

Minutes Approved

As Circulated November 15, 2021
1/3/2022 Regular Council Meeting
Elyria City Council

1. CALL TO ORDER:

The regular meeting of Elyria City Council was called to order on Monday November 15, 2021 at 7:02 P.M. by President Stewart. President Stewart opened the meeting with a moment of reflection and followed by the Pledge of Allegiance. Virtual Council meeting. The recording/audio tape of this meeting is available on City of Elyria Channel on YouTube. (Zoom meeting)

2. ROLL CALL--COUNCIL MEMBERS:

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

ABSENT: Davis

OTHERS PRESENT: Mayor Whitfield, SSD Brubaker, ASSD Calvert, Law Dir. Deery, Asst. Clerk Lotko, Finance Dir. Pileski, Police Captain Pelko, Fire Chief Pronesti, Superintendent Terry Korzan, CD Director Scott, CD Manager Almobayyed, HR Director Yousefi

Moved by Mr. Cerra, seconded by Mrs. Mitchell to excuse Mrs. Davis.

MOTION CARRIED

3. PUBLIC HEARINGS: None

4. APPROVAL OF MINUTES:

Mr. Cerra moved, Mrs. Mitchell seconded that the Regular Meeting Minutes of October 4, 2021 be approved as circulated.

MOTION CARRIED

5. REMARKS AND REPORTS OF CITY OFFICIALS:

Council President Stewart: None

Mayor Whitfield:

Mayor Whitfield expressed that he had a couple of items that he wanted to refer to committee on the floor. The two items were in regards to real estate. One item in regards to Midway Mall and the other regarding property at 1504 West Avenue. The Mayor would like an executive session and to have the items placed on committee agenda for discussion. Law Director Deery asked for confirmation if an action was being requested in the meeting being held. Mayor Whitfield responded that the items would need to go to committee to be reviewed. President Stewart confirmed the items will be referred to both Community Development and Finance Committees, however further clarification was needed for the request of the Executive session. Law Director Deery asked the Mayor to confirm was he looking to go into Executive session after the meeting or at the time of committee discussion. Mayor Whitfield confirmed, at the time of the committee meetings.

5. REMARKS AND REPORTS OF CITY OFFICIALS: CONTINUED

Safety Service Director Brubaker:

SSD Brubaker shared that leaf season was very slow, then picked up rather quickly. All eight trucks will be in service to cover all of the city. Focus is on the high tree areas of the city. If residents or council members recognize an area that is a heavy with leaves, please call safety service and a truck will be distributed to that area. The city is also in active negotiations with three of four unions, one of them being the FOP (Fraternal Order of Police). An agreement was met and has been placed on the agenda for the next finance committee meeting. Fire held their first meeting and will hold another meeting soon. In December meetings will be held with EPPA and AFCSME which is the city's largest union. Today will be Chief Whitely's last meeting, as December 1st, will be his official last day. The Mayor's office is planing a farewell send off for November 24th, more information will be shared. SSD Brubaker congratulated Chief Whitely.

Finance Director Pileski: No report

Law Director Deery: No report

Extended congratulations to Chief Whitely, shared that she has worked with him since her time as a Prosecutor and he will certainly be missed.

Police Chief Whitely:

Chief Whitely stated that he has been very lucky in his career. He shared that ever since he a was a little that he wanted to be a policeman, and the City of Elyria gave him that opportunity. For thirty-one years he has had the opportunity to live that dream. He thanked council, the Mayor's office, the Mayor that hired him, Mike Keys, Safety Service Director, Arnold Palette. He appreciates them giving him a chance. He shared that when he was a kid, it was his dream to be a policeman, not the police chief. He expressed his appreciation for everyone being so easy to work with.

Chief Whitely shared that a promotion took place in the Police Department, Eric Grove was promoted to Sargeant Eric Grove. He shared that there will be a lot of promotions, however the next one will be Captain Pelko to Police Chief.

Mr. Oswald congratulated Chief Whitely. He asked if the new gate project is at one hundred percent completion. Chief Whitely responded that the project is at ninety-five percent and asked the Director to weigh in. Director Brubaker shared that striping and sealing work has to be completed. Chief Whitely stated the project looks amazing and gave credit to the Engineer's office, he stated the work of the engineer's office was outstanding.

Mrs. Mitchell expressed her appreciation of the Chief for all the help he provided over the years and congratulated him. Mrs. Mitchell congratulated Captain Pelko.

Mr. Tollett, stated that our community is a better place because of Chief Whitely, he thanked him as well.

Mr. Callahan, thanked Chief whitely for hi service and for always being there when he called. President Stewart thanked Chief Whitely for always being for forthright and for his unwavering leadership during a very difficult time, when Officer James Kerstetter was killed. He says that it

5. REMARKS AND REPORTS OF CITY OFFICIALS: CONTINUED

is just a testament to who Chief Whitely is as a leader and a person.
Mr. Baird thanked Chief Whitely for moving the department forward.

Fire Chief Pronesti: No report

ASSD Calvert: No report

Eng. Schneider:

Engineer Schneider provided an update regarding street resurfacing, project will be completed with just a little bit of asphalt needed. Also that Shane building project is out for bid. President Stewart asked about a stretch of guardrail on Gulf Rd. and Hilliard.

Superintendent Korzan:

Superintendent Korzan shared information about Leonard Hildreth, an employee who passed away unexpectedly.

