The following business is to be considered at a regular meeting of the Avon Lake City Council on February 24, 2020 at 7:30 P.M. in the Council Chamber.

Pledge of Allegiance

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

Motion

Accepting the resignation of Sergeant Victoria Rightnour effective February 29, 2020 - K. Zuber.

Appointment of a Police Sergeant

Temporary Legislation #11354, confirming the appointment of Thomas Anadiotis to the position of Police Sergeant. →

Administration of the Oath of Office by Law Director Ebert.


Correspondence

Reports

Mayor
Council President

→Suspension of the rule requiring three readings
Audience Participation

Motion

Confirming the Mayor’s appointment of Sandy Garrett to the Avon Lake Historical Preservation Commission for a term expiring December 31, 2021 - D. Kos.

Legislation

Third Reading:

Temporary Legislation #11337, authorizing disposal of unclaimed property.

Second Readings:

Temporary Legislation #11345, approving the application made by ABK Limited to have certain land owned by it designated as being located within an agricultural district. →

Temporary Legislation #11346, approving the application made by LNK Limited to have certain land owned by it designated as being located within an agricultural district. →

Temporary Legislation #11350R, authorizing the purchase of a 2020 Ford F-250 regular cab for the Public Works Department. →

First Readings:

Temporary Legislation #11352, adopting a job description for the position of Assistant Public Works Director.

Temporary Legislation #11353, confirming the appointment of Brandon Haas as Laborer in the Public Works Department. →

Temporary Legislation #11355, authorizing entering into a Water Pollution Control Loan Fund Agreement.

Temporary Legislation #11356, amending Planning & Zoning Code Sections 1212.03, 1246.02, 1250.03(a)(2), and 1250.04.

→Suspension of the rule requiring three readings
Temporary Legislation #11357, approving the Improvement Plans for The Harbour Planned Unit Development Subdivision No. 1.

Miscellaneous Business and Announcements

Public Input

Adjournment

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

AN ORDINANCE CONFIRMING THE APPOINTMENT OF THOMAS ANADIOTIS AS SERGEANT IN THE POLICE 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 Police 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 Thomas Anadiotis to the position of Sergeant in the Police Department, be and it is hereby approved and confirmed, subject to the Rules and Administrative Code provisions of the Codified Ordinances, effective March 1, 2020.

Section No. 2: That the duties and responsibilities to be performed and undertaken by a Sergeant in the Police Department shall be those set forth for such position in Ordinance No. 55-2012.

Section No. 3: That with Council does hereby fix a salary of $41.71 per hour for the position, payable bi-weekly as determined by the Director of Finance.

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 Police Department to ensure a smooth transition and 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.
PASSED: ______________________________  President of Council

POSTED: ______________________________  Approved

ATTEST:
      Clerk of Council  Mayor
RESOLUTION NO. __________

A RESOLUTION AUTHORIZING THE DISPOSAL OF UNCLAIMED OR FORFEITED PROPERTY BY THE POLICE DEPARTMENT.

WHEREAS, the City of Avon Lake desires to dispose of property in the custody of the Police Department that has been unclaimed or forfeited; and

WHEREAS, Section 2981.12 of the Ohio Revised Code permits the City of Avon Lake to dispose of unclaimed or forfeited property in the custody of the Police Department;

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

Section No. 1: That the City of Avon Lake does authorize the Chief of Police to dispose of unclaimed or forfeited property on the attached list as directed by Ohio Revised Code Chapter 2918.

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 Resolution shall be in full force and effect from and after earliest period allowed by law.

1st reading: 1/27/2020
2nd reading:
3rd reading:

PASSED: ________________________  ___________________________  
President of Council

