

**MINUTES OF THE REGULAR MEETING
OF THE AVON LAKE MUNICIPAL COUNCIL
June 24, 2024**

The regular meeting of the Avon Lake Municipal Council was called to order on June 24, 2024, at 7 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, David Kos, Marty O'Donnell, Rob Shahmir, and K. C. Zuber; Mayor Mark Spaetzel; Law Director Gary Ebert; Finance Director Ed Widman; Public Works Director Jon Liskovec; and Clerk of Council Valerie Rosmarin.

Absent: Ms. Gentry.

RESOLUTION OF GRATITUDE

Resolution No. 24-91, A RESOLUTION OF GRATITUDE AND APPRECIATION TO THE AVON LAKE PUBLIC LIBRARY AND ITS STAFF MEMBERS, GERRY VOGEL AND LAURA PLOENZKE, was read in its entirety.

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

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

No: None

Absent: Gentry

Motion carried.

Council President O'Donnell moved for passage of Resolution No. 24-91. This legislation expresses the City's gratitude and appreciation to the Avon Lake Public Library and its staff members for digitizing Council's permanent records of Council Meeting Minutes contained in 26 bound books from 1918 to 1972.

Valerie Rosmarin, Clerk of Council, explained how she and Gerry Vogel began their partnership in 2021 with a grant application for the Library's acquisition of a high-resolution book scanner. The grant application was denied, but Mr. Vogel convinced the Avon Lake Library Board of Trustees of the value a high-resolution book scanner could bring to the Library and the Community, and they funded its purchase. She and her Assistant were trained on the scanner when it arrived at the Library and began digitizing Council's records in the summer of 2022 during Council's recess. When Council returned to session, the project was suspended indefinitely. Mr. Vogel was aware of the limited time the Mrs. Rosmarin and her Assistant had for this project and offered assistance from the library's staff and volunteers. It was through Mr. Vogel's

persistence that the Library took on the project in the summer of 2023, which was finished in April 2024.

Gerry Vogel, Assistant Director of Avon Lake Public Library, stated that one of the Library's missions is to gather and digitize documents for the local history collection at the Library, and Council's records were a large part of this project. The Library has the capability of hosting these documents online and making them searchable. Most of the work was coordinated by Laura Ploenzke, who completed the task with the help of other staff members and volunteers.

William Rutger, Director of Avon Lake Public Library, voiced his appreciation of the Library's partnership with the City, and for his staff and the volunteers who worked on the project. Many of the volunteers were residents, and their feedback was positive. They learned a little about the history of Avon Lake and have a better understanding of what Council does on behalf of the City.

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

No: None

Absent: Gentry

Motion carried.

Resolution No. 24-91 adopted.

APPROVAL OF MINUTES

The minutes of the regular Council Meeting on May 28, 2024, were approved as prepared and published.

MAYOR'S REPORT

Mayor Spaetzel reported on the following events/updates:

Make Music Day, June 21, 2024

Several musicians performed at the Old Firehouse and Veterans Memorial Park. The event was coordinated by Marilyn Zeidner and sponsored by the North Coast Rotary.

11th Annual Hooks for Hunger, June 22, 2024

Fifty-eight teams raised money for Community Resource Services (CRS). The event was held at Miller Road Park, and it was a success due to the involvement of many volunteers and donors.

Avon Lake Play Space (ALPS)

The City held its first meeting with Kimley-Horn, and the design for ALPS has begun. They are considering different grading plans for the site to incorporate Lake Erie's view. Some of the site work will be completed by the Public Works Department. Ohio Senator Nathan Manning informed Mayor Spaetzel that the City was awarded a \$350,000 grant for the ALPS project.

PRESIDENT’S REPORT

Council President O’Donnell reported that the next Collective Committee Meeting will be held on Monday, July 1, 2024, at 7 p.m., and the next regular Council Meeting will be held on Monday, July 8, 2024, at 7 p.m.

PUBLIC WORKS DIRECTOR’S REPORT

Public Works Director Liskovec reported on the following:

Walker Road, Phases 3 and 4, Paving Project

The surface course has been laid, signaling has been installed, and striping has been completed. A minor issue occurred with the striping of Phase 4 when a rainstorm came through and the striping had not cured. The City is working with the contractor to resolve that issue. A preliminary walk-through of the two crossing installations was done and a final walk-through with Ohio Department of Transportation (ODOT)’s team will be scheduled.

