

**MINUTES OF THE REGULAR MEETING
OF THE AVON LAKE MUNICIPAL COUNCIL
MAY 28, 2024**

The rescheduled meeting of the Avon Lake Municipal Council was called to order on May 28, 2024, at 7 p.m. in the Council Chamber with Council President O'Donnell presiding.

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

Present: Council Members Zach Arnold, Jennifer Fenderbosch, Amy Gentry, David Kos, Marty O'Donnell, Rob Shahmir, and K. C. Zuber; Mayor Mark Spaetzel; Law Director Gary Ebert; Finance Director Ed Widman; Public Works Director Jon Liskovec; and Clerk of Council Valerie Rosmarin.

APPROVAL OF MINUTES

The minutes of the rescheduled Council Meeting on April 15, 2024, and a regular Council Meeting on April 22, 2024, were approved as prepared and published.

MAYOR'S REPORT

Mayor Spaetzel reported on the Memorial Day festivities, which featured a parade and a Memorial Service at Veterans Memorial Park. A large crowd lined the parade route to honor those individuals who gave the ultimate sacrifice for our Country. Mayor Spaetzel thanked those who attended, and he acknowledged and thanked his Administrative Assistant, Mary Krupar, who did a fabulous job organizing the parade and the ceremony.

June Events

The City Pool was initially scheduled to open on Saturday, June 8, 2024. When staff became available sooner, the opening was pushed to Thursday, June 6, 2024, at 11 a.m., which was the first day of summer vacation for Avon Lake students.

The Recreation Department scheduled the following Summer Concerts in the Park:

- Sunday, June 16, 2024, Monica Robbins and the Ninja Cowboys will perform at Miller Road Park at 6 p.m.
- Thursday, June 20, 2024, Ray Bans Trio will perform at 5:30 p.m., and the CLE Market will be available at Veterans Memorial Park from 4 to 8 p.m.

Make Music Day will be celebrated at various locations in Avon Lake on Friday, June 21, 2024.

The 11th Annual Hooks for Hunger Walleye Tournament will be held on Saturday, June 22, 2024. This event raises funds for Community Resource Services.

COUNCIL PRESIDENT'S REPORT

Council President O'Donnell reported that the next Collective Committee Meeting will be held on Monday, June 3, 2024, at 7 p.m.

The next regular Council Meeting will be held on Monday, June 10, 2024, at 7 p.m.

PUBLIC WORKS DIRECTOR'S REPORT

Public Works Director Liskovec reported on the following:

Walker Road, Phases 3 and 4, Paving Project

The intermediate level of Phase 3 has been completed. One layer of new asphalt material was laid. Next, the contractor will cast adjustments of monument boxes, manholes, valve boxes, etc. and bring them up to an inch and a quarter above the current grade of asphalt. Then, they will lay the surface course.

The milling operations for Phase 4 commenced today, and aprons and transitions were ramped. The base inspection will be conducted tomorrow.

Gable Ditch

The Project to clean out Gable Ditch, east of Lear Road behind Giant Eagle and Independence Village, is progressing with approximately 200 feet remaining. The Contractor, Bramhall Engineering & Surveying Company, has been cleaning and tidying up the site.

Mr. Shahmir asked about the volume and type of debris the Contractor has removed from Gable Ditch.

Public Works Director Liskovec stated that he was unsure about the volume and will ask the Contractor how many loads of debris have been removed and its yardage. Based on the Project's staging, it covers a large section of the plateau. The debris collected consists of sediment, leaves, sticks, silt, fallen trees, and construction debris. There has been evidence of active dumping along the banks.

Mrs. Fenderbosch stated that years ago, the City sent letters to residents in the area about illegal dumping. This may need to be done again. The residents need to be reminded that their actions have caused flow issues in Gable Ditch.

Public Works Director Liskovec stated that upon the Project's completion, he will coordinate with City Engineer Chris Howard another wave of letters to be sent to residents whose properties border the area to make them aware of their duties and responsibilities as property owners.

Mayor Spaetzel stated that he inspected the site last Sunday. Two to three feet of debris has been removed from areas, mostly grass clippings and leaves, and there was evidence of active dumping. The City will send letters to the residents to

prevent another situation like this. American Legion Post 211 is very happy the City moved forward with the Project because they need to repave their parking lot and improve their retention pond, and none of that will occur until the flow is restored to Gable Ditch.

