

**MINUTES OF A SPECIAL MEETING
OF THE AVON LAKE CITY COUNCIL
FEBRUARY 18, 2025**

A special meeting of the Avon Lake City Council was called to order on February 18, 2025, at 7 p.m. in the Council Chamber with Council President Fenderbosch presiding.

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

Present: Councilmembers Zach Arnold, Jennifer Fenderbosch, Amy Gentry, David Kos, and K. C. Zuber; Mayor Mark Spaetzel; Law Director Gary Ebert; Finance Director Beth Krosse; Public Works Director Jon Liskovec; and Clerk of Council Valerie Rosmarin.

Absent: Councilmembers Rob Shahmir and Geoff Smith.

MOTION

Council President Fenderbosch moved to permit Mr. Arnold to be excused from voting on Ordinance No. 25-15 pursuant to Codified Ordinance Section 220.19(b). Due to a conflict of interest, Mr. Arnold requested permission to be excused from voting.

Yes: Kos, Zuber, Arnold, Fenderbosch, Gentry

No: None

Absent: Shahmir, Smith

Motion carried.

LEGISLATION

Third Reading:

Ordinance No. 25-15, AN ORDINANCE AUTHORIZING THE MAYOR TO APPROPRIATE FUNDS FOR THE PERSONAL SERVICES AGREEMENT WITH BRAMHALL ENGINEERING & SURVEYING CO. AND DECLARING AN EMERGENCY, was read by title only.

Mr. Zuber moved for passage of Ordinance No. 25-15. This legislation will authorize the Mayor to appropriate funds for the personal services agreement with Bramhall Engineering & Surveying Co. of Avon, Ohio, in an amount not to exceed \$150,000.

Mayor Spaetzel stated that Chris Howard of Bramhall has compiled a list of the services he rendered on behalf of the City, and Public Works Director Jon Liskovec gave Council an outline detailing the duties of a City Engineer. Twenty-seven projects have been identified. Those projects include a review of lot splits and consolidation, plot plans, final grades, a review of engineer-related bids, and stormwater submissions. Bramhall has been with the City since 2023, and they have not increased

the cost of their services. Chris Howard and Bramhall do an excellent job and are very thorough. The City values their services.

Law Director Ebert stated that from a legal standpoint, the City was in a bind when the Engineering Department left the City; Bramhall stepped in to ensure that the pending City projects were completed.

Mr. Howard addressed Council regarding concerns that Bramhall's charges from May 2023 appeared excessive. He emphasized that simply presenting the total amount billed by Bramhall without context or explanation of the services provided is unfair and undermines the company's professional reputation. Bramhall has been delivering professional engineering services for 29 years and has consistently demonstrated responsible stewardship of taxpayer funds.

In May 2023, Bramhall was interviewed by the previous Administration to assume the role of the City's consulting engineer, following the departure of the previous engineering firm. Shortly after Bramhall's appointment, all three employees in the City's Engineering Department resigned.

Since assuming the role, Bramhall has billed the City a total of \$1,084,585.45. Of this amount, Council has approved the following projects:

- **Walker Road Phases 3 and 4 Resurfacing Projects**
 - Design and bid services: \$39,700.00
 - Construction and observation services: \$52,220.00
- **2024 Concrete and Asphalt Roads Program**
 - Estimated project cost: \$4,735,000.00
 - Bids received: 14, totaling \$3,232,183.80
 - Design and bid services: \$362,000.00
 - Construction and observation services: \$93,920.00
- **Walker Road Phase 5**
 - Design services: \$90,712.00
- **SR 83 Widening Project (from Ryeberry Lane to the railroad tracks)**
 - Design services: \$48,500.00 (Note: Design services for this project have ceased, as the proposed wine bar and restaurant development is no longer moving forward. Bramhall has charged \$12,125.00 for the work completed to date.)
- **Walker Road, Moorewood Drive, and Midship Avenue RRFB Project**
 - Design services: \$16,500.00

To date, Council has approved a total of \$690,522.00 in project-related charges. In addition to these Council-approved projects, Bramhall has also provided a wide range of professional services that supported the City's operations and infrastructure initiatives, including:

- **2023 Asphalt Walking and Bike Path Program** - Bid book preparation and contract administration
- **2023 Catch Basin Repair Program** - Contract administration and construction observation
- **Gable Ditch Improvements** - Design and contract administration
- **Central Avon Lake Drainage Project (CALDP) Phase 2** - Contract administration and as-needed construction observation
- **2023 Municipal Separate Storm Sewer System (MS4) Annual Permit Assistance**
- **Outfall Rehabilitation at 31922 Lake Road** - Bid book preparation and contract administration
- **2024 Pavement Crack Sealing Program** - Bid book preparation and contract administration
- **2024 Pavement Marking Program** - Bid book preparation and contract administration
- **Walker Road Phase 5** - Ohio Public Works Commission (OPWC) application preparation
- **Walker Road Phase 6** - OPWC application preparation
- **2025 Road Program** - Cost estimates for both concrete and asphalt streets
- **Legacy Isle Subdivision No. 3** - As-needed construction observation
- **Avon Lake Play Space (ALPS) Phase 1** - Bid book preparation and contract administration
- **South Port Subdivision Phase 3** - As-needed construction observation
- **2024 and 2025 Miller Road Park Sand Dredging** - Bid book preparation and contract administration

