

Minutes Approved

As Circulated
June 5, 2022

May 16, 2022
Regular Council Meeting
Elyria City Council

1. CALL TO ORDER:

The regular meeting of Elyria City Council was called to order on Monday May 16, 2022 at 7:09 P.M. by President Stewart. President Stewart opened the meeting with a moment of reflection and followed by the Pledge of Allegiance led by Mr. Lipian.

Virtual Council meeting. The recording of this meeting is available on City of Elyria Channel on YouTube. (Zoom meeting)

2. ROLL CALL--COUNCIL MEMBERS:

PRESENT: Callahan, Cerra, Corbin, Lipian, Mitchell, Oswald, Schneider, Stewart, Tollett

ABSENT: Davis, Simmons

OTHERS PRESENT: SSD Brubaker, Law Director Deery, Clerk Lotko, Asst. Finance Dir. Farrell, Police Chief Pelko, Fire Chief Pronesti, Engineer McKillips, Superintendent Korzan, ASSD Calvert, Director Reardon

Mitchell moved, Schneider seconded to approve the absences of Davis and Simmons from the meeting.

MOTION CARRIED

3. PUBLIC HEARINGS: None

4. APPROVAL OF MINUTES:

Mr. Cerra moved, seconded by Mrs. Mitchell that the Meeting Minutes of the May 2, 2022 and April 18, 2022 minutes be approved as circulated.

MOTION CARRIED

5. REMARKS AND REPORTS OF CITY OFFICIALS:

Council President Stewart: None

Safety Service Director Brubaker:

SSD Brubaker shared a couple of updates, one, regarding interest in the Memorial Day Parade. Contact should be made with Mr. Ballard in the Mayor's office. The flower baskets downtown have been filled by Scott Payne of the Forestry Department. Also, the Engineer and Parks & Recreation departments were able to test and turn on the fountain for the High School Prom weekend. Mr. Lipian expressed how beautiful the fountain looked. Mrs. Mitchell inquired about the opening of the splash pads and pools. SSD Brubaker referred to P&R Director Reardon to respond during her report.

5. REMARKS AND REPORTS OF CITY OFFICIALS: CONTINUED

Asst. Finance Director Farrell: No Report

Law Director Deery: No report:

Law Director Deery announced the retirement of long time employee Joyce Mason

Chief Pelko:

Chief Pelko provided an update regarding this week being recognized as Police Memorial Week. He requested thoughts and prayers for Elyria Police Department Officers lost in the line of duty: Howard Taft, Brad Scott and Officer Kerstetter. Chief Pelko also modeled a new bullet proof vest. He welcomed anyone that would be interested in taking a closer look after the meeting. The Chief announced the retirement of Fred Michael Merrill after twenty-seven and a half years of service.

SSD Brubaker shared that Chief Pelko along with Mr. Ballard from the Mayor's office will be graduating from Leadership Lorain County Class of 2022, congratulations were provided to both of them.

Fire Chief Pronesti: No Report

ASSD Calvert: No Report

Eng. McKillips: No. Report

Superintendent Korzan: Exhibit "A"

Director Reardon:

Director Reardon shared both North & East pools will open on 6/13/2022. The Parks and Recreation department is hiring lifeguards. Due to the number of lifeguards currently employed, there may be some capacity limitations at the pools. A lifeguard class is being offered at East pool the beginning of June. Splash pads will open on June 27th through Labor Day. East pavilion concrete pad is poured, columns are up and more concrete was scheduled to be poured on Wednesday May 18th. Mr. Oswald inquired about teachers working in the summer. Director Reardon, responded, they do have some teachers employed. Mr. Schneider inquired of the age for lifeguards to be certified, Director Reardon shared fifteen and a half is the age required by The Red Cross for certification. Mr. Lipian asked if consideration has been given for advertising with High Schools and LCCC. Director Reardon shared that have reached out to swim teams and the staff just recently attended a career fair at both Elyria High School and Elyria Catholic. Mrs. Mitchell inquired about the walking trail at West Park, to which no update could be provided at the time.

