

**VOTING ORDER**

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

**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 December 12, 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: November 28, 2016 Regular Council Meeting as amended.**

**Public Hearing: Upon an amendment to Planning & Zoning Code Section 1260.07, Outdoor Special Events, and Section 1260.10, Farmers Markets.**

Upon an amendment to Planning & Zoning Code Section 1217.04, Conditional Uses.

**Correspondence**

**Reports**

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

**Audience Participation**

**Motions**

**Authorizing the following sports affiliate grants: Avon Lake Lacrosse Club in the amount of \$1000.00; Avon Lake Wrestling Club in the amount of \$2000.00; Avon Lake Swim Team in the amount of \$3000.00; and Avon Lake Soccer Organization in the amount of \$14,000.00 – R. James.**

**Accepting the donation of signs at the Weiss Field Dog Park – R. James.**

**Authorizing the purchase of radios and equipment for the Police Department from Vasu Communications in an amount not to exceed \$14,388.03 – D. Kos.**

### **Legislation**

#### **Third Reading:**

**Temporary Legislation #10776, amending Codified Ordinance Chapter 618, entitled Animals.**

#### **Second Readings:**

**Temporary Legislation #10759, amending Planning & Zoning Code Section 1217.04, Conditional Use Permits.**

**Temporary Legislation #10760, amending Planning & Zoning Code Section 1260.07, Outdoor Special Events, and Section 1260.10, Farmers Markets.**

**Temporary Legislation #10783, making appropriations for the current and other expenditures of the City of Avon Lake for the fiscal year 2017.**

#### **First Readings:**

**Temporary Legislation #10784, repealing Ordinance No. 2016-148, authorizing the issuance of wastewater system revenue bonds→**

**Temporary Legislation #10785, providing for the issuance and sale of \$5,000,000 of notes to improve the sanitary sewer system.→**

**Temporary Legislation #10786, approving a change order to the contract with Bramhall Engineering.→**

**Temporary Legislation #10787, amending Codified Ordinance Section 208.01 (14) Pool Fees.**

**Temporary Legislation #10788, amending Codified Ordinance Section 208.01 (16), Lake House Rental Fees.→**

**Temporary Legislation #10789, providing for transfers of funds.→**

→Suspension of the rule requiring three readings

## **Miscellaneous Business and Announcements**

**Public Input**

**Adjournment**

→Suspension of the rule requiring three readings

BY: Mr. Kos

TEMP NO: 10776

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

AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER  
618, ENTITLED ANIMALS, AND DECLARING AN EMERGENCY.

WHEREAS, the Safety Committee recommended to Council an amendment to Codified Ordinance Chapter 618, entitled Animals, 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 618.20 (g) (2) is hereby amended as follows:

(g) Penalties.

(1) Whoever violates this section when the violation involves a nuisance dog is guilty of a misdemeanor of the fourth degree on the first offense, a misdemeanor of the third degree on the second offense, and a misdemeanor of the first degree on the third or any subsequent offense.

Notwithstanding the foregoing penalties, if the dog aggressively bites a domestic animal or human without provocation as a result of a violation of this section, then whoever violates this section is guilty of a misdemeanor of the first degree. Additionally, the court shall order the offender to complete dog obedience training within a specified period of time and provide written proof thereof to the Police Chief.

(2) Whoever violates this section when the violation involves a dangerous dog is guilty of a misdemeanor of the third degree on the first offense, a misdemeanor of the second degree on the second offense, and a misdemeanor of the first degree on the third or any subsequent offense.

Notwithstanding the foregoing penalties, if the dog aggressively bites a domestic animal or human without provocation as a result of a violation of this section, then whoever violates this section is guilty of a misdemeanor of the first degree. Additionally, the court shall order the offender to complete dog obedience training within a specified period of time and provide written proof thereof to the Police Chief. The court may further impose reasonable terms, conditions and restrictions deemed necessary to protect the public health, safety and welfare.

~~Notwithstanding the foregoing penalties, if the dog aggressively bites a domestic animal or human without provocation, causing serious injury, as a result of a violation of this section, then whoever violates this section is guilty of a misdemeanor of the first degree. The court may impose reasonable terms, conditions and restrictions deemed necessary to protect the public health, safety and welfare, including humane euthanasia of the dog by a licensed veterinarian.~~

**Notwithstanding the foregoing penalties, if the dog kills a domestic animal or causes serious injury to a human as a result of a violation of this section, then whoever violates this section**

is guilty of a misdemeanor of the first degree. The court may impose reasonable terms, conditions and restrictions deemed necessary to protect the public health, safety and welfare, including imposing additional keeping requirements on the dog while it is kept or harbored within the City, requiring the owner, keeper, or harborer of the dog to temporarily or permanently remove the dog from being kept or harbored in the City, or requiring humane euthanasia of the dog by a licensed veterinarian.

