

**MINUTES OF THE REGULAR MEETING  
OF THE AVON LAKE MUNICIPAL COUNCIL  
SEPTEMBER 26, 2016**

The regular meeting of the Avon Lake Municipal Council was called to order on September 26, 2016 at 7:30 P.M. in the Council Chamber with Council President O'Donnell presiding.

Mr. Shondel 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 Steve Presley; Public Works Director Joe Reitz; Clerk of Council Barbara Dopp.

Absent: Rob James

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

**MAYOR'S REPORT**

Avon Lake received a commendation from the Ohio Senate sponsored by Senator Gayle Manning for Avon Lake being named among the ten most charming villages and small cities in Ohio by Travel Magazine.

Issue 35 will be on the November ballot for the purpose of operation of individual family and community alcohol and drug addiction prevention, treatment, and recovery support services for Lorain County residents. The levy is a 5-year, 1.2 mill levy.

Avon Lake Homecoming will be celebrated on October 8<sup>th</sup>.

**COUNCIL PRESIDENT'S REPORT**

The next Collective Committee meeting is scheduled for October 3, 2016. In observance of Columbus Day, no meeting will be held October 10<sup>th</sup>. A rescheduled Regular Council Meeting will be held on Tuesday, October 11<sup>th</sup>.

Mr. O'Donnell asked Mr. Kos to consider crosswalk issues at the next Safety Committee meeting.

**PUBLIC WORKS DIRECTOR'S REPORT**

The Public Works Department weekly update was distributed.

The SR 83 paving project has begun. The work will be done during the night in four stages.

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In answer to Mrs. Fenderbosch, Mr. Reitz stated that work will not be done on the beds located against the the Folger Home since siding work will be done in that area. The Mayor and Mr. Reitz will meet with Heritage Avon Lake to discuss the other planting areas. The City could possibly add some soil and wood mulch to the parking lot island. In coordination with the Tree Commission, trees will be added as part of the Arbor Day celebration. Water lines have not been run to the center island since native plants that do well in this environment will be added to the island.

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

The Law Director's litigation update was distributed.

### **ENVIRONMENTAL COMMITTEE REPORT**

Mr. Shondel reported on the September 7, 2016 Environmental Committee meeting.

Residents should report any coyote sightings to the Coyote Hotline at 440-930-4126. Information regarding coyotes is available on the Avon Lake website.

Residents with deer damage should contact Randy White, Lorain County Wildlife Officer, at 330-245-3032.

### **HUMAN RESOURCES COMMITTEE REPORT**

A Human Resources Committee meeting is scheduled for October 3, 2016 at 6:00 P.M. in the Public Works Conference Room.

### **FINANCE COMMITTEE REPORT**

Mr. Meiners reported on the Finance Committee meeting held September 19, 2016.

### **SEWER COMMITTEE REPORT**

The area around the Division Road water tower had been considered as a staging area by Avon Lake Regional Water for a sewer separation project. That is no longer being considered since that area has been identified as wetlands.

Mrs. Fenderbosch stated ALRW also considered Ilg Park as a staging area. However, there are deed restrictions on the property. The Ohio Green Fund funded 75% of the park purchase, and therefore, the park cannot be used for anything other than what it was deeded for.

The next meeting of the Sewer Committee is scheduled for October 13, 2016 at 6:30 P.M. in the Public Works Conference Room.

### **MOTIONS**

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Mrs. Fenderbosch moved to authorize the Mayor to sign an easement agreement with Kenwyn Village in the City of Avon to assure a setback from the ETL2 line. The setback from the water line is needed for the safety of a home being built in close proximity to the line.

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

No: None

Absent: James

Motion carried.

Mr. O'Donnell moved to confirm the Mayor's appointment of Tom Lescher to the Citizens Tree Commission for a term expiring December 31, 2018. Mr. Lescher is an arborist and the former Service Department Director.

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

No: None

Absent: James

Motion carried.

### **LEGISLATION**

#### Third Reading:

Temporary Legislation #10727, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 220.26, ENTITLED SUBPOENAS, was read by title only.

Mr. Kos moved for passage of Temporary Legislation #10727. The amendment will modify the authority of Council to reflect the language in the Charter.

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

No: None

Absent: James

Motion carried.

**Ordinance No. 124-2016 adopted.**

#### Second Readings:

Temporary Legislation #10730, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 260.02, VACATIONS, was read by title only.

Mr. Shondel stated that this and the next six ordinances all come under the general category of adding consistency to the ordinances to treat all non-bargaining unit and bargaining unit employees exactly the same. This amendment will allow all employees to cash in up to ten days of unused vacation days per year.

Temporary Legislation #10731, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 260.03, SICK LEAVE, was read by title only.

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This amendment will bring consistency to the definition of immediate family, maternity leave, and the rules of cashing in unused sick leave.

Temporary Legislation #10732, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 260.06, HOLIDAYS, was read by title only.

This amendment defines holidays for the Fire Department and Police Department shifts.

Temporary Legislation #10733, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 260.07, UNIFORM ALLOWANCES, was read by title only.

This amendment will grant a \$600.00 annual uniform allowance to the Public Works Director to be consistent with the benefit provided to the bargaining unit employees.

