

**MINUTES OF THE REGULAR MEETING
OF THE AVON LAKE MUNICIPAL COUNCIL
MARCH 24, 2025**

The regular meeting of the Avon Lake City Council was called to order on March 24, 2025, at 7 p.m. in the Council Chamber with Council President Fenderbosch presiding.

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

Present: Councilmembers Jennifer Fenderbosch, Amy Gentry, David Kos, Rob Shahmir, Geoff Smith, 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: Councilmember Zach Arnold.

Legislation

Appointment of Police Officer

Ordinance No. 25-63, AN ORDINANCE CONFIRMING THE APPOINTMENT OF BRYAN KOVALAK AS POLICE OFFICER IN THE POLICE DEPARTMENT AND DECLARING AN EMERGENCY, was read by title only.

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

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Mr. Smith moved for passage of Ordinance No. 25-63. This legislation will confirm the appointment of Bryan Kovalak as Police Officer in the Police Department at the Step 4 salary of \$41.83/hour, effective March 25, 2025. The Civil Service Commission certified Mr. Kovalak's appointment on March 4, 2025.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Ordinance No. 25-63 adopted.

Mayor Spaetzel administered the Oath of Office to Bryan Kovalak.

APPROVAL OF MINUTES

The minutes of the regular Council Meeting held on December 16, 2024, and February 10, 2025, were approved as prepared and published.

MAYOR'S REPORT

Mayor Spaetzel provided the following updates:

1. 95th Anniversary of the Avon-on-the-Lake Garden Club
Garden Club President Barbara Peterson, accompanied by member Kamber Herrmann, addressed Council to provide an update on the Club's activities. Mrs. Peterson shared that the Club currently has 79 members. Most members join after retirement or upon moving to the area, with some residing in nearby communities. The Club is responsible for maintaining ten civic gardens throughout the City. Funding for these efforts is raised through the Club's annual Plant Sale, which will be held on Saturday, May 10, 2025. Proceeds from the sale are used to purchase plants for the civic gardens and to support the donation of trees within the City. She thanked the City for its ongoing support, with special appreciation extended to Public Works Director Liskovec for his assistance throughout the year.
2. Arbor Day Tree Planting & Recognition
Trees donated by the Garden Club will be planted at Walker Road Park on Arbor Day, Friday, April 25, 2025, at 12:30 p.m. Avon Lake has once again been recognized by the Arbor Day Foundation and was awarded the Tree City USA designation for the 33rd consecutive year, along with receiving the Growth Award for the third consecutive year.
3. Yard Waste Collection Update
Kimble Recycling and Disposal Services began seasonal yard waste collection on March 1, 2025. Residents may use yard-waste containers to dispose of smaller branches and leaves. Please note that leaves placed on the curb will not be collected, as the leaf vacuum truck only operates in the fall. Residents are encouraged to use yard waste bags or containers for leaf disposal at all other times.
4. Primary Election Information
The Primary Election will be held on Tuesday, May 6, 2025. The deadline to register to vote is Monday, April 7, 2025. A 1.5-mill renewal levy for the City is on the ballot. This is not a new tax. If passed, it will continue to generate approximately \$1 million per year for the City's General Fund, which supports Police, Fire, and infrastructure services. The levy represents over 4% of the

General Fund. Residents will pay the same amount they paid in 2025 for the next five years. Additional information is available on the City's website.

5. Power Plant Demolition Update

Preparations for the demolition of the former Power Plant continue. Fencing is being installed along the south side of the remaining building adjacent to Lake Road. The Artifacts Committee has been notified and will oversee the removal and preservation of the sandstone lintel above the main entrance, along with the surrounding stonework. Demolition is scheduled to begin in the first week of April, with completion anticipated in June. All implosion debris is expected to be removed by the end of May.

COUNCIL PRESIDENT'S REPORT

Council President Fenderbosch reported on the following:

1. The next Collective Committee Meeting is Monday, April 7, 2025, at 7 p.m. in the Council Chamber.
2. The next Council Meeting is Monday, April 14, 2025, at 7 p.m. in the Council Chamber.

