

Minutes Approved

As Printed

June 1, 2020

Regular Council Meeting

Elyria City Council

July 6, 2020

1. CALL TO ORDER:

The regular meeting of Elyria City Council was called to order on Monday, June 1, 2020 at 7:00 P.M. by President Stewart. President Stewart opened the meeting with a moment of reflection and followed by the Pledge of Allegiance led by Mrs. Davis. Fifth Virtual Council meeting. No digital recording or audio tape of this meeting (On YouTube). (Technical difficulties at beginning of meeting, late start)

2. ROLL CALL--COUNCIL MEMBERS:

PRESENT: Callahan, Cerra, Oswald, Baird, Mitchell, Tollett, Madison, Davis, Keys, Jessie, Stewart

ABSENT: None

OTHERS PRESENT: Mayor Whitfield, Safety Ser. Dir. Feuerstein, Law Dir. Deery, Clerk Lotko, Asst. SSD Brubaker, Asst. SSD Calvert, Fire Chief Mack, Police Chief Whitely, Asst. Finance Dir. Farrell

3. PUBLIC HEARINGS:

The meeting recessed for a Public Hearing at 7:14 P.M. Clerk Lotko read the call to the Public Hearing.

You are hereby notified that a Public Hearing will be held on Monday, June 1st, 2020 at 7:00 P.M. during a virtual Elyria City Council Meeting, to consider the following:

AN ORDINANCE AMENDING SECTION 1131.02, CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO, KNOWN AS THE ZONING ORDINANCE, TO REZONE REAL PROPERTY LOCATED AT 565 ABBE ROAD, S., ELYRIA, FROM B-N BUSINESS NEIGHBORHOOD DISTRICT TO B-AO BUSINESS AUTOMOTIVE ORIENTED DISTRICT.

President Stewart asked if there were any proponents?

Mr. Boyd, 3601 Rigley Road, Miamisburg, Ohio gave a brief description of the new building that they have planned to build. Mr. Cerra asked about the neighbor who stated he had an easement? Mr. Boyd stated that they had done title searches, did not come up with anything. Requested same information from the neighbor and he did not respond.

President Stewart asked if there were any other proponents?

President Stewart asked if there were any other proponents? There were none.

President Stewart asked if there were any opponents?

President Stewart asked if there were any opponents?

President Stewart asked if there were any opponents? There were none.

3. PUBLIC HEARINGS: Continued

President Stewart declared the Public Hearing has been held.

The meeting resumed at 7:18 P.M.

Sponsored by:	<u>ORDINANCE NO. 2020- 63</u>
<u>Community</u>	AN ORDINANCE AMENDING SECTION 1131.02, CODIFIED
<u>Development:</u>	ORDINANCES OF THE CITY OF ELYRIA, OHIO, KNOWN AS THE
T. Callahan	ZONING ORDINANCE, TO REZONE REAL PROPERTY LOCATED AT 565
D. Mitchell	ABBE ROAD, S., ELYRIA, FROM B-N BUSINESS NEIGHBORHOOD
J. Cerra	DISTRICT TO B-AO BUSINESS AUTOMOTIVE ORIENTED DISTRICT.
M. Madison	
M. Jessie	

Callahan moved, Mitchell seconded to pass this ordinance on its third reading.

PASSAGE:
AYE: 11
NAY: 0
ABSENT: 0
MOTION CARRIED

The meeting recessed for the second Public Hearing at 7:19 P.M. Clerk Lotko read the call to the Public Hearing.

You are hereby notified that a Public Hearing will be held on Monday, June 1st, 2020 at 7:00 P.M. during a virtual Elyria City Council Meeting, to consider the following:

AN ORDINANCE AMENDING SECTION 1131.02, CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO, KNOWN AS THE ZONING ORDINANCE, TO REZONE REAL PROPERTY LOCATED AT 905 EAST BROAD ST., ELYRIA, OHIO FROM POD PROFESSIONAL OFFICE DISTRICT TO B-G BUSINESS GENERAL DISTRICT.