Section No. 2: That Codified Ordinance Chapter 618, entitled Animals, is hereby amended with the addition of Section 618.28, entitled Strict Liability.

### 618.28 STRICT LIABILITY

**Strict liability is imposed for the violation of any provision of Sections 618.01, 618.19, 618.20, 618.22, 618.24, and 618.26.**

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 to amend the dangerous dog ordinance to ensure the safety of the public. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1<sup>st</sup> reading: 11/14/16  
2<sup>nd</sup> reading: 11/28/16  
3<sup>rd</sup> reading:

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

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

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

BY: Mrs. Fenderbosch

TEMP NO: 10759

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

AN ORDINANCE AMENDING PLANNING & ZONING CODE  
SECTION 1217.04 CONDITIONAL USE PERMITS.

WHEREAS, Planning Commission at its meeting of October 4, 2016 recommended to Council an amendment to Planning & Zoning Code Section 1217.04. Conditional Use Permits, 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 1217.04 is hereby amended as follows:

1217.04 CONDITIONAL USE PERMITS

(g) Any lawfully existing use that, at the time when the use was established, was not classified as a conditional use, but which now, because of the passage of this Planning and Zoning Code, or amendment thereto, is listed as a conditional use in the district in which it is located, shall be deemed without further action to have been granted a conditional use permit. **Failure of such property to conform to current minimum lot requirements and setbacks shall not preclude such use from being deemed a conditional use.** Any change, modification, enlargement or alteration of such use, site development conditions, or change in operations shall only be permitted upon review and approval by the Planning Commission according to the procedures for conditional uses set forth in this Code.

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

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

1<sup>st</sup> reading: 10/24/16

2<sup>nd</sup> reading:

3<sup>rd</sup> reading:

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

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

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

\_\_\_\_\_  
Approved

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

Clerk of Council

\_\_\_\_\_  
Mayor

BY: Mrs. Fenderbosch

TEMP NO: 10760

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

AN ORDINANCE AMENDING PLANNING & ZONING CODE  
SECTION 1260.07, OUTDOOR SPECIAL EVENTS, AND  
SECTION 1260.10, FARMERS MARKETS.

WHEREAS, Planning Commission at its meeting of October 4, 2016 recommended to Council amendments to Planning & Zoning Code Section 1260.07, Outdoor Special Events, and Section 1260.10, Farmers Markets, and

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

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

Section No. 1: That Planning & Zoning Code Sections 1260.07 and 1260.10 are hereby amended as follows:

**1260.07 OUTDOOR SPECIAL EVENTS.**

Temporary retail activities, such as sales of plants, flowers, arts and crafts, and temporary inventory reduction or liquidation sales, shall be permitted in compliance with the following regulations:

(a) Residential Districts.

- (1) The Zoning Administrator may approve an existing permitted or conditional use to conduct a temporary retail activity, including carnivals and festivals on private property, so long as such activity is limited in duration to no more than 3 days and no more than 2 such events occur in each calendar year.
- (2) Any such activity, carnival or festival that is intended to last for ~~a minimum of 4 days~~ **more than 3 days** and ~~a maximum of~~ **but no more than** 60 days shall **must** be approved by ~~an administrative board which is comprised of~~ the Mayor, the Zoning Administrator, the Building Inspector, the Fire Chief and the Police Chief. Only one such event shall be permitted on a site in each calendar year. Carnivals or festivals as

approved shall be subject to fees as provided in the General Fee Schedule, Chapter 208 of the Administrative Code.

(b) Office, Business, and Industrial Districts. In Office, Business, and Industrial Districts, outdoor special events shall comply with the following:

(1) May be approved by the Zoning Administrator when proposed for a period no longer than 3 days and no more than 2 such events shall occur in each calendar year.

(2) May be approved by ~~an administrative board comprised of~~ the Mayor, the Zoning Administrator, the Building Inspector, the Fire Chief and the Police Chief, when proposed for more than 3 days but no longer than 60 days. Only one such event shall be permitted on a site in each calendar year. Carnivals or festivals as approved shall be subject to fees as provided in the General Fee Schedule, Chapter 208 of the Administrative Code.

(3) Such event, when proposed to extend for a period longer than 60 days, shall be considered by the Planning Commission as a conditional use. Regardless of the duration of the outdoor special event, in all cases the owner of the property on which the activity is to be conducted shall sign the permit application.