PUBLIC WORKS DIRECTOR'S REPORT

Public Works Director Liskovec reported on the following:

1. Path Master Pre-Emption Project
The intersection of Jaycox Road and Walker Road will receive the cabinet upgrades on March 25, 2025, to complete the installation of the Project.
2. Columbia Gas
Preliminary field survey work for the main replacement project on Curtis Drive and Belmar Boulevard has begun.
3. Sand Dredging Project
A meeting was held with the contractor to review their schedule, which is based on the wave action of Lake Erie since the work is completed off the barges. The work will begin at the end of this week or next week and will continue through the weekends, if necessary. The Project must be completed by April 13, 2025.
4. Avon Lake Play Space (ALPS)
The contractor is progressing and currently preparing the multi-season sledding areas for Phase 1 of ALPS. The seating walls and the concrete work have been completed. They are on schedule to meet the deadline of April 18, 2025. Bids

for Phase 2 of ALPS were opened on March 20, 2025, and reviewed by Kimley-Horn. The City will also review the bids and bring a recommendation to Council soon.

BUILDING AND UTILITIES COMMITTEE REPORT

Ms. Gentry reported on the Building and Utilities Committee as follows:

1. The Committee's next meeting is Wednesday, April 16, 2025, at 6 p.m. in the Council Chamber.
2. The list of Registered Contractors for 2025 is available on the City's website.

COMMUNICATIONS, ENVIRONMENTAL AND RECREATIONAL PROGRAMMING COMMITTEE REPORT

Mr. Shahmir reported on the Communications, Environmental, and Recreational Committee (CERP) as follows:

1. The Committee met earlier tonight; the agenda included the ALPS Project, Phase 1.
2. The next meeting of the Environmental Affairs Advisory Board (EAAB) is Wednesday, April 2, 2025, at 6:30 p.m. at the Lake House. There are three resident vacancies on the EAAB.

Mr. Shahmir displayed a PowerPoint presentation on the following:

1. Power Plant Appraisal
An appraisal was conducted using data from a December 19, 2022, property valuation related to a parcel Avon Lake Regional Water (ALRW) had sought to purchase. The property in question was 0.3 acres and valued at \$205,000, which equates to approximately \$661,000 per acre. Based on that valuation, a 23-acre site would be worth approximately \$15 million. This was the only comparable property available and was therefore used as the basis for the appraisal. The resulting estimate aligns with the \$15 million figure cited in the Interim Development Agreement.
2. Power Plant Implosion - December 19, 2024
The City commissioned an air dispersion modeling study before the Power Plant implosion on December 19, 2024. The study recommended that the implosion should proceed only if winds were blowing from the south to the north. However, at the time of the implosion, the wind direction was observed to be from the north to the south, contrary to the model's preferred conditions.

While the weather was clear, with no cloud cover or precipitation, the plume from the implosion moved toward the south-southeast, raising concerns about its potential impact on nearby receptors, including Westview Elementary School and Troy Intermediate School.

A resident from Chatham Drive contacted the City the following day to report concerns and submitted a video of the incident, which was displayed during this meeting. The City will hold further meetings with Verdantas, the firm responsible for both the air dispersion modeling and on-site monitoring during the implosion. All relevant reports and information are available to the public upon request.

Council President Fenderbosch asked if representatives from Verdantas, Avon Lake Environmental Redevelopment Group (ALERG), and Attorney Todd Davis will be attending the next meeting Economic Development meeting or CERP meeting.

In response, Mr. Shahmir stated that he was informed by Mayor Spaetzel that they would be at the next Economic Development meeting. However, he would like to have a technical discussion with Steve Gross of Verdantas on this issue on what was targeted and what was found.

