



## VOTING ORDER

Z. Arnold  
J. Fenderbosch  
A. Gentry  
D. Kos  
M. O'Donnell  
R. Shahmir  
K. Zuber

### **CITY OF AVON LAKE**

150 Avon Belden Road  
Avon Lake, Ohio 44012

The following business is to be considered at the regular meeting of the Avon Lake City Council on June 24, 2024, at 7 p.m. in the Council Chamber.

### Pledge of Allegiance

Roll Call: Mr. Arnold, Mrs. Fenderbosch, Ms. Gentry, Mr. Kos, Mr. O'Donnell, Mr. Shahmir, Mr. Zuber, Mayor Spaetzel, Law Director Ebert, Finance Director Widman, Public Works Director Liskovec.

### Resolution of Gratitude

Resolution No. 24-91, A RESOLUTION OF GRATITUDE AND APPRECIATION TO THE AVON LAKE PUBLIC LIBRARY AND ITS STAFF MEMBERS, GERRY VOGEL AND LAURA PLOENZKE. →  
*Sponsor: M. O'Donnell.*

Approval of Minutes: May 28, 2024, Council Meeting.

### Correspondence

### Reports

Mayor  
Council President  
Law Director  
Finance Director  
Public Works Director  
Standing Committees  
Special Committees

### Audience Participation

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→ Suspension of the rule requiring three readings

## Motions

Accepting the resignation of Dennis Keene due to his retirement, effective June 19, 2024.  
*Sponsor: K. Zuber.*

Designating Valerie Rosmarin as the Council Representative for public records training.  
*Sponsor: M. O'Donnell.*

Authorizing the Public Works Director to advertise for bids for the 2024 Crack Sealing Program. *Sponsor: J. Fenderbosch.*

Authorizing the Public Works Director to advertise for bids for the 2024 Street Striping Program. *Sponsor: J. Fenderbosch.*

## Legislation

### Third Readings:

**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. *Sponsor: D. Kos.*

**Ordinance No. 24-74**, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 668.02, NOXIOUS WEEDS AND UNDESIRABLE VEGETATION. *Sponsor: J. Fenderbosch.*

### Second Readings:

**Ordinance No. 24-78**, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT TO ACQUIRE TWO WESTERN STAR 47X CHASSIS CABS FOR THE PUBLIC WORKS DEPARTMENT AND DECLARING AN EMERGENCY. *Sponsor: J. Fenderbosch.*

**Ordinance No. 24-84**, AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF FULL-TIME SENIOR PROGRAM ASSISTANT AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION AND DECLARING AN EMERGENCY. →  
*Sponsor: K. Zuber.*

**Ordinance No. 24-87**, AN ORDINANCE APPROVING WAGE INCREASES FOR CERTAIN PART-TIME NON-BARGAINING UNIT PERSONNEL AND DECLARING AN EMERGENCY. →  
*Sponsor: K. Zuber.*

**Ordinance No. 24-88**, AN ORDINANCE APPROVING WAGE INCREASES FOR CERTAIN NON-BARGAINING UNIT PERSONNEL AND DECLARING AN EMERGENCY. → *Sponsor: K. Zuber.*

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→ Suspension of the rule requiring three readings

**Ordinance No. 24-89R, AN ORDINANCE APPROVING WAGE INCREASES FOR THE AVON LAKE MUNICIPAL COURT PERSONNEL AND DECLARING AN EMERGENCY. → Sponsor: K. Zuber.**

**First Readings:**

**Ordinance No. 24-92, AN ORDINANCE AUTHORIZING THE PURCHASE OF A TOW-BEHIND CHIPPER FOR THE PUBLIC WORKS DEPARTMENT AND DECLARING AN EMERGENCY.→ Sponsor: J. Fenderbosch.**

**Ordinance No. 24-93, AN ORDINANCE TO RE-ESTABLISH WARD BOUNDARIES FOR THE CITY OF AVON LAKE PURSUANT TO THE REQUIREMENTS OF THE AVON LAKE CITY CHARTER AND DECLARING AN EMERGENCY. Sponsor: M. O'Donnell.**

**Ordinance No. 24-94, 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 26, 2024, AND DECLARING AN EMERGENCY.→ Sponsor: D. Kos.**

**Public Input**

**Miscellaneous Business and Announcements**

**Adjournment**

A RESOLUTION OF GRATITUDE AND APPRECIATION TO THE AVON LAKE PUBLIC LIBRARY AND ITS STAFF MEMBERS, GERRY VOGEL AND LAURA PLOENZKE.

WHEREAS, this Council wishes to pause and express its gratitude to the Avon Lake Public Library (ALPL) and its staff members, Gerry Vogel and Laura Ploenzke; and

WHEREAS, the City's Records Retention Schedule identifies the historic legislative documents and meeting minutes of Council as permanent records, and the Clerk of Council is the custodian of these records; and

WHEREAS, it is the duty of the Clerk of Council to store these permanent records in a secured location and to utilize the most practical preservation practices that are determined by the City's finances and based on the recommendations of the Ohio History Connection of Columbus, Ohio; and

WHEREAS, legislative records from May of 1949 to the present date and meeting minutes from 1972 to the present date have been scanned and digitized and are stored electronically within the City's document management system, but legislation from 1918 to April 1949 and minutes from 1918 to 1972 had not been digitized because they were bound into 26 books; and

WHEREAS, duplicating Council's permanent records serves as a backup in the event the permanent records are damaged or destroyed and provides legal or genealogy research; and

WHEREAS, the Clerk of Council researched methods to digitize the 26 books and consulted Gerry Vogel, the ALPL Assistant Director, who recommended the City and ALPL apply for a Library Services and Technology Act (LSTA) grant to fund the acquisition of high-resolution book scanner; and

WHEREAS, the grant application was denied, but the ALPL Board of Trustees agreed to fund the purchase of a high-resolution Zeutschel book scanner that was then received in 2021; and

WHEREAS, the Clerk of Council and Assistant Clerk of Council (Clerks) were trained on utilizing the Zeutschel book scanner and started the Preservation Project (Project) during Council's recess in 2021; and

WHEREAS, the Project was suspended after Council's recess concluded because of the Clerks' time-consuming duties and responsibilities to Council; and

WHEREAS, Mr. Vogel knew the Project was suspended, contacted the Clerk of Council in February of 2023, and offered the assistance of ALPL staff and other qualified volunteers to resume and finalize this Project; and

WHEREAS, beginning in June of 2023 and ending in April of 2024, Librarian Laura Ploenzke took the lead on this Project, and she and other volunteers, meticulously and patiently scanned and digitized 26 books.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF  
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That this Council does for and on behalf of the City of Avon Lake extend its gratitude and appreciation to the Avon Lake Public Library, Assistant Director Gerry Vogel, Librarian Laura Ploenzke, and all other volunteers who participated in the preservation of the permanent legislative records and minutes of Council.

