

**MINUTES OF THE REGULAR MEETING
OF THE AVON LAKE MUNICIPAL COUNCIL
HELD OCTOBER 26, 2015**

The regular meeting of the Avon Lake Municipal Council was called to order on October 26, 2015 at 7:30 P.M. in the Council Chamber with Council President O'Donnell presiding.

Mr. Kos led the Council, staff, and public in the Pledge of Allegiance.

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

There being no objections, Mr. James was excused from attendance at the meeting.

APPROVAL OF MINUTES

The Council meeting minutes of October 13, 2015 were approved as prepared and published.

PUBLIC HEARING

A Public Hearing was called to order at 7:32 P.M. upon the historic designation of the Anson Titus house located at 33350 Lake Road.

The home has been in the family for seven generations. The original house was formerly on the Indian Trail which was north of Lake Road.

The Public Hearing was closed at 7:33 P.M.

MAYOR'S REPORT

Lake Road at the west end of town will be closed on November 2nd at 7:00 A.M. to facilitate the installation of a sanitary sewer connection. Asphalt pavement and concrete pinning will occur from November 3rd through November 5th. All local school buses and emergency traffic will be rerouted. Lake Road will be open by 6:00 P.M. on November 5th. Beginning November 9th through November 12th, one lane traffic will be maintained with on-site traffic control in the same area.

Judge Bilancini was acknowledged for initiating a volunteer program through which retired members of the community assist the Bailiff.

Mrs. Fenderbosch asked Mayor Zilka to encourage the Avon Lake Police Department to make a statement opposing Issue 3. She read from a list of professional organizations which oppose Issue 3. Mayor Zilka stated that Chief Streater informed him that the Police Department decided to act not through their

local Police Chief's Association, but through the Chief's Association itself. The Highway Patrol has a seat on the Board of the region and the Governor's Office instructed the Highway Patrol not to take a stand on the issue. Mayor Zilka stated that he has taken a strong stand on opiate addiction even when he was advised not to do so. Mr. Shondel stated that he voted no on Issue 3. Mr. Meiners stated that he opposes Issue 3.

COUNCIL PRESIDENT'S REPORT

The next Collective Committee meeting is scheduled for November 2nd and the next regular Council meeting is scheduled for November 9th. A budget meeting is scheduled for Saturday, October 31st at 8:15 A.M. in the Public Works Conference Room.

PUBLIC WORKS DIRECTOR REPORT

The Public Works Department weekly update was distributed.

The leaf pick-up schedule will be posted on the Avon Lake website.

LAW DIRECTOR'S REPORT

The Law Department litigation update was distributed.

ENVIRONMENTAL COMMITTEE REPORT

Residents who have deer damage on their property should contact the Lorain County Game Warden, Randy White, at 330-245-3032. Since May, three permits have been issued in the northeast quadrant, two in the southeast quadrant, and one in the southwest quadrant. Thirty-eight tags have been issued and 28 deer have been taken. Drivers are reminded to be especially careful at this time of year. Deer/vehicle accidents should be reported to the Police Department at 933-4567.

The Environmental Affairs Advisory Board is sponsoring a poster contest for all Avon Lake school children in first through fourth grades. The theme is "Why is it Important to Keep Lake Erie Clean". Posters are due in City Hall by October 30th at 4:30 P.M.

HUMAN RESOURCES COMMITTEE

The Human Resources Committee is scheduled to meet November 2, 2015 at 6:15 P.M.

SAFETY COMMITTEE REPORT

Mr. Kos reported on the issues discussed at the Safety Committee meetings held October 21st and October 26th.

SEWER COMMITTEE REPORT

The Sewer Committee is scheduled to meet November 12, 2015 at 6:30 P.M.

MOTIONS

Mrs. Fenderbosch moved to add a motion to the agenda expressing Council's opposition to Issue 3.

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

No: None

Absent: James

Motion carried.

Mr. Shondel moved to appoint Melissa Rutledge Golas to the Environmental Affairs Advisory Board. He reviewed Ms. Golas's qualifications.

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

No: None

Absent: James

Motion carried.