(c) Activities on Public Property. A special event may be conducted on property which is publicly owned so long as the owner of such public property files with the application for such event a written consent to the activities proposed on the property. Such event may be considered and approved by:

(1) The Zoning Administrator when proposed to be ~~less~~ **no more** than 3 days in duration;

(2) ~~An administrative board comprised of~~ **T**he Mayor, the Zoning Administrator, the Building Inspector, the Fire Chief and the Police Chief when proposed to be more than 3 days and less than 60 days in duration. Carnivals or festivals as approved shall be subject to fees as provided in the General Fee Schedule, Chapter 208 of the Administrative Code.

(3) The Planning Commission, as a conditional use, when proposed to be more than 60 days in duration.

However, such activities shall not be conducted in the public right-of-way unless the appropriate license is obtained from the City.



AN ORDINANCE TO MAKE APPROPRIATIONS FOR THE CURRENT AND OTHER EXPENDITURES OF THE CITY OF AVON LAKE FOR THE FISCAL YEAR 2017, AND DECLARING AN EMERGENCY

WHEREAS It is necessary to make permanent appropriations for 2017 as presented and reviewed by Council in various committee meetings,

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, 2017, the following sums be and they are hereby set aside and appropriated from the funds herein specified as follows, to wit:

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

<b>General Fund - 100</b>						
<b>Fund #</b>	<b>Fund Activity</b>	<b>Personal Service</b>	<b>Other</b>	<b>Capital Improvement</b>	<b>Transfers/Advances</b>	<b>Total</b>
	Beginning General Fund Appropriations	\$ 10,668,900.00	\$ 3,477,300.00		\$ 650,000.00	\$ 14,796,200.00
	100 Total General Fund Adjustments	\$ -	\$ -	\$ -	\$ -	\$ -
	Ending General Fund Appropriations					\$ 14,796,200.00

<b>Special Revenue Fund Group - 200</b>						
<b>Fund #</b>	<b>Fund Activity</b>	<b>Personal Service</b>	<b>Other</b>	<b>Capital Improvement</b>	<b>Transfers/Advances</b>	<b>Total</b>
202	SCM&R Fund	\$ 752,905.00	\$ 487,925.00	\$ -	\$ -	\$ 1,240,830.00
203	State Highway Fund	\$ -	\$ 90,000.00	\$ -	\$ -	\$ 90,000.00
204	Income Tax Transfer	\$ -	\$ -	\$ -	\$ 9,900,000.00	\$ 9,900,000.00
205	Improvement Fund	\$ -	\$ -	\$ -	\$ 200,000.00	\$ 200,000.00
206	Paramedic Fund	\$ 1,200,360.00	\$ 452,594.00	\$ 218,000.00	\$ -	\$ 1,870,954.00
207	Income Tax Capital improvement	\$ -	\$ -	\$ 2,596,400.00	\$ -	\$ 2,596,400.00
208	Office On Aging	\$ -	\$ 43,000.00	\$ -	\$ -	\$ 43,000.00
209	Dial-A-Bus Fund	\$ 36,810.00	\$ 3,000.00	\$ -	\$ -	\$ 39,810.00
210	Cable TV Improvement	\$ 93,500.00	\$ 25,550.00	\$ -	\$ -	\$ 119,050.00
212	Law Enforcement Trust Fund	\$ -	\$ 2,000.00	\$ -	\$ -	\$ 2,000.00
213	Law Enforcement Education	\$ -	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00
214	Indigent Drivers Alcohol Treatment	\$ -	\$ 35,000.00	\$ -	\$ -	\$ 35,000.00
215	Municipal Court Computer Fund	\$ -	\$ 12,500.00	\$ -	\$ -	\$ 12,500.00
216	COPS Fast Fund	\$ 107,545.00	\$ -	\$ -	\$ -	\$ 107,545.00
225	AL/Bay Park Improvement Fund	\$ -	\$ 207.45	\$ -	\$ -	\$ 207.45
226	Fire apparatus Acquisition Fund	\$ -	\$ -	\$ -	\$ -	\$ -
230	Board of Building Standards Assmnt	\$ -	\$ 4,500.00	\$ -	\$ -	\$ 4,500.00
231	Employee Sick time Buy Back Fund	\$ 115,000.00	\$ -	\$ -	\$ -	\$ 115,000.00
232	Street Tree Fund	\$ -	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00
235	Continuing Professionals Training	\$ -	\$ 5,780.00	\$ -	\$ -	\$ 5,780.00
236	ALMC-Court Security Fund	\$ 36,370.00	\$ 2,000.00	\$ -	\$ -	\$ 38,370.00
237	ALMC- Interlock Fund	\$ -	\$ 15,000.00	\$ -	\$ -	\$ 15,000.00
601	Police Pension Fund	\$ 213,600	\$ 5,545	\$ -	\$ -	\$ 219,145.00
602	Fire Pension fund	\$ 190,000	\$ 5,555	\$ -	\$ -	\$ 195,555.00
603	Recreation Fund					
	<b>Total Special Revenue Funds</b>	<b>\$ 2,746,090.00</b>	<b>\$ 1,196,156.45</b>	<b>\$ 2,814,400.00</b>	<b>\$ 10,100,000.00</b>	<b>\$ 16,856,646.45</b>

