

Minutes Approved

\_\_\_\_\_ April 5, 2021  
\_\_\_\_\_ Regular Council Meeting  
Elyria City Council

**1. CALL TO ORDER:**

The regular meeting of Elyria City Council was called to order on Monday, March 15, 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 Ms. Davis. Virtual Council meeting. The recording/audio tape of this meeting is available on Elyria on YouTube. (Zoom meeting)

**2. ROLL CALL--COUNCIL MEMBERS:**

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

ABSENT: None

OTHERS PRESENT: Mayor Whitfield, SSD Brubaker, ASSD Feuerstein, ASSD Flanders, ASSD Calvert, ASSD Williams, Law Dir. Deery, Asst. Law Dir. Breunig, Clerk Lotko, Finance Dir. Pileski, Asst. Fin Dir. John Farrell, Police Chief Whitely, Supt. Terry Korzan, Darryl Farkas, Fire Chief Carl Mack, Eng. John Schneider

Susan Anderson, Dale Haywood, L. Klipstein, R. Shockley

ABSENT: None

**4. APPROVAL OF MINUTES:**

Cerra moved, Baird seconded that the Regular Meeting Minutes of March 15, 2021 be approved as circulated.

MOTION CARRIED

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

Council President Stewart: None

Mayor Whitfield:

Mayor Whitfield had two announcements, one he received his first Covid-19 vaccination shot over the weekend. He would like to encourage others get vaccinated as well. He knows that a lot of the council members have been vaccinated and wants the public to see that their leaders are taking the pandemic serious and getting their vaccination, and would like to encourage everyone to do the same.

He also expressed congratulations to two people on his team. Derek Feuerstein has accepted a new role with the City of Painesville, tonight will be his last city council meeting. His replacement will be Tim Williams as Assistant Safety Service Director.

## 5. REMARKS AND REPORTS OF CITY OFFICIALS: CONTINUED

### Safety Service Director Brubaker:

SSD Brubaker provided updates regarding downtown. Last Monday, we hired one of two part time employees that started today, specifically focusing on downtown area. The employees will be cleaning the trash, working in the curbs up and down Broad St. The other exciting news is today, we opened up Kerstetter Way. SSD Brubaker feels confident that we will be able to open Washington Ave. around 3 p.m, Friday April 9<sup>th</sup>, which is ahead of schedule. Mr. Tollett asked SSD Brubaker when does he anticipate the balance of the Uncle Vic's building will come down? SSD Brubaker explained they are waiting on removal of additional asbestos. Mr. Baird thanked SSD Brubaker for the clean-up and expressed that it looks great. Mr. Baird is happy that Washington Ave. will be opened soon.

### Finance Director Pileski: No Report

### Law Director Deery: No Report

LD Deery asked that council would consider going into executive session later this evening to discuss several matters pertaining to potential and imminent litigation and other personnel matters related to collective bargaining. President Stewart asked if no action will be taken on any of the three items? Law Director Deery responded that would be up to the members of council.

### Police Chief Whitely:

Chief Whitely requested to send officers outside of the 500 mile travel radius for various trainings. Lieutenant Baker, (training Lt.) attended a training and has returned. The following request are for Captain Hammonds to attend the FBI NA (National Academy) the beginning of July in Orlando, Fl. Captain Hammonds is a graduate of the National Academy and eligible to attend all retrainers.

The second request is for the Chief to attend the IACP International Association of Chiefs of Police Conference September 11-14, 2021 in New Orleans.

Law Director Deery request clarification if the request are two separate request or if they can be combined. Chief responded, no issue with the requests being addressed together. Cerra motioned, Baird seconded, motion carried.

Mrs. Keys asked about past discussions with Chief whitely regarding a "beat" cop to the downtown area and his explanation, would like for him to share for the benefit of everyone. Chief Whitely shared that he has been asked this question for several years. However, due to the number of cops on the workforce and the responsibilities, before he can assign a "beat" cop, he needs to have a workforce of eighty-six officers trained. The problem has been is the highest the force has been is eighty-five trained officers in 2013. There is a possibility that this year, they may reach the goal of getting eighty-six trained officers. The most officers that have been trained from 2013 to date has been seventy-nine. The Chief expressed there is an excellent chance of having ninety trained officers by 2022. He is hopeful by then, he can consider a "beat" cop.