Mr. Zuber recommended that the Law Department send letters instead of the City Engineer. This would emphasize to the residents that it is a legal issue, and there are consequences for illegal dumping.

Mr. Shahmir asked if the contractor had taken any photographs. He suggested the Administration attach some photographs with the mailing because it may have a greater impact. People need to understand the impact of their actions.

Crack Sealing Program

Council President O'Donnell asked if the Program would be completed by a contractor or by staff, and he requested Council be given the list of streets that will be crack-sealed.

Public Works Director Liskovec stated that the Program will be completed both internally and contractually. The contracted streets will be reviewed by the Public Service Committee and then bids advertised. Internal crews will complete side streets, and all streets will be tracked. He is currently reviewing the streets that were crack-sealed last year and will create historical references of those streets plus identify other streets that will be crack-sealed in the future.

BUILDING AND UTILITIES COMMITTEE REPORT

Ms. Gentry reported that the Building and Utilities Committee discussed the stormwater connection at the Power Plant on May 20, 2024. This topic was also discussed at the Communications, Environmental, and Recreational Programming (CERP) Committee held earlier. The CERP Committee forwarded the stormwater connection issue to the Building and Utilities Committee for their determination regarding the connection and the criteria that should be used for evaluations.

The next meeting of the Building and Utilities Committee will be held on June 24, 2024, at 5 p.m. in the Council Chamber.

COMMUNICATIONS, ENVIRONMENTAL, AND RECREATIONAL PROGRAMMING COMMITTEE REPORT

Mr. Shahmir reported that the Communications, Environmental, and Recreational Programming Committee met earlier and discussed Avon Lake Play Space (ALPS).

Mayor Spaetzle provided the following update on ALPS: a kickoff meeting will be held with Kimley-Horne, the contractor for the design services. This meeting will establish a timeline for the Project, which is projected to be approximately one year for the

design, site planning, site work, installation, and completion. The City is excited to finally move forward with the ALPS Project after the long delay.

ECONOMIC DEVELOPMENT COMMITTEE REPORT

The next meeting of the Economic Development Committee will be held on Monday, June 17, 2024, at 6 p.m. in the Council Chamber.

FINANCE COMMITTEE REPORT

The next meeting of the Finance Committee will be held on Monday, June 3, 2024, at 6 p.m. in the Council Chamber.

HUMAN RESOURCES COMMITTEE REPORT

Mr. Zuber reported that he will add Ordinance No. 24-77 to this agenda, amending Ordinance No. 24-60.

The next meeting of the Human Resources Committee will be held on Monday, June 10, 2024, at 6 p.m. in the Council Chamber.

PUBLIC SAFETY AND HEALTH COMMITTEE REPORT

Mr. Kos stated that the Public Safety and Health Committee did not have a formal report to share.

Mr. Shahmir thanked the Mayor for closing Liberty Rose Drive to through traffic and stated that this closure has helped, and the residents appreciate his efforts.

PUBLIC SERVICE COMMITTEE REPORT

The next meeting of the Public Service Committee will be held on Tuesday, June 11, 2024, at 6 p.m. in the Council Chamber.

PLANNING COMMISSION REPORT

The next meeting of the Planning Commission will be held on Tuesday, June 4, 2024, at 7 p.m. in the Council Chamber.

ZONING BOARD OF APPEALS REPORT

Mayor Spaetzle reported on the results of the Zoning Board of Appeals meeting held May 22, 2024, as follows: an area variance permitting a 14' x 28' inground swimming pool in the southernmost side yard at 135 Berkshire Road was granted.

TREE COMMISSION REPORT

The next meeting of the Tree Commission will be held on Wednesday, June 12, 2024, at 7 p.m. at the Old Firehouse.

Mrs. Fenderbosch stated that the vacancy on the Tree Commission has been advertised, and the deadline for submissions is Friday, May 31, 2024. After the deadline concludes, interviews will be scheduled.

Ms. Gentry announced that representatives from First Energy, who have been working on the Power Improvement Project in Wards 3 and 4, will attend a Council Work Session on Monday, June 3, 2024, to provide an update.

AVON LAKE COMMUNITY COUNCIL REPORT

Council President O'Donnell reported that on Thursday, May 23, 2024, the Avon Lake Community Council awarded the 2023 Citizen of the Year and the 2023 Project of the Year. He thanked Scott Rush of Salad Kraze for donating food.

