

VOTING ORDER

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

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

The following business is to be considered at the regular meeting of the Avon Lake City Council on July 13, 2015 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: June 22, 2015 Regular Council Meeting as prepared and published.

Appointment of Firefighter/Paramedics

Temporary Legislation #10531, AN ORDINANCE CONFIRMING THE APPOINTMENT OF A FIREFIGHTER/PARAMEDIC IN THE FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.

Temporary Legislation \$10532, AN ORDINANCE CONFIRMING THE APPOINTMENT OF A FIREFIGHTER/PARAMEDIC IN THE FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.

Administration of the Oath of Office to Kyle Urig by Law Director Lieberman.

Administration of the Oath of Office to Brian Wood by Law Director Lieberman.

Proclamation: Emma Jankowski, National Spelling Bee Participant

Correspondence

Reports
Mayor
Council President
Public Works Director

Director of Law
Director of Finance
Standing Committees
Special Committees

Audience Participation

Legislation

Reconsideration

Temporary Legislation #10506, establishing the full-time position of Economic Development Director.

Third Readings:

Temporary Legislation #10514, amending the Codified Ordinances to permit intoxicating liquor at the Lake House, Assembly Hall (Folger Home), and the Peter Miller House Museum.

Temporary Legislation #10515, amending Codified Ordinance Section 208.01 (e) (16), entitled Lake House.

Temporary Legislation #10516, establishing the full-time position of Recreation Programmer and adopting a job description.

Second Readings:

Temporary Legislation #10527, providing for the renewal of the Health Services Contract with the City of Lorain.→

Temporary Legislation #10528, authorizing the donation of unclaimed bicycles in the Police Department.→

Temporary Legislation #10529R, approving a salary adjustment for Janine Mackert, Business Liaison.→

First Readings:

Temporary Legislation #10533, authoring the purchase of a Ford Focus for the Building Department.→

Temporary Legislation #10534, approving the use of submerged lands.→

Temporary Legislation #10535, providing for the issuance and sale of \$1,500,000 of notes.→

→Suspension of the rule requiring three readings

Temporary Legislation #10536, adopting and declaring the 2016 tax budget.→

Temporary Legislation #10537, amending appropriations and other expenditures for the year 2015.→

Temporary Legislation #10538, authorizing a personal services agreement with Bramhall Engineering.→

Temporary Legislation #10539, amending Codified Ordinance Section 1010.11 and adding Codified Ordinance Section 1010.111 pertaining to tree laws.

Temporary Legislation #10540, authorizing a payment to Republic Services.→

Temporary Legislation #10541, amending Planning & Zoning Code Chapter 1212 and Chapter 1242 pertaining to multi-family regulations.

Temporary Legislation #10542, amending Codified Ordinance Section 131-2014, approving wage increases for full-time non-bargaining unit employees.→

Temporary Legislation #10543, approving a change order to the contract with Clemans Nelson & Associates.→

Miscellaneous Business and Announcements

Public Input

Adjournment

BY: Mr. Bucci

TEMP NO: 10531

ORDINANCE NO. _____

AN ORDINANCE CONFIRMING THE APPOINTMENT OF A
FIREFIGHTER/PARAMEDIC IN THE FIRE DEPARTMENT,
AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to the terms of the Civil Service provisions of the Codified Ordinances of Avon Lake, tests have been given and an eligibility list established for such position and the Mayor has submitted to this Council for confirmation an appointment to said position, now therefore;

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

Section No. 1: That the appointment of Kyle Urig to the position of Firefighter/Paramedic in the Fire Department, be, and it is hereby approved and confirmed to serve at the will of Council during his probationary period which is hereby set as one calendar year from the effective date of hire.

Section No. 2: That the duties and responsibilities to be performed and undertaken by the Firefighter/Paramedic are shown in the job description for said position adopted by Ordinance No. 132-2011.

Section No. 3: That with Council's present knowledge of Mr. Urig's experience, ability, and current certifications it has and does fix a bi-weekly Step 2 salary of \$2,237.82 for the position, effective July 14, 2015.

Section No. 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 5: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity to fully staff the Fire Department to ensure the efficient operation of the Department, thus for the preservation of the health, safety, and welfare of the residents of Avon Lake. Therefore, this Ordinance shall take effect and be in full force immediately upon its passage and approval by the Mayor.

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

BY: Mr. Bucci

TEMP NO: 10532

ORDINANCE NO. _____

AN ORDINANCE CONFIRMING THE APPOINTMENT OF A
FIREFIGHTER/PARAMEDIC IN THE FIRE DEPARTMENT,
AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to the terms of the Civil Service provisions of the Codified Ordinances of Avon Lake, tests have been given and an eligibility list established for such position and the Mayor has submitted to this Council for confirmation an appointment to said position, now therefore;

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

Section No. 1: That the appointment of Brian Wood to the position of Firefighter/Paramedic in the Fire Department, be, and it is hereby approved and confirmed to serve at the will of Council during his probationary period which is hereby set as one calendar year from the effective date of hire.

Section No. 2: That the duties and responsibilities to be performed and undertaken by the Firefighter/Paramedic are shown in the job description for said position adopted by Ordinance No. 132-2011.

Section No. 3: That with Council's present knowledge of Mr. Wood's experience, ability, and current certifications it has and does fix a bi-weekly Step 1 salary of \$2,060.67 for the position, effective July 14, 2015.

Section No. 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 5: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity to fully staff the Fire Department to ensure the efficient operation of the Department, thus for the preservation of the health, safety, and welfare of the residents of Avon Lake. Therefore, this Ordinance shall take effect and be in full force immediately upon its passage and approval by the Mayor.

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

BY: Mr. Bucci

TEMP NO: 10506

ORDINANCE NO. 85-2015

AN ORDINANCE ESTABLISHING THE FULL-TIME POSITION
OF ECONOMIC DEVELOPMENT DIRECTOR.

WHEREAS, Section 36 of the Charter authorizes Council to provide for other departments, divisions, boards, commissions, officers and employees as it may deem necessary from time to time, and determine the organization and duties of said departments, divisions, boards, commissions, officers and employees, and

WHEREAS, it has been determined by the Economic Development Committee that it is in the best interest of the City of Avon Lake and its residents to establish the Department of Economic Development, and

WHEREAS, the Department of Economic Development shall be overseen by a full-time Economic Development Director, and

WHEREAS, the specifications, duties, and qualifications applicable to the position of Economic Development Director shall be shown on a job description approved by City Council, now therefore;

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

Section No. 1: That the Department of Economic Development is hereby created.

Section No. 2: There is hereby created an Economic Development Director.

Section No. 3: The Economic Development Director shall be appointed by and report directly to the Mayor, with the confirmation of City Council.

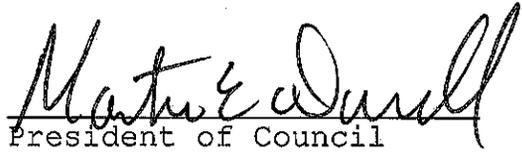
Section No. 4: The Economic Development Director shall be entitled to the rights and benefits conferred by Sections 260 and 262 of the Codified Ordinances.

Section No. 5: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 6: That this Ordinance shall be in full force and effect on January 1, 2016.

