

Minutes Approved  
*As Circulated* March 21, 2022  
~~4/18/2022~~ Regular Council Meeting  
Elyria City Council

**1. CALL TO ORDER:**

The regular meeting of Elyria City Council was called to order on Monday March 21, 2022 at 7:01 P.M. by President Stewart. President Stewart opened the meeting with a moment of reflection and followed by the Pledge of Allegiance led by Mrs 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: SSD Brubaker, Law Director Deery, Asst. Law Dir. Breunig, Clerk Lotko, Finance Dir. Pileski, Police Captain Pelko, Fire Chief Pronesti, ASSD Calvert, 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 March 7, 2022 be approved as circulated.

MOTION CARRIED

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

**Council President Stewart:** None

**Mayor Whitfield:** Absent

**Safety Service Director Brubaker:**

SSD Brubaker shared that an agreement has been made with dispatchers. The item will be placed on the next finance agenda meeting. A message was played from the Parks and Recreation department that was received from a grandparent. The grandchild was a participant in Safety Town under the supervision of Nicole Edwards. The message demonstrated the importance of Safety Town.

**Finance Director Pileski:** No Report

**Asst. Law Director Breunig:** No report

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

### **Police Chief Pelko:**

Chief Pelko reported that EPD has implemented an online anonymous tip line named tip411. Tip411 is designed for the citizens of Elyria to type an anonymous message to the Elyria Police from a computer and the police will follow up with the tip as necessary. Chief Pelko believes that it will be a great incentive to help with solving crimes. In addition, the police added to their workforce, Matt Cavanaugh was hired as a police officer, he joins the force as an eleven year veteran from the Cleveland Police department. EPD received grant approval of forty thousand dollars for bullet proof vests from the State of Ohio. Request for referral was made from the floor for the Ohio Violent Crime Consortium grant.

Mr. Cerra asked if any information is shared with the citizens regarding the tip411 about what action took place. Chief Pelko, responded sharing of information would be case by case and depend on the sensitivity on the case.

**Fire Chief Pronesti:** No Report

**ASSD Calvert:** No Report

**ASSD Williams:** No Report

### **Eng. McKillips:**

Engineer McKillips provided information on road restoration projects following the lead line service replacement projects. Saw cutting will take place on East Broad St. Road restoration will take place on 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, 15<sup>th</sup> Streets and Mussey Ave. Road detours anticipated in the areas of road restoration work. Columbia Gas is scheduled to begin a project on the 9<sup>th</sup> Street and Middle Ave. There were issues reported of water in the gas main. Additional planned work for Columbia Gas will be in the Boston and Fairlawn areas.

President Stewart had a question regarding the cutovers on East Broad St. Engineer McKillips explained part of the work that is scheduled is designed to take care of the trench repair issue. Hopes are East Broad Street project will go up for bid this summer, plans are at 85% completed. The project is currently in the final stage with anticipation of starting in the fall. Challenges are presented with material delays of concrete pipe and ductile iron pipe. Mr Lipian asked if there is a possibility of having asphalt on Harvard and Concord. Engineer McKillips ensured that she would pass along the request. Mrs. Mitchell inquired about when the project on Penfield would be completed. Ms. McKillips explained that the underground work is near completion. The last catch basins are in the process of being installed and restoration will begin. Mrs. Mitchell inquired about the bid for 2022 street paving. Ms. McKillips explained the Engineer department is working on the street paving bid. Mr. Cerra inquired about the big dig on Poplar St. Ms. McKillips explained that the permit to install has been submitted to the E.P.A (Environmental Protection Agency) in Columbus for review. She anticipates bid advertising in May and bid in June. Mr. Oswald asked a question about a project on Poplar. Engineer McKillips explained that a 108 inch storm sewer goes under East Bridge Street, we have a big sewer that needs to be

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

placed directly through it. A chamber has to be built to accommodate the flow around one or the other, since both sewers operate by gravity. Mrs. Simmons inquired when the Fuller Rd. Project would begin. Ms. McKillips explained the Fuller Rd. Project can not be awarded until after July 1, 2022 due to involvement of Ohio Public Works funding, as well as a joint project with the county.

