head a certificate from an accredited educational institution evidencing that the employee has satisfactorily completed all requirements necessary to be granted a degree by said educational institution. Copies of said certificates shall be forwarded to the Finance Department and shall be filed with the employee's permanent records.

(h) Any full-time employee who is serving a probationary period shall not be entitled to such educational incentive benefit, whether or not the employee has a degree. An employee serving a promotional probationary period shall be entitled to payment.

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: 9/12/16

2nd reading:

3rd reading:

PASSED: _____

President of Council

POSTED: _____

Approved

ATTEST: _____

Clerk of Council

Mayor

BY: Mr. Shondel

TEMP NO: 10736

ORDINANCE NO. _____

AN ORDINANCE AMENDING CODIFIED ORDINANCE
SECTION 260.21 REIMBURSEMENT OF CERTAIN RETIRED
EMPLOYEES COST OF SPOUSE'S INSURANCE.

WHEREAS, the Human Resources Committee recommended amending Codified Ordinance Section 260.21 Reimbursement of Certain Retired Employees Cost of Spouse's Insurance to make non-bargaining unit employee benefits consistent with the bargaining unit contracts, 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 260.21 is hereby amended as follows:

260.21 REIMBURSEMENT OF ~~CERTAIN~~ RETIRED EMPLOYEES FOR COST OF SPOUSE'S HEALTH INSURANCE.

~~(a) Upon retirement the City shall reimburse eligible, non-elected, non-bargaining unit employees for the cost of health insurance coverage of the retired employee's spouse, not to exceed one hundred dollars (\$100.00) monthly. The cost of the insurance will be paid by the retiree to the Ohio Public Employees' Retirement System for such coverage, upon written proof of payment of same, and evidence of coverage issued by and through the Ohio Public Employees' Retirement System. Additionally the following employees shall be included: the Assistant Utilities Director, Superintendent of Distribution, Equipment Maintenance Supervisor, Water Plant Superintendent, Waste Treatment Plant Superintendent, Cashier-Bookkeeper, Biller-Bookkeeper I and Biller-Bookkeeper II in the Utilities Department.~~

~~(b) For purposes of this section, "retired employee" means any full time appointed employee or any employee or any employee specified in division (a) of this section at the time of retirement from City service, who is a member of the Public Employee Retirement System of Ohio, and who is receiving a monthly allowance as provided in Ohio R.C. 145.32, 145.33 and 145.34, as presently enacted.~~

~~(c) The Director of Finance is hereby authorized and directed to reimburse retired employees as defined in subsections (a) and (b) hereof, provided:~~

~~(1) The employee shall have retired on or after January 1, 1989.~~

~~(2) The retired employee shall have reached the age of fifty five years and have worked a minimum of fifteen years full time service with the City of Avon Lake at the time of retirement.~~

~~(3) The spouse of the retired employee shall not be eligible for any other hospitalization coverage.~~

BY: Mr. Kos

TEMP NO: 10741

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE PURCHASE OF RADIO REPEATER EQUIPMENT FOR THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.

WHEREAS, the Cities of Avon Lake, Avon, and Sheffield Lake wish to purchase radio repeater equipment to operate their shared radio frequency, and

WHEREAS, Section 59 of the Avon Lake Charter allows for the purchase of equipment without public bidding through employment of cooperative purchase arrangements with other governmental entities, and

WHEREAS, Council coming now to consider said purchase 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 quote by Vasu Communications of Avon, Ohio to supply the City with radio repeater equipment for the Police Department in the amount of \$19,450.00 is hereby accepted and approved.

Section No. 2: That upon delivery of the radio repeater equipment, with the proper specifications, to the full satisfaction of the Police Chief and Director of Finance, the Director of Finance is hereby directed to deliver to Vasu Communication of Avon, Ohio, the warrant of this City in an amount not to exceed \$19,450.00.

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 to provide the Police Department with updated equipment in order that they may promptly and efficiently perform their duties, 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: 9/12/16

2nd reading:

3rd reading:

PASSED: _____

President of Council

POSTED: _____

Approved

ATTEST: _____

Clerk of Council

Mayor

BY: Mr. Kos

TEMP NO. 10742

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE PURCHASE OF
RADIO EQUIPMENT FOR THE POLICE 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 radio equipment for the Police Department and finds that the
bid of Vasu Communications of Avon, 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 Vasu Communications of
Avon, Ohio submitted through the Cooperative Purchasing Program
of the State of Ohio, to supply the City with radio equipment
for the Police Department in the amount of \$49,535.50 be and it
is hereby accepted and approved.

Section No. 2: That upon delivery to this City of the
radio equipment, with the proper specifications, to the full
satisfaction of the Police Chief and Director of Finance, the
Director of Finance is hereby directed to deliver to Vasu
Communications of Avon, Ohio, the warrant of this City in the
amount of \$49,535.50 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 to provide the Police Department with
updated radio 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.