The 2023 Citizen of the Year was Carolyn Chatlos. Mrs. Chatlos is a long-time volunteer at St. Joseph's Catholic Church. The 2023 Project of the Year was *Blankets for Beds*. This project is a collaboration of the North Coast Rotary and Lisa Sebastian of Ridge Cleaners. Blankets were donated by several organizations, and Ridge Cleaners cleaned and packaged them before distributing them to needy organizations.

MOTIONS

Mrs. Fenderbosch moved to accept the resignation of Michael Thain from the Tree Commission, effective May 23, 2024.

Mr. Thain has been a member of the Tree Commission since March 2021. He has a degree in biology and botany, and his knowledge in those areas has been very beneficial to the Commission. Mr. Thain attended the Tree Academy and completed his freshman, sophomore, and junior year.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell

No: None

Motion carried.

Mr. Zuber moved to accept the resignation of Police Dispatcher/Records Clerk Patty Schroer due to her retirement, effective May 19, 2024.

Mrs. Schroer has been employed as a Police Dispatcher/Records Clerk for 30 years. She will be missed greatly, and it is hoped that she will return to that role part-time.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell
No: None
Motion carried.

Mr. Kos moved to authorize the Mayor, or his designee, to apply for funding through the Community Oriented Policing Services (COPS) Hiring Program.

If the City is awarded funding, a third School Resource Officer (SRO) would be added to the Police Department, and the City would receive \$41,666.66 per year for the first three years. After three years, the position must remain open for the fourth and fifth years. There has been discussion about adding a fourth SRO position, but applying for funding for one SRO is the first step in this process.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell
No: None
Motion carried.

Mr. Arnold moved to establish the Short-Term Rental Ad Hoc Committee with members David Kos, Amy Gentry, and Zach Arnold.

Due to ongoing issues the City has experienced regarding short-term rentals, the Administration and Council would like to determine if regulations or guardrails are warranted to ensure the safety of residents. Discussion will include residents and investors who own short-term rentals. The first meeting will be held toward the end of June. As soon as the date has been determined, a meeting notice will be announced and published.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell
No: None
Motion carried.

LEGISLATION

Mr. Zuber moved to add Ordinance No. 24-77 to amend Ordinance No. 24-60 and establish the rate of pay for the part-time Deputy Bailiff in the Avon Lake Municipal Court.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell
No: None
Motion carried.

Third Reading:

Ordinance No. 24-57, AN ORDINANCE TO DESIGNATE A PORTION OF LAKE ROAD AS A BUSINESS DISTRICT PURSUANT TO CODIFIED ORDINANCE SECTION 402.07 AND TO MODIFY THE SPEED LIMIT ON LAKE ROAD PURSUANT TO CODIFIED ORDINANCE SECTION 434.03 TO BE TWENTY-FIVE MILES PER HOUR (25 mph) ONLY WITHIN THE BUSINESS

DISTRICT AND DECLARING AN EMERGENCY, was read by title only.

Mr. Kos moved for passage of Ordinance No. 24-57. This legislation will establish a business district on Lake Road and set a speed limit of 25 mph within the business district according to the authority of the City Charter and the Ohio Constitution. Mayor Spaetzel found a document from Mayor Hausrod, from 1990, requesting ODOT to reduce the speed limit for a section of Lake Road by Miller Road Park (Avondale Avenue to Miller Road). A traffic study was conducted, and the request was denied by ODOT. Then, sometime between 1990 and the present date, the speed limit was reduced to 25 mph. Upon the Mayor's discovery, the City and the Public Safety and Health Committee began the process of returning the speed limit to 35 mph, the original speed in that area, and establishing a business district from Moore Road to the westernmost exit of Beach Park Station, as per the definition in the Ohio Revised Code, and keeping the speed limit in the business district at 25 mph.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell

No: None

Motion carried.

Ordinance No. 24-57 adopted.

Second Readings:

Resolution No. 24-61, A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN CIRCON ENVIRONMENTAL (CIRCON), LEGACY POINTE CONDOMINIUM ASSOCIATION NOS. 1 THROUGH 6, AND WATERSIDE CROSSINGS SOUTH NO. 3 CONDOMINIUM ASSOCIATION, INC., (ASSOCIATIONS) FOR THE INSTALLATION, MAINTENANCE, REPAIRS, AND REPLACEMENT OF PATH MASTER EQUIPMENT, AND DECLARING OF AN EMERGENCY, was read by title only.

