

**MINUTES OF THE REGULAR MEETING
OF THE AVON LAKE MUNICIPAL COUNCIL
NOVEMBER 10, 2025**

The regular meeting of the Avon Lake City Council was called to order on November 10, 2025, at 7 p.m. in the Council Chamber with Council President Fenderbosch presiding.

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

Present: Councilmembers Zach Arnold, 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: Councilmember Amy Gentry.

APPROVAL OF MINUTES

The minutes of the regular Council Meeting held on October 27, 2025, were approved as prepared and published.

PUBLIC HEARING

The public hearing was called to order at 7:02 p.m. Upon the proposed ordinance creating the Sandridge and Harbor Crest Tax Increment Financing (TIF) Incentive Districts, declaring improvement to the parcels within each incentive district to be a public purpose and exempt from real property taxation, requiring the owners of those parcels to make service payments in lieu of taxes, establishing a municipal public improvement tax increment equivalent fund for the deposit of those service payments, authorizing school compensation payments, and specifying the public infrastructure improvements that benefit or serve parcels in the incentive district.

Community Development Director Ted Esborn reported that notices were sent to property owners at least 30 days in advance, as required by state law. This TIF is designed to fund traffic and infrastructure improvements, including roads, sidewalks, utilities, parks, and crosswalk signals, and is unrelated to the former Power Plant redevelopment. It is a 30-year, 100% TIF, with schools made whole and no direct financial benefit to property owners or developers. Revenue will go into a City-managed TIF fund. The legislation vote will occur on December 15, 2025.

PUBLIC INPUT

Gerald Phillips, Avon Lake, voiced his support with this TIF because the school district will continue to receive payments, and only Lorain County and the City contributions will fund the TIF under the proposal.

The public hearing closed at 7:16 p.m.

PUBLIC INPUT

1. Chuck Craft, Executive Director of the Primary Purpose Center, Elyria, stated that he was invited by Mr. Smith to speak about the Primary Purpose Center, which is a nonprofit organization that addresses alcohol and drug addiction for residents of Lorain County and surrounding areas. The Center will celebrate nine years of operation on November 16. It operates a 60-day Level 2 Treatment Program, after which participants may remain to seek employment. The Center also offers workforce development services, including assistance with résumés, identification issues, and driver's license reinstatement. He announced an upcoming fundraiser on November 22, 2025, at 2 p.m. at the New Russia Township Lodge and offered a table for Council and the Mayor. He also extended an open invitation for officials to tour the facility, meet staff and residents, and learn more about the Center's programs. He noted that the Center collaborates with County courts, hospitals, and other agencies and is committed to helping reduce crime and improve lives in the community.
2. Mary Schneider, Avon Lake, expressed opposition to Ordinance No. 25-167, regarding the proposed land purchase from Avon Lake Environmental Redevelopment Group (ALERG). She stated that the purchase price of \$15 million that the City will pay is too much for 23 acres, noting that previous transactions of the site involved little or no cost. She raised concerns that the purchase agreement would make the City liable for remediation of any contaminants or heavy metals found in the soil after closing, despite a brief inspection period beforehand. Mrs. Schneider questioned the urgency of the deal and expressed skepticism about the proposed park's potential use, noting that nearby Miller Road Park sees limited activity, and suggested that the primary beneficiaries of the development would be future adjacent residents rather than the broader community, and characterized the deal as financially unfavorable for the City and urged Council to vote against it.
3. William Zimmerman, Avon Lake, addressed Council regarding several items on the agenda, including the brownfield remediation grant and property purchase agreements. He believed they were being rushed as emergency measures without proper review. He urged Council to follow proper procedures and allow adequate time for review to ensure all Councilmembers have time to review the information before voting.
4. Nancy Collins, Avon Lake, thanked Council and Mayor Spaetzel for their service to the public, noting that they were doing an outstanding job under very challenging circumstances, and expressed her appreciation for their hard work and dedication.
5. Gerald Phillips, Avon Lake, stated that he reviewed the former Power Plant

redevelopment agreement and believed rezoning would be the best option for the City. Under rezoning, a developer pays for all infrastructure, parkland is free, and the school district keeps all \$60 million in TIF revenue. Under the TIF, \$60 million is essentially a subsidy to a developer, and the City will only acquire 1.29 acres of parkland at that cost. The recent purchase agreement claims to prioritize parkland, yet none is included. Rezoning protects the City and schools, avoids subsidies, and ensures the developer covers costs. Therefore, this would be the responsible choice.