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

Mr. Tollett inquired about an update on the fencing and EPD parking lot that was voted on. The Engineering office is waiting on an integral part for phase one of the parking lot to begin, it is scheduled to start Monday April 12, 2021. The fencing will be up in the next six weeks.

Fire Chief Mack: No report.

ASSD Flanders:

ASSD Flanders provided an update to the upcoming Engaged Elyrian Week. Ads are in the paper. It begins on April 12<sup>th</sup>, with Frank conversations with the Mayor 12-3 p.m., Tuesday April 13<sup>th</sup> third Community Chat, Lorain County Public Health, to prioritize and confirm active transportation plan. April 15<sup>th</sup> at 6 p.m. information session to learn about the Elyria Community Development Corporation. Registration is available on the cityofelyria.org. Final event is Saturday, April 17<sup>th</sup>, Virtual City of Elyria Career Fair. There are a lot roles available, full-time and part-time. Great opportunity to learn about the City of Elyria application process. Other events are in the works as well, with more details being finalized. Information is added to cityofelyria.org constantly, residents are encouraged to check the website.

Mr. Oswald expressed his excitement that the water fountain will be turned on soon and requested additional details. ASSD Flanders, responded that preliminary plans are to have the fountain opening for Memorial Day along with a parade and fountain celebration.

ASSD. Feuerstein: No Report, Expressed his gratitude for his time with the city.

President Stewart thanked the ASSD for his time with the city and acknowledge that ASSD Feuerstein's tenure was during unprecedented times with the Covid-19 pandemic. He expressed his appreciation for what he has done and wishes him the best of luck and much happiness in Painesville.

Supt. Terry Korzan: No report

ASSD Calvert: No Report

Engr. Schneider:

Explained that with the time of the year, there will be more and more construction projects going on. Over the past couple of weeks, on both Lake & West Ave. have been resurfacing and the traffic lights are up. The West River Rd. Water main sewer project final restoration that is being completed. Some projects that will be starting shortly, include: EPD parking lot, Lowell St. resurfacing, Lake Ave. sanitary sewer just south of Griswald Rd. Mr. Oswald had a question regarding bags over the lights at the intersection of Hilliard and Abbe Rd. Engineering Schneider explained that the span wire has to be tested and then the traffic lights will be operable. The other request was an explanation regarding the length of time it takes to retrieve the light poles.

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

Eng. Schneider explained only a couple of manufacturer's exist in the country. The turnaround time after placing the order is up to a year to receive the poles. Ms. Mitchell commented thank you to all ward council persons for getting their streets in, she had conversation with Mr. Schneider, the process will begin soon, she is ranking the streets and getting the dollar amounts. Ms. Mitchell expressed the process of street repairs is one of the most important responsibilities of council. The residents want their streets repaired and it is accomplished with issue six money.

**ASSD Williams:**

President Stewart welcomed ASSD Williams to the city and expressed he looks forward to working with him. ASSD Williams expressed that it is a pleasure for him to serve in the capacity of Assistant Safety Service Director, that Elyria is his hometown. He is a 1983 Elyria High School graduate. He has had a wonderful time meeting some of the staff, he looks forward to meeting council members and is happy to be on board. President Stewart inquired about the role of ASSD Williams. Mayor Whitfield responded, some of former ASSD Feuerstein's role, in addition, he will be operating as the Mayor's Chief of Staff and special projects. Ren will focus on communications.

President Stewart asked for an update on Parks and Rec., as many of the items legislative items on the agenda involved the Parks department. In the absence of Director Reardon, Mayor Whitfield responded regarding the community group that organized around T-ball at South Park. He referenced that the other items appeared to be traditional, (GESA) Greater Elyria Soccer Association requesting field use and the Mini Pioneers requesting field use. There is a request for a grant requesting additional dollars the west park trail. Visit the website for program offerings. ASSD Flanders added that adult volleyball and youth softball, summer camps are available.

