VOTING ORDER

Mrs. Fenderbosch
Mr. James
Mr. Kos
Mr. Meiners
Mr. O'Donnell
Mr. Shondel
Mr. Bucci

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

The following business is to be considered at the rescheduled meeting of the Avon Lake City Council on December 18, 2017 immediately after the Collective Committee Meeting 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.

Executive Session

In compliance with Ohio Revised Code Section 121.22, Council will adjourn to Executive Session to discuss imminent litigation.

Reconvening of Open Council Meeting

Approval of Minutes: December 11, 2017 Regular Council Meeting as prepared and published.

Correspondence

Reports

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

Motions

Approving the purchase of exercise equipment in the amount of $12,000.22 from Power Systems – Mr. James.

Legislation

Third Readings:

Temporary Legislation #10946, designating Krebs Farm as a full site historic landmark.

Temporary Legislation #10947, designating Lear Homestead as a full site historic landmark.

Temporary Legislation #10948, designating Beach Park Station, Stop 65 (Building 1 façade only) as a historic landmark.

Temporary Legislation #10949, designating Lake Shore Electric Railway Baggage Car No. 38 as an object historic landmark.

Second Readings:

Temporary Legislation #10987, reauthorizing the job growth incentive. →

Temporary Legislation #10988R, appropriations for the fiscal year 2018. →

Temporary Legislation #10989, interpreting Sections 26, 37, 51, 56, and 71 of the City Charter pertaining to the employment of outside legal counsel. →

Temporary Legislation #10991, increasing the number of firefighter/paramedics in the Fire Department. →

Temporary Legislation #10994, approving the improvement plans for Powdemaker Townhomes No. 113. →

Temporary Legislation #10995, approving the improvement plans for Powdemaker Townhomes No. 117. →

Temporary Legislation #11000, reorganizing and consolidating the standing committees of City Council.

First Readings:

→ Suspension of the rule requiring three readings
Temporary Legislation #11001, amending Section 667.01 of the Codified Ordinances to expand the definition of tobacco. →

Temporary Legislation #11002, providing for transfers. →

Temporary Legislation #11003, amending appropriations for the current and other expenditures for fiscal year 2017. → (copy to be provided at Council Meeting)


Temporary Legislation #11005, changing the name of Avon Lake Cable Access Studio. →

Temporary Legislation #11006, adopting a job description for Digital Media Director. →

Temporary Legislation #11007, authorizing entering into a Water Pollution Control Loan Fund agreement for the Curtis Road sewer rehabilitation. →

Temporary Legislation #11008, authorizing entering into a Water Supply Revolving Loan agreement. →

Temporary Legislation #11009, a resolution of gratitude and appreciation to Barbara Dopp. →

Miscellaneous Business and Announcements

Public Input

Adjournment

→Suspension of the rule requiring three readings
ORDINANCE NO. 10946

AN ORDINANCE DESIGNATING THE KREBS FARM LOCATED AT 520 LEAR ROAD AS A FULL SITE HISTORIC LANDMARK.

WHEREAS, the Avon Lake Planning Commission has at its meeting of October 3, 2017 recommended to Council that the Krebs Farm located at 520 Lear Road, be granted Historic Landmark Designation, and

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

WHEREAS, the Krebs family farmed 40 acres of farmland from 1896 to 1943 consisting of grapes on the north side of the property and cattle on the south side of the property, and

WHEREAS, ownership of the property is well documented from 1824 with the current owner acquiring the remaining 1.372 acres in 1979, and

WHEREAS, the farmhouse located on the Krebs Farm is approximately 160 years old, and

WHEREAS, there is an outbuilding and a stable with a stone foundation and hewn beams and support, and

WHEREAS, one of the two cisterns still exists behind the stable, and

WHEREAS, historic designation gives residents of our community a deeper sense of understanding and appreciation of Avon Lake heritage, now therefore:

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

Section No. 1: That Council of the City of Avon Lake does hereby grant the Krebs Farm located at 520 Lear Road the designation of Historic Landmark.
Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

1st reading: 10/23/17  
2nd reading: 12/11/17  
3rd reading:

PASSED: ____________________________

Council President

POSTED: ____________________________

Approved

ATTEST:

Clerk of Council

Mayor
BY: Mrs. Fenderbosch

TEMP NO: 10947

ORDINANCE NO. ______

AN ORDINANCE DESIGNATING THE LEAR HOMESTEAD
LOCATED AT 309 LEAR ROAD AS A FULL SITE
HISTORIC LANDMARK.

WHEREAS, the Avon Lake Planning Commission has at its
meeting of October 3, 2017 recommended to Council that the
Lear Homestead located at 309 Lear Road, be granted Historic
Landmark Designation, and

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

WHEREAS, the Lear Homestead is the second oldest house in
Avon Lake built circa 1940 by Sebastion Loher, and

WHEREAS, seven children were born at the house, the
youngest, John, became Avon Lake’s first councilman, and

WHEREAS, the architecture is Greek revival with the
central part of the home being first built and the two wings
added later, and

WHEREAS, the house is post and beam construction with the
wood and pegs cut from the trees on the farmland, and

WHEREAS, the original cellar is stacked field stone and
the beams are hand hewn, and

WHEREAS, the granary at the rear of the house was
restored to its original condition, and

WHEREAS, the house and granary site are situated on .79
acres and have been meticulously restored and maintained, and

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

Section No. 1: That Council of the City of Avon Lake
does hereby grant the Lear Homestead located at 309 Lear Road
the designation of Historic Landmark.

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

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

1st reading: 10/23/17
2nd reading: 12/11/17
3rd reading:

PASSED: ________________________________  Council President

POSTED: ________________________________

Approved

ATTEST: ________________________________

Mayor

Clerk of Council
BY: Mrs. Fenderbosch  TEMP NO: 10948

ORDINANCE NO.  

AN ORDINANCE DESIGNATING BEACH PARK STATION, STOP 65 (BUILDING 1 FAÇADE ONLY) LOCATED AT 33483 LAKE ROAD AS A HISTORIC LANDMARK.

