

**MINUTES OF THE REGULAR MEETING  
OF THE AVON LAKE MUNICIPAL COUNCIL  
JUNE 9, 2025**

The regular meeting of the Avon Lake City Council was called to order on June 9, 2025, at 7 p.m. in the Council Chamber with Council President Fenderbosch presiding.

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

Present: Councilmembers Zach Arnold, Jennifer Fenderbosch, Amy Gentry, David Kos, Rob Shahmir, Geoff Smith, and K. C. Zuber; Law Director Gary Ebert; Finance Director Beth Krosse; and Clerk of Council Valerie Rosmarin.

Absent: Mayor Mark Spaetzel and Public Works Director Jon Liskovec.

**APPROVAL OF MINUTES**

The minutes of the regular Council Meeting held on April 14, 2025, were approved as prepared and published.

**CORRESPONDENCE**

The following correspondence or communications were received:

1. Ms. Gentry reported that she has received emails from residents with concerns about an increase in Airbnb rentals within the City and, in particular, an Airbnb on James Circle that advertises accommodations for up to 20 people.
2. Mr. Shahmir reported that he has received several phone calls concerning the condition of the roads in the Westwinds subdivision and the schedule for when the road repairs will begin.

**COUNCIL PRESIDENT'S REPORT**

Council President Fenderbosch reported on the following:

1. The deadline for the 2025 Lorain County Big Tree contest is Friday, July 25, 2025, at 4:30 p.m. Details about the contest are available on the Lorain County Conservation District's website, [www.lorainswcd.com](http://www.lorainswcd.com).
2. Engage Avon Lake, the City's App, is no longer supported. It is recommended that residents delete the app from their phones. All non-emergency issues can be reported on the City's website under "You Spot It, We Got It".

3. Townline 26 will perform at the next City Summer Concert Series on Sunday, June 15, 2025, from 6 p.m. to 8 p.m. at Miller Road Park. Food trucks will be on site.
4. The next Collective Committee Meeting is Monday, June 16, 2025, at 7 p.m. in the Council Chamber.
5. The next Council Meeting is Monday, June 23, 2025, at 7 p.m. in the Council Chamber.
6. An Ad Hoc Committee of residents will be formed to review the City's Boards and Commissions to balance Mayoral and Council appointments and terms. Councilmembers are asked to submit recommendations of residents to serve on this Committee to the Clerk of Council by noon on Friday, June 13, 2025.

#### **BUILDING AND UTILITIES COMMITTEE REPORT**

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

1. The next Committee meeting is Monday, June 16, 2025, at 6 p.m. in the Council Chamber.

#### **COMMUNICATIONS, ENVIRONMENTAL, AND RECREATIONAL PROGRAMMING COMMITTEE REPORT**

Mr. Shahmir reported on the Communications, Environmental, and Recreational Programming Committee as follows:

1. The Recreation Department is conducting a survey to assess the City's parks and recreation activities. The survey results will be analyzed for future projections and planning purposes.
2. The Deer Control Survey is available on the City's website until June 30, 2025.

In response to Council President Fenderbosch, Mr. Shahmir noted that the Recreation Department's survey is intended to provide a baseline assessment of City parks and that previous park designs, such as Weiss Field, will be considered in the next phase of the evaluation.

#### **ECONOMIC DEVELOPMENT COMMITTEE REPORT**

Mr. Arnold reported on the Economic Development Committee as follows:

1. The next Committee meeting is Wednesday, June 18, 2025, at 6 p.m. in the Council Chamber.

## **FINANCE COMMITTEE REPORT**

Mr. Zuber reported on the Finance Committee as follows:

1. The Committee met on June 2, 2025.
  - The agenda included the City's Procurement Policy, the 2026 Tax Budget, the Fire Station Owner's Rep, budget adjustments, license plate fees, Codified Ordinance Chapter 270, Audit Commission, and the May financials.
  - Income tax collection increased 3.3 percent from last year, which was a record year of over \$18 million.
2. The next Committee meeting is Monday, July 2, 2025, at 6 p.m. in the Council Chamber.

