VOTING ORDER

R. James
D. Kos
L. Meiners
M. O'Donnell
J. Shondel
D. Bucci
J. Fenderbosch

CITY OF AVON LAKE
150 AVON BELDEN ROAD
AVON LAKE, OHIO

The following business is to be considered at the regular meeting of the Avon Lake City Council on May 8, 2017 at 7:30 P.M. in the Council Chamber.

Pledge of Allegiance

Roll Call: Mr. Bucci, Mrs. Fenderbosch, Mr. James, Mr. Kos, Mr. Meiners, Mr. O'Donnell, Mr. Shondel, Mayor Zilka, Director of Law Lieberman, Director of Finance Presley, Public Works Director Reitz.

Approval of Minutes: April 24, 2017 Council Meeting as prepared and published.

Public Hearing: Upon an amendment to Planning & Zoning Section 1252.04 as it relates to the density within a Planned Unit Development.

Correspondence

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

Audience Participation

Motions

Instructing the Clerk of Council to return the form to the Division of Liquor Control indicating the City does not request a hearing for a new license for
Third Reading:

Temporary Legislation #10861, authorizing the purchase of three vehicles for the Public Works Department.

Second Readings:


Temporary Legislation #10871, allowing wine to be sold, served, and consumed at a one-day festival at Veterans Memorial Park.→

Temporary Legislation #10872, submitting the question of the renewal of a tax levy for the purpose of providing ambulance/EMS services to the City of Avon Lake.

Temporary Legislation #10873, amending Codified Ordinance Section 1468.02 to eliminate the violation of any provision of the Building Code, Fire Code, or other ordinances of the City as a sufficient basis for declaring a building dangerous.

Temporary Legislation #10875, amending Codified Ordinance Section 612.02(b), Sales to Underage Persons; Prohibitions and Misrepresentations.

First Readings:

Temporary Legislation #10877, establishing the Avon Lake Health Services Advisory Commission.

Temporary Legislation #10878, adopting a job description for the position of Chief of Utility Operations.

Temporary Legislation #10879, adopting a job description for the position of Engineer for Avon Lake Regional Water.

Temporary Legislation #10880, providing for the appointment of Kristen Gomez as Secretary in the Fire Department.→

Temporary Legislation #10881, providing for the continued defense of the City in an action filed by James E. Pietrangelo.→

Temporary Legislation #10882, amending Codified Ordinance Section 10170.08, Weiss Field Park Rules and Regulations.

→Suspension of the rule requiring three readings
Miscellaneous Business and Announcements

Public Input

Adjournment

---Suspension of the rule requiring three readings
ORDINANCE NO. ______

AN ORDINANCE AUTHORIZING THE PURCHASE OF THREE VEHICLES FOR THE PUBLIC WORKS DEPARTMENT, AND DECLARING AN EMERGENCY.

WHEREAS, in accordance with the direction of Council, notice has been given by publication, as required by law, advertising for bids for two F250 Ford Pick-Up Trucks and one Ford Escape for the Public Works Department, and

WHEREAS, in response to said advertisement, bids have been received, opened, and tabulated, and

WHEREAS, Council has now considered said bids and has determined that the bid submitted by Kowalski Ford of Avon Lake, Ohio, for two F250 Ford Pick-Up Trucks and one Ford Escape for the Public Works Department is the best responsive bid and is acceptable to this Council, now therefore;

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

Section No. 1: That the bid of Kowalski Ford of Avon Lake, Ohio, for two F250 Ford Pick-Up Trucks in the amount of $56,438.24 and one Ford Escape in the amount of $20,182.28 be and the same is hereby accepted and approved.

Section No. 2: That upon receipt of the two F250 Ford Pick-Up Trucks and one Ford Escape to the full satisfaction of the Public Works Director and the Director of Finance, then the Director of Finance is hereby authorized and directed to deliver to Kowalski Ford of Avon Lake, Ohio, the warrant of this City in the amount of $76,620.52 and to cause said warrant to be paid.