**Superintendent Korzan:** No report

**Director Reardon:**

Director Reardon shared that the Spring/ Summer brochure has been released. Mr. Oswald inquired about progress of the dog park. Director Reardon explained they have to dig for the water fountain and accessories and the sign have been ordered. Some attention needs to be given to the fence, repairs will be made. In addition, there are some wet areas from the parking lot area to the fence that will require additional work. Mrs. Mitchell inquired about the walking trail at West Park. Mrs. Reardon shared that a wetlands study will be conducted, design phase, then ready to go out for bid. Mrs. Mitchell circled back to a sidewalk at the dog park. Mrs. Reardon, explained she is not exactly sure that a sidewalk will be installed in that area.

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

*\*Matter is completed or partially completed*

1. The matter of re-zoning for 131 Williams St., Elyria from L-I & R-TH to H-I.

**REFERRED BY:** Blue Star Recycling

**REFERRED TO:** Planning Commission/ Community Development

2. The matter of review and approval of recommendations from the Elyria Economic Development Committee (EEDC).

**REFERRED BY:** CDM Mona Almabayyed

**REFERRED TO:** Community Development and Finance

3. The matter of A Downtown Facade Improvement Program Applicant.

**REFERRED BY:** CDM Mona Almabayyed

**REFERRED TO:** Community Development and Finance

4. The matter of salt purchasing through ODOT for the 2022-23 season.

**REFERRED BY:** SSD Brubaker

**REFERRED TO:** Finance

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

5. The matter of authorizing the Mayor to approve for bid and award a contract for the printers/copiers for the City of Elyria.

**REFERRED BY:** SSD Brubaker

**REFERRED TO:** Finance

6. The matter of disposing of a city vehicle that has been deemed unfit for public use.

**REFERRED BY:** SSD Brubaker

**REFERRED TO:** Finance

7. The matter of disposal , by the best means for the City, property that is unfit for municipal use.

**REFERRED BY:** WWPC Superintendent Korzan

**REFERRED TO:** Finance

8. The matter of transferring monies per Court Order dated March 7, 2022.

**REFERRED BY:** Finance Director Pileski

**REFERRED TO:** Finance

9. The matter of a 1 year rate plan pricing agreement with Verizon wireless services data access for computers and modems in Police vehicles, Fire apparatus, and Water Distribution service vehicles.

**REFERRED BY:** IT Director Rothgery

**REFERRED TO:** Finance

10. The matter of authorizing the Elyria Police Department to apply for the NOVCC, Northern Ohio Violence Crime Consortium grant.

**REFERRED BY:** Police Chief Pelko

**REFERRED TO:** Finance

11. The matter of authorizing the Mayor to advertise and award a contract for the Cleveland Street Water Main Improvement Project.

**REFERRED BY:** Engineer McKillips

**REFERRED TO:** Finance & Utilities

12. The matter allowing the Mayor to exercise the optional year of the existing sludge disposal contract with Lorain County Landfill.

**REFERRED BY:** WWPC Superintendent Korzan

**REFERRED TO:** Finance & Utilities

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

13. The matter of authorizing the Mayor to apply for and accept a Water Supply Revolving Loan Account Agreement or grant through the Ohio EPA.