ECONOMIC DEVELOPMENT COMMITTEE REPORT

Council President Fenderbosch reported on the Economic Committee as follows:

1. The next meeting of the Committee will be on Monday, April 7, 2025, at 5:30 p.m. in the Council Chamber.

FINANCE COMMITTEE REPORT

Mr. Zuber reported on the Finance Committee as follows:

1. The next meeting of the Committee will be on Monday, April 21, 2025, at 5 p.m. in the Council Chamber.

HUMAN RESOURCES COMMITTEE REPORT

Mr. Smith reported on the Human Resources Committee as follows:

1. The next meeting of the Committee will be on Monday, April 14, 2025, at 6 p.m. in the Council Chamber.

PUBLIC SAFETY AND HEALTH COMMITTEE REPORT

Mr. Kos reported on the Public Safety and Health Committee as follows:

1. A Town Hall meeting was held on March 18, 2025, to discuss the Traffic Impact Analysis (TIA) for the southeast quadrant, specifically in the neighborhoods of Currant Village and Liberty Rose. Residents of these areas were invited to meet with TranSystems, the firm conducting the TIA on behalf of the City. The purpose of the meeting was to gather input from residents regarding their traffic concerns and to understand what they would like to see included in the scope of work. Following the meeting, the TIA was moved out of the Committee with the understanding that Council would adopt the concept of the proposed scope and would incorporate as many resident suggestions as practicable into the final version. The goal is to approve the scope of work by April 14, 2025. This timeline will enable TranSystems to begin traffic counts while schools are still in session, ensuring the most accurate assessment of traffic conditions before summer break.
2. The Committee convened immediately following the Town Hall meeting. At that meeting, Dr. Rudy Breglia of Avon Lake presented information on school bus safety, specifically on the use of seatbelts on school buses and the safety of student passengers. He also discussed House Bill 3, which is currently under consideration in the Ohio State Legislature. Dr. Breglia outlined several key components of House Bill 3, including the \$25 million grant program for school bus safety equipment, increased penalties for illegal school bus passing, funding for public information campaigns on school bus safety laws, and funding for cameras on school buses to assist in the prosecution of violations.
3. Fire Chief Jeremy Betsa presented EMS Billing rates and his recommendations to increase the rates; they have not been changed since 2016.

Mayor Spaetzel stated that he intends to schedule a meeting with TranSystems by Friday to discuss the scope of work for the TIA. This meeting will allow TranSystems time to develop a detailed scope and proposal for the City. The proposal is expected to be presented at the Collective Committee Meeting on Monday, April 7, 2025.

PUBLIC SERVICE COMMITTEE REPORT

Council President Fenderbosch reported on the Public Service Committee as follows:

1. Legislation on the agenda for tonight's meeting includes items proposed for suspension of the rule requiring three readings. The purpose of the suspension of the three-reading rule was explained to highlight the need for expedited consideration of the legislation.

PLANNING COMMISSION REPORT

Mr. Smith reported on the Planning Commission as follows:

1. The next Commission meeting is Tuesday, April 1, 2025, at 7 p.m. in the Council Chamber.

ZONING BOARD OF APPEALS REPORT

Mayor Spaetzel reported on the Zoning Board of Appeals as follows:

1. The next Board meeting is Wednesday, March 26, 2025, at 7 p.m. in the Council Chamber.

TREE COMMISSION REPORT

Council President Fenderbosch reported on the Tree Commission as follows:

1. The next Commission meeting is Wednesday, February 12, 2025, at 6 p.m. at the Old Firehouse and Community Center.
2. The cities of Avon Lake and Bay Village along with the Avon-on-the-Lake Garden Club will celebrate Arbor Day at Walker Road Park on Friday, April 25, 2025, at 12:30 p.m. Bay Village will plant Northern Catalpa trees and give away Catalpa tree seeds. Avon Lake will plant three Shag Bark Hickory trees donated by the Garden Club.
3. The Northcoast Urban Forestry Conference at Cuyahoga County Community College is Thursday, April 2, 2025.

