

**MINUTES OF THE REGULAR MEETING  
OF THE AVON LAKE MUNICIPAL COUNCIL  
HELD JANUARY 11, 2016**

The regular meeting of the Avon Lake Municipal Council was called to order on January 11, 2016 at 7:30 P.M. in the Council Chamber with Council President O'Donnell presiding.

Mrs. Fenderbosch 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 Presley, Public Works Director Joseph Reitz, Clerk of Council Barbara Dopp.

**APPROVAL OF MINUTES**

The minutes of the December 14, 2015 and the December 21, 2015 Council meetings were approved as prepared and published.

**CORRESPONDENCE**

Amy Nasr submitted her letter of resignation from the Environmental Affairs Advisory Board.

**MAYOR'S REPORT**

The Ward 1 and Ward 2 meeting will be held jointly on February 3, 2016 at 7:00 P.M. at Learwood Middle School. Presentations will be made by the Police and Fire Chiefs and the Public Works Director. A representative from Allied Waste will attend to discuss trash issues. The Ward 3 and Ward 4 joint meeting will be held February 17, 2016 at 7:00 P.M. at the Avon Lake High School.

The Recreation Department is offering a new program called "Dark Skies, Bright Kids" on February 12<sup>th</sup> from 6:30 to 8:30 P.M. NASA and local astronomical societies will bring their entire toy boxes with telescopes, laser pointers, moon rocks, experiments from the International Space Station, and an inflatable planetarium. Residents can register by calling 930-4135 or at [avonlake.org](http://avonlake.org). The cost is \$2.00.

If residents experience power outages they should be reported to First Energy by calling 1-888- LIGHTSS or on their website [www.firstenergycorp.com](http://www.firstenergycorp.com).

Items were stolen from five cars in the Legacy, Wildberry, and Waterside Crossing South Subdivisions. In all cases the cars were left unlocked.

**COUNCIL PRESIDENT'S REPORT**

## January 11, 2016 Council Meeting Minutes

In observance of Martin Luther King Day, no Council meeting will be held on January 18<sup>th</sup>. A rescheduled Collective Committee meeting will be held on Tuesday, January 19<sup>th</sup> at 7:30 P.M.

There are vacancies on the Affirmative Action Committee, the Community Reinvestment Area Housing Council, and the Environmental Affairs Advisory Board. Any resident interested in these volunteer positions should send a letter of interest to the Clerk of Council at 150 Avon Belden Road or by e-mail to [bdopp@avonlake.org](mailto:bdopp@avonlake.org).

### **PUBLIC WORKS DIRECTOR REPORT**

The Public Works Department weekly update was distributed.

### **LAW DIRECTOR'S REPORT**

The Law Department litigation update was distributed.

### **ENVIRONMENTAL COMMITTEE REPORT**

The Environmental Committee will meet January 13, 2016 at 6:00 P.M. in the Council Conference Room.

Deer culling under the ten year management plan is continuing with favorable results. The two key statistics monitored monthly are available for 2015. Reported deer auto accidents were 24; the goal is less than ten per year by 2025. The Public Works Department collected 87 carcasses; the goal is less than 20 per year by 2025.

### **FINANCE COMMITTEE REPORT**

The Finance Committee will meet January 19, 2016 at 6:45 P.M. in the Public Works Conference Room.

### **HUMAN RESOURCES COMMITTEE REPORT**

Mr. Shondel reported on the January 11, 2016 Human Resources Committee meeting.

### **PUBLIC SERVICE COMMITTEE REPORT**

The Public Service Committee will meet on January 25, 2016 at 6:00 P.M. in the Public Works Conference Room.

### **SEWER COMMITTEE REPORT**

The Sewer Committee will meet on January 14, 2016 at 6:30 P.M. in the Public Works Conference Room.

## **MOTIONS**

Mr. James moved to authorize the Mayor to apply for State funding for 2016 capital projects. The projects include improvements to the retaining wall at Heider Creek and the Mull/Norman sewer separation project.

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

## **LEGISLATION**

### Third Readings:

Temporary Legislation #10599, AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF CABLE PRODUCTION COORDINATOR FOR THE AVON LAKE CABLE TELEVISION STUDIO, ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION, AND DECLARING AN EMERGENCY, was read by title only.

Mr. Bucci moved for passage of Temporary Legislation #10599. The Cable Production Coordinator will become a full-time position to allow for more coverage in the cable studio. The hourly wage rate will remain the same.