WHEREAS, the Avon Lake Planning Commission has at its meeting of October 3, 2017 recommended to Council that the Beach Park Station, Stop 65 (Building 1 façade only) located at 33483 Lake Road, be granted Historic Landmark Designation, and

WHEREAS, the request for Historic Landmark Designation for the Beach Park Station, Stop 65 (Building 1 façade only) has been reviewed by the Avon Lake Historical Preservation Commission according to Planning & Zoning Code Chapter 1268, and

WHEREAS, Lake Shore Electric Railway and Beach Park Station, Stop 65 were extremely important to the development of Avon Lake connecting towns and cities east and west. Until the introduction of the automobile, it served as a major conveyor of produce, supplies, equipment, and people, and

WHEREAS, Beach Park Station, Stop 65, circa 1898, has been altered throughout the years; however, it still remains an important historic landmark in Avon Lake, and

WHEREAS, the current owners desire to rebrand this area to bring back the historical significance of Beach Park, Stop 65, and

WHEREAS, historic designation gives residents of our community a deeper sense of understanding and appreciation of Avon Lake heritage, now therefore;

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

Section No. 1: That Council of the City of Avon Lake does hereby grant the Beach Park Station, Stop 65 (Building 1, façade only) located at 33483 Lake Road the designation of Historic Landmark.
Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

1st reading: 10/23/17
2nd reading: 12/11/17
3rd reading:

PASSED: ____________________________

Council President

POSTED: ____________________________

Approved

ATTEST: ____________________________

Clerk of Council

Mayor
ORDINANCE NO. _____

AN ORDINANCE DESIGNATING THE LAKE SHORE ELECTRIC RAILWAY BAGGAGE CAR NO. 38 LOCATED AT 33483 LAKE ROAD AS AN OBJECT HISTORIC LANDMARK.

WHEREAS, the Avon Lake Planning Commission has at its meeting of October 3, 2017 recommended to Council that the Lake Shore Electric Railway Baggage Car No. 38 located at 33483 Lake Road, be granted Historic Landmark Designation, and

WHEREAS, the request for Historic Landmark Designation for the Lake Shore Electric Railway Baggage Car No. 38 has been reviewed by the Avon Lake Historical Preservation Commission according to Planning & Zoning Code Chapter 1268, and

WHEREAS, Lake Shore Electric Railway and Beach Park Station, Stop 65 were extremely important to the development of Avon Lake connecting towns and cities east and west. Until the introduction of the automobile, it served as a major conveyer of produce, supplies, equipment, and people, and

WHEREAS, Lake Shore Electric Railway Baggage Car No. 38, circa 1920, was painstakingly restored and placed in the parking lot at Artstown, formerly known as Beach Park Station, Stop 65, and

WHEREAS, the interior of Lake Shore Electric Railway Baggage Car No. 38 is a work in progress with artifacts continually being refurbished and installed, and

WHEREAS, the current owners desire to rebrand this area to bring back the historical significance of Beach Park Station, Stop 65, and

WHEREAS, Lake Shore Electric Railway Baggage Car No. 38 serves as a reminder of Stop 65 and as a monument to the preservation of history, and

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

Section No. 1: That Council of the City of Avon Lake does 
hereby grant the Lake Shore Electric Railway Baggage Car No. 
38 located at 33483 Lake Road the designation of Historic 
Landmark.

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

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

1st reading: 10/23/17 
2nd reading: 12/11/17 
3rd reading:

PASSED: ________________________

Council President

POSTED: ________________________

Approved

ATTEST: ________________________

Clerk of Council

Mayor
ORDINANCE NO. __________

AN ORDINANCE REAUTHORIZING THE JOB GROWTH INCENTIVE PROGRAM

WHEREAS, City Council has determined that the use of City funds is needed to promote the creation of jobs and the economic development of the City; and

WHEREAS, City Council finds that the Job Growth Incentive Program, enacted by Ordinance 103-2012, has been an effective way to promote such job creation and economic development;

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

Section No. 1: That, in order to create jobs, promote economic development and increase the tax base, there is hereby reauthorized a job growth and creation incentive (the “Incentive”).

Section No. 2: That each Business lawfully conducted in the City that has one or more employees that work for such Business in the City at the time the Incentive is awarded, and has not publicly announced a relocation outside of Avon Lake, shall be entitled to the Incentive. As used herein, a “Business” shall mean an enterprise conducted for gain, profit or income, including agriculture and personal service occupations, provided that such enterprise, or a local operation of such enterprise, is conducted at or from a structure or portion of a structure located in the City and devoted primarily to such enterprise. For purpose of this Ordinance, none of the following shall be considered a Business: a home occupation, a school supported by taxes, vouchers or other governmental finance support, or a political subdivision or any board, commission or department thereof. If a Business that claimed the Incentive in a prior year changes its name, the City will gather information to determine if the Business has had job growth that makes that Business eligible to receive the Incentive.

Section No. 3: That the amount of the Incentive for any Business for any tax year shall be equal to the lesser of fifty thousand dollars ($50,000.00) or twenty-five percent (25%) of the amount by which the Total Income Tax for such tax year exceeds the Total Income Tax for the previous tax year. However, the City shall not be obligated to pay the Incentive if it is less than twenty-five dollars ($25.00). As used herein, “Total Income Tax” for any tax year means the amount reported as withheld for a Business on account of City income taxes as a result of compensation paid to employees of such Business for working in the City.

Section No. 4: That the City shall pay to the Business the Incentive for any tax year not later than sixty (60) days after the last day for submission of tax returns for such tax year.

Section No. 5: That the Incentive shall not apply to any tax year after 2022.

Section No. 6: That the Mayor shall implement a review and analysis procedure to determine the effectiveness of the Incentive.

Section No. 7: 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. 8: That this Ordinance shall be in full force and effect from and after the earliest period allowed by law.

1st reading: 12/11/17
2nd reading
3rd reading:

PASSED: ___________________________  President of Council

POSTED: ___________________________  Approved

ATTEST: ___________________________  Mayor
       Clerk of Council
AN ORDINANCE TO MAKE APPROPRIATIONS FOR THE CURRENT AND OTHER EXPENDITURES OF THE CITY OF AVON LAKE FOR THE FISCAL YEAR 2018, AND DECLARING AN EMERGENCY

WHEREAS it is necessary to make permanent appropriations for 2018 as presented and reviewed by Council in various committee meetings,

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

Section 1: That to provide for the current expenses and other expenditures of the City of Avon Lake during the fiscal year ending December 31, 2018, the following sums be and they are hereby set aside and appropriated from the funds herein specified as follows, to wit:

Section 2: That there be appropriated transferred and advanced from the following funds and as further detailed in the Schedules attached hereto as Exhibit "A" and incorporated herein:

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>100</td>
<td>Beginning General Fund Appropriations</td>
<td>$11,600,791.00</td>
<td>$3,953,015.00</td>
<td>$626,850.00</td>
<td>$15,580,656.00</td>
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<tr>
<td>100</td>
<td>Total General Fund Adjustments</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
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<tr>
<td>100</td>
<td>Ending General Fund Appropriations</td>
<td>$15,580,656.00</td>
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<table>
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<tr>
<th>Fund Activity</th>
<th>Special Revenue Fund Group - 200</th>
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</thead>
<tbody>
<tr>
<td>Fund #</td>
<td>Personal Service</td>
</tr>
<tr>
<td>202 SCM&amp;R Fund</td>
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<tr>
<td>203 State Highway Fund</td>
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<td>204 Income Tax Transfer</td>
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<td>205 Improvement Fund</td>
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<tr>
<td>206 Paramedic Fund</td>
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<td>207 Income Tax Capital Improvement Fund</td>
<td>$ -</td>
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<tr>
<td>208 Office On Aging</td>
<td>$ -</td>
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<tr>
<td>209 Dial-A-Bus Fund</td>
<td>$29,115.00</td>
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<tr>
<td>210 Cable TV Improvement</td>
<td>$117,410.00</td>
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<tr>
<td>212 Law Enforcement Trust Fund</td>
<td>$ -</td>
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<td>213 Law Enforcement Education</td>
<td>$ -</td>
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<tr>
<td>214 Indigent Drivers Alcohol Treatment</td>
<td>$ -</td>
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<tr>
<td>215 Municipal Court Computer Fund</td>
<td>$ -</td>
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<tr>
<td>216 COPS Fast Fund</td>
<td>$121,735.00</td>
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<tr>
<td>225 AL/Bay Park Improvement Fund</td>
<td>$ -</td>
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<tr>
<td>226 Fire apparatus Acquisition Fund</td>
<td>$ -</td>
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<td>230 Board of Building Standards Assmnt</td>
<td>$ -</td>
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<tr>
<td>231 Employee Sick Time Buy Back Fund</td>
<td>$100,000.00</td>
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<td>232 Street Tree Fund</td>
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<td>235 Continual Professionals Training</td>
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<tr>
<td>236 ALMC-Court Security Fund</td>
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<td>237 ALMC- Interlock Fund</td>
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<td>601 Police Pension Fund</td>
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<td>602 Fire Pension Fund</td>
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<td>603 Recreation Fund</td>
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<td><strong>Total Special Revenue Funds</strong></td>
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<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/Advances</th>
<th>Total</th>
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<tr>
<td>301</td>
<td>General Bond Retirement</td>
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<td>Special Assessment Bond Retirement</td>
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<td>$287,372.00</td>
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<td><strong>Total Debt Service Funds</strong></td>
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<tr>
<td>400</td>
<td>OCP Rt 83/Webber Rd</td>
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<td>Lear/Krebs Intersection</td>
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<td>410</td>
<td>Sewer Separation Projects</td>
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<tr>
<td>417</td>
<td>OCP Police/Court Facility</td>
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<td>424</td>
<td>OCP Canterbury Road Imp</td>
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<td>425</td>
<td>OCP Troy School Driveway</td>
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<td>440</td>
<td>Walker/Lear Roads Intersection</td>
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<td>443</td>
<td>North Point Erosion Control</td>
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<td>446</td>
<td>Pool Reconstruction Fund</td>
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<td>480</td>
<td>Fairfield/Brookfield Imp</td>
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<td>Total Capital Project Fund Group</td>
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<th>Fund Activity</th>
<th>Special Assessment Projects Group - 500</th>
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<tbody>
<tr>
<td>520</td>
<td>SA Walker Rd/Lear East</td>
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<td>-</td>
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<tr>
<td>521</td>
<td>SA Lear Rd/Walker South</td>
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<td>-</td>
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<tr>
<td>522</td>
<td>SA Titus Pilts-Hill Ditch</td>
<td>$</td>
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<td>525</td>
<td>Sidewalk Street Lighting</td>
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<tr>
<td>527</td>
<td>Cove Avenue Improvements</td>
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<td></td>
<td>Special Assessment Projects Group</td>
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<td>15,000.00</td>
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<th>Fund #</th>
<th>Fund Activity</th>
<th>Enterprise Fund Group - 700</th>
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<td>701</td>
<td>Water Fund</td>
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<td>Water MOR SUB Fund</td>
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<td>704</td>
<td>Waterworks Construction Fund</td>
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<td>Water Debt Service</td>
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<td>Sewer Fund</td>
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<td>$</td>
<td>-</td>
<td>1,252,000.00</td>
</tr>
<tr>
<td>724</td>
<td>Sewer System Construction Fund</td>
<td>$</td>
<td>-</td>
<td>$</td>
<td>-</td>
<td>$</td>
</tr>
<tr>
<td>725</td>
<td>Trunk Sanitary Sewer Fund</td>
<td>$</td>
<td>-</td>
<td>$</td>
<td>14,000.00</td>
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<tr>
<td>727</td>
<td>Sewer Debt Service Fund</td>
<td>$</td>
<td>-</td>
<td>$</td>
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<tr>
<td>729</td>
<td>LORCO Force Main &amp; Pump</td>
<td>$</td>
<td>-</td>
<td>$</td>
<td>-</td>
<td>$</td>
</tr>
<tr>
<td>730</td>
<td>LORCO Force Main &amp; Pump</td>
<td>$</td>
<td>-</td>
<td>$</td>
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<td>$</td>
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<tr>
<td>749</td>
<td>LORCO Custodial Account Fund</td>
<td>$ 60,000.00</td>
<td>$ 687,000.00</td>
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<td>-</td>
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<tr>
<td>762</td>
<td>Trunk Water Avon Improvement</td>
<td>$</td>
<td>-</td>
<td>$</td>
<td>4,411,000.00</td>
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<tr>
<td>765</td>
<td>Lateral Loan Program</td>
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<td>-</td>
<td>$</td>
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<tr>
<td></td>
<td>Total Enterprise Fund Group</td>
<td>$ 5,703,000.00</td>
<td>$ 19,652,000.00</td>
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<td>17,100,000.00</td>
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<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Trust and Agency Fund Group - 800</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>612</td>
<td>Unclaimed Funds</td>
<td>$</td>
<td>-</td>
<td>$</td>
<td>500.00</td>
<td>-</td>
</tr>
<tr>
<td>611</td>
<td>Deposit Trust</td>
<td>$</td>
<td>-</td>
<td>$</td>
<td>2,000.00</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Total Internal Service Fund Group</td>
<td>$</td>
<td>-</td>
<td>$</td>
<td>2,500.00</td>
<td>-</td>
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<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Deposit Fund Group - 801</th>
<th></th>
<th></th>
<th></th>
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<tbody>
<tr>
<td>801</td>
<td>Transfer fund</td>
<td>$</td>
<td>-</td>
<td>$</td>
<td>15,000</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Total Deposit Fund Group</td>
<td>$</td>
<td>-</td>
<td>$</td>
<td>15,000</td>
<td>-</td>
</tr>
</tbody>
</table>

Section 3: That the City Director of Finance be and is hereby authorized and directed to draw warrants against the appropriations set forth upon presentation of proper vouchers.