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 providing the Public Works Department with reliable vehicles so they may safely perform their duties, thus for the preservation
of 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: 4/10/17
2nd reading: 4/24/17
3rd reading:

PASSED: ___________________________ President of Council

POSTED: ___________________________ Approved

ATTEST:

Clerk of Council ___________________________ Mayor
ORDINANCE NO. ______

AN ORDINANCE AMENDING PLANNING & ZONING CODE SECTION 1252.04, ENTITLED DEVELOPMENT REGULATIONS, AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission at its meeting of March 7, 2017 recommended to Council amendments to Planning & Zoning Code Section 1252.04, entitled Development Regulations, 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 1252.04
is hereby amended as follows.

<table>
<thead>
<tr>
<th>District</th>
<th>Minimum Site Area (a) (acres)</th>
<th>Minimum Open Space (b)</th>
<th>Gross Maximum Density (units per acre)</th>
<th>Maximum Units on Any One Acre</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1</td>
<td>20</td>
<td>25%</td>
<td>2.5</td>
<td>5</td>
</tr>
<tr>
<td>R-1</td>
<td>50</td>
<td>25%</td>
<td>2.5</td>
<td>8</td>
</tr>
<tr>
<td>R-1A</td>
<td>20</td>
<td>25%</td>
<td>3.5</td>
<td>7</td>
</tr>
</tbody>
</table>

(a) Project Area and Density. The minimum site area and maximum permitted densities for a planned unit development shall conform to the following Schedule 1252.04 (a).

SCHEDULE 1252.04 (a)
Minimum Site Area and Maximum Permitted Density for Planned Development Areas

(1) The Planning Commission may approve a planned unit development which is not less than 15 acres when it determines that such deviation from the 20 acre standard is justified because of the exceptional quality of the design of the proposed development; the uniqueness of the natural features to be preserved; and/or ownership and development limitations which hinder the application from satisfying the minimum area specified.

(2) Shall only be considered in satisfying the percentage requirements when in compliance with Section 1252.06.

(3) These maximums can be increased, upon a recommendation of approval by Planning Commission and final approval by Council, based on the determination that the layout of the site preserves open space. Open space preservation shall be the guiding factor in exceeding these site development limits.

(b) Ownership. The entire tract of land to be developed for a planned unit development shall be considered one zoning lot, and shall be in one ownership or, if in several, the application shall be filed jointly by all the owners of the properties included in the project.
Further subdivision of land within the planned unit development may be permitted in accordance with the procedures of Chapter 1216. Any such subdivision of land, including the proposed dimensions between buildings and between buildings and any subdivided lot lines, shall be shown on the preliminary development plan. When a planned unit development is comprised of multiple lots of record, such multiple lots shall be consolidated into a single lot prior to, or concurrently with, any resubdivision pursuant to this section.

(c) **Gross Maximum Permitted Density.** The total number of dwelling units permitted by Schedule 1252.04(a) shall be calculated by multiplying the total land area by the number of dwelling units permitted per acre. Land area within public street rights-of-way, or highway easements, existing at the time the development plan is submitted and which is to be retained, shall not be included in the total land area. However, any land area which includes existing streets to be vacated, or new public street rights-of-way or private streets proposed as part of the planned development, may be included in determining the permitted density.

(d) **Maximum Dwelling Units on Any One Acre. Net-Maximum Density.** The maximum number of dwelling units on any one acre net-maximum density in Schedule 1252.04(a) shall be determined by calculating the total number of dwelling units per square acre within any location on the site of the planned unit development a subsection or subparcel of a planned development, excluding public street rights-of-way, giving due deference to the purposes and development objectives of Sections 1252.02 and 1252.08.

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 in order to ensure the best practices and procedures for the orderly development of Avon Lake, 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: 3/27/17
2nd reading:
3rd reading:

PASSED:__________________________________________

President of Council

POSTED:__________________________________________

Approved

ATTEST:__________________________________________

Clerk of Council

Mayor
BY:  Mr. Kos  TEMP NO: 10871

ORDINANCE NO. _________

AN ORDINANCE ALLOWING WINE TO BE SOLD, SERVED, DISPENSED, AND CONSUMED AT A ONE-DAY FESTIVAL TO BE HELD AT VETERANS MEMORIAL PARK ON JUNE 24, 2017, AND DECLARING AN EMERGENCY.