Section No. 2: That Council directs the Clerk of Council to include this Resolution in the minutes of this meeting, and she is hereby requested to transmit a certified copy of this Resolution to the Avon Lake Public Library and its staff members, Gerry Vogel and Laura Ploenzke.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_

\_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CLINICAL AFFILIATION AGREEMENT WITH LORAIN COUNTY COMMUNITY COLLEGE AND DECLARING AN EMERGENCY.

WHEREAS, Lorain County Community College desires a clinical educational experience for its students enrolled in a degree or certification program in nursing or other health care fields; and

WHEREAS, the Avon Lake Fire Department is willing to provide clinical education experience for the Clinical Education Program.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE, STATE OF OHIO

Section No. 1: That the Mayor is hereby authorized to sign a Clinical Affiliation Agreement with Lorain County Community College. (Exhibit A).

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity to begin the Clinical Education Program for the Lorain County Community College students, thus for the health, safety, and welfare of the public. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1<sup>st</sup> reading: 5/28/2024

2<sup>nd</sup> reading: 6/10/2024

3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_

\_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor

*LCCC Division of Health & Wellness Sciences*

**CLINICAL AFFILIATION AGREEMENT**

between

**LORAIN COUNTY COMMUNITY COLLEGE**

and

**Avon Lake Fire Department**

**This Agreement** between Lorain County Community College (College), an Ohio state-supported institution of higher education with its principal address as 1005 North Abbe Rd., Elyria, OH 44035 and Avon Lake Fire Department (Facility) with its principal address as 32811 Walker Rd, Avon Lake OH 44012.

**WHEREAS**, College is an accredited educational institution that offers a degree or certification program in nursing and in one or more allied health care fields and desires a clinical educational experience for its students; and

**WHEREAS**, Facility desires to provide a clinical facility for College's clinical education program and has the clinical setting and equipment needed for the Program(s);

**Emergency Medical Services**

**NOW**, therefore, the parties, in consideration of the terms and conditions set forth herein, agree as follows:

**1.0 Responsibilities of Facility**

- 1.1 Facility will provide suitable clinical learning experience and supervision consistent with the Program's curriculum and objectives in accordance with College's academic calendar. Namely, Facility will provide, to the extent possible, suitable classroom space and facilities, equipment and supplies needed for clinical instruction at Facility.
- 1.2 Facility will designate appropriate personnel to coordinate the students' clinical learning experience in the Program. Facility shall ensure that an adequate number of its [patients or clients] are available to provide the College's students with meaningful clinical experiences. It is understood that Program students do not replace Facility staff.
- 1.3 Facility shall permit, upon reasonable request, the inspection of its facilities and records by College and by agencies responsible for College's accreditation of the Program.
- 1.4 Facility will provide emergency care in case of illness or accident to any participating student of College faculty or staff.
- 1.5 Facility shall maintain all certifications, accreditations, and licenses appropriate for its business.
- 1.6 Facility understands that it may generate or otherwise be in possession of confidential educational records regarding the College's students, and that these records are protected by federal law including, inter alia, the Family Education and Privacy Rights Act ("FERPA"), 20

U.S.C.A. 1232g. Facility further understands that it may not share or disclose these educational records with any party other than the College, without both the College's and student's consent.

- 1.7 Facility shall retain responsibility for all aspects of treatment and care of patients. The ultimate decision for the care and treatment of all patients admitted to the Facility shall remain exclusively with the Facility.

## **2.0 Responsibilities of College**

- 2.1 College, through its Dean or Program Director, after consultation with Facility, shall plan and oversee the Program. College shall retain ultimate responsibility for the students' grades, evaluations and discipline.
- 2.2 College will provide and maintain the records and reports necessary for conducting the students' clinical learning experience.
- 2.3 College will provide Facility with an annual announcement or description of the Program, curriculum and objectives to be achieved at Facility, and the academic calendar of College.

## **3.0 Application of Facility's Rules & Procedures**

- 3.1 It is understood that College's students and faculty, during clinical training at Facility, will be under the jurisdiction of Facility officials for training purposes and that such persons will be subject to Facility's rules directly related to clinical training.
- 3.2 College will require students and faculty to comply with Facility's policies and procedures, including, but not limited to, matters relating to: conduct, such as dress code; OSHA safety requirements; and HIPAA regulations pertaining to use and disclosure of individually identifiable information. Facility will provide College a copy of its applicable policies and procedures, prior to the beginning of any covered academic year.
- 3.3 Health Requirements. College will provide health requirements, a copy of which is attached as Exhibit A, to each of its participating students. College will further require each student to provide written confirmation of compliance with each health requirement listed in Exhibit A prior to the student's clinical training at Facility.
- 3.4 Background Checks. College shall require students to submit to a criminal background check prior to clinical training to meet a Facility and/or program requirement. College will make the determination of whether to place a student at Facility based on a list of disqualifying offenses provided by Facility that normally uses to hire its employee. Facility will provide a copy of such list of disqualifying criminal offenses to College, prior to the beginning of any covered academic year.

## **4.0 Student & Faculty Status**

- 4.1 Student eligibility in the Program will be determined by College. College will require each student participating in the clinical experience at Facility to have: 1) received appropriate instruction; 2) satisfactorily completed the prerequisite courses; 3) met health, safety and immunization requirements; and 4) required documentation.



- 4.2 Solely for the purpose of HIPAA requirements that relate to the use and disclosure of Facility's protected health information, students and College faculty are defined as members of Facility's workforce, as that term is defined by 45 CFR 160.103, for activities conducted pursuant to this Agreement. Students participating in the Program are not employees or agents of either the Facility or the College.

## **5.0 Student Removal.**

- 5.1 Facility will recommend to College the withdrawal of a Program student if: 1) the achievement, progress, adjustment, or health of the student does not warrant continuation at Facility; or 2) the behavior of the student fails to conform to the applicable regulations of Facility. Facility will assist College, if necessary, in implementing this recommendation.
- 5.2 Facility reserves the right, exercisable in its discretion after consultation with College, to exclude any student from its premises in the event that such person's conduct or state of health is deemed objectionable or detrimental, having in mind the proper administration of said Facility.
- 5.3 College will withdraw a student from Program at Facility if, after consultation with Facility personnel, College determines such action to be warranted.