AUDIENCE PARTICIPATION

1. Gerald Phillips, Avon Lake, addressed Council regarding concerns over what he described as the mismanagement of City finances and the waste of taxpayer dollars. Specifically, he opposed the hiring of an Owner's Representative for the Fire Station project, stating that the cost, estimated at \$300,000 to \$400,000, will be excessive and unnecessary. He argued that the responsibilities of an Owner's Representative overlap with existing City roles and noted that the Finance Director is responsible for monitoring projects and authorizing expenditures; the Public Works Director oversees public projects; and the project will also include a hired architect to manage bids and specifications. He asserted that these roles collectively eliminate the need for an additional representative.

Mr. Phillips objected to Ordinance No. 25-59 and questioned the hiring process for the Public Works Director. He stated that among 51 applicants, three were qualified, including one with nine years of engineering experience. He criticized the appointment of Mr. Liskovec, claiming he did not meet the qualifications outlined in Ordinance No. 24-5, which requires a bachelor's degree. Mr. Phillips noted that Mr. Liskovec holds only an associate's degree and expressed concern that this has led to the need for additional staffing in the Department.

2. William Zimmerman, Avon Lake, addressed Council regarding Ordinance No. 25-72, which authorizes legal representation from Berns, Ockner & Greenberger, LLC. He expressed concern that communications between the City and the law firm may not have been conducted in public meetings, but instead in executive sessions, which he stated happens "all the time." He argued that these matters should be transparent and accessible to the public. He also commented on Ordinance No. 25-73, which declares an emergency related to an additional \$83,000 in spending. He questioned whether such a significant price change should require a new bidding process and stated that someone should be monitoring these expenditures.

MOTIONS

Mr. Zuber moved to authorize the Mayor to advertise for Requests for Qualifications (RFQs) for an Owner's Representative for the Avon Lake Fire Station Project.

- The Police Chief, Fire Chief, and Mayor recommended issuing RFQs for a new fire station. Council will need to approve hiring an Owner's Representative when selected. A joint Finance and Public Safety and Health Committee meeting was held to review the role of an Owner's Representative, with estimated costs around \$100,000.

Mr. Smith expressed support for issuing RFQs to gather information but questioned the need for the contract.

In response to Mr. Kos regarding the timeline, Mayor Spaetzel stated that RFQs will be open for three weeks, followed by an administrative review and recommendation to Council based on a scoring matrix.

Mr. Shahmir asked if an Owner's Representative would replace a construction manager. Mayor Spaetzel explained that there are many construction delivery methods in Ohio, and a construction manager would still be involved regardless of the approach chosen.

Mr. Zuber acknowledged concerns from past discussions but emphasized the need for a new fire station, noting that the current one, built in the 1970s, no longer meets the City's needs.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Council President Fenderbosch moved to authorize the Public Works Director to advertise for bids for the Walker Road Phase 5 Project.

- Phase 5 starts from the intersection of Moore Road to approximately 3,000 feet west. The Project will include resurfacing, widening to include bike lanes, and stormwater work that was determined through field data and survey. A grant of \$300,000 and a 0% loan of \$150,000 was awarded to the City from the Ohio Public Works Commission (OPWC).

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Council President Fenderbosch moved to accept the donation of \$600 from Avon-on-the-Lake Garden Club to purchase three *Carya ovata* Shagbark Hickory trees to be planted at Walker Road Park.

- The Garden Club has donated funds to the City to purchase trees, and they are continuing with that project. They donated \$600 this year. Those were the trees originally there that were removed to create the overflow detention basin that was built there.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Council President Fenderbosch moved to authorize the Public Works Director to advertise for bids for the 2025 Crack Seal Program.

- The City contracts crack sealing annually to preserve asphalt roads. This year Jaycox Road and Walker Road between Ambleside Drive and Armour Road will be targeted. This section is formerly known as Walker Road, Phase 1 and Phase 2.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Council President moved to accept a conditional gift of the Howitzer Artillery in Veterans Memorial Park from the U.S. Army.