WHEREAS, subsection 1070.02(1) of the Codified Ordinances of the City prohibits the sale of intoxicating liquor in any park, and

WHEREAS, City Council has determined that it would benefit the City to allow Avon Lake Waterfront Corporation to hold a one-day wine festival at Veterans Memorial Park on June 24, 2017, and

WHEREAS, in order to permit such wine festival to take place, City Council must adopt an ordinance creating a one-time exception to the prohibition of subsection 1070.02(1) of Avon Lake Codified Ordinances, now therefore;

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

Section No. 1: That, notwithstanding the prohibition of subsection 1070.02(1) of Avon Lake’s Codified Ordinances, Avon Lake Waterfront Corporation shall have the right to conduct a wine festival at Veterans Memorial Park on June 24, 2017.

Section No. 2: That, provided the necessary State liquor permits are obtained, wine may be sold, served, distributed, and consumed at such wine festival.

Section No. 3: That this Ordinance shall not in any way modify the prohibition of subsection 1070.02(1) of Avon Lake’s Codified Ordinances against the presence of intoxicating liquor and intoxicated persons at any other park, beach, park building or recreational area (including but not limited to, the Lake House), nor shall this Ordinance permit wine (of any other intoxicating liquor) to be sold, served, distributed or consumed at Veterans Memorial Park on any date other than that specifically authorized by Sections 1 and 2 hereof.

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 file the necessary paperwork in a timely manner to allow the event to take place in order to promote Avon Lake businesses and bring economic growth to the City, thus for the public welfare. Therefore, this Ordinance shall go into immediate force and effect from and after its passage and approval by the Mayor.

1st reading: 4/24/17
2nd reading:
3rd reading:

PASSED: ________________ President of Council

POSTED: ________________ Approved

ATTEST:
Clerk of Council
Mayor
RESOLUTION NO.  

A RESOLUTION SUBMITTING THE QUESTION OF THE RENEWAL OF A TAX LEVY FOR THE PURPOSE OF PROVIDING AMBULANCE AND EMS SERVICES TO THE CITY OF AVON LAKE, PURSUANT TO OHIO REVISED CODE SECTION 5705.19 (I), AND DECLARING AN EMERGENCY.

WHEREAS, the Finance Committee of Council has recommended that the City continue its ambulance and E.M.S. program, and that such program continue to be carried out by the Fire Department be carried out by the Fire Department, which program provides for emergency ambulance and EMS service, and

WHEREAS, this Council finds that it is necessary to provide funds in order to continue to equip, train and maintain personnel for the operation of the ambulance and E.M.S. program, now therefore;

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

Section No. 1: That it is hereby found, determined and declared that the amount of taxes which may be raised by the City of Avon Lake within the ten mill limitation will be insufficient to provide for the necessary requirements of this City, and that it is necessary to levy a tax in excess of such limitation for the purpose of providing ambulance service, emergency medical service or both, and the payment of firemen and their training, and the payment of emergency medical equipment and the payment to operate the same in the amount of 2.0 mills for a period of three (3) years.

Section No. 2: That the question of a 2.0 mill renewal levy for the purpose of providing for ambulance service and emergency medical service and to maintain a paramedic program for three (3) years beginning with the tax list and duplicate for the year 2018 the proceeds of which levy first would be available to the City in the calendar year 2019, be submitted under the provisions of Section 5705.19(I), Ohio Revised Code,
to the electors of the City of Avon Lake at an election to be held therein on the 7th day of November 2017, as authorized by law, and said election shall be held at the regular places of voting in said City as established by the Board of Elections of Lorain County, or otherwise, within the times provided by law and shall be conducted, canvassed and certified in the manner provided by law.

Section No. 3: That the form of the ballot to be cast at the election on the question of this tax levy shall be as follows:

PROPOSED TAX LEVY (RENEWAL)  
CITY OF AVON LAKE

A majority of affirmative vote is necessary for passage.

A renewal tax for the benefit of the City of Avon Lake for the purpose of providing for ambulance service and emergency medical service and to operate the same at a rate not to exceed 2.0 mills for each one dollar of valuation with amounts to 20.0 cents for each one hundred dollars of valuation for three (3) years.

<table>
<thead>
<tr>
<th>FOR THE LEVY</th>
</tr>
</thead>
<tbody>
<tr>
<td>AGAINST THE LEVY</td>
</tr>
</tbody>
</table>

Section No. 4: That the Clerk of Council is hereby authorized and directed to give or cause to be given notice of said election as provided by law.