1st reading: 5/26/15
2nd reading: 6/03/15
3rd reading:

PASSED: 6/22/15


President of Council

POSTED: 6/26/15

6/23/15
Approved

ATTEST: 
Clerk of Council

Mayor

BY: Mr. O'Donnell

TEMP NO: 10514R

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 1070.02 OF THE CODIFIED ORDINANCES TO PERMIT INTOXICATING LIQUOR AT THE LAKE HOUSE, ASSEMBLY HALL (FOLGER HOME) AND THE PETER MILLER HOUSE MUSEUM, AND AMENDING SECTION 1070.99 OF THE CODIFIED ORDINANCES TO PROVIDE AN APPROPRIATE PENALTY FOR VIOLATIONS, AND DECLARING AN EMERGENCY.

WHEREAS, Subsection 1070.02(l) of the Codified Ordinances of the City currently prohibits intoxicating liquor in any park, on any beach or in a park building or other recreational areas; and

WHEREAS, Council has determined that it is advisable to allow intoxicating liquor at Assembly Hall (the Folger Home), Lake House at Veterans Memorial Park and the Peter Miller House Museum;

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

Section No. 1: That division (l) of Section 1070.02 of the Codified Ordinances of the City is hereby amended as follows:

(l) Consumption of Alcoholic Beverages. ~~No~~Except as hereinafter provided, no intoxicating liquor or intoxicated person is permitted in any park, on any beach or in a park building and other recreational areas. "Intoxicating liquor" includes all beverages which contain any alcoholic content whatsoever, i.e. beer, wine, liquor, ale or spirituous beverages. The dispensing, use, drinking and consumption of intoxicating liquor shall be permitted indoors and in adjacent enclosed areas outdoors only at:

(i) Lake House located at Veterans Memorial Park,

(ii) Assembly Hall (the Folger Home) located at Veterans Memorial Park, and

(iii) The Peter Miller House Museum located at Miller Road Park,

if such dispensing, use, drinking and consumption has been approved in advance by the Mayor and the Recreation Director, adequate security in the form of one or more off-duty peace officers authorized to discharge duties in Lorain County is provided, and if:

(1) Such dispensing, use, drinking or consumption is pursuant to a valid Class F, F-1, F-2, F-3, F-4, F-5, F-6, F-7 or F-8 Liquor Permit issued by the Ohio Department of Commerce, Division of Liquor Control; or

(2) Such dispensing, use, drinking or consumption is in conjunction with a scheduled event held at Lake House or Assembly Hall at which alcoholic beverages will be provided at no charge to the guests.

The number of security persons to be provided and requirements concerning their affiliation and enforcement authority must be approved in advance by the Chief of Police. The fee for utilizing Lake House, Assembly Hall (the Folger Home) and the Peter Miller House Museum for an event at which intoxicating liquor is to be dispensed, used, drunk or consumed shall be as specified in the General Fee Schedule set forth in Section 208.01 of the Codified Ordinances.

Section No. 2: That Section 1070.99 of the Codified Ordinances of the City is hereby amended by the addition of the following division (c):

(c) Whoever violates Section 1070.02(l) is guilty of a misdemeanor of the fourth degree and shall be fined not more than two hundred fifty dollars (\$250.00) or imprisoned not more than thirty (30) days, or both.

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 in order to enhance rentals of the facilities and attract more renters to bring additional revenue into the City, and further to have ordinances in place to ensure the safety of guests of the facilities and patrons visiting the parks. Therefore, this Ordinance shall be in full force and effect from and immediately after passage and approval by the Mayor.

1st reading: 6/08/15

2nd reading: 6/22/15

3rd reading:

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

BY: Mr. James

TEMP NO: 10515

ORDINANCE NO. _____

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

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

(16) Lake House Rental

~~A security deposit of \$100.00 is required for each rental and will be refunded by the Recreation Director or his or her designee upon satisfactory inspection of the rooms uses. Usage fees can be waived upon recommendation of the Recreation Director or his or her designee.~~

~~Resident: _____ 150.00 for the first three
_____ hours *plus 25.00 each
_____ additional hour~~

~~Nonresident _____ 250.00 for the first
three
_____ hours *plus 50.00 for each
_____ additional hour~~

~~Nonprofit organization _____ 50.00 for the first three
_____ hours *plus 15.00 each
_____ additional hour~~

~~*There will be a three-hour minimum for all reservations.~~

	NO ALCOHOL			ALCOHOL		
MONDAY - THURSDAY DAYTIME (8am - 4pm)	First 3 Hours	Additional Hours	Security Deposit	First 3 Hours	Additional Hours	Security Deposit
Resident	\$ 100.00	\$ 15.00	\$ 100.00	\$ 200.00	\$ 30.00	\$ 200.00
Avon Lake Non-profit	\$ 50.00	\$ 15.00	\$ 100.00	\$ 100.00	\$ 30.00	\$ 200.00
Avon Lake Business	\$ 50.00	\$ 15.00	\$ 100.00	\$ 100.00	\$ 30.00	\$ 200.00
Avon Lake Bereavement	\$ 75.00	\$ 15.00	\$ 100.00	\$ 150.00	\$ 30.00	\$ 200.00
Non-resident	\$ 200.00	\$ 25.00	\$ 100.00	\$ 400.00	\$ 50.00	\$ 200.00
Out-of-town Non-profit	\$ 75.00	\$ 25.00	\$ 100.00	\$ 150.00	\$ 50.00	\$ 200.00
Out-of-town Business	\$ 75.00	\$ 25.00	\$ 100.00	\$ 150.00	\$ 50.00	\$ 200.00
Non-resident Bereavement	\$ 100.00	\$ 25.00	\$ 100.00	\$ 200.00	\$ 50.00	\$ 200.00
	NO ALCOHOL			ALCOHOL		
MONDAY - THURSDAY EVENING (5:30pm - 11pm)	First 3 Hours	Additional Hours	Security Deposit	First 3 Hours	Additional Hours	Security Deposit
Resident	\$ 125.00	\$ 20.00	\$ 100.00	\$ 225.00	\$ 40.00	\$ 200.00
Avon Lake Non-profit	\$ 75.00	\$ 20.00	\$ 100.00	\$ 125.00	\$ 40.00	\$ 200.00
Avon Lake Business	\$ 75.00	\$ 20.00	\$ 100.00	\$ 125.00	\$ 40.00	\$ 200.00
Avon Lake Bereavement	\$ 100.00	\$ 20.00	\$ 100.00	\$ 175.00	\$ 40.00	\$ 200.00
Non-resident	\$ 225.00	\$ 40.00	\$ 100.00	\$ 425.00	\$ 80.00	\$ 200.00
Out-of-town Non-profit	\$ 100.00	\$ 40.00	\$ 100.00	\$ 175.00	\$ 80.00	\$ 200.00
Out-of-town Business	\$ 100.00	\$ 40.00	\$ 100.00	\$ 175.00	\$ 80.00	\$ 200.00
Non-resident Bereavement	\$ 125.00	\$ 40.00	\$ 100.00	\$ 225.00	\$ 80.00	\$ 200.00
	NO ALCOHOL			ALCOHOL		
WEEKEND (5:30pm Friday - 11pm Sunday)	First 3 Hours	Additional Hours	Security Deposit	First 3 Hours	Additional Hours	Security Deposit
Resident	\$ 150.00	\$ 25.00	\$ 100.00	\$ 300.00	\$ 50.00	\$ 200.00