Gable Ditch Project

The debris from the Project has been removed from site and cleanup and restoration of the site remains.

Public Works Department Staff News

Recently, Community Transportation Bus Driver Jonathan Brown aided a resident in distress. When he arrived for a regularly scheduled pickup at Beachpark Towers, the resident failed to appear. He alerted the Beachpark Towers staff, and a well check was conducted. They discovered the resident had fallen and couldn’t call for help. Public Works Director Liskovec applauded Mr. Brown for his compassion and concern of this resident and appreciated his efforts to go above and beyond his call of duty.

FINANCE COMMITTEE REPORT

The next meeting of the Finance Committee will be held on Monday, July 1, 2024, at 6 p.m. in the Council Chamber.

HUMAN RESOURCES COMMITTEE REPORT

Mr. Zuber reported that Judge Manning requested changes in some of the wages of the Municipal Court personnel in Ordinance No. 24-89.

The next meeting of the Human Resources Committee will be held on Monday, July 8, 2024, at 6 p.m. in the Council Chamber.

PUBLIC SAFETY AND HEALTH COMMITTEE REPORT

Mr. Kos reported on the Public Safety and Health Committee meeting held June 20, 2024. The following items were discussed:

1. One-Day Liquor License permit for the Annual Beer Fest on Saturday, August 24, 2024. The Avon Lake Athletic Boosters has sponsored this event for the past five years, and the Police Department has not received any complaints that would prevent the event from occurring.
2. Resident School Bus Seatbelt Advocate Dr. Rudy Breglia presented a \$15,000 grant opportunity for a Seatbelt Pilot Program that is offered to all school districts in Lorain County. Mr. Breglia encouraged the City to apply for the grant. The City did participate in a similar program several years ago. The Committee did not vote to recommend the grant at this time. Mr. Kos will meet with Superintendent Joelle Magyar, the School Board President, and Mayor Spaetzel to discuss the grant and Program.
3. Pulte Homes Memorandum of Understanding (MOU) regarding the new development across from Moorewood Avenue, south of Walker Road. Safety improvements are needed to direct the traffic flow in that area. The MOU approved by Council in December 2023, was never signed by former Mayor Greg Zilka, and it is now being renegotiated. It will be returned to Planning Commission for further discussion. The MOU stipulates the installation of Rectangular Rapid Flashing Beacon (RRFB) crosswalk signals at the intersection.

Law Director Ebert confirmed that he prepared a new MOU that will address RRFB installation based on the recommendation of the traffic study. The MOU will be reviewed by the Planning Commission on June 25, 2024.

Mrs. Fenderbosch asked Mr. Kos why a traffic signal was not warranted at this intersection.

Mr. Kos explained that the City conducted a traffic study of the area, and it concluded that the traffic flow increased because of the new Pulte Homes development, known as Port West. The study found the intersection of Moorewood Avenue, Walker Road, and Midship Drive was downgraded from Level D to Level E. A traffic light is warranted for Level F. Therefore, this intersection did not qualify for a traffic light. However, the area has been greatly impacted by the increase in traffic, as exhibited by the drop from Level D to Level E, and the City will be investigating other safety measures.

PUBLIC SERVICE COMMITTEE REPORT

The next meeting of the Public Service Committee will be held on Tuesday, September 10, 2024, at 6 p.m. in the Council Chamber.

PLANNING COMMISSION REPORT

The next meeting of the Planning Commission will be held on Tuesday, June 25, 2024, at 7 p.m. in the Council Chamber.

ZONING BOARD OF APPEALS REPORT

The next meeting of the Zoning Board of Appeals will be held on Wednesday, June 26, 2024, at 7 p.m. in the Council Chamber.

TREE COMMISSION REPORT

The next meeting of the Tree Commission will be held on Wednesday, August 14, 2024, at 7 p.m. at the Old Firehouse.

MOTIONS

Mr. Zuber moved to accept the resignation of Dennis Keene due to his retirement, effective June 19, 2024. Mr. Keene is retiring from the Public Works Department after 24 years of service.

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

No: None

Absent: Gentry

Motion carried.

Council President O'Donnell moved to designate Valerie Rosmarin as the Council Representative for public records training.

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

No: None

Absent: Gentry

Motion carried.

