

**MINUTES OF THE REGULAR MEETING
OF THE AVON LAKE MUNICIPAL COUNCIL
HELD APRIL 25, 2016**

The regular meeting of the Avon Lake Municipal Council was called to order on April 25, 2016 at 7:30 P.M. in the Council Chamber with Council President O'Donnell presiding.

Mr. Bucci led the Council, staff, and public in 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, Finance Director Steve Presley, Public Works Director Joseph Reitz, Assistant Clerk of Council Valerie Rosmarin.

APPROVAL OF MINUTES

The Council meeting minutes of April 11, 2016 were approved as prepared and published.

PUBLIC HEARING

A Public Hearing was called to order upon an amendment to Planning & Zoning Code Section 1240.06(d)(8), regarding fence regulations in standard single family subdivisions.

Mrs. Fenderbosch stated that the amendment will include the exception to permit a residential property, whereby the side yard property line is also the rear yard property line of another property, to place a fence along the property line using the rear yard fence regulations which allows the fence to be at a maximum height of 6 feet.

The Public Hearing was closed at 7:35 P.M.

MAYOR'S REPORT

The 4th annual North Coast Business Expo will be held on Thursday, April 28, 2016 from 3:00 P.M. to 5:30 P.M. at the Avon Lake Towne Center Main Street, 500 Community Drive, Avon Lake.

A drug forum sponsored by Assist Avon Lake will be held on Tuesday, April 26, 2016 from 6:30 P.M. to 8:30 P.M. at the Avon Lake Public Library. Assist is a local group formed to aid the community with the ongoing drug crisis. Guest speakers will include County Coroner Dr. Steven Edward, Tom Stuber, CEO of Lorain County Alcohol and Drug Agency (LCADA), and Mrs. Elaine Georges, Executive Director of Alcohol and Drug Services (ADAS) of Lorain County.

The Mayor and Council President O'Donnell traveled to Indianapolis to attend the Fire Department Instructor Conference. Avon Lake's new EMS vehicle was on display and will be delivered at the end of this month.

COUNCIL PRESIDENT'S REPORT

The next Collective Committee meeting is scheduled for May 2nd and the next regular Council meeting is scheduled for May 9th.

PUBLIC WORKS DIRECTOR REPORT

The Public Works Department weekly update was distributed.

Lynn Ickes from Lorain County conducted a meeting with Homeowners Associations which will be available on ALCTV. Mrs. Ickes discussed managing and maintaining retention basins along with providing information on the invasive species, phragmites.

LAW DIRECTOR'S REPORT

The Law Department litigation update was distributed.

ENVIRONMENTAL COMMITTEE REPORT

Mr. Shondel reported that the Environmental Committee met April 13, 2016 and recommended the authorization of the 2015 Deer Management Plan.

HUMAN RESOURCES COMMITTEE REPORT

Mr. Shondel reported that the Human Resources Committee met April 11, 2016 and recommended the amendment of the job description for the Law Director, adjustments to the pay ranges of certain Avon Lake Region Water employees, the amendment to Codified Ordinance Chapter 290, the Affirmative Action Committee, and the authorization of the Assistant Law Director to perform the job duties of Zoning Administrator Booher during her medical leave of absence.

PUBLIC SERVICE COMMITTEE REPORT

Mr. James reported that the Public Service Committee met on April 25, 2016 and recommended the request for proposal (RFP) for the Heider Creek, a change order to the Folger Home, the addition of a porch to the Old Firehouse Community Center, and the use of recycling grant funds.

SAFETY COMMITTEE REPORT

Mr. Kos reported that the Safety Committee met on April 20, 2016 and recommended legislation to enact Chapter 1024 Emergency Access Gates and a liquor license permit for the wine festival.

SEWER COMMITTEE REPORT

Mrs. Fenderbosch reported that the Sewer Committee met on April 14, 2016. The following items were discussed: an update on the strategy for the sewer separation project, the Mull/Norman project, the CALDP Phase 2 design, the deterioration of the culvert at County Club Boulevard, and Public Works Director Reitz taped a show on ALCTV informing residents about the stormwater system and the modeling of Heider Creek.

MOTIONS

Mr. James moved to add a motion to the agenda to authorize a request for proposal for the Heider Creek property.

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

No: None

Motion carried.

Mr. James moved to authorize the Contract Administrator to issue a request for proposal (RFP) for development of the Heider Creek property.

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

No: None

Motion carried.

LEGISLATION

Second Readings:

Temporary Legislation #10647, AN ORDINANCE AMENDING PLANNING & ZONING CODE SECTION 1240.06(d)(8), ACCESSORY USE REGULATIONS, was read by title only.

Planning Commission approved and recommended an amendment to the Planning and Zoning Code pertaining to fence regulations. A public hearing was conducted earlier in the meeting.

Temporary Legislation #10657, AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT TO ACQUIRE TWO FORD F750 PLOW TRUCKS, AND DECLARING AN EMERGENCY, was read by title only.