- An agreement was originally made to place the howitzer artillery in Veterans Memorial Park through the Avon/Avon Lake VFW. Since the Avon Lake VFW is now defunct, ownership transferred to the Avon VFW, which has no interest in reclaiming it. The U.S. Army Donations Program contacted the City to formalize an agreement for Avon Lake to assume responsibility for the howitzer.

Mayor Spaetzel confirmed the Avon VFW supports the City maintaining the piece, and the U.S. Army is offering it as a gift under the U.S. Army Donations Program.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

LEGISLATION

Third Readings:

Ordinance No. 25-35, AN ORDINANCE ADOPTING THE CITY OF AVON LAKE DISASTER PLAN, was read by title only.

Mr. Kos moved for passage of Ordinance No. 25-35. This legislation will adopt the City's Disaster Plan, developed collaboratively by the Administration, Fire Chief Betsa, the Police Department, and the Community & Technology Department. The Plan has been reviewed, discussed, and approved by the Public Safety and Health Committee. While it is not intended as a public guide for residents on emergency response, the Plan outlines the roles and responsibilities of City staff, the Administration, and Safety Forces. These entities will provide direction and communication to residents in the event of an emergency.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Ordinance No. 25-36, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 238.01, COMMUNITY DISASTER PLAN, was read by title only.

Mr. Kos moved for passage of Ordinance No. 25-36. This legislation will amend Codified Ordinance Section 238.01, renaming it the *City of Avon Lake Disaster Plan*, and aligning it with the newly adopted disaster preparedness framework. It includes provisions mandating that the Public Safety and Health Committee review the Disaster Plan no later than March of each calendar year to ensure its regular evaluation and maintenance. This review process does not preclude the Safety Director and the Committee from making additional updates to the Plan as necessary throughout the year.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith
No: None
Absent: Arnold
Motion carried.

Resolution No. 25-40, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AVON LAKE ADOPTING VISION ZERO AND THE LORAIN COUNTY COMPREHENSIVE SAFETY ACTION PLAN, was read by title only.

Mr. Kos moved for passage of Resolution No. 25-40. The legislation adopts the Vision Zero initiative and the Lorain County Comprehensive Safety Action Plan. It will enable Avon Lake to collaborate with other Lorain County communities and the Lorain County Public Health Department to apply for federal grants. Initial funding will include \$160,000, with up to \$1.8 million available for traffic safety improvements, planning, and engineering studies. Vision Zero aims to eliminate traffic-related deaths and serious injuries by 2040.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith
No: None
Absent: Arnold
Motion carried.

Second Readings:

Ordinance No. 25-52, AN ORDINANCE AUTHORIZING A DONATION TO VILLAGE PROJECT AND DECLARING AN EMERGENCY, was read by title only.

This legislation will authorize a donation of \$10,000 to the Village Project, a non-profit organization dedicated to supporting individuals and families affected by cancer. Based in Bay Village, Village Project provides nutritious meals and extended care services to residents undergoing cancer treatment. Their services are available not only in Bay Village but also to neighboring communities.

Ordinance No. 25-59, AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF CITY ENGINEER, ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION, AND REPEALING ORDINANCE NO. 188-90, was read by title only.

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

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Mr. Smith moved for passage of Ordinance No. 25-59. This legislation will adopt a new job description for the position of City Engineer, replacing the outdated description established by Ordinance No. 188-90, which was passed on September 24, 1990. Due to the age of the original description, the HR Director and Public Works Director have recommended updates. As a result, Ordinance No. 188-90 will be repealed upon passage.

Ms. Gentry recommended that the Administration consider candidates who are certified in project management because these specific management skills are very important for an engineer.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Ordinance No. 25-59 adopted.

Ordinance No. 25-60, AN ORDINANCE APPROVING WAGE INCREASES FOR CERTAIN NON-BARGAINING UNIT PERSONNEL AND DECLARING AN EMERGENCY, was read by title only.

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

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Mr. Smith moved for passage of Ordinance No. 25-60. This legislation will authorize a one-year 3% wage increase for select non-bargaining unit employees, matching the raise negotiated in the current Collective Bargaining Agreement. The one-year term allows time for Council and the Administration to develop new pay ranges that will be based on merit.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Ordinance No. 25-60 adopted.