Section 4: That all expenditures within the fiscal year ending December 31, 2018 shall be made in accordance with the code accounts set forth above, and shall be made within the appropriations herein provided ("Appropriations" as used means the total amount appropriated for an individual fund).

Section 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 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 6: This ordinance is hereby declared to be an emergency measure, the emergency being the necessity for the current operations of the City, 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: 12/11/2017
2nd reading:
3rd reading:

PASSED: ____________________________

POSTED: ____________________________

ATTEST: ____________________________

PRESIDENT OF COUNCIL

APPROVED

CLERK OF COUNCIL

MAYOR
<table>
<thead>
<tr>
<th>Department</th>
<th>Personal Service</th>
<th>Other</th>
<th>Equipment Replacement</th>
<th>Transfers</th>
<th>Total</th>
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<tbody>
<tr>
<td>Police</td>
<td>$3,969,580.00</td>
<td>$282,600.00</td>
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<td>$60,000.00</td>
<td>$4,312,180.00</td>
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<td>Fire</td>
<td>$2,595,240.00</td>
<td>$167,540.00</td>
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<td>$-</td>
<td>$2,762,780.00</td>
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<tr>
<td>Public Health</td>
<td>$-</td>
<td>$-</td>
<td>$</td>
<td>$-</td>
<td>$-</td>
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<tr>
<td>Recreation</td>
<td>$773,565.00</td>
<td>$613,575.00</td>
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<td>$-</td>
<td>$1,387,140.00</td>
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<td>Building Inspection</td>
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<td>$30,525.00</td>
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<td>$449,350.00</td>
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<td>EAAB</td>
<td>$680.00</td>
<td>$2,040.00</td>
<td>$</td>
<td>$-</td>
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<td>$52,000.00</td>
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<td>$-</td>
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<td>Public Works</td>
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<td>$873,500.00</td>
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<td>$-</td>
<td>$3,026,321.00</td>
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<tr>
<td>Mayor</td>
<td>$198,270.00</td>
<td>$23,650.00</td>
<td>$</td>
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<td>Human Resources</td>
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<tr>
<td>Economic Development</td>
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<td>$</td>
<td>$-</td>
<td>$217,745.00</td>
</tr>
<tr>
<td>IT</td>
<td>$-</td>
<td>$-</td>
<td>$</td>
<td>$-</td>
<td>$-</td>
</tr>
<tr>
<td>Finance</td>
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<td>$-</td>
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<tr>
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<td>$</td>
<td>$-</td>
<td>$16,510.00</td>
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<tr>
<td>General Government</td>
<td>$-</td>
<td>$618,500.00</td>
<td>$</td>
<td>$568,850.00</td>
<td>$1,185,350.00</td>
</tr>
</tbody>
</table>

GRAND TOTAL             | $11,600,791.00   | $3,353,015.00 | $                      | $626,850.00 | $15,580,656.00 |
ORDINANCE NO. ________

AN ORDINANCE INTERPRETING SECTIONS 26, 37, 51, 56, AND 71 OF THE CITY CHARTER PERTAINING TO THE EMPLOYMENT OF OUTSIDE LEGAL COUNSEL AND THE PAYMENT OF THE FEES OF SUCH LEGAL COUNSEL, ESTABLISHING REQUIREMENTS FOR THE EMPLOYMENT OF OUTSIDE LEGAL COUNSEL, AND DECLARING AN EMERGENCY.

WHEREAS, Section 37 of the Charter defines the powers and duties of the Director of Law of the City by stating in pertinent part:

The Director of Law shall be the chief law officer of the Municipality. . . . The Director of Law shall prepare all contracts, bonds and other instruments in writing in which the Municipality is concerned and shall serve as legal counsel and attorney for the various officers and heads of the Municipality in the performance of their official duties, and

WHEREAS, Section 26 of the Charter addresses the authority of the Director of Finance to authorize payments by the City by stating in pertinent part:

Without limitation as to the generality of his duties, the Director of Finance shall examine all payrolls, bills and other claims against the Municipality, and shall issue no warrant for the payment thereof unless he shall find that they are in proper form, correctly computed and duly approved and payable, and that the necessary appropriation from moneys in the Treasury or in the process of collection has been made, and

WHEREAS, Section 56 of the Charter addresses the authority of the Director of Finance to determine the validity of payment of claims by stating in pertinent part:

The Director of Finance shall have power to require evidence that the amount of each claim is justly due and is in conformity to law and municipal legislation relating thereto, and

WHEREAS, Section 51 of the Charter permits Council to establish duties pertaining to the Board of Municipal Utilities by stating in pertinent part:

The Board shall have such other powers and duties as may be prescribed by this Charter or ordinance of Council not inconsistent herewith, and

WHEREAS, questions have been raised as to whether and under what circumstances any department, board or commission of the City may retain outside legal counsel, and
WHEREAS, Section 71 of the Charter of the City vests in Council the power to interpret the various sections and parts of the Charter by stating:

In order that a ready means may be at hand for reconciling any conflicts, resolving any inconsistencies and clarifying any obscurities which may be discovered in the language of this Charter; the power is hereby vested in Council to interpret the various sections and parts of this Charter in harmony with the spirit thereof, by ordinance of said Council adopted by the affirmative vote of five (5) or more of its members, and

WHEREAS, Council wishes to use such power to reconcile any conflict and to confirm, further establish, and clarify the rules and regulations for the execution of contracts and engagement of outside legal counsel, now, therefore,

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

Section No. 1: That Council hereby interprets Sections 26, 37, 51, 56, and 71 of the Charter as requiring, and thereby enacts as part of Chapter 234 of the Codified Ordinances:

234.01 CONTRACTS

All contracts, bonds and other instruments in writing in which the Municipality is concerned, including contracts, bonds and other instruments to be executed on behalf of the Board of Municipal Utilities, must either be prepared or approved by the Director of Law, by an Assistant Law Director (in the event of the unavailability or inability of the Director of Law to act or when otherwise authorized by the Director of Law), or by outside legal counsel approved by the Director of Law.

234.02 OUTSIDE COUNSEL

Before a department, board or commission of the City, including the Board of Municipal Utilities, retains outside legal counsel for any matter, such outside legal counsel and any contract, engagement, or retention with such outside legal counsel must be approved by the Director of Law.