Director Scott: No report

6. PRESIDENT'S REFERRALS AND REMONSTRANCES:

**Matter is completed or partially completed*

1. The matter of consider the matter of a new liquor license as submitted by dolgen Midwest LLC DBA Dollar General Store 22962 141 Broad Street.

REFERRED BY: Ohio Division of Liquor Control

REFERRED TO: Community Development

2. The matter of Salary Ordinance change: Police Auxiliary Officers Pay rate.

REFERRED BY: HR Director Yousefi

REFERRED TO: Finance Committee

3. The matter of updating changes in the negotiated bargaining contract between the FOP and the city of Elyria.

REFERRED BY: HR Director Yousefi

REFERRED TO: Finance Committee

4. The matter of creating a new Capital Projects Fund entitled the Lowell Street Resurfacing Fund.

REFERRED BY: Finance Director Pileski

REFERRED TO: Finance Committee

6. PRESIDENT'S REFERRALS AND REMONSTRANCES:

5. The matter of allowing the Mayor to accept a \$216,000.00 grant for the Water Plant Study.

REFERRED BY: Water Team Leader, Samuel F. Jacob

REFERRED TO: Finance & Utilities Committees

6. The matter of authorizing the City of Elyria to purchase redundant hardware for use at the Water Pumping Plant.

REFERRED BY: Water Plant Superintendent, Samuel W. Jacob

REFERRED TO: Finance & Utilities Committees

Items 7-9 Received and Placed on File in the Clerk's Office

7. October 2021 Income Tax Report.

8. October 2021 General Fund Cash Balance Report.

9. List of receipt collected by each division of The Clerk of Court's Office for the month of October 2021

7. PETITIONS COUNCIL MEMBERS: None

8. PETITIONS LOBBY:

Theresa Shea ,519 East Ave., Elyria -The Chief Retiring- Ms. Shea shared sentiments of Chief Whitely and the importance of community policing.

Tina Bashak, 509 E. Broad St. Elyria- East Broad St. Project - Exhibit "A"

9. REPORTS OF STANDING AND SPECIAL COMMITTEES: None

10. RESOLUTIONS – FIRST READING:

Sponsored by:	<u>RESOLUTION NO. 2021-30</u>
Finance:	A RESOLUTION APPROVING A LIST SUBMITTED BY
V. Stewart III	THE SAFETY SERVICE DIRECTOR FOR THE
P. Tollett	COLLECTION OF DELINQUENT INACTIVE UTILITY
B. Davis	ACCOUNTS AND DIRECTING THE CLERK OF
J. Baird	COUNCIL TO CERTIFY SAID ACCOUNTS TO THE
	LORAIN COUNTY AUDITOR.

Tollett moved, Baird seconded this resolution be passed on its first reading under suspension of the rules.

SUSPENSION	PASSAGE:
AYE: 10	AYE: 10
NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED

10. RESOLUTIONS – FIRST READING: CONTINUED

Community	<u>RESOLUTION NO. 2021-31</u>
Development:	A RESOLUTION SUPPORTING THE ACTIVE
T. Callahan	TRANSPORTATION PLAN.
M. Jessie	
D. Mitchell	
K. Oswald	
J. Cerra	

Mitchell moved, Simmons seconded this resolution be passed on its first reading under suspension of the rules.

SUSPENSION	PASSAGE:
AYE: 10	AYE: 10
NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED

Sponsored by:	<u>RESOLUTION NO. 2021-32</u>
Finance:	A RESOLUTION FINDING THAT THE CITY HAS UNFIT
V. Stewart III	FOR CITY OF ELYRIA MUNICIPAL USE CERTAIN CITY
P. Tollett	PROPERTY.
B. Davis	
J. Baird	

Tollett moved, Baird seconded this resolution be passed on its first reading under suspension of the rules.

SUSPENSION	PASSAGE:
AYE: 10	AYE: 10
NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED

11. RESOLUTIONS--SECOND READING: None

12. RESOLUTIONS--THIRD READING: None

13. ORDINANCES – FIRST READING:

Sponsored by: **ORDINANCE NO. 2021-169**
 Finance: AN ORDINANCE AUTHORIZING THE SAFETY SERVICE
 V. Stewart III DIRECTOR OF THE CITY OF ELYRIA TO DISPOSE OF
 P. Tollett CITY PROPERTY THAT IS UNFIT FOR MUNICIPAL USE.
 B. Davis
 M. Jessie
 J. Baird

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

SUSPENSION:	PASSAGE:
AYE: 10	AYE: 10
NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED

Sponsored by: **ORDINANCE NO. 2021-170**
 Finance: AN ORDINANCE AUTHORIZING THE FINANCE
 V. Stewart III DIRECTOR TO PAY A MORAL CLAIM TO MARK AND
 P. Tollett BECKY HALLER.
 B. Davis
 M. Jessie
 J. Baird

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

SUSPENSION:	PASSAGE:
AYE: 10	AYE: 10
NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED

13. ORDINANCES – FIRST READING CONTINUED:

Sponsored by: **ORDINANCE NO. 2021-171**
 Finance: AN ORDINANCE AUTHORIZING THE FINANCE
 V. Stewart III DIRECTOR TO PAY A MORAL CLAIM TO MELONIE
 P. Tollett HOUSKE.
 B. Davis
 M. Jessie
 J. Baird