Temporary Legislation #10734, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 260.11, LONGEVITY COMPENSATION, was read by title only.

This amendment will increase the longevity pay by \$100 for each of the longevity pay categories for all non-bargaining unit employees to be consistent with the benefit provided to bargaining unit employees.

Temporary Legislation #10735, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 260.15, EDUCATIONAL INCENTIVE COMPENSATION, was read by title only.

This amendment will increase the amount of educational incentive pay for the following degrees: Associates Degree - \$450.00 per year; Bachelor's Degree - \$500.00 per year; Master's Degree - \$750.00 per year; Doctorate Degree - \$1000.00 per year.

Temporary Legislation #10736, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 260.21, REIMBURSEMENT OF CERTAIN RETIRED EMPLOYEES COST OF SPOUSE'S INSURANCE, was read by title only.

This amendment will allow for payment of \$100 per month for the health care of a retired person's non-working spouse for up to 36 months.

Temporary Legislation #10741, AN ORDINANCE AUTHORIZING THE PURCHASE OF RADIO REPEATER EQUIPMENT FOR THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

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Absent: James  
Motion carried.

Mr. Kos moved for passage of Temporary Legislation #10741. This purchase is part of a larger project that will allow Avon Lake to convert to digital format along with the Cities of Avon and Sheffield Lake, the Cities with which Avon Lake shares a frequency. Avon Lake's portion is \$19,450.00.

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

**Ordinance No. 125-2016 adopted.**

Temporary Legislation #10742, AN ORDINANCE AUTHORIZING THE PURCHASE OF RADIO EQUIPMENT FOR THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY, was read by title only.

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

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

Mr. Kos moved for passage of Temporary Legislation #10742. Twenty mobile radios need to be purchased for the digital conversion project. They will be purchased from Vasu Communications in the amount of \$49,535.50. The cost will be reimbursed from a grant.

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

**Ordinance No. 126-2016 adopted.**

First Readings:

Temporary Legislation #10748, AN ORDINANCE APPROVING A VACATION PLAT FOR AN ALLEY AS PART OF THE AVON LAKE HARBOR ESTATES ON THE EAST SIDE OF MILLER ROAD AND LAKE ROAD, AND DECLARING AN EMERGENCY, was read by title only.

Planning Commission recommended the vacation plat. The property will be converted into a parking lot for the Avon Lake Animal Hospital.

Temporary Legislation #10749, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF AVON LAKE AND THE AVON LAKE BOARD OF MUNICIPAL UTILITIES TO ENTER INTO AN AGREEMENT TO PURCHASE APPROXIMATELY THREE –QUARTERS (¾) OF AN ACRE OF LAND TO BE USED FOR A PUMPING STATION FOR THE ELYRIA EMERGENCY INTERCONNECTION, AND DECLARING AN EMERGENCY, was read by title only.

The City of Avon Lake, the City of Elyria and the Rural Lorain County Water Authority will enter into an agreement to purchase the land at a total cost of \$40,000. Avon Lake will be responsible for \$16,000 of the purchase price. This project is a result of frazzle ice issues in past years.

Temporary Legislation #10750, AN ORDINANCE AUTHORIZING THE DONATION OF UNCLAIMED PROPERTY IN THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY, was read by title only.

The Police Department wishes to donate unclaimed bicycles that have been confiscated or abandoned to the Ohio City Bicycle Co-Op.

Temporary Legislation #10751, AN ORDINANCE TO AMEND 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: Shondel, Bucci, Fenderbosch, Kos, Meiners, O'Donnell

No: None

Absent: James

Motion carried.

Mr. Meiners moved for passage of Temporary Legislation #10751. An additional \$300,000 needs to be appropriated for the storm sewer monitoring project, and an additional \$35,000 is being appropriated for the Finance Department to get caught up with the new computer system software maintenance. Additionally, \$200,000 is being transferred out of the trunk sanitary sewer fund to the lateral loan fund program for ALRW.

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

No: None

Absent: James

Motion carried.

**Ordinance No. 127-2016 adopted.**

## **PUBLIC INPUT**

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Andrew Strata, 32232 Woodfield, expressed his opposition to using Ilg Park as a staging area for the sewer separation project.

Mayor Zilka stated that he informed ALRW that Ilg Park could not be used for a staging area.

The following individuals expressed their support for renewal of the Boat Club lease and their opposition to developing the area for another purpose.

Mike Sweeney, 572 Bridgeside Drive  
Donna Puskas, 114 Beachdale Drive  
Beth Horan, 32624 Lake Road  
Mark Conti, 33353 Chelsea Avenue  
Ian Bruger, 147 Berkshire Road  
Karen Collister, 247 Moorewood Avenue  
Tom Petty, 664 Tournament Drive

Mr. O'Donnell stated that RFP's for the Boat Club property have not yet been reviewed by the Public Service Committee. He further stated that he supports renewal of the Boat Club lease and restoration of the retaining wall and opposes any commercial development of the property.

**ADJOURNMENT**

Mr. Meiners moved for adjournment.

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

No: None

Absent: James

Motion carried.

Adjournment: 9:00 P.M.

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

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