234.03 EXISTING USE OF OUTSIDE COUNSEL

Any continued representation as of the effective date of this section by outside legal counsel currently representing a department, board or commission of the City must be confirmed by the Director of Law.

234.04 ADDITIONAL USE OF OUTSIDE COUNSEL
(a) Outside legal may be employed for municipal departments, boards, and commissions when specialized expertise is necessary or the legal matter requires additional support, such as, but not limited to, litigation, employment relations, environmental advice, or bond work.

(b) All outside legal counsel must report to and consult with the Director of Law, and the Director of Law shall be included in or copied on all communications between the department, board, or commission and such outside counsel, as the Director of Law may require.

234.05 APPROVAL OF FEES BY OUTSIDE COUNSEL

The Director of Law shall review and approve all billing statements or invoices of outside counsel prior to payment.

234.06 DISBURSEMENT OF FUNDS FOR FEES BY OUTSIDE COUNSEL

The Director of Finance is prohibited from disbursing municipal funds, issuing any warrants, or making any payments of any nature whatsoever (including but not limited to payments of invoices, credit card statements or any other statements) for services of outside legal counsel that is representing the City or a department, board or commission thereof, including the Board of Municipal Utilities, in any manner whatsoever, in violation of law or municipal legislation, including but not limited to Chapter 234.

234.07 ASSISTANT LAW DIRECTOR

During the absence or disability of the Director of Law, or when so directed by the Mayor or the Director of Law, the Assistant Law Director shall perform the duties of the Director of Law, and shall have all rights, privileges, and powers conferred upon the Director of Law by the Charter, Chapter 234 of the Codified Ordinances, or any other state or municipal law.

234.08 CONFLICTS OF INTEREST; SPECIAL ASSISTANT LAW DIRECTORS

(a) In the event of a conflict of interest involving the Law Director and a specific departmental, board, or commission matter, the Law Director shall be recused and outside legal counsel must be approved by and shall report to the Assistant Law Director.

(b) If both the Law Director and the Assistant Law Director are conflicted on a matter, upon request by the department, board, or commission, City Council may appoint outside legal counsel as a special assistant law director who shall report directly to the Mayor and that department, board, or commission.
Section No. 2: That compliance with the provisions of this ordinance is hereby prescribed as a duty for all departments, boards, and commissions of the municipality.

Section No. 3: The Clerk of Council is directed to provide of copy of this ordinance to each officer, director, executive, or head of all municipal departments and the chair of all municipal boards and commissions.

Section No. 4: The Law Director is hereby directed and required to forward a copy of this ordinance to any outside legal counsel employed by the City, including by any of its departments, boards, commissions and request acknowledgement by such outside legal counsel.

Section No. 5: If any item of law that constitutes the whole or part of a codified or uncodified section of law contained in this ordinance, or if any application of any item of law that constitutes the whole or part of a codified or uncodified section of law contained in this ordinance, is held invalid, the invalidity does not affect other items of law or applications of items of law that can be given effect without the invalid item of law or application. To this end, the items of law of which the codified and uncodified sections of law contained in this ordinance are composed, and their applications, are independent and severable.

Section No. 6: 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. 7: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of clarifying a section of the Charter over which there is conflict. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1st reading: 12/11/17
2nd reading:
3rd reading:

PASSED: ____________________________

President of Council

POSTED: ____________________________

Approved

ATTEST: ____________________________

Clerk of Council

Mayor
ORDINANCE NO. ______

AN ORDINANCE INCREASING THE NUMBER OF
FIREFIGHTER/PARAMEDICS IN THE FIRE DEPARTMENT,
AND DECLARING AN EMERGENCY.

WHEREAS, the City of Avon Lake Fire Department has 19
full-time firefighter/paramedics assigned to three platoons,
and

WHEREAS, the composition of the three platoons includes
two lieutenants and four captains for a total of eight in
Platoon 1, eight in Platoon 2, and nine in Platoon 3, and

WHEREAS, studies of the Fire-EMS Service were commissioned
in 2008 and 2011 wherein additional firefighter/paramedic
personnel were recommended, and

WHEREAS, that the Mayor and the Safety Committee of
Council having considered all recommendations determined that
the number of full-time firefighter/paramedic personnel in the
Fire Department be increased, now therefore;

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

Section No. 1: That the full-time firefighter/paramedic
personnel in the Fire Department of the City of Avon Lake shall
be increased by two firefighter/paramedics establishing a total
of nine Fire Department personnel in each Platoon.

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
making immediate provisions to increase the personnel of the
Fire Department to ensure the efficient operation of the Department, thus for the preservation of public peace, health, and safety. Therefore, this Ordinance shall be in full force and effect immediately after its passage and approval by the Mayor.

1\textsuperscript{st} reading: 12/11/17
2\textsuperscript{nd} reading:
3\textsuperscript{rd} reading:

**PASSED:**

President of Council

**POSTED:**

Approved

**ATTEST:**

Clerk of Council

Mayor
ORDINANCE NO. __________

AN ORDINANCE APPROVING THE IMPROVEMENT PLANS
FOR POWDERMAKER TOWNHOMES NO. 113, AND DECLARING
AN EMERGENCY.

WHEREAS, Planning Commission has at its meeting of December
5, 2017, approved the Improvement Plans for Powdemaker Townhomes
No. 113, 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 Powdemaker
Townhomes No. 113 located between Moore Road and Miller Road on
the North side of Walker Road in an R-3 multi-family residential
district, 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 during the 2017
building season in order for 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 welfare. Therefore, this Ordinance shall be in full
force and effect from and immediately after its passage and
approval by the Mayor.

1st reading: 12/11/17
2nd reading:
3rd reading:

PASSED: _______________________________ President of Council

POSTED: _______________________________ Approved

ATTEST: _______________________________ Mayor

Clerk of Council
ORDINANCE NO. 10995

AN ORDINANCE APPROVING THE IMPROVEMENT PLANS FOR POWDERMAKER TOWNHOMES NO. 117, AND DECLARING AN EMERGENCY.

WHEREAS, Planning Commission has at its meeting of December 5, 2017, approved the Improvement Plans for Powdemaker Townhomes No. 117, 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 Powdemaker Townhomes No. 117 located between Moore Road and Miller Road on the North side of Walker Road in an R-3 multi-family residential district, 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 during the 2017 building season in order for 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 welfare. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1st reading: 12/11/17
2nd reading:
3rd reading:

PASSED: ____________________________________
President of Council

POSTED: ____________________________________
Approved

ATTEST:
Clerk of Council
Mayor
ORDINANCE NO. ______

AN ORDINANCE REORGANIZING AND CONSOLIDATING THE
STANDING COMMITTEES OF CITY COUNCIL, AND DECLARING AN
EMERGENCY.

