The following business is to be considered at the rescheduled meeting of the Avon Lake City Council on October 9, 2018 in the Council Chamber.

Pledge of Allegiance

Roll Call: Mr. Arnold, Mrs. Campo, Mrs. Fenderbosch, Mr. James, Mr. Kos, Mr. O’Donnell, Mr. Zuber, Mayor Zilka, Law Director Lieberman, Finance Director Presley, Public Works Director Reitz.

Approval of Minutes: September 24, 2018 Council Meeting as prepared and published.

Correspondence

Public Hearing

Upon the historic designation of 192 Lear Road as a historic landmark.

Reports

Mayor
Council President
Public Works Director
Law Director
Finance Director
Standing Committees
Special Committees

Audience Participation
Legislation

Third Reading:

Temporary Legislation #11158, approving the vacation for portions of Electric Boulevard, South Drive, Durrell Avenue, Clinton Avenue and Waterbury Avenue and consolidation plat of the parcels.

Second Readings:

Temporary Legislation #11153, designating 192 Lear Road as a historic landmark.

Temporary Legislation #11157, approving a revision to the general development plan for Legacy Pointe Planned Unit Development.

Temporary Legislation #11161, authorizing a cooperative service agreement between the City of Avon Lake and the United States Department of Agriculture, Animal and Plant Health Inspection Service related to the Deer Management Plan.

First Readings:

Temporary Legislation #11167, enacting Chapter 1257 of the Codified Ordinances to provide for the permitting and regulation of small cell facilities. →

Temporary Legislation #11168, approving a change order to the contract with Greenwich Electric, Inc. →

Temporary Legislation #11169, confirming the appointment of Jeremy Betsa as Interim Fire Chief.

Temporary Legislation #11170, approving the re-subdivision plat of 32339 Redwood Boulevard. →

Miscellaneous Business and Announcements

Public Input

Adjournment

→Suspension of the rule requiring three readings
ORDINANCE NO. ________

AN ORDINANCE APPROVING A VACATION FOR PORTIONS
OF ELECTRIC BOULEVARD, SOUTH DRIVE, DURRELL
AVENUE, CLINTON AVENUE AND WATERBURY AVENUE AND
CONSOLIDATION PLAT OF THE PARCELS.

WHEREAS, Avon Lake Regional Water has petitioned the City to
vacate unimproved portions of Electric Boulevard, South Drive,
Durrell Avenue, Clinton Avenue, and Waterbury Avenue in the Avon
Lake Harbor Estate Subdivision, east of Miller Road, south of
Electric Boulevard within an R-1A Residential Zoning District,
and for consolidation of the parcels, and

WHEREAS, the Planning Commission did consider said petition
aforementioned at its regular meeting of August 7, 2018 and
recommended that said vacation and consolidation plat should be
granted, and

WHEREAS, this Council is satisfied that there is good cause
for vacating as prayed for and that such will not be detrimental
to the general interest, safety and welfare of the public, and
that said vacation and consolidation plat should be granted, now
therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE,
STATE OF OHIO:

Section No. 1: That the unimproved portions of Electric
Boulevard, South Drive, Durrell Avenue, Clinton Avenue, and
Waterbury Avenue in the Avon Lake Harbor Estate Subdivision, east
of Miller Road, south of Electric Boulevard are hereby vacated.

Section No. 2: That the consolidation of the above
mentioned vacated properties is hereby approved.

Section No. 3: That the Public Works Department of the City
of Avon Lake is hereby directed to record the vacation and
consolidation plat with the Lorain County Recorder.

Section No. 4: That it is found and determined that all
formal actions of this Council concerning and relating to the
adoption of this Ordinance were adopted in an open meeting of
this Council and that all deliberations of this Council and any
of its committees which resulted in such formal actions, were in
meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 5: That this Ordinance shall be in full force and effect from and after the earliest period allowed by law.

1st reading: 9/10/18
2nd reading: 9/24/18
3rd reading:

PASSED: ____________________________  President of Council

POSTED: ____________________________  Approved

ATTEST: ____________________________  Mayor
ORDINANCE NO. ______

AN ORDINANCE DESIGNATING 192 LEAR ROAD AS A HISTORIC LANDMARK.