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

SUSPENSION:	PASSAGE:
AYE: 10	AYE: 10
NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED

Sponsored by: **ORDINANCE NO. 2021-172**
 Finance: AN ORDINANCE AMENDING ORDINANCE NO. 2021-50,
 V. Stewart III KNOWN AS THE “2021 PERMANENT
 P. Tollett APPROPRIATIONS ORDINANCE,” TO CHANGE FUNDS
 B. Davis IN VARIOUS ACCOUNTS.
 M. Jessie
 J. Baird

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

SUSPENSION:	PASSAGE:
AYE: 10	AYE: 10
NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED

13. ORDINANCES – FIRST READING CONTINUED:

Sponsored by: **ORDINANCE NO. 2021-173**
 Finance: AN ORDINANCE AUTHORIZING THE FINANCE
 V. Stewart III DIRECTOR TO CREATE A NEW SPECIAL REVENUE
 P. Tollett FUND.
 B. Davis
 J. Baird

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

SUSPENSION:	PASSAGE:
AYE: 10	AYE: 10
NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED

Sponsored by: **ORDINANCE NO. 2021- 174**
 Finance: AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT
 V. Stewart III AN APPLICATION FOR AND ACCEPT, IF OFFERED, THE
 P. Tollett VIOLENT CRIMES REDUCTION GRANT PROGRAM FROM
 B. Davis THE STATE OF OHIO, DEPARTMENT OF PUBLIC SAFETY,
 J. Baird OFFICE OF CRIMINAL JUSTICE SERVICES, AND DECLARING
 AN EMERGENCY.

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

SUSPENSION:	EMERGENCY:	PASSAGE:
AYE: 10	AYE: 10	AYE: 10
NAY: 0	NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

13. ORDINANCES – FIRST READING CONTINUED:

Sponsored by: **ORDINANCE NO. 2021-175**
 Finance: AN ORDINANCE AMENDING ELYRIA CODIFIED
 V. Stewart III ORDINANCES, SECTION 109.07: DIVISION OF CEMETERIES.
 P. Tollett
 B. Davis
 J. Baird

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

SUSPENSION:
 AYE: 10
 NAY: 0
 ABSENT: 1
 MOTION CARRIED

PASSAGE:
 AYE: 10
 NAY: 0
 ABSENT: 1
 MOTION CARRIED

Sponsored by: **ORDINANCE NO. 2021-176**
 Community AN ORDINANCE AUTHORIZING THE ADOPTION OF THE
 Development: AMERICAN RESCUE PLAN POLICIES AND PROCEDURES
 T. Callahan MANUAL FOR ESSENTIAL SERVICES AND BUSINESS
 M. Jessie SERVICES.
 D. Mitchell
 K. Oswald
 J. Cerra
 Finance:
 V. Stewart III
 P. Tollett
 B. Davis
 J. Baird

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

SUSPENSION:
 AYE: 10
 NAY: 0
 ABSENT: 1
 MOTION CARRIED

PASSAGE:
 AYE: 10
 NAY: 0
 ABSENT: 1
 MOTION CARRIED

13. ORDINANCES – FIRST READING CONTINUED:

Sponsored by: **ORDINANCE NO. 2021-177**
 Community AN ORDINANCE AMENDING THE COMMUNITY
 Development: DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM YEAR
 T. Callahan (PY) 2020 ANNUAL ACTION PLAN, AND DECLARING AN
 M. Jessie EMERGENCY
 D. Mitchell
 K. Oswald
 J. Cerra
 Finance:
 V. Stewart III
 P. Tollett
 B. Davis
 J. Baird

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

SUSPENSION:	EMERGENCY:	PASSAGE:
AYE: 10	AYE: 10	AYE: 10
NAY: 0	NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

Sponsored by: **ORDINANCE NO. 2021-178**
 Utilities, Safety AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER
 & Environment INTO AN AGREEMENT WITH ELYRIA YWCA ON BEHALF OF
 D. Mitchell SOUTH PARK T-BALL, TO USE CITY OWNED REAL
 D. Simmons PROPERTY AT SOUTH PARK
 J. Keys
 J. Cerra

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

SUSPENSION:	PASSAGE:
AYE: 10	AYE: 10
NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED

13. ORDINANCES – FIRST READING CONTINUED:

Sponsored by: **ORDINANCE NO. 2021-179**
 Utilities, Safety & Environment: AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND TO ENTER INTO A TWO (2) YEAR CONTRACT FOR TREE SERVICES FOR THE CITY OF ELYRIA, AND DECLARING A EMERGENCY..
 D. Mitchell
 D. Simmons
 J. Keys
 J. Cerra
 Finance:
 V. Stewart III
 P. Tollett
 B. Davis
 J. Baird

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

SUSPENSION:	EMERGENCY:	PASSAGE:
AYE: 10	AYE: 10	AYE: 10
NAY: 0	NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

Sponsored by: **ORDINANCE NO. 2021-180**
 Utilities, Safety & Environment: AN ORDINANCE AMENDING SECTION 937.12, SCHEDULE OF RATES, CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO TO REFLECT ESTABLISHED SANITARY SEWER RATES.
 D. Mitchell
 D. Simmons
 J. Keys
 J. Cerra
 Finance:
 V. Stewart III
 P. Tollett
 B. Davis
 J. Baird