6. PRESIDENT'S REFERRALS AND REMONSTRANCES:

**Matter is completed or partially completed*

1. The matter of a financial match to the Nord Family Foundation Grant in the amount of \$100,000 to the Elyria Community Partnership.

REFERRED BY: ASSD Calvert

REFERRED TO: Community Development/ Finance

2. The matter of an extension to the Skill City Promise Program agreement.

REFERRED BY: Mayor Whitfield

REFERRED TO: Community Development/ Finance

3. The matter of auctioning vehicles that are unfit for municipal use on govdeals.com.

REFERRED BY: Chief Pelko

REFERRED TO: Finance

4. The matter of applying for a grant to fund the purchase of body-worn cameras.

REFERRED BY: Chief Pelko

REFERRED TO: Finance

5. The matter of authorizing the Mayor to advertise for bids and enter into a contract for the reconstruction of LOR-623-0.00 (E. Broad St.).

REFERRED BY: Engineer McKillips

REFERRED TO: Utilities/Finance

6. The matter of authorizing the Mayor to submit applications for the grant and/ or loan and accept the funds from OPWC for the year 2023.

REFERRED BY: Engineer McKillips

REFERRED TO: Utilities/Finance

7. The matter of authorizing the Mayor to advertise for bids and award a contract for the Wet Weather Program- East Side Relief Sewer Project Phase 1D & 2N.

REFERRED BY: Engineer McKillips

REFERRED TO: Utilities/Finance

8. The matter of authorizing the Mayor to enter into an agreement with the City of Youngstown, Ohio to be a sponsor for their OEPA Water Resource Restoration Sponsorship Program Project.

REFERRED BY: Engineer McKillips

REFERRED TO: Utilities/Finance

6. PRESIDENT'S REFERRALS AND REMONSTRANCES: CONTINUED

9. The matter of authorizing the Mayor to enter into a contract with Suez for a multi year asset management program for the five (5) water towers in Elyria.

REFERRED BY: Superintendent Samuel F. Jacob

REFERRED TO: Utilities/Finance

10. The matter of authorizing the Mayor to advertise and award a contract for the resurfacing of Fuller Road..

REFERRED BY: Engineer McKillips

REFERRED TO: Utilities

11. The matter of authorizing the Mayor to enter into a contract with CT Consultants, for the Lead Service Line replacement project #3.

REFERRED BY: Superintendent Samuel F. Jacob

REFERRED TO: Utilities

12. The matter of authorizing the Mayor to enter into a cooperative agreement with Lorain County, State of Ohio, to share in the cost for the replacement of the Fuller Road Bridge No. 014.

REFERRED BY: Engineer McKillips

REFERRED TO: Utilities

13. The matter of authorizing the Mayor to advertise and award a contract for the resurfacing of West Ave (Barres to 8th).

REFERRED BY: Engineer McKillips

REFERRED TO: Utilities

14. The matter of authorizing the Mayor to advertise and award a contract for the resurfacing of Oberlin-Elyria Road.

REFERRED BY: Engineer McKillips

REFERRED TO: Utilities

15. The matter of authorizing the Mayor to advertise and award a contract for the resurfacing of 2nd St./ Cedar St.

REFERRED BY: Engineer McKillips

REFERRED TO: Utilities

16. Received and Placed on file in the clerk's office

16. List of receipts collected by each division of the Clerk of Court's Office for the month of April 2022.

7. PETITIONS - LOBBY:

Tiffany Reedy, 113 Williams St., Elyria, OH 44035- Neighborhood Safety Hazard: Exhibit "A"
Mr. Lipian stated that he had the opportunity to follow up with Safety Service Director Brubaker, to arrange for a tour of the 113 Williams property.

8. PETITIONS - COUNCIL MEMBERS: None

9. REPORTS OF STANDING AND SPECIAL COMMITTEES: None

10. RESOLUTIONS – FIRST READING:

Sponsored by:	<u>RESOLUTION NO. 2022-13</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 COUNCIL
C. Schneider	TO CERTIFY SAID ACCOUNTS TO THE LORAIN
J. Cerra	COUNTY AUDITOR.