Section No. 5: That the Clerk of Council is hereby directed to immediately certify a copy of this Resolution to the Board of Elections of Lorain County.

Section No. 6: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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. 7: That this Resolution is hereby declared to be an emergency measure, the emergency being the necessity of certifying the proposed levy to the Board of Elections so that it will be received by said Board within the time required by law for placement on the November 7, 2017 election ballot. Therefore, this Resolution shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1st reading: 4/24/17
2nd reading:
3rd reading:

PASSED: ____________________________

President of Council

POSTED: ____________________________

Approved

ATTEST: ____________________________

Clerk of Council

Mayor
ORDINANCE NO. __________

AN ORDINANCE AMENDING SECTION 1468.02 OF THE CODIFIED ORDINANCES TO ELIMINATE THE VIOLATION OF ANY PROVISION OF THE BUILDING CODE, FIRE CODE OR OTHER ORDINANCE OF THE CITY AS A SUFFICIENT BASIS FOR DECLARING A BUILDING A DANGEROUS BUILDING.

WHEREAS, Section 1468.02 of the Codified Ordinances of the City identifies those characteristics of a building or structure that will enable it to be classified as a "dangerous building";

WHEREAS, currently, a violation by a building or structure of any provision of the Building Code, Fire Code or ordinance of the City, no matter how slight, is sufficient for the building or structure to be designated a "dangerous building" and therefore subject to an order that such building or structure be repaired or demolished;

WHEREAS, not every building or structure in violation of the Building Code, Fire Code or other ordinance of the City is a serious menace to public health, safety and welfare; and

WHEREAS, Council has determined that it is advisable to amend Section 1468.02 of the Codified Ordinances so that the classification of a building or structure as a "dangerous building" is reserved for buildings or structures that are menaces to public health, safety and welfare;

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

Section No. 1: That Section 1468.02 of the Codified Ordinances of the City is hereby amended as follows:

1468.02  DANGEROUS BUILDINGS DEFINED.

All buildings or structures which have any or all of the following defects shall be deemed "dangerous buildings":

(a) Those whose interior walls or other vertical structural members, list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third of its base;

(b) Those which, exclusive of the foundation, show 33% or more of damage or deterioration of the supporting member or members, or 50% of damage or deterioration of the non-supporting enclosing or outside walls or covering;

(c) Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded, or which have insufficient strength to be reasonably safe for the purpose used;
(d) Those which have been damaged by fire, wind or other causes so as to have become dangerous;

(e) Those which have become or are so dilapidated, decayed, unsafe, unsanitary or which so utterly fail to provide the amenities essential to decent living that they are likely to cause sickness or disease;

(f) Those having light, air, and sanitation facilities which are inadequate to protect the health, morals, safety or general welfare of human beings who lived or may live therein;

(g) Those having inadequate facilities for egress in case of fire or other emergency;

(h) Those which have parts thereof which are so attached that they may fall and injure members of the public or property;

(i) Those which, because of their condition are unsafe, unsanitary, or dangerous to people of the municipality;

(j) Those buildings existing in violation of any provision of the Building Code or any provision of the Fire Code or other ordinances of this municipality.

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: 4/24/17
2nd reading: 
3rd reading:

PASSED: ____________________________

President of Council

POSTED: ____________________________

Approved

ATTEST: ____________________________

Clerk of Council

Mayor
ORDINANCE NO. 10875

AN ORDINANCE AMENDING CODIFIED ORDINANCE
SECTION 612.02 (b), SALES TO UNDERAGE PERSONS;
PROHIBITIONS AND MISREPRESENTATIONS.

WHEREAS, the Safety Committee has recommended amending
Codified Ordinance Section 612.02 (b), 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 Codified Ordinance Section 612.02 (b)
is hereby amended as follows.

(b) No person who is the owner or occupant of any public or
private place shall knowingly or recklessly allow any underage
person to remain in or on the public or private place while
possessing or consuming beer or intoxicating liquor, unless the
intoxicating liquor or beer is given to the person possessing or
consuming it by that person's parent, spouse who is not an
underage person, or legal guardian and the parent, spouse who is
not an underage person, or legal guardian is present at the time
of the person's possession or consumption of the beer or
intoxicating liquor. An owner of a public or private place is
not liable for acts or omissions in violation of this division
that are committed by a lessee of that place, unless the owner
authorizes or acquiesces in the lessee's acts or omissions.