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

1. The matter of an Application for Placement of Farmland in an Agricultural District.

REFERRED TO: Community Development

2. The matter of a request for a new Liquor License at Speedy Gas, 824 Middle Ave., Elyria. (Class C1, C2)

REFERRED TO: Community Development

3. The matter of a Community Repair and Beautification Program.

REFERRED TO: Community Development

4. The matter of a request to forgive a Com. Dev. Rehabilitation Lien at 614 Garford Ave.

REFERRED TO: Community Development/ Finance

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

5. The matter of a Firehouse Subs Public Safety Foundation Grant to purchase safety equipment.

REFERRED TO: Finance

6. The matter of an Ohio Emergency Medical Svcs 2021-22 EMS Priority One Grant to purchase Lifepak Monitors and Defib Units.

REFERRED TO: Finance

7. The matter of the 2021 - 2022 ODOT Winter Salt Contract.

REFERRED TO: Finance

8. The matter of a contract with CT Consultants for design, bidding and construction svcs for the Lead Service Line, Phase 2 Project.

REFERRED TO: Finance

9. The matter of a contract with R&R Truck Sales, Inc. For the purchase of an axle cab tractor for hauling the sludge tanker between the Water Pumping Plant and the Wastewater Plant.

REFERRED TO: Finance

10. The matter of the purchase of [2] dump trucks for the Street Department to be paid for by funds that were awarded by the Diesel Mitigation Trust Fund Grant from the Ohio EPA.

REFERRED TO: Finance

11. The matter of the Salary Ordinance, No. 2016-6 for housekeeping purposes.

REFERRED TO: Finance

12. The matter of appropriating Issue 6 Funds for Concrete Replacement at East Rec Pool with the cost of construction of \$31,690.

REFERRED TO: Utilities

13. The matter of appropriating Issue 6 Funds and enter into a contract for the Phase II and South Park parking lot paving project, with an estimated cost of construction of \$275,000.

REFERRED TO: Utilities

14. The matter of appropriating Issue 6 Funds to complete the Phase II South Park Trail Project which have changed to accommodate a more user-friendly trail, but additional funds will be needed in the amount of \$47,700.

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:	<b><u>RESOLUTION NO. R2021-9</u></b>
Finance:	A RESOLUTION APPROVING A LIST OF PROPERTIES FOR THE
V. Stewart, III	COLLECTION OF DEMOLITION-RELATED COSTS AND
J. Baird	DIRECTING THE CLERK OF COUNCIL TO CERTIFY SAID COSTS
P. Tollett	TO THE LORAIN COUNTY AUDITOR.
B. Davis	
M. Jessie	

Tollett moved, Baird 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:	<b><u>ORDINANCE NO. 2021-55</u></b>
Community Development:	AN ORDINANCE ACCEPTING THE DEDICATION OF CERTAIN LANDS, EASEMENTS AND RIGHT-OF-WAY FOR THE INSTALLATION OF STREETS AND UTILITIES AS PROVIDED FOR IN THE FINAL PLAT OF RIVER RUN LANDING SUBDIVISION PHASE 1.
T. Callahan	
M. Jessie	
D. Mitchell	
K. Oswald	
J. Cerra	

Callahan moved, Mitchell 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

Sponsored by:	<b><u>ORDINANCE NO. 2021-56</u></b>
Finance:	AN ORDINANCE AMENDING ORDINANCE. NO.2021-50, KNOWN AS THE “2021 PERMANENT APPROPRIATION ORDINANCE”, TO CHANGE FUNDS IN VARIOUS ACCOUNTS.
V. Stewart, III	
P. Tollett	
J. Baird	
B. Davis	
M. Jessie	

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

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

Sponsored by: **ORDINANCE NO. 2021-57**  
 Finance: AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT  
 V. Stewart, III AN APPLICATION FOR, AND ACCEPT, IF OFFERED, THE  
 P. Tollett FY 2020 PROJECT SAFE NEIGHBORHOODS GRANT,  
 J. Baird SPONSORED BY THE NORTHERN OHIO VIOLENT CRIME  
 B. Davis CONSORTIUM (NOVCC), AND DECLARING AN  
 M. Jessie EMERGENCY.