Ordinance No. 25-61, AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF ROBERT RUA TO THE POSITION OF COMMUNICATIONS & TECHNOLOGY DIRECTOR, ESTABLISHING THE RATE OF COMPENSATION FOR SAID POSITION, AND DECLARING AN EMERGENCY, was read by title only.

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

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Mr. Smith moved for passage of Ordinance No. 25-61. This legislation will confirm the Mayor's appointment of Robert Rua to the position of Communications & Technology Director at an annual salary of \$117,000, effective March 24, 2025.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Ordinance No. 25-61 adopted.

Ordinance No. 25-62, AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$3,000,000 FOR THE PURPOSE OF PAYING COSTS OF ACQUIRING (i) A HEAVY-DUTY RESCUE TRUCK WITH IMPEL CHASSIS AND (ii) A PUMPER TRUCK WITH IMPEL CHASSIS, EACH FOR USE BY THE CITY'S FIRE DEPARTMENT, AND DECLARING AN EMERGENCY, was read by title only.

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

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Mr. Zuber moved for passage of Ordinance No. 25-62. This legislation will provide for the issuance and sale of bonds for \$3 million to pay for the purchase of a heavy-duty rescue truck and a pumper truck for the Fire Department.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Ordinance No. 25-62 adopted.

First Readings:

Ordinance No. 25-64, AN ORDINANCE CONFIRMING THE APPOINTMENT OF BRIAN MAHONEY TO THE POSITION OF SENIOR PROGRAM MANAGER, ESTABLISHING THE RATE OF COMPENSATION FOR SAID POSITION, AND DECLARING AN EMERGENCY, was read by title only.

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

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Mr. Smith moved for passage of Ordinance No. 25-64. This legislation will confirm the appointment of Brian Mahoney to the position of Senior Program Manager at a salary of \$56,000 annually, effective March 31, 2025.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Ordinance No. 25-64 adopted.

Resolution No. 25-65, A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION FOR THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR), DIVISION OF FORESTRY, OHIO'S URBAN FORESTRY GRANT PROGRAM, AND DECLARING AN EMERGENCY, was read by title only.

Council President Fenderbosch moved for suspension of the rule requiring three readings.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Council President Fenderbosch moved for passage of Resolution No. 25-65. This legislation will authorize the Mayor to submit an application to the ODNR for the Urban Forestry Grant Program.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Resolution No. 25-65 adopted.

Resolution No. 25-66, A RESOLUTION IN SUPPORT OF STATE ISSUE 2 RENEWAL OF THE STATE CAPITAL IMPROVEMENT PROGRAM, ON THE MAY 6, 2025, STATEWIDE BALLOT, was read by title only.

Council President Fenderbosch moved for suspension of the rule requiring three readings.

Yes: Zuber, Arnold, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Motion carried.

Council President Fenderbosch moved for passage of Resolution No. 25-66. This legislation supports the renewal of the State Capital Improvement Program (SCIP), which funds local infrastructure projects across Ohio. SCIP, a partnership between the state and local governments for over 40 years, has invested over \$7 billion in roads, bridges, water treatment, water supply, and stormwater systems statewide. The renewal is not a tax increase but a continuation of funding that expires July 1, 2025. SCIP relies on voter-approved amendments every 10 years and has consistently received strong support since 1987.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Resolution No. 25-66 adopted.

Ordinance No. 25-67, AN ORDINANCE ADOPTING THE AVON LAKE URBAN FOREST MANAGEMENT PLAN, was read by title only.

This legislation adopts the Urban Forest Management Plan developed by the Avon Lake Tree Commission, as required by the ODNR Division of Forestry. The plan covers the management of approximately 13,000 to 15,000 trees along City tree lawns. Its mission is to maximize the economic, environmental, and social benefits of a sustainable urban forest for Avon Lake residents. The Plan's three goals are: maintain

tree health and vigor; plant the largest suitable trees for each site; and achieve a fully stocked urban forest.