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

SUSPENSION:		PASSAGE:	
AYE: 9		AYE: 9	
NAY: 0		NAY: 0	
ABSENT 2		ABSENT: 2	

11. RESOLUTIONS--SECOND READING: None

12. RESOLUTIONS--THIRD READING: None

13. ORDINANCES – FIRST READING:

Sponsored by: **ORDINANCE NO. 2022-86**
Community Development: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO LEASE REAL PROPERTY LOCATED AT 799 NORTH ABBE ROAD, OWNED BY THE CITY OF ELYRIA.
 T. Callahan
 A. Lipian
 C. Schneider
 D. Mitchell
 K. Oswald
Finance:
 V. Stewart III
 P. Tollett
 B. Davis
 J. Cerra

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

SUSPENSION:	PASSAGE:
AYE: 9	AYE: 9
NAY: 0	NAY: 0
ABSENT: 2	ABSENT: 2
MOTION CARRIED	MOTION CARRIED

Sponsored by: **ORDINANCE NO. 2022-87**
Finance: AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO PAY A MORAL CLAIM TO SARAH J. BARNES.
 V. Stewart III
 P. Tollett
 B. Davis
 C. Schneider
 J. Cerra

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

SUSPENSION:	PASSAGE:
AYE: 9	AYE: 9
NAY: 0	NAY: 0
ABSENT: 2	ABSENT: 2
MOTION CARRIED	MOTION CARRIED

13. ORDINANCES – FIRST READING: CONTINUED

Sponsored by: **ORDINANCE NO. 2022-88**

Utilities: AN ORDINANCE AMENDING ORDINANCE NO. 2022-31,
D. Mitchell AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
B. Davis AND ENTER INTO A CONTRACT FOR THE 2022 STREET
D. Simmons RESURFACING PROJECT, AND DECLARING AN
M. Corbin EMERGENCY.
K. Oswald

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

SUSPENSION:	PASSAGE:	EMERGENCY:
AYE: 9	AYE: 9	AYE: 9
NAY: 0	NAY: 0	NAY: 0
ABSENT: 2	ABSENT: 2	ABSENT: 2
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

Sponsored by: **ORDINANCE NO. 2022-89**

Utilities: AN ORDINANCE AUTHORIZING THE USE OF CITY
D. Mitchell OWNED REAL PROPERTY LOCATED AT ELY SQUARE
B. Davis FOR PURPOSES OF A SEASONAL FARMER’S MARKET.
D. Simmons
M. Corbin
K. Oswald

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

SUSPENSION:	PASSAGE:
AYE: 9	AYE: 9
NAY: 0	NAY: 0
ABSENT: 2	ABSENT: 2
MOTION CARRIED	MOTION CARRIED

14. ORDINANCES–SECOND READING: None

15. ORDINANCES–THIRD READING: None

16. COMMITTEE CALLS:

COMMUNITY DEVELOPMENT 05/23/2022 6:00 P.M. All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

REGULAR COUNCIL MEETING

ELYRIA CITY COUNCIL

May 16, 2022

VIRTUAL/ZOOM

FINANCE 05/23/2022 Following CD All Referred Items Council Chambers w/Mayor, Fin. Director, Law Director, SSD, Engineer

VIRTUAL/ZOOM

UTILITIES, SAFETY & ENVIRONMENT 06/08/2022 6:00 P.M. All Referred items w/ Law Director, SSD, Engineer

RULES 5/25/2022 05/25/2022 P.M. All Referred items w/ Law Director

STRATEGIC PLANNING 06/06/2022 Immediately following Council All Referred Items Council Chambers w/ Mayor, Safety Service Director, Finance Dir., Law Director, Engineer

17. MISC AND UNFINISHED BUSINESS:

Mr. Lipian shared that he created a google spreadsheet intake form for issues throughout his ward, that he posted on facebook. The spreadsheet allows residents to select from a drop down menu, select what type of issue they are experiencing and provide their contact information.