6. Todd Davis, Esq., legal counsel for the City in the former Power Plant property redevelopment, stated that many issues that have been raised in public input were addressed in his prior presentations. He emphasized that the project has been under discussion for over two years and that the Purchase and Sale Agreement (PSA) has been carefully structured to protect the City's interests. Attorney Davis expressed confidence in the environmental process, highlighting multiple layers of protection, such as a review and sign-off by certified professionals, robust indemnity agreements, and environmental insurance naming the City as an additional insured. No closing will occur without proper environmental clearance in collaboration with the Ohio EPA. He also noted that an upcoming work session is scheduled to address TIF issues, including concerns about the submerged land lease.

MAYOR'S REPORT

Mayor Spaetzel reported on the following:

1. Avon Lake Play Space (ALPS) - The original playground towers were removed due to safety concerns, and the original playground was removed in December of 2024. The City had intended to preserve the two original towers as a visual gateway to ALPS and to honor the community volunteers who helped build the playground in 1990 but will explore alternative ways to do so.

Regarding the donor bricks from the original playground, all will be reused. Some have been incorporated into a new pathway from Blesser Park to the playground, and additional bricks are being used on the north side of the park. This phase is now complete.

The park's mound offers a great view of Lake Erie and serves as an observation area. It also provides additional recreational opportunities, including amphitheater-style seating for concerts.

Project delays were largely due to a lawsuit filed by a vendor, which delayed the project for more than three years. The City was ultimately successful in defeating the lawsuit, and the process restarted in March 2024. Phase 2 of the project, which includes all playground equipment, lighting, a fitness loop, and stormwater management, is nearly complete. A ribbon-cutting will occur in

late November or early December.

2. Light Up the Park will be held on Saturday, November 22, 2025, from 2:30 to 6:30 p.m. More information is available on the City's website.
3. The Avon Lake Police Department received the AAA Platinum Award for pedestrian and traffic safety for the fourth consecutive year, recognizing year-over-year improvements.
4. Northeast Ohio Public Energy Council (NOPEC) has set electric and gas rates for January 2026 to May 2026. The standard electricity rate will be 8.99¢ per kWh, and the standard gas rate will be 5.59¢ per cubic foot. Residents may opt out or explore alternative providers.

COUNCIL PRESIDENT'S REPORT

Council President Fenderbosch reported on the following:

1. The next Collective Committee Meeting is Monday, November 17, 2025, at 7 p.m. in the Council Chamber.
2. The next Budget Work Session is Saturday, November 15, 2025, from 8 a.m. to 12 p.m. in the Council Chamber.
3. The next Council Meeting is Monday, November 24, 2025, at 7 p.m. in the Council Chamber.

PUBLIC WORKS DIRECTOR'S REPORT

Public Works Director Liskovec reported on the following:

1. Lubrizol Spill
The City received Lubrizol's submission to the Ohio Environmental Protection Agency (EPA) regarding the recent spill. Lubrizol conducted a root cause analysis, identified several operational items needing updates, implemented those updates, provided additional training to employees, and addressed other areas that could have led to potential future spills. The City has also contacted the Ohio EPA regarding their follow-up report, which is still in progress. Once received, it will be shared with Council.
2. Moorewood Avenue/Midship Drive/Walker Road, Rapid Rectangular Flashing Beacons (RRFBs) Installation
The foundations for the RRFBs have been installed, and the concrete is currently curing. Weather permitting, the contractor expects to install the signal equipment within the next week.

3. 2025/2026 Deer Culling Program

A kickoff meeting was held with the United States Department of Agriculture (USDA), the Police Department, and the Public Works Department. The USDA plans to begin baiting on December 1, 2025, with culling activities potentially beginning as early as December 8, 2025, depending on field conditions. Updates will be provided, as needed.