Resolution No. 25-68, A RESOLUTION ADOPTING THE AVON LAKE TREE COMMISSION STRATEGIC PLAN, was read by title only.

This legislation adopts the Strategic Plan recommended by the ODNR Division of Forestry. The Plan's vision is for Avon Lake to be a model forest city with healthy, safe, and well-maintained community trees. Its goals are: promote tree health and safety on public lands; maintain a fully stocked and resilient urban forest; and educate residents on the importance of urban forest care.

Ordinance No. 25-69, AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 1070.02, MUNICIPAL PARK RULES, was read by title only.

This legislation updates park rules to specify that the Public Works Director and Urban Forester oversee trees, shrubs, lawns, and other plant life in the City. It establishes that residents can participate in the "Avon Lake Plant a Tree, Grow a Legacy" program to celebrate or memorialize an individual through tree planting. Funds collected through this program will be managed by the Urban Forester or Public Works Director and used according to the Master Street Tree Plan and Avon Lake Urban Forest Management Plan.

Ordinance No. 25-70, AN ORDINANCE AUTHORIZING THE PURCHASE OF AN INTERNATIONAL 607 CHASSIS CAB FOR THE PUBLIC WORKS DEPARTMENT AND DECLARING AN EMERGENCY, was read by title only.

Council President Fenderbosch moved for suspension of the rule requiring three readings.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Council President Fenderbosch moved for passage of Ordinance No. 25-70. This legislation will authorize the purchase of an International 607 Chassis Cab for the Public Works Department from Rush Truck Centers of Cincinnati, Ohio, in the amount of \$109,000 through the State Cooperative Purchasing Program with the Ohio Department of Transportation.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Ordinance No. 25-70 adopted.

Ordinance No. 25-71, AN ORDINANCE AUTHORIZING PAYMENT FOR SOFTWARE SUPPORT AND LICENSING OF OPENGOV CITIZENS SERVICES AND CARTEGRAPH ASSET MANAGEMENT SYSTEM AND DECLARING AN EMERGENCY, was read by title only.

Council President Fenderbosch moved for suspension of the rule requiring three readings.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Council President Fenderbosch moved for passage of Ordinance No. 25-71. This legislation will authorize payment for software support and licensing of OpenGov Citizens Services and Cartegraph Asset Management System from OpenGov, Inc., of San Jose, California, in the amount of \$96,409.52.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Ordinance No. 25-71 adopted.

Ordinance No. 25-72, AN ORDINANCE PROVIDING LEGAL REPRESENTATION WITH THE PURCHASE AGREEMENT BETWEEN THE CITY OF AVON LAKE AND AVON LAKE REDEVELOPMENT GROUP LLC (ALERG) AND DECLARING AN EMERGENCY, was read by title only.

Council President Fenderbosch moved for suspension of the rule requiring three readings.

Yes: Zuber, Fenderbosch, Gentry, Kos, Smith

No: Shahmir

Absent: Arnold

Motion carried.

Council President Fenderbosch moved for passage of Ordinance No. 25-72. This legislation will provide legal representation from Berns, Ockner & Greenberger, LLC, of Beachwood, Ohio, regarding the purchase agreement between the City and ALERG in the amount of \$117,250.

The City proposes hiring Berns, Ockner & Greenberger, LLC, for legal counsel on the purchase agreement with ALERG.

Mr. Shahmir expressed concern that this matter was not discussed in an Economic Development Committee meeting, and he opposed the legislation due to a lack of prior discussion and detail on strategy.

Mayor Spaetzel explained that the Economic Development Committee meeting scheduled for March 17, 2025, was canceled by Mr. Arnold, and the legal fee proposal was only received on that day; a meeting was rescheduled for April 7, 2025, with participation from representatives from ALERG and Verdantas, and Attorney Todd Davis.