## **HUMAN RESOURCES COMMITTEE REPORT**

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

1. The Committee met earlier tonight.
  - The agenda included the appointments of Matthew Mahoney as the Property Maintenance Specialist and Chiann Woods as the Deputy Clerk of Court.
  - The Committee discussed streamlining the appointment process of City employees, whereby they would not confirm Mayoral appointments of full-time employees, provided that the employee is appointed based on a job description and pay range. This change is intended to alleviate Council's oversight. Council will be notified of all appointments by HR Director Lynn Kernya and Mayor Spaetzel. As long as the Administration adheres to the established guidelines, the Committee has no objection to the change.
  - The Civil Service Commission appoints all classified employees and will continue this responsibility.
  - Swearing-in ceremonies for all appointments in the Police Department and Fire Department will continue to take place at Council Meetings.
  - The Civil Service Commission will conduct civil service exams for the positions of Engineering Technical Aide I, Public Works Laborer, and Police Officer. The deadline to apply is Friday, June 13, 2025. Exams will be administered on Wednesday, June 18, 2025, at 6 p.m. at Avon Lake High School.

Council President Fenderbosch noted that, according to the City's Charter, Council will continue to confirm appointments of Department Heads.

## **PUBLIC SAFETY AND HEALTH COMMITTEE REPORT**

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

1. The next Committee meeting is Tuesday, June 17, 2025, at 7 p.m. in the Council Chamber.

## **PUBLIC SERVICE COMMITTEE REPORT**

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

1. The Committee met on June 4, 2025.
  - The agenda included a Request for Qualifications (RFQ) for Country Club Bridge design, the 2025 Crack Sealing Program, the 2025 Water Bundle Project with Avon Lake Regional Water, the Ohio Public Works Commission (OPWC) State Capital Improvement and Local Transportation Program, the 2025 Materials Contracts (concrete, aggregates, and asphalt), the Inspection Contract Administration for Walker Road, Phase 5, the Design Services and Bid Assistance for Walker Road, Phase 6, and the 2026 Road Program.

## **PLANNING COMMISSION REPORT**

Mr. Smith reported on Planning Commission as follows:

1. The Commission met on June 3, 2025.
  - The agenda included a Site Plan request of MDC Ventures, LLC, to construct their corporate office located at 32870 Pin Oak Parkway; the Preliminary Plat request of Legacy Pointe, LTD, for Avon Center Estates No. 2, Phase VI, a 48-lot subdivision in the southwest quadrant of the city; the Final Plat request of Pulte Homes of Ohio, LLC, for Sandridge Run, a 28-unit townhouse subdivision located on the west side of Avon Belden Road; and a Final Plat request of Pulte Homes of Ohio, LLC, for Port Side Townhouse Subdivision, located along Rock Harbor and South Port Drive.

## **ZONING BOARD OF APPEALS REPORT**

Council President Fenderbosch reported on the Zoning Board of Appeals as follows:

1. The Board met on May 28, 2025.
  - An area variance was granted at 32621 Belle Road to allow a four-foot-tall split-rail fence in the front yard along Lewis Avenue, with the condition that the fence must be set back a minimum of three feet from the right-of-way line.

## **SHORT-TERM RENTALS AD HOC COMMITTEE REPORT**

Mr. Arnold reported on the Short-Term Rentals Ad Hoc Committee as follows:

1. The next Committee meeting is Wednesday, June 11, 2025, at 6 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 Thursday, June 26, 2025, at 6 p.m. at the Old Firehouse and Community Center.

## AUDIENCE PARTICIPATION

1. Paul Orlousky, Avon Lake, addressed Council regarding concerns shared by him and his neighbors about the Traffic Study. He stated that the times and locations of the traffic counts, as outlined in the agreement with TranSystems, were not followed, and he believed TranSystems had breached its contract with the City. He expressed concern that this breach would result in flawed data on which the City would base its judgment. He also noted surprise at Mayor Spaetzel's recent comments suggesting a chain instead of a gate, emphasizing that the Memorandum of Understanding (MOU) with Pulte mandates a gate. He added that Pulte agreed to subsidize the gate for \$15,000 and stated that a chain is not equivalent to a gate, as it would require safety forces to stop and unlock it rather than using a functioning gate.

