

**MINUTES OF THE REGULAR MEETING  
OF THE AVON LAKE MUNICIPAL COUNCIL  
JULY 14, 2025**

The regular meeting of the Avon Lake City Council was called to order on July 14, 2025, at 7 p.m. in the Council Chamber with Council President Fenderbosch presiding.

Council President Fenderbosch led Council, staff, and the public in the Pledge of Allegiance.

Present: Councilmembers Jennifer Fenderbosch, 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: Councilmembers Zach Arnold and Amy Gentry.

**APPROVAL OF MINUTES**

The minutes of the regular Council Meeting held on May 5, 2025; May 12, 2025; and May 27, 2025, were approved as prepared and published.

**CORRESPONDENCE**

The following correspondence or communications were received:

1. Mr. Shahmir reported receiving inquiries regarding a large explosion during the December 19, 2024, implosion. He noted that the blast appeared atypical and may have been a secondary explosion, possibly caused by flue gases or fly ash. He requested information on the cause of the explosion, any related property damage, and whether a structural assessment of the remaining stack has been conducted. He proceeded to display pictures taken of the implosion.

Mayor Spaetzel stated that the fireball was likely caused by accumulated dust and fly ash. He confirmed that one of the businesses experienced a broken window due to overpressure, seismograph readings were negligible, and the tower has been inspected. Further details will be provided.

2. Council President Fenderbosch received emails in opposition to installing a gate on Handford Boulevard: Matt Rhode, 32002 Westview Trail; Marcus Blake, 64 Landings Way; Brandon Spitzer, 583 South Port Drive; Ashley Brady, 319 Ballast Court; Danielle Naples, 31955 Hidden Cove; Scott Kennedy, 643 Bridgeside Drive; Kirk Beckmann, 619 Treeside Lane; Rob Ralston, 559 Bridgeside Drive; Bridget and Thomas Skuggen, 603 South Port Drive; Jennifer Hardman, 619 Parkside Drive; Kirsten and Leonard Gibel, 620 Arborside Lane; Lauren Everson, 622 Parkside Drive; and Gloria Ramsey, 614 Treeside Lane.

3. Clerk Rosmarin reported that she received emails from Lori Glenn and Kim Orlousky in support of installing a gate on Handford Boulevard.

## **MAYOR'S REPORT**

Mayor Spaetzel reported on the following:

1. Independence Day Celebration: The July 3 fireworks event was a great success, drawing the largest crowd in recent memory. The show was well-executed, with attendees behaving safely and respectfully. Appreciation was extended to event sponsors and the Police, Fire, Public Works, and Recreation Departments for their planning and support.
2. Community Recognition: Mike Mannino, a long-time contributor to youth baseball in Avon Lake, will be honored by throwing the first pitch at the Guardians game on Tuesday, August 26, 2025. His dedication and positive influence on local youth were highlighted.
3. Public Health Notice: The National Health and Nutrition Examination Survey (NHANES), conducted by the CDC, will take place in Lorain County, including Avon Lake, from mid-July through September. Randomly selected households will receive mailed invitations to participate in confidential health assessments. Additional information will be available on the City's website.

## **COUNCIL PRESIDENT'S REPORT**

Council President Fenderbosch reported on the following:

1. Boards and Commissions Structure Review Ad Hoc Committee Organizational meeting was held. Larry Sansom was appointed chair, and meeting dates were selected. The Committee was tasked to review 8 of 12 boards (excluding those governed by ORC or Charter) with a focus on balancing the mayoral/council appointments and staggering term expirations.
2. The deadline for the Lorain County Big Tree contest is Friday, July 25, 2025. Residents are encouraged to submit photos of large white pines. Local prizes and potential county-level monetary awards will be distributed. Additional information can be found at the Lorain County Conservation District website, [www.lorainswcd.com](http://www.lorainswcd.com).
3. A Tree Planting Index Study is scheduled for August 20 by the Ohio Division of Forestry, with four members of the Tree Commission participating. The study will identify planting/replacement areas.
4. Council President Fenderbosch noted that five Councilmembers were present. Therefore, any immediate legislation will require a unanimous vote. She

encouraged Councilmembers to explain during their Committee reports the items requiring the suspension of rules.