The Pubic Service Committee approved and recommended the authorization of a lease agreement through Valley Ford Truck of Cleveland in the annual amount of \$59,463.80 for a term of six years through the State Purchasing Program.

Temporary Legislation #10658, AN ORDINANCE AUTHORIZING THE PURCHASE OF A FUELMASTER SYSTEM FOR THE PUBLIC WORKS DEPARTMENT, AND DECLARING AN EMERGENCY, was read by title only.

The Pubic Service Committee approved and recommended the authorization of the purchase of a fuelmaster system and software from Service Station Equipment Company of Cleveland in the amount of \$18,600.

First Readings:

Temporary Legislation #10659, 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: Bucci, Fenderbosch, James, Kos, Meiners, O'Donnell, Shondel
No: None
Motion carried.

Mr. Meiners moved for passage of Temporary Legislation #10659. The Finance Director determined certain transfers are necessary for the immediate expenses of the City.

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

Ordinance 45-2016 adopted.

Temporary Legislation #10660, AN ORDINANCE AUTHORIZING ENTERING INTO A WATER POLLUTION CONTROL LOAN FUND AGREEMENT, AND DECLARING AN EMERGENCY, was read by title only.

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

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

Mr. Meiners moved for passage of Temporary Legislation #10660. This ordinance will allow the Mayor to enter into a loan agreement on behalf of ALRW borrowing money from the Water Pollution Control Fund. The loan will be repaid through the water rate structure.

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

No: None

Motion carried.

Ordinance 46-2016 adopted.

Temporary Legislation #10661, AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF LAW DIRECTOR FOR THE CITY OF AVON LAKE, ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION, was read by title only.

The Human Resources Committee approved and recommended a job description for the Law Director, who will supervise the Zoning Administrator, Assistant Law Director, and City Prosecutor.

Temporary Legislation #10662, AN ORDINANCE AUTHORIZING DAVID GRAVES TO PERFORM ZONING ADMINISTRATOR DUTIES, ESTABLISHING THE RATE OF COMPENSATION FOR SAID DUTIES, AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. Shondel moved for passage of Temporary Legislation #10662. This ordinance will authorize the Assistant Law Director to perform duties of Zoning Administrator Booher during her medical leave of absence.

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

No: None

Motion carried.

Ordinance 47-2016 adopted.

Temporary Legislation #10663, AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 290, AFFIRMATIVE ACTION COMMITTEE, was read by title only.

The Human Resources Committee approved and recommended changing the Affirmative Action Committee to Affirmative Action Commission to have consistency with boards and commissions of unelected residents as members.

Temporary Legislation #10664, AN ORDINANCE APPROVING A CONDITIONAL USE SITE PLAN FOR STORAGE UNITS ON PIN OAK PARKWAY, was read by title only.

Planning Commission approved and recommended a conditional use site plan to construct storage units on Pin Oak Parkway west of Avon Belden Road. The complex will consist of a single story building with secured fencing around the property.

Temporary Legislation #10665, AN ORDINANCE APPROVING THE FINAL PLAT FOR ARRINGTON VILLAGE, PHASE 1, AND DECLARING AN EMERGENCY, was read by title only.

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

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

Mrs. Fenderbosch moved for passage of Temporary Legislation #10665. This ordinance will approve the final plat for Arrington Village, Phase I which consists of 24 attached dwelling units on private streets.

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

Ordinance 48-2016 adopted.

Temporary Legislation #10666, AN ORDINANCE AMENDING PLANNING & ZONING CODE SECTION 1268.05, DESIGNATION CRITERIA FOR INDIVIDUAL LANDMARKS AND HISTORIC DISTRICTS, was read by title only.

Planning Commission approved and recommended the amendment to designate criteria of landmarks and historic districts.

Temporary Legislation #10667, AN ORDINANCE TO MAKE APPROPRIATIONS FOR THE CURRENT AND OTHER EXPENDITURES OF THE CITY OF AVON LAKE FOR THE FISCAL YEAR 2016, AND DECLARING AN EMERGENCY, was read by title only.

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

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

Mr. Meiners moved for passage of Temporary Legislation #10667. This ordinance will fund the City's network replacement project.

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

No: None

Motion carried.

Ordinance 49-2016 adopted.

Temporary Legislation #10668, AN ORDINANCE FIXING COMPENSATION RANGES FOR AVON LAKE REGIONAL WATER POSITIONS, was read by title only.

The Human Resources Committee approved and recommended the salary adjustments for certain non-bargaining positions in the Avon Lake Regional Water.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENT

Mr. Kos completed the Junior Achievement program at Redwood Elementary and thanked Mrs. Kosar's first grade class for their participation.

ADJOURNMENT

Mr. Meiners moved for adjournment.

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

No: None

Motion carried.

Adjournment: 8:05 P.M.

Approved: _____
Council President

Attest: _____
Assistant Clerk of Council