Council President Fenderbosch read an email from Mayor Spaetzel dated June 2, 2025, regarding the Traffic Study. The email stated that TranSystems altered its traffic count schedule due to equipment failures in the field caused by weather conditions and battery issues. According to Aaron Grilliot of TranSystems, additional counts have been scheduled for three intersections and Saturday counts at six intersections.

*Mr. Kos noted that the topic raised by Mr. Orlousky was not on the Council Meeting agenda and should have been presented during the Public Input portion at the end of the meeting rather than during Audience Participation. Council President Fenderbosch agreed and noted the discrepancy for the record.*

2. William Zimmerman, Avon Lake, addressed Council regarding Ordinance No. 25-112, Chapter 1470: Demolition. He noted that the Environmental Affairs Advisory Board (EAAB) had recommended Council adopt a moratorium on demolitions in response to the impending demolition of the former Power Plant by Avon Lake Environmental Redevelopment Group (ALERG), until a demolition ordinance could be drafted. He expressed concern that the enactment of such an ordinance was intentionally delayed to allow ALERG to proceed with the demolition. He also commented on Ordinance No. 25-116, Chapter 220: Council, stating his belief that Council seeks to change its rules and procedures in retribution for his and Mr. Gerald Phillips' efforts to promote transparency and

to limit their time allowed for public comment at Council Meetings.

## LEGISLATION

### Third Reading:

**Ordinance No. 25-98**, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PERSONAL SERVICES AGREEMENT WITH SIMVAY, LLC, FOR ENTERPRISE CYBER RISK MANAGEMENT SERVICES AND DECLARING AN EMERGENCY, was read by title only.

Mr. Shahmir moved for passage of Ordinance No. 25-98. This legislation will authorize the Mayor to execute a personal services agreement with Simvay Systems, LLC, of Westlake, Ohio, for cyber risk management services at the monthly cost of \$1,500 and shall not exceed \$18,000 for the duration of the agreement.

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

No: None

Motion carried.

**Ordinance No. 25-98 adopted.**

### Second Reading:

**Ordinance No. 25-109**, AN ORDINANCE AMENDING PLANNING AND ZONING CODE SECTIONS 1214, 1224, 1226, 1234, AND 1236, was read by title only.

This legislation will amend Planning and Zoning Code Sections 1214, 1224, 1226, 1234, and 1236, as recommended by the Code Administrator and approved by Planning Commission on May 6, 2025.

Ms. Gentry noted an omission of the language “or Improvement Plan” in Section 1214.05(c)(8) under Step 8 A. The Clerk of Council will confirm the inclusion of this language with the Code Administrator and make the appropriate edits for the Third Reading.

### First Readings:

**Ordinance No. 25-112**, AN ORDINANCE ENACTING CODIFIED ORDINANCE CHAPTER 1470: DEMOLITION, was read by title only.

This legislation will enact Chapter 1470: Demolition to define and outline the City's demolition process with an emphasis on safety and environmental standards. Applicants must submit a demolition permit, after which the Building Department and Department Heads assess site-specific requirements. These may include plans for hazardous materials, air quality, noise and dust mitigation, pest control, and site restoration.

Standards for demolishing basements, pools, vaults, and cesspools are reviewed, including removal of liners, drainage preparation, and sewer pipe sealing. Insurance, bonding, and compliance standards are required. Violations incur a \$150 daily fine, with each day constituting a separate offense.

Mr. Shahmir noted that clean-up *outside* the demolition site should be included in the legislation to match the baseline levels established by pre-demolition samples. These samples shall be collected from the upper six inches of soil in locations surrounding the demolition site. The purpose of this sampling is to establish background conditions before any potential contamination from the demolition activities. The demolition site itself is expected to be contaminated; therefore, the focus is on ensuring that any migration of contaminants beyond the site boundary is identified and remediated.

Ms. Gentry also noted that the base soil sampling plan should state areas outside of the demolition site. She will send edits to Clerk of Council after legal review.

**Ordinance No. 25-113**, AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 1438: LICENSING OF CONTRACTORS DEFINED, AND CODIFIED ORDINANCE CHAPTER 1468: UNSAFE BUILDINGS, was read by title only.