## **6.0 Term and Termination**

- 6.1 **This Agreement shall be effective August 1<sup>st</sup>, 2024 and end on July 31, 2029.**
- 6.2 Termination. This Agreement may be terminated at any time by either party by giving the other party 90 days advance written notice, provided that students participating in the Program at the end of notice period shall have the opportunity to complete their clinical experience at the Facility.

## **7.0 Non-Discrimination**

Facility and College agree that neither will discriminate against any individual on the basis of age, sex, race, creed, color, national origin, religion, disability, or veteran status, and that Facility agrees to comply with all non-discriminatory laws to which College is subject. General information, questions, concerns or complaints related to these matters may be directed to the Facility and College EEO office.

## **8.0 Insurance**

College and Facility shall maintain liability insurance policies insuring against liability arising from the acts and omissions of its agents and employees. College will further maintain liability insurance to cover its students engaged in the educational experiences under this Agreement. The limits of such policies shall not be less than One Million Dollars [\$1,000,000] per occurrence and Three Million Dollars [\$3,000,000] aggregate through umbrella coverage. Both Facility and College shall provide proof of such coverage to the other party upon request.

## **9.0 Non-Assignment and Subcontracting**

Facility shall not assign, transfer, or contract for the furnishing of services to be performed under this Agreement without the written approval of College.

### **10.0 Entire Agreement; Modification**

This Agreement, including attachments constitutes the entire understanding between the parties with respect to the subject matter hereof and may be modified only by a writing signed by both parties.

### **11.0 Governing Law**

This Agreement shall be governed by and construed under the laws of the State of Ohio. Any litigation arising out of or relating to this Agreement or the performance shall be brought only in an appropriate court of this State.

### **12.0 Representation of Authority**

Each of the parties that has executed this Agreement through its undersigned authorized representative, and each representative so executing, hereby warrants and represents to the other parties that the undersigned representative has full authority to execute this Agreement on behalf of the party for whom said authorized representative purports to act.

### **13.0 Notice**

*Any notice required hereunder shall be made in writing and shall be accomplished by personal delivery, facsimile, or by U.S. Mail, certified, return receipt requested, addressed to the following parties:*

Christopher Hirschler  
Division of Health & Wellness Sciences  
Lorain County Community College  
1005 North Abbe Rd., Elyria, Ohio  
Phone: 440-366-7171  
Fax: 440-366-4116

Administrator  
Avon Lake Fire Department  
32811 Walker Rd  
Avon Lake, OH  
44012

### **14.0 Severability**

In the event one or more clauses of this Agreement are declared illegal, void or unenforceable, said provision shall be severed. The validity, legality, and enforceability of all other provisions of this Agreement shall not in any way be affected or impaired unless such severance would cause this Agreement to fail of its essential purpose.

**IN WITNESS WHEREOF**, the authorized representatives of the parties have executed this Agreement as of the respective dates below, to be effective as of its Effective Date.

**Lorain County Community College**

By: \_\_\_\_\_ Date: \_\_\_\_\_

Name: Christopher Hirschler

Title: Dean, Division of Health & Wellness Sciences

**Lorain County Community College**

By: \_\_\_\_\_ Date: \_\_\_\_\_

Name: Jonathan Volpe

Title: VP Administrative Services/Treasurer

**Avon Lake Fire Department**

By: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

## **Exhibit A**

### **Student Health Requirements:**

- Measles (Rubeola)
- German Measles (Rubella)
- Mumps
- Chicken Pox (Varicella)
- DT (diphtheria tetanus) booster within the last 10 years
- Proof of a negative Tuberculosis skin test (using the standard two-step Mantoux test)
- Proof of Hepatitis B immunization/immunity or signed waiver assuming the risk of exposure (ADA requirement for students enrolled in the Dental Hygiene program)
- Current American Heart Association Health Care Provider card.
- Physician examination/assessment of student's health and ability to perform.

### **Students enrolled in the EMS Basic course are required to fulfill the following:**

- DT (diphtheria tetanus) booster within the last 10 years
- Proof of a negative Tuberculosis skin test (using the standard two-step Mantoux test)
- Proof of Hepatitis B immunization/immunity or signed waiver assuming the risk of exposure.
- Current American Heart Association Health Care Provider card.

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 668.02, NOXIOUS WEEDS AND UNDESIRABLE VEGETATION; DECLARATION OF NUISANCE.

WHEREAS, the Tree Commission and Public Service Committee recommended amending Codified Ordinance Section 668.02; and

WHEREAS, Council, coming now to consider said recommendation, approves it in full.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That Codified Ordinance Section 668.02 is amended as follows:

(a) Noxious weeds, invasive plant species, and undesirable vegetation shall include:

(1) Any weed declared to be a noxious weed in the Ohio Administrative Code Section 901:5-37-01.

(2) Any plant species declared to be invasive in the Ohio Administrative Code Section 901:5-30-01.

(3) Poison ivy, ragweed, poison oak, and poison sumac.

(4) Any vegetation, other than trees, bushes, flowers, or other ornamental plants, which exceeds eight inches in height. In environmentally sensitive areas, natural vegetation is hereby excluded from this classification.

(5) Any vegetation which, by reason of the pollen or the seeds which it spreads or produces, or due to the density of its growth or its unsightliness, injuriously affects the public health or welfare.

(b) All noxious weeds, invasive plant species, and undesirable vegetation, as defined in division (a) of this section, are hereby declared to be a nuisance.

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance shall be in full force and effect from and after earliest period allowed by law.

1<sup>st</sup> reading: 5/28/2024  
2<sup>nd</sup> reading: 6/10/2024  
3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_

\_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT TO ACQUIRE TWO WESTERN STAR 47X CHASSIS CABS FOR THE PUBLIC WORKS DEPARTMENT AND DECLARING AN EMERGENCY.

