



VOTING ORDER

R. Shahmir
K. Zuber
Z. Arnold
J. Fenderbosch
A. Gentry
D. Kos
M. O'Donnell

CITY OF AVON LAKE

150 Avon Belden Road
Avon Lake, Ohio 44012

The following business is to be considered at a special meeting of the Avon Lake City Council on March 4, 2024, immediately following the Collective Committee Meeting in the Council Chamber.

Pledge of Allegiance

Roll Call: Mr. Arnold, Mrs. Fenderbosch, Ms. Gentry, Mr. Kos, Mr. O'Donnell, Mr. Shahmir, Mr. Zuber, Mayor Spaetzel, Law Director Ebert, Finance Director Widman, City Engineer Howard.

Audience Participation

Legislation

Second Readings:

Resolution No. 24-31, A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF AVON LAKE, OR HIS DESIGNEE, TO SUBMIT A LEVEL 2 ISOLATED WETLAND PERMIT APPLICATION TO THE OHIO ENVIRONMENTAL PROTECTION AGENCY TO MITIGATE WETLANDS AT WALKER ROAD PARK AND DECLARING AN EMERGENCY. →

Ordinance No. 24-32R, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A WETLAND MITIGATION PURCHASE AGREEMENT FOR WETLAND IMPACTS AT WALKER ROAD PARK AND DECLARING AN EMERGENCY. →

Adjournment

→ Suspension of the rule requiring three readings

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF AVON LAKE, OR HIS DESIGNEE, TO SUBMIT A LEVEL 2 ISOLATED WETLAND PERMIT APPLICATION TO THE OHIO ENVIRONMENTAL PROTECTION AGENCY TO MITIGATE WETLANDS AT WALKER ROAD PARK AND DECLARING AN EMERGENCY.

WHEREAS, an application must be filed to obtain a Level 2 Isolated Wetland Permit to the Ohio Environmental Protection Agency to mitigate wetland impacts at Walker Road Park.

WHEREAS, this permit is necessary to impact wetlands at the Walker Road Park basin.

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

Section No. 1: That the Mayor of the City of Avon Lake, or his designee, is hereby authorized to apply and execute a Level 2 Isolated Wetland Permit to the Ohio Environmental Protection Agency to impact/fill wetlands at Walker Road Park.

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 121.22 of the Ohio Revised Code.

Section No. 3: That this Resolution is hereby declared to be an emergency measure, the emergency being the necessity to file an application for the purpose of obtaining a permit for the impact to wetlands and to take agency-directed steps to protect the environment, for the public health, safety, and welfare. Therefore, this Resolution shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1st reading: 2/26/2024

2nd reading:

3rd reading:

PASSED: _____

President of Council

POSTED: _____

Approved

ATTEST: _____

Clerk of Council

Mayor

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A WETLAND MITIGATION PURCHASE AGREEMENT FOR WETLAND IMPACTS AT WALKER ROAD PARK AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to the requirements of Section 401 of the Clean Water Act, the City is obliged to mitigate impacts to 1.34 acres of isolated wetlands at the Walker Road Park, located at 31612 Walker Road, Avon Lake, Lorain County, Ohio.

WHEREAS, the City desires to enter into an agreement to purchase mitigation credits with a mitigation bank for wetland impacts at Walker Road Park and to place a deposit for said purchase; and

WHEREAS, 50 percent of the cost of the mitigation credits will be reimbursed by the City of Bay Village.

**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 execute a Wetland Mitigation Purchase Agreement to purchase mitigation credits and place a deposit with a mitigation bank for wetland impacts at the Walker Road Park Basin.

Section No. 2: That the Mayor is hereby authorized to purchase 4.1 credits at \$65,000 per acre from the Grafton Swamp Bank.

Section No. 3: That the Mayor is hereby authorized to make a deposit of 15 percent in order to secure the credits for the mitigation bank.

Section No. 4: That 50 percent of the costs of the mitigation credits will be reimbursed by the City of Bay Village.

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 to purchase mitigation credits for wetland impacts and to protect the environment, 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: 2/26/2024

2nd reading:

3rd reading:

PASSED: _____

President of Council

POSTED: _____

Approved

ATTEST: _____

Clerk of Council

Mayor