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

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. 2021-58**  
 Finance: AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR  
 V. Stewart, III TO PAY A MORAL CLAIM TO MELINDA LIPIAN.  
 P. Tollett  
 J. Baird  
 B. Davis  
 M. Jessie

Tollett moved, Davis seconded to pass this resolution 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



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

Sponsored by: **ORDINANCE NO. 2021-59**  
 Utilities, Safety & Environment AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH HOT STOVE BASEBALL FOR THE USE OF CITY OWNED REAL PROPERTY AT NORTH PARK SPORTS COMPLEX, AND DECLARING AN EMERGENCY.  
 D. Mitchell  
 B. Davis  
 J. Cerra  
 D. Simmons

Mitchell moved, Cerra seconded to pass this resolution 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. 2021-60**  
 Utilities, Safety & Environment AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH GREATER ELYRIA SOCCER ASSOCIATION (GESA) FOR THE USE OF CITY OWNED REAL PROPERTY AT WEST PARK AND DECLARING AN EMERGENCY.  
 D. Mitchell  
 B. Davis  
 J. Cerra  
 D. Simmons

Mitchell moved, Cerra seconded to pass this resolution 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

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

Sponsored by: **ORDINANCE NO. 2021-61**  
 Utilities, Safety & Environment AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER  
 D. Mitchell INTO AN AGREEMENT WITH ELYRIA YWCA ON BEHALF OF  
 B. Davis SOUTH PARK T-BALL, TO USE CITY OWNED REAL  
 J. Cerra PROPERTY AT SOUTH PARK, AND DECLARING AN  
 D. Simmons EMERGENCY.

Mitchell moved, Cerra seconded to pass this resolution 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. 2021-62**  
 Utilities, Safety & Environment AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER  
 D. Mitchell INTO AN AGREEMENT WITH THE MINI PIONEERS  
 B. Davis FOOTBALL ORGANIZATION FOR THE USE OF CITY OWNED  
 J. Cerra REAL PROPERTY AT SOUTH PARK, AND DECLARING AN  
 D. Simmons EMERGENCY.

Mitchell moved, Cerra seconded to pass this resolution 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

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

Sponsored by: **ORDINANCE NO. 2021-63**  
 Utilities, Safety & Environment AN ORDINANCE AUTHORIZING THE MAYOR TO  
 D. Mitchell ADVERTISE FOR BIDS, AND ENTER INTO A CONTRACT FOR  
 B. Davis THE 2021 SPRING/FALL STREET SWEEPING PROGRAM FOR  
 J. Cerra THE CITY OF ELYRIA.  
 D. Simmons

Mitchell moved, Cerra seconded to pass this resolution 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** 4/12/2021 6:00 P.M. All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

**VIRTUAL/ZOOM**

**FINANCE** 4/12/2021 Following CD All Referred Items Council Chambers w/Mayor, Fin. Director, Law Director, SSD, Engineer

**VIRTUAL/ZOOM**

**UTILITIES, SAFETY & ENVIRONMENT** 4/7/2021 6:00 P.M. All Referred items w/ Law Director, SSD, Engineer

**STRATEGIC PLANNING** 4/5/2021 Immediately following Council All Referred Items Council Chambers W/ Mayor, Safety Service Director, Finance Dir., Law Director, Engineer

**VIRTUAL/ZOOM**

**17. MISC AND UNFINISHED BUSINESS:****18. ADJOURNMENT:**

REGULAR COUNCIL MEETING

ELYRIA CITY COUNCIL

APRIL 5, 2021

Cerra motioned to adjourn for executive session seconded by Baird at 7:43 P.M.

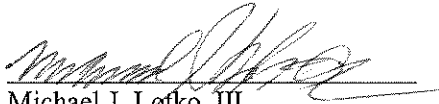
MOTION CARRIED

Baird motioned to come out of executive session, seconded by Tollett at 9:18 P.M.

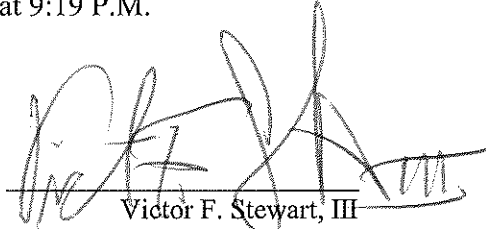
MOTION CARRIED

Baird motion to adjourn, Mitchell seconded at 9:19 P.M.

MOTION CARRIED



Michael J. Lofko, III  
Clerk of Council



Victor F. Stewart, III  
President of Council

RLP/