<b>Debt Service Fund Group - 300</b>						
<b>Fund #</b>	<b>Fund Activity</b>	<b>Personal Service</b>	<b>Other</b>	<b>Capital Improvement</b>	<b>Transfers/Advances</b>	<b>Total</b>
301	General Bond Retirement	\$ -	\$ 6,365,661.87	\$ -	\$ -	\$ 6,365,661.87
302	GO Bond Retirement (Voted)	\$ -	\$ 335,151.26	\$ -	\$ -	\$ 335,151.26
501	Special Assessment Bond Retirement	\$ -	\$ 352,322.09	\$ -	\$ -	\$ 352,322.09
		\$ -	\$ -	\$ -	\$ -	\$ -
	<b>Total Debt Service Funds</b>	<b>\$ -</b>	<b>\$ 7,053,135.22</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 7,053,135.22</b>

<b>Capital Project Fund Group - 400</b>						
<b>Fund #</b>	<b>Fund Activity</b>	<b>Personal Service</b>	<b>Other</b>	<b>Capital Improvement</b>	<b>Transfers/Advances</b>	<b>Total</b>
400	OCP Rt 83/Webber Rd	\$ -	\$ -	\$ -	\$ -	\$ -
401	Lear/Krebs Intersection	\$ -	\$ -	\$ 1,065,000.00	\$ -	\$ 1,065,000.00
410	Sewer Speration Projects	\$ -	\$ -	\$ -	\$ -	\$ -
417	OCP Police/Court Facility	\$ -	\$ -	\$ -	\$ -	\$ -
424	OCP Canterbury Road Imp	\$ -	\$ -	\$ -	\$ -	\$ -
426	OCP Troy School Driveway	\$ -	\$ -	\$ -	\$ -	\$ -
440	Walker/Lear Roads Intersection	\$ -	\$ -	\$ -	\$ -	\$ -
443	North Point Erosion Control	\$ -	\$ -	\$ -	\$ -	\$ -
445	Pool Reconstruction Fund	\$ -	\$ -	\$ 13,500.00	\$ -	\$ 13,500.00
<b>Total Capital Project Fund Group</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,078,500.00</b>	<b>\$ -</b>	<b>\$ 1,078,500.00</b>

<b>Special Assessment Projects Group - 500</b>						
<b>Fund #</b>	<b>Fund Activity</b>	<b>Personal Service</b>	<b>Other</b>	<b>Capital Improvement</b>	<b>Transfers/Advances</b>	<b>Total</b>
520	SA Walker Rd/Lear East	\$ -	\$ -	\$ -	\$ -	\$ -
521	SA Lear Rd/Walker South	\$ -	\$ -	\$ -	\$ -	\$ -
522	SA Titus Pitts-Hill Ditch	\$ -	\$ -	\$ -	\$ -	\$ -
525	Sidewalk Street Lighting	\$ -	\$ 440.00	\$ -	\$ -	\$ 440.00
527	Cove Avenue Improvements	\$ -	\$ 2,100.00	\$ -	\$ -	\$ 2,100.00
<b>Special Assessment Projects Group</b>		<b>\$ -</b>	<b>\$ 2,540.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,540.00</b>

<b>Enterprise Fund Group- 700</b>						
<b>Fund #</b>	<b>Fund Activity</b>	<b>Personal Service</b>	<b>Other</b>	<b>Capital Improvement</b>	<b>Transfers/Advances</b>	<b>Total</b>
701	Water Fund	\$ 2,903,000.00	\$ 2,919,000.00	\$ -	\$ 3,944,000.00	\$ 9,766,000.00
703	Water MOR SUB Fund	\$ -	\$ 2,155,317.00	\$ 110,000.00	\$ -	\$ 2,265,317.00
704	Waterworks Construction Fund	\$ -	\$ -	\$ 19,650,000.00	\$ 800,000.00	\$ 20,450,000.00
706	Water Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -
721	Sewer Fund	\$ 2,664,000.00	\$ 1,930,000.00	\$ -	\$ 1,490,000.00	\$ 6,084,000.00
724	Sewer System Construction Fund	\$ -	\$ -	\$ 29,800,000.00	\$ -	\$ 29,800,000.00
725	Trunk Sanitary Sewer Fund	\$ -	\$ 14,041.00	\$ -	\$ -	\$ 14,041.00
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	\$ -	\$ 4,125,000.00	\$ 595,000.00	\$ -	\$ 4,720,000.00
<b>700</b>	<b>Total Enterprise Fund Group</b>	<b>\$ 5,567,000.00</b>	<b>\$ 11,143,358.00</b>	<b>\$ 50,155,000.00</b>	<b>\$ 6,234,000.00</b>	<b>\$ 73,099,358.00</b>