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

SUSPENSION:	PASSAGE:
AYE: 10	AYE: 10
NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED

13. ORDINANCES – FIRST READING CONTINUED:

Sponsored by: **ORDINANCE NO. 2021-181**
 Utilities, Safety & Environment AN ORDINANCE AMENDING ORDINANCE NO. 2019-193, TO ESTABLISH THE RATES OF WATER CHARGED INSIDE AND OUTSIDE THE CITY OF ELYRIA.
 D. Mitchell
 D. Simmons
 J. Keys
 J. Cerra
 Finance:
 V. Stewart III
 P. Tollett
 B. Davis
 J. Baird

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

SUSPENSION:	PASSAGE:
AYE: 10	AYE: 10
NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED

14. ORDINANCES–SECOND READING: None

15. ORDINANCES–THIRD READING: None

16. COMMITTEE CALLS:

COMMUNITY DEVELOPMENT 11/29/2021 6:00 P.M. All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

VIRTUAL/ZOOM

FINANCE 11/29/2021 Following CD All Referred Items Council Chambers w/Mayor, Fin. Director, Law Director, SSD, Engineer

VIRTUAL/ZOOM

UTILITIES, SAFETY & ENVIRONMENT 11/17/2021 6:00 P.M. All Referred items w/ Law Director, SSD, Engineer

STRATEGIC PLANNING 12/6/2021 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:

Mr. Oswald expressed that he has a resident that needs to go to the VA in motorized scooter. The resident is interested in a sidewalk. He would like anyone that can assist with speaking with someone at Lorain County Community College to help. President Stewart suggested that Mr. Oswald's request be referred to Utilities committee.

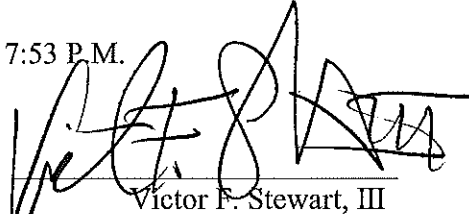
18. ADJOURNMENT:

Baird Motion to adjourn, Cerra seconded at 7:53 P.M.

MOTION CARRIED



Michael J. Lotko, III
Clerk of Council



Victor F. Stewart, III
President of Council

RLP/

Exhibit "A"

REQUEST TO ADDRESS COUNCIL

NAME Tina Bashak DATE 11/15/21
ADDRESS 509 E. Broad St PHONE 440 323 9905
REPRESENTING Tina Bashak 440 897 6551
(If self, please specify)

**PLEASE NOTE: REMARKS ARE LIMITED TO THREE (3) MINUTES
A COPY OF YOUR REMARKS ARE TO BE GIVEN TO THE CLERK OF
COUNCIL TO BE DISTRIBUTED TO ALL COUNCIL MEMBERS**

Have you contacted the appropriate department? Yes No

Who in the department was contacted? Mr. Schneider Date Email 11/2/21

Have you contacted the Mayor? Yes No

Have you contacted the Safety Service Director? Yes No

Have you contacted your Ward Council person? Yes No

SUBJECT:

East Broad St. Project

**PLEASE NOTE: MATTERS WHICH HAVE HAD, OR WILL HAVE A PUBLIC
HEARING SHALL NOT BE OPEN FOR DISCUSSION FROM THE LOBBY DURING
THE COUNCIL MEETING.**

I have raised several concerns regarding the East Broad St. project to include most importantly the safety of Elementary and Middle school students at the Eastern Heights Campus. Widening the Road for a third turning lane moves the road closer to the sidewalks and our homes. Then adding an 8 ft shared use path in place of a sidewalk on the south side of the street leaves just too little of a buffer from the road for the safety of children. Also, I feel the children would have a false sense of safety/security on a path that would actually cross 8 business entrances or exits, cross 9 side streets and cross 40 driveways. That is 57 crossings, all in the one mile stretch from E. River to S. Abbe Rd. A shared use path was never intended in this type of situation.

The funding through the NOACA (Northeast Ohio Areawide Coordinating Agency) was voted on in December 2020 and the project was also awarded funding through the Highway Safety Improvement Program (HSIP). Residents received a letter from the engineers office in April of 2021, informing us that our properties would be surveyed for the proposed safety improvements that would consist of **“Widening the pavement where necessary to accommodate a two way left turn lane. Improvements will include upgrading the traffic signals and improvements to pedestrian access.”** Yet, the first mention of including a shared use path that I am aware of was in the invite letter for the informal public meeting from the city engineer’s office for Oct.14, 2021. In the NOACA Resolution No 2020-050 it states **Whereas, It is expected that the project sponsors will, in good faith, endeavor to address comments and recommendations raised during project planning review and will provide evidence of such prior to the project advancing.**

I would like to request that a second meeting be scheduled to answer additional questions and discuss more details of the East Broad St. widening project. I would ask that this meeting be held at 7pm so that more residents could attend. The first meeting was held Oct 14 at 4:30-5:30.

Some of the other concerns include:

Standard recommended width of a shared use path is 10 ft. with 2 ft. grading on each side; Will residents yards get run off flooding in our yards?

Difficulty for residents to exit our driveways, cars crossing path to enter roadway from side streets

Longevity of asphalt, especially with car traffic in and out of driveways

Who will maintain 8ft. asphalt path? Keeping snow cleared for students - N. Ridgeville purchased a gator with plow for snow removal; plowing of road will displace snow and salt to shared use path

Very little area between path and roadway, where will garbage cans go?

