The following business is to be considered at the regular meeting of the Avon Lake City Council on April 9, 2018 immediately following the rescheduled Collective Committee Meeting in the Council Chamber.

Pledge of Allegiance

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

Approval of Minutes: March 12, 2018 and March 26, 2018 Council Meeting as prepared and published.

Appointment of Council Ward 3 Member

Approving the appointment of Eileen Campo as Council Ward 3 Member for a term expiring December 31, 2019 – M. O’Donnell.

Administration of Oath of Office by Law Director Lieberman.

Correspondence

Public Hearing

Upon the proposed amendment to Planning & Zoning Code Section 1244.02, entitled Permitted Uses. (JAMES)

Reports

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

Audience Participation

Motions

Permitting Mr. O'Donnell to abstain from voting on a contract with Randall’s Landscaping – R. James.

Authorizing the Mayor to execute a contract with Randall’s Lawn Care for City park fertilization in the amount of $11,025 – R. James.

Instructing the Clerk of Council to return the form to the Division of Liquor Control in the matter of a new liquor license for TBP Avon Lake LLC, 33491-93 Lake Road - D. Kos.

Authorizing the Mayor to execute a three-year contract with Thomson Reuters for Westlaw online legal research and printed publications in the amount of $14,000 – M. O’Donnell.

Legislation

Third Readings:

Temporary Legislation #11043, enacting Section 1442.07 to require final inspections for alterations and repairs.

Temporary Legislation #11044, amending Section 1065.10 and 1438.09 to modify insurance requirements for contractors.

Temporary Legislation #11045, amending Codified Ordinance Section 208.01, entitled general fee schedule.

Second Readings:

Temporary Legislation #11040, amending Planning & Zoning Section 1244.02 permitted uses.

Temporary Legislation #11050, providing for the continued defense of the City of Avon Lake in the event of potential litigation. →

Temporary Legislation #11053R, awarding a contract for Fourth of July fireworks.

Temporary Legislation #11054, approving a wage increase for Tammy Strawn, Fire Inspector. →

→Suspension of the rule requiring three readings
Temporary Legislation #11055R, adopting a job description for the position of Building Department Administrative Assistant.

Temporary Legislation #11056, adopting a job description for the position of Public Works Administrative Assistant.

Temporary Legislation #11057R, adopting a job description for the position of Public Works Administrative Assistant.

Temporary Legislation #11058, adopting a job description for the position of Recreation Administrative Assistant.

Temporary Legislation #11059, approving a wage increase for City personnel. →

First Readings:

Temporary Legislation #11067, confirming the appointment of Robert Munro as the Chief Utility of Operations for Avon Lake Regional Water. →

Temporary Legislation #11068, confirming the appointment of Douglas Ondercin, Utilityman in the Public Works Department.

Temporary Legislation #11069, awarding the contract for the 2018 concrete street program.

Temporary Legislation #11070, awarding the contract for sand dredging at Miller Road Park. →

Temporary Legislation #11071, authorizing the purchase of a Ford Transit Van and a F150 Crew Cab Pickup for the Police Department and a Ford Explorer for the Public Works Department.

Temporary Legislation #11072, authorizing a participation agreement with the Ohio Department of Transportation for the purchase of road salt.

Temporary Legislation #11073, authorizing the purchase of in-car video systems for the Police Department.

Temporary Legislation #11074, approving the site and improvement plans for the Aqua Marine Southeast Expansion. →

Temporary Legislation #11075, authorizing the donation to Community Resource Services. →

Temporary Legislation #11076, authorizing a personal services agreement with OHM Advisors for the Comprehensive Land Use Plan.

→Suspension of the rule requiring three readings
Temporary Legislation #11077, adopting the Codified Ordinance updates.

Temporary Legislation #11078, authorizing the Mayor to execute a personal services agreement with Go2IT Group.

Miscellaneous Business and Announcements

Public Input

Adjournment

→Suspension of the rule requiring three readings
AN ORDINANCE ENACTING SECTION 1442.07 OF THE CODIFIED ORDINANCES TO REQUIRE FINAL INSPECTIONS FOR ALTERATIONS AND REPAIRS FOR WHICH A CERTIFICATE OF COMPLETION IS REQUIRED.

WHEREAS, persons who receive building permits for alterations and repairs of residential premises frequently complete the work authorized by the permits but do not obtain final inspections and approval of the work by the Building Department, and

WHEREAS, the Residential Code of Ohio for One-, Two-, and Three-Family Dwellings (Chapter 4101:8-1 of the Ohio Administrative Code) was amended in 2013 to require that the owner of residential premises to which certain alterations or repairs have been made obtain a certificate of completion before the structure or building service equipment may be used, and

WHEREAS, Council desires to ensure that any alteration or improvement for which a certificate of completion is required is inspected and approved by the Building Department before the improvement is occupied or used, now therefore;

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

Section No. 1: That there is hereby enacted new Section 1442.07 of the Codified Ordinances of the City, to read as follows:

1442.07 FINAL INSPECTION; CERTIFICATE OF COMPLETION.

No alteration or improvement for which a certificate of completion is required by the Residential Code of Ohio for One-, Two-, and Three-Family Dwellings (Chapter 4101:8-1 of the Ohio Administrative Code) may be used or occupied unless and until the improvement has been inspected and approved by the Building Department and the certificate of completion issued.