Avon Lake Bereavement	\$ 125.00	\$ 25.00	\$ 100.00	\$ 250.00	\$ 50.00	\$ 200.00
Non-resident	\$ 250.00	\$ 50.00	\$ 100.00	\$ 500.00	\$ 100.00	\$ 200.00
Non-resident Bereavement	\$ 150.00	\$ 50.00	\$ 100.00	\$ 300.00	\$ 100.00	\$ 200.00
	NO ALCOHOL			ALCOHOL		
HOLIDAY	First 3 Hours	Additional Hours	Security Deposit	First 3 Hours	Additional Hours	Security Deposit
Resident	\$ 200.00	\$ 50.00	\$ 100.00	\$ 400.00	\$ 100.00	\$ 200.00
Avon Lake Bereavement	\$ 150.00	\$ 50.00	\$ 100.00	\$ 300.00	\$ 100.00	\$ 200.00
Non-resident	\$ 300.00	\$ 100.00	\$ 100.00	\$ 600.00	\$ 200.00	\$ 200.00
Non-resident Bereavement	\$ 200.00	\$ 100.00	\$ 100.00	\$ 400.00	\$ 200.00	\$ 200.00

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. Non-profit organizations must provide non-profit documentation. Non-profit 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 establish equitable Lake House rental fees to coincide with the new policies for the Lake House rentals and bring revenue into the City, thus for the public welfare. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1st reading: 6/08/15
2nd reading: 6/22/15
3rd reading:

PASSED: _____ President of Council

POSTED: _____ Approved

ATTEST: _____ Clerk of Council
Mayor

BY: Mr. Bucci

TEMP NO: 10516

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING THE FULL-TIME POSITION OF RECREATION PROGRAMMER AND ADOPTING A JOB DESCRIPTION ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION, AND DECLARING AN EMERGENCY.

WHEREAS, it has been recommended by the Parks and Recreation Commission and the Human Resources Committee that the full-time position of Recreation Programmer be established and a job description for said position be adopted, now therefore;

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

Section No. 1: That the full-time position of Recreation Programmer is hereby established.

Section No. 2: That the specifications, responsibilities, and duties applicable to the full-time position of Recreation Programmer shall be as shown on the job description, a copy of which is attached hereto and made a part hereof.

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 establishing the full-time position of Recreation Programmer to fill a vacancy and continue to offer quality recreation programs to the residents of Avon Lake, 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.

1st reading: 6/08/15
2nd reading: 6/22/15
3rd reading:

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

CITY OF AVON LAKE

Position Description

Job Title: Recreation Programmer

Department: Parks and Recreation department

Immediate Supervisor: Recreation Director

Positions Supervised: This position is not supervisory in nature

FLSA Status: Full-Time/Non-Exempt

Bargaining Unit: TBD

Civil Service Status: Classified

GENERAL RESPONSIBILITIES:

This position is responsible for the planning, development, and coordination of recreation programs and activities for all age groups. May also coordinate programming and maintenance of Recreational Facilities.

GENERAL QUALIFICATIONS:

- Associate degree necessary, but Bachelor's Degree preferred, in Parks and Recreation, or a related field, or five (5) years of work related experience in a recreation setting or an equivalent combination of education, training and prior work experience;
- Two (2) years' experience of progressively more responsible experience in recreation, sports or a closely related field;
- Proficiency with Microsoft Office Suite applications including, Outlook, Word, Excel, Power Point, Publisher, and Access, and Photo Editor;
- First Aid/CPR Certification preferred;
- Valid Ohio Driver's License or must obtain one within six months of employment.

An individual who poses a direct threat to the health and safety of himself/herself or others in the workplace will be deemed not qualified for this position.

CITY OF AVON LAKE

Position Description

SPECIFIC DUTIES

Each general responsibility is followed by a list of the specific tasks necessary to perform the duty. Essential functions are noted by an "*".

Under the direction of the Recreation Director, the Recreation Programmer performs a variety of technical and routine tasks including but not limited to: coordination of recreation programs, set-up and tear down of program facilities, equipment, and materials, and participation in the management of the Old Firehouse Community Center.

- * Identifies, plans, develops, conducts, and evaluates recreation activities and programs to attract and encourage program participation of all city residents including, but not limited to: senior citizen programming; adult programming; teen programming; youth programming; preschool programming; family programming; fitness, health, and wellness programming; performing and fine arts programming; seasonal programming; outdoor adventure programming; and summer youth programming; special programs and events;
- * Prepares marketing materials for recreation programs, events, and services, including but not limited to flyers, newsletters, electronic postings, advertisements, and public service announcements;
- * Participates in Management the Old Firehouse Community Center, including but not limited to the schedule of events - including recreation programming and community group meetings, and the maintenance of the facility – including cleaning of floors, bathrooms, kitchen area, offices;
- * Prepares contracts for recreation service providers and building use agreements for community groups;
- * Distributes and collects program evaluations and shares results with contract instructors and staff;
- * Prepares End of Program Reports on the outcomes of the recreation programs and services;
- * Makes recommendations regarding equipment and supplies required for recreation programs;
- * Interviews, trains, and oversees seasonal recreation programming staff and volunteers
- * Maintains open and frequent communications with department staff regarding programs, facilities and staffing issues;
- * Evaluates, researches, and recommend budgetary requests to Recreation Director;
- * Researches alternative funding for departmental programs, events, and services, including but not limited to: fundraising, grants, partnerships, consortiums;

CITY OF AVON LAKE

Position Description

- * Increases and extends Recreational knowledge and experience through attending and participating in meetings, workshops, conferences, trainings, and similar;
- * Communicates clearly, effectively, and in a timely manner with the public via direct contact, telephone, written form, and electronic means including but not limited to texting, e-mails, tweeting, FaceTime or Skype (or similar), Instagram, etc.;
- * Other duties as deemed as necessary or assigned.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES

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

- Knowledge of the operation of vehicles, phones, copiers, fax machines, computers, and other office equipment;
- Knowledge of policies, procedures, rules, and ordinances pertaining to the parks and of the use of facilities;
- Ability to meet the public courteously and to provide information;
- Ability to schedule programs for the city and for private functions while not neglecting the City's programs;
- Knowledge of the care and upkeep of recreation facilities;
- Skill in office related tasks such as, accurate recordkeeping, documentation, good writing skills, organization skills, computer system skills;
- Ability to establish and maintain effective working relationships with co-workers, subordinates, and other City employees as well as the general public;
- Ability to plan and oversee the work of seasonal employees

PHYSICAL AND MENTAL DEMANDS

CITY OF AVON LAKE

Position Description

The physical demands described here are representative of those that must be met by a Recreation Programmer to successfully perform the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this position, the employee is frequently required to sit, stand, walk, run, use fingers and hands dexterously to operate tools, equipment or controls, reach with arms and hands, climb, balance, stoop, kneel, crouch, or crawl, and communicate orally. The employee must work outside in adverse weather conditions, occasionally transport up to 20 pounds, walk up to one mile, and stand for extended periods occasionally.

WORK ENVIRONMENT

The work environment characteristics described here are representative of those a Recreation Programmer encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals to perform the essential functions.

This job requires sedentary work that involves walking or standing frequently, exerting up to 20 pounds of force on a recurring basis, and routine keyboard operations. The job risk includes exposure to bright/dim light, chemicals, blood borne pathogens, and environmental hazards.