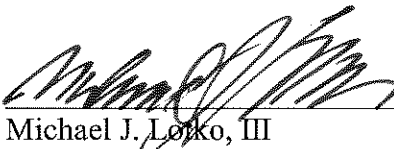
President Stewart inquired about Beautiful Day on Saturday May 21st. Lorain County Pride Day has been re-named to Lorain County Beautiful Day. The City of Elyria will have facilitated clean up projects throughout the downtown area and the falls.

Mr. Oswald shared that now that everything downtown is cleaned up, he would encourage everyone to take a moment and enjoy the fountain when you ride by, it's absolutely beautiful.

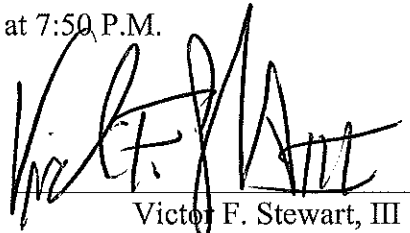
18. ADJOURNMENT:

Mitchell motion to adjourn, Cerra seconded at 7:50 P.M.

MOTION CARRIED



Michael J. Loriko, III
Clerk of Council



Victor F. Stewart, III
President of Council

RLP/

PUBLIC NOTICE: OVERFLOW REPORTS

"In fulfillment of our requirements to public notice the availability of our Annual Overflow Reports for our residents and other interested parties, I will be providing the pertinent details at Council meetings several times throughout the year. Anyone interested in obtaining access to our 2021 Annual Combined Sewer Overflow Report and our 2021 Annual Sanitary Sewer Overflow Report can go to www.cityofelyria.org/departments/wastewater.

Along with other department information, on the right side of the page under FORMS, you will see the two reports. Just click on the reports to access the PDF documents. In addition to enumerating the overflows throughout the year, there is also a lot of information detailing everything the Wastewater Department is doing to maximize the use of the sanitary, storm, and combined sewer systems, and the actions the City is taking to minimize and control these overflows.

These reports are submitted to Ohio EPA annually in March and the reports are then posted to the Wastewater Department page of the City's website.

My contact information is listed towards the top of the page if anyone has questions or concerns."



Terry Korzan
Superintendent, WWPCP

5/16/22
K

EXHIBIT "A"

REQUEST TO ADDRESS COUNCIL

NAME Tiffany Reedy DATE 05-16-22
ADDRESS 113 Williams St. PHONE (440) 434-0706
REPRESENTING 113 Williams St, neighborhood EMAIL threemem57@yahoo.com
(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. Lipian Date _____

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: Safety hazard in our neighborhood

**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.**

At last week's meeting about potholes, there was a conversation about actual or constructive knowledge of safety risks in the city. People feel, that if citizens address anything to the council, it will be ignored – just look at the empty seats to my left demonstrating that. So, when I damaged my car in a pothole, I didn't waste the time to notify the city. Sadly I knew – we know – it would get nowhere. However, I'm bringing to your attention a more toxic matter than potholes.

The company formerly known as Blue Star Metal Recycling has been closed permanently for approximately 3 to 4 years. Since then, it rots as a deteriorating sarcophagus on the border of our burg. Blue Star poses grave health risks to our neighborhood. The following are the key concerns of my neighbors on Williams Street:

1) This vacant property is unsecured and wide open to access by any person day or night. People come to take metal scrap that has been left behind due to the negligent clean-up effort of the owners.

2) The owners store metal bins approximately 6 and ½ feet tall in the parking lot. There is one container full to the top with rainwater. We have children in our neighborhood under the age of ten years old that climb these bins while playing in this vacant lot. I am concerned that one of them may fall in and drown and/or be seriously injured.

3) The vacant property is drawing vandals to our neighborhood that are destroying not only Blue Star property, but the homes/properties of our residents. My neighbors are wonderful, hardworking, taxpayers that do not deserve to suffer damages because of the neglect and lack of concern by the owners of blue star and the city officials.

4) Blue Star has become a dumping ground for people's trash. Examples of things being dumped are as follows: tires, a camper, old furniture, and car seats just to name a few.