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: 3/12/18
2nd reading: 3/26/18
3rd reading:

PASSED: _________________________  ____________________________

President of Council

POSTED: _________________________  ____________________________

Approved

ATTEST: _________________________  ____________________________

Clerk of Council  Mayor
ORDINANCE NO. ________

AN ORDINANCE AMENDING SECTIONS 1065.10 AND
1438.09 OF THE CODIFIED ORDINANCES TO MODIFY THE
INSURANCE REQUIREMENTS FOR CONTRACTORS; AND
DECLARING AN EMERGENCY.

WHEREAS, Sections 1065.10 and 1438.09 of the Codified Ordinances of the City of Avon Lake specify the insurance required to be maintained by contractors, and

WHEREAS, Council has determined that it is advisable to modify such insurance requirements, now therefore;

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

Section No. 1: That Section 1065.10 of the Codified Ordinances of the City is hereby repealed.

Section No. 2: That there is hereby enacted new Section 1065.10 of the Codified Ordinances of the City, to read as follows:

1065.10 CERTIFICATE OF INSURANCE AND BOND.

(a) In order to be registered with the Municipality, every contractor must maintain the following insurance:

(1) commercial general liability insurance on an occurrence basis in a combined single limit of not less than five hundred thousand dollars ($500,000.00) per occurrence;

(2) if the contractor has employees, employer’s liability insurance with a limit of not less than five hundred thousand dollars ($500,000.00) per occurrence;

(3) automobile liability insurance with a limit of not less than five hundred thousand dollars ($500,000.00) per occurrence;

(4) if the contractor will perform work in the public right-of-way, an umbrella liability insurance policy with a limit of not less than one million dollars ($1,000,000.00); and

(5) workers compensation insurance in the amount required by law.
(b) Every policy of insurance required by (1) through (4) of division (a) of this section shall be issued by a solvent insurance carrier licensed to engage in the business of insurance in Ohio and shall designate the Municipality as an additional insured. The commercial general liability insurance policy must contain a provision that the policy may not be cancelled, terminated or materially changed except upon at least thirty (30) days prior written notice to the Municipality.

(c) Every application for a certificate of registration and qualification shall be accompanied by certificates evidencing that the insurance policies required by divisions (a) and (b) of this section are in effect.

(d) Every application for a certificate of registration and qualification shall be accompanied by a contractor’s bond in the amount of five thousand dollars ($5,000.00) on the Municipality's approved form and executed by the applicant and a solvent surety company licensed to engage in the business of insurance in Ohio.

Section No. 3: That Section 1438.09 of the Codified Ordinances of the City is hereby repealed.

Section No. 4: That there is hereby enacted new Section 1438.09 of the Codified Ordinances of the City, to read as follows:

1438.09 CERTIFICATE OF INSURANCE AND BOND.

(a) In order to be registered with the Municipality, every contractor must maintain the following insurance:

(1) commercial general liability insurance on an occurrence basis in a combined single limit of not less than five hundred thousand dollars ($500,000.00) per occurrence;

(2) if the contractor has employees, employer’s liability insurance with a limit of not less than five hundred thousand dollars ($500,000.00) per occurrence;

(3) automobile liability insurance with a limit of not less than five hundred thousand dollars ($500,000.00) per occurrence;

(4) if the contractor will perform work in the public right-of-way, an umbrella liability insurance policy with a limit of not less than one million dollars ($1,000,000.00); and

(5) workers compensation insurance in the amount required by law.
(b) Every policy of insurance required by (1) through (4) of division (a) of this section shall be issued by a solvent insurance carrier licensed to engage in the business of insurance in Ohio and shall designate the Municipality as an additional insured. The commercial general liability insurance policy must contain a provision that the policy may not be cancelled, terminated or materially changed except upon at least thirty (30) days prior written notice to the Municipality.

(c) Every application for a certificate of registration and qualification shall be accompanied by certificates evidencing that the insurance policies required by divisions (a) and (b) of this section are in effect.

(d) Every application for a certificate of registration and qualification shall be accompanied by a contractor's bond in the amount of fifteen thousand dollars ($15,000.00) on the Municipality's approved form and executed by the applicant and a solvent surety company licensed to engage in the business of insurance in Ohio.

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 ensuring that contractors performing work in the Municipality are maintaining adequate insurance, 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: 3/12/18
2nd reading: 3/26/18
3rd reading:

PASSED: _________________________  ____________________________
President of Council

POSTED: _________________________  ____________________________
Approved

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

AN ORDINANCE AMENDING CODIFIED ORDINANCE
SECTION 208.01, ENTITLED GENERAL FEE SCHEDULE.

WHEREAS, the Public Service Committee recommended amending
Codified Ordinance Section 208.01, the General Fee Schedule, 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
208.01(f)(17) is hereby amended as follows:

(f) Public Works Department

(17) Central Avon Lake Drainage Project (CALDP) - The tap-in fee shall be determined and
adjusted yearly based on the Cleveland Construction Cost Index.