POSTED: _________________________  ___________________________  
Approved

ATTEST: _________________________  ___________________________  
Clerk of Council  Mayor
<table>
<thead>
<tr>
<th>Electronics</th>
<th>Jewelry</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 GPS Units</td>
<td>Costume Jewelry</td>
</tr>
<tr>
<td>2 RCA DVD Players</td>
<td>costume jewelry (ring)</td>
</tr>
<tr>
<td>5th generation Amazon Fire Tablet</td>
<td>gold necklace</td>
</tr>
<tr>
<td>Asus laptop</td>
<td>gold ring</td>
</tr>
<tr>
<td>Calculador</td>
<td>Gold Watch</td>
</tr>
<tr>
<td>camera</td>
<td>ring</td>
</tr>
<tr>
<td>drone - white</td>
<td>Ring</td>
</tr>
<tr>
<td>Flip Phone - black</td>
<td>Flip Phone - black</td>
</tr>
<tr>
<td>Samsung Galaxy S4 in Obsidian case</td>
<td>Silver Bulova watch</td>
</tr>
<tr>
<td>GPS Unit</td>
<td>three woman's rings</td>
</tr>
<tr>
<td>Grey laptop case with charging cord</td>
<td>United States marine ring</td>
</tr>
<tr>
<td>iPad</td>
<td>Wedding Band</td>
</tr>
<tr>
<td>iPAD - black</td>
<td>Wedding band</td>
</tr>
<tr>
<td>iPhone</td>
<td>Wedding Band</td>
</tr>
<tr>
<td>iPhone - black</td>
<td>woman's small gold watch</td>
</tr>
<tr>
<td>iPhone - black</td>
<td>buick keys plus 2 more keys</td>
</tr>
<tr>
<td>iPhone - black</td>
<td>Dodge vehicle key Fob</td>
</tr>
<tr>
<td>iPhone - white</td>
<td>house key</td>
</tr>
<tr>
<td>iPhone (shocking no listen model)</td>
<td>key</td>
</tr>
<tr>
<td>iPhone 5 w/ case</td>
<td>Key fob and 4 keys</td>
</tr>
<tr>
<td>iPhone 6 - white</td>
<td>Key fob and 4 keys</td>
</tr>
<tr>
<td>iPhone 6 w, gray case</td>
<td>Key fob w. Hyundai lanyard</td>
</tr>
<tr>
<td>iPhone 7 in blue otterbox case</td>
<td>keys</td>
</tr>
<tr>
<td>iPhone 8</td>
<td>KIA Key fob</td>
</tr>
<tr>
<td>iPhone w/ baseball case</td>
<td>set of Ford car keys</td>
</tr>
<tr>
<td>iPod</td>
<td>set of keys and bottle opener</td>
</tr>
<tr>
<td>iPod</td>
<td>Set of keys w/ Las Vegas Bottle Opener</td>
</tr>
<tr>
<td>iPod</td>
<td>Vehicle keys</td>
</tr>
<tr>
<td>iPod</td>
<td>vehicle keys</td>
</tr>
<tr>
<td>iPod</td>
<td>Vehicle keys</td>
</tr>
<tr>
<td>iPod w/ case</td>
<td>Vehicle keys</td>
</tr>
<tr>
<td>LG cell phone - black</td>
<td>Vehicle keys</td>
</tr>
<tr>
<td>LG flip phone</td>
<td>Vehicle keys</td>
</tr>
<tr>
<td>LG Phone W/ black rubber case - black</td>
<td>Vehicle keys</td>
</tr>
<tr>
<td>Motorola Cell phone</td>
<td>Air compressor</td>
</tr>
<tr>
<td>Motorola Cell Phone - black</td>
<td>air compressor (LS12)</td>
</tr>
<tr>
<td>Nintendo</td>
<td>bucket of hand tools and portable vacuum (LS33)</td>
</tr>
<tr>
<td>Nintendino 64 and PS2 games</td>
<td>hand sander</td>
</tr>
<tr>
<td>PlayStation games</td>
<td>Hand tools / Vacuum</td>
</tr>
<tr>
<td>portable speaker</td>
<td>Nail gun</td>
</tr>
<tr>
<td>Samsung Galaxy S4 - white</td>
<td>Porter Cable Profile Sander, Craftsman Professional Jigsaw</td>
</tr>
<tr>
<td>Samsung Galaxy S9</td>
<td>Power Washer</td>
</tr>
<tr>
<td>Samsung phone - black</td>
<td>Ryobi sander</td>
</tr>
<tr>
<td>silver iPod</td>
<td>Ryobi String Trimmer - Located in Overhead Storage #3</td>
</tr>
<tr>
<td>Sony mp3</td>
<td>Various hand tools</td>
</tr>
<tr>
<td>TomTom GPS unit</td>
<td>Weed wacker</td>
</tr>
<tr>
<td>ZTE Cell phone</td>
<td></td>
</tr>
<tr>
<td>ZTE cell phone - black</td>
<td></td>
</tr>
<tr>
<td>ZTE Cell phone and charger - black</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous items</td>
<td>Wallets/Purses/Bags</td>
</tr>
<tr>
<td>----------------------------------------------------------</td>
<td>----------------------------------------------------------</td>
</tr>
<tr>
<td>&quot;fire fighter&quot; knife</td>
<td>black book bag</td>
</tr>
<tr>
<td>2 fishing poles</td>
<td>black lunch box</td>
</tr>
<tr>
<td>2 fishing poles and two tackle boxes</td>
<td>Black nylon bag</td>
</tr>
<tr>
<td>Bear River CO2 BB gun</td>
<td>Black purse</td>
</tr>
<tr>
<td>black folding knife</td>
<td>Black wallet</td>
</tr>
<tr>
<td>camoflauge folding knife</td>
<td>black wallet</td>
</tr>
<tr>
<td>cd book case</td>
<td>Blue Bag w/ sweatshirt, black airsoft, pair of socks</td>
</tr>
<tr>
<td>Charter one Visa Card</td>
<td>Blue book bag</td>
</tr>
<tr>
<td>Credit Card</td>
<td>blue draw string bag</td>
</tr>
<tr>
<td>dental pick/gun cleaning pick</td>
<td>brown leather wallet with 3 gold chains,</td>
</tr>
<tr>
<td>dirt bike helmet (LS12)</td>
<td>1 gold bracelet, a prepaid gift card, and a store rewards</td>
</tr>
<tr>
<td>Fishing Pole</td>
<td>brown wallet</td>
</tr>
<tr>
<td>Global Cash card (no name)</td>
<td>burgundy Jan Sport book bag and a pair of rollerblades</td>
</tr>
<tr>
<td>Golf bag and clubs</td>
<td>Diaper Bag</td>
</tr>
<tr>
<td>hunting arrow</td>
<td>grey diaper bag</td>
</tr>
<tr>
<td>Miscellaneous Clothing</td>
<td>Purse</td>
</tr>
<tr>
<td>small silver flash light</td>
<td>Service worker found small leather cat purse ($0.45)</td>
</tr>
<tr>
<td>Smith and Wesson Handcuffs</td>
<td>Suitcase</td>
</tr>
<tr>
<td>tackle box</td>
<td>superman wallet with $34</td>
</tr>
<tr>
<td>Zyloware reading glasses</td>
<td>Wallet</td>
</tr>
<tr>
<td></td>
<td>Wallet w/ personal papers</td>
</tr>
</tbody>
</table>
RESOLUTION NO. __________