- Mr. Smith addressed Council regarding Ordinance No. 25-135, noting that as the Council Representative to Planning Commission, he abstained from voting on the Electric Boulevard right-of-way vacation because it is adjacent to Smuggler Cove Condominium Complex No. 4. He explained that he owns a condominium in Smugglers Cove Association No. 1 and had previously represented the applicant, Mr. Calabrese. Although Mr. Smith's property and prior legal work are unrelated to the current request, he asked Law Director Ebert if a conflict of interest still exists.
- In response, Law Director Ebert confirmed that Mr. Smith does not have a conflict of interest and is permitted to vote on Ordinance No. 25-135.

5. The next Collective Committee Meeting, followed by a Council Meeting, is Monday, August 25, 2025, at 7 p.m. in the Council Chamber.

## **FINANCE DIRECTOR'S REPORT**

Finance Director Krosse reported on the following:

1. The 2023 audit has been completed and released by the Auditor of State. Final results were presented to Council.
2. Financial statements will be posted on the website within the next week.
3. The 2024 audit is underway and expected to proceed more quickly.

## **PUBLIC WORKS DIRECTOR'S REPORT**

Public Works Director Liskovec reported on the following:

1. Avon Lake Play Space (ALPS) Phase II Construction
  - Contractor mobilized and began site preparation last week and is currently moving dirt. Equipment delivery is expected late August to early September, aligning with the project schedule. Construction is progressing as planned.
2. Concrete Streets Program
  - Stoney Brook Drive: Site is cleaned and ready for seeding; minor tasks remain, including mailbox and street sign restoration.
  - Brunswick Drive: Work began today with two crews handling underdrain installation, backfilling, and tree lawn grading. Efforts are focused on maintaining momentum within the construction zone.

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

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

1. The next meeting of the Committee is Monday, August 25, 2025, at 6 p.m. in the Council Chamber.
2. The Deer Survey was published earlier today. He encouraged Councilmembers to review it and provide feedback.

## **FINANCE COMMITTEE REPORT**

Mr. Zuber reported on the Finance Committee as follows:

1. The Committee met on July 7, 2025.
  - The agenda included a review of license plate fees, the Audit Commission structure, Fire Department vehicle replacement cost, budget adjustments, June financials, and Hanford Boulevard gate estimates.
  - The Income Tax Collections have increased 5.5% from last year, totaling approximately \$617,000 more.
2. The next Committee meeting is Monday, September 2, 2025, at 6 p.m. in the Council Chamber.

## **HUMAN RESOURCES COMMITTEE REPORT**

Mr. Smith reported on the Human Resources Committee meeting held earlier:

1. The City received 52 applications for the City Engineer position. Five candidates were interviewed in the first round, and two finalists are scheduled for interviews next week.
2. Roman Ducu was appointed as Interim Assistant Director of Public Works for 120 days.
3. A proposed amendment to Civil Service Rule 14, which supports lateral hiring in the Police Department, was reviewed. Minor adjustments were recommended and approved by the Civil Service Commission.

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

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

1. Council will consider an ordinance for a one-day liquor license for the upcoming

Beer Fest at Miller Road Park, scheduled for August 23, 2025. Avon Lake Boosters President Erin Schaefer presented details at last week's Collective Committee Meeting. This annual event, now in its sixth or seventh year, has a strong track record of safety and success. Due to the upcoming Council recess, a suspension of rules and emergency passage will be requested to ensure timely approval and licensing.

## **PUBLIC SERVICE COMMITTEE REPORT**

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

1. The next Committee meeting is Wednesday, September 3, 2025, at 6 p.m. in the Council Chamber.
2. There are three items on tonight's agenda, two of which will be suspension of the rule requiring three readings. The first pertains to the submerged land lease for the prevention of land erosion in Lake Erie, and the second is for the rebid of Walker Road, Phase 5, for safe travel. The rebid was required because the bids received were higher than 20% of the estimated project costs.

## **PLANNING COMMISSION REPORT**

Mr. Smith reported on Planning Commission as follows:

1. The Commission met on July 1, 2025.
  - The agenda included Pulte Homes Preliminary Plan approval for Harbor Crest Townhomes, which was postponed for a revised entry layout on SR 83; Anthony and Kimberly Calabrese approval for a right-of-way vacation at Smugglers Cove Condominium Complex No. 4 and Electric Boulevard; and Avon Lake Regional Water right-of-way vacation for a portion of Shields Avenue and Electric Boulevard.