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: 4/24/17
2nd reading:
3rd reading:
ORDINANCE NO. ______

AN ORDINANCE ESTABLISHING THE AVON LAKE HEALTH SERVICES ADVISORY COMMISSION.

WHEREAS, effective January 1, 2017 the City of Avon Lake became a member of the Lorain County General Health District, and

WHEREAS, membership in the Lorain County General Health District is funded by Avon Lake tax dollars, and

WHEREAS, the mission of the Lorain County General Health District is to create a healthy place for all to live, work, and play by preventing disease in the community, empowering people to make better choices, and promoting overall health and wellness, and

WHEREAS, the Lorain County General Health District offers a wide range of services to its member communities to help achieve its mission, and

WHEREAS, it has been recommended by the Public Service Committee of Council that a Health Services Advisory Commission be established to monitor the services provided to Avon Lake to ensure its residents are receiving quality services for their health and safety, now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE,

STATE OF OHIO:

Section No. 1: That there is hereby established the Avon Lake Health Services Advisory Commission.

Section No. 2: That the Advisory Commission shall consist of five individuals, three of whom shall be residents of Avon Lake and health care or medical professionals, one member of Council, and the Mayor or in the alternative his or her designee selected from his or her administration.

Section No. 3: That two of the resident members of the Advisory Commission shall be appointed by Council, and one
of the resident members shall appointed by the Mayor and confirmed by Council.

Section No. 4: That the member of Council shall serve only during the term of office for which he or she has been elected.

Section No. 5: That the Commission shall serve as an advisory body to the Mayor, his or her administration, and Council, on issues related to the services offered by the Lorain County General Health District.

Section No. 6: That no member of the Commission shall receive compensation from the City for such service but expenses incurred while on the business of the Commission shall be paid by the City, subject to approval of Council.

Section No. 7: That the Commission may promulgate bylaws for the further organization and operation of the Commission, not inconsistent with this ordinance.

Section No. 8: That the Commission shall report to Council on an as needed basis, and provide a final report no later than July 1, 2019, which shall include a recommendation on the continued existence of the Commission.

Section No. 9: That the Commission shall sunset and dissolve on July 1, 2019, or such earliest time as determined by the Commission, unless authorized by Council.

Section No. 10: 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. 11: That this ordinance shall be in full force and effect from the earliest period allowed by law.

1st reading:
2nd reading:
3rd reading:
PASSED: __________________________  President of Council

POSTED: __________________________

ATTEST: __________________________

Clerk of Council  Mayor

Approved
ORDINANCE NO. _________

AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE
POSITION OF CHIEF OF UTILITY OPERATIONS FOR AVON
LAKE REGIONAL WATER, ESTABLISHING THE QUALIFICATIONS
AND DUTIES FOR SAID POSITION, AND REPEALING ORDINANCE
NO. 214-2002, AND DECLARING AN EMERGENCY.

WHEREAS, it has been recommended by the Board of Municipal
Utilities and the Human Resources Committee that a revised job
description for the position of Chief of Utility Operations for
Avon Lake Regional Water 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 Chief of Utility
Operations for Avon Lake Regional Water 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. 214-2002 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 is hereby declared to be
an emergency measure, the emergency being the necessity of having
a current job description in place to properly reflect the
current job requirements and functions of the position 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
Job Title: Chief of Utility Operations
Organization: Avon Lake Regional Water
Immediate Supervisor: Chief Utilities Executive
Positions Supervised: 4
FLSA Status: Exempt
Bargaining Unit: N/A
Civil Service Status: Unclassified

GENERAL RESPONSIBILITIES:
Assure operations and maintenance of all treatment, pumping, and piping systems are performed safely, in a manner that provides the appropriate level of service to customers, at the least cost, and in adherence with all regulations.

GENERAL QUALIFICATIONS:
1. Bachelor's Degree, preferably in engineering, sciences, business, administration, or a related field. Master's degree preferred.
2. Minimum of ten (10) years' experience in water and wastewater operations.
3. At least a Class III Ohio water and/or wastewater license, or equivalent; and preferably both.
4. Must possess a valid driver's license with an acceptable driving record.