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

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell

No: None

Motion carried.

Mr. Kos moved for passage of Ordinance No. 24-61. This legislation authorizes the Mayor to enter into a Memorandum of Understanding (MOU) with CIRCON, Legacy Pointe Condominium Association Nos. 1 through 6, and Waterside Crossings South No. 3 Condominium Association, Inc., for the installation, maintenance, repairs, and replacement of Path Master equipment. In case of an emergency, these gated communities have agreed to allow the safety services to have access to their properties through the Path Master system.

Law Director Ebert noted that there was a minor issue regarding the billing for CIRCON. The parties were able to resolve it without having to amend the legislation.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell

No: None

Motion carried.

Ordinance No. 24-61 adopted.

Ordinance No. 24-62, AN ORDINANCE AUTHORIZING THE PURCHASE OF THE APPLIED INFORMATION PRIORITY/PREEMPT SYSTEM AND CONNECTIVITY PLAN WITH PATH MASTER, INC., AND DECLARING AN EMERGENCY, was read by title only.

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

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell

No: None

Motion carried.

Mr. Kos moved for passage of Ordinance No. 24-62. This legislation will authorize a ten-year service contract and purchase of equipment from Path Master, Inc., of Twinsburg, Ohio, for the Priority/Preempt System and Connectivity Plan, through the State of Ohio Cooperative Purchasing Program, in the amount of \$275,786. The remaining balance of the American Rescue Plan Act (ARPA) funds will be used for this expenditure. This System has been installed in many communities, and it will greatly benefit our community by reducing emergency response times.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell

No: None

Motion carried.

Ordinance No. 24-62 adopted.

First Readings:

Ordinance No. 24-66, AN ORDINANCE CONFIRMING THE APPOINTMENT OF BRENDA GIRGASH AS FULL-TIME POLICE DISPATCHER/RECORDS CLERK IN THE POLICE DEPARTMENT AND DECLARING AN EMERGENCY, was read by title only.

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

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell

No: None

Motion carried.

Mr. Zuber moved for passage of Ordinance No. 24-66. This legislation will confirm the appointment of Brenda Girgash as full-time Police Dispatcher/Records Clerk, effective June 9, 2024, at the Step 4 salary of \$26.19/hour. Ms. Girgash has over 20 years of experience in dispatch, and her appointment was certified to the classified service by the Civil Service Commission.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell

No: None

Motion carried.

Ordinance No. 24-66 adopted.

Ordinance No. 24-67, AN ORDINANCE TO PROHIBIT THE ESTABLISHMENT OF ADULT-USE CANNABIS OPERATORS AND THE CULTIVATION, PROCESSING, AND RETAIL DISPENSING OF MARIJUANA WITHIN THE CITY OF AVON LAKE AND DECLARING AN EMERGENCY, was read by title only.

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

Yes: Shahmir, Zuber, Fenderbosch, Kos, O'Donnell

No: Arnold, Gentry

Motion carried.

Mr. Zuber moved for passage of Ordinance No. 24-67. This legislation will prohibit adult-use cannabis operators and the cultivation, processing, and retail dispensing of marijuana in the City. Several surrounding communities, such as North Olmsted, Avon, and North Ridgeville, have passed similar prohibitions. As a sponsor of this legislation, Mr. Zuber stated that during his career, he worked in juvenile court. He saw the impact smoking marijuana had on children and supports stopping this activity. He doesn't want Avon Lake to be known as the City that sells marijuana.

Mrs. Fenderbosch voiced her support for the prohibition and stated that she took her lead from Colorado, which legalized marijuana early, but now 60% of the municipalities in Colorado have passed prohibitions.

Mr. Shahmir stated that legalization of use doesn't mean legalization of sales, growth, and testing. Those are separate issues. Avon Lake wants to be known for many things but not a designation for marijuana.

Mr. Arnold stated that he will not support the prohibition but would support a City moratorium until the State decides how this legalization will be managed and what guardrails they will provide to the municipalities. Having dispensaries in Avon Lake will not harm its reputation. Alcohol can be as harmful as marijuana, but the City allows alcohol establishments to exist. Anyone can purchase and consume alcohol on-site and then drive. It is legal in the State, and if every city in the State of Ohio prohibited sales, then there would be no place to purchase marijuana. It will force people to purchase marijuana from the black market.

Ms. Gentry stated that she would have preferred a moratorium because the State is still working on the issue.