Tap In Fee $10,847.91
Commercial Square Foot Charge 69.63¢

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: 3/12/18
2nd reading: 3/26/18
3rd reading:

PASSED: ___________________________ President of Council

POSTED: ___________________________ Approved

ATTEST: ___________________________ Mayor

Clerk of Council
ORDINANCE NO. ________

AN ORDINANCE TO AMEND PLANNING & ZONING CODE SECTION 1244.02, ENTITLED PERMITTED USES, AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission at its meeting of February 6, 2018 recommended to Council an amendment to Planning & Zoning Code Section 1244.02, 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 Sections 1244.02 is hereby amended with an addition to subsection G as follows:

<table>
<thead>
<tr>
<th>G. ACCESSORY BUILDINGS AND USES</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Off-Street Parking and Loading Facilities</td>
<td>A</td>
</tr>
<tr>
<td>2. Signs</td>
<td>A</td>
</tr>
<tr>
<td>3. Accessory Buildings</td>
<td>A</td>
</tr>
<tr>
<td>4. Employee Cafeterias</td>
<td>A</td>
</tr>
<tr>
<td>5. Retail Establishments Shall not Exceed 10% of the Gross Floor Area of an Office Project and 50% of the Gross Floor Area of the First Floor of Any One Building</td>
<td>A</td>
</tr>
<tr>
<td>6. Fences</td>
<td>A</td>
</tr>
<tr>
<td>7. Outdoor Storage of Materials or Fleet Vehicles Used in the Operation of a Principal Use</td>
<td>A</td>
</tr>
<tr>
<td>8. Child Care Facility associated with a permitted or approved conditional use and located in the same building</td>
<td>A</td>
</tr>
</tbody>
</table>

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 permit the use of a Child Care Facility within a business district to promote economic development in the City of Avon Lake and maintain the integrity of the Planning & Zoning Code, 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: 2/26/18
2nd reading: 
3rd reading: 

PASSED: _________________________ ____________________________ President of Council

POSTED: _________________________ ____________________________ Approved

ATTEST: _________________________ ____________________________

Clerk of Council Mayor
ORDINANCE NO. ________

AN ORDINANCE PROVIDING FOR THE CONTINUED DEFENSE OF THE CITY OF AVON LAKE IN THE EVENT OF POTENTIAL LITIGATION, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Avon Lake wishes Stephen Funk and the law firm of Roetzel & Andress to continue to act as counsel in the defense of potential litigation, now therefore;

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

Section No. 1: That Stephen Funk and the law firm of Roetzel & Andress is hereby authorized and directed to continue to advise and represent the City of Avon Lake and its Council and Administration in connection with potential legal action filed against the City of Avon Lake, Council, and/or Administration.

Section No. 2: That the necessary expenses for said representation be paid upon approval voucher submitted therefor, in an amount not to exceed $25,000.00.

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 preparing and filing the necessary legal proceedings in a timely manner to defend the City in the event of potential litigation 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.

1st reading: 3/26/18
2nd reading:
3rd reading:
PASSED: ____________________________________ President of Council

POSTED: ____________________________________ Approved

ATTEST:

Clerk of Council Mayor
ORDINANCE NO. ________

AN ORDINANCE AWARDING A CONTRACT FOR FOURTH OF JULY FIREWORKS, AND DECLARING AN EMERGENCY.

WHEREAS, Section 59 of the Avon Lake Charter, entitled Competitive Bidding, authorizes the awarding of contracts under $25,000 without public bidding, and

WHEREAS, the Mayor has solicited proposals for the 2018 and 2019 Fourth of July fireworks at Weiss Field, and

WHEREAS, Council coming now to consider said proposals has determined that the proposal submitted by Zambelli Fireworks of New Castle, Pennsylvania, is the best responsive proposal 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 proposal by Zambelli Fireworks of New Castle, Pennsylvania (hereafter referred to as “Contractor”) for the 2018 and 2019 Fourth of July fireworks at Weiss Field, in accordance with the plans and specifications, be and the same is hereby accepted and awarded to said Contractor in accordance with said plans and specifications. The total amount for the 2018 Fourth of July fireworks is $18,000 and for the 2019 Fourth of July fireworks is $20,000.

Section No. 2: That the Contractor shall furnish his good and sufficient performance bond for the 2018 Fourth of July fireworks is $18,000 and for the 2019 Fourth of July fireworks is $20,000 to the satisfaction of the Mayor and approved as to form by the Director of Law, conditioned to insure faithful performance of the contract thereby awarded.

Section No. 3: That the Contractor shall deposit and keep in force and effect on file with said Director of Finance memoranda of policies of insurance in the amounts and under the conditions set forth in the specifications of the contract documents.

Section No. 4: That upon receipt by the Director of Finance of the certificate of the Mayor that the fireworks has been completed to the full satisfaction of the Mayor and in accordance with the plans and specifications, then the Director of Finance
shall be authorized and directed to issue to said Contractor the
warrants of the City in payment therefore the amount of money
determined by said Mayor to be due said Contractor under the
contract thereby awarded to him and to cause said warrants to be
paid.

Section No. 5: That the Mayor shall be and he is hereby
authorized and directed to sign and execute the contract hereby
awarded.

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
securing a contract for the 2018 and 2019 fireworks display, thus
for the public health, safety, and welfare. Therefore, this
Ordinance shall be in full force and effect from and immediately
after its passage and approval by the Mayor.