WHEREAS, the Public Works Director and the Public Service Committee have recommended the purchase of two salt trucks, and the City desires to contract with Valley Freightliner, Inc., of Parma, Ohio, to purchase two Western Star 47X chassis cabs; and

WHEREAS, Valley Freightliner, Inc., of Parma, Ohio, is a party to a cooperative purchasing contract with Sourcewell, a public service cooperative created by the State of Minnesota, under the authority of Minn. Stat. § 123A.21, to provide programs and services to public entities and to solicit, evaluate, and award cooperative purchasing contracts through a competitive bidding process for goods and services for all eligible government, education, and nonprofit agencies in the United States and Canada; and

WHEREAS, by entering into this agreement with Valley Freightliner, Inc., of Parma, Ohio, through its contract with Sourcewell, the City can purchase two salt trucks under the same terms and conditions but at a lower cost than what it could acquire through its own selection process.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF  
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the bid by Valley Freightliner, Inc., of Parma, Ohio, submitted through Sourcewell, to supply the City with two Western Star 47X chassis cabs for the Public Works Department, in the amount of \$513,540 be, and it is hereby accepted and approved.

Section No. 2: That the Mayor is hereby authorized to execute a Lease Agreement with Huntington Bank to provide financing for six years for two Western Star 47X chassis cabs at a total annual cost of approximately \$96,639.75 such Lease Agreement to be substantially in form and substance acceptable to the Mayor and the Law Director.

Section No. 3: That upon delivery to the Public Works Department of two Western Star 47X chassis cabs with the proper specifications to the full satisfaction of the Public Works Director, the Finance Director is hereby directed to deliver the warrant of this City to Valley Freightliner, Inc., in the amount specified in the Lease Agreement.

Section No. 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 5: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity to provide the Public Works Department with equipment to promptly and efficiently perform their duties and to further take advantage of Sourcewell's pricing, thus for the health, safety, and welfare of the citizens of Avon Lake. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1<sup>st</sup> reading: 6/10/2024

2<sup>nd</sup> reading:

3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_

\_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor



AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF FULL-TIME SENIOR PROGRAM ASSISTANT AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION.

WHEREAS, it has been recommended by the Human Resources Committee that a job description for the position of full-time Senior Program Assistant be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the specifications, responsibilities, and duties applicable to the position of full-time Senior Program Assistant shall be as shown in the job description, a copy of which is attached hereto and made a part hereof.

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance shall be in full force and effect from and after the earliest period allowed by law.

1<sup>st</sup> reading: 6/10/2024

2<sup>nd</sup> reading:

3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_

\_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor



**City of Avon Lake, Ohio  
Classification Specification  
Senior Program Assistant**

JOB FAMILY	GRADE	FLSA STATUS	CLASSIFIED STATUS	PCN
Administrative Support	N6	Non-exempt	Unclassified	

CLASSIFICATION SUMMARY
<p>The Senior Program Assistant is responsible for performing various clerical tasks in an office setting that support daily operations, including, but not limited to, answering, triaging, and responding to incoming phone calls; performing general office support services for all senior activities, such as gathering dates for the Old Firehouse &amp; Community Center (OFCC) expense/receipt monthly reports, exporting Renew Active® members, compiling the number of card punches, and uploading reports to Healthy Contributions; pleasantly greeting vendors, customers, and visitors for programs and meetings; being attentive and personable; performing various planning and implementing of senior recreational programs and special events, such as setting up and overseeing, as needed.</p>

ESSENTIAL DUTIES <sup>1</sup>	% OF TIME
Completes daily sign-in sheets for fitness classes and scans/inputs SilverSneakers® or Renew Active® membership cards to the appropriate fitness instructor's file, each visit.	13
Organizes, maintains, and cleans/sanitizes all used exercise equipment; stacks chairs after each fitness class, as needed.	13
Maintains organized files for billing, customer, and client records.	9
Tallies totals of each class or program; fills in requisition sheet for each fitness instructor; makes new requisition sheets, as needed.	9
Schedules monthly evening activities, providing groups with the paperwork needed to use the facility; takes payments and processes transactions in registration software.	9
Exports SilverSneakers® members and uploads reports to Tivity Health Services for monthly payments.	9
Maintains inventory of various facility supplies, including paper products, beverages, snacks, and restroom and kitchen products; coordinates supply orders with vendors.	7
Solicits donations for yearly prom and other events, picking up donations, as needed.	7
Records the number of participants using the exercise room daily and/or as needed.	5

<sup>1</sup> The essential duties, functions, responsibilities, and recommended Fair Labor Standards Act (FLSA) designation may vary based on the specific tasks assigned to the position.

Provides approved beverages and snacks, such as coffee and popcorn, throughout the day or as needed.	5
Forwards fitness instructor requisition sheets to the Recreation Department's main office for instructor payment, biweekly.	5
Sends monthly reminders to expired OFCC and Senior Newsletter memberships.	5
Maintains instructor files, keeping track of insurance expiration dates and background screening for each.	2
Records payments on expense reports.	2

### MINIMUM QUALIFICATIONS

#### **EDUCATION AND EXPERIENCE:**

High school diploma, or equivalent (GED), supplemented by secretarial courses or a minimum of three years of secretarial experience or the equivalent.

#### **CERTIFICATIONS/LICENSES:**

Valid Ohio Driver's License or ID.  
CPR/AED and First Aid Certifications.

#### **PREFERRED QUALIFICATIONS:**

Strong organizational and interpersonal skills.

#### **KNOWLEDGE OF:**

- All office practices and procedures
- The City of Avon Lake and its communities
- Accounting practices
- Computer software programs, including Microsoft Office and Excel
- Effective verbal and written communications
- Operating various office equipment
- Effectively interacting with management, elected officials, employees, and the public
- Maintaining confidential and sensitive information

#### **SKILL IN:**

- Strong oral and written communication to effectively and appropriately instruct and correspond
- Interacting effectively with vendors, customers, and the public
- Maintaining confidential and sensitive information
- Working with limited supervision
- Time management and coordinating various tasks simultaneously
- Operating computers and related software applications
- Operating office equipment, such as personal computers, calculators, copiers, printers, fax machines and other commonly utilized office equipment

**ADA AND OTHER REQUIREMENTS**

This position typically requires standing, walking, sitting, bending, stooping, squatting, twisting, climbing, fingering, reaching, grasping, talking, hearing, seeing, and repetitive motions.