4. Walker Road, Phase 5, Pavement Rehabilitation

Due to weather impacts, minor schedule adjustments are expected. The contractor plans to place the surface course of asphalt this week. Residents should avoid this area due to heavy construction activity. Traffic will be managed by the Police Department and appropriate traffic control measures.

COMMUNICATIONS, ENVIRONMENTAL, AND RECREATIONAL PROGRAMMING COMMITTEE REPORT

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

1. The next Committee meeting is Monday, November 24, 2025, at 6 p.m. in the Council Chamber.
2. The next Environmental Affairs Advisory Board (EAAB) meeting is Tuesday, December 5, 2025, at 6:30 p.m. at the Lake House.
3. The next Communications and Technology meeting is Thursday, December 11, 2025, at 6 p.m. at Avon Lake Public Library.

ECONOMIC DEVELOPMENT COMMITTEE REPORT

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

1. Amendments to Ordinance No. 25-161, on the short-term rental regulations, were identified earlier by Law Director Ebert, who requested additional time to make the necessary revisions. A motion to postpone the third reading until November 24, 2025, will be made tonight. The changes pertain to Section 1484.10, Hearing and Appeals, which references a Board of Building and Zoning Appeals that does not exist in the City, and references to the Building and Zoning Department, which the City does not have and will be corrected.

Mr. Shahmir inquired about the status and timeline for the Comprehensive Infrastructure Plan, which was identified in the Economic Recovery and Resiliency (ER&R) Plan, noting its importance given the City's progress toward a PSA for the former Power Plant site.

Mayor Spaetzel explained that the Comprehensive Infrastructure Plan is one of the six

focus areas within the ER&R Plan and is closely tied to the City's capital budget, as well as planning work by the Public Works and the Community Development Departments. While the need is recognized, current economic conditions make it challenging to advance until funding sources are identified.

Mr. Shahmir emphasized that he was specifically referencing the concerns regarding the infrastructure required to support the future development of the former Power Plant property and asked when that work would be addressed.

Mayor Spaetzel responded that the infrastructure component will be a critical part of the redevelopment process. Once the PSA is completed and a developer is selected, the City will be able to advance on planning and implementation of the necessary infrastructure.

FINANCE COMMITTEE REPORT

Mr. Zuber reported on the Finance Committee as follows:

1. The Committee met on November 3, 2025.
 - The agenda included the license plate increase, which is on tonight's agenda for first reading (Ordinance No. 25-176) and will be removed by motion; the procurement policy and procedures; updates on the City's financials; amendments to the fee schedule; hotel lodging excise tax; the addition of an internet auction website to be used for disposal of unused equipment; and an engagement letter with Kutak Rock, LLC, regarding the Sandridge and Harbor Crest TIF.
 - The income tax is up \$642,000, or 3.8%, from last year, which was a record year.
2. Suspension of the rule requiring three readings on an emergency basis will be requested for Ordinance No. 25-179, to authorize the Finance Director to dispose of unused City equipment by internet auction, and Ordinance No. 25-180, to authorize an agreement with Russ Balthis of Kutak Rock, LLC.
3. A special meeting of the Committee is on Wednesday, November 12, 2025, at 6 p.m. in the Council Chamber. The Committee will discuss income tax.

HUMAN RESOURCES COMMITTEE REPORT

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

1. The Committee met earlier.
 - The agenda included the HR Director's Report on the City Engineer vacancy, interviews for the Vactor Operator and Sign Shop Operator positions in the Public Works Department, and the Part-Time Assistant Deputy Clerk job description.

- The Healthcare Committee is working on the dental and vision renewals, which will not be a substantial increase in 2026.
 - Nathan Castro will be appointed as Public Works Laborer, effective November 17, 2025.
2. The next meeting of the Community Relations Board is Thursday, November 13, 2025, at 4:30 p.m. in the First Floor Conference Room.
 3. A civil service exam for the position of Firefighter/Paramedic is Wednesday, November 12, 2025, at Avon Lake High School at 6 p.m. Thirty candidates have applied for the position.
 4. The next Committee meeting is Monday, December 8, 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. The next Committee meeting is Tuesday, November 18, 2025, at 5:30 p.m. in the Council Chamber.