Mr. Meiners moved to authorize the purchase of software for the Finance Department from CDW Government in the amount of \$6,944.82. The purchase is for licenses necessary for the new virtual server system.

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

No: None

Absent: James

Motion carried.

Mr. Meiners moved to authorize the purchase of a media logging recorder for the Police Department from Stephen Campbell & Associates in the amount of \$12,295. This will replace equipment which was lost due to a power surge. The item is covered by the City's insurance after a \$2500 deductible.

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

No: None

Absent: James

Motion carried.

Mr. Meiners moved to authorize a payment in the amount of \$7,471.55 to Clemans Nelson and Associates. The invoice is for labor negotiation services.

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

No: None

Absent: James

Motion carried.

Mrs. Fenderbosch moved for Council to be in opposition to State Issue #3. Mrs. Fenderbosch stated that she would like to add Council to the list of the many organizations which are in opposition to Issue 3.

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

No: Kos

Absent: James

Motion carried.

LEGISLATION

Second Readings:

Temporary Legislation #10568R, AN ORDINANCE DESIGNATING THE ANSON TITUS HOUSE LOCATED AT 33350 LAKE ROAD AS A HISTORICAL LANDMARK.

The architecture of the structure is Greek Revival. The house was originally located on the old Indian Trail along the bank north of what is now known as Lake Road. The required public hearing was held earlier in the meeting.

Temporary Legislation #10572, AN ORDINANCE CONFIRMING THE APPOINTMENT OF AN ENGINEERING TECHNICAL AIDE 1 IN THE PUBLIC WORKS DEPARTMENT, AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Absent: James

Motion carried.

Mr. Bucci moved for passage of Temporary Legislation #10572. The Public Works Director has recommended a candidate for the position of Tech Aide 1. Ms. Marton has completed all Civil Service requirements.

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

No: None

Absent: James

Motion carried.

Ordinance No. 134-2015 adopted.

Temporary Legislation #10574, AN ORDINANCE CONFIRMING THE APPOINTMENT OF A RECREATION PROGRAMMER IN THE RECREATION DEPARTMENT, AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: Meiners

Absent: James

Motion carried.

Mr. Bucci moved for passage of Temporary Legislation #10574. The Recreation Director recommended Nicole Haas for the position of Recreation Programmer. Ms. Haas has completed all Civil Service requirements. This is a new full-time position. Mr. Meiners stated that he opposes creating this new position for budgetary reasons.

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

No: Meiners

Absent: James

Motion carried.

Ordinance No. 135-2015 adopted.

Temporary Legislation #10575, AN ORDINANCE ADOPTING A PUBLIC RECORDS POLICY, was read by title only.

Law Director Lieberman recommended adopting a new Public Records Policy which follows Ohio Revised Code. The policy will cover all City departments including Avon Lake Regional Water.

First Readings:

Temporary Legislation #10576, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 618.12 ENTITLED HUNTING PROHIBITED, EXCEPTIONS, AND DECLARING AN EMERGENCY, was read by title only.

Mr. Shondel moved suspension of the rule requiring three readings.

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

No: None

Absent: James

Motion carried.

Mr. Shondel moved for passage of Temporary Legislation #10576. This amendment will permit the use of a combination of city and privately owned land within the Kopf Family Reservation as an integral part of the 2015/2016 sharpshooter culling program. The passage of this ordinance will permit sharpshooters, with the permission of the property owners, to conduct culling within the boundaries of the Kopf Family Reservation.

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

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No: Kos
Absent: James
Motion carried.

Ordinance No. 136-2015 adopted

Temporary Legislation #10577, AN ORDINANCE AWARDDING A CONTRACT FOR THE PURPOSE OF PURCHASE OF COMPREHENSIVE INSURANCE COVERAGE FOR THE CITY OF AVON LAKE, AND DECLARING AN EMERGENCY, was read by title only.

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

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

Mr. Meiners moved for passage of Temporary Legislation #10577. The Finance Director advertised for bids for comprehensive insurance coverage and recommends the proposal from Argonaut Insurance Company through its agent Arthur J. Gallagher. The 2015/2016 premium will be less than the renewal of the current policy and will include expanded coverage in the umbrella policy. The new policy also includes terrorist coverage and cyber insurance.