**SEDENTARY WORK:**

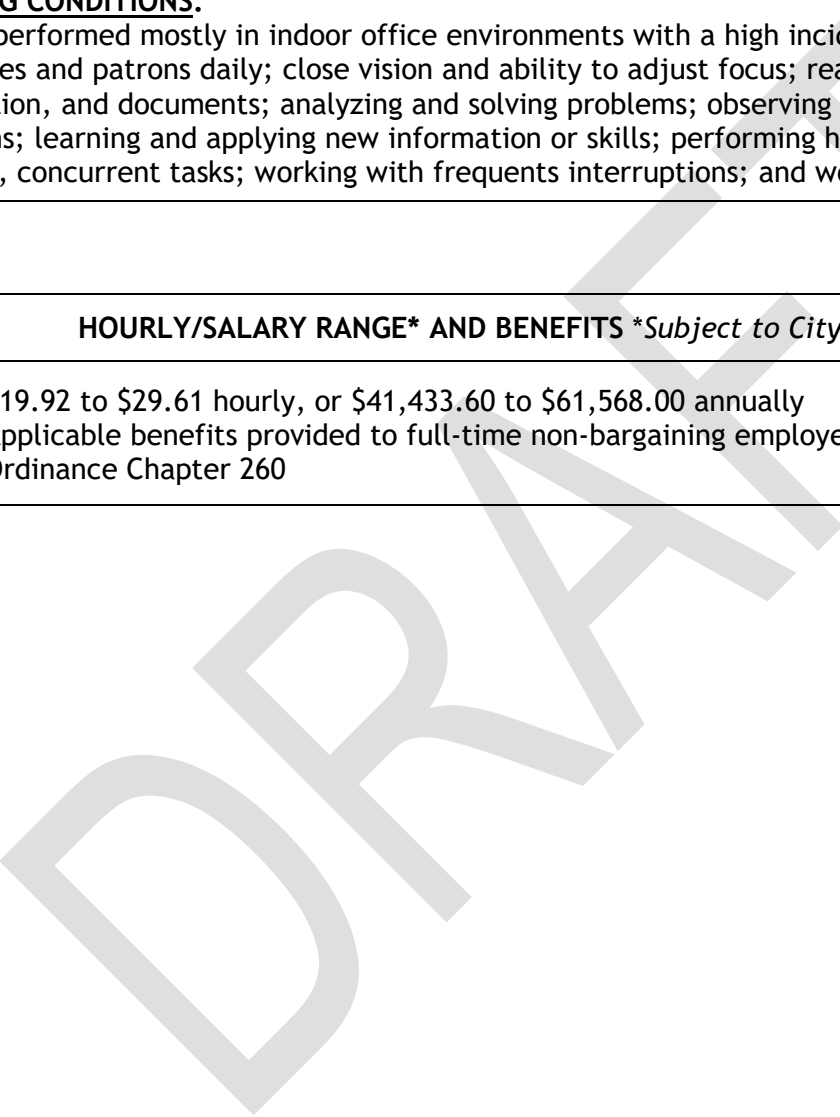
Exerting up to ten pounds of force occasionally and/or a negligible amount of force frequently or constantly to lift, carry, push, pull, or otherwise move objects. Sedentary work involves sitting most of the time. Jobs are sedentary if walking and standing are required only occasionally and all other sedentary criteria are met.

**WORKING CONDITIONS:**

Work is performed mostly in indoor office environments with a high incidence of interaction with fellow employees and patrons daily; close vision and ability to adjust focus; reading and interpreting data, information, and documents; analyzing and solving problems; observing and interpreting people and situations; learning and applying new information or skills; performing highly detailed work; working on multiple, concurrent tasks; working with frequent interruptions; and working under deadlines.

**HOURLY/SALARY RANGE\* AND BENEFITS *\*Subject to City Council approval***

- \$19.92 to \$29.61 hourly, or \$41,433.60 to \$61,568.00 annually
- Applicable benefits provided to full-time non-bargaining employees, as declared in Codified Ordinance Chapter 260



AN ORDINANCE APPROVING WAGE INCREASES FOR CERTAIN PART-TIME NON-BARGAINING UNIT PERSONNEL AND DECLARING AN EMERGENCY.

WHEREAS, it has been recommended by the Administration and the Human Resources Committee that certain part-time, non-bargaining unit positions be granted wage increases; and

WHEREAS, Council coming now to consider said recommendations approves them in full and desires to put them into effect.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the following part-time, non-bargaining unit personnel be granted a 2% wage increase and all other terms of previously enacted ordinances shall otherwise remain in full force and effect:

EMPLOYEE	JOB TITLE	EFFECTIVE JULY 1, 2024
Meigh, Lynn F.	BD-Building Secretary	\$16.83/hr.
Miller, Jennifer N.	C&T-Communications Specialist	\$19.83/hr.
Hricko, Lucas T.	C&T-Production Assistant	\$20.32/hr.
Netkowicz, Glenn C.	FD-Fire Inspector	\$27.07/hr.
Fundak, Melaine L.	Mayor- Front Desk	\$16.83/hr.
Ferguson, David N.	PD-Police Maintenance	\$21.42/hr.
Rednour, Kathleen A.	Police Victim Advocate	\$31.62/hr.
Graham, Robert B.	PW-Boat Launch Attendant	\$18.87/hr.
Livchak, Dennis S.	PW-Boat Launch Attendant	\$20.40/hr.
Pace, H. George	PW-Boat Launch Attendant	\$18.87/hr.
Schneider, Ronald G.	PW-Boat Launch Attendant	\$18.87/hr.
Smith, Ronn D.	PW-Boat Launch Attendant	\$18.87/hr.
Brown, Jonathan D.	PW-Dial A Bus	\$18.87/hr.
Fry, Virginia S.	PW-Dial A Bus	\$21.22/hr.
Knip, Patricia A.	Rec-Receptionist	\$17.85/hr.
Nielsen, Marijo	Rec-Receptionist	\$19.07/hr.
Reynolds, Diane L.	CD-Zoning Assistant	\$16.83/hr.

Section No. 2: All salary adjustments listed herein are subject to the City’s performance review process.

Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 4: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of fulfilling commitments to certain City personnel and complying with the Wage and Salary Administration Code. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1<sup>st</sup> reading: 6/10/2024

2<sup>nd</sup> reading:

3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_

\_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor

AN ORDINANCE APPROVING WAGE INCREASES FOR CERTAIN NON-BARGAINING UNIT PERSONNEL AND DECLARING AN EMERGENCY.