The final concern of our neighborhood is zoning. We are in a residential zone and yet, due to special zoning considerations in 1919 we have been stuck with a rusty industrial tomb poisoning our neighborhood for a little over a century now. The residents of Williams Street do Not want any industrial businesses to move into this vacant property.

I've brought the concerns of our neighborhood to the attention of city council officials and the safety service directors via emails and phone calls over the last decade, but to no avail. Now I stand before you to officially go on record with this safety concern in hopes of preventing unnecessary injury or tragedy. You now possess actual knowledge of this hazard. Your accounts are flush with ARP funds, and you can't even pay people for damage from potholes – so maybe at least you can pay to knock this decrepit community eye-sore down and make this a residential zone before someone gets hurt. My conscience is clear, I notified my 1st Ward Councilman, Mr. Lipian days ago – and he is handling it as quickly as possible – I wish it was handled years ago. You can do something now. I pray to God you do.

Drone footage link: <https://youtu.be/cTXitpC1XjA>

**Petition to Remove Old Blue Star Recycling Building and
Prevent New Industrial companies from Replacing Blue Star
Building.**

1.) *Guy Lewis* - 108
2.) *Kyle Orr* - 108

3.) *Donna Knick* - 110

4.) *Clay Wright*

5.) *Drew Jones* - 112

6.) *Benny A*

7.) *Melinda A* - 120

8.) *Dee Hall* - 118

Atty Alt - 117

Sarah Knapp - 117

116 and 109 Williams St are being worked on for
incoming tenants

122 and 115 Williams St. were not home to ask for signature

ELYIA FIRE DEPARTMENT

2022

Date: May 16, 2022

To: Tiffani Reedy

Re: EFD responses to 131 and 201 Williams St

➤ Firehouse software recording began in 2002

FDID	Inci Num	Exp	Alm Date	Alm Time	Stn	Inci Type	Description	Address	City
47013	14-0003052	0	11/24/2014	22:49:14	1	731	Sprinkler activation due to malfunction	131 Williams ST	Elyria
47013	12-0003112	0	10/13/2012	11:18:55	1	651	Smoke scare, odor of smoke	131 Williams ST	Elyria
47013	11-0002227	0	01/26/2011	09:26:17	1	600	Good inkerk call, Other	131 Williams ST	Elyria
47013	10-0002179	0	10/14/2010	08:16:46	1	741	Sprinkler activation, no fire - unintentional	131 Williams ST	Elyria
47013	10-0001062	0	05/28/2010	21:46:16	1	161	Outside storage fire	131 Williams ST	Elyria
47013	10-0000872	0	05/04/2010	13:19:50	1	150	Outside rubbish fire, Other	131 Williams ST	Elyria
47013	09-0001868	0	08/04/2009	21:30:15	1	161	Outside storage fire	131 Williams ST	Elyria
47013	09-0001869	0	08/04/2009	23:04:07	1	153	Construction or demolition landfill fire	131 Williams ST	Elyria
47013	09-0000452	0	02/13/2009	18:26:30	1	652	Steam, vapor, fog or dust thought to be smoke	131 Williams ST	Elyria
47013	08-0003244	0	10/17/2008	21:29:51	1	531	Smoke or odor removal	131 Williams ST	Elyria
47013	07-0002656	0	08/10/2007	20:10:00	2	531	Smoke or odor removal	131 Williams ST	Elyria
47013	07-0002616	0	08/07/2007	14:34:00	2	500	Service Call, other	131 Williams ST	Elyria
47013	07-0001892	0	06/05/2007	13:48:00	2	911	Citizen complaint	131 Williams ST	Elyria
47013	06-0002599	0	08/30/2006	14:26:00	2	744	Detector activation, no fire - unintentional	131 Williams ST	Elyria