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

Ordinance 137-2015 adopted.

Temporary Legislation 10578, AN ORDINANCE PROVIDING FOR TRANSFERS, AND DECLARING AN EMERGENCY, was read by title only.

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

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

Mr. Meiners moved for passage of Temporary Legislation #10578. The Finance Director determined certain transfers of funds are necessary for the immediate expenses of the City.

Yes: Kos, Meiners, O'Donnell, Shondel, Bucci, Fenderbosch
No: None
Absent: James

Motion carried.

Ordinance No. 138-2015 adopted.

Temporary Legislation #10579, AN ORDINANCE APPROVING A CHANGE ORDER TO THE CONTRACT WITH GO2IT GROUP, AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Absent: James

Motion carried.

Mr. Meiners moved for passage of Temporary Legislation #10579. There are additional costs with the virtual server project in the amount of \$944.96.

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

No: None

Absent: James

Motion carried.

Ordinance No. 139-2015 adopted.

Temporary Legislation #10580, AN ORDINANCE APPROVING THE PLAT FOR PICCOLO PLACE PLANNED UNIT DEVELOPMENT PHASE 3, AND DECLARING AN EMERGENCY, was read by title only.

Mrs. Fenderbosch moved for suspension of the rule requiring three readings.

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

No: None

Absent: James

Motion carried.

Mrs. Fenderbosch moved for passage of Temporary Legislation #10580. Planning Commission recommended approval of the plat. The plat complies with all subdivision requirements and the preliminary plan. Phase 3 is located off Sorrento Lane, south of Walker Road between Moorewood Blvd. and the Safety Center. All fees have been paid.

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

No: None

Absent: James

Motion carried.

Ordinance No. 140-2015 adopted.

Temporary Legislation #10581, AN ORDINANCE AUTHORIZING THE PURCHASE OF AN AMBULANCE FOR THE FIRE DEPARTMENT, AND DECLARING AN EMERGENCY, was read by title only.

The ambulance will be purchased from Excellence Inc. at a total cost of \$256,069.70. The purchase will be funded from the paramedic fund, the apparatus fund, and the paramedic equipment fund.

Temporary Legislation #10582, AN ORDINANCE AUTHORIZING THE PURCHASE OF AMBULANCE EQUIPMENT FOR THE FIRE DEPARTMENT, AND DECLARING AN EMERGENCY, was read by title only.

The power pro ambulance cost is \$15,126.30, and the power load system cost is \$23,844.56.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

The Avon Lake Historical Society sponsored tours of the Lake Shore cemetery over the weekend.

Trick or Treat will be held October 31st from 6:00 to 7:30 P.M.

Mr. Kos thanked everyone who contributed to the success of the Trail of Haunted Tales event.

PUBLIC INPUT

Richard Ackerman, 32961 Pin Oak Parkway, President of the Avon Lake Office and Storage Condominium Association, stated that the condominium association is willing to work in a positive way with the City of Avon Lake. The Board notified the condominium owners of the new ordinance regarding self-service storage units.

Dana Schnabel, 32282 Dorchester Drive, addressed Council regarding her candidacy for the Board of Municipal Utilities.

Jean Rounds, 1302 Chatham Place, Rocky River, asked how the inspections of the self-service storage units would be conducted. Mayor Zilka referred Mrs. Rounds to the Fire Department. He stressed that the City is concerned with protection of owners and the goods stored in the facility.

Arthur Roberson, 32961 Pin Oak Parkway, expressed his concern for protection of his equipment in the storage units during the inspections by the Fire Department. Mr. O'Donnell advised Mr. Roberson to submit all his questions to the Police and Fire Departments. Mrs. Fenderbosch stated that the spirit of the inspection is to identify hazardous materials for the safety of everyone. She further stated that any damage should be reported to the Police Department.

ADJOURNMENT

Mr. Meiners moved for adjournment.

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

No: None

Absent: James

Motion carried.

Adjournment: 9:20 P.M.

Approved: _____
Council President

Attest: _____
Clerk of Council