SPECIFIC DUTIES
Serves as the CUE's operations expert, assuring operations are performed strategically and according to quality standards. To do this, the CUO performs a variety of technical and routine tasks, including but not limited to:
- Assure all facilities are operated safely and securely in a manner to best comply with regulations, meet the needs of customers, and comply with budgetary constraints.
- Provide oversight of capital improvement plan and asset management program.
- Ensure departments are working together to minimize burdens and maximize potential.
- Champion strategic initiatives and look for new strategic opportunities.
- Embrace quality management protocols to continuously strive for organizational improvement.
- Develop, mentor, and enable staff to achieve goals.
- Manage projects assigned by the CUE.
- Represent the CUE at meetings as needed and as directed.
- Maintain effective interactions and good working relationships with internal and external stakeholders.
- Represent the organization at appropriate forums and meetings.
- Keep abreast of current "state of the art" utility operations and pending regulations.
- Assume the responsibilities of the CUE in the CUE's absence or at the CUE's direction.
- Perform other duties, as needed.
REQUIRED KNOWLEDGE, SKILLS AND ABILITIES

The job description does not constitute an employment agreement between the employer and the employee and is subject to change by the employer as the needs and requirements of the job change.

The successful applicant should possess (minimum requirements):
1. A Bachelor's Degree with a minimum of ten years' experience in water and wastewater operations, regulations/compliance, and budgeting.
2. Familiarity with appropriate safety and security procedures.
3. Understanding of asset management practices and quality management protocols.
4. Expertise with general office and specific technical operations software.
5. Demonstrated ability to establish and maintain effective working relationships.
6. Ability to successfully complete background check, drug screening, and physical.
7. Ability to positively promote the organization and comfort speaking before groups.
8. Ability to maintain confidential and sensitive information.
9. Ability to effectively communicate in written and verbal forms, especially regarding highly technical subjects.

Within the first year, the successful applicant should learn and have:
2. Familiarity with all relevant regulations and permit requirements and knowledge of proposed regulations and potential impacts.
3. Knowledge of the budgeting, purchasing, and tracking processes.
4. Knowledge of the interrelations and necessary interactions between the City of Avon Lake and Avon Lake Regional Water.

The physical/mental demands described here are representative of the position to successfully perform the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

1. Meet the physical and mental demands.
2. Regularly check on and walk through plants, pumping stations, and other facilities.
3. Prioritize workloads.
4. Always be mentally alert.
5. Professional and courteous.
6. Work accurately and calmly under pressure and/or with repeated interruptions.
7. Must be available for evening meetings, etc. as needed.
ORDINANCE NO. 10879

AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF ENGINEER FOR AVON LAKE REGIONAL WATER, ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION, AND DECLARING AN EMERGENCY.

WHEREAS, it has been recommended by the Board of Municipal Utilities and the Human Resources Committee that a job description for the position of Engineer for Avon Lake Regional Water 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 Engineer for Avon Lake Regional Water shall be as shown on the job description, a copy of which is attached hereto and made a part hereof.

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 defining the Engineer duties for said position to fill the position with a qualified candidate to ensure the optimal operation of Avon Lake Regional Water, thus for public health, safety, and welfare. Therefore, this Ordinance shall take effect and be in full force immediately upon its passage and approval by the Mayor.

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

PASSED: ____________________________ President of Council

POSTED: ____________________________ Approved

ATTEST:
Clerk of Council Mayor
Job Title: 
Organization: Avon Lake Regional Water
Immediate Supervisor: Engineering Services Manager
Positions Supervised: N/A
FLSA Status: Non-Exempt
Bargaining Unit: N/A
Civil Service Status: Unclassified

GENERAL RESPONSIBILITIES:

Under varying degrees of supervision, perform office and field technical work including, but not limited to, data collection, site inspection, and geospatial and infrastructure asset management information collection and model management. Assist in the design and management of sanitary sewer and/or waterline projects. Apply elementary engineering, mapping and surveying principles and techniques in performing these duties. This is a multi-disciplinary role combining engineering, GIS/asset management, inspection, drafting, data analysis, and other skills into one, dynamic position. The person filling this role may not initially have all of the qualifications, skills, and abilities but will be required to gain most or all of them.