Yes: Shahmir, Zuber, Fenderbosch, O'Donnell

No: Arnold, Gentry, Kos

Motion carried.

Ordinance No. 24-67 adopted.

Ordinance No. 24-68, AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CLINICAL AFFILIATION AGREEMENT WITH LORAIN COUNTY COMMUNITY COLLEGE AND DECLARING AN EMERGENCY, was read by title only.

This legislation will authorize the Mayor to enter into a clinical agreement with Lorain County Community College (LCCC) and Avon Lake Fire Department (ALFD). ALFD participates in the Clinical Education Program with LCCC, and this agreement would renew that partnership.

Ordinance No. 24-69, 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 AND DECLARING AN EMERGENCY, was read by title only.

Mrs. Fenderbosch moved for suspension of the rule requiring three readings.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell

No: None

Motion carried.

Mrs. Fenderbosch moved for passage of Ordinance No. 24-69. This legislation will authorize the Mayor to execute a personal services agreement with The Mannik & Smith Group, Inc., of Shaker Heights, Ohio, to design pedestrian safety improvements that includes sidewalks, ADA-compliant curb ramps, and pedestrian crossings from SR 83 to the western corporation line of Sheffield Lake along Lake Road. The base project fee is \$468,219.35 plus a project fee of \$18,459.65 for a total project fee of \$486,679.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell

No: None

Motion carried.

Ordinance No. 24-69 adopted.

Ordinance No. 24-70, AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH WESTVIEW CONCRETE CORP. FOR THE FURNISHING OF READY-MIX CONCRETE AND DECLARING AN EMERGENCY, was read by title only.

Mrs. Fenderbosch moved for suspension of the rule requiring three readings.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell

No: None

Motion carried.

Mrs. Fenderbosch moved for passage of Ordinance No. 24-70. This legislation will authorize the Mayor to enter into an agreement with Westview Concrete Corp., of Olmsted Falls, Ohio, for ready-mix concrete to be applied on streets within the City. The Finance Director will issue a blanket purchase order based on the price per cubic

yard, additional costs per yard, and charges per load for the following products: Class-C concrete at \$145/cubic yard, LSM at \$105/cubic yard, and MS Mix at \$160/cubic yard. If needed, fiber or calcium chloride is available for an additional cost. Previously, these materials were obtained locally and at retail prices. Public Works Director Liskovec recommended the City advertise for bids to drive competition and to receive favorable pricing.

Mr. Shahmir stated that call-off contracts¹ brings stability to prices and allows quality control to be maintained. It is a great initiative.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell

No: None

Motion carried.

Ordinance No. 24-70 adopted.

Ordinance No. 24-71, AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH KOKOSING MATERIALS, INC., FOR STREET RESURFACING MATERIALS AND SERVICES AND DECLARING AN EMERGENCY, was read by title only.

Mrs. Fenderbosch moved for suspension of the rule requiring three readings.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell

No: None

Motion carried.

Mrs. Fenderbosch moved for passage of Ordinance No. 24-71. This legislation will authorize the Mayor to enter into an agreement with Kokosing Materials, Inc., of Sheffield, Ohio, for street resurfacing materials. This agreement was obtained through the advertisement of bids, and the Finance Director will issue a blanket purchase order for the following asphalt materials: Type 301 at \$69/ton and Type 448 at \$84/ton.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell

No: None

Motion carried.

Ordinance No. 24-71 adopted.

Ordinance No. 24-72, AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH HOLCIM QUARRIES NY, INC., FOR STREET RESURFACING MATERIALS AND SERVICES AND DECLARING AN EMERGENCY, was read by title only.

Mrs. Fenderbosch moved for suspension of the rule requiring three readings.

¹ A call-off contract is an agreement between a buyer and seller that establishes the framework for future purchases of goods or services. The key element of a call-off contract is that it allows the buyer to place orders for goods or services as needed, without having to go through a formal bidding process each time.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell
No: None
Motion carried.

Mrs. Fenderbosch moved for passage of Ordinance No. 24-72. This legislation will authorize the Mayor to enter into an agreement with Holcim Quarries NY, Inc., of New York, New York, for street resurfacing materials. This agreement was obtained through the advertisement of bids, and the Finance Director will issue a blanket purchase order for No. 8 Limestone at \$25.40/ton.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell
No: None
Motion carried.
Ordinance No. 24-72 adopted.