PUBLIC SERVICE COMMITTEE REPORT

Mrs. Fenderbosch reported on the Public Service Committee as follows:

1. The next Committee meeting is Wednesday, December 3, 2025, at 5:30 p.m. in the Council Chamber.
2. Suspension of the rule requiring three readings on an emergency basis will be requested for Ordinance No. 25-181, to authorize an agreement to facilitate the filing of a grant application; Ordinance No. 25-185, to comply with the Ohio Department of Transportation (ODOT) requirements regarding the pedestrian crossing at Miller Road Park; and Ordinance No. 25-186, to award a contract for outfall rehabilitation at Edgewood Drive.

PLANNING COMMISSION REPORT

Mr. Smith reported on Planning Commission as follows:

1. The Commission met on November 4, 2025.
 - The agenda included the Improvement Plan for Harbor Crest Townhouse Subdivision Nos. 1 and 2, submitted by Pulte Homes of Ohio, LLC, for the property located at the southeast corner of Walker Road and Avon Belden Road (SR 83). Planning Commission approved the Improvement Plans with conditions. Accordingly, legislation for first reading appears on tonight's

- agenda instead of a Council motion.
 - Christine Raymond was appointed as Planning Commission representative on the Avon Lake Historical Preservation Commission.
2. The next Commission meeting is Tuesday, December 2, 2025, at 7 p.m. in the Council Chamber.

ZONING BOARD OF APPEALS REPORT

Mayor Spaetzel reported on Zoning Board of Appeals as follows:

1. The next Board meeting is Wednesday, November 12, 2025, at 6 p.m. at the Old Firehouse and Community Center.

TREE COMMISSION REPORT

Council President Fenderbosch reported on the Tree Commission as follows:

1. The next Commission meeting is Wednesday, November 19, 2025, at 6 p.m. in the Council Chamber.

MOTIONS

Mr. Zuber moved to adopt the City's Procurement Policies and Procedures.

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

No: None

Absent: Gentry

Motion passed.

Mr. Kos moved to instruct the Clerk of Council to return the form to the Division of Liquor Control in the matter of a liquor license name change from Lien Wu and Liang Lien Wu to Chun Wu, LLC, 32730 Walker Road, Avon Lake, indicating the City does not request a hearing.

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

No: None

Absent: Gentry

Motion passed.

LEGISLATION

Mr. Zuber moved to delete Ordinance No. 25-175, AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 882, ENTITLED MOTOR VEHICLE LICENSE TAX, from tonight's agenda.

- Following discussion at the Budget Work Session on November 8, 2025, Councilmembers recommended that this legislation be deleted and not pursued.

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

No: None

Absent: Gentry

Motion passed.

Mr. Arnold moved to postpone the third reading of Ordinance No. 25-161, AN ORDINANCE AUTHORIZING THE CREATION OF A NEW CHAPTER TITLED SHORT-TERM RENTAL PROPERTIES WITHIN TITLE SIX BUILDING REGULATIONS IN PART FOURTEEN OF THE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY, to November 24, 2025.

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

No: None

Absent: Gentry

Motion passed.

Third Readings:

Resolution No. 25-162, A RESOLUTION ADOPTING THE RULES AND REGULATIONS OF THE AVON LAKE COMMUNITY TELEVISION (ALC-TV), was read by title only.

Mr. Shahmir moved for passage of Resolution No. 25-162. This legislation will adopt updated rules and regulations for ALC-TV, as recommended by the Communications and Technology Commission. It will formalize existing provisions and align with current standards and best practices.

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

No: None

Absent: Gentry

Motion passed.

Resolution No. 25-162 adopted.

Ordinance No. 25-166, AN ORDINANCE TO REZONE PERMANENT PARCEL NO. 04-00-006-135-071 FROM B-2 GENERAL BUSINESS DISTRICT TO R-1A SINGLE-FAMILY RESIDENCE DISTRICT AND DECLARING AN EMERGENCY, was read by title only.