WHEREAS, it has been recommended by the Mayor and the Human Resources Committee that certain non-bargaining unit positions be granted wage increases; and

WHEREAS, Council, coming now to consider said recommendations, approves them in full and desires to put them into effect.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the following non-bargaining unit personnel be granted a 2% wage increases and all other terms of previously enacted ordinances shall otherwise remain in full force and effect:

EMPLOYEE	JOB TITLE	STATUS	EFFECTIVE JULY 1, 2024
Carleton, Tom	BD-Chief Building Official	FT	\$51.49/hr.
Hamker, Dan	BD-Plumbing Inspector	FT	\$42.04/hr.
Rutherford, John	BD-Electrical Safety Inspector	FT	\$39.94/hr.
Biggers, Stephanie	C&T-Technology Coordinator	FT	\$29.29/hr.
Bowles, Brian	C&T-Senior Production Assistant	FT	\$23.45/hr.
Cagley, Barb	Communications & Technology Director	PT	\$39.80/hr.
Esborn, Ted	Community Development Director	FT	\$55.15/hr.
LaRosa, Kelly	CD-Planning & Zoning Manager	FT	\$36.60/hr.
Page, Austin	CD-Planning & Zoning Manager	FT	\$38.84/hr.
Boggins, Ramona	Deputy Clerk of Council	FT	\$21.56/hr.
Rosmarin, Valerie	Clerk of Council	FT	\$33.00/hr.
Jirka, Judy	Finance-Payroll Administrator	FT	\$37.16/hr.
Widman, Ed	Finance Director	FT	\$64.92/hr.
Gomez, Kristin	FD-Fire Secretary	FT	\$27.90/hr.
Ebert, Gary	Law Director	PT	\$4,040.77 biweekly

Graves, David	Assistant Law Director	PT	\$823.84 biweekly
Krupar, Mary	Mayor-Administrative Assistant	FT	\$29.29/hr.
Teter, Carla	Mayor-Front Desk Assistant	FT	\$20.13/hr.
Burson, Rachel	PD-Police Secretary	FT	\$28.46/hr.
Hartz, Jeff	PD-Animal Control/CSO	PT	\$31.23/hr.
Molnar, Vincent	Police Chief	FT	\$63.65/hr.
Wasylo, Frank	PD-Animal Control/CSO	PT	\$31.23/hr.
Ward, Darwin	Assistant Public Works Director	FT	\$45.72/hr.
Fach, Erin	Recreation Director	FT	\$47.56/hr.
Kral, Mike	REC-Building & Facilities Manager	FT	\$25.90/hr.

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of fulfilling commitments to certain City personnel and complying with the Wage and Salary Administration Code. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1<sup>st</sup> reading: 6/10/2024

2<sup>nd</sup> reading:

3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_

\_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor



AN ORDINANCE APPROVING WAGE INCREASES FOR THE AVON LAKE MUNICIPAL COURT PERSONNEL AND DECLARING AN EMERGENCY.

WHEREAS, it has been recommended by Judge Manning of the Avon Lake Municipal Court that certain Avon Lake Municipal Court personnel be granted wage increases; and

WHEREAS, Council, coming now to consider said recommendations, approves them in full and desires to put them into effect.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the following Avon Lake Municipal Court personnel be granted wage increases, with three-fifths (3/5) being paid from the City treasury and two-fifths (2/5) being paid from the Lorain County treasury, and all other terms of previously enacted ordinances shall otherwise remain in full force and effect:

EMPLOYEE	POSITION	2% PAY INCREASE EFFECTIVE JULY 1, 2024	4% PAY INCREASE EFFECTIVE JANUARY 1, 2025
Novotny, Kathy	Clerk of Court	\$37.91/hr.	\$39.43/hr.
Byers, Buddy	Full-Time Bailiff	N/A	\$27.28/hr.

Section No. 2: That the following full-time Avon Lake Municipal Court personnel be granted wage increases, and all other terms of previously enacted ordinances shall otherwise remain in full force and effect:

EMPLOYEE	POSITION	2% PAY INCREASE EFFECTIVE JULY 1, 2024	4% PAY INCREASE EFFECTIVE JANUARY 1, 2025
Blankenship, Teresa	Deputy Clerk	\$24.59/hr.	\$25.57/hr.
Dennis, Shanna	Deputy Clerk	\$23.60/hr.	\$24.54/hr.
Martin, Sharon	Deputy Clerk	N/A	\$24.18/hr.
Miller Parks, Michelle	Chief Deputy Clerk	\$27.72/hr.	\$28.83/hr.

Section No. 3: That the following part-time Avon Lake Municipal Court personnel be granted wage increases, and all other terms of previously enacted ordinances shall otherwise remain in full force and effect:

EMPLOYEE	POSITION	2% PAY INCREASE EFFECTIVE JULY 1, 2024	4% PAY INCREASE EFFECTIVE JANUARY 1, 2025
Fishburn, Scott	Bailiff	N/A	\$26.24/hr.
Rink, Linda	Clerk	\$14.76/hr.	\$15.35/hr.
Schram, Carey	Clerk	\$17.83/hr.	\$18.54/hr.
Dolezal, David	Security	\$24.61/hr.	\$25.59/hr.
Goodwin, Mark	Security	N/A <b>\$24.61/hr.</b>	\$25.59/hr.
Heath, Troy	Security	\$24.61/hr.	\$25.59/hr.
Olds, Robert	Security	\$24.61/hr.	\$25.59/hr.
Torres, Audali	Security	N/A <b>\$24.61/hr.</b>	\$25.59/hr.
Shinko, David	Security	\$24.61/hr.	\$25.59/hr.
Shinko, David	Clerk	\$19.09/hr.	\$19.85/hr.

Section No. 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 5: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of fulfilling commitments to certain City personnel and complying with the Wage and Salary Administration Code and the provisions of Section 1901.31(H) of the Ohio Revised Code. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1<sup>st</sup> reading: 6/10/2024

2<sup>nd</sup> reading:

3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_

\_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor

AN ORDINANCE AUTHORIZING THE PURCHASE OF A TOW-BEHIND CHIPPER FOR THE PUBLIC WORKS DEPARTMENT AND DECLARING AN EMERGENCY.

WHEREAS, the Public Works Director and the Public Service Committee have recommended the purchase of a tow-behind chipper, and the City desires to contract with KTS Equipment, Inc., of Wellington, Ohio, to purchase a Tow-behind chipper; and

WHEREAS, KTS Equipment, Inc., of Wellington, Ohio, is a party to a cooperative purchasing contract with Sourcewell, a public service cooperative created by the State of Minnesota, under the authority of Minn. Stat. § 123A.21, to provide programs and services to public entities and to solicit, evaluate, and award cooperative purchasing contracts through a competitive bidding process for goods and services for all eligible government, education, and nonprofit agencies in the United States and Canada; and

WHEREAS, by entering into this agreement with KTS Equipment, Inc., of Wellington, Ohio, through its contract with Sourcewell, the City can purchase a Tow-behind chipper under the same terms and conditions but at a lower cost than what it could acquire through its own selection process.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF  
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the bid by KTS Equipment, Inc., of Wellington, Ohio, submitted through Sourcewell, to supply the City with a Tow-behind chipper for the Public Works Department in the amount of \$50,492 be, and it is hereby accepted and approved.