1\textsuperscript{st} reading:  3/26/18
2\textsuperscript{nd} reading: 
3\textsuperscript{rd} reading:

PASSED: _________________________ President of Council

POSTED: _________________________ Approved

ATTEST: _________________________ ____________________________

Clerk of Council   Mayor
AN ORDINANCE APPROVING A WAGE INCREASE FOR TAMMY STRAWN, FIRE INSPECTOR, AND DECLARING AN EMERGENCY.

WHEREAS, it has been recommended by the Human Resources Committee that Tammy Strawn should be granted a wage increase, and

WHEREAS, Council coming now to consider said recommendation approves it in full and desires to put it into effect, now therefore,

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

Section No. 1: That the following employee be granted the following wage increase retroactive from March 6, 2018.

Tammy Strawn  Fire Inspector  2%

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 fulfilling commitments to certain City personnel and complying with the Wage and Salary Administration Code. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1st reading: 3/26/18
2nd reading:
3rd reading:

PASSED: _________________________ President of Council

POSTED: _________________________ Approved

ATTEST: _________________________ Mayor

Clerk of Council
AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF BUILDING DEPARTMENT ADMINISTRATIVE ASSISTANT, ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION, AND REPEALING ORDINANCE NO. 92-89.

WHEREAS, it has been recommended by the Human Resources Committee that a job description for the position of Building Department Administrative Assistant 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 Building Department Administrative Assistant 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. 92-89 is hereby repealed.

Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 4: That this Ordinance shall be in full force and effect from and after the earliest period allowed by law.

1st reading: 3/26/18
2nd reading:
3rd reading:

PASSED: _________________________ President of Council

POSTED: _________________________ Approved

ATTEST: _________________________

Clerk of Council Mayor
ORDINANCE NO. ________


WHEREAS, it has been recommended by the Human Resources Committee that a job description for the position of Public Works Administrative Assistant 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 Public Works Administrative Assistant 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. 138-2001 is hereby repealed.

Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 4: That this Ordinance shall be in full force and effect from and after the earliest period allowed by law.

1st reading: 3/26/18
2nd reading:
3rd reading:

PASSED: ___________________________________________ President of Council

POSTED: ___________________________________________ Approved

ATTEST: ___________________________________________ Mayor

Clerk of Council
ORDINANCE NO. __________

AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF PUBLIC WORKS ADMINISTRATIVE ASSISTANT, ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION, AND REPEALING ORDINANCE NO. 93-89.

WHEREAS, it has been recommended by the Human Resources Committee that a job description for the position of Public Works Administrative Assistant 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 Public Works Administrative Assistant 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. 93-89 is hereby repealed.

Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 4: That this Ordinance shall be in full force and effect from and after the earliest period allowed by law.

1st reading: 3/26/18
2nd reading:
3rd reading:

PASSED: ____________________________
President of Council

POSTED: ____________________________
Approved

ATTEST:
Clerk of Council
Mayor
ORDINANCE NO._______


WHEREAS, it has been recommended by the Human Resources Committee that a job description for the position of Recreation Administrative Assistant 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 Recreation Administrative Assistant 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. 59-2006 is hereby repealed.

Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 4: That this Ordinance shall be in full force and effect from and after the earliest period allowed by law.

1st reading: 3/26/18
2nd reading:
3rd reading:

PASSED: ____________________________ President of Council

POSTED: ____________________________ Approved

ATTEST: ____________________________ Mayor

Clerk of Council
ORDINANCE NO. _______

AN ORDINANCE APPROVING A WAGE INCREASE FOR CITY PERSONNEL, AND DECLARING AN EMERGENCY.

WHEREAS, it has been recommended by the Human Resources Committee that certain City personnel should be granted a wage increase, and

WHEREAS, Council coming now to consider said recommendation approves it in full and desires to put it into effect, now therefore,

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

Section No. 1: That the following employees be granted the following wage increase retroactive from January 1, 2018.

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Wage Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elizabeth Carey</td>
<td>Building Dept. Administrative Assistant</td>
<td>$0.40/hour</td>
</tr>
<tr>
<td>Dawn Phelps</td>
<td>Public Works Administrative Assistant</td>
<td>$0.40/hour</td>
</tr>
<tr>
<td>Coleen Spring</td>
<td>Public Works Administrative Assistant</td>
<td>$0.40/hour</td>
</tr>
<tr>
<td>Lorrie Bruce</td>
<td>Recreation Administrative Assistant</td>
<td>$0.40/hour</td>
</tr>
</tbody>
</table>

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 fulfilling commitments to certain City personnel and complying with the Wage and Salary Administration Code. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1\textsuperscript{st} reading: 3/26/18
2\textsuperscript{nd} reading: 
3\textsuperscript{rd} reading: 
PASSED: _________________________ President of Council
POSTED: _________________________ Approved
ATTEST:___________________________
       Clerk of Council            Mayor
ORDINANCE NO. ________

AN ORDINANCE CONFIRMING THE APPOINTMENT OF ROBERT MUNRO TO THE POSITION OF CHIEF OF UTILITY OPERATIONS, AND DECLARING AN EMERGENCY.