General Engineering and Consulting Services

Beyond project-specific work, Bramhall has served as an integral partner to the City, providing professional engineering services that include:

- Attendance at Council, Committee, Departmental Review Committee (DRC), and Planning Commission meetings
- Regular coordination meetings with City staff
- Resident outreach and support via meetings and phone calls
- Coordination with ODOT on Lake Road paving and other Local Public Agency (LPA) projects
- Review of Planning Commission submittals and residential permits (including plot plans, foundations, and final grade checks)
- Capital budget cost assistance and RFQ preparation for City projects
- Updating the City zoning map
- Coordination for infrastructure projects, including the Heider Ditch pedestrian bridge and pedestrian project
- Participation in ODOT quarterly meetings and audit assistance
- Bid coordination for Electric Boulevard temporary repairs
- Sidewalk project planning along Lake Road (both east and west of SR 83)
- Coordination with Mannik & Smith on environmental and design documents
- Right-of-way and property coordination with ODOT, acquisition firms, and residents

- Public involvement and environmental documentation coordination
- Served as the City's project engineer for ODOT-localized projects
- Completed and submitted the City's LPA qualifications review form (required by ODOT to maintain project administration eligibility)
- Coordination on the Electric Boulevard bridge replacement project
- Participation in the Lorain County Ford Plant Study and Lorain County Public Health Study
- Exploration of funding opportunities for the Walker/Miller Roads intersection
- Planning and application for Ohio Rail Commission's Grade Crossing Elimination Program (The City was one of only 11 selected statewide for funding)

Funding Support and Reimbursement

Bramhall has played a key role in identifying and securing additional funding, significantly reducing the City's financial burden:

- **OPWC Funding Applications:**
 - Round 38: Walker Road Phase 5
 - Round 39: Walker Road Phase 6
 - **ODOT Safety Funds Secured:**
 - Lake Road Sidewalks (East of SR 83): \$550,149.00
 - Lake Road Sidewalks (West of SR 83): \$133,676.00
- Note: Without these ODOT funds, the City would have incurred an additional \$688,825.00 in costs for these two sidewalk projects.
- **Reimbursement Secured from OPWC (as of February 2025):**
 - Walker Road Phase 1: \$482,987.43
 - Walker Road Phase 2: \$273,928.03
 - CALDP Phase 2: \$620,879.92

Total OPWC reimbursement received: **\$1,377,795.38**

Mr. Howard hopes this clarification and justification of the fees charged for the many tasks provided to the City and its taxpayers will satisfy the concerns of some members of Council. The professional services provided by Bramhall are a team effort based on the many resources available at its company.

Ms. Gentry clarified that the purpose of providing Council with a listing of City projects assigned to Bramhall is to distinguish the \$150,000.00 allocation from individual project-related expenses. She explained that the \$150,000.00 covers general services and is not associated with specific projects, which are addressed separately through individual ordinances. She concluded by expressing her appreciation to Mr. Howard.

Mr. Kos shared that he has worked with Mr. Howard on several of the projects mentioned, including the sidewalk program on Lake Road and the RRFB design services at Moorewood Drive and Walker Road. He commended Mr. Howard for his professionalism, dedication, and the time and effort he consistently invests in his work. Mr. Kos stated that Mr. Howard has been a valuable asset to the City and expressed disappointment that it required a formal statement to defend the quality of

his work. He added that those who have worked with Mr. Howard understand his value and recognize how fortunate the City is to have his support.

Mr. Zuber stated that the list of duties performed by Mr. Howard and Bramhall underscores the ongoing need for the City to have a dedicated City Engineer. He noted that even when the City eventually fills that position, it will continue to rely on Mr. Howard's expertise for many of the projects he outlined, particularly those that require the involvement of outside engineering firms.

Council President Fenderbosch shared that she has worked with Mr. Howard both during her time on the Planning Commission and in addressing issues within Ward 2, where he provided valuable assistance. She emphasized that when working with ODOT, the City was facing higher costs; however, thanks to Mr. Howard's strong relationships and coordination efforts, the City was able to secure over \$500,000.00 in additional funding. She also noted that through his collaboration with the Finance Director, the City was able to recover additional funds. She clarified that there is a base contract of \$150,000.00 for general services, in addition to separate project-specific costs, and acknowledged that the City will still need to contract out engineering services for other future projects.

Yes: Kos, Zuber, Fenderbosch, Gentry

No: None

Absent: Shahmir, Smith

Abstention: Arnold

Motion passed.

Ordinance No. 25-15 adopted.

Mr. Kos moved for adjournment.

Yes: Kos, Zuber, Arnold, Fenderbosch, Gentry

No: None

Absent: Shahmir, Smith

Motion passed.

Adjournment: 7:20 p.m.

Approved: /s/ Jennifer Fenderbosch
Council President

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