BY: Mr. Meiners

TEMP NO: 10527

ORDINANCE NO. _____

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

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

WHEREAS, the present contract will expire on July 31, 2015, and

WHEREAS, this Council finds that the City of Avon Lake should continue said services with the City of Lorain, now therefore;

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

Section No. 1: That the Mayor is hereby authorized and directed to enter into contract with the Lorain City Health Department to provide health services for a one year period beginning August 1, 2015 and ending July 31, 2016. Such contract shall provide for health services as prescribed by the Ohio Revised Code and shall further provide for an alteration of health services as discussed with the Health Department.

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

Section No. 3: That the City of Avon Lake in return for receiving the health services prescribed in the contract will pay to the City of Lorain and its Board of Health the sum of \$85,000.00

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

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

Section No. 5: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 6: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of approving the health services contract with the City of Lorain before the contract expires in order to ensure continued health services to residents of Avon Lake, thus for the health, safety, and welfare of the public. Therefore this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1st reading: 6/22/15

2nd reading:

3rd reading:

PASSED: _____

President of Council

POSTED: _____

Approved

ATTEST: _____

Clerk of Council

Mayor

BY: Mr. Kos

TEMP NO: 10528

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: 6/22/15
2nd reading:
3rd reading:

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

BY: Mr. Bucci

TEMP NO: 10529R

ORDINANCE NO. _____

AN ORDINANCE APPROVING A SALARY ADJUSTMENT
FOR JANINE MACKERT, BUSINESS LIAISON, AND
DECLARING AN EMERGENCY.

WHEREAS, it has been recommended by the Mayor and the Human Resources Committee that Janine Mackert, Business Liaison, should be granted a salary adjustment, and

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

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

Section No. 1: That the following employee be granted the following salary adjustment effective ~~January 1, 2015~~ **September 1, 2014:**

Janine Mackert Business Liaison \$25.00 per hour

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 declared an emergency in order to have the ordinance in place before Council's summer recess. Therefore this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1st reading: 6/22/15

2nd reading:

3rd reading:

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

BY: Mr. James

TEMP. NO. 10533

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE PURCHASE OF
A FORD FOCUS FOR THE BUILDING 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 sale of
a Ford Focus, and

WHEREAS, the State has determined that the bid submitted by
Middletown Ford of Middletown, Ohio is the lowest and best bid,
now therefore;

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

Section No. 1: That the bid by Middletown Ford of
Middletown, Ohio submitted through the Cooperative Purchasing
Program of the State of Ohio, to supply the City with a Ford
Focus for the Building Department at a total cost of \$16,105.64,
be and it is hereby accepted and approved.

Section No. 2: That upon delivery to this City of the Ford
Focus with the proper specifications, to the full satisfaction
of the Building Official and Director of Finance, then the
Director of Finance is hereby directed to deliver to Middletown
Ford of Middletown, Ohio, the warrant of this City in the amount
of \$16,105.64 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 Building Department with
serviceable equipment to safely and efficiently perform their
duties, thus for the health, safety, and welfare of the

residents of Avon Lake. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

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

BY: Mr. James

TEMP NO: 10534

RESOLUTION NO. _____

A RESOLUTION APPROVING THE USE OF SUBMERGED
LANDS AND REPEALING RESOLUTION NO. 23-2015
AND DECLARING AN EMERGENCY.

WHEREAS, a resident at 33850 Lake Road, in the City of Avon Lake has requested permission to construct an armor stone revetment and steel crib pier in Lake Erie at Avon Lake, Lorain County, Ohio, and

WHEREAS, as part of the application to lease submerged land, the parties involved must submit to the Ohio Department of Natural Resources, a resolution from the Avon Lake City Council approving the proposed use of the submerged lands, and

WHEREAS, the Ohio Department of Natural Resources has requested additional language in the Resolution, now therefore;

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

Section No. 1: That the City of Avon Lake finds and determines that the submerged lands to be occupied by the project for the construction of an armor stone revetment and steel crib pier at 33850 Lake Road are not necessary or required for the construction, maintenance, or operation by the municipal corporation of breakwaters, piers, docks, wharves, bulkheads, connecting ways, water terminal facilities and improvements and marginal highways in the aid of navigation and water commerce and that the land uses specified in the application comply with regulation of permissible land use under a waterfront plan of the local authority.

Section No. 2: That the property owner shall take the necessary precautions to avoid damage to the municipal infrastructure and shall be responsible for reimbursement to the City of any cost necessary to repair damage caused by the construction described in Section No. 1 herein.

Section No. 3: That prior to constructing the project described in Section No. 1 herein, the property owner shall contact the Public Works Department in order that said Public Works Department may inspect the property and municipal infrastructure in the area, by videotape or such other means, to assess the area prior to the project for the purpose of

determining if any damage is incurred as a result of the construction of the project referred to herein.

Section No. 4: That Resolution No. 23-2015 is hereby repealed.

Section No. 5: That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Resolution to the Ohio Department of Natural Resources, Office of Real Estate and Land Management.

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

Section No. 7: That this Resolution is hereby declared to be an emergency measure in order for the property owner to begin the approval process and to immediately secure materials to begin the erosion control project to protect the Lake Erie shoreline, thus for the public health, safety, and welfare. Therefore, this Resolution 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

ORDINANCE NO. _____-2015

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,500,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF IMPROVING STREETS BY RECONSTRUCTING, GRADING, DRAINING, PAVING, RESURFACING AND MAKING OTHER IMPROVEMENTS AS DESIGNATED IN THE PLANS APPROVED OR TO BE APPROVED BY COUNCIL, AND DECLARING AN EMERGENCY.

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 15 years and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds, is 240 months from their date of issuance;

—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 \$1,500,000 (the Bonds) for the purpose of paying costs of improving streets by reconstructing, grading, draining, paving, resurfacing and making other improvements as designated in the plans approved or to be approved by Council.

Section 2. Estimated Bond Terms. The Bonds shall be dated approximately June 1, 2016, 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 15 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, 2016, and the first principal payment on the Bonds is estimated to be December 1, 2017.

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 \$1,500,000 (the Notes) shall be issued in anticipation of the issuance of the Bonds. The Notes shall be dated the date of issuance and shall mature on July 13, 2016. The Notes shall bear interest at the rate of 0.25% 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.

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 other money is lawfully available for the payment of debt charges on the Notes and Bonds and is appropriated for that

purpose, the amount of 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 Bonds 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 enter into contracts for the improvement which is needed to eliminate existing and potential

hazards to vehicular and pedestrian traffic in the City; wherefore, 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: _____, 2015

President of Council

POSTED: _____, 2015

Approved

ATTEST: _____
Clerk of Council

Mayor

BY: Mr. Meiners

TEMP NO: 10536

RESOLUTION NO. _____

A RESOLUTION TO ADOPT AND DECLARE THE TAX
BUDGET FOR THE YEAR 2016, AND DECLARING AN
EMERGENCY.

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

Section No. 1: That the Council of the City of Avon Lake, does hereby adopt the 2015 requirements for the several funds of the City of Avon Lake as being the budget required by State Law to be submitted to the County Budget Commission, which requirements are as shown on Exhibit A attached hereto and made a part hereof.