A RESOLUTION TO APPROVE THE APPLICATION MADE BY ABK LIMITED TO HAVE CERTAIN LAND OWNED BY IT DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT AND DECLARING AN EMERGENCY.

WHEREAS, the General Assembly of the State of Ohio has enacted Sections 929.01 to 929.05 and 6111.034 of the Ohio Revised Code to permit the establishment of agricultural districts to preserve agricultural land, to exempt land in those districts from the collection of specified utility assessments, to provide other benefits for land in those districts, to forbid township and county zoning from restricting certain farm markets, and to provide a right to farm by exempting generally accepted agriculture practices from air pollution laws and certain nuisance statutes, rules, and ordinances; and

WHEREAS, Section 929.03(D) provides that the legislative authority of a municipal corporation may apply to the Water and Sewer Commission created by Division (C) of Section 1525.11 of the Ohio Revised Code, for an advance of monies from the Water and Sewer fund, created by Division (A) of Section 1525.11 of the Ohio Revised Code, in an amount equal to that portion of the costs of water and sewer improvement authorized by law that is to be financed by assessments whose collection would be prohibited on real property that is placed within an agricultural district; and

WHEREAS, Section 929.02(B) O.R.C., provides that the legislative authority of a municipal corporation may reject or modify an application for inclusion in an agricultural district filed pursuant to 929.02(A) O.R.C., if such rejection or modification is necessary to prevent a substantial, adverse effect on, among other things, the provision of municipal services within the municipal corporation or on the public health, safety or welfare; and

WHEREAS, the City of Avon Lake is experiencing economic difficulties due to increased cost of municipal operation and reduced sources of funding, which place a burden and handicap upon its ability to provide municipal services and thus protect the public health, safety and welfare, at this time and in the foreseeable future; and

WHEREAS, the legislative authority of a municipal corporation is required to deal with each application for inclusion in agriculture districts made by an owner of real property which is located within the municipal corporation by approving, rejecting or approving with modifications within a statutory time frame; and

WHEREAS, ABK Limited has filed such an application which is attached hereto and incorporated herein as though fully rewritten;
NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: Said application is approved for all purposes encompassed by
Sections 929.01 to 929.05 and 6111.034 of the Ohio Revised Code except for the
following, which constitutes a modification authorized by Section 929.02(B) of the
Ohio Revised Code, the necessity of which is demonstrated by the above recitals.