President Stewart asked if there were any proponents?

Mr. Paul Rubenstein, representing Dunkin Donuts, briefing explained the project and curb cuts, etc. There were no questions.

3. PUBLIC HEARINGS: Continued

President Stewart asked if there were any other proponents?
President Stewart asked if there were any other proponents? There were none.
President Stewart asked if there were any opponents?
President Stewart asked if there were any opponents?
President Stewart asked if there were any opponents? There were none.

President Stewart declared the Public Hearing has been held.

The meeting resumed at 7:21 P.M.

Sponsored by:	<u>ORDINANCE NO. 2020- 64</u>
<u>Community</u>	AN ORDINANCE AMENDING SECTION 1131.02, CODIFIED
<u>Development:</u>	ORDINANCES OF THE CITY OF ELYRIA, OHIO, KNOWN AS THE
T. Callahan	ZONING ORDINANCE, TO REZONE REAL PROPERTY LOCATED AT 905
D. Mitchell	EAST BROAD ST., ELYRIA, OHIO FROM POD PROFESSIONAL OFFICE
J. Cerra	DISTRICT TO B-G BUSINESS GENERAL DISTRICT.
M. Madison	
M. Jessie	

Callahan moved, Mitchell seconded to pass this ordinance on its third reading.

PASSAGE:
AYE: 11
NAY: 0
ABSENT: 0
MOTION CARRIED

The meeting recessed for the second Public Hearing at 7:22 P.M. Clerk Lotko read the call to the Public Hearing.

You are hereby notified that a Public Hearing will be held on Monday, June 1st, 2020 at 7:00 P.M. during a virtual Elyria City Council Meeting, to consider the following:

AN ORDINANCE AMENDING SECTION 1131.02, CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO, KNOWN AS THE ZONING ORDINANCE, TO REZONE REAL PROPERTY LOCATED BETWEEN 8TH STREET AND 8TH PLACE, ELYRIA, OHIO, FROM R-TH RESIDENTIAL-TWO HOUSEHOLD DISTRICT TO B-G BUSINESS GENERAL DISTRICT.

President Stewart asked if there were any proponents?

3. PUBLIC HEARINGS: Continued

Stephanie Wiersma, representing Lorain County Health and Dentistry, briefing explained the project and stated that the neighborhood is very happy to hear of them building at this location. There were no questions.

President Stewart asked if there were any other proponents?
President Stewart asked if there were any other proponents? There were none.
President Stewart asked if there were any opponents?
President Stewart asked if there were any opponents?
President Stewart asked if there were any opponents? There were none

President Stewart declared the Public Hearing has been held.

The meeting resumed at 7:24 P.M.

Sponsored by:	<u>ORDINANCE NO. 2020- 65</u>
<u>Community</u>	AN ORDINANCE AMENDING SECTION 1131.02, CODIFIED ORDINANCES OF
<u>Development:</u>	THE CITY OF ELYRIA, OHIO, KNOWN AS THE ZONING ORDINANCE, TO
T. Callahan	REZONE REAL PROPERTY LOCATED BETWEEN 8 TH STREET AND 8 TH PLACE,
D. Mitchell	ELYRIA, OHIO, FROM R-TH RESIDENTIAL-TWO HOUSEHOLD DISTRICT TO
J. Cerra	B-G BUSINESS GENERAL DISTRICT.
M. Madison	
M. Jessie	

Callahan moved, Mitchell seconded to pass this ordinance on its third reading.

PASSAGE:
AYE: 11
NAY: 0
ABSENT: 0
MOTION CARRIED

4. APPROVAL OF MINUTES:

Davis moved, Baird seconded that the Regular Meeting Minutes of May 18, 2020 be approved as printed.
MOTION CARRIED

5. REMARKS AND REPORTS OF CITY OFFICIALS:

Mayor Whitfield: Mayor Whitfield stated that the recent events surrounding the death of Mr. Floyd has lead to the need of a meeting; This will be held tomorrow, Tuesday June 2, 2020 at

5. REMARKS AND REPORTS OF CITY OFFICIALS: Continued

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6:00 P.M. See attached email from Ren Flanders regarding this event, made a part thereof and designated as Exhibit "A".