WHEREAS, the Avon Lake Planning Commission has at its meeting of July 3, 2018 recommended to Council that 192 Lear Road, be granted Historic Landmark Designation, and

WHEREAS, the request for Historic Landmark Designation for 192 Lear Road has been reviewed by the Avon Lake Historical Preservation Commission according to Planning & Zoning Code Chapter 1268, and

WHEREAS, the private home at 192 Lear Road was built by Frank Satter and Michael Satter in 1906 and deeded to the Conn family in 1966, and

WHEREAS, the house is a vernacular, two-story farmhouse with a wraparound front porch and a back porch on .6277 acres of land, and

WHEREAS, the house was constructed with wide floor joists on a fieldstone foundation, with the original capped gas well remaining on the property, and

WHEREAS, the house has retained its original character which is evident in the casement moldings, door knobs, ornate escutcheon plates, window locks, door latches, and the original heart pine doors, and

WHEREAS, the porches were restored and the original raised columns were retained, and

WHEREAS, all remodeling has been thoughtfully and meticulously planned to retain the original character of the house, and

WHEREAS, historic designation gives residents of our community a deeper sense of understanding and appreciation of Avon Lake heritage, now therefore;
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE,
STATE OF OHIO:

Section No. 1: That Council of the City of Avon Lake
does hereby grant 192 Lear Road the designation of Historic
Landmark.

Section No. 2: That it is found and determined that all
formal actions of this Council concerning and relating to the
adoption of this Ordinance were adopted in an open meeting of
this Council and that all deliberations of this Council and
any of its committees which resulted in such formal actions,
were in meetings open to the public, in compliance with all
legal requirements, including Section 121.22 of the Ohio
Revised Code.

Section No. 3: That this Ordinance shall be in full
force and effect from the earliest period allowed by law.

1st reading: 8/27/18
2nd reading: 
3rd reading:

PASSED: ____________________________  Council President

POSTED: ____________________________  Approved

ATTEST:

Clerk of Council                                      Mayor
ORDINANCE NO. ________

AN ORDINANCE APPROVING A REVISION TO THE GENERAL DEVELOPMENT PLAN FOR LEGACY POINTE PLANNED UNIT DEVELOPMENT.

WHEREAS, Planning Commission has at its meeting of August 7, 2018, approved a revision to the General Development Plan for Legacy Pointe Planned Unit Development, now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That after approval of the Planning Commission as required by Codified Ordinance Chapter 1252 and consideration by this Council as required by Codified Ordinance Section 1252.09(4), there is hereby approved and adopted the revision to the General Development Plan for Legacy Pointe Planned Unit Development.

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance shall be in full force and effect from and after the earliest period allowed by law.

1st reading: 9/10/18
2nd reading:
3rd reading:

PASSED: _________________________ President of Council

POSTED: _________________________ Approved

ATTEST: _________________________ Mayor

Clerk of Council
ORDINANCE NO. _________

AN ORDINANCE AUTHORIZING A COOPERATIVE SERVICE AGREEMENT BETWEEN THE CITY OF AVON LAKE AND THE UNITED STATES DEPARTMENT OF AGRICULTURE, ANIMAL AND PLANT HEALTH INSPECTION SERVICE RELATED TO THE DEER MANAGEMENT PLAN, AND DECLARING AN EMERGENCY.

WHEREAS, the overpopulation of white-tailed deer within the City of Avon Lake negatively impacts public health and safety primarily due to an excessive number of deer-related vehicular accidents, as well as destruction of natural habitats and biodiversity, increases the risk of disease transmission to humans from deer parasites, and damage to private and public property; and,

WHEREAS, it has been determined that it is in the best interest of the City to implement a comprehensive deer management plan to reduce the deer population of the City to a level that is acceptable from a safety and nuisance perspective and thereafter to maintain the deer population at such level; and,

WHEREAS, as part of the City’s comprehensive deer management plan, it is necessary to authorize a cooperative service agreement with the United States Department of Agriculture, Animal and Plant Health Inspection Service, as recommended by the Environmental Committee of City Council; now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the Mayor be and he hereby is authorized and directed to enter into a Cooperative Service Agreement with the United States Department of Agriculture, Animal and Plant Health Inspection Service as part of a comprehensive deer management plan at a cost not to exceed $32,879.00, a copy of which proposed agreement is attached hereto and incorporated herein by reference.

