

Minutes Approved

As Circulated February 22, 2022
3/7/2022 Regular Council Meeting
Elyria City Council

1. CALL TO ORDER:

The regular meeting of Elyria City Council was called to order on Monday February 22, 2022 at 7:05 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. Simmons. 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, Corbin, Davis, Lipian, Mitchell, Oswald, Schneider, Simmons, Stewart, Tollett

ABSENT:

OTHERS PRESENT: Mayor Whitfield, SSD Brubaker, Law Director Deery, Asst. Law Dir. Breunig, Clerk Lotko, Finance Dir. Pileski, Police Captain Pelko, Fire Chief Pronesti, ASSD Calvert, ASSD Williams, Engineer McKillips, Superintendent Korzan

3. PUBLIC HEARINGS: None

4. APPROVAL OF MINUTES:

Mr. Cerra moved, Mr. Tollett seconded that the Regular Meeting Minutes of the February 7, 2022 be approved as circulated.

MOTION CARRIED

5. REMARKS AND REPORTS OF CITY OFFICIALS:

Council President Stewart: None

Mayor Whitfield:

Mayor Whitfield provided an update on his State of the City address that will be held Tuesday, March 2, 2022 at Lorain County Community College, Spitzer Conference Center at 11:30 a.m. Updates will be the vision of the future, a new opportunity for the City of Elyria and use for the ARPA funds.

Mr. Oswald asked about follow up to sidewalks at Lorain County Community College. Mayor Whitfield responded that Engineer McKillips along with Lorain County Public Health will begin work on the sidewalk project soon.

Safety Service Director Brubaker:

SSD Brubaker provided an update on potholes and that the Street Department is running crews to patch potholes. Any concerns about potholes can be directed directly to the Street department to be addressed immediately. The Street department Managers retrieve messages, and dispatch trucks to the requested areas to fill the potholes. Mr. Brubaker also provided an update regarding

5. REMARKS AND REPORTS OF CITY OFFICIALS: CONTINUED

two Wastewater employees, Joshua Kurtz and Dana Sizemore who were courageous and heroic in assisting a resident after witnessing her fall in her driveway. Immediately upon her recovery she called Mr. Brubaker to thank the two employees, her recorded call was played during the meeting.

Mr. Oswald asked about Christmas trees being removed from curb lawns, he inquired about the process for trees being picked up. SSD Brubaker responded that with snowfalls, tree pick-ups were backed up, but can resume soon.

Finance Director Pileski:

Finance Director Pileski provided an update on his recent work session with the Mayor and his administration on the 2022 Permanent Appropriations Budget. The hope is to have the budget circulated to mailboxes by the week of March 12, 2022 to provide timely review, discussion at the March 14, 2022 Finance meeting and recommendation to full council on March 21, 2022. The deadline by law to pass the budget is March 31, 2022.

Asst. Law Director Breunig: No report

Police Chief Pelko: No report

Fire Chief Pronesti: No report

ASSD Calvert: No report

ASSD Williams: No report

Eng. McKillips:

Engineer McKillips provided an update on the Penfield storm sewer project. Community development Block Grant funds are being utilized to fund this project that will install storm sewers on Penfield Ave. Between Foster Ave. and Oakwood Drive. There will be road closures for the safety of the contractors. Residents directly impacted by the project received notifications. Anyone who has any questions can call the Engineer Department at 440-326-1444.

Mr. Oswald asked about bids for street resurfacing. Ms. McKillips explained the bid process. President Stewart inquired about the time line for the bid process. Ms. McKillips responded, sometime in March 2022.