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

Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 4: That this Resolution is hereby declared to be an emergency measure, the emergency being the immediate necessity of adopting and declaring the tax budget for the year 2016 and submitting it to the Lorain County Auditor. Therefore, this Resolution shall be in full force and effect from and immediately after its passage and approval by the Mayor.

PASSED: _____
Council President Pro Tem

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

CITIES TAX YEAR 2016 ANNUAL BUDGET OF ESTIMATED REVENUES and EXPENDITURES

Date: JULY 6, 2015

Per Ohio Revised Code Section 5705.28, 1 The Budget Commission of Lorain County, Ohio requests the following information to be completed and returned to the Lorain County Auditors Office, by July 20th in order to perform its duties.

AVON LAKE CITY

FUND	ESTIMATED UNENCUMBERED BALANCE January 1, 2016	ESTIMATED REAL ESTATE TAXES	ESTIMATED LOCAL GOVERNMENT ALLOCATION 2016	OTHER SOURCES	TOTAL	ESTIMATED EXPENDITURES	OVER/UNDER REVENUE
General Fund	\$ 984,475.38	\$ 4,045,663.00	\$ 340,000.00	\$ 9,498,756.00	\$ 14,868,894.38	\$ 14,632,666.37	\$ 236,227.99
TIF Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Special Revenue Funds	\$ 7,384,239.49	\$ 2,208,511.00	\$ -	\$ 14,993,958.75	\$ 24,586,709.24	\$ 16,862,413.25	\$ 7,724,295.99
Debt Service Funds	\$ 1,011,033.00	\$ 337,679.00	\$ -	\$ 3,337,416.90	\$ 4,686,128.90	\$ 3,483,687.34	\$ 1,222,441.56
Capital Project Funds	\$ 712,824.45	\$ -	\$ -	\$ 15,755.04	\$ 728,579.49	\$ 255,000.00	\$ 473,579.49
Special Assessment Fund	\$ 765,960.00	\$ -	\$ -	\$ 99,270.76	\$ 865,230.76	\$ 76,220.76	\$ 789,010.00
Enterprise Funds	\$ 15,191,076.49	\$ -	\$ -	\$ 37,502,170.64	\$ 52,693,247.13	\$ 37,110,854.17	\$ 15,582,392.96
Internal Service Funds	\$ 1,703.68	\$ -	\$ -	\$ 5,000.00	\$ 6,703.68	\$ -	\$ 6,703.68
Trust and Agency Fund	\$ 34,534.81	\$ -	\$ -	\$ 2,000.00	\$ 36,534.81	\$ -	\$ 36,534.81
TOTAL	\$ 26,085,847.28	\$ 6,591,853.00	\$ 340,000.00	\$ 65,454,328.09	\$ 98,472,028.37	\$ 72,400,841.89	\$ 26,071,186.48

AVON LAKE CITY - FINANCE DIRECTOR

SIGNATURE AND TITLE:



Director of Finance

EXHIBIT "A"

SUBJECT TO FURTHER REVIEW BY
BUDGET COMMISSION

TO AMEND APPROPRIATIONS FOR THE CURRENT AND OTHER EXPENDITURES OF THE CITY OF AVON LAKE FOR THE FISCAL YEAR 2015, AND DECLARING AN EMERGENCY.

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, 2015, 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	\$ -	\$ -		\$ -	\$ 14,541,354.64
100	Total General Fund Adjustments	\$ -	\$ -	\$ -	\$ -	\$ -
	Ending General Fund Appropriations					\$ 14,541,354.64

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	\$ -	\$ -	\$ -	\$ -	\$ -
205	Improvement Fund	\$ -	\$ -	\$ -	\$ -	\$ -
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	\$ -	\$ -	\$ 20,000.00	\$ -	\$ 20,000.00
216	COPS Fast Fund	\$ -	\$ -	\$ -	\$ -	\$ -
225	AL/Bay Park Improvement Fund	\$ -	\$ -	\$ -	\$ -	\$ -
226	Fire apparatus Acquisition Fund	\$ -	\$ -	\$ -	\$ -	\$ -
230	Board of Building Standards Assmnt	\$ -	\$ -	\$ -	\$ -	\$ -
231	Employee Sick time Buy Back Fund	\$ -	\$ -	\$ -	\$ -	\$ -
232	Street Tree Fund	\$ -	\$ -	\$ -	\$ -	\$ -
235	Continuing Professionals Training	\$ -	\$ -	\$ -	\$ -	\$ -
236	ALMC-Court Security Fund	\$ -	\$ -	\$ -	\$ -	\$ -
237	ALMC- Interlock Fund	\$ -	\$ -	\$ -	\$ -	\$ -
200	Total Special Revenue Funds	\$ -	\$ -	\$ 20,000.00	\$ -	\$ 20,000.00

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	\$ -	\$ -	\$ -	\$ -	\$ -
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	\$ -	\$ -	\$ -	\$ -	\$ -
700 Total Enterprise Fund Group		\$ -	\$ -	\$ -	\$ -	\$ -

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		\$ -	\$ -	\$ 20,000	\$ -	\$ 20,000.00
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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, 2015 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

ATTESTED: _____
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	\$ -	\$ -	\$ -	\$ -	\$ -
Mayor	\$ -	\$ -	\$ -	\$ -	\$ -
Human Resources	\$ -	\$ -	\$ -	\$ -	\$ -
Economic Development	\$ -	\$ -	\$ -	\$ -	\$ -
IT	\$ -	\$ -	\$ -	\$ -	\$ -
Finance	\$ -	\$ -	\$ -	\$ -	\$ -
Law	\$ -	\$ -	\$ -	\$ -	\$ -
Council	\$ -	\$ -	\$ -	\$ -	\$ -
Court	\$ -	\$ -	\$ -	\$ -	\$ -
Civil Service	\$ -	\$ -	\$ -	\$ -	\$ -
General Government	\$ -	\$ -	\$ -	\$ -	\$ -
<hr/>					
GRAND TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -

BY: Mrs. Fenderbosch

TEMP NO: 10538

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE
A PERSONAL SERVICES AGREEMENT WITH BRAMHALL
ENGINEERING & SURVEYING, AND DECLARING AN EMERGENCY.

WHEREAS, Section 59 of the Avon Lake City Charter, entitled Competitive Bidding, authorizes the expenditure of funds exceeding \$25,000.00 without public bidding for personal services as defined in the Charter, and

WHEREAS, the City of Avon Lake desires to retain the personal services of Bramhall Engineering & Surveying to survey, inspect, and create easement dedication plats along the Gable Creek-Electric to Lake Road and the Powdermaker Creek-Moore to Walker Road, now therefore;

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

Section No. 1: That the Mayor is hereby authorized and directed to enter into an Agreement with Bramhall Engineering & Surveying of Avon, Ohio, for the purpose of retaining personal services in such Agreement between the City of Avon Lake and Bramhall Engineering & Surveying. The Agreement shall state among its terms that the cost of said personal services shall not exceed \$13,496.00 for the Gable Creek portion and \$14,202.00 for the Powdermaker Creek portion.

Section No. 2: That upon completion of said design services in conformance with the guidelines and scope of work as heretofore set forth, and to the satisfaction of the Public Works Director, the Director of Finance is hereby directed to deliver to Bramhall Engineering & Surveying the warrant of this City in an amount not to exceed \$13,496.00 for the Gable Creek portion and \$14,202.00 for the Powdermaker Creek portion and to cause said warrant to be paid.

Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 4: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of retaining services to maintain streams and stormwater outlets to Lake Erie, thus for the health, safety, and welfare of the citizens of Avon Lake. Therefore, this Ordinance shall take effect and be in full force immediately after its passage and approval by the Mayor.

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

BY: Mr. James

TEMP NO: 10539

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 1010.11 OF THE CODIFIED ORDINANCES AND ADDING SECTION 1010.111 PERTAINING TO TREE LAWNS.

WHEREAS, Section 1010.11 of the Codified Ordinances of Avon Lake restricts the items permitted within City tree lawns;

WHEREAS, items and structures have been placed within City tree lawns in violation of Section 1010.11;

WHEREAS, such items and structures are interfering with the City's ability to obtain State grant funds for road maintenance, repair and improvement;

WHEREAS, the State has advised the City that the City may permit certain of the items and structures to remain within the tree lawns if certain terms and conditions are satisfied; and

WHEREAS, Council desires to amend Section 1010.11 and enact new Section 1010.111 of the Codified Ordinances to permit certain items and structures to remain within tree lawns under terms and conditions that comply with the State's requirements for obtaining grant funds;

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

Section No. 1: That Section 1010.11 of the Codified Ordinances of Avon Lake is hereby amended by the addition of new division (d), to read as follows:

- (d) Certain items in the City tree lawns that are otherwise in violation of the foregoing provisions of this section may be permitted to remain in their current locations in accordance with and subject to the terms and conditions of Section 1010.111 of this Code.

Section No. 2: That there is hereby enacted new Section 1010.111 of the Codified Ordinances of Avon Lake, to read as follows:

1010.111 CERTAIN TOLERATED TREE LAWN ITEMS.

(a) Until the Mayor orders it to be removed, an item or structure within a City tree lawn that is otherwise in violation of Section 1010.11 may remain in its current location if it is a Tolerated Item (as hereinafter defined) and if the tree lawn is not part of the right-of-way of a state route, arterial street, or street the posted speed limit of which exceeds 25 miles per hour. The owner(s) of the Tolerated Item shall, at the cost of such owner(s), promptly remove the

Tolerated Item when ordered by the Mayor to do so, and in default thereof, the City may remove the Tolerated Item and charge the owner(s) for the cost of such removal.

(b) Until the Mayor orders it to be removed, an item or structure within a City tree lawn that is otherwise in violation of Section 1010.11 and that is not permitted by division (a) of this section, may be permitted to remain in its current location if it is a State Tolerated Item (as hereinafter defined) and if the owner(s) of the State Tolerated Item executes and delivers to the City a revocable license agreement and such other instruments as the City may request, all in form and substance acceptable to the Public Works Director and Director of Law.

(c) For purposes of this section, "Tolerated Item" means a structure or item that is in violation of Section 1010.11, but satisfies all of the following:

- (1) It existed in its current location in the City tree lawn as of January 1, 2013.
- (2) It is owned by the owner(s) of the lot adjoining such section of the City tree lawn.
- (3) It is an item that cannot be removed from the City tree lawn without significant cost or substantial damage to the item.
- (4) It is not a rock or boulder.

(d) For purposes of this section, "State Tolerated Item" means a structure or item that is in violation of Section 1010.11, but satisfies all of the following:

- (1) It existed in its current location in the City tree lawn as of January 1, 2013.
- (2) It is more than four (4) feet from the edge of the pavement of the street right-of-way.
- (3) It is owned by the owner(s) of the lot adjoining such section of the City tree lawn.
- (4) It is an item that cannot be removed from the City tree lawn without significant cost or substantial damage to the item.
- (5) It is not a rock or boulder.

(e) The determination as to whether an item is a Tolerated Item or State Tolerated Item shall be made by the Public Works Director. An owner of an item or structure within a tree lawn may request a determination as to whether that item is a Tolerated Item or State Tolerated Item. If such owner is dissatisfied with the determination of the Public Works Director, then such owner may appeal such determination by making a demand in writing to the Building Inspector for a hearing before the Demolition Board of Appeal established pursuant to Section 1468.05 of the Codified Ordinances (the "Board"). Such demand must be served upon the Building Inspector within fourteen (14) days after the Public Works Director issues a determination that the item or structure is not a Tolerated Item or State Tolerated Item. The hearing shall be held within thirty (30) days from the receipt of the written demand, and at least five (5) days' notice of the hearing shall be given to the owner. A majority of the Board may reverse the determination of the Public Works Director. The owner shall be promptly notified of the decision of the Board. The decision of the Board shall be final and conclusive.

(f) Until January 1, 2017, no fee shall be payable for requesting a determination as to whether an item is a Tolerated Item or State Tolerated Item or appealing the decision of the Public Works Director to the Board. On and after January 1, 2017, the fees shall be as specified in the General Fee Schedule set forth in Section 208.01 of the Codified Ordinances.

Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

1st reading:

2nd reading:

3rd reading:

PASSED: _____
President of Council

POSTED: _____
Approved

ATTEST: _____
Clerk of Council Mayor

BY: Mr. James

TEMP NO: 10540

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A PAYMENT TO REPUBLIC SERVICES, AND DECLARING AN EMERGENCY.

WHEREAS, On June 23rd and June 27th a record amount of rain fell in Avon Lake, and

WHEREAS, widespread flooding occurred to several neighborhoods and many residents lost the contents of their basements due to flooding, and

WHEREAS, it was necessary to arrange for an extra bulk pick-up with Republic Services to accommodate residents and collect mounds of damaged household items left on tree lawns, now therefore;

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

Section No. 1: That this Council does hereby authorize a payment in the amount of \$28,438.60 to Republic Services for an extra pick-up of bulk trash.

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 necessary to pay an invoice as a result of an emergency situation in 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

ORDINANCE NO. _____

AN ORDINANCE AMENDING PLANNING & ZONING CODE
CHAPTER 1212, ENTITLED DEFINITIONS, AND
CHAPTER 1242, ENTITLED MULTI-FAMILY RESIDENTIAL
DISTRICT REGULATIONS, AND DECLARING AN EMERGENCY.

WHEREAS, Planning Commission has at its meeting of July 7, 2015 recommended to Council that proposed amendments to Chapter 1212 and Chapter 1242 of the Planning & Zoning Code be adopted, now therefore;

WHEREAS, Council coming now to consider said recommendations approves them 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 Chapter 1212, entitled Definitions, is hereby amended as follows:

CHAPTER 1212 Definitions

1212.03 (35) DWELLING, ATTACHED SINGLE-FAMILY: Single-family dwelling units which are structurally attached to one another, *on fee simple footprints and* but which maintain separate identities, including such elements as separate ground-floor entrances, services and attached garages.