## **ZONING BOARD OF APPEALS REPORT**

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

1. The Board met on June 25, 2025.
  - An area variance permitted a 10' x 15' detached carport in the front yard over an existing driveway was granted at 154 Norman Avenue.
2. The next Board meeting is Wednesday, July 23, 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 Wednesday, August 13, 2025, at 6 p.m. at the Old Firehouse and Community Center.
2. The Tree Commission is working with the Administration on a grant through the Ohio Department of Natural Resources to support long-term environmental and community benefits. Avon Lake's tree canopy currently covers 1,683 acres (23.63%) with 3,237 acres of plantable space. A 10% increase would improve carbon storage, reduce runoff, and enhance air quality.

## AUDIENCE PARTICIPATION

1. William Zimmerman, Avon Lake, voiced his concerns about the number of amendments and the clarity of edits to Ordinance No. 25-116. He expressed that the changes appeared intended to limit his right to speak by shifting the timing of public input. Drawing from his experience with Planning Commission, he emphasized the importance of public input and felt that the proposed changes would hinder his ability to be informed and contribute meaningfully before a vote.

He requested additional time to speak, and Council granted an extra minute by majority consensus.

Mr. Zimmerman continued to voice objections to the ordinance, offering conjecture about why others may refrain from addressing Council. He questioned Council's commitment to public engagement, asking why more input was not being encouraged.

## LEGISLATION

### Third Readings:

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

Mr. Shahmir moved for passage of Ordinance No. 25-112. This legislation will establish a uniform and comprehensive process for the safe and environmentally responsible demolition of buildings and structures within Avon Lake city limits.

Councilmembers expressed their appreciation for Ms. Gentry, Chair of the Building and Utilities Committee, who worked diligently for several months in collaboration with Law Director Ebert and the Committee to draft this ordinance. Council noted that the resulting legislation is expected to serve as a model for other communities.

Yes: Fenderbosch, Kos, Shahmir, Smith, Zuber

No: None

Absent: Gentry, Arnold

Motion carried.

**Ordinance No. 25-112 adopted.**

**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.

Mr. Shahmir moved for passage of Ordinance No. 25-113. 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.

Yes: Fenderbosch, Kos, Shahmir, Smith, Zuber

No: None

Absent: Gentry, Arnold

Motion carried.

**Ordinance No. 25-113 adopted.**

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

Council President Fenderbosch moved for passage of Ordinance No. 25-116. This legislation will amend Codified Ordinance Chapter 220: Council, to reflect current practices, improve clarity, and ensure legal compliance.

Key updates include:

- Language & Formatting: Improved consistency and readability; labeled sections for easier reference.
- Meeting Procedures: Standardized across all meeting types; formalized recordkeeping by the Clerk of Council.
- Executive Sessions: Attendance limited to invited individuals; confidentiality emphasized.
- Council Conduct: Officials must remain in the Council Chamber unless excused; subject to censure.
- Council President Election: Scheduled within seven days of election certification.
- Committee Updates: Adjusted timelines; updated committee names and department references.
- Public Input: Moved to beginning of meetings; extended to five minutes per speaker; additional time allowed by Council vote.
- Order of Business: Added ceremonial proclamations; clarified procedures for minutes and absences.
- Voting Procedures: Codified general consent process.
- Rules of the Floor: Clarified and labeled sections on decorum, motions, and debate.

- Consultants and Guests: A new sentence added throughout:  
*“Consultants to Council and invited guests may present information and may be called upon to respond to questions from members of Council, the administration, or city staff at any point during a meeting, at the discretion of the presiding officer.”*
- Parliamentary Authority: Robert’s Rules of Order, Newly Revised, may govern proceedings unless superseded by the Charter or Council’s adopted policies.
- Suspension of Rules: Minor grammatical updates.

Mr. Kos acknowledged the extensive and collaborative process of Council, which began over a year ago and included multiple evening meetings focused solely on revisions. He expressed appreciation to Council President Fenderbosch for her leadership in guiding the process. He noted that public input has been significantly improved by moving it to the beginning of meetings, allowing residents to speak on any topic without waiting through lengthy proceedings.