If plan is implemented as is, is the city willing to lower speed limit to 25mph?



CITY OF ELYRIA

FRANK WHITFIELD, MAYOR

Office of the Engineer
440.326.1444
131 Court Street
Suite 303
Elyria, OH 44035

Date: April 21, 2021

Reference: LOR-CR 0623 00.00 (E. Broad St)
ODOT PID No. 111568
Property Owner Notification

Dear Property Owner/Tenant:

The City of Elyria is proposing to make safety improvements to East Broad from East River Street to South Logan. The improvement consists of widening the pavement where necessary to accommodate a two way left turn lane. Improvements will include upgrading the traffic signals and improvements to pedestrian access.

Osborn Engineering, KS Associates, Inc., ProGeotech, Survey and Mapping (SAM), LLC and Lawhon & Associates have been retained by the City of Elyria to survey the area, develop construction plans, complete environmental studies, obtain soil borings, and perform subsurface utility engineering for the project. Accordingly, we wish to advise you that it may be necessary for the field personnel from the aforementioned companies and/or sub-consultants to briefly enter upon your property to obtain certain field data needed in connection with this project. Much of the data to be collected will be obtained through observation, physical measurements, and photography. Sections 5517.01 and 163.03 of the Ohio Revised Code authorize such entries, but they also require that reimbursement be made for any actual damage resulting from such work. Please advise any tenants occupying your property of the upcoming field work.

The field personnel have received strict instructions concerning the preservation of private property and public lands. However, in the event that any valuable vegetation must be cleared to accomplish our work, you will be so notified and informed as to the procedure to follow in preparing a claim for reimbursement. In all cases, however, removal of vegetation, as well as other damage, will be held to a minimum. If any time you feel that field personnel have not given proper attention to private property, please notify me at once.

The field personnel will not be able to give any definite information or answers to your questions regarding the project. They will simply be collecting information necessary for project development. As detailed plans for this project are developed and more information is available, The City of Elyria will provide further information to the public.

CONNECT WITH US

CITY HALL, 131 COURT STREET, ELYRIA, OH 44035 • WWW.CITYOFELYRIA.ORG • 440.326.1400





The Engineering Department of the
City of Elyria, OH

Invites you to an informal Public Meeting

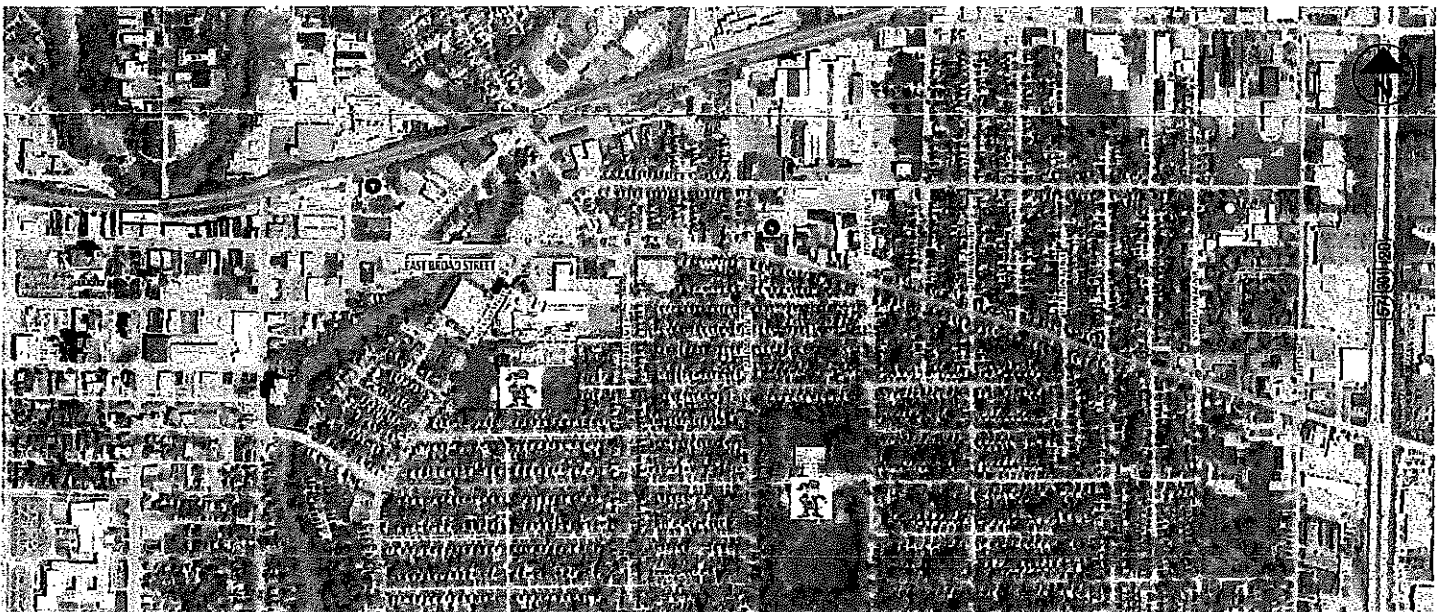
Thursday

October 14, 4:30 – 5:30 P.M.