Section No. 2: That the Mayor be and he hereby is authorized to execute and deliver on behalf of the City any and all
Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 4: That this Ordinance is hereby declared to be an emergency measure necessary to protect the health and safety of the City’s residents, the emergency being the necessity to begin the process of reducing the deer population while conditions are favorable. Therefore, this Ordinance shall be in full force and effect immediately after its passage and approval by the Mayor.

1st reading: 9/24/18
2nd reading:
3rd reading:

PASSED: _________________________
President of Council

POSTED: _________________________
Approved

ATTEST: _________________________
Clerk of Council
Mayor
COOPERATIVE SERVICE AGREEMENT
between
THE CITY OF AVON LAKE
and
UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE (APHIS)
WILDLIFE SERVICES (WS)

ARTICLE 1

The purpose of this Cooperative Service Agreement is to allow for reimbursement of funds expended by the APHIS WS program while assisting the CITY OF AVON LAKE with their White-tailed Deer Management Plan as detailed in the attached work plan and financial plan.

ARTICLE 2

APHIS WS has statutory authority under the Act of March 2, 1931 (46 Stat. 1468; 7 USCA 8351-7 USCA 8352) as amended, and the Act of December 22, 1987 (101Stat. 1329-331, 7 USCA 8353), to cooperate with States, local jurisdictions, individuals, public and private agencies, organizations, and institutions while conducting a program of wildlife services involving mammal and bird species that are reservoirs for zoonotic diseases, or animal species that are injurious and/or a nuisance to, among other things, agriculture, horticulture, forestry, animal husbandry, wildlife, and human health and safety.

ARTICLE 3

APHIS WS and the CITY OF AVON LAKE mutually agree:

1. The parties’ authorized representatives who shall be responsible for carrying out the provisions of this Agreement shall be:

CITY OF AVON LAKE:
Joseph Reitz
Director of Public Works
150 Avon Belden Road
Avon Lake, Ohio 44012
Phone: (440) 933-6141 x1200
Fax: (440) 930-4107

APHIS WS:
Andrew J. Montoney
State Director
USDA, APHIS, Wildlife Services
4469 Professional Parkway
Groveport, OH 43125-9229
Office: (614) 993-3444
Fax: (614) 836-5597

July 27, 2018
2. To meet as determined necessary by either party to discuss mutual program interests, accomplishments, needs, technology, and procedures to maintain or amend the Work Plan (Attachment A). Personnel authorized to attend meetings under this Agreement shall be the CITY OF AVON LAKE or his/her designee, the State Director or his/her designee, and/or those additional persons authorized and approved by the CITY OF AVON LAKE, and the State Director.

3. APHIS WS shall perform services more fully set forth in the Work Plan, which is attached hereto and made a part hereof. The parties may mutually agree in writing, at any time during the term of this Agreement, to amend, modify, add or delete services from the Work Plan.

**ARTICLE 4**

The CITY OF AVON LAKE agrees:

1. To authorize APHIS WS to conduct direct control activities to reduce human health and safety risks and property damage associated with white-tailed deer populations on CITY OF AVON LAKE property. These activities are defined in the Work Plan (Attachment A). APHIS WS will be considered an invitee on the lands controlled by the CITY OF AVON LAKE. The CITY OF AVON LAKE will be required to exercise reasonable care to warn APHIS WS as to dangerous conditions or activities in the project areas.

2. To reimburse APHIS WS for costs of services provided under this Agreement up to but not exceeding the amount specified in the Financial Plan (Attachment B) on a quarterly basis. The final quarterly invoice will arrive approximately by the end of November 2019. The CITY OF AVON LAKE will begin processing for payment invoices submitted by APHIS WS within 30 days of receipt. The CITY OF AVON LAKE ensures and certifies that it is not currently debarred or suspended and is free of delinquent Federal debt.