<b>Trust and Agency Fund Group - 600</b>						
<b>Fund #</b>	<b>Fund Activity</b>	<b>Personal Service</b>	<b>Other</b>	<b>Capital Improvement</b>	<b>Transfers/Advances</b>	<b>Total</b>
611	Deposit Trust	\$ -	\$ 1,000	\$ -	\$ -	\$ 1,000
<b>600</b>	<b>Total Internal Service Fund Group</b>	<b>\$ -</b>	<b>\$ 1,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,000</b>

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

<b>Grand Total All Funds</b>		<b>\$ 18,981,990.00</b>	<b>\$ 22,873,489.67</b>	<b>\$ 54,047,900.00</b>	<b>\$ 16,984,000.00</b>	<b>\$ 112,887,379.67</b>
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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, 2017 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.

1st reading: 11/28/2016  
2nd reading: \_\_\_\_\_  
3rd reading: \_\_\_\_\_

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	\$ 3,828,125.00	\$ 332,400.00	\$ -	\$ -	\$ 4,160,525.00
Fire	\$ 2,389,225.00	\$ 178,040.00	\$ -	\$ -	\$ 2,567,265.00
Public Health	\$ -	\$ 100,000.00	\$ -	\$ -	\$ 100,000.00
Recreation	\$ 540,565.00	\$ 319,450.00	\$ -	\$ -	\$ 860,015.00
Building Inspection	\$ 362,960.00	\$ 33,475.00	\$ -	\$ -	\$ 396,435.00
EAAB	\$ 600.00	\$ 1,040.00	\$ -	\$ -	\$ 1,640.00
Planning Commission	\$ -	\$ 2,000.00	\$ -	\$ -	\$ 2,000.00
Historic Preservation	\$ -	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00
Public Works	\$ 2,080,540.00	\$ 992,920.00	\$ -	\$ -	\$ 3,073,460.00
Mayor	\$ 204,675.00	\$ 43,750.00	\$ -	\$ -	\$ 248,425.00
Human Resources	\$ 38,115.00	\$ 7,500.00	\$ -	\$ -	\$ 45,615.00
Economic Development	\$ 80,000.00	\$ 295,000.00	\$ -	\$ -	\$ 375,000.00
IT	\$ -	\$ 55,000.00	\$ -	\$ -	\$ 55,000.00
Finance	\$ 398,985.00	\$ 316,750.00	\$ -	\$ -	\$ 715,735.00
Law	\$ 234,825.00	\$ 144,200.00	\$ -	\$ -	\$ 379,025.00
Council	\$ 184,625.00	\$ 32,000.00	\$ -	\$ -	\$ 216,625.00
Court	\$ 319,720.00	\$ 62,300.00	\$ -	\$ -	\$ 382,020.00
Civil Service	\$ 5,940.00	\$ 8,175.00	\$ -	\$ -	\$ 14,115.00
General Government	\$ -	\$ 552,300.00	\$ -	\$ 650,000.00	\$ 1,202,300.00
<b>GRAND TOTAL</b>	<b>\$ 10,668,900.00</b>	<b>\$ 3,477,300.00</b>	<b>\$ -</b>	<b>\$ 650,000.00</b>	<b>\$ 14,796,200.00</b>

BY: Mr. Meiners

TEMP NO: 10784

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

AN ORDINANCE REPEALING ORDINANCE NO. 2016-148,  
AUTHORIZING THE ISSUANCE OF WASTEWATER SYSTEM  
REVENUE BONDS, AND DECLARING AN EMERGENCY.

WHEREAS, it has been determined that Avon Lake Regional  
Water does not qualify for the terms of the debt covenant in  
order to issue said bonds authorized in Ordinance No. 2016-  
148, now therefore;

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

Section No. 1: That Ordinance No. 2016-148 is hereby  
repealed.

