

**MINUTES OF THE REGULAR MEETING
OF THE AVON LAKE MUNICIPAL COUNCIL
JANUARY 8, 2024**

The regular meeting of the Avon Lake Municipal Council was called to order on January 8, 2024, at 7:28 p.m. in the Council Chamber with Council President O'Donnell presiding.

Mr. Arnold led Council, staff, and the public in the Pledge of Allegiance.

Present: Council Members Zach Arnold, Jennifer Fenderbosch, Amy Gentry, David Kos, Marty O'Donnell, Rob Shahmir, and K. C. Zuber; Mayor Mark Spaetzel; Law Director Gary Ebert; Finance Director Ed Widman; and Clerk of Council Valerie Rosmarin.

Absent: City Engineer Chris Howard.

APPROVAL OF MINUTES

The minutes of the Council Meeting on November 27, 2023, were approved as amended and published.

CORRESPONDENCE

1. Chris Schumann, 109 Inwood Boulevard, Avon Lake, emailed Council regarding the City's record retention schedule and the ongoing appearance of a resident at Council meetings who has questioned why the City does not have any records to support the speed limit change on Lake Road from 35 mph to 25 mph. She asked that information regarding the records retention schedule be provided to whomever it concerns. *Her email was distributed to Council, Mayor Spaetzel, and the Law Director.*
2. Mrs. Fenderbosch reported that she received emails from residents. One resident asked about adding street signs that identify streets south of Electric Boulevard and north of Sunset Park. Another resident wanted to know about how the usage and sales would be controlled in the City with the legalization of marijuana and how people would be protected from smelling marijuana when used.

MAYOR'S REPORT

Mayor Spaetzel announced that with the passing of the temporary budget last December, his Administration will focus on infrastructure projects, and \$5 million has been allocated for street reconstruction. The City Engineer has begun preliminary work, and Requests for Qualifications (RFQs) have been advertised for geotechnical services that are due January 12, 2024. The bridge on Electric Boulevard over Heider Ditch will be replaced, and the engineering process will begin soon. RFQs for the Avon Lake Play Space (ALPS) will be advertised with the hope of moving the project forward this summer. A search for a new HR Director and Public Works Director has begun.

Lorain County will provide funding to income-eligible homeowners for home repairs and rehabilitation work through the Community Housing Impact Preservation Project (CHIPP) with forgivable loans (<https://www.loraincountyohio.gov/574/Fair-Housing-CHIP-and-CDBG>).

COUNCIL PRESIDENT’S REPORT

Council President O’Donnell announced that Council will not meet on Monday, January 15, 2024, in observation of Martin Luther King, Jr., Day. The rescheduled Collective Committee Meeting will be held on Tuesday, January 16, 2024, at 7 p.m.

The next Council Meeting will be held on Monday, January 22, 2024, at 7 p.m.

CITY ENGINEER

Council President O’Donnell announced that due to the absence of City Engineer Howard, an engineering report is not available.

Mrs. Fenderbosch reported that City Engineer Howard is working on the design for the Walker Road Paving Project, Phase 5, and he will provide it to Council by the end of the month.

BUILDING & UTILITIES COMMITTEE REPORT

Ms. Gentry reported that FirstEnergy updated the City about the storm systems expected later this week and asked the City to remind the public to report all downed power lines or road closures by calling 911. If a power line is down or is low-hanging, use caution and stay 30 feet away because they are energized and dangerous. Customers who experience a service interruption should report outages to the Contact Center at 1-888-LIGHTS or 1-888-544-4877, text OUT to LIGHTS 544487, or go to www.FirstEnergycorp.com.

COMMUNICATIONS, ENVIRONMENTAL & RECREATIONAL PROGRAMMING COMMITTEE REPORT

Mr. Shahmir reported that interviews have been scheduled for candidates seeking to fill the vacancy on the Environment Affairs Advisory Board. The EAAB discussed the issue of the coyotes at their last meeting on January 3, 2024, and is devising an approach to mitigate coyote issues within Avon Lake.

