

Minutes Approved \_\_\_\_\_  
\_\_\_\_\_

January 19, 2021  
Regular Council Meeting  
Elyria City Council

1. CALL TO ORDER:

The regular meeting of Elyria City Council was called to order on Tuesday, January 19, 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. Pileski Virtual Council meeting. The recording or audio tape of this meeting available Elyria On YouTube. (Zoom meeting)

2. ROLL CALL--COUNCIL MEMBERS:

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

ABSENT: None

OTHERS PRESENT: 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

ABSENT: Mayor Whitfield

3. PUBLIC HEARINGS:

The meeting recessed for the first Public Hearing at 7:04 P.M. Clerk Lotko read the call to the Public Hearing.

You are hereby notified that a Public Hearing will be held on Tuesday, January 19, 2021 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 CERTAIN REAL PROPERTY LOCATED BETWEEN WEST RIDGE ROAD AND FOWL ROAD, ELYRIA, OHIO, FROM R-LD RESIDENTIAL-LOW DENSITY DISTRICT TO R-MD RESIDENTIAL- MEDIUM DENSITY DISTRICT. LIGHT INDUSTRIAL DISTRICT.

President Stewart asked if there were any proponents?

President Stewart asked if there were any proponents?

President Stewart asked if there were any 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 7:05 P.M.

3. PUBLIC HEARINGS: Continued

Sponsored by:  
Community  
Development:  
T. Callahan  
D. Mitchell  
J. Cerra  
M. Jessie  
K. Oswald

ORDINANCE NO. 2021-4  
AN ORDINANCE AMENDING SECTION 1131.02, CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO, KNOWN AS THE ZONING ORDINANCE, TO REZONE CERTAIN REAL PROPERTY LOCATED BETWEEN WEST RIDGE ROAD AND FOWL ROAD, ELYRIA, OHIO, FROM R-LD RESIDENTIAL-LOW DENSITY DISTRICT TO R-MD RESIDENTIAL - MEDIUM DENSITY DISTRICT.

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 7:06 P.M. Clerk Lotko read the call to the Public Hearing.

You are hereby notified that a Public Hearing will be held on Tuesday, January 19, 2021 at 7:00 P.M. during a virtual Elyria City Council Meeting, to consider the following:

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT PURSUANT TO CHAPTER 1135 OF THE CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO, TO RIDGE WATER LTD. FOR A R-PUD RESIDENTIAL-PLANNED UNIT DEVELOPMENT (CLUSTER HOMES), AT REAL PROPERTY LOCATED BETWEEN WEST RIDGE ROAD AND FOWL ROAD, ELYRIA, OHIO.

President Stewart asked if there were any proponents?  
President Stewart asked if there were any proponents?  
President Stewart asked if there were any 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 7:07 P.M.

3. PUBLIC HEARINGS: Continued

Sponsored by:	<u>ORDINANCE NO. 2021-5</u>
<u>Community</u>	AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT PURSUANT TO
<u>Development:</u>	CHAPTER 1135 OF THE CODIFIED ORDINANCES OF THE CITY OF ELYRIA,
T. Callahan	OHIO, TO RIDGE WATER LTD. FOR A R-PUD RESIDENTIAL-PLANNED UNIT
D. Mitchell	DEVELOPMENT (CLUSTER HOMES), AT REAL PROPERTY LOCATED
J. Cerra	BETWEEN WEST RIDGE ROAD AND FOWL ROAD, ELYRIA, OHIO.
M. Jessie	
K. Oswald	

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 third Public Hearing at 7:07 P.M. Clerk Lotko read the call to the Public Hearing.

You are hereby notified that a Public Hearing will be held on Tuesday, January 19, 2021 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 265 WASHINGTON AVENUE, ELYRIA, OHIO, FROM AN R-MHH RESIDENTIAL-MULTI-HOUSEHOLD HIGH DENSITY DISTRICT TO A B-N BUSINESS-NEIGHBORHOOD DISTRICT.

President Stewart asked if there were any proponents?

Ron Cocco from Clark and Post, 6125 Broadway is available to answer any questions. There were none.

President Stewart asked if there were any other proponents?

President Stewart asked if there were any 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 7:09 P.M.

3. PUBLIC HEARINGS: Continued

Sponsored by:  
Community  
Development:  
T. Callahan  
D. Mitchell  
J. Cerra  
M. Jessie  
K. Oswald

ORDINANCE NO. 2021-6  
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 265 WASHINGTON AVENUE, ELYRIA, OHIO, FROM AN R-MHH RESIDENTIAL-MULTI-HOUSEHOLD HIGH DENSITY DISTRICT TO A B-N BUSINESS-NEIGHBORHOOD DISTRICT.

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:

Cerra moved, Mitchell seconded that the Regular Meeting Minutes of January 4, 2021 be approved as printed.  
MOTION CARRIED

5. REMARKS AND REPORTS OF CITY OFFICIALS:

Safety Service Director Brubaker: Mr. Brubaker comments are attached herewith, made a part thereof, and designated as Exhibit "A".

Finance Director Pileski: Mr. Pileski stated that last week the RITA check was and the total amount down was \$462,432.19, down 16.54 per cent from last year. Full CT article attached herewith, made a part thereof, and designated as Exhibit "B".

Law Director Deery: No Report

ASSD Calvert: Ms. Calvert's report is attached herewith, mad a part thereof, and designated as Exhibit "C".

ASSD Flanders: Ms. Flanders spoke regarding the changes in the Administration and stated she would be ending out the information outlining the changes and responsibilities. Attached herewith, made a part thereof, and designated as Exhibit "D".

Parks & Rec. Dir. Reardon: Mrs. Reardon's comments are attached herewith, part a part thereof and designated as Exhibit "E".

6. PRESIDENT'S REFERRALS AND REMONSTRANCES:

1. The matter of the appointment of a Community Reinvestment Area (CRA) Housing Council members.

REFERRED BY: CD Director Scott

REFERRED TO: Community Development

2. The matter of a rezoning request from Chyora Distribution LLC at 446 W. 11<sup>th</sup> Street from a R-TH (Residential Two-Household) to a B-G )Business General.

REFERRED BY: Ron Cocco, Clark & Post Architects, Inc.

REFERRED TO: Community Development/Planning Commission

3. The matter of authorizing the Mayor to advertise for bids and enter into a contract for the resurfacing of Lowell Street.

REFERRED BY: Engineer Schneider

REFERRED TO: Utilities

4. The matter of authorizing the Mayor to enter into an agreement with Osborn Engineering for professional design services for the resurfacing/reconstruction of E. Broad Street.

REFERRED BY: Engineer Schneider

REFERRED TO: Utilities

5. The matter of authorizing the Mayor to enter into an amendment with Stantec Consulting.

REFERRED BY: Engineer Schneider

REFERRED TO: Utilities

6. The matter of an Amendment No 7 to the agreement with AECOM pertaining to the Wet Weather Program. (Monies have been appropriated)

REFERRED BY: Asst. Engineer McKillips

REFERRED TO: Utilities

7. PETITIONS--COUNCIL MEMBERS: None

8. PETITIONS--LOBBY: None

9. REPORTS OF STANDING AND SPECIAL COMMITTEES: None

10. RESOLUTIONS – FIRST READING:

Sponsored by:

Finance:

V. Stewart, III

P. Tollett

B. Davis

M. Jessie

J. Baird

RESOLUTION NO. R2021-

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 COSTS TO THE LORAIN COUNTY AUDITOR.

10. RESOLUTIONS – FIRST READING: Continued

Tollett moved, Davis seconded to pass this resolution 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

11. RESOLUTIONS--SECOND READING: None

12. RESOLUTIONS--THIRD READING: None

13. ORDINANCES – FIRST READING:

Sponsored by:	<u>ORDINANCE NO. 2021-</u>
<u>Community</u>	AN ORDINANCE AMENDING SECTION 1131.02, CODIFIED ORDINANCES OF THE CITY
<u>Development:</u>	OF ELYRIA, OHIO, KNOWN AS THE ZONING ORDINANCE, TO REZONE REAL
T. Callahan	PROPERTY LOCATED AT 4900 MIDWAY MALL AND 4950 MIDWAY MALL, ELYRIA,
D. Mitchell	OHIO FROM B-G BUSINESS-GENERAL DISTRICT TO L-I LIGHT INDUSTRIAL
J. Cerra	DISTRICT.
M. Jessie	
K. Oswald	

President Stewart declared this ordinance to have had its first reading and scheduled a Public Hearing for Tuesday, February 16, at 7:00 P.M. in Council Chambers. **NOTE: PUBLIC HEARING DATE HAS BEEN CHANGED TO A SPECIAL COUNCIL, MONDAY, FEBRUARY 22, 2021 at 6:00 P.M.**

Sponsored by:	<u>ORDINANCE NO. 2021-</u>
<u>Community</u>	AN ORDINANCE AMENDING SECTION 1131.02, CODIFIED ORDINANCES OF THE CITY
<u>Development:</u>	OF ELYRIA, OHIO, KNOWN AS THE ZONING ORDINANCE, TO REZONE REAL
T. Callahan	PROPERTY LOCATED AT 621 49 <sup>TH</sup> STREET, ELYRIA, OHIO, FROM B-N BUSINESS-
D. Mitchell	NEIGHBORHOOD DISTRICT TO B-AO BUSINESS-AUTOMOTIVE ORIENTED DISTRICT
J. Cerra	
M. Jessie	
K. Oswald	

President Stewart declared this ordinance to have had its first reading and scheduled a Public Hearing for Tuesday, February 16 at 7:00 P.M. in Council Chambers. **NOTE: PUBLIC HEARING DATE HAS BEEN CHANGED TO A SPECIAL COUNCIL, MONDAY, FEBRUARY 22, 2021 AT 6:00 P.M.**

13. ORDINANCES – FIRST READING: Continued

Sponsored by: ORDINANCE NO. 2021-7  
Finance: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT TO  
 V. Stewart, III THE WATER AGREEMENT BETWEEN THE CITY OF NORTH RIDGEVILLE AND THE  
 P. Tollett CITY OF ELYRIA, AND DECLARING AN EMERGENCY.  
 B. Davis  
 M. Jessie  
 J. Baird

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. 2021-8  
Finance: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ADDENDUM TO  
 V. Stewart, III THE AGREEMENT WITH MEDICAL MUTUAL SERVICES, LLC FOR ADMINISTRATIVE  
 P. Tollett FEES, SERVICES AND COSTS FOR THE CITY OF ELYRIA, AND DECLARING AN  
 B. Davis EMERGENCY.  
 M. Jessie  
 J. Baird

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. 2021-9  
Finance: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A STOP LOSS  
 V. Stewart, III CONTRACT WITH MEDICAL MUTUAL SERVICES, LLC FOR THE CITY OF ELYRIA,  
 P. Tollett AND DECLARING AN EMERGENCY  
 B. Davis  
 M. Jessie  
 J. Baird

13. ORDINANCES – FIRST READING: Continued

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:  
Utilities:  
D, Mitchell  
B. Davis  
J. Cerra  
J. Keys

ORDINANCE NO. 2021-10  
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH PRO-TECH SYSTEMS GROUP, TO PURCHASE UPGRADES TO THE SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) SYSTEM FOR THE WATER PUMPING PLANT THROUGH THE OHIO STATE PURCHASING PROGRAM, AND DECLARING AN EMERGENCY.

Mitchell 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:  
Utilities:  
D, Mitchell  
B. Davis  
J. Cerra  
J. Keys

ORDINANCE NO. 2021-11  
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO PURCHASE TWO (2) COLUMBARIUMS FOR BROOKDALE CEMETERY.

Mitchell moved, Davis 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



13. ORDINANCES – FIRST READING: Continued

Sponsored by: ORDINANCE NO. 2021-12  
Utilities: AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER  
D, Mitchell INTO A CONTRACT FOR CHEMICALS FOR THE WWPC PLANT FOR CHEMICALS FOR  
B. Davis YEARS 2021 AND 2022.  
J. Cerra  
J. Keys

Mitchell moved, Davis 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. 2021-13  
Utilities: AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER  
D, Mitchell INTO A CONTRACT FOR CHEMICALS FOR THE WATER PUMPING PLANT FOR  
B. Davis CHEMICALS FOR YEARS 2021 AND 2022.  
J. Cerra  
J. Keys

Mitchell moved, Davis 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

Mr. Stewart recused himself at 7:38 P.M.

Sponsored by: ORDINANCE NO. 2021-14  
Utilities: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL  
D, Mitchell SERVICES AGREEMENT WITH TRANSYSTEMS CORPORATION FOR PROFESSIONAL  
B. Davis DESIGN SERVICES FOR THE CLEVELAND STREET AND EAST BRIDGE STREET  
J. Cerra IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY  
J. Keys

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

SUSPENSION:	EMERGENCY:	PASSAGE:
AYE: 10	AYE: 10	AYE: 10
NAY: 0	NAY: 0	NAY: 0
ABSENT: 1(Stewart-recused)	ABSENT: 1(Stewart-recused)	1(Stewart-recused)
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

Mr. Stewart returned at 7:39 P.M.

13. ORDINANCES – FIRST READING: Continued

Sponsored by: ORDINANCE NO. 2021-15  
Community AN ORDINANCE AUTHORIZING THE CITY OF ELYRIA TO RELEASE THE  
Development: REHABILITATION LOAN LIEN AGAINST REAL PROPERTY LOCATED AT 190 BELL  
T. Callahan AVENUE, ELYRIA, OHIO.  
D. Mitchell  
J. Cerra  
M. Jessie  
K. Oswald  
Finance:  
V. Stewart  
P. Tollett  
B. Davis  
M. Jessie  
J. Baird

Callahan moved, Davis 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. 2021-16  
Utilities: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH  
D, Mitchell BEST EQUIPMENT, TO PURCHASE THROUGH THE OHIO STATE PURCHASING  
B. Davis PROGRAM, ONE AUTOMATED GARBAGE TRUCK, AND DECLARING AN  
J. Cerra EMERGENCY.  
J. Keys  
Finance:  
V. Stewart  
P. Tollett  
B. Davis  
M. Jessie  
J. Baird

Mitchell 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

14. ORDINANCES–SECOND READING: None

15. ORDINANCES–THIRD READING: None

16. COMMITTEE CALLS:

COMMUNITY DEVELOPMENT 1/11/2021 6:00 P.M. Followed by Joint with Finance to Follow CD All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.  
**VIRTUAL/ZOOM**

FINANCE 1/11/2021 Following Joint with CD All Referred Items Council Chambers w/Mayor, Fin. Director, Law Director, SSD, Engineer  
**VIRTUAL/ZOOM**

UTILITIES 1/6/2021 6:00 P.M. All Referred Items Council Chambers W/SSD, Law Dir., Eng.  
**VIRTUAL/ZOOM**

STRATEGIC PLANNING 1/19/2021 Immediately following Council All Referred Items Council Chambers W/ Mayor, Safety Service Director, Finance Dir., Law Director, Engineer  
**VIRTUAL/ZOOM**

17. MISCELLANEOUS & UNFINISHED BUSINESS:

Mr. Jessie requested that the Parks and Rec. Department be added onto the first page of the City’s Website listing with the rest of the departments.

18. ADJOURNMENT:

Baird motioned to adjourn, seconded by Cerra. 7 :44 P.M.  
MOTION CARRIED

\_\_\_\_\_  
Michael J. Lotko, III  
Clerk of Council

\_\_\_\_\_  
Victor F. Stewart, III  
President of Council