The real estate devoted to agricultural production, which is the subject of the
instant application, shall be limited to 49.10 acres and shall not be deemed exempt
from the collection of special assessments for water, sewer or electrical service until
such time as (1) the statutory Water Sewer Commission has established rules for
application by municipalities for advance monies to cover the assessment exemptions;
(2) the statutory Water and Sewer Fund has been funded; (3) the Council of the City
of Avon Lake has obtained approval upon its application for an advance of monies
from said fund; and (4) the applicant has signed an agreement to pay any and all fees
assessed by the Ohio Water and Sewer Rotary Commission for processing said loan.

At such time in the future when Council shall resolve to enact any relevant
improvement for which a special assessment must be levied upon real estate,
including that which falls within the designation of an agricultural district, the Clerk
of Council will notify all property owners, whose application for inclusion in an
agricultural district has been approved with the instant modification, by Certified
Mail, Return Receipt Requested, of the fact that such resolution has been made.

At the time of such resolution, Council will pursue application for advancement
of monies from the Water and Sewer Commission to cover the assessments allocated
to property located within agricultural districts. All property owners will be advised
at public meetings of the progress and/or results of Council’s application for funds.
Owners of property located within an agricultural district will be notified of the result
of such application by Certified Mail, Return Receipt Requested.

At such time as Council deems itself assured of the receipt of the advanced
funds and upon payment of the aforementioned administrative fees to the Ohio Water
and Sewer Rotary Commission by the applicant, it shall lift the instant modification
and, thereby, grant exemption to all properties located within agricultural districts,
effective on the date of their original application.

In the event that Council’s application is rejected by the Commission due to
lack of funds in its Water and Sewer Fund, or for any other reason, or in the event
that the response of the Commission is such that Council deems itself unassured that
such funds will be forthcoming from the Commission, then the instant modification
will remain in effect and special assessment taxes will be levied upon property with
agricultural districts until such time as the situation changes and Council deems itself
assured of receiving an advance of monies from the Water and Sewer Fund.
Section No. 2: It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of the Council and that all deliberations of this Council and any of its Committees that resulted in such formal action 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 Resolution is hereby declared to be an emergency, the emergency being the necessity of meeting the time limitations prescribed by the state statutes. Therefore, this Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

1st Reading: 2/10/20
2nd Reading:
3rd Reading:

PASSED: _______________________  ______________________________

POSTED: _______________________  ______________________________

ATTEST: _______________________  ______________________________

President of Council
Approved
Mayor
RESOLUTION NO. __________

A RESOLUTION TO APPROVE THE APPLICATION MADE BY
LNK LIMITED TO HAVE CERTAIN LAND OWNED BY IT
DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL
DISTRICT AND DECLARING AN EMERGENCY.

WHEREAS, the General Assembly of the State of Ohio has enacted Sections 929.01 to 929.05 and 6111.034 of the Ohio Revised Code to permit the establishment of agricultural districts to preserve agricultural land, to exempt land in those districts from the collection of specified utility assessments, to provide other benefits for land in those districts, to forbid township and county zoning from restricting certain farm markets, and to provide a right to farm by exempting generally accepted agriculture practices from air pollution laws and certain nuisance statutes, rules, and ordinances; and

WHEREAS, Section 929.03(D) provides that the legislative authority of a municipal corporation may apply to the Water and Sewer Commission created by Division (C) of Section 1525.11 of the Ohio Revised Code, for an advance of monies from the Water and Sewer fund, created by Division (A) of Section 1525.11 of the Ohio Revised Code, in an amount equal to that portion of the costs of water and sewer improvement authorized by law that is to be financed by assessments whose collection would be prohibited on real property that is placed within an agricultural district; and