1st reading: 9/12/16

2nd reading:

3rd reading:

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

BY: Mrs. Fenderbosch

TEMP NO: 10748

ORDINANCE NO. _____

AN ORDINANCE APPROVING A VACATION PLAT FOR AN ALLEY AS PART OF THE AVON LAKE HARBOR ESTATES ON THE EAST SIDE OF MILLER ROAD AND LAKE ROAD, AND DECLARING AN EMERGENCY.

WHEREAS, Dr. James Haddad, 124 Miller Road, Avon Lake has petitioned the City to vacate a portion of a 20 foot alley as part of the Avon Lake Harbor Estates on the east side of Miller Road and Lake Road, and

WHEREAS, the Planning Commission did consider said petition aforementioned and did recommend at its regular meeting of September 7, 2016, that said vacating should be granted, and

WHEREAS, this Council is satisfied that there is good cause for the vacating as prayed for and that such will not be detrimental to the general interest, safety and welfare, and that said vacating and consolidation ought to be granted, now therefore;

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

Section No. 1: That the portion of a 20 foot alley as part of the Avon Lake Harbor Estates on the east side of Miller Road and Lake Road is hereby vacated.

Section No. 2: That the vacation plat for a portion of a 20 foot alley as part of the Avon Lake Harbor Estates on the east side of Miller Road and Lake Road is hereby approved.

Section No. 3: That the Public Works Department of the City of Avon Lake is hereby directed to record the vacation plat with the County Recorder.

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 an emergency to allow the property owner to begin construction as

soon as possible to continue with construction drawings and completion of construction prior to the closure of asphalt production plants, thus for the welfare of the public. 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: Ms. Fenderbosch

TEMP NO: 10749

ORDINANCE NO: _____

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF AVON LAKE AND THE AVON LAKE BOARD OF MUNICIPAL UTILITIES TO ENTER INTO AN AGREEMENT TO PURCHASE APPROXIMATELY $\frac{3}{4}$ OF AN ACRE OF LAND TO BE USED FOR A PUMPING STATION FOR THE ELYRIA EMERGENCY INTERCONNECTION, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Avon Lake and Avon Lake Regional Water require the acquisition of approximately $\frac{3}{4}$ of an acre of land and comprising a portion of Lorain County Permanent Parcel No. 0-00-083-000-017 further described in the attached legal description (hereafter "the property"), and

WHEREAS, the acquisition of the property is necessary for a pumping station for the Elyria emergency interconnection, and

WHEREAS, Avon Lake Regional Water had an appraisal of the property performed by Kayle Appraisal Services, and

WHEREAS, the property was appraised at Forty Thousand Dollars (\$40,000.00), and

WHEREAS, the property is owned by Thomas Eschtruth, and

WHEREAS, Thomas Eschtruth has agreed to sell the property to the City of Avon Lake and Avon Lake Regional Water for the appraised value, now therefore:

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

Section No. 1: That the Mayor of the City of Avon Lake and the Avon Lake Board of Municipal Utilities is hereby authorized to enter into an agreement with Thomas Eschtruth to purchase said premises, to-wit: approximately $\frac{3}{4}$ of an acre of land comprising a portion of Lorain County Permanent Parcel No. 05-00-083-000-017 as further described in the attached legal description (hereafter "the property").

Section No. 2: That Avon Lake Regional Water will be responsible for paying 40% of the \$40,000.00 cost to purchase said parcel, and through agreement, the remainder will be

reimbursed by the City of Elyria and the Rural Lorain County Water Authority.

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 that the Seller and Buyer must finalize a purchase-sale agreement, all to provide for the safety, health and welfare of the public. Therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

1st reading:

2nd reading:

3rd reading:

PASSED: _____

President of Council

POSTED: _____

Approved

ATTEST: _____

Clerk of Council

Mayor

EXHIBIT "A"

THOMAS SIMON & ASSOCIATES, INC. PROFESSIONAL LAND SURVEYORS

COBBLESTONE CORNER PROFESSIONAL CENTER
39069 CENTER RIDGE ROAD
NORTH RIDGEVILLE, OHIO 44039
(440) 327-2925
FAX 327-2964

August 14, 1999
Job No. 99-040

Boundary Description 18.1433 Acres

Situated in the County of Lorain, State of Ohio and being known as part of Original Amherst Township Lot No. 83 and being part of land conveyed to Janet Lee Eschtruth, Trustee, by deed recorded in Official Record Volume 1448 Page 443 of Lorain County Recorder's Records on March 17, 1997, and all of Parcel No. 3 of land conveyed to Janet Lee Eschtruth, Trustee, by deed recorded in Official Record Volume 1448 Page 443 of Lorain County Recorder's Records on March 17, 1997 being further bounded and described as follows;