Section No. 2: That Planning & Zoning Code Chapter 1242, entitled Multi-Family Residential District Regulations, is hereby amended as follows:

CHAPTER 1242 Multiple-Family Residential District Regulations

1242.01 Purpose.

1242.02 Permitted uses.

1242.03 Lot regulations and maximum density.

1242.04 Required building and parking setbacks.

1242.05 Maximum building height and minimum spacing between buildings.

1242.06 Attached Single-Family Requirements

1242.067 Accessory use regulations.

1242.078 Dwelling unit requirements.

1242.089 Landscaping and screening requirements.

1242.0910 Supplemental regulations for group homes for persons with disabilities.

1242.11 Approval Procedures

1242.102 Site plan review required.

CROSS REFERENCES

Division into districts - see Ohio R.C. 713.06
Basis of districts - see Ohio R.C. 713.10
Nonconforming uses - see P. & Z. Ch. 1266
Conditional uses - see P. & Z. Ch. 1250
Planned unit developments - see P. & Z. Ch. 1252
Signs - see P. & Z. Ch. 1262
Off-street parking and loading - see P. & Z. Ch. 1264
Adult entertainment businesses - see P. & Z. Ch. 1254
Wireless telecommunications - see P. & Z. Ch. 1256
Supplementary regulations - see P. & Z. Ch. 1260
District Boundary Descriptions - see P. & Z. Appendix A

1242.01 PURPOSE.

The Multiple-Family Residential Districts are established to accommodate attached single-family and multiple-family dwellings at varying densities in order to offer a variety of living environments within the City and in a manner which protects the desirable characteristics of existing residential development. R-2 is intended for implementation when the City nears build-out or as a buffer zone between districts.

(a) R-2 Multiple-Family Residential District. Provide areas for multiple-family dwellings of five units/acre as the permitted use by right and conditionally permit institutional and commercial recreation uses.

(b) R-3 Multiple-Family Residential District. Provide areas for primarily multiple-family dwellings of up to 12 units/acre.

(c) Unit Types. *Notwithstanding the definition in Chapter 1212, multifamily residential dwellings may include a variety of unit types, including but not limited to attached, townhouse, patio and similar unit types. Multifamily dwellings may also include a variety of unit ownership concepts, including fee simple footprints for attached single-family units, condominium and rental units.*

1242.02 PERMITTED USES.

(a) Principal uses. The principal uses enumerated in Schedule 1242.02, denoted with a P, are permitted by right in the district indicated, provided that all the requirements of other City ordinances and this Code have been met.

(b) Conditional Uses. The conditional uses enumerated in Schedule 1242.02, denoted with a C, may (together with their accessory uses) be permitted in the district indicated, provided that all the requirements of other City ordinances and this Code have been met.

(c) Accessory Uses. The accessory uses, buildings, and structures enumerated below are permitted in any Multiple-Family Residential District, unless indicated otherwise below, when such accessory use is associated with, subordinate to, and located on the same zoning lot as, the principal use. Such uses shall comply with the supplemental requirements noted.

(1) Private garages or off-street parking areas for the exclusive use of residents and their guests, as set forth in Chapter 1264;

(2) Swimming pools for the exclusive use of residents and their guests, subject to Section 1240.06(f) and any other applicable City ordinance;

(3) Child day care homes (Types A & B) as defined in Section 1212.03 (27);

(4) Home Occupations in accordance with Section 1240.07;

(5) Signs in accordance with Chapter 1262;

(6) Fences in accordance with Section 1242.06(b);

(7) Satellite dish-receiving antennas, when no greater than three (3) feet in diameter, when not located in any required yards and, which, when placed on the ground, are not higher than eight (8) feet, or when placed on a roof, do not extend more than four (4) feet above the roof line;

(8) Porches. An unenclosed porch attached to a multiple-family dwelling may be erected within the required front yard or required rear yard. The installation of removable screen panels shall not be interpreted as enclosing a porch. This allowance into otherwise required yards shall not apply to any non-residential conditional uses in the R-2 or R-3 District.

(9) Other accessory structures in accordance with Section 1242.04 through 1242.08.

(10) Maintenance of livestock. Maintaining or harboring livestock is prohibited.

(11) Fruits and vegetables; pets. Raising fruits, vegetables or nursery stock for private use, and keeping household pets not kept, raised or bred for profit, are permitted in Multiple-Family Districts.

SCHEDULE 1242.02

Permitted Uses in Multiple-Family Districts

	R-2	R-3
A. RESIDENTIAL		
1. Two-family dwellings	P	P
2. Multiple-family dwellings (minimum 3 units)	P	P
3. Attached single-family dwellings	P	P
4. Senior citizen housing	P	P
5. Group homes for handicapped persons (b)	P	P
B. INSTITUTIONAL/OTHER		
1. Places of worship	C	C
2. Schools: public, private or religious	C	C
3. Public libraries/museums	C	C
4. Public administrative offices	C	C
5. Nursing homes, assisted living facilities	C	C
6. Child day care centers	C	P
7. Public service/maintenance facility	C	C
8. Public utility transmission and distribution stations	P	P
9. Wireless telecommunications towers and facilities	C	C
10. Funeral homes	C	C
11. Public safety facilities	C	C
12. Public parks, playgrounds and recreation uses	C	C
13. Golf courses	C	C
14. Cemeteries	C	C
C. SIMILAR USES - as determined by the Planning Commission pursuant to Section <u>1217.09</u>		
1. For applicable review procedures refer to Section <u>1242.10</u> .		

2. See Section <u>1242.09</u> for additional regulations.		
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P Permitted Principal Use C Permitted Conditional Use

1242.03 LOT REGULATIONS AND MAXIMUM DENSITY.

The minimum lot and area width and maximum density, per acre for multiple-family developments, are specified in Schedule 1242.03.

SCHEDULE 1242.03

Minimum *Development* Lot Area and Width, Maximum Density

	R-2	R-3
A. MINIMUM LOT <i>DEVELOPMENT</i> AREA REQUIRED	30,000 square feet	30,000 square feet
B. MINIMUM <i>DEVELOPMENT</i> LOT WIDTH	100 feet	100 feet
C. MAXIMUM DWELLING UNITS PER ACRE	5	12

1242.04 REQUIRED BUILDING AND PARKING SETBACKS.

The minimum building and parking setback requirements for multiple-family developments are specified in Schedule 1242.04.

SCHEDULE 1242.04

Minimum Building and Parking Setbacks

	R-2 & R-3
A. FRONT BUILDING SETBACK (as measured from the street right-of-way line)	
1. Standard	50
2. If no parking in front of building	30
B. SIDE AND REAR BUILDING SETBACK	
1. Adjacent to R-1, R-1A, R-1B District	35
2. Adjacent to all other districts	20
C. PARKING SETBACK	
1. Adjacent to R-1, R-1A, R-1B District	35
2. Adjacent to all other districts	20

1242.05 MAXIMUM BUILDING HEIGHT AND MINIMUM SPACING BETWEEN BUILDINGS.

In a multiple-family residential development, the maximum height and minimum spacing between principal and accessory buildings is specified in Schedule 1242.05.

SCHEDULE 1242.05

Maximum Building Height and Minimum Spacing Between Buildings

	(In Feet)
A. Maximum Height of Principal Buildings	45
B. Maximum Height of Accessory Buildings	15

C. Minimum Distance Between Principal Buildings	40
D. Minimum Distance Between a Principal Building and an Accessory Structure	15

1242.06 ATTACHED SINGLE-FAMILY REQUIREMENTS.

- (a) *Attached single-family dwellings shall have a maximum of six units attached.*
- (b) *The common elements shall either be held in corporate ownership by the owner(s) of the project area for use of the residents within the attached dwelling units or dedicated to a homeowners association that will have title to the land to be retained as common open space for use of the residents of the attached dwelling units.*
- (c) *The instruments governing the common elements and the homeowners association shall be subject to review and approval of the Planning Commission and Council and shall include adequate provisions for the perpetual maintenance of the common areas including, but not limited to open space, parking, utility areas and driveways.*

1242.067 ACCESSORY USE REGULATIONS.

Accessory buildings and structures shall comply with the following regulations.