WHEREAS, Section 929.02(B) O.R.C., provides that the legislative authority of a municipal corporation may reject or modify an application for inclusion in an agricultural district filed pursuant to 929.02(A) O.R.C., if such rejection or modification is necessary to prevent a substantial, adverse effect on, among other things, the provision of municipal services within the municipal corporation or on the public health, safety or welfare; and

WHEREAS, the City of Avon Lake is experiencing economic difficulties due to increased cost of municipal operation and reduced sources of funding, which place a burden and handicap upon its ability to provide municipal services and thus protect the public health, safety and welfare, at this time and in the foreseeable future; and

WHEREAS, the legislative authority of a municipal corporation is required to deal with each application for inclusion in agriculture districts made by an owner of real property which is located within the municipal corporation by approving, rejecting or approving with modifications within a statutory time frame; and

WHEREAS, LNK Limited has filed such an application which is attached hereto and incorporated herein as though fully rewritten;
NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: Said application is approved for all purposes encompassed by Sections 929.01 to 929.05 and 6111.034 of the Ohio Revised Code except for the following, which constitutes a modification authorized by Section 929.02(B) of the Ohio Revised Code, the necessity of which is demonstrated by the above recitals.

The real estate devoted to agricultural production, which is the subject of the instant application, shall be limited to 49.10 acres and shall not be deemed exempt from the collection of special assessments for water, sewer or electrical service until such time as (1) the statutory Water Sewer Commission has established rules for application by municipalities for advance monies to cover the assessment exemptions; (2) the statutory Water and Sewer Fund has been funded; (3) the Council of the City of Avon Lake has obtained approval upon its application for an advance of monies from said fund; and (4) the applicant has signed an agreement to pay any and all fees assessed by the Ohio Water and Sewer Rotary Commission for processing said loan.

At such time in the future when Council shall resolve to enact any relevant improvement for which a special assessment must be levied upon real estate, including that which falls within the designation of an agricultural district, the Clerk of Council will notify all property owners, whose application for inclusion in an agricultural district has been approved with the instant modification, by Certified Mail, Return Receipt Requested, of the fact that such resolution has been made.

At the time of such resolution, Council will pursue application for advancement of monies from the Water and Sewer Commission to cover the assessments allocated to property located within agricultural districts. All property owners will be advised at public meetings of the progress and/or results of Council’s application for funds. Owners of property located within an agricultural district will be notified of the result of such application by Certified Mail, Return Receipt Requested.

At such time as Council deems itself assured of the receipt of the advanced funds and upon payment of the aforementioned administrative fees to the Ohio Water and Sewer Rotary Commission by the applicant, it shall lift the instant modification and, thereby, grant exemption to all properties located within agricultural districts, effective on the date of their original application.

In the event that Council’s application is rejected by the Commission due to lack of funds in its Water and Sewer Fund, or for any other reason, or in the event that the response of the Commission is such that Council deems itself unassured that such funds will be forthcoming from the Commission, then the instant modification will remain in effect and special assessment taxes will be levied upon property with agricultural districts until such time as the situation changes and Council deems itself assured of receiving an advance of monies from the Water and Sewer Fund.
Section No. 2: It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of the Council and that all deliberations of this Council and any of its Committees that resulted in such formal action 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 Resolution is hereby declared to be an emergency, the emergency being the necessity of meeting the time limitations prescribed by the state statutes. Therefore, this Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

1st Reading: 2/10/20
2nd Reading: 
3rd Reading: 

PASSED: _______________________  ______________________________

President of Council

POSTED: _______________________  ______________________________

Approved

ATTEST: _______________________  ______________________________

Clerk of Council    Mayor
ORDINANCE NO. _________

AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF ASSISTANT PUBLIC WORKS DIRECTOR, ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION AND REPEALING ORDINANCE NO. 101-91.

WHEREAS, it has been recommended by the Human Resources Committee that a job description for the position of Assistant Public Works Director be adopted;

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

Section No. 1: That the specifications, responsibilities, and duties applicable to the position of Assistant Public Works Director shall be as shown on the job description, a copy of which is attached hereto and made a part hereof.

Section No. 2: That Ordinance No. 101-91 is hereby repealed.

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 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. 4: That this Ordinance shall be in full force and effect from and after the earliest period allowed by law.