WHEREAS, the Avon Lake Board of Municipal Utilities confirmed the employment agreement for Chief of Utility Operations between the Avon Lake Board of Municipal Utilities and Robert Munro on March 6, 2018, and

WHEREAS, Council coming now to consider said employment agreement between the Avon Lake Board of Municipal Utilities and Robert Munro 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 appointment of Robert Munro to the position of Chief of Utility Operations is hereby approved effective March 19, 2018.

Section No. 2: That effective March 19, 2018, Council does hereby fix and establish an annual salary of $120,000.00 for the Chief of Utility Operations, Robert Munro, to be adjusted periodically as provided by Ordinance.

Section No. 3: That in addition to the applicable benefits provided to full-time employees in the City of Avon Lake, Mr. Munro shall be entitled to receive 10 paid days off for moving/settlement/readjustment to be used during 2018 and will accrue one day of vacation per month worked for a maximum of nine days. After one year of service in accordance to Codified Ordinance Section 260.02, Mr. Munro shall be entitled to receive four weeks paid vacation.

Section No. 4: That in addition to the $120,000.00 yearly salary, Mr. Munro shall receive a $7,500.00 signing bonus, cell phone, moving expenses, temporary living expense, and limited relocation assistance to Mr. Munro’s spouse as provided in the employment agreement between the Avon Lake Board of Municipal Utilities and Robert Munro.

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 efficient management and operation of the City’s waterworks and appurtenances, thus for the public health, safety, and welfare. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

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

PASSED: _________________________ ____________________________
President of Council

POSTED: _________________________ ____________________________
Approved

ATTEST: _________________________ ____________________________
Clerk of Council Mayor
BY: Mr. Zuber       TEMP NO: 11068

ORDINANCE NO. ________

AN ORDINANCE CONFIRMING THE APPOINTMENT OF DOUGLAS ONDERCIN AS UTILITYMAN IN THE PUBLIC WORKS DEPARTMENT, AND DECLARING AN EMERGENCY.

WHEREAS, it has been recommended by the Public Works Director and Human Resources Committee of Council that Douglas Ondercin be promoted to the position of Utilityman in the Public Works Department, and

WHEREAS, Council coming now to consider said recommendation approves it in full and desires to put it into effect, now therefore,

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

Section No. 1: That the promotion of Douglas Ondercin to the position of Utilityman in the Public Works Department, effective May 1, 2018, be and it is hereby approved and confirmed, subject to all provisions of Chapter 258 of the Codified Ordinances of the City of Avon Lake.

Section No. 2: That the duties and responsibilities to be undertaken by the Utilityman in the Public Works Department shall be those set forth for such position in Ordinance No. 32-2012.

Section No. 3: That with Council’s present knowledge of Mr. Ondercin’s experience and ability it has and does hereby fix the Step 2 rate of $29.72 per hour, payable bi-weekly as determined by the Director of Finance.

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

Section No. 5: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of providing the Public Works Department with adequate personnel for the efficient operation of the Department, thus for the health, safety, and welfare of the citizens of Avon Lake. Therefore,
this Ordinance shall be in full force and effect from and after its passage and approval.

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

PASSED: _________________________ ____________________________
         President of Council

POSTED: _________________________ ____________________________
        Approved

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

AN ORDINANCE AWARDING A CONTRACT FOR THE
2018 CONCRETE STREET PROGRAM, AND DECLARING
AN EMERGENCY.

WHEREAS, in accordance with the direction of Council, the
Public Works Department has prepared plans and specifications for
the 2018 Concrete Street Program, which have been and are now on
file in the Public Works Department, and

WHEREAS, further in accordance with the direction of
Council, the Public Works Department has caused notice to be
given as provided by law, inviting bids for construction of said
improvements, bids having been received, opened and tabulated as
provided by law, and

WHEREAS, Council coming now to consider said bids has
determined that the bid submitted by Konstruction King of
Brunswick, Ohio, is the lowest and 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 by Konstruction King of
Brunswick, Ohio (hereafter referred to as “Contractor”) for the
2018 Concrete Street Program for the City of Avon Lake, Ohio, in
accordance with the plans and specifications, be and the same is
hereby awarded to said Contractor in accordance with said plans
and specifications and bid received. The total amount of said
contract is in the sum of $922,837.30.

Section No. 2: That the Contractor shall furnish his good
and sufficient performance bond in the amount of $922,837.30 to
the satisfaction of the Mayor and approved as to form by the
Director of Law, conditioned to insure faithful performance of
the contract thereby awarded and completion of the work free and
clear of all claims and encumbrances.

Section No. 3: That the Contractor shall deposit and keep in
force and effect on file with said Director of Finance memoranda
of policies of insurance in the amounts and under the conditions
set forth in the specifications of the contract documents.
Section No. 4: That upon receipt by the Director of Finance of the certificate of the Public Works Department that the construction has been completed to the full satisfaction of the Public Works Department and in accordance with the plans and specifications, then the Director of Finance shall be authorized and directed to issue to said Contractor the warrants of the City in payment therefore the amount of money determined by said Public Works Department to be due said Contractor under the contract thereby awarded to him and to cause said warrants to be paid.

Section No. 5: That the Mayor shall be and he is hereby authorized and directed to sign and execute the contract hereby awarded.