Mr. Smith also emphasized the importance of public communication, noting that residents are encouraged to contact Councilmembers via email or phone outside of meetings. He praised the move to allow public input at the beginning of meetings to improve accessibility and responsiveness, especially for those who may not wish to speak publicly or wait through lengthy agendas.

Yes: Fenderbosch, Kos, Shahmir, Smith, Zuber

No: None

Absent: Gentry, Arnold

Motion carried.

**Ordinance No. 25-116 adopted.**

First Readings:

**Ordinance No. 25-132, 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 23, 2025, AND DECLARING AN EMERGENCY,** was read by title only.

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

Yes: Fenderbosch, Kos, Shahmir, Smith, Zuber

No: None

Absent: Gentry, Arnold

Motion carried.



Mr. Kos moved for passage of Ordinance No. 25-132. 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 23, 2025.

Yes: Fenderbosch, Kos, Shahmir, Smith, Zuber

No: None

Absent: Gentry, Arnold

Motion carried.

**Ordinance No. 25-132 adopted.**

**Resolution No. 25-133, A RESOLUTION APPROVING THE USE OF SUBMERGED LANDS AT 31954 LAKE ROAD AND DECLARING AN EMERGENCY,** was read by title only.

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

Yes: Fenderbosch, Kos, Shahmir, Smith, Zuber

No: None

Absent: Gentry, Arnold

Motion carried.

Council President Fenderbosch moved for passage of Resolution No. 25-133. This legislation will approve the use of submerged lands at 31954 Lake Road to construct the proposed shore structure to prevent shoreline erosion. The City has determined that the submerged lands for the project are not necessary or required for the construction, maintenance, or operation by the City of breakwaters, piers, docks, wharves, bulkheads, connecting ways, water terminal facilities and improvements, marginal highways, or any kind of utility.

Yes: Fenderbosch, Kos, Shahmir, Smith, Zuber

No: None

Absent: Gentry, Arnold

Motion carried.

**Resolution No. 25-133 adopted.**

**Ordinance No. 25-134, AN ORDINANCE AMENDING CHAPTER 1018: MUNICIPAL TREE ORDINANCE, AND CODIFIED ORDINANCE SECTION 1065.99, ENFORCEMENT AND PENALTY,** was read by title only.

This legislation will amend Chapter 1018: Municipal Tree Ordinance and Codified Ordinance Section 1065.99, Enforcement and Penalty. The proposed updates to the City's tree ordinances have been under review since January 2024 in accordance with the Arbor Foundation guidelines, and the revisions have been reviewed by the Law Director to reflect current standards and terminology.

**Ordinance No. 25-135**, AN ORDINANCE APPROVING A VACATION FOR PORTIONS OF THE ELECTRIC BOULEVARD RIGHT-OF-WAY AND DECLARING AN EMERGENCY, was read by title only.

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

Yes: Fenderbosch, Kos, Shahmir, Smith, Zuber

No: None

Absent: Gentry, Arnold

Motion carried.

Council President Fenderbosch moved for passage of Ordinance No. 25-135. This legislation will vacate portions of the Electric Boulevard right-of-way adjacent to properties owned by Anthony Calabrese and Kimberly Calabrese and Smugglers Cove Condominium Complex 4.

Yes: Fenderbosch, Kos, Shahmir, Smith, Zuber

No: None

Absent: Gentry, Arnold

Motion carried.

**Ordinance No. 25-135 adopted.**

**Ordinance No. 25-136**, AN ORDINANCE APPROVING A VACATION FOR A PORTION OF THE SHIELDS AVENUE AND ELECTRIC BOULEVARD RIGHTS-OF-WAY AND DECLARING AN EMERGENCY, was read by title only.

This legislation will vacate a portion of the Shields Avenue and Electric Boulevard rights-of-way properties owned by the City that will be used by Avon Lake Regional Water for operational purposes.

**Ordinance No. 25-137**, AN ORDINANCE AWARDING A CONTRACT FOR THE WALKER ROAD PAVING PROJECT, PHASE 5, AND DECLARING AN EMERGENCY, was read by title only.

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

Yes: Fenderbosch, Kos, Shahmir, Smith, Zuber

No: None

Absent: Gentry, Arnold

Motion carried.