Superintendent Korzan: No report

6. PRESIDENT'S REFERRALS AND REMONSTRANCES:

**Matter is completed or partially completed*

1. The matter of a Conditional Use permit for 1100 Gulf Rd., Elyria for a subdivision.
REFERRED BY: Maple Waffles Land, LLC
REFERRED TO: Planning Commission/ Community Development

2. The matter of a rezoning request located at 38265 Chestnut Ridge Rd. Elyria, from R-LD Residential -Low density to Lot 1, B-AO Business Automotive Oriented, Lot 2 B-G Business General District, Lot 3, remain R-LD Residential Low-Density
REFERRED BY: ABC Development LLC
REFERRED TO: Planning Commission/ Community Development

3. The matter to apply for and accept if offered, a grant with potential 25% match, from the State of Ohio through the Building Demolition and Site Revitalization Program to be used for the demolition of 327 Broad St .
REFERRED BY: ASSD Dawn Calvert
REFERRED TO: Community Development

4. The matter of amending the Design Review Guidelines
REFERRED BY: CD Director Ashley Scott
REFERRED TO: Community Development

5. The matter of authorizing the Mayor to identify a sister city for Elyria and enter into a bilateral communications to explore mutual benefit of Sister City International and report to council on the results.
REFERRED BY: Councilman Maurice Corbin III (Ward 3)
REFERRED TO: Community Development

6. The matter of the Enterprise Zone and Community Reinvestment Area recommendations from the Tax Incentive Review Council ("TIRC") to the Community Development Committee and Finance Committee.
REFERRED BY: CD Director Ashley Scott
REFERRED TO: Community Development & Finance

7. The matter of the request to transfer four parcels located within the City's Urban Renewal Plan.
REFERRED BY: CD Director Ashley Scott
REFERRED TO: Community Development & Finance

6. PRESIDENT'S REFERRALS AND REMONSTRANCES:

8. The matter of authorizing the Mayor to request bids and enter into a contract for towing services for the Elyria Police Department.

REFERRED BY: SSD Brubaker

REFERRED TO: Finance and Utilities, Safety & Environment

9-10 Received and Placed on file in the clerk's office

9. List of receipts collected by each division in the Clerk of Court's Office for the month of January 2022.

10. Copy of the Elyria Parks & Recreation Board Minutes from the January 13, 2022 meeting.

7. PETITIONS COUNCIL MEMBERS: None

8. PETITIONS LOBBY: None

9. REPORTS OF STANDING AND SPECIAL COMMITTEES:

Sponsored by:	<u>COMMITTEE REPORT NO. 2022-5</u>
Community	WE HAVE CONSIDERED THE MATTER OF A LIQUOR
Development:	LICENSE TRANSFER REQUESTED BY "THE PUB" TO
	BE TRANSFERRED TO JAMESUE, LLC, LOCATED AT
	8741 WEST RIDGE AVE., ELYRIA: CLASS D5, AND THE
	CITY OF ELYRIA DOES NOT REQUEST A HEARING

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

PASSAGE:

AYE: 11

NAYE: 0

ABSENT: 0

MOTION CARRIED

10. RESOLUTIONS – FIRST READING:

Sponsored by: RESOLUTION NO. 2022-4
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. Cerra COUNCIL TO CERTIFY SAID ACCOUNTS TO THE
LORAIN COUNTY AUDITOR.

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: ORDINANCE NO. 2022-23
Finance: AN ORDINANCE AUTHORIZING THE FINANCE
V. Stewart III DIRECTOR TO TRANSFER FUNDS TO THE SPECIFIED
P. Tollett ACCOUNT.
B. Davis
J. Cerra

Tollett 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. 2022-24
Finance: AN ORDINANCE AMENDING ORDINANCE NO. 2021-205, KNOWN AS THE “2022 TEMPORARY APPROPRIATIONS ORDINANCE”.
 V. Stewart III
 P. Tollett
 B. Davis
 J. Cerra

Tollett 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. 2022-25
Finance: AN ORDINANCE RATIFYING, AND AUTHORIZING THE MAYOR TO SIGN, AN AGREEMENT BETWEEN THE CITY OF ELYRIA AND ELYRIA FIRE FIGHTER, IAFF LOCAL 474, AND DECLARING AN EMERGENCY.
 V. Stewart III
 P. Tollett
 B. Davis
 J. Cerra