Mr. Smith moved for passage of Ordinance No. 25-166. This legislation will rezone a 2.38-acre parcel owned by Rotz Investments, LLC, located on the west side of Moore Road, north of Walker Road (Permanent Parcel No. 04-00-006-135-071), from B-2 General Business District to R-1A Single-Family Residence District, as recommended by Planning Commission on October 1, 2025.

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

No: None

Absent: Gentry

Motion passed.

Ordinance No. 25-166 adopted.

Second Readings:

Ordinance No. 25-167, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A REAL ESTATE PURCHASE AGREEMENT BETWEEN THE CITY OF AVON LAKE AND AVON LAKE ENVIRONMENTAL REDEVELOPMENT GROUP, LLC, FOR THE ACQUISITION OF APPROXIMATELY TWENTY-THREE (23) ACRES OF LAND LOCATED IN THE CITY OF AVON LAKE AND DECLARING AN EMERGENCY, was read by title only.

This legislation will authorize the Mayor to execute a Purchase and Sale Agreement between the City and Avon Lake Environmental Redevelopment Group, LLC, (ALERG) to purchase approximately 23 acres of land. The parties previously entered into an Interim Development Agreement on November 13, 2024, outlining the property's use as public parkland, the creation of an overlay zoning district, and the establishment of a TIF District.

Mr. Arnold explained that the property will be purchased through a TIF for \$15 million, which must also be approved by the Avon Lake School Board. Last week, Steve Gross of Verdantas presented the environmental review, outlining the various components of the assessment and emphasizing that the City may withdraw from the agreement at any point if environmental findings are unsatisfactory. Attorney Davis also spoke earlier today. At next week's Collective Committee Meeting, Majeed Makhoulf, the City's legal counsel, will present the TIF structure.

Mr. Shahmir raised concerns regarding the development of a 300-yard beach along the former Power Plant lakefront. He emphasized the need to evaluate environmental conditions, cleanup requirements, and long-term maintenance costs before the City proceeds with the PSA. He noted that the environmental work conducted so far has focused on parkland. Submerged lands and beach areas have not been assessed, and he estimated a range of \$6-\$16 million for beach cleanup, which would be dependent on the approach and extent of remediation. Funding for ongoing operation and maintenance has not been identified, and City beaches have been closed in the past due to limited resources.¹ He recommended a feasibility study to assess engineering, environmental, cleanup, and maintenance requirements to ensure the beach is safe and usable for residents. He noted that the previous ALERG cleanup addressed surface contamination, but subsurface conditions remain unassessed.

Mr. Kos noted the \$15 million purchase price aligns with an appraisal, estimating the total property value at roughly \$28-30 million, and the acquisition supports the City's

¹ Mr. Zuber disagreed that the beach was closed due to limited resources and noted that the sand from the beach was pushed eastward years ago. However, people still swim in that area.

2019 Comprehensive Land Plan goals, including improving lakefront access and creating new parks and green spaces.

Attorney Davis emphasized a phased approach: begin with the PSA and due diligence, followed by submerged land lease evaluation, environmental review, and park design. Also, community input, stakeholder coordination, and grant funding will inform future design and costs.

Further discussion included past National Pollutant Discharge Elimination System (NPDES) permit violations, mercury discharges, and transparency concerns regarding ALERG's reporting to the City. Attorney Davis responded that EPA oversight deemed the releases minor and no regulatory action was required.

The discussion concluded with agreement that further evaluation of submerged land, sediment conditions, and feasibility is necessary before finalizing the PSA.

Ordinance No. 25-169, AN ORDINANCE CREATING THE SANDRIDGE AND HARBOR CREST TAX INCREMENT FINANCING INCENTIVE DISTRICTS, DECLARING IMPROVEMENTS TO THE PARCELS WITHIN EACH INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE AND EXEMPT FROM REAL PROPERTY TAXATION, REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THOSE SERVICE PAYMENTS, AUTHORIZING SCHOOL COMPENSATION PAYMENTS, SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT BENEFIT OR SERVE PARCELS IN THE INCENTIVE DISTRICT, AND DECLARING AN EMERGENCY, was read by title only.