Safety Service Director Feuerstein: No Report

Assistant Finance Director Farrell: Mr. Farrell's report is attached herewith report is attached herewith, made a part thereof and designated as Exhibit "B".

Law Director Deery: Ms. Deery thanked the Maoro for everything he has done, and she offered condolences to the Novak family.

Police Chief Whitely: Chief Whitely stated he was available for questions. Mrs. Mitchell asked if he would be present at the meeting? He said yes and he would have few officers there also.

Fire Chief Mack: No Report

ASSD Brubaker: Mr. Brubaker thanked Mr. Mark Ballard and Ms. Flanders for the work on the Memorial Day parade. The Cemeteries looked real good for Memorial Day. Ms. Davis asked the procedure for report grass mowing? Mr. Brubaker stated they still have to follow the 5 day notice. Mr. Madison said thanked Safety Service for their work. Mr. Brubaker stated they have city lots on a 3 week rotation. Building and Lands guys are doing a good job.

ASSD Calvert: No Report

Water Pumping Superintendent Jacobs: No Report

6. PRESIDENT'S REFERRALS AND REMONSTRANCES:

1. The matter of amending Ordinance No. 2020-48 (2020 Street Resurfacing List)

REFERRED BY: Eng. John Schneider

REFERRED TO:

2. The matter of purchasing a carbon feed system through State Purchasing for Water Pumping. (Monies Appropriated)

REFERRED BY: Acting Supt. Water Plumping Plant Jacob

REFERRED TO:

7. PETITIONS--COUNCIL MEMBERS: None

8. PETITIONS--LOBBY: A email written by Lisa Bowman regarding the Elyria Parks and Rec Department read by Mr. Lotko. Copy is attached herewith, made a part thereof, and designated as Exhibit "D".

9. REPORTS OF STANDING AND SPECIAL COMMITTEES: None

10. RESOLUTIONS – FIRST READING:

<u>Finance:</u>	<u>RESOLUTION NO. R 2020- 11</u>
V. Stewart, III	A RESOLUTION APPROVING A LIST SUBMITTED BY THE SAFETY SERVICE
J. Baird	DIRECTOR FOR COLLECTION OF DELINQUENT INACTIVE UTILITY
M. Madison	ACCOUNTS AND DIRECTING THE CLERK OF COUNCIL TO CERTIFY SAID
P. Tollett	ACCOUNTS TO THE LORAIN COUNTY AUDITOR.
M. Jessie	
B. Davis	

Tollett moved, Davis seconded to pass this resolution on its first reading under suspension of rules.

SUSPENSION:	PASSAGE:
AYE: 11	AYE: 11
NAY: 0	NAY: 0
ABSENT: 0	ABSENT: 0
MOTION CARRIED	MOTION CARRIED

<u>Finance:</u>	<u>RESOLUTION NO. R 2020- 12</u>
V. Stewart, III	A RESOLUTION FINDING THAT THE CITY HAS UNFIT FOR MUNICIPAL USE
J. Baird	CERTAIN CITY PROPERTY.
M. Madison	
P. Tollett	
M. Jessie	
B. Davis	

Madison moved, Davis seconded to pass this resolution on its first reading under suspension of rules.

SUSPENSION:	PASSAGE:
AYE: 11	AYE: 11
NAY: 0	NAY: 0
ABSENT: 0	ABSENT: 0
MOTION CARRIED	MOTION CARRIED

<u>Finance:</u>	<u>ORDINANCE NO. 2020- 66</u>
V. Stewart, III	AN ORDINANCE AUTHORIZING THE DIRECTOR OF SAFETY SERVICE
J. Baird	OF THE CITY OF ELYRIA TO DISPOSE OF, VIA DONATION, CITY
M. Madison	PROPERTY THAT IS UNFIT FOR MUNICIPAL USE.
P. Tollett	(Companion Ordinance to above Resolution)
M. Jessie	
B. Davis	

10. RESOLUTIONS – FIRST READING: Continued

Madison moved, Davis seconded to pass this ordinance on its first reading under suspension of rules.