3. To designate to APHIS WS the CITY OF AVON LAKE authorized individual whose responsibility shall be the coordination and administration of activities conducted pursuant to this Agreement.

4. To notify APHIS WS verbally or in writing as far in advance as practical of the date and time of any proposed meeting related to the program.

5. APHIS WS shall be responsible for administration and supervision of APHIS WS personnel and APHIS WS activities.

6. There will be no equipment with a procurement price of $5,000 or more per unit purchased directly with funds from the cooperator for use solely on this project. All
other equipment purchased for the program is and will remain the property of APHIS WS.

7. To coordinate with APHIS WS before responding to all media requests.

**ARTICLE 5**

APHIS WS Agrees:

1. To conduct activities within the CITY OF AVON LAKE as described in the attached Work Plan.

2. Designate to the CITY OF AVON LAKE the authorized APHIS WS individual who shall be responsible for the joint administration of the activities conducted pursuant to this Agreement.

3. To invoice the CITY OF AVON LAKE for actual costs incurred by APHIS WS on a Quarterly basis, during the performance of services agreed upon and specified in the attached Work and Financial Plans. The final quarterly invoice will arrive approximately by the end of November 2019. APHIS WS shall keep records and receipts of all reimbursable expenditures hereunder for a period of not less than one year from the date of completion of the services provided under this Agreement and the CITY OF AVON LAKE shall have the right to inspect and audit such records.

4. To provide the CITY OF AVON LAKE an estimate of APHIS WS deer damage management expenditures prior to May 1, 2019.

5. To coordinate with the CITY OF AVON LAKE before responding to all media requests.

**ARTICLE 6**

This Agreement is contingent upon the passage by Congress of an appropriation from which expenditures may be legally met and shall not obligate APHIS WS upon failure of Congress to so appropriate. This Agreement may also be reduced or terminated if Congress only provides APHIS WS funds for a finite period under a Continuing Resolution.
ARTICLE 7

APHIS WS assumes no liability for any actions or activities conducted under this Cooperative Service Agreement except to the extent that recourse or remedies are provided by Congress under the Federal Tort Claims Act (28 U.S.C. 1346(b), 2401(b), and 2671-2680).

ARTICLE 8

Pursuant to Section 22, Title 41, United States Code, no member of or delegate to Congress shall be admitted to any share or part of this Agreement or to any benefit to arise therefrom.

ARTICLE 9

Nothing in this Agreement shall prevent APHIS WS from entering into separate agreements with any other organization or individual for the purpose of providing wildlife damage management services exclusive of those provided for under this agreement.

ARTICLE 10

The CITY OF AVON LAKE certifies that APHIS WS has advised the CITY OF AVON LAKE that there may be private sector service providers available to provide wildlife management services that the CITY OF AVON LAKE is seeking from APHIS WS.

ARTICLE 11

The performance of wildlife damage management actions by APHIS WS under this agreement is contingent upon a determination by APHIS WS that such actions are in compliance with the National Environmental Policy Act, Endangered Species Act, and any other applicable federal statutes. APHIS WS will not make a final decision to conduct requested wildlife damage management actions until it has made the determination of such compliance.

ARTICLE 12

This Cooperative Service Agreement may be amended at any time by mutual agreement of the parties in writing. Also, this Agreement may be terminated at any time by mutual agreement of the parties in writing, or by one party provided that party notifies the other in writing at least 120 days prior to effecting such action. Further, in the event the CITY OF AVON LAKE does not provide necessary funds, APHIS WS is relieved of the obligation to provide services under this agreement.
In accordance with the Debt Collection Improvement Act of 1996, the Department of Treasury requires a **Taxpayer Identification Number** for individuals or businesses conducting business with the agency.