**REFERRED BY:** Water Team Leader Jacob

**REFERRED TO:** Finance & Utilities

14. The matter of authorizing the Mayor to apply for and accept a grant through H2Ohio.

**REFERRED BY:** Water Team Leader Jacob

**REFERRED TO:** Finance & Utilities

15. The matter of authorizing the use of alternate materials for the new water mains within the City.

**REFERRED BY:** Engineer McKillips

**REFERRED TO:** Utilities

16. The matter of approving modifications to the City's Wastewater Facility Planning Area (FPA).

**REFERRED BY:** Engineer McKillips

**REFERRED TO:** Utilities

17. The matter of a change to certain local limits set forth in Section 932.04 of the Sewer Use Ordinance.

**REFERRED BY:** WWPC Superintendent Korzan

**REFERRED TO:** Utilities

**18-26 Received and Placed on file in the clerk's office**

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

19. Copy of the Elyria Parks & Recreation Board Minutes from the February 10, 2022 meeting.

20. Denied Claim for Damage: Deborah Nimon

21. Denied Claim for Damage: Beatrice Riojas

22. Denied Claim for Damage: Judith Walker

23. Denied Claim for Damage: Ryan T. Lloyd

24. Denied Claim for Damage: Lynette Camp

25. Denied Claim for Damage: Justin Masaitis

26. Denied Claim for Damage: Stephanie Tanner

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

**10. RESOLUTIONS – FIRST READING:**

**Sponsored by:**     **RESOLUTION NO. 2022-7**  
**Finance:**            A RESOLUTION APPROVING A LIST SUBMITTED BY  
V. Stewart III        THE SAFETY SERVICE DIRECTOR FOR THE  
P. Tollett             COLLECTION OF DELINQUENT INACTIVE UTILITY  
C. Schneider         ACCOUNTS AND DIRECTING THE CLERK OF COUNCIL  
J. Cerra                TO CERTIFY SAID ACCOUNT TO THE LORAIN COUNTY  
                              AUDITOR.

Tollett moved, Cerra 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. 2022-40**  
**Finance:**            AN ORDINANCE AUTHORIZING THE FINANCE  
V. Stewart III        DIRECTOR TO PAY A MORAL CLAIM TO RICHARD W.  
P. Tollett             CROSS.  
C. Schneider  
J. Cerra

Tollett 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	

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

**Sponsored by:** ORDINANCE NO. 2022-41  
**Finance:** AN ORDINANCE AUTHORIZING THE FINANCE  
 V. Stewart III DIRECTOR TO PAY A MORAL CLAIM TO ERIC AND  
 P. Tollett CHERYL GREENLY.  
 B. Davis  
 C. Schneider  
 J. Cerra

Tollett moved, Cerra 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. 2022-42  
**Finance:** AN ORDINANCE RATIFYING AND AUTHORIZING THE  
 V. Stewart III MAYOR TO SIGN AN AGREEMENT BY AND BETWEEN  
 P. Tollett THE CITY OF ELYRIA AND THE ELYRIA POLICE  
 B. Davis PATROLMAN’S ASSOCIATION (E.P.P.A.), AND  
 C. Schneider DECLARING AN EMERGENCY.  
 J. Cerra

Tollett moved, Cerra 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. 2022-43  
**Finance:** AN ORDINANCE AMENDING ORDINANCE NO. 2021-73,  
V. Stewart III KNOWN AS THE SALARY ORDINANCE, TO ADJUST  
P. Tollett THE WAGES OF THE ELYRIA POLICE PATROLMAN’S  
B. Davis ASSOCIATION (E.P.P.A), THE ELYRIA FRATERNAL  
C. Schneider ORDER OF POLICE (F.O.P.), AND CERTAIN NON-  
J. Cerra BARGAINING, CLASSIFIED EMPLOYEES, PURSUANT  
TO THE UNION CONTRACT(S), AND DECLARING AN  
EMERGENCY.

Mr. Tollett referred to Law Director Deery.

Law Director Deery provided information for a proposed ordinance that had been laid on the table. The legislation had been prepared to conform to the exhibit that was prepared by the finance director’s office. Requested that council pass a motion as laid on the table.

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

Tollett concurs, 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

**Sponsored by:** ORDINANCE NO. 2022-44  
**Finance:** AN ORDINANCE AUTHORIZING THE MAYOR TO  
V. Stewart III ENTER INTO CONTRACT TO PURCHASE A 2022-23  
P. Tollett DUAL AXLE PLOW TRUCK FOR THE STREET  
B. Davis DEPARTMENT, THROUGH THE STATE PURCHASING  
C. Schneider PROGRAM OR EQUIVALENT PROGRAM, AND  
J. Cerra DECLARING AN EMERGENCY.