SUSPENSION:	PASSAGE:
AYE: 11	AYE: 11
NAY: 0	NAY: 0
ABSENT: 0	ABSENT: 0
MOTION CARRIED	MOTION CARRIED

10. RESOLUTIONS--SECOND READING: None

12. RESOLUTIONS--THIRD READING: None

13. ORDINANCES – FIRST READING:

Sponsored by:	<u>ORDINANCE NO. 2020-67</u>
<u>Community</u>	AN ORDINANCE AMENDING ORDINANCE NO. 2020-37, TO REFLECT
<u>Development:</u>	THE CORRECT NAME OF THE SUBDIVISION, AND DECLARING AN
T. Callahan	EMERGENCY.
D. Mitchell	
J. Cerra	
M. Jessie	

Callahan moved, Mitchell seconded to pass this ordinance on its first reading under suspension of rules and declaring an emergency.

SUSPENSION:	EMERGENCY:	PASSAGE:
AYE: 11	AYE: 11	AYE: 11
NAY: 0	NAY: 0	NAY: 0
ABSENT: 0	ABSENT: 0	ABSENT: 0
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

<u>Sponsored By:</u>	<u>ORDINANCE NO. 2020-68</u>
<u>Finance:</u>	AN ORDINANCE AUTHORIZING THE SUBMISSION, THROUGH THE LAW
V. Stewart, III	DIRECTOR’S OFFICE, OF APPLICATIONS TO THE OFFICE OF ATTORNEY
J. Baird	GENERAL, STATE OF OHIO, AND TO ACCEPT, IF OFFERED, A 2020-2021
P. Tollett	VICTIMS OF CRIME ACT (VOCA) GRANT AND THE 2020-2021 STATE VICTIMS
M. Jessie	ASSISTANCE ACT (SVAA) GRANT FOR THE VICTIM’S ASSISTANCE
B. Davis	PROGRAM AND DECLARING AN EMERGENCY.

13. ORDINANCES – FIRST READING: Continued

Madison moved, Mitchell seconded to pass this ordinance on its first reading under suspension of rules and declaring an emergency.

SUSPENSION:	EMERGENCY:	PASSAGE:
AYE: 11	AYE: 11	AYE: 11
NAY: 0	NAY: 0	NAY: 0
ABSENT: 0	ABSENT: 0	ABSENT: 0
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

Sponsored by:	<u>ORDINANCE NO. 2020-69</u>
<u>Community</u>	AN ORDINANCE AUTHORIZING THE ADOPTION OF THE COMMUNITY
<u>Development:</u>	DEVELOPMENT BLOCK GRANT (CDBG) POLICY AND PROCEDURES
T. Callahan	MANUAL UPDATES AND AUTHORIZING SUBMISSION OF SAME TO
D. Mitchell	THE FEDERAL HOUSING AND URBAN DEVELOPMENT (HUD)
J. Cerra	AGENCY, AND DECLARING AN EMERGENCY.
M. Jessie	
<u>Finance:</u>	
V. Stewart, III	
J. Baird	
P. Tollett	
M. Jessie	
B. Davis	

Callahan moved, Madison seconded to pass this ordinance on its first reading under suspension of rules and declaring an emergency.

SUSPENSION:	EMERGENCY:	PASSAGE:
AYE: 11	AYE: 11	AYE: 11
NAY: 0	NAY: 0	NAY: 0
ABSENT: 0	ABSENT: 0	ABSENT: 0
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

13. ORDINANCES – FIRST READING: Continued

Sponsored by: <u>Community</u> <u>Development:</u> T. Callahan D. Mitchell J. Cerra M. Jessie <u>Finance:</u> V. Stewart, III J. Baird P. Tollett M. Jessie B. Davis	<u>ORDINANCE NO. 2020-70</u> AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO PURCHASE TWO PARCELS OF REAL PROPERTY LOCATED AT 3653 ERIE AVENUE, LORAIN, OHIO, FOR THE BENEFIT OF THE ELYRIA WATER DEPARTMENT.
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Callahan moved, Madison seconded to pass this ordinance on its first reading under suspension of rules and declaring an emergency.

SUSPENSION: AYE: 11 NAY: 0 ABSENT: 0 MOTION CARRIED	EMERGENCY: AYE: 11 NAY: 0 ABSENT: 0 MOTION CARRIED	PASSAGE: AYE: 11 NAY: 0 ABSENT: 0 MOTION CARRIED
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14. ORDINANCES–SECOND READING: None

15. ORDINANCES–THIRD READING:

Sponsored by: <u>Community</u> <u>Development:</u> T. Callahan D. Mitchell M. Madison J. Cerra M. Jessie	<u>ORDINANCE NO. 2020-71</u> AN ORDINANCE ACCEPTING THE PETITION OF BUILDERS & DEVELOPERS CO., INC. FOR ANNEXATION OF 38.665 ACRES OF LAND TO THE CITY OF ELYRIA.
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Callahan moved, Mitchell seconded to pass this ordinance on its third reading.

PASSAGE:
 AYE: 11
 NAY: 0
 ABSENT: 0
 MOTION CARRIED

16. COMMITTEE CALLS:

COMMUNITY DEVELOPMENT 6/29/2020 6:00 P.M. Joint with Finance to Follow CD
All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

VIRTUAL

FINANCE 6/29/2020 Following CD and Joint with CD All Referred Items Council
Chambers w/Mayor, Fin. Director, Law Director, SSD, Engineer

VIRTUAL

UTILITIES 6/24/2020 6:00 P.M. All Referred Items Council Chambers w/SSD, Law
Dir. Engr.

VIRTUAL

STRATEGIC PLANNING 7/6/2020 Immediately following Council All Referred Items
Council Chambers W/ Mayor, Safety Service Director, Finance Dir., Law Director, Engineer

VIRTUAL

17. MISCELLANEOUS & UNFINISHED BUSINESS:

Mr. Jessie thanked Reubin's for donating 100 dinners for Love Elyria.

Mr. Madison thanked the Mayor and SSD for a great job on the Memorial Day Parade. And kudos for the Elyria groups on distributing food in his neighborhood and kudos for tomorrow's session.

Mrs. Davis thanked Love Elyria for the vegetables last week, they were well accepted and greatly appreciated.

Mrs. Mitchell thanked Love Elyria for the donations to Elyria Village (?) (Inaudible) . . . big hats off to Love Elyria.

Mrs. Keys said it was a pleasure and an honor to help Love Elyria and the two EPD officers had a great rapport.

Mr. Madison asked if Shred Day will be continued? Mayor Whitfield stated he would check with the SSD and Mr. Brubaker.

Mrs. Keys asked if they were cancelling 4th of July . . . no, doing something else . . .

Mr. Stewart asked about opening City Hall . . . kudos to Debbie (Public Utilities) and staff, some still working from home others working in the building. SSD stated some are working at home and some in the office.

17. MISCELLANEOUS & UNFINISHED BUSINESS: Continued

Mrs. Mitchell asked the Administration about the pools opening. He stated as of today no pools, but splash pads will be opening. There will be port-o-pottys.

Mrs. Davis asked that the park at Bell Avenue and Furnace Street be roped off.

Mr. Baird asked about the fountain being done. Mr. Schneider state they are opening bids this week.

18. ADJOURNMENT:

Baird motioned to adjourn, seconded by Cerra.
MOTION CARRIED 8:15 P.M.

Michael J. Lotko, III
Clerk of Council

Victor F. Stewart, III
President of Council