CITY OF AVON LAKE’s Taxpayer Identification Number (TIN): **34-6000166**

BY: _______________________________________  _______________________
    Gregory J. Zilka             Date
    Mayor of the City of Avon Lake
    150 Avon Belden Road
    Avon Lake, Ohio 44012
    Phone: (440) 930-4100
    Fax: (440) 930-4107

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
WILDLIFE SERVICES

Tax Identification Number (TIN): **41-0696271**

BY: _______________________________________   _______________________
    Andrew J. Montoney, State Director              Date
    USDA, APHIS, WS
    4469 Professional Parkway
    Groveport, OH 43125-9229
    Office: (614) 993-3444
    Fax: (614) 836-5597

BY: _______________________________________   _______________________
    Willie D. Harris     Date
    Director, Eastern Region
    USDA, APHIS, WS
    920 Main Campus Drive; Suite 200
    Raleigh, NC 27606
ATTACHMENT A
WORK PLAN

Introduction

The U.S. Department of Agriculture (USDA) is authorized to protect American agriculture and other resources from damage associated with wildlife. The primary authority for Wildlife Services (WS) is the Act of March 2, 1931 (46 Stat. 1468; 7 USCA 8351-7 USCA 8352) as amended, and the Act of December 22, 1987 (101Stat. 1329-331, 7 USCA 8353). Wildlife Services activities are conducted in cooperation with other Federal, State and local agencies; private organizations and individuals.

Purpose

To assist the CITY OF AVON LAKE with meeting the objectives of their White-tailed Deer Management Plan.

Planned APHIS WS Activities

This work plan is contingent upon an approved deer management plan between the City of Avon Lake and the Ohio Division of Wildlife, and the resulting permit issued by the Ohio Division of Wildlife and the issuance of an Avon Lake Municipal Deer Control Permit (MDCP) by the Avon Lake Chief of Police or his designee.

Through the implementation of management measures described below, APHIS WS will assist the CITY OF AVON LAKE with the sharpshooting portion of their White-tailed Deer Management Plan. These objectives are to help reduce damage and public safety threats caused by white-tailed deer in the CITY OF AVON LAKE.

APHIS WS employees will be used to assist with the baiting and sharpshooting portion of the White-tailed Deer Management Plan of the CITY OF AVON LAKE. WS will coordinate with the CITY OF AVON LAKE project coordinator and Ohio Division of Wildlife (ODW) staff to inspect, propose and certify baiting and shooting zones to be used. APHIS WS personnel will prepare and arrange any necessary deer damage management equipment. WS will conduct removal of white-tailed deer from the CITY OF AVON LAKE using rifles equipped with noise-suppression devices. WS will collect and transport whole carcasses to a predetermined CITY OF AVON LAKE facility. WS will conduct removal activities between November 1, 2018 and March 31st 2019. Every effort will be made to conduct removal activities during this time period but activities are contingent upon weather conditions and site availability.
CITY OF AVON LAKE will be responsible for the following:

- Obtain Deer Permits from ODW and any other necessary authorizations naming APHIS WS as subpermittee.

- Provide a Project Coordinator during all phases of the project. The Project Coordinator shall be present and reachable via cellular phone during removal activities.

- Provide a centralized site for the storage of carcasses during nightly operations with the following minimum specifications: Enclosed garage or outbuilding with cement floor, drain, running water with standard hose connection, electricity and table or writing surface.

- Provide yearly white-tailed deer population estimates.

- CITY OF AVON LAKE law enforcement shall verify that shooting areas are closed and empty of visitors ½ hour prior to removal operations.

- CITY OF AVON LAKE law enforcement shall be available during removal operations and in direct communications with APHIS WS.

- CITY OF AVON LAKE will ensure the Lorain County Metroparks is aware of sharpshooting activities in Kopf Family Reservation and will provide that notification in writing or by email and a copy of that correspondence shall be provided to APHIS WS.

- CITY OF AVON LAKE shall obtain a signed WS WID form or Lorain County Metroparks permit from the Lorain County Metroparks as needed for sharpshooting activities occurring within or near the perimeter of Kopf Family Reservation and shall provide a copy to APHIS WS.

- CITY OF AVON LAKE understands that work inside Kopf Family Reservation is contingent upon enough area for APHIS WS to operate without having to utilize lands owned by Lorain County Metroparks and that those sites must be agreed upon by APHIS WS and the CITY OF AVON LAKE before sharpshooting activities can begin.