WHEREAS, Section 9 of the Charter authorizes Council to organize itself in a manner it
deems necessary to conduct the business of the City by stating in pertinent part:

The Council shall determine its own rules and order of business in so far as they are not
set forth in this Charter.

WHEREAS, as a consequence of changes in state law, the Public Utilities and
Transportation Committee of Council no longer actively negotiates municipal franchises relating
to telephones, gas, transportation, electric light and power, and in particular, cable television, and,

WHEREAS, Council has determined that in order to promote efficient operation of its
business, it is in the best interest of the City that the Public Utilities and Transportation
Committee and the Environmental Committee of Council are consolidated, now therefore;

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

Section No. 1: That Section 220 of the Codified Ordinances is hereby deleted and
replaced as follows:

220.05 STANDING COMMITTEES.

Within twenty-one days following the President of Council's election, the Council-elect
shall meet again to discuss committee assignments, with Chairpersons recommended by the
Council President-elect. Such assignments shall be confirmed by a majority of Council at its
organizational meeting.

The following standing committees shall perform the duties prescribed in this section:

(a) Economic Development Committee. All ordinances, resolutions and other matters
relating to economic development, including, but not limited to, retaining existing
businesses and attracting new businesses to Avon Lake shall be referred to the
Economic Development Committee for study, investigation, and recommendation to
Council, except that such referral on a particular matter may be waived by the
President of Council upon the Mayor's request and advise that timely consideration of
such matter by Council is necessary or appropriate.
(b) Finance Committee. All ordinances, resolutions and other matters relating to finances, indebtedness, appropriations, payment of moneys and taxation, and all matters involving the office of the Finance Director and insurance and pensions of employees, shall be referred to the Finance Committee for study, investigation and reporting to Council. As provided in Chapter 296, members of the Finance Committee shall also serve as members of the Audit Committee.

(c) Human Resources Committee.

(1) All ordinances, resolutions and other matters relating to the hiring of new employees, the grade and step increases of qualifying City employees, the determination of grades and steps for newly created positions, the writing or amending of job descriptions and other matters pertaining to Chapter 258 shall be referred to the Human Resources Committee for a recommendation to Council.

(2) All ordinances, resolutions and other matters relating to negotiations of wage and salary increases for Municipal employees, and the provision of fringe benefits for such employees, shall be considered and recommended by the Human Resources Committee to Council.

(3) The Committee shall include among its members the Chairpersons of the Finance and Safety Committees. A member of the Board of Municipal Utilities and a member of the Civil Service Commission shall serve as ex-officio members, without a vote.

(d) Natural Resources, Environmental, and Public Media Committee.

(1) All ordinances, resolutions and other matters relating to natural resources and environmental protection shall be referred to the Natural Resources, Environmental, and Public Media Committee for investigation and recommendation to Council.

(2) All ordinances, resolutions and other matters relating to the Digital Media Department, the municipally-owned television station, and residential telephone, gas, transportation, cable television and electric light and power matters shall be considered and recommended by the Natural Resources, Environmental, and Public Media Committee.

(3) One member of the Natural Resources, Environmental, and Public Media Committee shall serve as an ex-officio member of the Environmental Affairs Advisory Board.
(4) One member of the Natural Resources, Environmental, and Public Media Committee shall serve as an ex-officio member of the Avon Lake Cable Television Advisory Digital Media Commission.

(e) Public Service Committee.

(1) All ordinances, resolutions and other matters relating to the construction, maintenance and acquisition of buildings and lands owned by the City or proposed to be acquired by it, the lease or sale of buildings and lands not needed for Municipal purposes, and matters relating to street lighting, maintenance of ditches and catch basins, zoning, and City buildings and lands shall be referred to the Public Service Committee for study, investigation and report to Council.

(2) The Committee is in charge of all matters pertaining to the construction, repair, maintenance and inspection of streets and sidewalks, together with street cleaning, waste collection and disposal, street and highway improvements, grades, assessments and other matters relating to that area between the curb line and the private property line.

(3) The Committee is in charge of operations relating to public services, and it shall recommend the obtaining and replacing of equipment, vehicles, and materials used by the Public Works Department, Recreation Department, Municipal Engineer, Zoning Administrator, and Building Department. The Committee is responsible for the maintenance of public parks, playgrounds, and beaches.

(f) Safety Committee. All ordinances, resolutions and other matters relating to the Police Department, the Fire Department, traffic regulations, nuisances and safety in the City shall be referred to the Safety Committee for investigation.

(g) Sewer Committee. All ordinances, resolutions and other matters relating to storm, sanitary and combined sewers, additions, repairs and improvements of storm, sanitary and combined sewers, installations of sewers to enclose open ditches, and sewage disposal, sewer assessments and such matters referred to the Sewer Committee under the jurisdiction of the Municipal Utilities Department, are the responsibility of the Sewer Committee for study and report to Council.

Section No. 2: That Section 274.02(e) of the Codified Ordinances is hereby deleted and replaced as follows:

(e) One member of the Natural Resources, Environmental, and Public Media Committee of Council, the Public Works Director, and the Mayor shall serve as ex officio members of the Board, that is, they may attend meetings of the Board, but shall not have voting power.
Section No. 3: That Section 274.03(a) of the Codified Ordinances is hereby deleted and replaced as follows:

(a) To study and advise courses of action which the Natural Resources, Environmental, and Public Media Committee of Council may take to formulate and promote general and broad codes of land, air and water management for the City; and

Section No. 4: That Section 292.01(a) of the Codified Ordinances is hereby deleted and replaced as follows:

(a) There is hereby established in and for the City a citizens' advisory commission entitled the Avon Lake Cable Television—Advisory Digital Media Commission. The Commission shall consist of three members appointed by the Mayor and confirmed by Council, two members appointed by the Council, and the one member of the Natural Resources, Environmental, and Public Media Committee, who shall serve as an ex officio member. A representative from the Avon Lake School System or Board of Education may serve as an ex officio member of the Commission without vote. All members shall serve without remuneration. Appointments to the Commission shall be made without regard to race, creed, color, sex, national origin, religion or handicap, and appointees may not be employed by, nor have any financial interest in, the broadcasting, cable communications or telephone business. Nonresidents of the City who possess sufficient qualifications to perform the duties imposed herein may be considered for appointment to the Commission. Appointments to the Commission shall, as far as is practicable, include individuals having expertise or experience in such areas as:

(1) Law;

(2) Science and technology relating to cable communications;

(3) The arts;

(4) Education;

(5) Consumer affairs relating to cable communications; and

(6) Economics relating to cable communications.