Law Director Ebert confirmed a conflict waiver clause was added to the agreement for legal fees and noted that the hourly rate of Berns, Ockner & Greenberger, LLC, remains at \$475, which is the same rate as the previous agreement.

Council President Fenderbosch and Mr. Kos clarified that this agreement is a continuation and expansion of prior legal services related to ALERG and zoning issues.

Ms. Gentry expressed disappointment that this item was placed on the Council Meeting agenda without any prior Committee consideration.

Yes: Zuber, Fenderbosch, Kos, Smith

No: Gentry, Shahmir

Absent: Arnold

Motion carried.

Ordinance No. 25-72 adopted.

Ordinance No. 25-73, AN ORDINANCE AMENDING ORDINANCE NO. 24-78 AND DECLARING AN EMERGENCY, was read by title only.

Council President Fenderbosch moved for suspension of the rule requiring three readings.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Council President Fenderbosch moved for passage of Ordinance No. 25-73. This legislation will amend Ordinance No. 24-78 regarding the purchase of the salt truck from Valley Freightliner of Parma, Ohio, for the Public Works Department. The interest rate for the lease changed, which increased the purchase price from

\$513,540 to \$596,975.58; the annual lease payment collected will change from \$96,639.75 to \$99,495.93.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Ordinance No. 25-73 adopted.

PUBLIC INPUT

1. Eric Kreig, Avon Lake, addressed Council with his concerns regarding the lack of a clear economic development plan for Avon Lake, particularly relating to the former Power Plant site. He participated in two stakeholder meetings, most recently on February 26, 2025, facilitated by Kleinfelder. He expressed concern over a lack of leadership and transparency in the redevelopment process and questioned who within the City is responsible for managing the project. He noted that while there is a Community Development Director, a consultant, and a brownfield attorney, it is unclear who is driving the process. He referenced the City's 2022 agreement with ALERG for site remediation, which was expected to take 2 to 3 years but appears incomplete. He questioned the financial impact on taxpayers and noted a lack of school district involvement, despite the proposed 30-year, 100% Tax Increment Financing (TIF) and a \$15 million purchase of 23 acres under the Interim Development Agreement (IDA). He criticized the absence of a financial and sustainability plan and found the recent survey on design preferences premature. He urged Council to develop a written, actionable plan and take a more proactive leadership role in guiding the redevelopment.
2. Gerald Phillips, Avon Lake, addressed Council with his concerns about government waste in the Fire Station Project, questioning the need for an Owner's Representative for \$100,000. He noted that the City already employs qualified officials, including an Engineer, Public Works Director, and Finance Director, whose job descriptions include project oversight. He argued that hiring a specialized architect and using the general contractor and construction manager should be sufficient. He also pointed out that past candidates for the Public Works Director role had strong qualifications that could have combined engineering and oversight duties, potentially saving the City money.
3. Bob Becka, Avon Lake, addressed Council regarding the repair work for the Edgewood Drive outfall, which has not begun. He and his neighbors are patiently waiting to hear from the City when it will occur. Also, the street condition is in bad shape, as the outfall repair must occur before the street can be repaired.

4. William Zimmerman, Avon Lake, addressed Council about the concerns he has about his perceived lack of leadership in economic development, and he criticized how recent legislation was handled without public discussion. He questioned ongoing legal expenses and the absence of meetings from key committees in recent months. He called for more transparency, including videotaping meetings, and expressed frustration with delayed public record requests and hiring process information.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENT

1. Council President Fenderbosch announced that the Chapter 220 Meeting is scheduled for April 16, 2025, at 7 p.m. in Council Chambers.
2. Mr. Zuber announced that he will request Kleinfelder to present their recommendations at a future Council Work Session and they are scheduled to attend the next Economic Development Committee meeting on April 7, 2025.

Mr. Kos moved for adjournment.

Yes: Zuber, Fenderbosch, Gentry, Kos, Shahmir, Smith

No: None

Absent: Arnold

Motion carried.

Adjournment: 9:17 p.m.

Approved: */s/ Jennifer Fenderbosch*
Council President

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