- CITY OF AVON LAKE ensures a plan is in place to retrieve deer from properties in Kopf Family Reservation owned by Lorain County Metroparks in the rare event that deer removed by sharpshooting expire on their property and shall provide a copy of the agreed upon document to APHIS WS. If permits or permission is needed to accomplish the plan the CITY OF AVON LAKE will obtain the permits.
or permission (WS WID forms and/or other) and provide a copy to APHIS WS prior to any sharpshooting activities within or near the perimeter of Kopf Family Reservation.

- CITY OF AVON LAKE shall eviscerate, clean, and temporarily store deer carcasses immediately following daily operations.

- CITY OF AVON LAKE, if necessary, shall ice/cool carcasses in advance of carcass transportation to a venison processing facility.

- CITY OF AVON LAKE shall obtain a processor prior to removal operations and notify the processor that deer carcasses will come to them whole with innards intact. Transport of deer carcasses to the designated venison processor will occur within 24 hours of removal.

- CITY OF AVON LAKE shall maintain records as required by ODW and report results to ODW and APHIS WS upon completion of the program.

Monitoring of Accomplishments
APHIS WS will provide a final annual report to the City of Avon Lake no later than April 30 of the removal year.

Effective Dates
The cooperative agreement shall become effective on October 1, 2018 and shall expire on July 31, 2019.
ATTACHMENT B
FINANCIAL PLAN

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<td><strong>$32,879</strong></td>
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</tbody>
</table>

The distribution of the budget from this Financial Plan may vary as necessary to accomplish the purpose of this agreement, but may not exceed $32,879. APHIS WS staff may be compensated at regular time, night-time-differential, and/or overtime pay rates in accordance with programmatic Directives to accomplish the purpose of this agreement.

**Financial Point of Contact**

CITY OF AVON LAKE: Steven J. Presley  
150 Avon Belden Road  
Avon Lake, Ohio 44012  
Office: (440) 933-6141  
spresley@avonlake.org  

APHIS, WS: Virginia Green  
4469 Professional Parkway  
Groveport, OH 43125-9229  
Office: (614) 993-3444  
Fax: (614) 836-5597  
Virginia.K.Green@aphis.usda.gov
ORDINANCE NO. ______

AN ORDINANCE ENACTING CHAPTER 1257 OF THE CODIFIED ORDINANCES TO PROVIDE FOR THE PERMITTING AND REGULATION OF SMALL CELL FACILITIES, AND DECLARING AN EMERGENCY.

WHEREAS, the State recently amended the Revised Code pertaining to small cell facilities;

WHEREAS, the Revised Code grants municipalities certain control over small cell facilities within public rights-of-way; and

WHEREAS, for the protection of the residents of the City, Council and the Administration deem it appropriate to enact an ordinance to regulate and provide a process for the issuance of permits for small cell facilities within public rights-of-way;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That there is hereby enacted Chapter 1257 of the Codified Ordinances of the City of Avon Lake attached hereto.

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of ensuring that small cell facilities are not installed in locations or in a manner that will be detrimental to the residents of the City, thus for the public health, safety, and welfare. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

PASSED: _________________________  ____________________________
President of Council

POSTED: _________________________  ____________________________
Approved

ATTEST: _________________________  ____________________________
Clerk of Council  Mayor
ORDINANCE NO. ________

AN ORDINANCE APPROVING A CHANGE ORDER TO THE
CONTRACT WITH GREENWICH ELECTRIC, INC., AND
DECLARING AN EMERGENCY.

WHEREAS, it has been found that a change order to the
contract with Greenwich Electric, Inc. was needed for the removal
and relocation of the foundation for the traffic control box at
Webber Road and S.R. 83, and

WHEREAS, the Public Service Committee has reviewed said
expenditure and recommends that Council approve said change order
for an amount not to exceed $1,000.00, now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE,
STATE OF OHIO:

Section No. 1: That the change order in an amount not to
exceed $1,000.00 to the contract with Greenwich Electric, Inc. of
Medina, Ohio is hereby approved and accepted.