Elyria City Hall - Council Chambers (Second Floor)
131 Court Street, Elyria, Ohio 44035

This meeting will involve a general overview of the proposed improvements to East Broad Street from E. Bridge St to Abbe Rd. (see location map below), resulting in a 3-lane roadway.

The Public Meeting will involve a short project description by the City Engineer, John Schneider, PE, followed by an open discussion of the roadway widening, sidewalk replacement and addition of a bike path along the southern side of the roadway. Preliminary plans will be available for review, and design engineers will be available to answer questions from the public regarding improvements near their property.





NORTHEAST OHIO AREAWIDE COORDINATING AGENCY

MEMORANDUM

TO: NOACA Board of Directors

FROM: Grace Gallucci, Executive Director & Chief Executive Officer

DATE: December 4, 2020

RE: **Resolution No. 2020-050: Plan and TIP Amendments for 2nd Quarter State Fiscal Year (SFY) 2021**

ACTION REQUESTED

The Board of Directors is asked to approve the amendments to NOACA's Long-Range Transportation Plan (Plan) and the Transportation Improvement Program (TIP) to include the proposed projects as indicated.

The Transportation Subcommittee and Planning and Programming Committee support this action.

BACKGROUND/JUSTIFICATION FOR CURRENT ACTION

The proposed amendments to the Transportation Plan (Plan) and the state fiscal year (SFY) 2021 – 2024 Transportation Improvement Program (TIP) are being processed through project planning review (PPR). The projects include transit projects sponsored by GCRTA.

This amendment includes a request from the Ohio Department of Transportation (ODOT) to advance environmental engineering, and detailed design phases for the CUY IR 77 / MILLER RD INTERCHANGE project, sponsored by the City of Brecksville, to the Plan and TIP.

In June 2020 the NOACA Board of Directors adopted Resolution 2020-025 amending the project's preliminary engineering phase up through stage 1 to the Plan and TIP. This request represents the subsequent phases through design.

This project was previously reviewed by the Executive Committee for SFY 2020 2nd Quarter Plan and TIP Amendment at its November 2019 meeting. At that meeting, the Committee deferred the project back to the Planning and Programming and Policy Committees for further evaluation of the project's impact to the region's transportation system and evaluation of long term policy implications. As such, staff are evaluating the project against the draft New or Modified Highway Interchange Policy (Resolution 2020-046) and will present its findings for input and consideration of the requested amendment.

The proposed amendments also include a roadway project sponsored by the City of Elyria. The project (LOR EAST BROAD ST: PID No. 111568) involves rehabilitation and bicycle and pedestrian improvements along East Broad Street, in Elyria. The project was awarded Highway Safety Improvement Program (HSIP) funding, which will be used for preliminary engineering environmental, detailed design, right-of-way and construction. The project's work phases and their associated funding must be updated in order to obtain federal authorization as needed, which requires amendment of the project in the TIP.

FINANCIAL IMPACT

The cost of the projects being amended to the Plan and TIP is \$72.5 million. Funding for the projects is committed and/or planned from a variety of federal, state, and local sources. Federal funding is provided by the Federal Highway Administration and the Federal Transit Administration and administered through the Ohio Department of Transportation.

CONCLUSION/NEXT STEPS

With Board approval, the amendments will be incorporated into the NOACA Plan and/or statewide TIP amendment in January 2021.

GG/em/3150b

Attachments: Amendments

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

WHEREAS, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina, and the City of Cleveland; and the areawide water quality management agency for the same region; and

WHEREAS, the Congress of the United States, through law, and the U.S. Department of Transportation, through regulation, have determined that MPOs shall create a long-range, 20-year transportation plan and a four-year Transportation Improvement Program (TIP) that list federal-aid transportation projects expected to be implemented in each of the program years; and

WHEREAS, the NOACA Board of Directors' Regional Transportation Investment Policy requires that all proposed federal-aid transportation projects be processed through project planning review in order to meet transportation plan goals and federal requirements; and

WHEREAS, the following projects are proposed amendments to the NOACA long-range transportation plan (*AIM Forward 2040*) and state fiscal year (SFY) 2018 - 2021 TIP:

- a) City of Brecksville: CUY IR 77 / MILLER RD INTERCHANGE: PID No. 104983 - Design phase (EE, DD only) for a project involving the completion of the existing partial diamond interchange at I-77 and Miller Road, in Brecksville,
- b) City of Elyria: LOR EAST BROAD ST: PID No. 111568 – This project involves rehabilitation and bicycle and pedestrian improvements along East Broad Street, in Elyria. The project was awarded Highway Safety Improvement Program (HSIP) funding, which will be used for preliminary engineering environmental, detailed design, right-of-way and construction.
- c) Greater Cleveland Regional Transit Agency (GCRTA): CUY GCRTA BUS REPLACEMENT PROGRAM: PID No. 113047 - This project is part of a three-year program to replace a total of 105 vehicles that have reached the end of their useful life with lower emission vehicles. This project includes the replacement of 2010 MCI (Motor Coach Industries) 45 foot buses, 2014 Series 3200 (CSU Line) New Flyer diesel 60 foot vehicles, 2014 Series 3250 New Flyer diesel 60 foot vehicles and 2015 Series 3300 Gillig CNG (compressed natural gas) 40 foot buses;
- d) Greater Cleveland Regional Transit Agency (GCRTA): CUY GCRTA RED LINE EAST TRACK REHABILITATION PROGRAM: PID No. 113050 - This program is a multi-year program to rehabilitate the Red Line tracks from Tower City east to Windermere. The track bed, rail, ties and drainage are in need of rehabilitation;
- e) Greater Cleveland Regional Transit Agency (GCRTA): CUY GCRTA FY 2021 - 2024 INFORMATION TECHNOLOGY (IT) UPGRADE PROGRAM: PID No. 113059 - This program is a multi-year program to replace and/or upgrade various information technology (IT) systems. The IT upgrade program will improve GCRTA's financial management, grant management, scheduling, enterprise content management, communication, intranet, and internet capabilities; and
- f) Greater Cleveland Regional Transit Agency (GCRTA): CUY GCRTA WATERFRONT LINE TRACK BRIDGE REHABILITATION: PID No. 113060 - This project is to rehabilitate the