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

SUSPENSION:		PASSAGE:		EMERGENCY:	
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. 2022-26
Finance: AN ORDINANCE AUTHORIZING THE MAYOR TO
 V. Stewart III APPLY FOR AND ACCEPT, IF OFFERED, THE
 P. Tollett NORTHEAST OHIO PUBLIC ENERGY COUNCIL
 B. Davis (NOPEC) 2022 ENERGIZED COMMUNITY GRANT(S)
 J. Cerra FUNDS.
Utilities:
 D. Mitchell
 K. Oswald
 D. Simmons
 B. Davis
 M. Corbin III

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

SUSPENSION:	PASSAGE:	EMERGENCY:
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. 2022-27
Finance: AN ORDINANCE AUTHORIZING THE MAYOR TO
 V. Stewart III SUBMIT AN APPLICATION TO THE OHIO
 P. Tollett ENVIRONMENTAL PROTECTION AGENCY, AND
 B. Davis ACCEPT, IF OFFERED, THE COMMUNITY LITTER
 J. Cerra GRANT, THROUGH THE 2022 RECYCLING AND LITTER
Utilities: PREVENTION PROGRAM, FOR THE PURCHASE OF A
 D. Mitchell 2022 FORD F-450 TRUCK, A CHIP COLLECTION BOX
 K. Oswald FOR THE TRUCK BED AND A BANDIT CHIPPER FOR
 D. Simmons THE ELYRIA SANITATION/ FORESTRY DEPARTMENT,
 B. Davis AND DECLARING AN EMERGENCY.
 M. Corbin III

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

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

13. ORDINANCES – FIRST READING: CONTINUED

MOTION CARRIED

MOTION CARRIED

MOTION CARRIED

Sponsored by:

ORDINANCE NO. 2022-28

Finance:

AN ORDINANCE AUTHORIZING THE MAYOR TO APPLY FOR AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND AGREEMENT WITH THE OHIO EPA, DIVISION OF THE ENVIRONMENTAL AND FINANCIAL ASSISTANCE (DEFA), FOR THE

V. Stewart III

P. Tollett

B. Davis

J. Cerra

Utilities:

SSO/CSO/WWPCP WET WEATHER PROGRAM, EAST SIDE RELIEF SEWER PHASE 1D AND 2 NORTH, AND DECLARING AN EMERGENCY.

D. Mitchell

K. Oswald

D. Simmons

B. Davis

M. Corbin III

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

SUSPENSION:

PASSAGE:

EMERGENCY:

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. 2022-29

Finance:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PURCHASE A 2022 MACK SEMI-TRACTOR AND A 2022 FORD F-450 TRUCK FOR THE WASTEWATER POLLUTION CONTROL PLANT, THROUGH THE STATE

V. Stewart III

P. Tollett

B. Davis

J. Cerra

Utilities:

PURCHASING PROGRAM OR EQUIVALENT PROGRAM, AND DECLARING AN EMERGENCY.

D. Mitchell

K. Oswald

D. Simmons

B. Davis

M. Corbin III

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

13. ORDINANCES – FIRST READING: CONTINUED

SUSPENSION:	PASSAGE:	EMERGENCY:
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. 2022-30
Finance: AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE BALLISTIC VESTS FOR THE ELYRIA POLICE DEPARTMENT, THROUGH A STATE PURCHASING PROGRAM OR EQUIVALENT PROGRAM, AND DECLARING AN EMERGENCY.
V. Stewart III
P. Tollett
B. Davis
J. Cerra
Utilities:
D. Mitchell
K. Oswald
D. Simmons
B. Davis
M. Corbin III

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

SUSPENSION:	PASSAGE:	EMERGENCY:
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. 2022-31
Utilities: AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE 2022 STREET RESURFACING PROJECT, AND DECLARING AN EMERGENCY.
D. Mitchell
K. Oswald
D. Simmons
B. Davis
M. Corbin III