- (a) Accessory Buildings. Accessory buildings shall comply with the development standards established for principal buildings and uses in Section 1242.04.
- (b) Fences. Any proposed fence shall be approved as part of the site plan review in accordance with Section 1217.03.

(c) Accessory Structures. Accessory structures, including dumpsters, shall be located in the rear yard, setback from a side and rear lot line a minimum of 10 feet, except that such dumpster shall be set back a minimum of 25 feet when adjacent to a Single-Family Residential District. Accessory structures, including mechanical equipment, which are located on the roof of a building shall either be located in a manner that such structure is not visible from the front lot line or shall be enclosed in a structure that matches the materials of the building or shall be covered or painted to blend with the building.

1242.078 DWELLING UNIT REQUIREMENTS.

In order to provide healthful living conditions and to preserve the character of the neighborhood, dwelling units shall be erected, altered, moved, maintained or occupied only in accordance with the following standards establishing minimum floor areas of dwelling units and required garage space.

(a) Minimum Area of Dwelling Unit. In an R-2 or R-3 District, the minimum floor area for a dwelling unit shall be not less than 1,000 square feet for a townhouse and not less than 700 square feet for an apartment. For townhouse and multiple-family dwellings, where applicable, measurements will be made to the centerline of party walls. All areas within garages, porches, public halls and general storage rooms in apartment dwellings shall be excluded in this measurement.

(b) Senior Citizen Apartments. For a multiple-family development which is intended to be senior citizen housing, as defined in Section 1212.03(93) and in accordance with Section 1250.04(cc), the minimum dwelling unit floor area shall be 500 square feet.

1242.089 LANDSCAPING AND SCREENING REQUIREMENTS.

Landscape buffers and visual screening shall be provided on each lot in compliance with the following standards in order to reduce the impact between incompatible uses or zones to break

up and lessen the impact of large parking areas to provide interest and lessen the monotony of the streetscape, to obscure the view of accessory uses and to provide protection from soil erosion.

(a) Landscaping and Maintenance of Yards. Required yards and all other portions of the lot not covered by permitted structures shall be landscaped with grass, trees, shrubbery and/or other appropriate ground cover or landscaping material, which at all times shall be maintained in good and healthy condition.

(b) Screening of Accessory Uses. Accessory uses, including dumpsters and loading areas, shall be screened by an opaque fence or wall a minimum of six feet in height placed adjacent to the dumpster or loading area so as to effect screening from any adjacent streets and any adjoining properties.

(c) Screening and Landscaping of Parking Lots. Perimeter and interior landscaping of parking lots shall be provided in accordance with the regulations set forth in Section 1264.12.

(d) Screening When Lot Abuts a Single-Family Residential District. Where any structure is to be built or altered by expansion or diminution in any Multiple-Family District and the lot upon which such structure is to be built is contiguous to a Single-Family Residential District, parking and driveway areas shall be screened in accordance with the following regulations, and shall be approved as part of the site plan required by Section 1217.03.

(1) Screening shall consist of one or a combination of the following:

A. A dense vegetative planting incorporating trees and/or shrubs of a variety which shall be equally effective in winter and summer.

B. A nonliving opaque structure such as a solid masonry wall, solidly constructed decorated fence, or louvered fence.

C. A landscaped mound or berm.

(2) The height of screening shall be in accordance with the following:

A. Visual screening, walls, fences, or mounds and fences in combination, shall be a minimum of six feet high in order to accomplish the desired screening effect.

B. Vegetation shall be planted with such minimum height to assure that the required six feet high screening effect shall be achieved not later than twelve months after the initial installation.

(3) All screening shall be free of advertising or other signs, except for directional signs and other signs for the efficient flow of vehicles.

(4) The required landscaping shall be maintained in healthy condition by the current owner and replaced when necessary. Replacement material shall conform to the original intent of the landscape plan.

1242.0910 SUPPLEMENTAL REGULATIONS FOR GROUP HOMES FOR PERSONS WITH DISABILITIES.

In addition to the applicable standards of this Code, a group home for persons with disabilities shall comply with the following regulations.

(a) The owner/operator shall be properly licensed by the State of Ohio; and

(b) No more than two (2) group homes for persons with disabilities shall be located within one-fourth of a mile or 1,320 feet of each other.

1242.11 APPROVAL PROCEDURES

R-2 and R-3 multifamily developments are subject to site plan review pursuant to the procedures set forth in Section 1217.03.

Further subdivision within the multifamily development creating fee simple footprints of attached single family dwellings is subject to the procedures of Chapter 1216.

1242.102 SITE PLAN REVIEW REQUIRED.

Any new construction of a conditional or accessory use in an R-2 or R-3 District is subject to site plan review pursuant to Section 1217.03(a) (unless exempt by the provisions of Section 1217.02(b)(5)) and shall require the submission and approval of a site plan pursuant to the procedures set forth in Section 1217.03(b) through (i).

Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

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

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

BY: Mr. Bucci

TEMP NO: 10542

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 131-2014
APPROVING WAGE INCREASES FOR FULL-TIME NON-BARGAINING
UNIT PERSONNEL, AND DECLARING AN EMERGENCY.

WHEREAS, Council wishes to grant a salary adjustment for the
Clerk of Council, now therefore;

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

Section No. 1: That Ordinance No. 131-2014 is hereby
amended as follows:

	<u>effective</u> <u>July 1, 2014</u>	<u>effective 7/1</u> <u>2015</u>	<u>effective 7/1</u> <u>2016</u>
Police Chief	2%	2%	2%
Police Secretary	2%	2%	2%
Fire Chief	2%	2%	2%
Fire Department Secretary	2%	2%	2%
Clerk of Council	2%	2% 3%	2%
Public Works Director	2%	2%	2%
Recreation Director	2%	2%	2%
Chief Building Official	2%	2%	2%
Plumbing Inspector	2%	2%	2%
Electrical Inspector	2%	2%	2%
Public Works Foreman	2%	2%	2%
Finance Director	2%	2%	2%
Finance Secretary	2%	2%	2%
Zoning Administrator	2%	2%	2%

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

Section No. 3: That this Ordinance is hereby declared to be
an emergency measure, the emergency being the necessity of
fulfilling commitments to certain City personnel. 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. Bucci

TEMP NO: 10543

ORDINANCE NO. _____

AN ORDINANCE APPROVING A CHANGE ORDER TO THE
CONTRACT WITH CLEMANS NELSON & ASSOCIATES, INC.,
AND DECLARING AN EMERGENCY.

WHEREAS, it has been found that a change order to the contract with Clemans Nelson & Associates, Inc. is needed for additional collective bargaining/labor relations and human resources consulting services, and

WHEREAS, the Human Resources Committee has reviewed said expenditure and recommend that Council approve said change order for an amount not to exceed \$5,000.00, now therefore;

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

Section No. 1: That the \$5,000.00 change order to the contract with Clemans Nelson & Associates, Inc., 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 provide additional personal services to arrive at favorable agreements between the City and its employees, thus for the health, safety, and welfare of the residents of Avon Lake. 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