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

**Ordinance No. 3-2016 adopted.**

Temporary Legislation #10605, AN ORDINANCE ADOPTING A RISK MANAGEMENT POLICY FOR THE RECREATION DEPARTMENT, AND DECLARING AN EMERGENCY, was read by title only.

Mr. James moved for passage of Temporary Legislation #10605. The Recreation Director and Law Director developed an updated comprehensive Risk Management Plan with input from the Parks & Recreation Commission. The Plan adopts a policy for volunteers, particularly those working in the youth programs.

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

**Ordinance No. 4-2016 adopted.**

### Second Readings:

Temporary Legislation #10612, AN ORDINANCE AUTHORIZING A COOPERATIVE AGREEMENT FOR CONSTRUCTION OF LEAR/NAGEL SANITARY SEWER FORCE MAIN BETWEEN THE CITY OF AVON LAKE AND THE OHIO WATER DEVELOPMENT AUTHORITY, AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mrs. Fenderbosch moved for passage of Temporary Legislation #10612. The Board of Municipal Utilities wishes to extend the Lear/Nagel sanitary force main. The project will be financed through a loan from OWDA. The loan amount is approximately \$400,000. This ordinance approves the project and authorizes the Mayor and Finance Director to sign the cooperative agreement for construction, maintenance, and operation of the wastewater project.

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

No: None

Motion carried.

**Ordinance No. 5-2016 adopted.**

Temporary Legislation #10613, AN ORDINANCE AUTHORIZING A COOPERATIVE AGREEMENT FOR CONSTRUCTION OF THE MULL/NORMAN SANITARY SEWER REHABILITATION BETWEEN THE CITY OF AVON LAKE AND THE OHIO WATER DEVELOPMENT AUTHORITY, AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mrs. Fenderbosch moved for passage of Temporary Legislation #10613. The Board of Municipal Utilities wishes to rehabilitate the Mull/Norman sanitary sewer with financing through a loan from OWDA. The loan amount is approximately \$3 million. This ordinance approves the project and authorizes the Mayor and Finance Director to sign the cooperative agreement.

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

No: None

Motion carried.

**Ordinance No. 6-2016 adopted.**

First Readings:

Temporary Legislation #10617, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 886.21, OF THE AVON LAKE INCOME TAX ORDINANCE ENTITLED BOARD OF REVIEW, AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. Meiners moved for passage of Temporary Legislation #10617. The Ordinance needs to be revised to add the Mayor as the appointing official in Section 886.21.

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

No: None

Motion carried.

**Ordinance No. 7-2016.**

Temporary Legislation #10618, AN ORDINANCE AMENDING PLANNING & ZONING CODE SECTION 1214.07 (b) REGARDING THE MEMBERSHIP OF THE ZONING BOARD OF APPEALS, AND DECLARING AN EMERGENCY, was read by title only.

The amendment would allow members of the Zoning Board of Appeals to serve on the Tree Commission, the Cable Advisory Commission, the Environmental Affairs Advisory Board, the Income Tax Board of Review, the Community Reinvestment Area Housing Council, or the Affirmative Action Committee. A Public Hearing will be held on February 22<sup>nd</sup>.

**ANNOUNCEMENTS**

Mrs. Fenderbosch has been named to the Materials Management Advisory Council by Governor Kasich. Mrs. Fenderbosch will represent all municipalities in the State of Ohio.

Law Director Lieberman administered the Oath of Office for the Advisory Council to Mrs. Fenderbosch.

Mr. Kos congratulated Ward 4 resident Andrew Peachman who achieved the honor of Eagle Scout. For his project, he installed life rings and posts at Walker Road Park.

**EXECUTIVE SESSION**

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In compliance with Ohio Revised Code Section 121.22, Mr. Meiners moved to adjourn to Executive Session to discuss imminent litigation.

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

No: None

Motion carried.

Adjournment: 8:10 P.M.

**RECONVENING OF OPEN COUNCIL MEETING**

The Council meeting was reconvened in open session at 8:23 P.M.

Present: Council Members Dan Bucci, Jennifer Fenderbosch, Rob James, David Kos, Larry Meiners, Marty O'Donnell, John Shondel; Mayor Zilka, Law Director Abe Lieberman.

Mr. Meiners moved for adjournment.

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

No: None

Motion carried.

Adjournment: 8:24 P.M.

Approved: \_\_\_\_\_  
Council President

Attest: \_\_\_\_\_  
Clerk of Council