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

PASSED: _________________________  ____________________________
President of Council

POSTED: _________________________  ____________________________
Approved

ATTEST: _________________________  ____________________________
Clerk of Council  Mayor
CITY OF AVON LAKE
POSITION DESCRIPTION
ASSISTANT PUBLIC WORKS DIRECTOR

January 2020

Job Title: Assistant Public Works Director

Department: Public Works

Immediate Supervisor: Public Works Director

Positions supervised: Public Works Support Staff, Leadman position(s), Utilityman, Equipment Operator(s), Equipment Operator(s) in Training, Laborers and any Seasonal/Part time positions

FLSA Status: Exempt

Bargaining Unit: None

Civil Service Status: Unclassified

JOB RESPONSIBILITIES:

Incumbent shall work under the direction of the Public Works Director and will assume the responsibility(s) of the Public Works Director during their absence or as assigned.

This position will have direct responsibility for the maintenance of City streets and properties, drainage ditches and waterways, parks and grounds maintenance, public buildings and lands; with preeminent responsibility for the maintenance and oversight of all equipment maintained by the Public Works department or being used by the Department in day-to-day operations in the delivery of City services. Part of said duties may also include project management for City- authorized projects or endeavors.

This exempt position shall work overtime (outside of normal business hours) as directed by the Public Works Director and/or by seasonal property demands. The Assistant Director shall directly supervise all of the employees within the Public Works Department on a day to day basis. The Assistant Director will be responsible for the preparation and execution of daily task assignments
for the Public Works staff. This includes initial job assignments, re-assignments, and point-of-service directives. The Assistant Director shall be responsible for the planning, direction, monitoring, and evaluations (annually) of the Public Works staff members. The Assistant Director will be responsible for the management of attendance records, payroll and timekeeping records, and will handle/recommend discipline as situations warrant within the constructs of the City of Avon Lake policies and collective bargaining agreements.

QUALIFICATIONS:

Due to the preeminent level of management knowledge/experience necessary for this position an Associate’s Degree (coupled with experience) is required; a Bachelor’s Degree is preferred; Areas of concentration should be in management, civil engineering or construction, public administration or human resources.

Applicants demonstrating a 5 (five) year or more history of supervision in similar work environments may be considered in lieu of a Bachelor’s Degree.

In addition to higher education requirements this position requires a proficiency in:

- Computers and programing for office use (Excel, Word, etc…)
- Budget preparation, knowledge of governmental budgeting is a plus
- Time record management
- Inventory control and life cycle systems for heavy and light equipment
- Safety and OSHA protocols
- Experience with personnel oversight and staffing

All applicants must pass a background screening, drug test and possess a valid State of Ohio Driver’s License; a Commercial Driver’s license (A or B endorsement) is a plus.

EXPERIENCE:

A minimum of five (5) years of work experience within a similar capacity and demonstrated supervisory experience.

PHYSICAL REQUIREMENTS:

Intermediate physical activity including lifting, bending, standing, reaching, etc...working conditions include loud, dusty environments and hazardous chemicals.

ILLUSTRATED DUTIES:

1. The duties listed below (sample) are intended to depict routine and non-routine tasks as performed by this classification.
   - Directly supervises 20 to 30 employees on a daily, weekly, hourly basis. Assists with employee training and selection as delegated by the Public Works Director.
• Prepares work schedules and assigns it to Public Works employees on a daily basis (or as required).
• Is apprised of, and inspects, all mechanical and maintenance equipment problems; then determines and communicates the necessary corrective action(s).
• Oversees the maintenance of all City owned, leased, or utilized equipment.
• Oversight of the operation and records for the City’s compost facility.
• Assists Public Works Director in implementing Avon Lake’s stormwater NPDES Permit; with a focus on good housekeeping MCM #6 government municipal operations.
• Development (in conjunction with the Public Works Director) and enforcement of all City (and departmental) policies and disciplinary regulations.
• Determines (with input and research) equipment life cycles and purchases to allow for the delivery of City services.
• Makes budget recommendations and has budgetary responsibility including abiding by City purchasing standards/rules.
• Maintains records and authorizes time sheets and paychecks for accuracy and in keeping with all collective bargaining agreements.
• Consults with Public Works Director and other city departments as necessary.
• High level of responsibility to respond to general and focused inquiries from the general public, traveling public, and other City Department personnel in order to develop and implement solutions and remedy problems or hazards.