Beginning at an iron pin found in a monument box at the Northeastly corner of said Original Lot No. 83, said iron pin also being on the centerline of West Ridge Road (60 feet wide);

Thence, South 00 degrees 34'07" West a distance of 209.85 feet along the centerline of West Ridge Road to its intersection with the Southerly line of land conveyed to Lakeshore Railway Association, Inc. by deed recorded in document no. 980654324 of Lorain County Recorder's Records on August 2, 1998, and being the Principal Place of Beginning;

Thence continuing South 00 degrees 34'07" West a distance of 863.89 feet along the centerline of West Ridge Road to a point being the Northeastly corner of land conveyed to Thomas G. Eschtruth by deed recorded in document no. 990600652 of Lorain County Recorder's records on March 9, 1999;

Thence, North 89 degrees 02'00" West a distance of 1376.87 feet along the Northerly line of said land conveyed to Thomas G. Eschtruth to an iron pin set at the Northwestly corner thereof and being a point on the Westerly line of said Original Lot No. 83, said line passes through an iron pin set 30.00 feet Westerly from the centerline of West Ridge Road;

Thence, North 00 degrees 11'51" West a distance of 281.82 feet along the Westerly line of said Original Lot No. 83 to an iron pin set on the Southerly line of said land conveyed to Lakeshore Railway Association, Inc.;

Thence, North 68 degrees 02'42" East a distance of 1494.61 feet along the Southerly line of said land conveyed to Lakeshore Railway Association, Inc. to the Principal Place of Beginning, said line passes through an iron pin set 32.48 Westerly therefrom, containing 18.1433 Acres as surveyed by Thomas A. Simon, Registered Professional Surveyor No. S-7775 in August, 1999. Basis of bearing is the centerline of West Ridge Road (South 00 degrees 34'07" West). Iron pins set are 5/8" diameter, 30" long with plastic caps "T. Simon, S-7775".

LORAIN COUNTY TAX MAP DEPT
P. NO. 05-00-083-000-017 JH.

THE LORAIN COUNTY
PLANNING COMMISSION

1 of 3 APPROVED
NO PLAT REQUIRED
BY Christina Browder
DATE 4/25/01

Box: Lorain Co. Title

BY: Mr. Kos

TEMP NO: 10750

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE DONATION OF
UNCLAIMED PROPERTY IN THE POLICE DEPARTMENT,
AND DECLARING AN EMERGENCY.

WHEREAS, the City of Avon Lake desires to dispose of property that has been unclaimed for ninety (90) days, and

WHEREAS, the property to be disposed of is itemized on the list attached hereto, and consists of bicycles, and

WHEREAS, it has been recommended by the Chief of Police that the City donate this property which has been unclaimed for ninety (90) days to a non-profit organization known as Ohio City Bicycle Co-Op, Inc., and

WHEREAS, Section 737.32 O.R.C. allows such a donation, now therefore;

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

Section No. 1: That the City of Avon Lake does authorize the Chief of Police to donate the property on the attached list to Ohio City Bicycle Co-Op, Inc.

Section No. 2: That Ohio City Bicycle Co-Op, Inc. shall provide a statement to the City of Avon Lake indicating that it is a non-profit organization and complies with the requirements of Section 737.32 O.R.C.

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 allowing for unclaimed bicycles to be immediately removed from the impound area before they are damaged further due to exposure to the weather. 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



CITY OF AVON LAKE
POLICE DEPARTMENT

32855 WALKER ROAD --- AVON LAKE, OHIO 44012

TELEPHONE: (440) 933-4567

FAX: (440) 930-4106

Chief Streator,

The Detective Bureau wishes to dispose of 17 bikes. The 17 bikes listed have or will have met the 90 day holding period as 9.15.16. The Detective Bureau will use Ohio City Bike Co Op for the disposal as they are a 5013C organization. No claims have been made on any of the bikes.

1. 2015-13662	Boys Red Schwinn	10.24.15
2. 2016-1340	Black Road Master	2.16.16
3. 2016-4682	Boys Magna	6.5.16
4. 2016-2187	Boys Orange/Gray Next	3.15.16
5. 2016-3344	Boys Green Schwinn	4.22.16
6. 2016-4682	Black Boys Mongoose	6.5.16
7. 2016-3463	Blue Boys Vilano	4.26.16
8. 2016-2277	Blue Boys Huffy	3.18.16
9. 1503342	Silver Girls Raleigh	3.29.15
10.1510087	Boys Blue Next	8.23.15
11.1510607	Black Diamond Back	9.4.15
12.1511192	Boys Huffy	9.15.15
13.2016-4991	Black Boys Next	6.14.16
14.2016-1038	Blue Free Agent	2.5.16