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 implementing the 2018 Concrete Street Program during the summer construction season to provide safe roads in the City of Avon Lake, thus for the public health, safety, and welfare. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

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

PASSED: _________________________ ____________________________
President of Council

POSTED: _________________________ ____________________________
Approved

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

AN ORDINANCE AWARDING A CONTRACT FOR THE
MILLER ROAD PARK SAND DREDGING PROJECT, AND
DECLARING AN EMERGENCY.

WHEREAS, in accordance with the direction of Council, the
Public Works Department has prepared plans and specifications for
the Miller Road Park Sand Dredging Project, which have been and
are now on file in the Public Works Department, and

WHEREAS, further in accordance with the direction of
Council, the Public Works Department has caused notice to be
given as provided by law, inviting bids for said improvement,
bids having been received, opened, and tabulated as provided by
law, and

WHEREAS, Council coming now to consider said bids has
determined that the bid submitted by Huffman Equipment of
Eastlake, Ohio, is the lowest and 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 by Huffman Equipment of
Eastlake, Ohio, (hereafter referred to as “Contractor”) for the
Miller Road Park Sand Dredging Project for the City of Avon Lake,
Ohio, in accordance with the plans and specifications prepared by
the Public Works Department be and the same is hereby awarded to
said Contractor in accordance with said plans and specifications
and bids received. The total amount of said contract is in the
sum of $65,000.00.

Section No. 2: That the Contractor shall furnish his good
and sufficient performance bond in the amount of $65,000.00 to
the satisfaction of the Mayor and approved as to form by the
Director of Law, conditioned to insure faithful performance of
the contract thereby awarded, and completion of the work free and
clear of all claims and encumbrances.

Section No. 3: That the Contractor shall deposit and keep
in force and effect on file with said Director of Finance
memoranda of policies of insurance in the amounts and under the
conditions set forth in the specifications of the contract
documents.
Section No. 4: That upon receipt by the Director of Finance of the certificate of the Public Works Director that the project has been completed to his full satisfaction and in accordance with the plans and specifications, then the Director of Finance shall be authorized and directed to issue to said Contractor the warrants of the City in payment therefore the amount of money determined by said Public Works Director to be due said Contractor under the contract thereby awarded to him and to cause said warrants to be paid.

Section No. 5: That the Mayor shall be and he is hereby authorized and directed to sign and execute the contract hereby awarded.

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 dredging the sand from the boat launch area at Miller Road Park before the fish spawning season and to be in time for the upcoming boating season to ensure safe boating, thus for the public health, safety, and welfare. Therefore, this Ordinance shall go into immediate force and effect from and after its passage and approval by the Mayor.

PASSED: _________________________ ____________________________
       President of Council

POSTED: _________________________ ____________________________
        Approved

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

AN ORDINANCE AUTHORIZING THE PURCHASE OF A 2018 FORD TRANSIT VAN AND A 2018 FORD F150 CREW CAB PICKUP FOR THE POLICE DEPARTMENT AND A 2018 FORD EXPLORER FOR THE PUBLIC WORKS DEPARTMENT, AND DECLARING AN EMERGENCY.

WHEREAS, in accordance with the direction of Council, the Public Works Department has prepared plans and specifications for a 2018 Ford Transit Van and 2018 Ford F150 Crew Cab Pickup for the Police Department and a 2018 Ford Explorer for the Public Works Department, which have been and are now on file in the Public Works Department, and

WHEREAS, further in accordance with the direction of Council, the Public Works Department has caused notice to be given as provided by law, inviting bids for said vehicles, bids having been received, opened and tabulated as provided by law, and

WHEREAS, Council coming now to consider said bids has determined that the bid submitted by Kowalski Ford of Avon Lake, Ohio, is the lowest and 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 by Kowalski Ford of Avon Lake, Ohio, to supply the City with a 2018 Ford Transit Van in the amount of $24,385.00, a 2018 Ford F150 Crew Cab Pickup in the amount of $30,145.00, and a 2018 Ford Explorer in the amount of $29,219.00 be and it is hereby accepted and approved.

Section No. 2: That upon delivery to this City with the proper specifications, to the full satisfaction of the Public Works Director, Police Chief, and the Director of Finance and accompanied by Title Certificate showing said vehicles to be free and clear of any and all liens and encumbrances and titled to the City of Avon Lake, then the Director of Finance is hereby directed to deliver to Kowalski Ford of Avon Lake, Ohio the warrant of this City in the amount of $24,385.00 for the 2018 Ford Transit Van, the amount of $30,145.00 for the 2018 Ford F150 Crew Cab Pickup, and the amount of $29,219.00 for the 2018 Ford Explorer 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 Police and Public Works Departments with safe and reliable vehicles in order that they may promptly, safely and efficiently perform their duties, 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: _________________________ Mayor

Clerk of Council
WHEREAS, the City of Avon Lake (hereinafter referred to as the “Political Subdivision”) hereby submits this written agreement to participate in the Ohio Department of Transportation’s (ODOT) annual winter road salt bid (018-19) in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT winter road salt contract:

a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the winter road salt contract and acknowledges that upon the award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract, and

b. The Political Subdivision hereby acknowledges that upon the Director of ODOT’s signing of the winter road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision, and

c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT winter road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision’s participation in the winter road salt contract, and

d. The Political Subdivision hereby requests through this participation agreement a total of 5,000 tons of Sodium Chloride (Road Salt) of which the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT, and

e. The Political Subdivision hereby agrees to purchase a minimum or 90% of its above-requested salt quantities from its awarded salt supplier during the contract’s effective period of October 1, 2018 through April 30, 2019; and
f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded supplier on a net 30 basis for all road salt it receives pursuant to ODOT winter salt contract; and

g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Wednesday, June 1, 2018. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: contracts.purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision’s participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision’s participation agreement and/or a Political Subdivision’s request to rescind its participation agreement; now therefore;

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

Section No. 1: That the Political Subdivision authorizes the Mayor to enter into a participation agreement for the ODOT winter road salt contract.