This legislation will create the Sandridge and Harbor Crest TIF Districts. A public hearing was held earlier as per the Ohio Revised Code (ORC). Unlike the previous TIF discussion, school funding will remain fully supported, and any incremental tax revenue from these developments will be used exclusively for designated improvements, including road and crosswalk enhancements. The third reading of the legislation is scheduled for December 15, 2025.

Ordinance No. 25-174, AN ORDINANCE ENACTING A CODE OF ORDINANCES FOR THE CITY OF AVON LAKE, OHIO, REVISING, AMENDING, RESTATING, CODIFYING, AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF THE CITY OF AVON LAKE, OHIO, DEALING WITH SUBJECTS EMBRACED IN SUCH CODE OF ORDINANCES, AND DECLARING AN EMERGENCY, was read by title only.

This legislation will enact the City's Code of Ordinances, recodified by American Legal Publishing into a comprehensive, well-organized book. The codification includes administrative, traffic, general offenses, business regulation, streets/utilities/public services, planning and zoning, building and housing, and fire prevention codes, as well as a table of special ordinances and an index. The process, conducted with the Clerk of Council and the Law Director's office, ensures accuracy, public accessibility, and compliance with Ohio law.

First Readings:

Ordinance No. 25-175, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 208.01, ENTITLED FEE SCHEDULE, was read by title only.

This legislation will amend the Fee Schedule for Police Department video recordings, establish a fee of \$75 per request, not to exceed \$750, and \$5 per flash drive for public records requests, and increase the pool fees 12% annually for 2026 and 2027.

Ordinance No. 25-177, AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 252, ENTITLED PURCHASING PROCEDURES, was read by title only.

This legislation will amend Codified Ordinance Chapter 252, clarifying the City's purchasing procedures. The key change increases the threshold from \$50,000 to \$77,000 (per ORC), above which, bids are no longer required. Instead, three quotes must be obtained, and Council approval must be documented, either in a Standing Committee, Collective Committee Meeting, or regular Council Meeting. This change is intended to streamline procurement, particularly for the Public Works Department.

Ordinance No. 25-178, AN ORDINANCE ESTABLISHING A LODGING EXCISE TAX ON HOTELS AND SHORT-TERM RENTALS WITHIN THE CITY OF AVON LAKE, PROVIDING FOR TAX COLLECTION AND REMITTANCE BY LODGING PLATFORMS AND OPERATORS, AND DECLARING AN EMERGENCY, was read by title only.

This legislation will establish a lodging excise tax pursuant to ORC Sections 5739.08 and 5739.091. Municipalities may levy an excise tax on lodging transactions for stays of 30 days or less. The collected fees are allocated as follows: 50% for tourism, recreation, and visitor-related services, and the remaining 50% to the General Fund. The tax is remitted monthly by the booking platform, and a mechanism for implementation is already established in 88 other Ohio communities.

Resolution No. 25-179, A RESOLUTION AMENDING RESOLUTION NO. 25-13, AUTHORIZING THE FINANCE DIRECTOR TO DISPOSE OF CERTAIN SURPLUS CITY PROPERTY NO LONGER NEEDED FOR PUBLIC USE, BY INTERNET AUCTION FROM FEBRUARY 1 THROUGH DECEMBER 31, 2025, AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Absent: Gentry

Motion passed.

Mr. Zuber moved for passage of Resolution No. 25-179. This legislation will amend Resolution No. 25-13, authorizing the Finance Director to dispose of City property by internet auction by adding www.purplewave.com.

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

Resolution No. 25-179 adopted.

Ordinance No. 25-180, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PERSONAL SERVICES AGREEMENT WITH RUSS BALTHIS, ESQ., OF KUTAK ROCK LLP FOR LEGAL SERVICES AND DECLARING AN EMERGENCY, was read by title only.

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

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

Mr. Zuber moved for passage of Ordinance No. 25-180. This legislation will authorize the Mayor to execute a personal services agreement with Russ Balthis, Esq., of Kutak Rock LLP, of Cleveland, Ohio, for legal services not to exceed \$11,500, regarding the Sandridge and Harbor Crest TIF.

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

Ordinance No. 25-180 adopted.