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

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

SUSPENSION:	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. 2022-45  
**Finance:** AN ORDINANCE TO AUTHORIZE THE PERMANENT  
 V. Stewart III APPROPRIATIONS OF THE CITY OF ELYRIA, OHIO,  
 P. Tollett FOR THE YEAR 2022, AND DECLARING AN  
 B. Davis EMERGENCY.  
 C. Schneider  
 J. Cerra

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

Mr. Oswald request to make an amendment to the appropriations ordinance. He stated that in the American Rescue Plan Act, one million dollars was settled on for the Oakwood building. The request was to amend the amount from one million to zero. The total would be adjusted from 9966.326 to 8966.328 leaving a balance of \$171,295,321.00, seconded by Mr. Schneider.

Mr. Lipian expressed his respect for Mr. Oswald, he expressed his consistency in voting against the amendment. H had an understanding that the schools needed money for improvements and the belief that there is concern regarding not enough details for how the money will be spent. He expressed the same concerns were expressed about the Ukranian refugee bill, which Mr. Lipian stated he has been consistent in stating good faith efforts on part of all parties could be utilized in determining the best initiation of funding dollars. Mr. Lipian is confident that city council and the mayor can work together to best determine how to initiate the funds.

Finance Director Pileski stated that the ordinance provided to him, does not have the exhibit attached, it has his worksheet for the amount available to appropriate. Mr. Pileski requested to confirm the actual exhibit for the amended amount.

Mr Williams stated that the amendment was kind of shocking and that he wished there would have been some notification provided prior to the meeting for discussion.

Chair Stewart responded that prior discussion had been held, in addition the item is on the agenda for upcoming committee meeting.

Mr. Cerra confirmed the money could be re-appropriated if additional information is provided. Law Director Deery advised council that there be a motion to amend exhibit "A" to reflect what was distributed amongst council members, as well as a motion to pass the ordinance.

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

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

Tollett motion, Davis seconded concurs with motion under suspension of rules and declaring an emergency.

SUSPENSION:	PASSAGE:	EMERGENCY:
AYE: 11	AYE: 10	AYE: 11
NAY: 0	NAY: 1	NAY: 0
ABSENT: 0	ABSENT: 0	ABSENT: 0
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

**Sponsored by: ORDINANCE NO. 2022-46****Utilities:**

D. Mitchell  
B. Davis  
D. Simmons  
M. Corbin III  
K. Oswald

**Finance:**

V. Stewart III  
P. Tollett  
B. Davis  
C. Schneider  
J. Cerra

AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION THROUGH THE LORAIN COUNTY PUBLIC HEALTH, AND ACCEPT, IF OFFERED, THE HEALTHY PLACES GRANT, FOR NEW SELF-LOCKING GATES AT NORTH PARK AND EAST PARK POOLS FOR THE PARKS AND RECREATION DEPARTMENT, AND DECLARING AN EMERGENCY.

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

SUSPENSION:	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. 2022-47**  
**Utilities:** AN ORDINANCE RATIFYING THE APPLICATION THE  
 D. Mitchell MAYOR SUBMITTED TO THE OHIO DEPARTMENT OF  
 B. Davis TRANSPORTATION, AND ACCEPT, IF OFFERED, THE  
 D. Simmons SAFE ROUTES TO SCHOOL PROGRAM GRANT, AND  
 M. Corbin III DECLARING AN EMERGENCY.  
 K. Oswald  
**Finance:**  
 V. Stewart III  
 P. Tollett  
 B. Davis  
 C. Schneider  
 J. Cerra