Section No. 2: 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 122.22 of the Ohio Revised Code.

Section No. 3: That this Resolution is hereby declared to be an emergency for the public peace, health, and safety of the City. Therefore, this Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED: _________________________ President of Council

POSTED: _________________________ Approved

ATTEST: _________________________ Mayor

Clerk of Council
ORDINANCE NO. ________

AN ORDINANCE AUTHORIZING THE PURCHASE OF
IN-CAR VIDEO SYSTEMS FOR THE POLICE DEPARTMENT,
AND DECLARING AN EMERGENCY.

WHEREAS, Section 59 of the Avon Lake City Charter authorizes purchases not exceeding $25,000.00 without public bidding, and

WHEREAS, quotations were solicited for the purchase of three new in-car video systems for the Police Department, and

WHEREAS, Council coming now to consider said quotations has determined that the quotation submitted by Watch Guard of Allen, Texas, is the best responsive quotation 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 quotation for three new in-car video systems for the Police Department from Watch Guard in the amount of $15,510.00, be and it is hereby accepted and approved.

Section No. 2: That upon delivery to this City of the three in-car video systems, with the proper specifications, to the full satisfaction of the Police Chief and the Director of Finance, then the Director of Finance is hereby directed to deliver to Watch Guard of Allen, Texas, the warrant of this City up to the amount of $15,510.00 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 Police Department with updated equipment in order that the Department can complete its duties efficiently and continue to serve the public, thus for the health, safety, and welfare of the residents of Avon Lake. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.
1st reading:
2nd reading:
3rd reading:

PASSED: ___________________________ President of Council

POSTED: ___________________________ Approved

ATTEST:
Clerk of Council __________________ Mayor
ORDINANCE NO. ________

AN ORDINANCE APPROVING THE SITE/IMPROVEMENT PLAN FOR AQUA MARINE SOUTHEAST EXPANSION, AND DECLARING AN EMERGENCY.

WHEREAS, Planning Commission has at its meeting of April 3, 2018, approved the Site/Improvement Plan for Aqua Marine Southeast Expansion, now therefore;

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

Section No. 1: That the Site/Improvement Plan for Aqua Marine Southeast Expansion which includes the development of three 10-unit apartment buildings on the northwest corner of Miller Road and Walker Road within an R-3 Multi-Family Residential Zoning District, submitted to and approved by Planning Commission as required by the Planning and 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 in order for the project to begin as soon as possible to allow for the expansion of the Aqua Marine development to further the economic growth of Avon Lake and to offer alternative housing to prospective residents, thus for the public health, safety, and welfare. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

PASSED: _________________________ ____________________________
President of Council

POSTED: _________________________ ____________________________
Approved

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

AN ORDINANCE AUTHORIZING A DONATION TO COMMUNITY RESOURCE SERVICES, AND DECLARING AN EMERGENCY.

WHEREAS, it has been recommended by the administration to award a donation to Community Resource Services to provide financial assistance to qualified residents in the City of Avon Lake, and

WHEREAS, Council has determined that said donation is for a public purpose, and

WHEREAS, said residents must meet certain financial guidelines established by Community Resource Services to qualify for assistance, and

WHEREAS, Community Resource Services will provide the Finance Director with quarterly reports on expenditures of said funds, now therefore;

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

Section No. 1: That the Council of the City of Avon Lake hereby directs the Finance Director to pay the amount of $18,000.00 to Community Resource Services, 33501-L Lake Road, Avon Lake, Ohio 44012.

Section No. 2: That the $18,000.00 donation to Community Resource Services will be used to provide financial assistance to Avon Lake residents who qualify according to guidelines established by Community Resource Services.

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 to provide funds to Community Resource Services to assist residents
who are struggling during financially difficult times, thus for the health, safety, and welfare of the residents of Avon Lake. Therefore, this Ordinance shall take effect and be in full force immediately after its passage and approval by the Mayor.

PASSED: _________________________ President of Council

POSTED: _________________________ Approved

ATTEST: _________________________ Mayor

Clerk of Council
AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PERSONAL SERVICES AGREEMENT WITH OHM ADVISORS FOR THE CREATION OF A COMPREHENSIVE PLAN, AND DECLARING AN EMERGENCY.