Section No. 2: That upon delivery to this City of the Tow-behind chipper, with the proper specifications, to the full satisfaction of the Public Works Director and Finance Director, the Finance Director is hereby directed to deliver to KTS Equipment, Inc., of Wellington, Ohio, the warrant of this City in the amount of \$50,492 and to cause said warrant to be paid.

Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 4: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity to provide the Public Works Department with equipment in order that they may promptly and efficiently perform their duties, and further, to take advantage of Sourcewell's pricing, thus for the health, safety, and welfare of the citizens of Avon Lake. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_

\_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor

AN ORDINANCE TO RE-ESTABLISH WARD BOUNDARIES FOR THE CITY OF AVON LAKE PURSUANT TO THE REQUIREMENTS OF THE AVON LAKE CITY CHARTER AND DECLARING AN EMERGENCY.

WHEREAS, Section 3A of the Avon Lake City Charter provides, in part, the following:

“DIVIDING AND REDIVIDING THE CITY INTO WARDS.

*“(a) The Council shall, not later than July 1, 1991, divide the Municipality into the number of wards which equals the number of members of the legislative authority to be elected from wards, as required by this Charter. Wards so formed shall be as nearly equal in population as is practically possible, and shall be composed of contiguous and compact territory, and bounded by natural boundaries or street lines.*

*“(b) In order to maintain substantially equal population in each of the wards on a continuing basis, the Council may redivide the Municipality into the required number of wards at any time for such purpose. It shall review ward division and redivision, within ninety (90) days after the first day of July of the year following the decennial census year, to determine if a redivision is necessary to comply with the provisions of this section.”; and*

WHEREAS, this Council has caused a re-examination of said Ward boundaries to be made and has recommended that certain alterations in boundary lines should be made to meet the requirements of said City Charter provisions.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE  
CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the present Ward boundaries be, and they are hereby altered and established to comply with the detailed description as set forth in Exhibit No. 1 and the illustrated map as designated on Exhibit No. 2, both attached hereto and made a part hereof.

Section No. 2: That a certified copy of this Ordinance shall be immediately, upon its passage, transmitted by the Clerk of this Council to the Lorain County Board of Elections.

Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings open to the

public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 4: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of complying with the requirement of the Avon Lake City Charter to review the Ward division and redivision completed and to provide equal representation to the citizens of the City, thus for the health, safety, and welfare of the citizens of Avon Lake. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1<sup>st</sup> reading:

2<sup>nd</sup> reading:

3<sup>rd</sup> reading:

PASSED: \_\_\_\_\_

\_\_\_\_\_

President of Council

POSTED: \_\_\_\_\_

\_\_\_\_\_

Approved

ATTEST: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_

Mayor

**AVON LAKE, OHIO, 2024 WARD BOUNDARY DESCRIPTIONS**  
(See Exhibit No. 1)

**Ward 1**

1. Beginning on a point being the intersection of the northerly corporation line and the easterly corporation line of the City of Avon Lake at the shoreline of Lake Erie;
2. Thence heading southerly along the eastern corporation line to the southern corporation line of the City of Avon Lake;
3. Thence westerly along the southern corporation line to Lear Road;
4. Thence northerly along the centerline of Lear Road to Lake Road;
5. Thence easterly along the centerline of Lake Road to North Point Drive;
6. Thence northerly along the centerline of North Point Drive extending from the point of its closest proximity to the shoreline of Lake Erie; and
7. Thence easterly along the north corporation line back to the point of beginning herein containing properties to be known as Ward 1.

**Ward 2**

1. Beginning on a point being the northerly corporation line of the City of Avon Lake at the shoreline of Lake Erie and also being an extension out into Lake Erie of North Point Avenue;
2. Thence southerly to Lake Road;
3. Thence westerly along the centerline of Lake Road to Lear Road;
4. Thence southerly along the centerline of Lear Road to the southern corporation line of the City of Avon Lake;
5. Thence westerly along the southern corporation line of the City of Avon Lake to Avon Belden Road;
6. Thence northerly along the centerline of Avon Belden Road to Walker Road;
7. Thence easterly along the centerline of Walker Road to Avon Point Avenue;
8. Thence northerly along the centerline of Avon Point Avenue to Gable Ditch;
9. Thence southeasterly along Gable Ditch to where an extension of Fay Avenue would intersect Gable Ditch;
10. Thence northerly along the centerline of Fay Avenue to the intersection with Division Road;
11. Thence easterly along the centerline of Division Road to Sunset Road;
12. Thence northerly along the centerline of Sunset Road to Lake Road;
13. Thence westerly along the centerline of Lake Road to the intersection with Gable Ditch;
14. Thence north along Gable Ditch to the shoreline of Lake Erie and also being an extension out into Lake Erie; and
15. Thence easterly along the shoreline of Lake Erie to the northern point of an extension of North Point Road at its closest point to the Lake Erie shoreline and the point of beginning herein containing properties to be known as Ward 2.