47013	06-0002372	0	08/09/2006	15:29:00	2	151	Outside rubbish, trash or waste fire	131 Williams ST	Elyria
47013	05-0000950	0	04/02/2005	19:52:00	1	745	Alarm system activation, no fire - unintentional	131 Williams ST	Elyria
47013	04-0000136	0	01/15/2004	20:31:00	2	735	Alarm system sounded due to malfunction	131 Williams ST	Elyria
47013	03-0001025	0	07/07/2003	06:13:00	2	735	Alarm system sounded due to malfunction	131 Williams ST	Elyria
47013	12-0003234	0	10/23/2012	16:10:15	1	153	Construction or demolition landfill fire	201 Williams ST	Elyria
47013	12-0003093	0	10/11/2012	11:51:03	1	153	Construction or demolition landfill fire	201 Williams ST	Elyria
47013	10-0002055	0	09/30/2010	09:46:11	1	651	Smoke scare, odor of smoke	201 Williams ST	Elyria
47013	10-0001503	0	07/18/2010	20:38:15	1	150	Outside rubbish fire, Other	201 Williams ST	Elyria
47013	10-0001493	0	07/17/2010	20:11:44	1	150	Outside rubbish fire, Other	201 Williams ST	Elyria
47013	10-0001408	0	07/07/2010	20:26:02	1	151	Outside rubbish, trash or waste fire	201 Williams ST	Elyria
47013	09-0002323	0	10/21/2009	08:44:55	1	131	Passenger vehicle fire	201 Williams ST	Elyria
47013	08-0002089	0	07/10/2008	13:04:23	2	161	Outside storage fire	201 Williams ST	Elyria
47013	07-0001058	0	03/27/2007	12:09:00	2	150	Outside rubbish fire, Other	201 Williams ST	Elyria
47013	06-0003533	0	11/18/2006	02:03:00	2	652	Steam, vapor, fog or dust thought to be smoke	201 Williams ST	Elyria
47013	06-0003492	0	11/14/2006	20:53:00	2	652	Steam, vapor, fog or dust thought to be smoke	201 Williams ST	Elyria
47013	06-0002389	0	08/11/2006	02:10:00	2	153	Construction or demolition landfill fire	201 Williams ST	Elyria
47013	04-0002430	0	08/29/2004	05:12:00	2	651	Smoke scare, odor of smoke	201 Williams ST	Elyria
47013	02-0002401	0	09/04/2002	19:31:00	2	251	Excessive heat, scorch burns with no ignition	201 Williams ST	Elyria
47013	02-0002015	0	07/26/2002	06:16:00	2	531	Smoke or odor removal	201 Williams ST	Elyria
47013	02-0002011	0	07/25/2002	15:22:00	2	251	Excessive heat, scorch burns with no ignition	201 Williams ST	Elyria

Incident Report 2 results found — Download CSV — Export to Google Earth

1

2017-0001652

Patients: 0

05/24/2017
10:48:36
Station: 1

700 - False alarm or false call, other
131 WILLIAMS ST
Elyria OH 44035

2017-0001594

Patients: 0

05/20/2017
13:46:40
Station: 1

733 - Smoke detector activation due to malfunction
131 WILLIAMS ST
Elyria OH 44035

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Back

Incident Report 5 results found — Download CSV — Export to Google Earth

Back

1

2020-0000156		01/13/2020 14:04:01 Station: 1	652 - Steam, vapor, fog or dust thought to be smoke 201 WILLIAMS ST Elyria OH 44035
Patients: 0			
2019-0001200		03/28/2019 09:00:09 Station: 1	622 - No incident found on arrival at dispatch address 201 WILLIAMS ST Elyria OH 44035
Patients: 0			
2018-0004704		12/10/2018 15:52:21 Station: 1	561 - Unauthorized burning 201 WILLIAMS ST Elyria OH 44035
Patients: 0			
2018-0003576		09/18/2018 14:46:26 Station: 1	321 - EMS call, excluding vehicle accident with injury 201 WILLIAMS ST Elyria OH 44035
Patients: 0			
2017-0003787		11/09/2017 09:07:54 Station: 1	152 - Garbage dump or sanitary landfill fire 201 WILLIAMS ST Elyria OH 44035
Patients: 0			

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