

**MINUTES OF THE REGULAR MEETING
OF THE AVON LAKE MUNICIPAL COUNCIL
HELD NOVEMBER 10, 2014**

The regular meeting of the Avon Lake Municipal Council was called to order on November 10, 2014 at 7:30 P.M. in the Council Chamber with Council President O'Donnell presiding.

Boy Scout Troop 334 led the Council, staff, and public in reciting the Pledge of Allegiance.

Present: Council Members Dan Bucci, Jennifer Fenderbosch, Rob James, David Kos, Larry Meiners, Marty O'Donnell, John Shondel; Mayor Zilka; Law Director Abe Lieberman; Director of Finance Steve Presley; Public Works Director Joseph Reitz; and Clerk of Council Barbara Dopp.

APPROVAL OF THE MINUTES

The minutes of the October 14, 2014 and the October 27, 2014 Council meetings were approved as prepared and published.

POSTER CONTEST AWARD

Mayor Zilka presented an award to Molly Duff of St. Joseph's School for winning the "Don't Feed the Wildlife" poster contest.

Mr. Shondel explained the purpose of the "Don't Feed the Wildlife" campaign. The poster contest was an effort to educate the public on the importance of not feeding the wildlife.

CORRESPONDENCE

Dr. John Costin submitted a letter requesting suspension of the rule requiring three readings and emergency passage of a Resolution of No Interest approving the use of submerged land on his property.

MAYOR'S REPORT

Mayor Zilka will attend the Learwood Middle School Veterans Day breakfast and program. He will also attend the Crossword Hospice Veterans Recognition Program at Towne Center. The Mayor will present a proclamation acknowledging the service and contribution of all veterans.

David Wolski from the Community Improvement Corporation (CIC) will attend a Work Session on November 17th to report on the progress of the group. The CIC has achieved 501 (c) (3) status and has an agreement with ECDI, a group that will

November 10, 2014 Council Meeting Minutes

make low interest loans available to small businesses to stimulate economic growth in Avon Lake.

Issues 12 and 13, tax levy renewals, passed by a substantial margin. The levies are renewals and will not increase taxes. The administration and Council are committed to working within the City budget.

COUNCIL PRESIDENT'S REPORT

The next Collective Committee meeting is scheduled for November 17th and the next regular Council Meeting is scheduled for November 24th.

Council held a budget meeting on November 8th on capital items. Future budget meetings on operating costs and debt service will be scheduled.

LAW DEPARTMENT REPORT

The Law Department update was distributed.

PUBLIC WORKS DEPARTMENT REPORT

Six trucks are circulating the City for leaf pick-up. The leaf pick-up schedule is posted on the Avon Lake website. Leaves are to be placed on tree lawns and not in the street.

ENVIRONMENTAL COMMITTEE REPORT

The Environmental Committee is scheduled to meet November 12, 2014 at 6:00 P.M. in the Council Conference Room. November 15, 2014 is National Recycle Day to encourage people to take the pledge to recycle more this year than last year.

HUMAN RESOURCES COMMITTEE

Mr. Bucci reported that the Human Resources Committee met on November 3, 2014. Several items are on tonight's agenda.

PUBLIC UTILITIES COMMITTEE REPORT

Mr. Shondel announced the availability of an app available from First Energy that will allow customers to receive automated e-mails or text messages to keep them informed regarding restoration updates, notification of expected outages, severe weather alerts, billing reminders, and meter reading schedules. Residents are reminded to sign up for Code Red on the Avon Lake website.

SEWER COMMITTEE REPORT

The Sewer Committee is scheduled to meet November 13, 2014 at 6:30 P.M. in the Public Works Conference Room.

ZONING BOARD OF APPEALS REPORT

Mayor Zilka reported on the results of the October 22, 2014 Zoning Board meeting.

MOTIONS

Mr. James moved to authorize a payment in the amount of \$550 to Eugene Lewis, 33000 Bonnie View Drive, for damages caused by storm water work done near his residence. This item was reviewed by the Municipal Utilities and the Public Works Committee.

Yes: James, Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch
No: None
Motion carried.