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Waterfront Line track bridge over Front Street and the Norfolk Southern tracks in the east bank of the Flats. The first and last spans of the segmental concrete bridge are in need of rehabilitation.

WHEREAS, nonattainment and maintenance areas through a process called transportation conformity to demonstrate that emissions resulting from planned transportation system improvements will not exceed an area's emissions budget; and

WHEREAS, the United States Environmental Protection Agency (USEPA) establishes air pollution standards pursuant to the Clean Air Act for the preservation of public health and the environment;

WHEREAS, the USEPA designated the counties of Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage and Summit as a maintenance area under the 1997 and 2008 eight-hour ozone standard; and designated the Ashtabula Township portion of Ashtabula County and the counties of Cuyahoga, Lake, Lorain, Medina, Portage and Summit as a non-attainment area under the 1997 annual fine particles standard and designated the counties of Cuyahoga, Lake, Lorain, Medina, Portage, and Summit a non-attainment area under the 2006 daily fine particles standard; and

WHEREAS, effective April 15, 2015, the USEPA also designated both Cuyahoga and Lorain counties as non-attainment under the 2012 PM_{2.5} national ambient air quality standard; and

WHEREAS, item "a" (CUY IR 77 / MILLER RD INTERCHANGE: PID No. 104983) is a capacity addition and therefore must meet transportation conformity with the ozone and particulate matter state implementation plans (SIPs); and

WHEREAS, the necessary analyses have been conducted and the attached results (Exhibit 1) demonstrate transportation conformity for the IR 77 / Miller Road interchange project;

WHEREAS, these quantitative air quality analyses demonstrate that the NOACA 2040 Transportation Plan (*AIM Forward 2040*) and the SFY 2021 - 2024 Transportation Improvement Program remain in conformity with applicable air quality standards of the State Implementation Plan; and

WHEREAS, the necessary coordination between the Cleveland/Akron Air Quality Area partners (Erie Regional Planning Commission for the Lorain County portion of the City of Vermilion; Akron Metropolitan Area Transportation Study (AMATS) for Portage and Summit Counties; NOACA for Cuyahoga, Geauga, Lake, Lorain and Medina Counties; and ODOT for Ashtabula County) has occurred to establish conformity under the eight-hour ozone and fine particulate matter standards; and

WHEREAS, the other projects are excluded from regional emissions analysis and as such do not affect the existing TIP's air quality conformity determination; and

WHEREAS, the above projects are consistent with current financial forecasts and plans; and

WHEREAS, it is expected that the project sponsors will, in good faith, endeavor to address comments and recommendations raised during project planning review and will provide evidence of such, prior to the project advancing; and

WHEREAS, the Moving Ahead for Progress in the 21st Century (MAP 21) the federal authorization legislation requires the Federal Highway Administration (FHWA) and Federal Transit Administration

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(FTA), in consultation with States, MPOs, and other stakeholders, to establish performance measures in the areas of safety, infrastructure condition, congestion reduction, system reliability freight movement and economic vitality, environment sustainability, reduced project delivery delays and transit asset management; and

WHEREAS, ODOT, in consultation with States, MPOs, and other stakeholders, has established performance targets for the above performance measures; and

WHEREAS, the proposed projects must be evaluated for their anticipated effect toward achieving the performance targets identified in the metropolitan transportation plan, linking the investment priorities to the performance targets; and

WHEREAS, the above projects have been evaluated and are expected to contribute toward making progress toward achieving the performance targets established under MAP 21; and

WHEREAS, the above projects are recommended by the Transportation Subcommittee, Planning and Programming Committee and the Executive Committee as amendments to the Plan and TIP as appropriate; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of 46 principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina and the City of Cleveland that:

Section 1: The attached projects have had appropriate review through NOACA's Project Planning Review Process (PPR) and are approved for amendment to the transportation plan and TIP, accordingly.

Section 2: The projects are not subject to additional planning review unless there are significant changes in scope or finances, as determined by the appropriate committee.

Section 3: The Executive Director is authorized to transmit certified copies of this resolution to appropriate federal, state, and local agencies.

Certified to be a true copy of a Resolution of the Board of Directors of the Northeast Ohio Areawide Coordinating Agency adopted this 11th day of December 2020.