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. 2022-48**  
**Utilities:** AN ORDINANCE AUTHORIZING THE APPROVAL OF A  
 D. Mitchell MODIFICATION TO THE CITY OF ELYRIA’S  
 B. Davis WASTEWATER FACILITY PLANNING AREA, AND  
 D. Simmons DECLARING AN EMERGENCY.  
 M. Corbin III  
 K. Oswald

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

**14. ORDINANCES—SECOND READING:** None

**15. ORDINANCES—THIRD READING:** None

**16. COMMITTEE CALLS:**

**COMMUNITY DEVELOPMENT** 3/28/2022 6:00 P.M. All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

**VIRTUAL/ZOOM**

**FINANCE** 3/28/2022 Following CD All Referred Items Council Chambers w/Mayor, Fin. Director, Law Director, SSD, Engineer

**VIRTUAL/ZOOM**

**UTILITIES, SAFETY & ENVIRONMENT** 04/13/2022 6:00 P.M. All Referred items w/ Law Director, SSD, Engineer

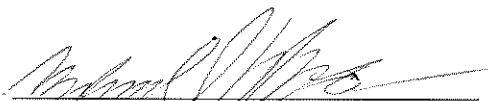
**STRATEGIC PLANNING** 04/04/2022 Immediately following Council All Referred Items Council Chambers W/ Mayor, Safety Service Director, Finance Dir., Law Director, Engineer

**17. MISC AND UNFINISHED BUSINESS:** None

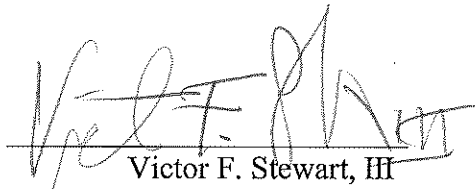
**18. ADJOURNMENT:**

Mitchell motion to adjourn, Schneider seconded at 7:59 P.M.

MOTION CARRIED



Michael J. Lotko, III  
Clerk of Council



Victor F. Stewart, III  
President of Council

RLP/

# City passes budget, punts on old school

Kevin Martin The Chronicle-Telegram

ELYRIA - Elyria City Council gave final approval to the 2022 permanent appropriations budget Monday, but punted on one of Mayor Frank Whitfield's key proposals.

The \$32.9 million general fund budget will not include \$1 million for the renovation of the former Oakwood Elementary School, which the administration hopes to transform into an intergenerational community center in collaboration with Elyria nonprofit Save Our Children.

Councilman Kenny Oswald, D-4th Ward, brought forward an amendment on the floor to eliminate the funding for the time being, stressing more questions need to be answered.

"I'd like just to get the information. ... If we need \$1.5 (million) and that's going to do it, I'm happy to give you \$1.5 (million), as soon as we get all of our ducks in a row. I want to know what we're getting, what we're doing and as soon as we can do that, we can make a good decision," Oswald said.

In a joint meeting of Elyria City Council's Community Development and Finance committees last week, the Oakwood proposal sparked much debate with Council questioning the short- and long-term financial plan, management of the building and concerns that the city's arrangement with Save Our Children and other potential community partners had not been finalized.

The building acquired by the city in a property swap with Elyria Schools needs immediate repairs to the roof to address leaking with additional upgrades needed for the windows, doors, HVAC system and to bring the bathrooms into ADA compliance.

The administration initially asked for \$1.5 million in American Rescue Plan funds with the committee reaching a compromise, recommending \$1 million. Initial estimates obtained by the city indicate the roof replacement will cost \$500,000 and window replacements coming in at \$200,000. At the time, Assistant Safety Service Director Tim Williams said estimates for the rest of the repairs were in the process of being obtained.

Reacting to Council's decision, Williams said "it's kind of shocking." He said he wished the administration had gotten some notification but noted it will continue to work with Council to provide the details they need in order to move forward on the project.

Whitfield was not in attendance for Monday's meeting. Reached for comment afterward, he said while still gathering information on what happened, he found it interesting the committee members were willing to move forward last week without Council President Vic Stewart's support, only to change their minds a week later.