Section No. 2: That it is found and determined that all
formal actions of this Council concerning and relating to the
adoption of this Ordinance were adopted in an open meeting of
this Council and that all deliberations of this Council and any
of its committees which resulted in such formal actions, were in
meetings open to the public, in compliance with all legal
requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance is hereby declared to be
an emergency measure, the emergency being the necessity of
approving a change order for additional costs for the traffic
control box to ensure the safety of motorists at this
intersection, thus for the public health, safety, and welfare. Therefore, this Ordinance shall go into immediate force and
effect from and after its passage and approval by the Mayor.

PASSED: ____________________________
President of Council

POSTED: ____________________________
Approved

ATTEST: ____________________________
Clerk of Council
Mayor
ORDINANCE NO. __________

AN ORDINANCE CONFIRMING THE APPOINTMENT OF
JEREMY BETSA TO THE POSITION OF INTERIM FIRE
CHIEF IN THE FIRE DEPARTMENT, AND DECLARING
AN EMERGENCY.

WHEREAS, pursuant to the terms of the Civil Service
provisions of the Codified Ordinances of Avon Lake, tests have
been given and the results certified; that accordingly the Fire
Chief has requested an appointment pursuant to the rules and
regulations of the Civil Service Commission; and the Mayor has
submitted to this Council for confirmation an appointment to
said position, now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE,
STATE OF OHIO:

Section No. 1: That appointment of Jeremy Betsa to the
position of Interim Fire Chief in the Fire Department, be and it
is hereby approved and confirmed, subject to the Civil Service
Rules and the Administrative Code provisions of the Codified
Ordinances, effective October 22, 2018.

Section No. 2: That the duties and responsibilities to be
performed and undertaken by an Interim Fire Chief in the Fire
Department shall be those set forth for such position in
Ordinance No. 151-2018.

Section No. 3: That with Council’s present knowledge of
Mr. Betsa’s experience and ability, it does hereby fix a salary
of $4,008.06 bi-weekly for the position.

Section No. 4: That it is found and determined that all
formal actions of this Council concerning and relating to the
adoption of this Ordinance were adopted in an open meeting of
this Council and that all deliberations of this Council and any
of its committees which resulted in such formal actions, were in
meetings open to the public, in compliance with all legal
requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 5: That this Ordinance is hereby declared to
be an emergency measure, the emergency being the necessity of
filling a vacancy in the Fire Department to ensure the efficient
operation of the Department, thus for the health, safety, and
welfare of the residents of Avon Lake. Therefore, this
Ordinance shall be in full force and effect from and immediately
after its passage and approval by the Mayor.

1st reading:
2nd reading:
3rd reading:

PASSED: ________________________  President of Council

POSTED: ________________________  Approved

ATTEST:

Clerk of Council  Mayor
ORDINANCE NO. ________

AN ORDINANCE APPROVING THE RE-SUBDIVISION PLAT FOR 32339 REDWOOD BOULEVARD, AND DECLARING AN EMERGENCY.

WHEREAS, there has been submitted to and approved by Planning Commission on October 2, 2018 the re-subdivision plat to split a small piece of property from 32339 Redwood Boulevard (04-00-019-143-437) and combine with 32345 Redwood Boulevard (04-00-019-143-447), and

WHEREAS, the re-subdivision plat for 32339 Redwood Boulevard has now been submitted to this Council for its consideration and approval, and

WHEREAS, Council has examined said re-subdivision plat and has been advised by the Public Works Director and Planning Commission that it complies with the requirements of this Municipality, now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the re-subdivision plat to split a small piece of property from 32339 Redwood Boulevard (04-00-019-143-437) and combine with 32345 Redwood Boulevard (04-00-019-143-447) be and the same is hereby approved.

Section No. 2: The Clerk of Council is authorized to sign the plat accordingly.

Section No. 3: That upon certification by the Public Works Director, Council finds that all inspections and engineering fees have been paid and all improvements have been installed as required by the Subdivision Code.

Section No. 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.
Section No. 5: That this Ordinance is hereby declared to be an emergency measure, the emergency being the need to allow for the timely recording of the subdivision plat to prevent the unnecessary delay in the mortgage closing of this property, thus for the public safety and welfare. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

PASSED: _________________________ ____________________________
        President of Council

POSTED: _________________________ ____________________________
        Approved

ATTEST: _________________________ ____________________________
        Clerk of Council     Mayor