Mrs. Fenderbosch moved to authorize the Public Works Director to advertise for bids for the 2024 Crack Sealing Program.

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

No: None

Absent: Gentry

Motion carried.

Mrs. Fenderbosch moved to authorize the Public Works Director to advertise for bids for the 2024 Street Striping Program. Over time, the lines on City streets fade, and it is time for the City to obtain bids to restripe them. One change in the Program is the removal of passing zones on Walker Road within the City limits.

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

No: None

Absent: Gentry

Motion carried.

LEGISLATION

Third Readings:

Ordinance No. 24-68, AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CLINICAL AFFILIATION AGREEMENT WITH LORAIN COUNTY COMMUNITY COLLEGE AND DECLARING AN EMERGENCY, was read by title only.

Mr. Kos moved for passage of Ordinance No. 24-68. This legislation will authorize the Mayor to enter into a clinical agreement with Lorain County Community College (LCCC) and Avon Lake Fire Department (ALFD), effective August 1, 2024, through July 31, 2029. Currently, ALFD participates in the Clinical Education Program with LCCC, and this agreement would renew that partnership.

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

No: None

Absent: Gentry

Motion carried.

Ordinance No. 24-68 adopted.

Ordinance No. 24-74, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 668.02, NOXIOUS WEEDS AND UNDESIRABLE VEGETATION; DECLARATION OF NUISANCE, was read by title only.

Mrs. Fenderbosch moved for passage of Ordinance No. 24-74. This legislation will amend Codified Ordinance Section 668.02 to include the reference of invasive species as cited in the Ohio Administrative Rule 901:5-30-01 and recommended by the Tree Commission and supported by the Public Service Committee. The City's Code only references noxious weeds and not invasive species. It was determined that all vegetation will not be itemized within the Code due to its tendency to change and will be based on the Department of Agriculture's recommendation. Upon passage, the City will be compliant with the State of Ohio.

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

No: None

Absent: Gentry

Motion carried.

Ordinance No. 24-74 adopted.

Second Readings:

Ordinance No. 24-78, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT TO ACQUIRE TWO WESTERN STAR 47X CHASSIS CABS FOR THE PUBLIC WORKS DEPARTMENT AND DECLARING AN EMERGENCY, was read by title only.

This legislation will authorize the Mayor to execute a Lease Agreement to acquire two Western Star 47X Chassis Cabs, also known as salt trucks, for the Public Works Department from Valley Freightliner, Inc., of Parma, Ohio, through the Sourcewell Cooperative Purchasing Agreement in the amount of \$513,540. The Finance Director is considering a six-year lease with Huntington Bank for an annual cost of approximately \$96,639.75, and he will continue to seek a favorable rate from a lending institution. Any changes in the lending institution or the lease amount will be reported at the Second Reading or Third Reading.

Ordinance No. 24-84, AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF FULL-TIME SENIOR PROGRAM ASSISTANT AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION, was read by title only.

This legislation will adopt a job description for a full-time Senior Program Assistant in the Recreation Department. The Recreation Director recommended that a part-time position at the Senior Center become full-time due to an increase in programming and to meet the needs of visiting Senior Citizens. A job description was prepared for this new full-time position, and the Civil Service Commission determined the position to be unclassified. The Union and the newly appointed Human Resources Director will review it, and based on their input, revisions at the Second Reading or Third Reading may be necessary. After the job description is approved by Council, the Administration will fill the position.

Ordinance No. 24-87, AN ORDINANCE APPROVING WAGE INCREASES FOR CERTAIN PART-TIME NON-BARGAINING UNIT PERSONNEL AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Absent: Gentry

Motion carried.

Mr. Zuber moved for passage of Ordinance No. 24-87. This legislation will approve a two percent wage increase for certain part-time non-bargaining unit personnel, effective July 1, 2024. This increase is the same percentage the bargaining unit personnel will receive on July 1, 2024. Union negotiations begin in September 2024,

and contracts are effective January 1, 2025. After Union negotiations have concluded, Council will review wages of part-time positions over \$21.22 per hour¹.

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

No: None

Absent: Gentry

Motion carried.

Ordinance No. 24-87 adopted.

Ordinance No. 24-88, AN ORDINANCE APPROVING WAGE INCREASES FOR CERTAIN NON-BARGAINING UNIT PERSONNEL AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Absent: Gentry

Motion carried.