Mr. James moved to accept a \$684.42 in-kind donation from C & S Photography, which regularly provides photography services for recreation programs.

Yes: James, Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch
No: None
Motion carried.

Mr. James moved to accept a \$200 donation from the Winchester Family for a memorial park bench at Veterans Memorial Park.

Yes: James, Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch
No: None
Motion carried.

Mr. James moved to authorize a donation of lacrosse equipment valued at \$3000 to the Avon Lake Lacrosse Club. The Recreation Department no longer has a lacrosse program and wishes to donate the equipment to the Avon Lake Lacrosse Club.

Yes: James, Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch
No: None
Motion carried.

Mr. Bucci moved to accept the resignation of Nancy Frank, Police Department Secretary, effective November 30, 2014. Mrs. Frank is retiring after 25 years of service.

Yes: James, Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch
No: None
Motion carried.

November 10, 2014 Council Meeting Minutes

Mr. Bucci moved to accept the resignation of Jim Toth, Technical Aide, effective December 31, 2014. Mr. Toth is retiring after 32 years of service.

Yes: James, Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch
No: None
Motion carried.

Mr. Bucci moved to accept, approve, and authorize the Mayor to execute effective the collective bargaining agreement tentatively agreed to between the administration of the City of Avon Lake and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied-Industrial and Service Workers International Union, AFL-CIO & CLC 1-865. This agreement is between the City and the bargaining unit employees of Avon Lake Regional Water. The Municipal Board of Utilities approved the contract.

Yes: James, Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch
No: None
Motion carried.

Mr. Shondel moved to confirm the appointment of Erica Larson to the Environmental Affairs Advisory Board for a term expiring February 28, 2016 effective November 26, 2014.

Yes: James, Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch
No: None
Motion carried.

LEGISLATION

First Readings:

The Clerk of Council submitted the Fiscal Officer's certificate for Temporary Legislation #10410.

Temporary Legislation #10410, AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$2,965,000 FOR THE PURPOSE OF REFUNDING AT A LOWER INTEREST COST CERTAIN OF THE CITY'S OUTSTANDING RECREATIONAL FACILITIES IMPROVEMENT BONDS SERIES 2009 DATED JULY 21, 2009, AND DECLARING AN EMERGENCY, was read by title only.

Mr. Meiners moved for suspension of the rule requiring three readings.

Yes: James, Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch
No: None
Motion carried.

Mr. Meiners moved for passage of Temporary Legislation #10410. The Finance Director determined the City could save over \$130,000 by refinancing the bonds. Any savings will be passed to the residents by lowering their taxes necessary to fund the repayment of the principle and interest.

Yes: James, Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch

No: None

Motion carried.

Ordinance No. 140-2014 adopted.

Temporary Legislation #10411, AN ORDINANCE AUTHORIZING AN ADDITIONAL PAYMENT TO NORFOLK AND SOUTHERN RAILWAY COMPANY FOR DESIGN REVIEW, AND DECLARING AN EMERGENCY, was read by title only.

The Public Works Director received updated force account information from Norfolk and Southern for review of the Lear/Krebs Road railroad signalization project. Norfolk and Southern requested an additional \$10,000.

Temporary Legislation #10412, A RESOLUTION APPROVING THE USE OF SUBMERGED LANDS, AND DECLARING AN EMERGENCY, was read by title only.

Mr. James moved for suspension of the rule requiring three readings.

Yes: James, Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch

No: None

Motion carried.

Mr. James moved for passage of Temporary Legislation #10412. A property owner at 32972 and 32990 Lake Road requested a submerged land lease to construct a breakwall and safe harbor. A Resolution of No Interest from the City is required by ODNR. The request went through departmental review and there were no objections.

Yes: James, Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch

No: None

Motion carried.

Ordinance No. 141-2014 adopted.

Temporary Legislation #10413, AN ORDINANCE AUTHORIZING THE PURCHASE OF TWO FORD UTILITY INTERCEPTORS FOR THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY, was read by title only.

The Police Chief recommended the purchase of two 2015 Ford Utility Police Interceptors for a total amount of \$52,224 through the State Purchasing Program. The vehicles will be purchased from Lebanon Ford.