Section No. 5: That the caption of Section 814.05 and Section 814.05 of the Codified Ordinances is hereby deleted and replaced as follows:

814.05 DUTIES OF THE NATURAL RESOURCES, ENVIRONMENTAL, AND PUBLIC MEDIA COMMITTEE OF COUNCIL.
The Natural Resources, Environmental, and Public Media Committee of Council shall be responsible for administering the provisions of this chapter. Without limitation, and by way of illustration:

(a) The Committee may submit requests for information to the franchisee and establish deadlines for response to them.

(b) For good cause, the Committee may waive any provision of this chapter or extend any deadline for filing or response, except as to such matters as are mandatory under FCC regulations.

(c) The Committee shall rule on any request for confidentiality.

Section No. 6: 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. 7: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of establishing an efficient manner of operation of Council prior to the organization of Council for its new term. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1st reading: 12/11/17
2nd reading:
3rd reading:

PASSED: ________________________

President of Council

POSTED: ________________________

Approved

ATTEST: ________________________

Clerk of Council

Mayor
ORDINANCE NO. _______

AN ORDINANCE AMENDING SECTION 667.01 OF THE 
CODIFIED ORDINANCES TO EXPAND THE DEFINITION OF 
TOBACCO.

WHEREAS, because of the expansion of the types of tobacco products available, Council 
deems it necessary to expand the definitions of Section 667.01 of the Codified Ordinances;

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

Section No. 1: That Section 667.01 of the Codified Ordinances of the City is hereby 
amended as follows:

667.01 DEFINITIONS.

As used in this chapter:

(a) "City property" means any enclosed area of any building, structure, vehicle or other 
enclosed space owned and operated by the City, wheresoever located within the City.

(b) "Sign" means legible, English lettering on a contrasting background to clearly indicate 
that smoking is not permitted and to provide related information. The international "NO 
SMOKING" symbol, consisting of a pictorial representation of a burning cigarette 
enclosed with a red circle with a red bar across it, may be used in or substituted for a sign 
indicating that smoking is prohibited. A sign shall be of sufficient size to be clearly 
legible to one of normal vision throughout the area it is intended to mark.

(c) "Smoking" means the combustion of tobacco or tobacco products in any form, including 
cigarette tobacco, pipe tobacco, cigar tobacco and all other types and forms of tobacco 
products.

(d) "Smoking materials" means any cigar, cigarette, pipe, weed, plant or other smoking 
equipment in any form.

(e) "Tobacco" means any lighted or unlighted cigarette, cigar, pipe, bidi, clove 
cigarette, electronic cigarette and any other smoking product, and spit tobacco, also 
known as smokeless, dip, chew and snuff, in any form.

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.

PASSED: ____________________________

President of Council

POSTED: ____________________________

Approved

ATTEST: ____________________________

Clerk of Council

Mayor
ORDINANCE NO. ________

AN ORDINANCE PROVIDING FOR TRANSFERS, AND DECLARING AN EMERGENCY.

WHEREAS, it has been determined by the Finance Director that certain transfers of funds are needed, now therefore;

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

Section No. 1: That the following transfers be executed for the month of November:

From 204 Income Tax Transfer Fund $853,776.00
To 101 General Fund $624,609.34
To 301 Bond Retirement (Unvoted) Fund $125,000.00
To 207 Income Tax Capital Improvement Fund $104,166.66

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 transferring funds for the current and necessary expenses of the City 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.

PASSED: ___________________________    Council President

POSTED: ___________________________    Approved

ATTEST: ___________________________    Mayor

Clerk of Council
ORDINANCE NO. ________

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 260.11 LONGEVITY COMPENSATION, REPEALING ORDINANCE NO. 174-2017, AND DECLARING AN EMERGENCY.

WHEREAS, the Human Resources Committee recommended amending Codified Ordinance Section 260.11 to make non-bargaining unit employee benefits consistent with the bargaining unit contracts, 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 260.11 is hereby amended as follows:

260.11 LONGEVITY COMPENSATION.

<table>
<thead>
<tr>
<th>Consecutive Full Years of Service</th>
<th>Amount of Annual Longevity Pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>$450</td>
</tr>
<tr>
<td>7</td>
<td>500</td>
</tr>
<tr>
<td>8</td>
<td>550</td>
</tr>
<tr>
<td>9</td>
<td>600</td>
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<tr>
<td>10</td>
<td>675</td>
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<tr>
<td>11</td>
<td>750</td>
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<tr>
<td>12</td>
<td>825</td>
</tr>
<tr>
<td>13</td>
<td>900</td>
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<tr>
<td>14</td>
<td>975</td>
</tr>
<tr>
<td>15</td>
<td>1,050</td>
</tr>
<tr>
<td>16</td>
<td>1,125</td>
</tr>
<tr>
<td>17</td>
<td>1,200</td>
</tr>
<tr>
<td>18</td>
<td>1,275</td>
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<tr>
<td>19</td>
<td>1,350</td>
</tr>
<tr>
<td>20 or more</td>
<td>1,700 per year until termination</td>
</tr>
</tbody>
</table>
Section No. 2: That Ordinance No. 174-2017 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 to be consistent with amendments to the Codified Ordinances and avoid confusion when calculating employees’ longevity benefits. 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 TO CHANGE THE NAME OF AVON LAKE CABLE ACCESS STUDIO TO AVON LAKE DIGITAL MEDIA DEPARTMENT.

WHEREAS, that the City operates and manages the Cable Access Studio at the Avon Lake Public Library, located at 32649 Electric Boulevard, and

WHEREAS, that the City begun its association with community television through a franchise agreement for the installation and maintenance of a cable television system in 1981 providing the public with cable television, and

WHEREAS, that thereafter the City established a Cable Access Studio to operate and manage the government and public access channels known as Avon Lake Community Television, and

WHEREAS, that Avon Lake Community Television provides the public with government access through taped and live productions of government activities, issues, events and meetings and public access to an open forum for all citizens, groups, organizations, clubs, and enterprises of Avon Lake to produce non-commercial, informational programming, and

WHEREAS, that the funding for Avon Lake Community Television is derived from franchise fees paid by cable subscribers living in Avon Lake, and

WHEREAS, that through the years the Cable Access Studio has provided the public with quality services and continues to offer opportunities as new developments in technology occurs, and

WHEREAS, that the Avon Lake Cable Advisory Commission at its meeting of November 17, 2017 recommended to Council to change the name of the Avon Lake Cable Access Studio to Avon Lake Digital Media Department to encompass all services that are offered and to clearly identify that this is a department of the City, 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 the name change of the Avon Lake Cable
Access Studio to Avon Lake Digital Media Department be and it is
hereby approved and confirmed.