15.1506717	Red Mongoose	6.17.15
16.1502823	Orange Huffy	3.16.15
17.1507916	Pink Huffy Girls	7.9.15

Respectfully,

Detective Sergeant R. Reikowski #209

8.30.16

TO AMEND APPROPRIATIONS FOR THE CURRENT AND OTHER EXPENDITURES OF THE CITY OF AVON LAKE FOR THE FISCAL YEAR 2016

WHEREAS, it has been determined by the Director of Finance that certain adjustments to the permanent appropriations are needed, now therefore;

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:

General Fund - 100						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
	Beginning General Fund Appropriations	\$ -	\$ -		\$ -	\$ 14,623,224.82
	100 Total General Fund Adjustments	\$ -	\$ 335,000.00	\$ -	\$ -	\$ 335,000.00
	Ending General Fund Appropriations					\$ 14,958,224.82

Special Revenue Fund Group - 200						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
202	SCM&R Fund	\$ -	\$ -	\$ -	\$ -	\$ -
203	State Highway Fund	\$ -	\$ -	\$ -	\$ -	\$ -
204	Income Tax Transfer	\$ -	\$ -	\$ -	\$ -	\$ -
206	Paramedic Fund	\$ -	\$ -	\$ -	\$ -	\$ -
207	Income Tax Capital improvement	\$ -	\$ -	\$ -	\$ -	\$ -
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	\$ -	\$ -	\$ -	\$ -	\$ -
227	Safety Services Communications 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	\$ -	\$ -	\$ -	\$ -	\$ -
200	Total Special Revenue Funds	\$ -	\$ -	\$ -	\$ -	\$ -

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

Capital Project Fund Group - 400						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
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	\$ -	\$ -	\$ -	\$ -	\$ -
400 Total Capital Project Fund Group		\$ -	\$ -	\$ -	\$ -	\$ -

Enterprise Fund Group- 700						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
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	\$ -	\$ -	\$ -	\$ 200,000.00	\$ 200,000.00
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	\$ -	\$ -	\$ -	\$ -	\$ -
765	Later Loan Fund	\$ -	\$ -	\$ 200,000.00	\$ -	\$ 200,000.00
700 Total Enterprise Fund Group		\$ -	\$ -	\$ 200,000.00	\$ 200,000.00	\$ 400,000.00

Internal Service Fund Group - 600						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
601	Police Pension Fund	\$ -	\$ -	\$ -	\$ -	\$ -
602	Fire Pension fund	\$ -	\$ -	\$ -	\$ -	\$ -
611	Deposit Trust	\$ -	\$ -	\$ -	\$ -	\$ -
600 Total Internal Service Fund Group		\$ -	\$ -	\$ -	\$ -	\$ -

Deposit Fund Group - 801						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
801	Transfer fund	\$ -	\$ -	\$ -	\$ -	\$ -
800 Total Deposit Fund Group		\$ -	\$ -	\$ -	\$ -	\$ -

Grand Total All Funds		\$ -	\$ 335,000.00	\$ 200,000	\$ 200,000	\$ 735,000.00
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- 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: _____

President of Council

POSTED: _____

Approved

ATTEST: _____

Clerk of Council

Mayor

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

Department	Personal Service	Other	Equipment Replacement	Transfers	Total
Police	\$ -	\$ -	\$ -	\$ -	\$ -
Fire	\$ -	\$ -	\$ -	\$ -	\$ -
Public Health	\$ -	\$ -	\$ -	\$ -	\$ -
Recreation	\$ -	\$ -	\$ -	\$ -	\$ -
Building Inspection	\$ -	\$ -	\$ -	\$ -	\$ -
EAAB	\$ -	\$ -	\$ -	\$ -	\$ -
Planning Commission	\$ -	\$ -	\$ -	\$ -	\$ -
Historic Preservation	\$ -	\$ -	\$ -	\$ -	\$ -
Public Works	\$ -	\$ 300,000.00	\$ -	\$ -	\$ 300,000.00
Mayor	\$ -	\$ -	\$ -	\$ -	\$ -
Human Resources	\$ -	\$ -	\$ -	\$ -	\$ -
Economic Development	\$ -	\$ -	\$ -	\$ -	\$ -
IT	\$ -	\$ -	\$ -	\$ -	\$ -
Finance	\$ -	\$ 35,000.00	\$ -	\$ -	\$ 35,000.00
Law	\$ -	\$ -	\$ -	\$ -	\$ -
Council	\$ -	\$ -	\$ -	\$ -	\$ -
Court	\$ -	\$ -	\$ -	\$ -	\$ -
Civil Service	\$ -	\$ -	\$ -	\$ -	\$ -
General Government	\$ -	\$ -	\$ -	\$ -	\$ -
GRAND TOTAL	\$ -	\$ 335,000.00	\$ -	\$ -	\$ 335,000.00