GENERAL QUALIFICATIONS:

1. College graduate from a four-year Accreditation Board of Engineering & Technology (ABET) approved program with a Bachelor's Degree in engineering or engineering technology (civil, preferred). Must possess an Ohio Intern License (EI) from the Board of Professional Registration for Engineers and Surveyors.
2. Possession of a valid driver's license and acceptable driving record.

SPECIFIC DUTIES

Under varying levels of direction from a supervisor, shall perform a variety of technical and routine tasks including but not limited to:

1. Assist with or lead engineering design projects including laying out water and/or sewer lines with computer-aided drafting, preparing specifications and bidding documents, developing construction cost estimates, overseeing bidding, and preparing permits to install.
2. Assist with or lead construction project administration including construction oversight, change management, payment processing, and punchlist/closetout.
3. Assist in the development of computerized preventative/predictive maintenance and data management systems, taking lead on key areas of data collection, manipulation, and analysis.
4. Lead GIS effort performing GIS development and data management and prepare GIS products (e.g., maps, datasets, summary reports) to support organization
projects and programs. Analyze and perform quality checks on all Asset Management and GIS data.

5. Perform field work associated with the duties above.

6. Update and maintain paper and computerized files, records, databases; retrieve and create drawings, reports and maps.

7. Operate a variety of office and technical tools and equipment in order to best complete duties.

8. Perform additional functions/tasks as needed.

9. Respond to routine inquiries from public and/or officials.

10. Perform the duties of the Engineering Services Manager, as appropriate.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES

The job description does not constitute an employment agreement between the employer and the employee and is subject to change by the employer as the needs of the employer and the requirements of the job change.

The successful applicant should possess at a minimum the general qualifications, plus abilities to:

1. Use AutoCAD and ArcGIS Server, integrate databases, and hand draft and prepare graphic layouts.

2. Use accuracy and precision in preparing standards and calibrating electronic field surveying and data acquisition equipment.

3. Interpret and follow both oral and written instructions, procedures and supervisory direction.

4. Read legal descriptions, easements, maps, and software manuals.

5. Be innovative, organized, self-motivated, and able to multitask.

6. Learn new tools, software and processes as project needs dictate.

7. Communicate effectively, both orally and in writing.

Within the first year, the successful applicant should learn and have:

1. Competency with engineering practices and survey data manipulations.

2. Familiarity with Ohio EPA permit-to-install (PTI), SWPPP and Ten State Standards for Water and Wastewater requirements.

3. Skill in interpreting land descriptions, maps, drawings, charts, plans, survey records and notes and aerial photos.

4. Knowledge of principles and practices of file and records management.

5. Ability to perform standard and complex office/field tasks including inspection.

6. Knowledge of office and field quality control procedures.

7. Skills to perform required work using standard field safety practices.

8. Proficiency operating surveying equipment, and software.

The physical/mental demands described here are representative of the position to successfully perform the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

1. Required to work in office, treatment plants, and field environments.

2. Frequently required to talk or hear, stand, walk, use stairs, sit; use hands and fingers to handle or feel objects, tools, or controls; and reach.

3. The noise level in the work environment is usually moderate and sometimes may be high in the field and at the plants.
4. Hearing and speech to communicate effectively in person and over the telephone. May have to interact with abusive and/or irate customers and respond appropriately.
5. Required to climb or balance, stoop, kneel, crouch and reach.
6. Specific vision abilities required by this job include close vision and the ability to adjust focus.
7. Must handle instrumentation with care and safety.
8. Work independently or in a team environment.
9. Work accurately and calmly under pressure, with ability to handle several tasks at the same time.
10. Work safely without presenting a direct threat to self or others.
11. Physically capable of operating City vehicles safely.
12. Exposure to chemical compounds found in an office environment, construction sites, water and wastewater treatment facilities, confined spaces, loud noises, construction hazards, dust and/or fumes, heavy equipment, hot and cold temperatures and severe weather.
13. Mental capacities to make independent decisions.
14. Perform job duties on sites having limited access due to rough grading and/or in various stages of on-going construction.
15. Must be able to safely lift and/or move up to 50 pounds.
16. Must work overtime as needed.
ORDINANCE NO. 10880

AN ORDINANCE PROVIDING FOR THE APPOINTMENT OF KRISTEN GOMEZ AS SECRETARY IN THE FIRE DEPARTMENT, ESTABLISHING THE RATE OF COMPENSATION FOR SAID POSITION, AND DECLARING AN EMERGENCY.