2. Knowledge, skill, and abilities necessary to perform duties:
   - Knowledge of supervision and management within a union environment
   - Clear and concise understanding of the delivery of City services
   - Knowledge of mechanics, engines, construction methods
   - Understanding and abiding by City Ordinances
   - Grasp of supervisory principles and practices within union environments
   - Working knowledge of the performance and operation of all types of equipment
     - Working knowledge of life cycle and safety training for specialized equipment
   - Understanding and knowledge of Avon Lake’s geography and service areas
   - Strong written and oral communication skills
   - Ability to work with all levels of the general public

A checklist of demonstrated experience for the above enumerated key job requirements will be administered as part of the interview process for this position.

Compensation: TBD

Benefits: Comparable to other City of Avon Lake employees, including a comprehensive package of Ohio PERS benefits, sick leave, vacation time, holiday pay, health insurance, dental, vision and life insurance.
ORDINANCE NO. ________

AN ORDINANCE CONFIRMING THE APPOINTMENT OF BRANDON
HAAS AS LABORER IN THE PUBLIC WORKS 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 an eligibility list established for
the position of Laborer in the Public Works Department; and the Human Resources
Director and the Public Works Director 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 the appointment of Brandon Haas to the position of
Laborer in the Public Works Department, be, and it is hereby approved and
confirmed.

Section No. 2: That the duties and responsibilities to be performed and
undertaken by the Laborer are shown in the job description for said position adopted
by Ordinance No. 29-2012.

Section No. 3: That with Council’s present knowledge of Mr. Haas’ experience,
ability, and current certifications it has and does fix a bi-weekly Step 1 salary of

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 to fully staff the Public Works
Department to ensure the efficient operation of the Department and continue to offer
quality services to the residents of Avon Lake, thus for the preservation of the health,
safety, and welfare of the residents of Avon Lake. Therefore, this Ordinance shall
take effect and be in full force immediately upon its passage and approval by the
Mayor.
PASSED: _________________________  ____________________________

President of Council

POSTED: _________________________  ____________________________

Approved

ATTEST: _________________________  ____________________________

Clerk of Council               Mayor
ORDINANCE NO. ______

AN ORDINANCE AUTHORIZING ENTERING INTO A WATER POLLUTION CONTROL LOAN FUND AGREEMENT FOR THE FLOW DIVERSION PROJECT AT THE WATER RECLAMATION FACILITY AND DECLARING AN EMERGENCY.

WHEREAS, the City of Avon Lake through its Board of Municipal Utilities desires to build a flow diversion at the Water Reclamation Facility; and

WHEREAS, the City of Avon Lake through its Board of Municipal Utilities intends to apply to the Water Pollution Control Loan Fund (WPCLF) for funds for the design and construction of the facilities; and

WHEREAS, the Ohio Water Pollution Control Loan Fund requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source;

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

Section No. 1: That the Mayor and appropriate City staff members are authorized to sign all documents related to a WPCLF loan authorized by the Board of Municipal Utilities build a flow diversion at the Water Reclamation Facility.

Section No. 2: That the Board of Municipal Utilities has designated wastewater revenues as a source of repayment.

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 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. 4: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of filing documents in a timely manner to secure funding to upgrade the Avon Lake Regional Water wastewater system, thus for the public welfare. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.
ORDINANCE NO. ________

AN ORDINANCE AUTHORIZING ENTERING INTO A WATER POLLUTION CONTROL LOAN FUND AGREEMENT FOR THE FLOW DIVERSION PROJECT AT THE WATER RECLAMATION FACILITY, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Avon Lake through its Board of Municipal Utilities desires to construct a flow diversion structure at the Water Reclamation Facility; and

WHEREAS, the City of Avon Lake through its Board of Municipal Utilities intends to apply to the Water Pollution Control Loan Fund (WPCLF) for funds for the design and construction of the facilities; and

WHEREAS, the Ohio Water Pollution Control Loan Fund requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source;

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

Section No. 1: That the Mayor and appropriate City staff members are authorized to sign all documents related to a WPCLF loan authorized by the Board of Municipal Utilities to build a flow diversion structure at the Water Reclamation Facility.

Section No. 2: That the Board of Municipal Utilities has designated wastewater revenues as a source of repayment.