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  
repeal the authorization of the issuance of wastewater revenue  
bonds and maintain the financial integrity 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

ORDINANCE NO. \_\_\_\_\_-2016

**AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$5,000,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF IMPROVING THE SANITARY SEWER SYSTEM BY CONSTRUCTING AND RECONSTRUCTING SANITARY SEWERS AND RELATED SANITARY FACILITIES, WATER MAINS AND RELATED WATER SUPPLY FACILITIES AND STORM SEWERS AND RELATED DRAINAGE FACILITIES TO PROVIDE FOR THE SEPARATION OF EXISTING STORM SEWERS FROM SANITARY SEWERS AND CONTROL AND LIMIT THE VOLUME OF STORM WATER ENTERING OR OTHERWISE AFFECTING THE SANITARY SEWER SYSTEM, AS PART OF THE "MOOREWOOD AREA COMBINED SEWER SEPARATION PROJECT", AND DECLARING AN EMERGENCY.**

WHEREAS, pursuant to Ordinance No. 81-2014, passed on June 16, 2014, there were issued \$6,000,000 of notes in anticipation of bonds for the purpose stated in Section 1 as part of a consolidated issue of \$12,329,000 Various Purpose Notes, Series 2014, which notes were retired at maturity, together with other funds available to the City, with \$5,700,000 of notes issued in anticipation of bonds pursuant to Ordinance No. 79-2015, passed on June 8, 2015, as part of a consolidated issue of \$11,711,000 Various Purpose Notes, Series 2015, which notes were retired at maturity, together with other funds available to the City, with the City's \$5,550,000 Utilities Improvement Notes, Series 2016 (the Outstanding Notes), issued in anticipation of bonds pursuant to Ordinance No. 86-2016, passed on June 27, 2016, which Outstanding Notes mature on December 15, 2016; and

WHEREAS, this Council finds and determines that the City should retire the Outstanding Notes with the proceeds of the Notes described in Section 3 and other funds available to the City; and

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of the improvement described in Section 1 is at least five years, the estimated maximum maturity of the Bonds described in Section 1 is 40 years and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds, is July 15, 2034;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Avon Lake, County of Lorain, Ohio, that:

**Section 1.** Authorized Principal Amount of Anticipated Bonds and Purpose. It is necessary to issue bonds of the City in the aggregate principal amount of \$5,000,000 (the Bonds) for the purpose of paying costs of improving the sanitary sewer system by constructing and reconstructing sanitary sewers and related sanitary facilities, water mains and related water supply facilities and storm sewers and related drainage facilities to provide for the separation of existing storm sewers from sanitary sewers and control and limit the volume of storm water entering or otherwise affecting the sanitary sewer system, all together with the necessary appurtenances and work incidental thereto, as part of the “Moorewood Area Combined Sewer Separation Project”.

**Section 2.** Estimated Bond Terms. The Bonds shall be dated approximately June 1, 2017, shall bear interest at the now estimated rate of 5% per year, payable semiannually until the principal amount is paid, and are estimated to mature in 40 annual principal installments on December 1 of each year that are in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable are substantially equal. The first interest payment on the Bonds is estimated to be December 1, 2017, and the first principal payment on the Bonds is estimated to be December 1, 2018.

**Section 3.** Authorized Principal Amount of Notes; Dating; Interest Rate. It is necessary to issue and this Council determines that notes in the aggregate principal amount of \$5,000,000 (the Notes) shall be issued in anticipation of the issuance of the Bonds and to retire, together with other funds available to the City, the Outstanding Notes. The Notes shall be dated the date of issuance and shall mature on July 12, 2017. The Notes shall bear interest at the rate of 1.50% per year (computed on the basis of a 360-day year consisting of 12 30-day months), payable at maturity and until the principal amount is paid or payment is provided for.

**Section 4.** Payment of Debt Charges; Paying Agent. The debt charges on the Notes shall be payable in lawful money at the office of the Director of Finance (the Paying Agent).

**Section 5.** Execution of Notes. The Notes shall be signed by the Mayor and the Director of Finance, in the name of the City and in their official capacities, provided that one of those signatures may be a facsimile. The entire principal shall be represented by a single note, which shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon its face the purpose, in summary terms, for which it is being issued and that it is issued pursuant to this Ordinance.