WHEREAS, Section 59 of the Avon Lake City Charter, entitled Competitive Bidding, authorizes the expenditure of funds without public bidding for “personal services” as defined in the Charter, and

WHEREAS, the City of Avon Lake desires to retain the personal services of OHM Advisors for the creation of a Comprehensive Plan, now therefore;

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

Section No. 1: That the Mayor is hereby authorized and directed to enter into an agreement with OHM Advisors of Columbus, Ohio as provided in such agreement between the City of Avon Lake and OHM Advisors. The agreement shall state among its terms that the cost of said personal services shall be billed monthly on a percent complete basis and shall not exceed $100,000.00 for the duration of the agreement. Upon completion of said Comprehensive Plan to the satisfaction of the Director of Finance, he is hereby directed to deliver to OHM Advisors the warrant of this City and to cause said warrant to be paid.

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 providing a Comprehensive Plan for future City development, 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.
AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY.

WHEREAS, American Legal Publishing Corporation has completed its annual updating and revision of the Codified Ordinances of the City; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council since the date of the previous updating and revision of the Codified Ordinances (December 31, 2016) and have been included in the Codified Ordinances of the City; and

WHEREAS, certain changes were made in the Codified Ordinances to bring City law into conformity with State law;

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

Section No. 1: That the editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances are hereby approved as parts of the various component codes of the Codified Ordinances of the City so as to conform to the classification and numbering system of the Codified Ordinances:

<table>
<thead>
<tr>
<th>Ord. No.</th>
<th>Date</th>
<th>C.O. Section</th>
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<tbody>
<tr>
<td>2-2017</td>
<td>1-9-17</td>
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<td>11-27-17</td>
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<tr>
<td>200-2017</td>
<td>12-18-17</td>
<td>260.11</td>
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</table>
Section No. 2: That the following sections of the Codified Ordinances are or contain new matter in the Codified Ordinances and are hereby approved, adopted and enacted:

402.22, 402.24, 402.53, 404.03, 416.13, 432.03, 432.155, 432.32, 434.01, 434.011, 434.03, 434.07, 434.09, 436.09, 436.14, 452.05, 452.055, 452.06, 476.01, 476.03, 476.04, 476.08, 606.01, 606.12, 606.24, 612.07, 624.01, 636.045, 636.125, 642.09, 642.25, 672.01, 672.02, 672.04, 672.15, 672.16

Section No. 3: That all ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the new matter adopted in Section 2 of this ordinance are hereby repealed as of the effective date of this ordinance except as follows:

(a) The enactment of such sections and subsections shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and recodification.

(b) The repeal provided above shall not affect any legislation enacted subsequent to December 31, 2017.

Section No. 4: That pursuant to Ohio R.C. 731.23 and 731.25 and Section 222.01 of the Codified Ordinances, the Clerk of Council shall post a notice of the enactment of this ordinance, containing the title of this ordinance and a summary of the new matters covered by it, which summary is attached to this ordinance as Exhibit A, for a period of not less than fifteen days in the five public places as required by law.

Section No. 5: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety within the City of Avon Lake, the emergency arising because of the need to have an up-to-date codification of the legislation of the City, consistent with the City Charter and with State law, with which to administer the affairs of the City, enforce law and order and avoid practical and legal entanglements. Therefore, this ordinance, and the 2017 Replacement Pages for the Codified Ordinances hereby approved, adopted and enacted, shall take effect immediately upon its passage and approval by the Mayor.

PASSED: ________________

President of Council

POSTED: ________________

Approved

ATTEST: ________________

Mayor
EXHIBIT A

SUMMARY OF NEW MATTER
CONTAINED IN THE 2018 REPLACEMENT PAGES
FOR THE CODIFIED ORDINANCES OF AVON LAKE, OHIO

New matter in the Codified Ordinances of Avon Lake, Ohio, as contained in the 2018 Replacement Pages therefor, includes legislation regarding:

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672.04 Improperly handling firearms in a motor vehicle.
672.15 Possession of an object indistinguishable from a firearm in a school safety zone.
672.16 Concealed handgun licenses; possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession.
ORDINANCE NO. 1

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PERSONAL SERVICES AGREEMENT WITH GO2IT GROUP FOR INFORMATION TECHNOLOGY (IT) MANAGED SERVICES, AND DECLARING AN EMERGENCY.

WHEREAS, Section 59 of the Avon Lake City Charter, entitled Competitive Bidding, authorizes the expenditure of funds without public bidding for “personal services” as defined in the Charter, and

WHEREAS, the City of Avon Lake desires to retain the personal services of GO2IT for IT managed services effective April 1, 2018 through March 31, 2019, now therefore;

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

Section No. 1: That the Mayor is hereby authorized and directed to enter into an agreement with GO2IT Group of Westlake, Ohio, for IT managed services as provided in such agreement between the City of Avon Lake and GO2IT Group. The agreement shall state among its terms that the cost of said personal services shall be billed monthly and shall not exceed $48,000.00 for the duration of the agreement. Upon completion of said computer services to the satisfaction of the Director of Finance, he is hereby directed to deliver to GO2IT Group the warrant of this City and to cause said warrant to be paid.

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 providing the employees of the City of Avon Lake with IT managed services so they can perform their duties efficiently and maintain the operation of City departments, thus for the health, safety, and welfare of the residents of Avon Lake. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.
PASSED: _________________________ President of Council

POSTED: _________________________ Approved

ATTEST: _________________________
Clerk of Council               Mayor