Secretary: _____

Date Signed: _____



SFY 2021 - 2024 Transportation Improvement Program
Roadway and Transportation Alternatives Projects

12/4/20

Amendments

PID	Project Description	Type of Work	Funding Data		AQ required?	
			2021	2022		
104983	CUY IR-77/MILLER RD INTERCHANGE	Interchange modification	EE Brksvl	\$1,520,000	2021	analyzed
	Location Brecksville:		EE TRAC	\$1,520,000	2021	
	Termini/Description I-77 and Miller Rd	0.07 mile	DD Brksvl	\$380,000	2022	
	Project Sponsor City of Brecksville		DD TRAC	\$380,000	2022	
	Comments			\$3,800,000		
111568	LOR EAST BROAD ST	Rehabilitate pavement & add bikes/peo	RW Elyria	\$7,500	2021	exempt
	Location Elyria:		RW HSIP	\$67,500	2021	
	Termini/Description East Bridge St to SR-57 (US-20)	1.32 miles	EE Elyria	\$100,000	2021	
	Project Sponsor City of Elyria		EE HSIP	\$900,000	2021	
			CO Elyria	\$322,500	2022	
			CO HSIP	\$2,902,500	2022	
			DD Elyria	\$20,000	2022	
			DD HSIP	\$180,000	2022	
			CO Elyria	\$961,811	2022	
			CO STBG	\$3,847,242	2022	
	Comments			\$9,309,053		

PE=preliminary engineering, EE=environmental engineering, RW=right of way, DD=detailed design, C=construction, CE=construction engineering, CO=construction contract, AR=archeological recovery

Judith Keys
Diane Simmons
Donna Mitchell
Jack Cerrra
Phillip Tollett
Victor F. Stewart III
Thomas Calahan
John (Jack) Baird
Kenny Oswald
Andrew Lipian

November 2, 2021

To whom it may concern:

My name is Tina Bashak. I reside at 509 E. Broad St., Elyria. I was raised in Elyria and I am an E. Broad St. homeowner of 31 ½ years and will be affected by the \$8.5 million proposed widening project.

I attended a council planning meeting at city hall on Oct. 14, 2021 to see the proposed plans and partake in a question and answer session with City Engineer, John Schneider.

The meeting invite letter I received in the mail included the first mention of a bike path to be included in the proposed plan. So, in addition to a proposed third turn lane (two 12 ft. lanes and a 10 ft. center turn lane), the plan includes an EIGHT ft. asphalt (black top) bike path to run on the south side of the road instead of a concrete sidewalk. This is not a park-like setting, this is our neighborhood....our front yards.

This \$8.5 million proposed plan was never put to the citizens of Elyria for a vote.

In the 1990's, there was a proposed plan to widen E. Broad St. to four lanes. Residents came together to argue the necessity of the widening and proved it wasn't justified to take the yards and trees. Traffic volume today is the lightest it has been in over 30 years. With the new Eastern Heights Campus, we have a bit more volume at school start and dismissal times, but never enough that traffic sits through multiple lights at Prospect St. The new Speedway customers only have an issue if they are trying to exit to E. Broad St. to head east.

I believe the only place turn lanes need to be added are at Prospect St. and possibly Garford Ave. to ease the flow of school traffic. I believe adult bikers belong on the street, preferably in a marked bike lane. I believe elementary and middle school children, with or without a parent, belong on the sidewalk.

Don't get me wrong, E. Broad St. and our sidewalks are in bad shape, like many, many others in the city. But I take great issue with the proposed plan as it stands. I feel the city thinks of this proposed plan as "free money" from the state. We all know there is no such thing as "free money". Our taxes, be it local, state or federal level, pay for these projects.

I have many issues for the proposed plan to include:

I have many issues for the proposed plan to include:

- The fact that home owners will lose most or all of the right of way land to make way for the widening of the road and sidewalk and path. This will greatly affect our property values, negatively. A pathway was installed on W. Broad St. that is literally at the front porches of those homes. I can't understand how anyone in this city allowed that to happen. I don't want it in my front lawn.



- The proximity of the road to the sidewalk on the north side of the road, but more importantly to the multiuse path on the south side of the road. This causes me great concern for the safety of the Elementary and Middle School children walking/riding bikes to and from school. I don't feel there will be enough of a buffer between the road and the path.
- The proximity of the road and pathway to our homes/front porches. My family and grandchildren frequent my front porch almost daily. My front yard will become path and then roadway.
- The bike path/multiuse path will cross many driveways and side streets. I feel school age children might get a false sense of safety/security being on a pathway. Residents still have to back out of our driveways, now expected to cross 8ft path and then almost immediately into the roadway. It is hard enough now, to time our exit from our driveway, with people blowing through red lights at Prospect St. I am worried about our line of vision from our drives for adults on bikes that can move much quicker than pedestrians. I feel they belong on a marked bike lane on roadway,
- Who will maintain 8ft asphalt path? E. Broad St. residents have a tough enough time digging out our sidewalks and driveway aprons after snow plowing to keep clear for students and other pedestrians.
- Where will our garbage cans go on garbage day? The proposed plans show very little area between path and roadway.
- The way the roadway is currently, there is enough room to get off to the side of roadway for emergency vehicles. With the proposed plan, I could see there being an issue with the lowered roadway with curbs. With nowhere to go for traffic in both the east and westbound lanes and stopped traffic in the turning lane, especially at Prospect St.

Thank you for listening to my concerns on this matter. I am hopeful the city will rethink this proposed plan.

Sincerely,

Tina Bashak
509 E. Broad St.
Elyria, OH 44035
440-323-9905/440-897-5551