**Section 6.** Sale of the Notes. The Notes are offered at a purchase price, not less than par, as shall be determined by the Director of Finance, plus any accrued interest, to the Treasury Investment Board of the City for investment under Section 731.56 of the Revised Code. Any Notes not purchased by the Treasury Investment Board shall be sold at not less than 100% of par plus accrued interest at private sale by the Director of Finance in accordance with law and the provisions of this Ordinance. The Director of Finance shall cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the original purchaser, to the original purchaser upon payment of the purchase price. The Mayor, the Director of Finance, the Director of Law, the Clerk of Council and other City officials, as appropriate, are each authorized and directed to sign any

transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Notes with one or more other note issues of the City into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

**Section 7.** Application of Note Proceeds. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

**Section 8.** Application and Pledge of Bond or Renewal Note Proceeds or Excess Funds. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

**Section 9.** Provisions for Tax Levy. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due. In each year to the extent money from the sanitary sewer system or other sources is lawfully available for the payment of the debt charges on the Notes and Bonds and is appropriated for that purpose, the tax shall be reduced by the amount of money so available and appropriated.

**Section 10.** Certification and Delivery of Ordinance. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance to the Lorain County Auditor.

**Section 11.** Satisfaction of Conditions for Note Issuance. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

**Section 12.** Retention of Bond Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with

the issuance and sale of the Notes and the rendering of the necessary legal opinion upon the delivery of the Notes. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

**Section 13.** Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

**Section 14.** Captions and Headings. The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

**Section 15.** Declaration of Emergency; Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective so that the Notes can be sold at the earliest possible date, which is necessary to enable the City to retire the Outstanding Notes and thereby preserve its credit; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

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

PASSED: \_\_\_\_\_, 2016

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

POSTED: \_\_\_\_\_, 2016

\_\_\_\_\_  
Approved

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

\_\_\_\_\_  
Mayor

BY: Mr. James

TEMP NO: 10786

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

AN ORDINANCE APPROVING A CHANGE ORDER TO THE CONTRACT WITH BRAMHALL ENGINEERING, AND DECLARING AN EMERGENCY.

WHEREAS, it has been found that a change order to the contract with Bramhall Engineering is needed for additional design costs for the Lear Road/Krebs Road Intersection Project, and

WHEREAS, the Council has reviewed said expenditure and approves said change order for an amount not to exceed \$14,000.00, now therefore;

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

Section No. 1: That the \$14,000.00 change order to the contract with Bramhall Engineering for the Lear Road/Krebs Road Intersection Project is hereby approved and accepted.

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 approving a change order to authorize additional costs for this project to ensure the safety of motorists and this highly travelled intersection, thus for the health, safety, and welfare of the public. Therefore, this Ordinance shall go into immediate force and effect from and after its passage and approval by the Mayor.

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

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

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

BY: Mr. James

TEMP NO: 10787

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

AN ORDINANCE AMENDING CODIFIED ORDINANCE  
SECTION 208.01 (14), POOL FEES.

WHEREAS, the Parks & Recreation Commission and the Public Service Committee have recommended amending Codified Ordinance Section 208.01 (14), Pool Fees, 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 (14) is hereby amended as follows.

<del>(14) Pool fees.</del>	-
<del>    A. General admission for residents</del>	-
<del>        Ages 3 through 17</del>	<del>\$4.00 per day</del>
<del>        Ages 18 through 59</del>	<del>\$5.00 per day</del>
<del>        Ages 60 years of age and over</del>	<del>No charge</del>
<del>        Ages 2 years of age and under</del>	<del>No charge</del>
<del>        Active duty armed forces personnel and Purple Heart recipients and their immediate families</del>	<del>No charge</del>
<del>    B. Guests accompanied by resident</del>	-
<del>        Through 17 years of age</del>	<del>\$6.00 per day</del>
<del>        Ages 18 through 59</del>	<del>\$7.00 per day</del>
<del>        60 years of age and over</del>	<del>\$4.00 per day</del>
<del>    C. City nonresident employees and their immediate families         (Do not have to be accompanied by a resident)</del>	<del>Nonresident guest fee</del>

<del>D. Season pass.</del>		
Family Size	By 05/15	After 05/15
Age 3-18	\$45.00	\$55.00
Age 19-59	\$50.00	\$60.00
2	\$90.00	\$100.00
3	\$110.00	\$120.00

4	\$125.00	\$135.00
5	\$140.00	\$150.00
6	\$155.00	\$165.00
7	\$170.00	\$180.00
8	\$185.00	\$195.00
9	\$200.00	\$210.00
10	\$215.00	\$225.00
11	\$230.00	\$240.00
12	\$245.00	\$255.00
Nanny	\$40.00	\$50.00

Early Bird Rate: Purchased by 5/15	
Number of People:	
1	<b>\$60.00</b>
2	<b>\$102.00</b>
3	<b>\$138.00</b>
4	<b>\$168.00</b>
5	<b>\$192.00</b>
6	<b>\$210.00</b>
More	<b>Cap at \$210.00</b>
Senior	<b>\$15.00</b>
Nanny	<b>\$65.00</b>
Swim Team	<b>\$35.00</b>
Regular Rate: Purchased after 5/15	
Number of People:	
1	<b>\$70.00</b>
2	<b>\$119.00</b>
3	<b>\$161.00</b>