Mr. Zuber moved for passage of Ordinance No. 24-88. This legislation will approve a two percent wage increase for non-bargaining unit personnel, effective July 1, 2024. This percentage increase is the same increase the bargaining unit personnel will receive on July 1, 2024. After the Union contracts have been agreed to, effective January 1, 2025, the increase to the non-bargaining unit personnel will be considered, effective January 1, 2024, instead of past practice of July 1.

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

No: None

Absent: Gentry

Motion carried.

Ordinance No. 24-88 adopted.

Ordinance No. 24-89, AN ORDINANCE APPROVING WAGE INCREASES FOR THE AVON LAKE MUNICIPAL COURT PERSONNEL AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Absent: Gentry

Motion carried.

¹ Ordinance No. 22-145 permits the Mayor to hire part-time staff up to an hourly rate of \$21.22 without Council action.

Mr. Zuber moved for passage of Ordinance No. 24-89. This legislation will approve a two percent wage increase for the Municipal Court employees, effective July 1, 2024, and a four percent wage increase, January 1, 2025, based on the recommendations of Judge Manning.

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

No: None

Absent: Gentry

Motion carried.

Ordinance No. 24-89 adopted.

First Readings:

Ordinance No. 24-92, AN ORDINANCE AUTHORIZING THE PURCHASE OF A TOW-BEHIND CHIPPER 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, Kos, O'Donnell, Shahmir, Zuber

No: None

Absent: Gentry

Motion carried.

Mrs. Fenderbosch moved for passage of Ordinance No. 24-92. This legislation will authorize the purchase of a Tow-Behind Chipper for the Public Works Department from KTS Equipment of Wellington, Ohio, through the Sourcewell Cooperative Purchasing Agreement in the amount of \$51,342. The City will trade in equipment no longer in use, thereby reducing the initial purchase price. The 2024 Ohio EPA Community and Litter Control Grant awarded to the City will fund this purchase.

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

No: None

Absent: Gentry

Motion carried.

Ordinance No. 24-92 adopted.

Ordinance No. 24-93, AN ORDINANCE TO RE-ESTABLISH WARD BOUNDARIES FOR THE CITY OF AVON LAKE PURSUANT TO THE REQUIREMENTS OF THE AVON LAKE CITY CHARTER AND DECLARING AN EMERGENCY, was read by title only.

This legislation will re-establish Ward boundaries pursuant to the City Charter. The City contracted Triad Research Group, Inc., to review the current Ward boundaries and determine new boundary lines to balance the Wards. They recommended the Ward divisions, as follows: Ward 1, 6,355; Ward 2, 6,266; Ward 3, 6,412; and Ward,

6,173; for a total population of 25,206, as per the 2020 U.S. Census. Upon approval of the new Ward Map, Triad Research Group, Inc., will submit the legal description and new Ward Map to the Lorain County Board of Elections. The new Ward boundaries will be effective July 1, 2025, and will impact the general election in November 2025.

Ordinance No. 24-94, AN ORDINANCE ALLOWING BEER, WINE, AND HARD SELTZER-TYPE BEVERAGES TO BE SOLD, SERVED, DISPENSED, AND CONSUMED AT A ONE-DAY BEER FEST TO BE HELD AT MILLER ROAD PARK ON AUGUST 24, 2024, AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Absent: Gentry

Motion carried.

Mr. Kos moved for passage of Ordinance No. 24-94. This legislation will allow beer, wine, and hard seltzer-type beverages to be sold, served, dispensed, and consumed at the annual Beer Fest hosted by the Avon Lake High School Boosters Club at Miller Road Park on Saturday, August 24, 2024.

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

No: None

Absent: Gentry

Motion carried.

Ordinance No. 24-94 adopted.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

Mr. Kos announced to the viewing audience that prior to this meeting there was an equipment failure in the Council Chamber, and Technology Coordinator Stephanie Biggers and Communications & Technology Director Barb Cagley were able to quickly pivot by setting up alternate cameras and equipment to air this meeting at its regularly scheduled time. He offered his thanks and appreciation for a job well done.

Mr. Arnold announced that the Short-Term Rental Ad Hoc Committee will meet on Thursday, June 27th at 6 p.m. in the Council Chamber.

Mrs. Fenderbosch moved for adjournment.

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

No: None

Absent: Gentry

Motion carried.

Adjournment: 7:48 p.m.

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

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