Minutes Approved	3/01/2021	February 16 th , 2021
		Regular Council Meeting
	As Written	Elyria City Council

1. CALL TO ORDER:

The regular meeting of Elyria City Council's Virtual Meeting was called to order on Tuesday, February 16th, 2021 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 Mr. Brubaker The recording of this meeting is available City of Elyria / YouTube. (Zoom meeting).

2. ROLL CALL--COUNCIL MEMBERS:

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

ABSENT: None

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

3. PUBLIC HEARINGS: NONE

4. APPROVAL OF MINUTES:

Cerra moved, Tollett seconded that the Regular Meeting Minutes of February 1st, 2021 be approved as printed. MOTION CARRIED

5. REMARKS AND REPORTS OF CITY OFFICIALS:

Mayor Whitfield: Mayor Whitfield was not available to give a report at this time.

Safety Service Director Brubaker: Mr. Brubaker updated on the Street Departments work on keeping the City Streets plowed and cleaned from the ice and snow, they've been doing a great job. He met with Preston Curtis and Keenan Williams who are the Street Department Supervisors and they put a plan together for the upcoming snow. The crews were out once and came back at 3AM. They also decided to pick up garbage since they were already a day behind due to the President Day Holiday. So they brought the teams in a little earlier and had them focus on the West Side to be plowed for the Sanitation Trucks.

Any streets that got missed will get cleared up the next day. Mr. Brubaker said the reason it went so smoothly and efficiently is because the residents passed Issue 6 twice and we the new trucks and equipment needed for this. Kudos to the maintenance team and all the teams.

Mr. Cerra asked if any vehicles had to be towed due to the 'Parking Bans'? Mr. Brubaker said no, no cars were towed that he's aware of.

Mr. Oswald asked why we don't have a parking ban on all streets? Why are only certain streets part of the parking ban? Mr. Brubaker said that they have to follow what the ordinance reads. He said he has discussed that they will revisit all of what the primary streets are. We have schools that are closing/opening. Streets that were in a school area and now that's no longer the case and they will review the policy on snow-ban parking. There are some streets in some neighborhoods have houses without driveways, that would make it difficult to make it a 'blanket' snow ban. But the can look into adding streets and Council's approval.

<u>Finance Director Pileski:</u> Mr. Pileski said that he had good news. Last week we rec'd the second of two distributions from RITA and it was \$830,357 higher than last February. That wiped out the deficit that we had from the 1st distribution and puts us up \$331,930 up for February compared to last February.

Mr. Oswald asked how that effects workers who work from home, does it change the status?

Mr. Pileski said there is a lawsuit that has been filed with issues with this. Some companies are withholding as if employees are still working in their work place but if an employees has a different residence from the city where they work, they may have to start withholding for the resident city. The preliminary report for Elyria shows it could help us because there are a lot of people who live in Elyria and work from home. It would be hard for the employers to track that but it will fall on them to withhold for the resident's city.

Mrs. Mitchell said that she works in Independence and her employer is still taking out as if she is going to work every day, though she's been working from home for at least a year.

<u>Law Director Deery:</u> Mrs. Deery is requesting that Council go into Strategic Planning at the conclusion of tonight's meeting for purpose of an executive session to discuss imminent litigation and no action to be taken.

Assistant Director Feuerstein: No Report

Assistant Director Calvert: No Report

Assistant Director Flanders: Ms. Flanders reported that they had there first virtual Town Hall Meeting with the Administration for 2021. She thanked Lorain County Health Commissioner Dave Covell for sharing details about Covid19. She also thanked Pat Hoagland who joined from Brandsetter Carroll to provide data from the recent Parks and Rec survey that was completed in November 2020. The Town Hall Meeting is available to watch on City of Elyria YouTube. Elyria's print ads and information has been shared on Social Media and the City's Website. And last month they sent an e-newsletter with upcoming events and information for the month of February. It included Senior news and Parks & Rec news. Of everyone who received that email, it was opened by 32.6 percent. And the industry standard is at about 28.7 percent.

Ms. Flanders said the Parks Board information was added to the City Website. And she reported that there will be some updates on the Website for departments which are starting to be updated with forms and communication. She thanked everyone on there feedback on the ward map. They anticipate both the ward and zoning map to be ready for final review soon.

Mrs. Mitchell asked how they are reaching residents that don't utilize technology? Ms. Flanders said that they are still publishing ads in the newpaper and on the radio and the cable channel. She said they are mindful of that.

Police Chief Whitely: No Report

<u>Fire Chief Mack:</u> Reported that they have filled the Fire Marshall Position to Captain Bill Galt to Assistant Chief and he is now the Fire Marshall.

Engineer Schneider: No Report

Parks Director Reardon: She reported that the Recreation Supervisor, Nicole Edwards has been hired back. Open volleyball for youth will begin the week of February 26th. And are accepting sign ups now. Time slots are filling up quickly. They still have openings for high school age groups.

Open volleyball for adults will begin February 20th and registration will take place on line at the city's website. They are looking to add additional days and times after they receive feedback from participants.

The North Park ice rink has been having busy weekend skating sessions.

The weather has impacted the restroom project at East Park. They are hoping to do a walk through soon and punch list items that need to be done.

The East Park playground project is moving along. Final design from 3 firms are due by February 22nd and they hope to have the project completed by mid-May.

Mr. Jessie said that he feels that additional staff should be hired back so the programs can be operated the way they are supposed to be and done for years.

Mrs. Keys asked why there haven't been any senior programs at East Rec.?

Ms. Reardon said there was construction going on at East Rec, it has been completed and the center is being used by Horizon. This issue has been brought up and discussed with the administration and she is waiting for feedback.

Ms. Flanders responded and said they are working on that and are exploring bringing programming back.

Mrs. Davis said that since the City acquired Oakwood school and she's hoping that there can be senior programs there. So, she is hoping they can get staff to do that. And maybe even volunteers can help.

Law Dir Deery said that Oakwood School is not due to come into the City's possession until August.

At that time there would be a process for the City to designate it as a City Park.

Mrs. Mitchell asked about the summer camps and Safety Town, will those happen this year?

Ms. Reardon said they have been in discussion regarding all of those things. As of now, the summer camps will be running through the Mayor's office. Mrs. Mitchell asked why through the Mayor's office?

Ms. Flanders said the office of the Mayor and Safety Service Director are planning the Reach and Rise Element of Summer Camp Programming, which is not atypical to how it's been in previous years. Other camps are Sports and Space Camps and Cheerleading. They will work with Director Reardon as to what the themes will be and the overall layout of what the summer could look like.

Mr. Jessie said as duck-tailing as to what Mrs. Mitchell said, again, the need for the City to hire additional trained, educated, experienced staff is important. He said that he would like to see more input from the Parks Board, as designed by our Charter, it's needed for the smooth operation of department and for the administration and direction of the Parks. He said that all of Council supports the Park Board and the needs and directions of the Parks Board as we move forward out of this pandemic.

Mr. Tollett asked if they have started the process of hiring lifeguards yet and setting up aquatic programs?

Ms. Reardon said no that haven't started doing anything with those programs yet, though it's on the radar. She will reach out to previous staff to get a gage of how many of them will come back. She's in touch with the person who does the lifeguard certification course which is important because with the laps of last year.

Mrs. Mitchell asked if we will be doing summer baseball?

Ms. Reardon said that the outdoor programs will be going forward as much as they can do. There may be some modifications to some of those programs.

Mr. Jessie said that it came up earlier that the additional master plan that was supposed to be contracted in the Fall and those results have been analyzed?

Ms. Reardon said yes, they got around 800 surveys back and a lot of the feedback was similar to what was done before. The top four things were, not in any order were, 1. an outdoor aquatics facility, 2. a dog park, 3. trails, 4. an indoor aquatics facility. These were the top four.

Mr. Jessie said that is similar to the large master plan that was done 5 years ago. He thanked Ms. Reardon for being here and it's been a challenging time as we all navigate through this virus and putting programs back together. He thinks he speaks for all his colleagues that they appreciate the work she does.

President Stewart asked Ms. Flanders if there is a way the Council Members can get the Power Point Presentation of the survey results?

Ms. Flanders said that she will work with Mr. Hoagland to get that request to him.

6. PRESIDENT'S REFERRALS AND REMONSTRANCES:

1. The matter of an appointment of 2 members to the Lorain Energy Special Improvement District Board.

REFERRED BY: Assistant Service Director D. Calvert

REFERRED TO: Community Development

2. The matter of review and approval of a Downtown Facade Improvement Program Application for improvements to 333 Broad Street.

REFERRED BY: Assistant Service Director D. Calvert

REFERRED TO: JOINT Committees ~ Community Development and Finance

3. The matter of review and approval of recommendations from the Tax Incentive Review Council.

REFERRED BY: Community Development Director A. Scott

REFERRED TO: JOINT Committees ~ Community Development and Finance

4. The matter of the disposal of outdated and non-usable City IT Equipment.

REFERRED BY: Safety Service Director Brubaker

REFERRED TO: Finance

5. The matter of an amendment to Salary Ordinance No. 2019-94 to establish a Finance Dept. Specialist Position.

REFERRED BY: Assistant Finance Director Farrell

REFERRED TO: Finance

6. The matter of an amendment to the Salary Ordinance, 2019-94 to establish a one percent pay raise for certain Chapter 165 employees.

REFERRED BY: City Council President Stewart

REFERRED TO: Finance

7. The matter of authorizing the Mayor to enter into a professional service contract with Roetzel & Andress for Legal Counseling for Labor Matters.

REFERRED BY: Safety Service Director Brubaker

REFERRED TO: Finance

8. The matter of applying for an Ohio Department of Health Fluoride Assistance Program (FAP) Grant.

REFERRED BY: Superintendent Sam F Jacob

REFERRED TO: Utilities

9. The matter of applying for a Water Supply Revolving Loan Account (WSRLA) thru the Ohio EPA.

REFERRED BY: Superintendent Sam F Jacob

REFERRED TO: Utilities

7. PETITIONS-COUNCIL MEMBERS: None

8. PETITIONS--LOBBY: Aric Bowen

Greetings to City council and all representatives of the community. My name is Aric Bowens I live at 1212 Lake Ave on Elyria's West side. I attended Elyria City Schools and have been apart of community service for many years now. I reached on to a few community leaders (I'll name who and what they represent) in hopes to come up with a few points of interest we want to focus on improving with immediate attention from city officials. Point of interest #1 More effective use of South and West recreational centers after school hours and throughout the summer. I'll go into past experiences and details, also how other local organizations can help and or participate with programs and activities. #2 City of Elyria to be directly involved with youth job training programs, youth employment and or supporting organizations (I'll name a variety of organizations confirmed to be interested in participating) financially, resourcefully and actively engaged. #3 Last but not least African American citizens want our stories told in regards to the advancements and some great accomplishments in our city. I'd like to highlight a few examples and we are asking for the city to support cultural activities and ideas of the African American community in Elyria. I'll go into more depth within my 3 minutes available. Thank you sincerely. If anything else is needed please contact me ASAP and I'll comply.

9. REPORTS OF STANDING AND SPECIAL COMMITTEES: None

10. RESOLUTIONS - FIRST READING:

Sponsored by: **RESOLUTION NO. R2021-3**

Finance
V. Stewart III
P. Tollett
J. Baird

A RESOLUTION APPROVING A LIST SUBMITTED BY THE SAFETY SERVICE
DIRECTOR FOR THE COLLECTION OF DELINQUENT INACTIVE UTILITY
ACCOUNTS AND DIRECTING THE CLERK OF COUNCIL TO CERTIFY SAID

B. Davis ACCOUNTS TO THE LORAIN COUNTY AUDITOR.

M. Jessie

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

SUSPENSION:

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

PASSAGE:

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

- 11. RESOLUTIONS--SECOND READING: None
- 12. RESOLUTIONS--THIRD READING: None

13. ORDINANCES – FIRST READING:

Sponsored by: ORDINANCE NO. 2021-

Community Development
T. Callahan
D. Mitchell
J. Cerra
CHAPTER 1135 OF THE CODIFIED ORDINANCES OF THE CITY OF ELYRIA,
OHIO TO DOMINIC D. PRICE AND COURTNEY R. PRICE FOR TYPE 'A' INHOME CHILD CARE, AT REAL PROPERTY LOCATED AT 108 REGENCY
COLUMN FLYRIA ONLO

M. Jessie COURT, ELYRIA, OHIO.

PUBLIC HEARING: MONDAY, MARCH 15TH, 2021 AT 7:00 P.M. ZOOMED and LIVE STREAMED

Sponsored by: **ORDINANCE NO. 2021-23**

Finance
V. Stewart III
AN ORDINANCE AMENDING ORDINANCE 2020-170 KNOWN AS THE '2021

P. Tollett TEMPORARY APPROPRIATIONS ORDINANCE'.

J. Baird B. Davis M. Jessie

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

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

Sponsored by: ORDINANCE NO. 2021-24

Finance
V. Stewart III
V. Stewart III

P. Tollett TO THE U.S. DEPARTMENT OF HOMELAND SECURITY, FEDERAL

J. Baird EMERGENCY MANAGEMENT AGENCY, AND ACCEPT, IF OFFERED, THE FY
B. Davis 2020 FIRE PREVENTION AND SAFETY GRANT, TO BE ADMINISTERED BY
THE ELYRIA CITY FINANCE DEPARTMENT AND THE ELYRIA CITY FIRE

DEPARTMENT, AND DECLARING AN EMERGENCY.

Tollett moved, Davis seconded to pass this Ordinance on its first reading under suspension of the 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: **ORDINANCE NO. 2021-25**

Finance
V. Stewart III

AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION

P. Tollett TO THE U.S. DEPARTMENT OF HOMELAND SECURITY, FEDERAL

J. Baird EMERGENCY MANAGEMENT AGENCY, AND ACCEPT IF OFFERED, THE FY
B. Davis 2020 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER)
M. Jessie CRANT TO BE ADMINISTERED BY THE ELYPLA CITY EDIANGE

GRANT, TO BE ADMINISTERED BY THE ELYRIA CITY FINANCE

DEPARTMENT AND THE ELYRIA CITY FIRE DEPARTMENT AND DECLARING

AN EMERGENCY.

Tollett moved, Davis seconded to pass this ordinance on its first reading under suspension of the 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: MOTION CARRIED MOTION CARRIED MOTION CARRIED

Sponsored by: **ORDINANCE NO. 2021-26**

Finance
V. Stewart III
P. Tollett
J. Baird
B. Davis
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH ENVIRONMENTAL SYSTEMS RESEARCH
INSTITUTE, INC. FOR THE SMALL GOVERNMENT DEPARTMENTAL
B. Davis

M. Jessie PLATFORM PROGRAM AND DECLARING AN EMERGENCY.

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

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

Sponsored by: ORDINANCE NO. 2021-27

Finance
V. Stewart III
P. Tollett
J. Baird
Doffered, THE COMMUNITY AND LITTER GRANT, THROUGH THE 2021
RECYCLING AND LITTER PREVENTION PROGRAM, FOR THE PURCHASE OF
M. Jessie
A 2021 FORD F450 TRUCK, A FABRICATED BOX FOR THE TRUCK BED AND A

MODEL 250XP BRUSH BANDIT CHIPPER FOR THE ELYRIA SANITATION

DEPARTMENT, AND DECLARING AN EMERGENCY.

Tollett moved, Davis seconded to pass this ordinance on its first reading under suspension of the 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: **ORDINANCE NO. 2021-28**

Finance AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A V. Stewart III MEMORANDUM OF UNDERSTANDING WITH THE LORAIN COUNTY P. Tollett

COMMISSIONERS WITH A THREE (3) YEAR COMMITMENT TO PARTICIPATE J. Baird

B. Davis IN THE LORAIN COUNTY EMERGENCY NOTIFICATION SYSTEM, AND

M. Jessie DECLARING AN EMERGENCY.

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

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

MOTION CARRIED MOTION CARRIED MOTION CARRIED

Sponsored by: ORDINANCE NO. 2021-29

Community Development AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN

T. Callahan ENTERPRISE ZONE AGREEMENT WITH HYDRO-AIRE, INC. AND CRANE CO., D. Mitchell FOR EXEMPTION OF REAL AND PERSONAL PROPERTY TAXES WITHIN THE J. Cerra K. Oswald ELYRIA ENTERPRISE ZONE, CREATED UNDER ORDINANCE NO. 91-71 AND M. Jessie

AS AMENDED IN ORDINANCE NO. 95-47.

Finance V. Stewart III P. Tollett J. Baird B. Davis M. Jessie

Callahan moved, Mitchell seconded to pass this ordinance on its first reading under suspension of the rules.

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

Sponsored by: ORDINANCE NO. 2021-30

Community Development AN ORDINANCE AUTHORIZING THE MAYOR TO ASSIST IN SITE

T. Callahan PREPARATION, REDUCE THE PLAN REVIEW FEES AND BUILDING PERMIT D. Mitchell FEES FOR THE CONSTRUCTION PROJECTS FOR HYDRO-AIRE, INC. AND J. Cerra

K. Oswald CRANE CO. M. Jessie

Finance V. Stewart III P Tollett J. Baird B. Davis

M. Jessie

Callahan moved, Mitchell seconded to pass this ordinance on its first reading under suspension of the rules.

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

Sponsored by: ORDINANCE NO. 2021-31

Community Development AN ORDINANCE ESTABLISHING THE 'DOWNTOWN HISTORIC T. Callahan

REDEVELOPMENT GRANT PROGRAM'. D. Mitchell

J. Cerra K. Oswald M. Jessie Finance V. Stewart III P. Tollett J. Baird B. Davis M. Jessie

Callahan moved, Mitchell seconded to pass this ordinance on its first reading under suspension of the rules.

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

MOTION CARRIED **MOTION CARRIED**

14. ORDINANCES-SECOND READING:

Sponsored by: ORDINANCE NO. 2021-

Community Development AN ORDINANCE AMENDING SECTION 1131..02, CODIFIED ORDINANCES OF THE CITY T Callahan OF ELYRIA, OHIO, KNOWN AS THE ZONING ORDINANCE, TO REZONE REAL D. Mitchell PROPERTY LOCATED AT 4900 MIDWAY MALL AND 4950 MIDWAY MALL, ELYRIA, J. Cerra OHIO FROM B-G BUSINESS-GENERAL DISTRICT TO L-I LIGHT INDUSTRIAL

K. Oswald

DISTRICT. M. Jessie

President Stewart declared this ordinance to have had its Second Reading. NOTE: Public Hearing Date is Scheduled for a Special Council Meeting on, Monday, February 22, 2021 at 6:00 P.M.

Sponsored by: ORDINANCE NO. 2021-

Community Development AN ORDINANCE AMENDING SECTION 1131.02, CODIFIED ORDINANCES OF THE CITY T. Callahan OF ELYRIA, OHIO, KNOWN AS THE ZONING ORDINANCE, TO REZONE REAL

D. Mitchell PROPERTY LOCATED AT 621 49TH STREET, ELYRIA, OHIO, FROM B-N BUSINESS-J. Cerra NEIGHBORHOOD DISTRICT TO B-AO BUSINESS-AUTOMOTIVE ORIENTED DISTRICT. K. Oswald

M. Jessie

President Stewart declared this ordinance to have had its Second Reading. NOTE: Public Hearing Date is Scheduled for a Special Council Meeting on, Monday, February 22, 2021 at 6:00 P.M.

15. ORDINANCES-THIRD READING: None

16. COMMITTEE CALLS:

SPECIAL COUNCIL MEETING 2/22/2021 6:00 P.M. PUBLIC HEARING W/ Mayor, Safety Service Director, Finance Dir., Law Director, Engineer VIRTUAL/ZOOM

COMMUNITY DEVELOPMENT 2/22/2021 6:00 P.M. Following Special Council Meeting All Referred Items w/Law Director, SSD, Engineer, Bldg. Insp. VIRTUAL/ZOOM

JOINT COMMUNITY DEVELOPMENT and FINANCE 2/22/2021 Following CD Meeting w/Law Director, SSD, Engineer, Bldg. Insp. VIRTUAL/ZOOM

FINANCE 2/08/2021 Following Joint with CD All Referred Items w/Mayor, Fin. Director, Law Director, SSD, Engineer VIRTUAL/ZOOM

STRATEGIC PLANNING 2/22/2021 (If needed) Immediately following Council All Referred Items W/ Mayor, Safety Service Director, Finance Dir., Law Director, Engineer VIRTUAL/ZOOM

17. MISCELLANEOUS & UNFINISHED BUSINESS: None

18. ADJOURNMENT:

Baird motioned to adjourn to go into Executive Session, seconded by Tollett at 7:56 P.M. MOTION CARRIED

Roll call vote was taken to go into Executive Session at 7:58 P.M. Callahan, Cerra, Oswald, Baird, Mitchell, Tollett, Simmons, Davis, Keys, Jessie, Stewart

Baird motioned to come out of Executive Session, seconded by Cerra at 8:48 P.M. and to adjourn the Meeting. MOTION CARRIED

	W F. G III
Michael J. Lotko, III	Victor F. Stewart, III
Clerk of Council	President of Council

Meeting attended by Secretary Rosado and transcribed by Secretary Rosado on 2/24/2021