4	<b>\$196.00</b>
5	<b>\$224.00</b>
6	<b>\$245.00</b>
More	<b>Cap at \$245.00</b>
Senior	<b>\$25.00</b>
Nanny	<b>\$75.00</b>
Swim Team	<b>\$35.00</b>

<b>2017 Daily Admission Rates</b>		
	<b>Resident</b>	<b>Non-Res</b>
Adult	<b>\$6.00</b>	<b>\$8.00</b>
Senior	<b>\$2.00</b>	<b>\$4.00</b>
Student (6-18)	<b>\$5.00</b>	<b>\$7.00</b>
Child (3-5)	<b>\$4.00</b>	<b>\$4.00</b>
Infant	<b>NC</b>	<b>NC</b>
Military	<b>NA</b>	<b>NA</b>

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 and immediately after its passage and approval by the Mayor.

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

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

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

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

\_\_\_\_\_  
Approved

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

Clerk of Council

\_\_\_\_\_  
Mayor

BY: Mr. James

TEMP NO: 10788

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

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 208.01 (16), LAKE HOUSE RENTAL, AND DECLARING AN EMERGENCY.

WHEREAS, the Parks & Recreation Commission and the Public Service Committee have recommended amending Codified Ordinance Section 208.01 (16), Lake House Rental, 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 (16) is hereby amended as follows.

Lake House/**Folger Home** Rental

	Rental Fee		Security Deposit	
	First 3 Hours	Additional Hours	No Alcohol	Alcohol
Weekday: Monday - Thursday				
Resident	<del>\$100.00</del> <b>\$150.00</b>	<del>\$15.00</del> <b>\$20.00</b>	\$100.00	\$200.00
Avon Lake nonprofit/ business	<del>\$50.00</del> <b>\$100.00</b>	<del>\$15.00</del> <b>\$20.00</b>	\$100.00	\$200.00
Avon Lake bereavement	<del>\$75.00</del> <b>\$125.00</b>	<del>\$15.00</del> <b>20.00</b>	\$100.00	\$200.00
Nonresident	<del>\$200.00</del> <b>\$250.00</b>	<del>\$30.00</del> <b>\$35.00</b>	\$100.00	\$200.00
Out-of-town nonprofit/ business	<del>\$100.00</del> <b>\$150.00</b>	<del>\$30.00</del> <b>\$35.00</b>	\$100.00	\$200.00
Nonresident bereavement	<del>\$150.00</del> <b>\$200.00</b>	<del>\$30.00</del> <b>\$35.00</b>	\$100.00	\$200.00
Weekend: Friday - Sunday	-			
Resident	<del>\$150.00</del> <b>\$200.00</b>	<del>\$25.00</del> <b>\$35.00</b>	\$100.00	\$200.00
Avon Lake bereavement	<del>\$125.00</del> <b>\$150.00</b>	<del>\$25.00</del> <b>\$35.00</b>	\$100.00	\$200.00
Nonresident	<del>\$300.00</del> <b>\$400.00</b>	\$50.00	\$100.00	\$200.00
Nonresident bereavement	<del>\$250.00</del> <b>\$350.00</b>	\$50.00	\$100.00	\$200.00
Holiday				
Resident	<del>\$200.00</del> <b>\$250.00</b>	\$50.00	\$100.00	\$200.00
Nonresident	<del>\$300.00</del> <b>\$450.00</b>	<del>\$100.00</del> <b>\$65.00</b>	\$100.00	\$200.00

The Folger Home is managed by Heritage Avon Lake which is a 501c3 organization and is responsible for facility renovation. Three hours minimum rental will be charged. All setup and cleanup time must be a part of the

charged rental time. A two-hour cleaning period is required between all rentals. Any weekday rental carrying over from daytime into the evening hours will be charged daytime rate. Nonprofit organizations must provide nonprofit documentation. Nonprofit and business address will be used to determine residency. Bereavement rentals can only be made through the Recreation Office. Holidays include New Year's Day, Good Friday, Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day after Thanksgiving Day, Christmas Day. For those holidays falling on weekends, the holiday rate shall be used

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

Section No. 3: That this Ordinance is hereby declared to be an emergency measure in order to have the new fees in place by January 1, 2017 and to bring additional revenue into the City and further to offer equitable facility rentals, 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:	_____	_____
		President of Council
POSTED:	_____	_____
		Approved
ATTEST:	_____	_____
	Clerk of Council	Mayor

BY: Mr. Meiners

TEMP NO: 10789

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 December:

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