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

Section No. 1: That the appointment of Kristen Gomez to the position of Secretary in the Fire Department is hereby confirmed by Council, effective May 9, 2017 or as soon as available thereafter.

Section No. 2: That the powers, duties, and responsibilities to be performed and undertaken by the Secretary in the Fire Department shall be those provided in Ordinance No. 127-2015.

Section No. 3: That on the basis of Mrs. Gomez’s experience and ability, Council does hereby fix and establish a rate of $19.62/hour for the position, payable bi-weekly.

Section No. 4: That in addition to applicable benefits provided to full-time, non-bargaining unit employees, Mrs. Gomez shall be entitled to receive two weeks of prorated vacation in 2017.

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, the emergency being the necessity of making immediate provisions for the employment of a Secretary in the Fire Department to perform the duties of that office to ensure the efficient operation of the Department, thus for the preservation of the public peace, health, and safety. 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: ___________________________ Mayor

Clerk of Council
BY: Mr. Meiners

ORDINANCE NO. ________

AN ORDINANCE PROVIDING FOR THE CONTINUED
DEFENSE OF THE CITY OF AVON LAKE IN AN ACTION
FILED BY JAMES E. PIETRANGELO, II, AND
DECLARING AN EMERGENCY.

WHEREAS, the City of Avon Lake wishes Porter, Wright, Morris
and Arthur LLP to continue to act as co-counsel in the defense
the City in an action filed by James E. Pietrangelo, II, now
therefore;

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

Section No. 1: That the law firm of Porter, Wright, Morris
and Arthur LLP is hereby authorized and directed to continue to
defend and prepare on behalf of the City of Avon Lake and its
departments and employees the legal proceedings necessary in
connection with an action filed by James E. Pietrangelo, II
against the City of Avon Lake.

Section No. 2: That Margaret Koesel and Tracey Turnbull of
Porter, Wright, Morris and Arthur, LLP, Special Assistant Law
Directors for this matter, are authorized to continue in the
defense of the City of Avon Lake.

Section No. 3: That the necessary expenses for said
representation be paid upon approval voucher submitted therefore,
in an amount not to exceed $10,000.00.

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
preparing and filing the necessary legal proceedings in a timely
manner to defend the City and uphold the laws and regulations of
the City, thus for the health, safety, and welfare of the public.
Therefore, this Ordinance shall go into immediate force and
effect from and after its passage and approval by the Mayor.
ORDINANCE NO. ______

AN ORDINANCE AMENDING CODIFIED ORDINANCE
SECTION 1070.08 WEISS FIELD PARK RULES AND
REGULATIONS, AND DECLARING AN EMERGENCY.

WHEREAS, the Public Service Committee has recommended amending Codified Ordinance Section 1070.08 Weiss Field Park Rules, 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 Codified Ordinance Section 1070.08 is hereby amended as follows.

1070.08 WEISS FIELD SKATE PARK RULES AND REGULATIONS.

(a) Skate or bike at your own risk; this is an unsupervised facility. Proper protective gear is strongly recommended: helmets, pads, wrist guards, etc. The City does not assume responsibility for injury.

(b) Adult supervision is strongly recommended for children under the age of 12.

(c) Use of drugs, alcohol, and tobacco is strictly prohibited.

(d) No modifications to the skating surfaces or features are allowed. Please restrict skating to features specifically designed for that purpose.

(e) Use of abusive, threatening, obscene or profane language is prohibited.

(f) Graffiti, littering and vandalism of park property are strictly prohibited. Violators will be prosecuted.

(g) All surfaces of this park are extremely dangerous when wet; do not use park if unsafe conditions exist.

(h) All noise must be kept at a respectable level.

(i) No motorized skateboards, bikes, scooters, cycles or vehicles are permitted.
(j) Hours: 8:00 a.m.—dusk, 8:00 a.m. to 6:00 p.m. during Eastern Standard Time; 8:00 a.m. to 9:00 p.m. during Daylight Savings Time

(k) Violators of these rules are subject to immediate removal, citation (or both).

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 in order establish skate park hours of operation that are fair to park users and surrounding neighbors and to provide safe operating times during seasonal changes, thus for the health, safety, and welfare of the public. 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