ECONOMIC DEVELOPMENT COMMITTEE REPORT

The next meeting of the Economic Development Committee will be held on Tuesday, January 16, 2024, at 6 p.m. in the Council Chamber.

The next Community Improvement Corporation (CIC) meeting will be held on Thursday, January 11, 2024, at 7 p.m. At that meeting, Avon Lake Environmental Redevelopment Group (ALERG) will present information on the Power Plant.

FINANCE COMMITTEE REPORT

Council President O'Donnell reported that a meeting will be scheduled to review the temporary budget in late January or before the Finance Committee meeting in February. Mayor Spaetzel was asked to review budget requests that were not approved and to consider additional items he would like to introduce.

HUMAN RESOURCES COMMITTEE REPORT

Mr. Zuber reported on the meeting of the Human Resources Committee held earlier. The following items were discussed: 1) the appointment of a part-time Police Officer; 2) the appointment of a Recreation Administrative Assistant; and 3) the job descriptions for the HR Director and Public Works Director.

PUBLIC SAFETY & HEALTH COMMITTEE REPORT

The next meeting of the Public Safety & Health Committee will be held on Wednesday, January 17, 2024, at 6 p.m. in the Council Chamber.

PUBLIC SERVICE COMMITTEE REPORT

The next meeting of the Public Service Committee will be held on Tuesday, January 9, 2024, at 6 p.m. in the Council Chamber.

PLANNING COMMISSION REPORT

The next meeting of the Planning Commission will be held on Tuesday, February 6, 2024, at 7 p.m. in the Council Chamber.

Interviews will be conducted of eligible candidates interested in filling the vacancy on the Commission.

TREE COMMISSION REPORT

Mrs. Fenderbosch reported that three of the Commissioners will be attending classes for their Junior Year taught by the Ohio Division of Forestry. The classes will conclude with a series of exams on tree planting and establishment, tree establishment and maintenance, contracting, tree risk assessment, volunteer use, and management.

MOTION

Mr. Kos moved to appoint Rob Shahmir to the Solar Eclipse Support Ad Hoc Committee. A vacancy was created due to Mrs. David's term expiring, and Mr. Shahmir will replace her on this Committee.

Yes: Arnold, Fenderbosch, Gentry, Kos, O'Donnell, Shahmir, Zuber

No: None
Motion carried.

LEGISLATION

Mr. Zuber moved to add Ordinance No. 24-10 to the agenda to appoint a part-time Police Officer.

Yes: Arnold, Fenderbosch, Gentry, Kos, O'Donnell, Shahmir, Zuber
No: None
Motion carried.

First Readings:

Resolution No. 24-1, A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO DISPOSE OF CERTAIN SURPLUS CITY PROPERTY NO LONGER NEEDED FOR PUBLIC USE, BY INTERNET AUCTION FROM FEBRUARY 1 THROUGH DECEMBER 31, 2024, AND DECLARING AN EMERGENCY, was read by title only.

This legislation will permit the Finance Director to dispose of surplus City property by internet auction on the following internet auction sites: govdeals.com, propertyroom.com, and publicsurplus.com.

Resolution No. 24-2, A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO PARTICIPATE IN VARIOUS COOPERATIVE PURCHASING PROGRAMS AND DECLARING AN EMERGENCY, was read by title only.

This legislation will authorize the Director of Finance to participate in governmental cooperative purchasing programs for the purchase of vehicles, machinery, materials, supplies, and other articles for the City for the calendar year 2024.

Resolution No. 24-3, A RESOLUTION AUTHORIZING THE AVON LAKE MUNICIPAL COURT TO SELL AN OBSOLETE COMPUTER AND DECLARING AN EMERGENCY, was read by title only.

Council President O'Donnell moved for suspension of the rule requiring three readings.

Yes: Arnold, Fenderbosch, Gentry, Kos, O'Donnell, Shahmir, Zuber
No: None
Motion carried.

Council President O'Donnell moved for passage of Resolution No. 24-3. This legislation will authorize the Clerk of Avon Lake Municipal Court to sell an obsolete computer that is no longer in use and is valued at less than \$1,000.

Yes: Arnold, Fenderbosch, Gentry, Kos, O'Donnell, Shahmir, Zuber
No: None

Motion carried.