Council President Fenderbosch moved for passage of Ordinance No. 25-137. This legislation will award a contract for the Walker Road Paving Project, Phase 5, to Gerken Paving, Inc., d/b/a Precision Paving, Inc., of Milan, Ohio, in the amount of \$2,089,403.31 with an Alternate 1 bid of \$72,179.50.

Yes: Fenderbosch, Kos, Shahmir, Smith, Zuber

No: None

Absent: Gentry, Arnold

Motion carried.

**Ordinance No. 25-137 adopted.**

## **PUBLIC INPUT**

1. Vince Coninco, Avon Lake, addressed Council regarding emails from residents opposing the Handford Boulevard gate, acknowledging their concerns as valid. He read an email from a Parkside Drive resident describing how traffic and speeding increased after their street was connected when the City denied their gate request. He said this demonstrated a past mistake, and the ongoing problems highlight the need to learn from such decisions. He also attended the recent TranSystems meeting and expressed concern that important factors such as the new school on Lear Road and the Cleveland Clinic expansion were not being considered. He criticized the reliance on incomplete data and assumptions, warning that flawed data could lead to poor decisions, which in his view, were worse than having no data at all.
2. Ken Yakel, Avon Lake, commented on the emails received in opposition to the proposed gate, noting that only a few came from residents living south of Walker Road and east of Lear Road. The majority were from residents in the Westwinds development. He pointed out that their concern stems from recognizing the area as a potential cut-through, which they hope to benefit from. However, he emphasized that the Westwinds residents would not be affected by the increased traffic, only those living closer to the proposed gate would. He urged Council to take this disparity into account when making their decision.
3. Paul Orlousky, Avon Lake, referenced Mr. Kos's suggestion at the last meeting regarding the installation of a gate, which he thought was a good idea. He expressed concern with Mayor Spaetzel's proposal for the use of a chain instead. He strongly opposed this alternative, citing liability concerns. He added that residents living to the east will also experience increased traffic. If they believe the cut-through will only affect his area, they are mistaken. Lastly, he disagreed with the estimated \$100,000 cost for installing a gate, suggesting that the figure may be inaccurate or overstated.

4. Debbie Yue, Avon Lake, noted that 90 days have passed since the Handford Boulevard connection, which occurred on April 15, 2025. Per the Memorandum of Understanding (MOU) approved by Council on October 15, 2024 (Ordinance No. 24-158), the City was required to install a gate within 30 days of the connection by May 15, 2025. That deadline has not been met. She reminded Council that the MOU clearly assigns responsibility for the gate's installation to the City. Gate cost estimates as low as \$7,500 have been provided, which fall well within the \$15,000 contribution agreed to by Pulte. As such, the gate would not impose a financial burden on the City. She urged Council to fulfill its obligation under the MOU and proceed with installation.
5. William Zimmerman, Avon Lake, thanked Public Works Director Liskovec for promptly addressing safety concerns at an intersection where tree limbs were obstructing a stop sign. The issue was resolved quickly by removing the limbs. He then shifted focus to his ongoing legal concerns, stating that he refiled his lawsuit with the Ohio Supreme Court after his attorney, Gerald Phillips, requested an extension, but Law Director Ebert did not respond. Despite this, the Court granted the extension. He also expressed broader concerns about perceived corruption and referenced a dismissed traffic ticket, which he believes was mishandled.
  - Mayor Spaetzel responded to the ticket issue, explaining that an internal investigation revealed a procedural error - an officer changed the citation without involving the court. The Lorain County Prosecutor reviewed the matter and found no criminal wrongdoing. The Ohio Secretary of State also reviewed the notary process and found no issues. The Mayor clarified that it is common for citations to be amended from City to State ordinances based on circumstances, and the officer simply failed to follow the proper process.
  - Law Director Ebert stated that he did respond to Mr. Phillips via email, denying the extension request. He noted that Mr. Phillips routinely requests multiple extensions, and in this instance, the City chose not to agree to another.

Mr. Kos moved for adjournment.

Yes: Fenderbosch, Kos, Shahmir, Smith, Zuber

No: None

Absent: Gentry, Arnold

Motion carried.

Adjournment: 8:40 p.m.

Approved: /s/ Jennifer G. Fenderbosch  
Council President

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