**Ward 3**

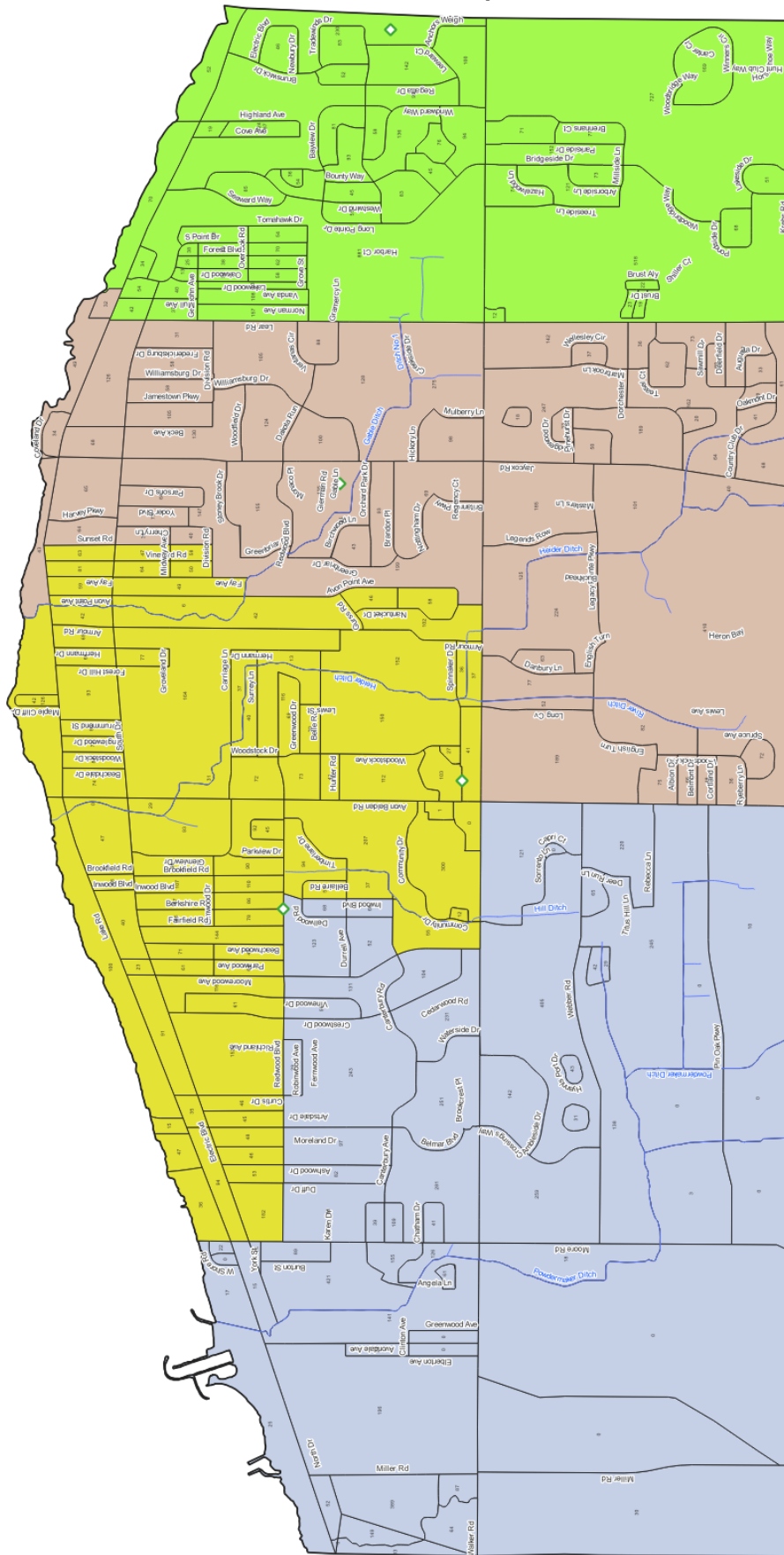


1. Beginning at the intersection of Walker Road and Avon Point Avenue;
2. Thence westerly along the centerline of Walker Road to Moorewood Road;
3. Thence northerly along the centerline of Moorewood Avenue to Canterbury Road;
4. Thence easterly along the centerline of Canterbury Road to Inwood Boulevard;
5. Thence northerly along the centerline of Inwood Boulevard to Redwood Boulevard;
6. Thence westerly along the centerline of Redwood Boulevard to Moore Road;
7. Thence northerly along the centerline of Moore Road to the north corporation line of the City of Avon Lake, also being the shoreline of Lake Erie; and
8. Thence easterly along the shoreline of Lake Erie, and the north corporation line of the City of Avon Lake, back to the place of beginning herein containing properties to be known as Ward 3.

#### Ward 4

1. Beginning at the northwesterly corporation line of the City of Avon Lake at a point being the shoreline of Lake Erie;
2. Thence southerly along the western corporation line of the City of Avon Lake to the southerly corporation line of the City of Avon Lake;
3. Thence heading easterly along the southern corporation line of the City of Avon Lake to Avon Belden Road;
4. Thence northerly along the centerline of Avon Belden Road to Avon Belden Road and Walker Road;
5. Thence westerly along the centerline of Walker Road to Moorewood Avenue;
6. Thence northerly along the centerline of Moorewood Road to Canterbury Road;
7. Thence easterly along the centerline of Canterbury Road to Inwood Boulevard;
8. Thence northerly along the centerline of Inwood Boulevard to Redwood Boulevard;
9. Thence westerly along the centerline of Redwood Boulevard to Duff Road;
10. Thence westerly in an extension of Redwood Boulevard to Moore Road; and
11. Thence northerly along the centerline of Moore Road to the intersection with the north corporation line of the City of Avon Lake, also being the shoreline of Lake Erie, back to the place of beginning herein containing properties to be known as Ward 4.

# Exhibit No. 1: Map of Avon Lake 2024 Wards



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 24, 2024, AND DECLARING AN EMERGENCY.

WHEREAS, Subsection 1070.02(i)(1) of the Codified Ordinances of the City prohibits the sale of intoxicating liquor in any park, and

WHEREAS, the Avon Lake Athletic Boosters have requested to hold a one-day beer fest at Miller Road Park on August 24, 2024, and

WHEREAS, to permit such beer fest to take place, City Council must adopt an Ordinance creating a one-time exception to the prohibition of Subsection 1070.02(i)(1) of Avon Lake Codified Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That, notwithstanding the prohibition of Subsection 1070.02(i)(1) of Avon Lake's Codified Ordinances, the Avon Lake Athletic Boosters shall have the right to conduct a one- day beer fest at Miller Road Park on August 24, 2024.

Section No. 2: That, provided the necessary State liquor permits are obtained, beer, wine, and hard seltzer-type beverages may be sold, served, distributed, and consumed at such beer fest.

Section No. 3: That this Ordinance shall not in any way modify the prohibition of Subsection 1070.02(i)(1) of Avon Lake's Codified Ordinances against the presence of intoxicating liquor and intoxicated persons at any other park, beach, park building or recreational area (including but not limited to, the Lake House), nor shall this Ordinance permit wine and beer (or any other intoxicating liquor) to be sold, served, distributed, or consumed at Miller Road Park on any date other than that specifically authorized by Sections 1 and 2 hereof.

Section No. 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 5: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity to file the necessary paperwork in a timely manner to allow the one-day beer fest to take place in order to promote Avon Lake businesses and bring economic growth to the City, thus for the public welfare. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

POSTED: \_\_\_\_\_

\_\_\_\_\_  
Approved

ATTEST: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor