

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

February 1<sup>st</sup>, 2021  
Regular Council Meeting  
Elyria City Council

**1. CALL TO ORDER:**

The regular meeting of Elyria City Council was called to order on Monday, February 1<sup>st</sup>, 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 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, Mitchell seconded that the Regular Meeting Minutes of January 19<sup>th</sup>, 2021 be approved as printed.  
MOTION CARRIED

**5. REMARKS AND REPORTS OF CITY OFFICIALS:**

**Mayor Whitfield:** Welcome to February and Happy Black History Month.

He said we're excited to be able to honor our very own Councilwoman Donna Mitchell as the first African American woman elected to Elyria City Council.

They've been working with Department Heads on finalizing their Departmental Budgets and Mayor Whitfield said they are looking forward to presenting those at an upcoming Finance Meeting. They reflect the values and what's important and priorities for the City.

**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. They've had all 9 of the trucks out on the roads. Kudos to Mr. Curtis and Mr. Williams for managing that. The new trucks that are on the road are due to Issue 6 dollars and thanks to the residents for passing Issue 6.

A kiosk was installed in the Utilities side of City Hall and has been completed and up and running in next week or two. It will be accessible to residents to pay their utility bills before and after hours. The main doors will be locked and the outside doors will be set up on a timer and lock automatically at certain times. Kudos to our Communications Team from the electrical guys and to Mr. Schneider and the Buildings & Lands Team for coordinating this project. That kiosk was paid for by the CARES ACT money.

Mrs. Davis asked if there is a slot where someone can drop off their payment? Mr. Brubaker said yes, there is a slot which will go into a locked area where they be collected from each day.

**Finance Director Pileski:** Mr. Pileski said that Utility Collections are improving because they have began shutting off Delinquent accounts. He will get an updated report from Mrs. Conner.

Mr. Pileski said they received the distribution from RITA and it's down 28.53 percent from the first distribution from last February. Today we received \$1,248,457. Last February's was \$1,746,884. We're down \$498,427.

One month and one day into the new year we're down over \$900,000 in income tax revenues. He feels this trend will continue thru the 1<sup>st</sup> quarter and into the 2<sup>nd</sup> quarter.

**Law Director Deery:** Long time employee, Jean Anderson has retired after 20 years.

**Assistant Director Feuerstein:** No Report

**Assistant Director Calvert:** Ms. Calvert said they've received news that Governor Dewine has issued notice of his Executive Budget for 2022 and 2023 and that includes \$460 million dollars in relief to small businesses. She will stay on top of that and communicate it with the Elyria Business Community.

**Police Chief Whitely:** No Report

**Fire Chief Mack:** Reported that 2 long term employees retired at the end of January; Fire Marshall Mandoke who started with the City in 1989 and Inspector Males. They both contributed in the fire prevention side of things and they will be greatly missed. That takes us to 61 members of the 88 that were authorized and we look forward to bringing a few new members in the next month or two. Promotional tests have been given to replace those positions and we are waiting for the candidates to make their decision.

**Engineer Schneider:** No Report

**CD Director Scott:** Her department did receive the Grant Agreement for the 2<sup>nd</sup> round of CDBG Covid dollars from HUD and waiting for those funds to be released. Salvation Army will receive additional money to be used toward Utility Assistance.

**6. PRESIDENT'S REFERRALS AND REMONSTRANCES:**

1. The matter of the PY202 Community Development Block Grant (CDBG) Action Plan Substantial Amendment. (Public hearing 2/8/2021) (2/22/2021 Joint CD/Finance meeting) (3/1/2021 Amendment to Council for approval)  
REFERRED BY: Mona Almabayyed, CD Office  
REFERRED TO: Community Development/Finance

2. The matter of creating a Downtown Historic Redevelopment Grant Program.  
REFERRED BY: ASSD Calvert  
REFERRED TO: Community Development/Finance

3. The matter of creating an Elyria Delivers Program restaurant assistance program. (For discussion only)  
REFERRED BY: ASSD Calvert  
REFERRED TO: Community Development/Finance

4. The matter of an application for an Enterprise Zone Agreement submitted by Crane Aerospace  
REFERRED BY: ASSD Calvert  
REFERRED TO: Community Development/Finance

5. The matter of applying for a Recycling and Litter Prevention Grant to purchase a Ford F-450 truck and chipper.  
REFERRED BY: SSD Brubaker  
REFERRED TO: Finance

6. The matter of applying for and accepting if offered, a SAFER Grant from FEMA for a Fire Investigator.  
REFERRED BY: SSD Brubaker  
REFERRED TO: Finance

**6. PRESIDENT'S REFERRALS AND REMONSTRANCES:** Continued

7. The matter of applying for and accepting if offered, a SAFER Grant from FEMA for adding additional Firefighters.

REFERRED BY: SSD Brubaker

REFERRED TO: Finance

8. The matter of entering into a MOU with the Lorain County Commissioners for participation in the Lorain County Emergency Notification System

REFERRED BY: Mayor Whitfield

REFERRED TO: Finance

9. The matter of the GIS(Geographic Information System) agreement renewal.

REFERRED BY: Engineer Schneider

REFERRED TO: Finance

\*10. The matter of applying for a grant to purchase a new EFD Ladder Truck.

REFERRED BY: SSD Brubaker

REFERRED TO: Finance

\*11. The matter of authorizing the Mayor to advertise for bid and enter into a contract for the LOR-Elyria TLCI Phase 4 project.

REFERRED BY: SSD Brubaker

REFERRED TO: Finance

**7. PETITIONS--COUNCIL MEMBERS:** None

**8. PETITIONS--LOBBY:** None

**9. REPORTS OF STANDING AND SPECIAL COMMITTEES:** None

**10. RESOLUTIONS – FIRST READING:**

Sponsored by:

Community

Development:

T. Callahan

D. Mitchell

J. Cerra

M. Jessie

K. Oswald

**RESOLUTION NO. R2021-2**

A RESOLUTION APPOINTING RAMONA JACKSON AND TAMERA SCHUETZ TO THE COMMUNITY REINVESTMENT AREA (CRA) HOUSING COUNCIL, AND DECLARING AN EMERGENCY.

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

**11. RESOLUTIONS--SECOND READING:** None

**12. RESOLUTIONS--THIRD READING:** None

**13. ORDINANCES – FIRST READING:**

No Sponsorship

**ORDINANCE NO. 2021-17**

AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE U.S. DEPARTMENT OF HOMELAND SECURITY/FEMA, AND ACCEPT, IF OFFERED, THE FY20 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM FOR THE PURCHASE OF A LADDER TRUCK/APPARATUS FOR THE ELYRIA FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.

Tollett moved, Davis seconded to pass this Ordinance without the benefit of a Committee Report.

PASSAGE:

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

Safety Service Director thanked Council for hearing this. It was a grant that was laid at their feet after the last Council Meeting and the deadline if Friday, which is why it was brought to Council in this matter and it's not the nor of how this works. We have an opportunity through the Department of Homeland Security to apply up to a one million dollar grant and with dealing with the Fire Department and the Mayor's office and our Consultant we felt the best use of this was to look at applying this toward a new ladder truck apparatus. The current one is a 2009 and it's at the end of it's life span. There is a 10% match on this which means we will have to put in \$100,000 towards the one million. The quote we got for the apparatus is about \$1.35 million so we would have to make up the difference which could be paid for out of Issue 6 dollars. We won't see this apparatus until late 2022. This is a very competitive grant, a lot of communities will be going after these dollars but if we don't apply for it we have no opportunity to get it. Again, he thanked everyone.

Chief Mack said Director Brubaker gave a very good overview. It is recommended that an apparatus only be on the front line for emergencies for 10 years. The current apparatus has responded to medical emergencies as well as special duties in the West and Southwest part of the City. There has been a lot of wear and tear and milage. The grant funds are distributed among the rural, suburban and metro departments. So we're in a competitive position. They look at lots of things; the city, demographics, growth, finances, apparatus fleet. We have great grant teams and this would be the best place for us to place our dollars.

Mr. Brubaker said we have the finances, the hundred thousand dollars to match and if Council chooses, we have the ability to cover that difference.

Mr. Pileski said that when they are making the pitch for the grant to include the loss of one of our largest employers, Bendix beginning at the end of this year.

Chief Mack said this truck is described as an aerial or bucket truck and it has a 100 foot ladder with a basket.

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

**13. ORDINANCES – FIRST READING:** Continued

Sponsored by: **ORDINANCE NO. 2021-18**  
Utilities: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT NO. 7 TO  
D. Mitchell THE AGREEMENT WITH AECOM TECHNICAL SERVICES, INC. FOR THE CITY OF  
B. Davis ELYRIA WASTE WATER POLLUTION PLANT CONSOLIDATED SSO/CSO/WWPCP WET  
J. Cerra WEATHER PLAN, AND DECLARING AN EMERGENCY.  
J. Keys  
D. Simmons

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

President Stewart asked Engineer Schneider are the limits of this projects?  
Engineer Schneider said the limits extend from Abbe Road, South over to East Bridge/Cedar St. Location.

Sponsored by: **ORDINANCE NO. 2021-19**  
Utilities: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER A PROFESSIONAL SERVICES  
D. Mitchell AGREEMENT WITH OSBORN ENGINEERING FOR PROFESSIONAL DESIGN SERVICES  
B. Davis FOR THE EAST BROAD STREET RESURFACING/RECONSTRUCTION PROJECT, AND  
J. Cerra DECLARING AN EMERGENCY.  
J. Keys  
D. Simmons

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: **ORDINANCE NO. 2021-20**  
Utilities: AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER  
D. Mitchell INTO A CONTRACT FOR THE RESURFACING OF A PORTION OF LOWELL STREET.  
B. Davis  
J. Cerra  
J. Keys  
D. Simmons

Mitchell moved, Simmons 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. 2021-21**  
Utilities: AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER  
D. Mitchell INTO A CONTRACT FOR THE LOR-ELYRIA TLCI PHASE 4 PROJECT, AND DECLARING  
B. Davis AN EMERGENCY.  
J. Cerra  
J. Keys  
D. Simmons

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

Mr. Baird asked for clarification on the area that is listed in this project on Washington Ave.

Engineer Schneider said it's the area in front of the Comic Book Store, the bricks are in bad condition as well as the planters, so they are looking to spruce that up a little by doing a street scape there. And maybe put a boswellia in the area was an idea to try to collect some of the stormwater because that area doesn't drain well. The boswellia helps keep pollutants out of the storm sewer and which ultimately keeps it out of the river.

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. 2021-22**  
Utilities: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT NO.2 TO  
D. Mitchell THE AGREEMENT WITH STANTEC CONSULTING SERVICES, INC. FOR DESIGN PLANS  
B. Davis FOR THE WATER TREATMENT PLANT PROJECT AND DECLARING AN EMERGENCY.  
J. Cerra  
J. Keys  
D. Simmons

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:**

Sponsored by: **ORDINANCE NO. 2021-**  
Community AN ORDINANCE AMENDING SECTION 1131..02, CODIFIED ORDINANCES OF THE CITY  
Development: 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 Second Reading. NOTE: Public Hearing Date is Scheduled for a Special Council Meeting on, Monday, February 22, 2021 at 6:00 P.M.**

**14. ORDINANCES–SECOND READING:** Continued

Sponsored by: ORDINANCE NO. 2021-  
Community AN ORDINANCE AMENDING SECTION 1131.02, CODIFIED ORDINANCES OF THE CITY  
Development: 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 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:**

COMMUNITY DEVELOPMENT 2/08/2021 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**

COMMUNITY DEVELOPMENT 2/16/2021 SPECIAL MEETING AT 6:15 P.M. Followed by Regular  
Council Meeting, Special Matter Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.  
**VIRTUAL/ZOOM**

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

STRATEGIC PLANNING 2/16/2021 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 stated that he had requested the Parks and Rec. Department to be added onto the first page of the City's Website to be listed with the rest of the Departments on the main page and he noticed it hasn't been added as of yet. He also noticed that The Elyria Parks & Recreation Board is not listed under the list of Boards.

Mrs. Mitchell reminded everyone to get their street lists together.

Mr. Oswald asked if there is any kind of a program in place that checks the structures of the buildings downtown on a regular basis so they can catch them and fix them before they have to be demolished? He said he is all for refurbishing, doing new facades and new buildings.

Mr. Brubaker said the Building Department can only view buildings from the public right-of-way and they can get into the buildings if consent is signed for access. However the Fire Department has the ability to inspect commercial buildings annually and get inside and they inspect based on the Fire Code.

**17. MISCELLANEOUS & UNFINISHED BUSINESS:** Continued

Chief Mack said the Fire Department is limited to the life safety systems that are in the buildings. If we notice something that is potentially dangerous, they can make a reference to the building department. As stated they are limited unless it's a known safety issue and anything that would deal with the Ohio Fire Code.

Mr. Tollett wanted to thank Police Chief Whitely and the department of the recent drug bust in partnership with DEA and to please give his team kudos.

President Stewart asked what the process is for Parking Bans for snow? Mr. Brubaker said if snow is projected to be 6-8 inches or more we do have a process to issue a snow ban within the designated areas. Last year in the Heights area when a ban was in effect and the police were contacted and we had the vehicles towed. Mr. Brubaker said he would send that list of streets where the snow ban is effected. We do try to work with neighborhoods which are older and don't have driveways.

**18. ADJOURNMENT:**

Baird motioned to adjourn, seconded by Cerra at 7:45 P.M.  
MOTION CARRIED

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Michael J. Lotko, III  
Clerk of Council

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Victor F. Stewart, III  
President of Council



*Transcribed by Secretary Rosado on 2/11/2021*