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 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. 4: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of filing documents in a timely manner to secure funding to upgrade the Avon Lake Regional Water wastewater system, thus for the public welfare. 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 TO AMEND PLANNING & ZONING CODE SECTIONS 1212.03 DEFINITIONS OF GENERAL TERMS, 1246.02 PERMITTED USES, 1250.03(a)(2) REGULATIONS FOR CONDITIONAL USES IN BUSINESS AND INDUSTRIAL DISTRICTS, AND 1250.04 SUPPLEMENTAL REGULATIONS FOR SPECIFIC USES AND DECLARING AN EMERGENCY.

WHEREAS, Planning Commission at its meeting of February 4, 2020 recommended to Council amendments to Planning & Zoning Code Sections 1212.03, 1246.02, 1250.03(a)(2), and 1250.04; and

WHEREAS, Council coming now to consider said recommendation approves it in full;

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

Section No. 1: That Planning & Zoning Code Section 1212.03 is hereby amended as follows:

1212.03 (xx) STORAGE GARAGE: A commercial or non-commercial establishment in which motor vehicles are stored, serviced and routinely maintained.

Section No. 2: That Planning & Zoning Code Section 1246.02 is hereby amended as follows:

Permitted Uses in Industrial Districts

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<tr>
<th>USE</th>
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<tbody>
<tr>
<td>C. STORAGE DISTRIBUTION (in a wholly enclosed building)</td>
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<tr>
<td>1. Warehouse distribution facility - for products of a single business</td>
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<td>P</td>
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<tr>
<td>2. Construction trades/contractors facility</td>
<td>P</td>
<td>P</td>
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<tr>
<td>3. Storage and distribution of flammable gases in tanks above ground and flammable liquids below ground</td>
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<tr>
<td>4. Truck terminal - warehousing and distribution of products from multiple businesses</td>
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<tr>
<td>5. Metal salvage or junk storage (in a wholly enclosed building)</td>
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<tr>
<td>6. Self-service storage facility</td>
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7. Recycling center, which may include the transfer, composting or mulching of organic material generated primarily from residential yard waste

8. Storage Garage

**Section No. 3:** That Planning & Zoning Code Section 1250.03(a)(2) is hereby amended as follows:

Regulations for Conditional Uses in Business and Industrial Districts

<table>
<thead>
<tr>
<th>Conditional Use</th>
<th>District Permitted</th>
<th>Minimum Lot Requirements</th>
<th>Additional Specific Criteria if Applicable</th>
</tr>
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<tbody>
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<tr>
<td>1. -- 39</td>
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<tr>
<td>XX. Storage Garage</td>
<td>X</td>
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<td>40. -- 43</td>
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(a) Area required if located in a separate building
(b) Shall comply with district regulations

**Section No. 4:** That Planning & Zoning Code Section 1250.04 is hereby amended as follows:

(xx) Storage Garage.

(1) All work must be performed in a fully enclosed building.
(2) The garage must be located at least 150 feet from any Residential District if the subject property is contiguous to a Residential District.

**Section No. 5:** 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. 6:** That this Ordinance is hereby declared to be an emergency measure to establish permitted uses in a business district to encourage economic development in the City of Avon Lake and to maintain the integrity of the Planning & Zoning Code, 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.
1st reading: _________________________  2nd reading: _________________________  3rd reading: _________________________

PASSED: ____________________________  President of Council

POSTED: ____________________________  Approved

ATTEST: ____________________________  Clerk of Council  Mayor
ORDINANCE NO. ________

AN ORDINANCE APPROVING THE IMPROVEMENT PLANS FOR THE HARBOUR PLANNED UNIT DEVELOPMENT SUBDIVISION NO. 1 AND DECLARING AN EMERGENCY.

WHEREAS, Planning Commission has at its meeting of February 4, 2020, approved the Improvement Plans for The Harbour Subdivision No. 1;

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

Section No. 1: That the Improvement Plans for The Harbour Subdivision No. 1, consisting of 29 single family lots, east of Brennans Court, west of the Avon Lake/Bay Village border, and on the south side of Walker Road within an R-1 Single Family Residential Zoning District, as submitted to and approved by Planning Commission as required by the Planning & Zoning Code, and referred to this Council, be and it is hereby approved.

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 to allow construction of the project to move forward and permit the City to begin collecting property taxes as soon as possible to further the economic stability 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.

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

PASSED: _________________________  ____________________________
President of Council

POSTED: _________________________  ____________________________
Approved

ATTEST: _________________________  ____________________________
Clerk of Council  Mayor