Ordinance No. 25-181, AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH VERDANTAS LLC FOR THE OHIO BROWNFIELD REMEDIATION PROGRAM PHASE II ASSESSMENT GRANT APPLICATION FOR THE FORMER NRG POWER PLANT PROPERTY AND DECLARING AN EMERGENCY, was read by title only.

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

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

Council President Fenderbosch moved for passage of Ordinance No. 25-181. This legislation will authorize the Mayor to enter into an agreement with Verdantas LLC of Dublin, Ohio, for an amount not to exceed \$20,000, related to the Phase II Assessment Grant application under the Ohio Brownfield Remediation Program.

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

No: None

Absent: Gentry

Motion passed.

Ordinance No. 25-181 adopted.

Ordinance No. 25-182, A RESOLUTION AUTHORIZING THE CITY OF AVON LAKE TO APPLY FOR AND ADMINISTER A STATE OF OHIO BROWNFIELD REMEDIATION FUND ASSESSMENT GRANT FOR THE FORMER NRG POWER PLANT PROPERTY AND DECLARING AN EMERGENCY, was read by title only.

This legislation will authorize the City to apply for the Ohio Brownfield Remediation Fund Assessment Grant for the former NRG Power Plant property. The program provides up to \$300,000 in financial assistance to assess environmental conditions and address brownfield concerns. Grant funds will offset assessment activities by Verdantas, retroactive to July 1 of the current year and continuing through next year. Funds are limited to Brownfield Program activities. Once site control is secured, the City may pursue additional state and federal grants for remediation and assessment work.

Ordinance No. 25-183, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT TO PURCHASE LORAIN COUNTY PERMANENT PARCEL NO. 04-00-021-000-203, LOCATED ON AVON COMMERCE PARKWAY IN AVON, OHIO, FROM KOPF CONSTRUCTION CORPORATION AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Absent: Gentry

Motion passed.

Council President Fenderbosch moved for passage of Ordinance No. 25-183. This legislation will authorize the Mayor to execute an agreement on behalf of Avon Lake Regional Water (ALRW) to purchase a parcel of land on Avon Commerce Parkway in Avon, Ohio, from Kopf Construction Corporation for the amount of \$2,500. ALRW will use this right-of-way parcel for the addition of water lines.

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

No: None

Absent: Gentry

Motion passed.

Ordinance No. 25-183 adopted.

Ordinance No. 25-184, AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT WITH THE AVON LAKE CITY SCHOOL DISTRICT FOR THE ACQUISITION OF THE FORMER ERIEVIEW SCHOOL PROPERTY, LOCATED AT 32630 ELECTRIC BOULEVARD, AVON LAKE, OHIO, AND DECLARING AN EMERGENCY, was read by title only.

This legislation will authorize the Mayor to enter into a purchase agreement with the Avon Lake City School District for the acquisition of the former Erieview School property, totaling 9.5 acres, for \$500,000, payable in five annual installments of \$100,000 beginning July 1, 2027, and continuing each July 1 thereafter until paid in full.

Mayor Spaetzel explained that the approximately 42,000-square-foot building will house the Recreation Department, consolidating staff currently spread across multiple locations; the Senior Center, providing expanded programming space; and the Communications and Technology Department, offering additional space and improved efficiency. The purchase price of \$52,742 per acre is economically favorable compared to prior parkland acquisitions, such as West Shore Park at \$284,000 per acre in 2010, and a previous parkland acquisition at \$50,950 per acre. Funding for the purchase comes from developer contributions to the Recreation Fund, which are restricted solely to parkland acquisition, while refurbishment and ongoing maintenance costs will be covered through the Public Works Department's budget and applicable capital funds.

Ordinance No. 25-185, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PERSONAL SERVICES AGREEMENT WITH THE MANNIK & SMITH GROUP, INC., FOR THE LOR-US6-15.87 PEDESTRIAN IMPROVEMENT PROJECT, REPEALING ORDINANCE NOS. 24-69 AND 25-159, AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Absent: Gentry

Motion passed.