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

SUSPENSION:	PASSAGE:	EMERGENCY:
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. 2022-32**
Utilities: AN ORDINANCE AUTHORIZING THE MAYOR TO
 D. Mitchell ADVERTISE FOR BIDS AND ENTER INTO A
 K. Oswald CONTRACT FOR THE 2022 OBERLIN-ELYRIA ROAD
 D. Simmons WATER LINE REPLACEMENT PROJECT, AND
 B. Davis DECLARING AN EMERGENCY.
 M. Corbin III

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

SUSPENSION:	PASSAGE:	EMERGENCY:
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. 2022-33**
Utilities: AN ORDINANCE AUTHORIZING THE MAYOR TO
 D. Mitchell ADVERTISE FOR BIDS AND ENTER INTO A
 K. Oswald CONTRACT FOR THE 2022 2ND STREET AND CEDAR
 D. Simmons STREET WATER LINE REPLACEMENT PROJECT, AND
 B. Davis DECLARING AN EMERGENCY.
 M. Corbin III

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

SUSPENSION:	PASSAGE:	EMERGENCY:
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. 2022-34**
Utilities: AN ORDINANCE AUTHORIZING THE MAYOR TO
 D. Mitchell ADVERTISE FOR BIDS AND ENTER INTO A
 K. Oswald CONTRACT FOR THE 2022 16TH STREET WATER LINE
 D. Simmons REPLACEMENT PROJECT AND DECLARING AN
 B. Davis EMERGENCY.
 M. Corbin III

13. ORDINANCES – FIRST READING: CONTINUED

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

SUSPENSION:	PASSAGE:	EMERGENCY:
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. 2022-35
Utilities: AN ORDINANCE AMENDING ELYRIA CODIFIED
 D. Mitchell ORDINANCE CHAPTER 351, PARKING GENERALLY,
 K. Oswald SECTION 351.18 SNOW EMERGENCY.
 D. Simmons
 B. Davis
 M. Corbin III

Mitchell moved, Schneider 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

14. ORDINANCES–SECOND READING: None

15. ORDINANCES–THIRD READING:

16. COMMITTEE CALLS:

COMMUNITY DEVELOPMENT 2/28/2022 6:00 P.M. All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.
VIRTUAL/ZOOM

FINANCE 2/28/2022 Following CD All Referred Items Council Chambers w/Mayor, Fin. Director, Law Director, SSD, Engineer
VIRTUAL/ZOOM

UTILITIES, SAFETY & ENVIRONMENT 3/09/2022 6:00 P.M. All Referred items w/ Law Director, SSD, Engineer

STRATEGIC PLANNING 3/07/2022 Immediately following Council All Referred Items Council Chambers W/ Mayor, Safety Service Director, Finance Dir., Law Director, Engineer

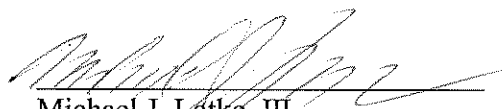
17. MISC AND UNFINISHED BUSINESS:

President Stewart confirmed the visit to Old Brooklyn CDC on March 12, 2022. The two dates that were being considered were March 5th and March 12th, with the majority having the availability to participate on March 12th. The time is TBD. More information to come. President Stewart is looking forward to the visit as a model of the development of Old Brooklyn's downtown area and any examples that would be beneficial to the City of Elyria.

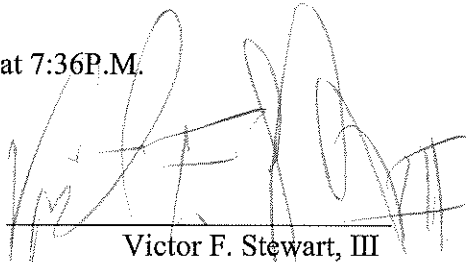
18. ADJOURNMENT:

Mitchell motion to adjourn, Cerra seconded at 7:36P.M.

MOTION CARRIED



Michael J. Lotko, III
Clerk of Council



Victor F. Stewart, III
President of Council

RLP/