Resolution No. 24-3 adopted.

Ordinance No. 24-4, AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF HUMAN RESOURCES DIRECTOR, ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION, REPEALING ORDINANCE NO. 22-138, AND DECLARING AN EMERGENCY, was read by title only.

Mr. Zuber moved for suspension of the rule requiring three readings.

Yes: Arnold, Fenderbosch, Gentry, Kos, O'Donnell, Shahmir, Zuber

No: None

Motion carried.

Mr. Zuber moved for passage of Ordinance No. 24-4. This legislation will adopt a job description for the position of Human Resources Director and repeal Ordinance No. 22-138. The Human Resources Director position is currently vacant, and there is a need to update the job description to accurately reflect the duties and responsibilities before hiring a Human Resources Director. The job description was developed with the Gallagher Study.

Yes: Arnold, Fenderbosch, Gentry, Kos, O'Donnell, Shahmir, Zuber

No: None

Motion carried.

Ordinance No. 24-4 adopted.

Ordinance No. 24-5, AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF DIRECTOR OF PUBLIC WORKS, ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION, REPEALING ORDINANCE NO. 22-160, AND DECLARING AN EMERGENCY, was read by title only.

Mr. Zuber moved for suspension of the rule requiring three readings.

Yes: Arnold, Fenderbosch, Gentry, Kos, O'Donnell, Shahmir, Zuber

No: None

Motion carried.

Mr. Zuber moved for passage of Ordinance No. 24-5. This legislation will adopt a job description for the position of Director of Public Works and repeal Ordinance No. 22-160. The Public Works Director position is currently vacant, and there is a need to update the job description to accurately reflect the duties and responsibilities before hiring a Public Works Director. This job description was developed with the Gallagher Study.

Yes: Arnold, Fenderbosch, Gentry, Kos, O'Donnell, Shahmir, Zuber

No: None

Motion carried.

Ordinance No. 24-5 adopted.

Ordinance No. 24-6, AN ORDINANCE AWARDDING A CONTRACT FOR THE 2024 FOURTH OF JULY FIREWORKS AND DECLARING AN EMERGENCY, was read by title only.

Mr. Kos moved for suspension of the rule requiring three readings.

Yes: Arnold, Fenderbosch, Gentry, Kos, O'Donnell, Shahmir, Zuber

No: None

Motion carried.

Mr. Kos moved for passage of Ordinance No. 24-6. This legislation will award a contract to Zambelli Fireworks of New Castle, Pennsylvania, for the 2024 Fourth of July Fireworks in the amount of \$25,000. The fireworks display will be held on Wednesday, July 3, and the rain-out date will be held on Friday, July 5. Zambelli is the "First Family of Fireworks" and has performed at international celebrations, including Super Bowls, World Series, Stanley Cups, Presidential Inaugurations, Independence Day parades, and many other civic celebrations. They are highly recommended and have been the preferred vendor for the City for many years.

Yes: Arnold, Fenderbosch, Gentry, Kos, O'Donnell, Shahmir, Zuber

No: None

Motion carried.

Ordinance No. 24-6 adopted.

Ordinance No. 24-7, AN ORDINANCE APPROVING THE IMPROVEMENT PLANS FOR THE HARBOUR PLANNED UNIT DEVELOPMENT, SUBDIVISION NO. 4, AND DECLARING AN EMERGENCY, was read by title only.

Mrs. Fenderbosch moved for suspension of the rule requiring three readings.

Yes: Arnold, Fenderbosch, Gentry, Kos, O'Donnell, Shahmir, Zuber

No: None

Motion carried.

Mrs. Fenderbosch moved for passage of Ordinance No. 24-7. This legislation will approve the improvement plans for The Harbour Planned Unit Development, Subdivision No. 4, consisting of 14 cluster lots on 2.18 acres between Walker Road Park to the south and the Cuyahoga County property line of Bay Village to the east, within an R-1 Single-Family Residential Zoning District with the condition that, upon approval, the applicant will post appropriate signage designing the wetland area and prohibiting any disturbance.