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.

PASSED: ___________________  President of Council

POSTED: ___________________  Approved

ATTEST:  
Clerk of Council  Mayor
ORDINANCE NO. ________

AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF DIGITAL MEDIA DIRECTOR, ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION, REPEALING ORDINANCE NO. 166-2017, AND DECLARING AN EMERGENCY.

WHEREAS, it has been recommended by the Administration and the Human Resources Committee that a job description for the position of Digital Media 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 Digital Media 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. 166-2017 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. 3: 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 to ensure the efficient operation of the Department, 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.

PASSED: ____________________________

POSTED: ____________________________

ATTEST: ____________________________

______________________________
President of Council

______________________________
Approved

______________________________
Clerk of Council

______________________________
Mayor
CITY OF AVON LAKE

POSITION DESCRIPTION

DIGITAL MEDIA DIRECTOR

Job Title: Digital Media Director
Department: Digital Media Department
Immediate Supervisor: Mayor
Positions Supervised: Production Coordinator, Production Assistant, Administrative Assistant, Seasonal Assistants, Community Volunteers.
FLSA Status Exempt
Bargaining Unit None
Civil Service Status Unclassified

General Description:

This position is ultimately responsible for all aspects of the cable access channels, City of Avon Lake website, City of Avon Lake social media accounts, and various marketing and communication needs of the City.

Specific and General Duties:

- Oversee the television shows being produced for quality, interest, appropriateness and variety.
- Ensure all content (provided to the department or gathered from reliable sources) is disseminated across the appropriate channel outlets.
- Capable of performing all aspects of the department as needed.
- Develop ideas for shows and produce them.
- Plan and enforce an archiving system – both a short-term and long-term plan.
- Stay abreast of the latest technologies and update equipment and software as appropriate.
- Monitor the stats of all shows, social media, public requests and website to ensure relevance and best usage of resources. Make adjustments as required.
- Identify City information that should be communicated and ensure that it is communicated and in an appropriate manor.
- Lead weekly staff meetings to ensure the team clearly understands and execute their duties for the week.
- Hire seasonal help as needed.
- Plan and manage a yearly budget.
- Provide the Mayor bi-weekly reports, Council monthly reports and the Cable Advisory Commission bi-monthly reports.
- Manage outside vendors getting quotes and working within budget.
- Conduct yearly staff reviews.
- Submit payroll information as required.
- Develop and implement policies and procedures and ensure compliance with FCC regulations.
- Develop and implement outreach programs to ensure the department is serving and internal (City management) and external (residents, businesses and organizations) Avon Lake audiences.
- Active involvement with the regional and national Cable Access organizations to keep up with industry standards and regulations.
- Keep informed on political polices both State and Federal that could affect franchise fees.
- Perform a yearly review of goals focusing on better ways to strengthen communication between the City of Avon Lake and its residents and develop strategic plan to ensure goals are met and oversee the implementation. person in this position will manage the team ensuring a balance of productivity, creativity, quality and challenges.

**Qualifications:**

- Bachelor’s Degree preferred in video production/communications or equivalent experience.
- Experience in local cable TV programming.
- Experience in interfacing with community members and governmental agencies.
- Knowledge of cable TV and production technology.
- Experience in directing and training community members about the use of production equipment.
- Demonstrated ability to produce, write, and direct video programming.
ORDINANCE NO. ______

AN ORDINANCE AUTHORIZING ENTERING INTO A WATER POLLUTION CONTROL LOAN FUND AGREEMENT FOR THE CURTIS ROAD SEWER REHABILITATION AND WATER LINE PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Avon Lake through its Board of Municipal Utilities desires to rehabilitate aging sewer systems on Curtis Drive, 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 for design and construction of wastewater system improvements.

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.

PASSED: ____________________________  President of Council

POSTED: ____________________________  Approved

ATTEST: ____________________________  Mayor

Clerk of Council
ORDINANCE NO._______

AN ORDINANCE AUTHORIZING ENTERING INTO A WATER SUPPLY REVOLVING LOAN AGREEMENT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Avon Lake through its Board of Municipal Utilities desires to upgrade its water system, and

WHEREAS, the City of Avon Lake through its Board of Municipal Utilities intends to apply to the Water Supply Revolving Loan Account (WSRLA) for design and construction of an interconnectivity project with the City of Elyria, and

WHEREAS, the Ohio Water Supply Revolving Loan Account 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 WSRLA loan authorized by the Board of Municipal Utilities for design and construction of an interconnectivity project with the City of Elyria.

Section No. 2: That the Board of Municipal Utilities has designated water-related 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 passage of this resolution/ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and of 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. 4: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of Avon Lake for the reason that the construction of an interconnectivity project with the City of Elyria to ensure an adequate water supply is necessary to have an adequate water supply in emergency situations. 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
RESOLUTION NO. 

A RESOLUTION OF GRATITUDE AND APPRECIATION TO BARBARA DOPP.

WHEREAS, this Council wishes to pause and express its gratitude and appreciation to Barbara Dopp for 22 years of dedicated commendable service to the City of Avon Lake, and

WHEREAS, Barbara Dopp began her employment in September 1995 as the Secretary for the Council Office and the Law Department, was promoted to the position of Assistant Clerk of Council and Legislative Assistant in February 2001, and was promoted to position of Clerk of Council in May 2003, and

WHEREAS, that in addition to the duties and responsibilities as Clerk of Council, Barbara Dopp served on the Records Commission as a resident representative, managed the records retention policy for the City, and ensured that appropriate procedures were followed in the retention and disposal of public records, and

WHEREAS, Barbara Dopp has faithfully and conscientiously served the City of Avon Lake and its citizens and has been an important part in the efficient operation of City Council, now therefore;

BE IT RESOLVED by the Council of the City of Avon Lake, County of Lorain, State of Ohio:

Section No. 1: That this Council does for and on behalf of the citizens of Avon Lake extend its sincere appreciation and gratitude to Barbara Dopp for her many years of dedication to the City of Avon Lake. Further, Council extends best wishes to Barbara for a happy retirement.

Section No. 2: That the Clerk of Council shall include this Resolution in the minutes of this meeting and she is hereby requested to transmit a copy of this Resolution to Barbara Dopp.

PASSED: ________________________________ President of Council

POSTED: ________________________________ Approved

ATTEST: 
Clerk of Council Mayor