Temporary Legislation #10414, AN ORDINANCE AUTHORIZING THE EMPLOYMENT OF A PART-TIME DISPATCHER/RECORDS CLERK IN THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY, was read by title only.

Chief Streator has requested authority to hire Kaylie Weintraub as a part-time Dispatcher to expand the pool of part-time Dispatchers to be called when needed.

Temporary Legislation #10415, AN ORDINANCE PROVIDING FOR THE EMPLOYMENT OF RACHEL BURSON TO THE POSITION OF POLICE DEPARTMENT SECRETARY, ESTABLISHING THE RATE OF COMPENSATION FOR SAID POSITION, AND DECLARING AN EMERGENCY, was read by title only.

Mr. Bucci moved for suspension of the rule requiring three readings.

Yes: James, Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch

No: None

Motion carried.

Mr. Bucci moved for passage of Temporary Legislation #10415. Chief Streator is recommending Rachel Burson to fill the vacancy of Police Department Secretary created by the retirement of Nancy Frank effective December 1, 2014. Ms. Burson is a part-time employee in the Police Department.

Yes: James, Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch

No: None

Motion carried.

Ordinance No. 142-2014 adopted.

Temporary Legislation #10416, AN ORDINANCE AUTHORIZING THE PURCHASE OF TWO CHEST COMPRESSION SYSTEMS AND ACCESSORIES, AND DECLARING AN EMERGENCY, was read by title only.

Mr. Kos moved for suspension of the rule requiring three readings.

Yes: James, Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch

No: None

Motion carried.

Mr. Kos moved for passage of Temporary Legislation #10416. Chief Huerner recommended the purchase of two chest compression systems with accessories from Physio-Control in the total amount of \$26,296. This will be purchased through the State Purchasing Program.

Yes: James, Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch

No: None

Motion carried.

Ordinance No. 143-2014 adopted.

Temporary Legislation #10417, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 260.08, ENTITLED HEALTH INSURANCE, AND DECLARING AN EMERGENCY, was read by title only.

As a result of collective bargaining unit negotiations, the employee contribution for health care coverage will increase to 10% of the cost of the premium. This will also apply to non-bargaining unit employees.

Temporary Legislation #10418, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PERSONAL SERVICE AGREEMENT WITH JAMES G. ZUPKA, C.P.A., INC., AND DECLARING AN EMERGENCY, was read by title only.

The Finance Director recommended hiring James G. Zupka, C.P.A. for the GAAP and CAFR audits for the years 2014 through 2016. James G. Zupka has worked well for the City in previous years.

Temporary Legislation #10419, AN ORDINANCE APPROVING WAGE INCREASES FOR PART-TIME NON-BARGAINING UNIT PERSONNEL, AND DECLARING AN EMERGENCY, was read by title only.

This ordinance will approve 2% wage increases for all full-time non-bargaining unit employees effective July 1, 2014, 2015, and 2016. This is the same increase agreed to in the collective bargaining unit contracts.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

November 10th marks the 239th birthday of the United States Marine Corps. The American Legion Post 211 held a ceremony in honor of the Marine Corps.

November 11th is Veterans Day honoring all those living veterans who have served their country. Armed Forces Day is the third Saturday in May and honors those who are currently serving in the military, and Memorial Day honors deceased veterans.

The "Toys for Tots" campaign will take place in Avon Lake. New, un-wrapped toys can be dropped off at City Hall, Avon Lake Regional Water, Avon Lake Safety Center, the Avon Lake Public Library, and Ridge Cleaners. Monetary donations can be made at www.toysfortots.org.

The Avon Lake Landmark Preservation Society held a chili cook-off fundraiser on November 8th.

PUBLIC INPUT

November 10, 2014 Council Meeting Minutes

Richard Hofelzer, 192 Oakwood, Avon Lake, stated that he is waiting for a follow-up meeting with the Mayor on a matter he has discussed with the Mayor.

Mr. Meiners moved for adjournment.

Yes: James, Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch

No: None

Motion carried.

Adjournment: 8:20 P.M.

Approved: _____
Council President

Attest: _____
Clerk of Council