Yes: Arnold, Fenderbosch, Gentry, Kos, O'Donnell, Shahmir, Zuber

No: None

Motion carried.

Ordinance No. 24-7 adopted.

Ordinance No. 24-8, AN ORDINANCE CONFIRMING THE APPOINTMENT OF HEATHER LAM TO THE POSITION OF RECREATION ADMINISTRATIVE ASSISTANT, ESTABLISHING THE RATE OF COMPENSATION FOR SAID POSITION, AND DECLARING AN EMERGENCY, was read by title only.

Mr. Zuber moved for suspension of the rule requiring three readings.

Yes: Arnold, Fenderbosch, Gentry, Kos, O'Donnell, Shahmir, Zuber

No: None

Motion carried.

Mr. Zuber moved for passage of Ordinance No. 24-8. This legislation will confirm the appointment of Heather Lam to the position of Administrative Assistant in the Recreation Department at the Step 1 salary of \$23.23/hour, effective January 17, 2024.

Yes: Arnold, Fenderbosch, Gentry, Kos, O'Donnell, Shahmir, Zuber

No: None

Motion carried.

Ordinance No. 24-8 adopted.

Ordinance No. 24-9, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT TO ACQUIRE A JOHN DEERE 624 P-TIER WHEEL LOADER FOR THE PUBLIC WORKS DEPARTMENT AND DECLARING AN EMERGENCY, was read by title only.

Mrs. Fenderbosch moved for suspension of the rule requiring three readings.

Yes: Arnold, Fenderbosch, Gentry, Kos, O'Donnell, Shahmir, Zuber

No: None

Motion carried.

Mrs. Fenderbosch moved for passage of Ordinance No. 24-9. This legislation will authorize the Mayor to execute a lease agreement to acquire a John Deer 624 P-Tier Wheel Loader for the Public Works Department from Murphy Tractor and Equipment of Brunswick, Ohio, in the amount of \$357,484.31 and leased at the annual cost of \$66,775.59 for six years with Huntington Bank.

Yes: Arnold, Fenderbosch, Gentry, Kos, O'Donnell, Shahmir, Zuber

No: None

Motion carried.

Ordinance No. 24-9 adopted.

Ordinance No. 24-10, AN ORDINANCE AUTHORIZING THE EMPLOYMENT OF RYAN FANKHAUSER AS PART-TIME POLICE OFFICER IN THE POLICE DEPARTMENT, was read by title only.

Mr. Zuber moved for suspension of the rule requiring three readings.

Yes: Arnold, Fenderbosch, Gentry, Kos, O'Donnell, Shahmir, Zuber

No: None

Motion carried.

Mr. Zuber moved for passage of Ordinance No. 24-10. This legislation will appoint Ryan Fankhauser to the position of part-time Police Officer in the Police Department at the bi-weekly Step 1 salary of \$31.72/hour.

Yes: Arnold, Fenderbosch, Gentry, Kos, O'Donnell, Shahmir, Zuber

No: None

Motion carried.

Ordinance No. 24-10 adopted.

PUBLIC INPUT

Ron Holub, 32862 Lake Road, Avon Lake asked via text if the CIC meeting would be recorded. In response, Clerk of Council Valerie Rosmarin stated that the meeting is recorded and available for viewing on the City's website at a later date.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

Mr. Zuber welcomed new Council members Rob Shahmir and Amy Gentry and offered any assistance to them and his colleagues.

Mr. Kos reported that Lorain County Toys For Tots assisted 5,379 children in the County with community-donated toys and stocking suffers during the holiday season.

Mr. Shahmir announced that on the last Tuesday of every month, he will hold a Ward 1 Meeting at the Avon Lake Public Library between 5:30 and 6:30 p.m. The first meeting will be held on January 30, 2024.

Mrs. Fenderbosch moved for adjournment.

Yes: Arnold, Fenderbosch, Gentry, Kos, O'Donnell, Shahmir, Zuber

No: None

Motion carried.

Adjournment: 8:04 p.m.

Approved: */s/ Martin E. O'Donnell*
Council President

Attest: */s/ Valerie E. Rosmarin*
Clerk of Council