Council President Fenderbosch moved for passage of Ordinance No. 25-185. This legislation will authorize the Mayor to enter into a personal services agreement with the Mannik & Smith Group, Inc., of Shaker Heights, Ohio, for pedestrian improvements on Lake Road. This agreement repeals Ordinance Nos. 24-69 and 25-159.

ODOT has identified the need to complete a 4(f) environmental determination form and accompanying study. This form ensures that pedestrian traffic controls, such as lights, do not restrict access to Miller Road Park while maintaining safe crossings on Lake Road. To fulfill this requirement, the City will engage the Mannik & Smith Group, Inc.,

to conduct the study and prepare the form for ODOT at a total cost of \$10,838.64, with the City's share being 10%, or \$1,083.86.

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

No: None

Absent: Gentry

Motion passed.

Ordinance No. 25-185 adopted.

Ordinance No. 25-186, AN ORDINANCE AWARING A CONTRACT TO GREAT LAKES DEMOLITION COMPANY, LLC, FOR OUTFALL REHABILITATION AT EDGEWOOD DRIVE, AVON LAKE, OHIO, AND DECLARING AN EMERGENCY, was read by title only.

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

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

No: None

Absent: Gentry

Motion passed.

Council President Fenderbosch moved for passage of Ordinance No. 25-186.

This legislation will award a contract to Great Lakes Demolition Group, LLC, of Clyde, Ohio, in an amount not to exceed \$362,535 for outfall rehabilitation at Edgewood Drive.

After discussion, it was discovered that an amendment was needed to the legislation reflecting a change in the award amount from \$362,535 to \$237,475. Therefore, a motion to amend was required.

Council President Fenderbosch moved to amend Ordinance No. 25-186 to reflect an award amount not to exceed \$237,475.

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

No: None

Absent: Gentry

Motion passed.

Motion for Passage

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

No: None

Absent: Gentry

Motion passed.

Ordinance No. 25-186 adopted.

Ordinance No. 25-187, AN ORDINANCE APPROVING THE IMPROVEMENT PLAN FOR HARBOR CREST TOWNHOUSE SUBDIVISION NO. 1 AND DECLARING AN EMERGENCY.

This legislation will approve Planning Commission's recommendation, made on November 4, 2025, regarding the improvement plan for Harbor Crest Townhouse Subdivision No. 1, a 73-unit fee-simple townhouse development on approximately 9.35 acres located at the southeast corner of Walker Road and Avon Belden Road (SR 83), contingent upon review and approval of all Engineering Department comments, including relocation of visitor parking spaces away from SR 83 and further into the subdivision; review and approval of submitted plans and notes by ALRW; and submission of a landscape plan for review and approval by the Community Development Department.

Ordinance No. 25-188, AN ORDINANCE APPROVING THE IMPROVEMENT PLAN FOR HARBOR CREST TOWNHOUSE SUBDIVISION NO. 2 AND DECLARING AN EMERGENCY, was read by title only.

This legislation will approve Planning Commission's recommendation, made on November 4, 2025, regarding the improvement plan for Harbor Crest Townhouse Subdivision No. 2, a 73-unit fee-simple townhouse development on approximately 9.35 acres located at the southeast corner of Walker Road and Avon Belden Road (SR 83), contingent upon review and approval of all Engineering Department comments, including a water diversion and management plan coordinating Phases 1 and 2 during construction; review and approval of submitted plans and notes by ALRW, including Avon Lake Regional Water installation of the tapping sleeve and valve at Walker Road; and submission of a landscape plan for review and approval by the Community Development Department.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENT

Mr. Kos announced the following:

1. The annual Toys for Tots collection is underway in Avon Lake and Lorain County, with three collection sites: City Hall, the Fire Department, and the Avon Lake Public Library. Donations of new, unopened, and unwrapped toys will be accepted through Saturday, December 12, 2025. All contributions will stay within Lorain County.
2. Veterans Day wishes to all service members, including the Army, Navy, Air Force, Marines, and Space Force, on Tuesday, November 11, 2025.
3. Monday, November 10, 2025, marks the 250th birthday of the United States Marine Corps.

Mr. Kos moved for adjournment.

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

Adjournment: 9:42 p.m.

Approved: */s/ Jennifer G. Fenderbosch*
Council President

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