

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

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

A moment of silence was held for the Police Officers who lost their lives in Dallas.

Mr. O'Donnell 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, Clerk of Council Barbara Dopp.

APPROVAL OF MINUTES

The minutes of the June 13, 2016 and the June 27, 2016 Regular Council Meetings and the July 5, 2016 Emergency Council Meeting were approved as prepared and published.

APPOINTMENT OF A POLICE OFFICER

Temporary Legislation #10712, AN ORDINANCE CONFIRMING THE APPOINTMENT OF ANTHONY FABRIZI TO THE POSITION OF POLICE OFFICER IN THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. Shondel moved for passage of Temporary Legislation #10712. Mr. Fabrizi passed all required Civil Service tests.

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

No: None

Motion carried.

Ordinance No. 100-2016 adopted.

Law Director Lieberman administered the Oath of Office to Mr. Fabrizi.

COUNCIL PRESIDENT'S REPORT

Council will be on recess from July 12th to August 14th. Meetings will resume on August 15th with a Collective Committee Meeting. The next regular Council meeting will be held on August 22nd.

PUBLIC WORKS DIRECTOR'S REPORT

The Public Works Department weekly update was distributed.

The Hooks for Hunger Fishing Tournament was a success with approximately 140 people participating. Proceeds will be donated to Community Resource Services.

LAW DIRECTOR'S REPORT

The Law Department litigation update was distributed.

ENVIRONMENTAL COMMITTEE REPORT

Mr. Shondel will meet on Wednesday with representatives from the Department of Wildlife and the U.S. Department of Agriculture to discuss deer culling plans for 2016/2017. During the first six months of the year, the Public Works Department picked up 27 deer carcasses compared to 39 last year and 30 in 2014. The Police Department has had only six reported deer vehicle accidents compared to 12 for the same time last year.

HUMAN RESOURCES COMMITTEE REPORT

Mr. Shondel reported on the Human Resources Committee meeting held July 5, 2016.

PLANNING COMMISSION REPORT

Mrs. Fenderbosch reported on the results of the July 6, 2016 Planning Commission meeting.

ZONING BOARD OF APPEALS REPORT

Mayor Zilka reported on the results of the July 6, 2016 special meeting of the Zoning Board of Appeals.

MOTIONS

Mr. James moved to accept the donation of a butterfly garden at Walker Road Park. A Girl Scout will donate the garden to complete her Gold Medal Project. The garden was approved by the Parks & Recreation Commission. Since it is a jointly owned park, the City of Bay Village also approved the garden.

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

No: Meiners

Motion carried.

LEGISLATION

Third Reading:

Temporary Legislation #10684, A RESOLUTION TO ADOPT AND DECLARE THE TAX BUDGET FOR THE YEAR 2017, AND DECLARING AN EMERGENCY, was read by title only.

Mr. Meiners moved for passage of Temporary Legislation #10684. This is the first step in the process of adopting the 2017 budget for the City of Avon Lake. This ordinance authorizes the County Auditor to collect property taxes levied on all properties in the City. It is at the same millage rate of 8.1 mills as previous years.

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

No: None

Motion carried.

Ordinance No. 99-2016 adopted.

Second Readings:

Temporary Legislation #10709, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 208.01 (D) (1) OF THE GENERAL FEE SCHEDULE, AND DECLARING AN EMERGENCY, was read by title only.

The Police Chief recommended eliminating the \$1.00 bicycle license fee. The charge is more of a deterrent in having residents register their bicycles. If the fee is eliminated it will be easier to register bicycles at bike fairs, at schools, and at the bicycle shop.

Temporary Legislation #10710, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 474.12, LICENSE APPLICATION FEE.

With the elimination of the \$1.00 bicycle license fee, it is necessary to eliminate any reference to the fee. It is also necessary to amend the Codified Ordinance Section to direct the license application to the Safety Director or his designee rather than to the Finance Director.

Temporary Legislation #10716R, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE LEASE WITH THE LANDMARK PRESERVATION SOCIETY FOR THE LEASING OF ASSEMBLY HALL AT VETERANS MEMORIAL PARK.

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The amendment would extend the current lease by one year to allow the organization to complete the renovations according to the grant requirements.

First Readings:

Temporary Legislation #10718, 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: O'Donnell, Shondel, Bucci, Fenderbosch, James, Kos, Meiners

No: None

Motion carried.

Mr. Meiners moved for passage of Temporary Legislation #10718. The Finance Director determined certain transfers are needed for the immediate expenses of the City.

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

No: None

Motion carried.

Ordinance No. 101-2016 adopted.

Temporary Legislation #10719, AN ORDINANCE APPROVING A CHANGE ORDER TO THE CONTRACT WITH ADW, INC., AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. James moved for passage of Temporary Legislation #10719. There is a need to have cleaning services at the Old Firehouse Community Center. The duties were previously performed by a part-time City employee who has resigned. The change order amount is \$590.00 per month.

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

No: None

Motion carried.

Ordinance No. 102-2016 adopted.

Temporary Legislation #10720, A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR

LOCAL TRANSPORTATION PROGRAMS AND TO EXECUTE CONTRACTS AS REQUIRED, AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. James moved for passage of Temporary Legislation #10720. Applications for Round 31 OPWC funding are due at the Lorain County Engineers Office by September 2, 2016. The Public Works Director recommends applying for a grant for Walker Road paving improvements.

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

No: None

Motion carried.

Ordinance No. 103-2016 adopted.

Temporary Legislation #10721, 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: O'Donnell, Shondel, Bucci, Fenderbosch, James, Kos, Meiners

No: None

Motion carried.

Mr. James moved for passage of Temporary Legislation #10721. The property owners at 31680 Lake Road wish to build a breakwall in Lake Erie. The Department of Natural Resources requires this resolution from the City for a submerged land lease. The request went through departmental review and there were no objections.

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

No: None

Motion carried.

Ordinance No. 104-2016 adopted.

Temporary Legislation #10722, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL COOPERATIVE MUTUAL AID AGREEMENT FOR OPERATIONAL ASSISTANCE IN PROVIDING SECURITY FOR THE 2016 REPUBLICAN NATIONAL CONVENTION, AND DECLARING AN EMERGENCY, was read by title only.

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

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

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No: None

Motion carried.

Mr. Kos moved for passage of Temporary Legislation #10722. By this agreement, Avon Lake will send four Avon Lake Police Officers to assist with bicycle patrol at the RNC.

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

No: None

Motion carried.

Ordinance No. 105-2016 adopted.

Temporary Legislation #10723, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A FISHING AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES, DIVISION OF WILDLIFE, AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. James moved for passage of Temporary Legislation #10723. The Division of Wildlife will operate a fishing program at Walker Road Park. They will stock and maintain the pond at no cost to the City. The program was approved and recommended by the Parks & Recreation Commission and the Public Service Committee.

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

No: None

Motion carried.

Ordinance No. 106-2016 adopted.

ADJOURNMENT

Mr. Meiners moved for adjournment.

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

No: None

Motion carried.

Adjournment: 8:05 P.M.

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Approved: _____
Council President

Attest: _____
Clerk of Council