Ordinance No. 24-73, AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH AREA AGGREGATES, LLC, FOR STREET RESURFACING MATERIALS AND SERVICES AND DECLARING AN EMERGENCY, was read by title only.

Mrs. Fenderbosch moved for suspension of the rule requiring three readings.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell
No: None
Motion carried.

Mrs. Fenderbosch moved for passage of Ordinance No. 24-73. This legislation will authorize the Mayor to enter into an agreement with Area Aggregates, LLC, of Cleveland, Ohio, for street resurfacing materials. This agreement was obtained through the advertisement of bids, and the Finance Director will issue a blanket purchase order for No. 1 Limestone at \$24.30/ton, No. 57 Limestone at \$25.25/ton, No. 10 Limestone at \$19.75/ton, No. 304 Limestone at \$19.75/ton, and No. 411 Limestone at \$20/ton.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell
No: None
Motion carried.
Ordinance No. 24-73 adopted.

Ordinance No. 24-74, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 668.02, NOXIOUS WEEDS AND UNDESIRABLE VEGETATION; DECLARATION OF NUISANCE, was read by title only.

This legislation will amend Codified Ordinance Section 668.02 to include the reference to invasive species as cited in the Ohio Administrative Rule 901:5-30-01. The Tree Commission discovered that the City's Code only references noxious weeds and not invasive species. Law Director Ebert was informed of the omission, and the amended language was drafted.

Ordinance No. 24-75, AN ORDINANCE AUTHORIZING THE PURCHASE OF TWO SCAG ZERO-TURN MOWERS FOR THE PUBLIC WORKS DEPARTMENT AND DECLARING AN EMERGENCY, was read by title only.

Mrs. Fenderbosch moved for suspension of the rule requiring three readings.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell

No: None

Motion carried.

Mrs. Fenderbosch moved for passage of Ordinance No. 24-75. This legislation will authorize the purchase of two SCAG Zero-Turn Mowers from Wellington Implement of Wellington, Ohio, in the amount of \$23,501. Wellington Implement will accept a trade-in of two pieces of equipment from the City, and this price reflects a reduction in the initial bid price.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell

No: None

Motion carried.

Ordinance No. 24-75 adopted.

Ordinance No. 24-76, AN ORDINANCE AUTHORIZING A DONATION TO COMMUNITY RESOURCE SERVICES AND DECLARING AN EMERGENCY, was read by title only.

Council President O'Donnell moved for suspension of the rule requiring three readings.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell

No: None

Motion carried.

Council President O'Donnell moved for passage of Ordinance No. 24-76. This legislation will authorize the donation of \$25,000 to Community Resource Services (CRS) of Avon Lake, Ohio. CRS provides basic needs assistance and individualized resource and referral services to residents of Avon and Avon Lake.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell

No: None

Motion carried.

Ordinance No. 24-76 adopted.

Ordinance No. 24-77, AN ORDINANCE AMENDING ORDINANCE NO. 24-60 AND DECLARING AN EMERGENCY, was read by title only.

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

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell
No: None
Motion carried.

Mr. Zuber moved for passage of Ordinance No. 24-77. This legislation will amend Ordinance No. 24-60 by removing the stipulation that Lorain County will pay 2/5 of the Deputy Bailiff's (Scott Fishburn) salary. Lorain County will only subsidize one Bailiff.

In response to Mrs. Fenderbosch, Mr. Zuber stated that the Deputy Bailiff is part-time, and Mr. Fishburn handles security and delivers summons.

Mrs. Fenderbosch asked Finance Director Widman if the City had the finances to fund this position. Finance Director Widman responded affirmatively and stated that the City anticipated the wages of this position.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell
No: None
Motion carried.
Ordinance No. 24-77 adopted.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

Mrs. Fenderbosch informed Council that during last week and over the weekend in Ward 2, some rambunctious middle school students participated in "pool hopping." They went to homes with pools where the homeowners were out, opened the fence, went swimming, and then repeated at each following home/pool. This is not okay. She and the homeowners were very thankful no one was injured. Pools need to be latched, and gates must be locked.

Mrs. Fenderbosch moved for adjournment.

Yes: Shahmir, Zuber, Arnold, Fenderbosch, Gentry, Kos, O'Donnell
No: None
Motion carried.

Adjournment: 7:59 p.m.

Approved: /s/ Martin E. O'Donnell
Council President

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