This legislation will amend Chapter 1438: Licensing of Contractors Defined, and Chapter 1468: Unsafe Buildings. In coordination with updates to Chapter 1470 of the Codified Ordinances, two existing ordinances were modified to ensure consistency and enforceability of demolition-related requirements.

**Ordinance No. 25-114**, AN ORDINANCE AMENDING ORDINANCE NO. 25-19R2, APPROPRIATIONS FOR FISCAL YEAR 2025, AND DECLARING EMERGENCY, was read by title only.

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

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

No: None

Motion carried.

Mr. Zuber moved for passage of Ordinance No. 25-114. This legislation will amend Ordinance No. 25-19R2 adding \$600,000 for stormwater improvements for the Walker Road, Phase 5, Project and transferring \$1.1 million from the Capital Fund for Central Avon Lake Drainage Project (CALDP), Phase 2.

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

No: None

Motion carried.

**Ordinance No. 25-114 adopted.**

**Resolution No. 25-115, A RESOLUTION ADOPTING AND DECLARING THE 2026 TAX BUDGET AND DECLARING AN EMERGENCY**, was read by title only.

This legislation will adopt and declare the tax budget for 2026, which will be submitted to the Lorain County Budget Commission.

**Ordinance No. 25-116, AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 220: COUNCIL**, was read by title only.

This legislation will amend Codified Ordinance Chapter 220: Council. Over the past several months, Council has conducted a comprehensive review of its policies and procedures outlined in the Administrative Code. The goal of this review was to modernize language and enhance opportunities for public engagement in the legislative process.

## **PUBLIC INPUT**

1. Diane Colbert, Avon Lake, voiced her concerns to Council about an Airbnb located on James Circle that has been the site of frequent parties and has caused significant disturbances in the neighborhood. Residents are worried that the presence of nearby Airbnbs may be negatively impacting their property values. She urged Council to implement regulations and restrictions to safeguard the community.
2. Vince Cononico, Avon Lake, addressed Council regarding the cut-through connecting the Port Side subdivision to Current Village. He referenced the MOU between the City and Pulte Homes, specifically Paragraph 3, which states that the City is responsible for installing a gate within 30 days of the completion of the connecting roadway. He noted that this deadline has passed without a gate being installed. He expressed concern over reports that a chain may be used instead of a gate and emphasized that a chain does not meet the requirements in the MOU and poses significant safety and liability risks. As a personal injury attorney with 30 years of experience, he cautioned the City against such an alternative and urged Council to fulfill its commitments, including completing the traffic study and installing the gate as agreed.
3. Debbie Yue, Avon Lake, addressed Council regarding concerns with the Traffic Impact Study (TIS) conducted by TranSystems for the Port Side-Current Village connection. She appreciated Council's efforts and the City's financial commitment but cited several issues: lack of transparency in methodology, insufficient equipment for data collection, and failure to conduct the study during the school year as originally intended. She emphasized that TranSystems should have communicated these limitations and recommended postponing the study. Given the significant cost, she urged Council to hold TranSystems accountable and require the study to be redone in the fall at the firm's expense.



4. William Zimmerman, Avon Lake, asked if he could play a video. In response, Council President Fenderbosch explained that based on the policies and procedures of Council in Codified Ordinance Section 220.04 residents can speak during public comment but cannot play videos.

Mr. Zimmerman then noted that the final two weeks of the school year will not reflect typical traffic patterns, since many parents opt to walk or bike with their children to school instead of driving, which will affect the traffic study. He also expressed concern about the City's notice on the air quality from Canadian wildfires, contrasting it with the lack of communication following the implosion on December 19, 2024, that released debris into nearby homes. He urged the City to be more proactive and transparent when potential health hazards arise.

Lastly, Mr. Zimmerman made a public records request for the meetings held with Law Director Ebert and Ms. Gentry drafting the demolition ordinance from August 29, 2024, through today's date.

Mr. Kos moved for adjournment.

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

No: None

Motion carried.

Adjournment: 8:30 p.m.

Approved: /s/ Jennifer G. Fenderbosch  
Council President

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