

Minutes Approved
As Circulated June 6, 2022
July 5, 2022 Regular Council Meeting
Elyria City Council

1. CALL TO ORDER:

The regular meeting of Elyria City Council was called to order on Monday June 6, 2022 at P.M. by President Stewart. President Stewart opened the meeting with a moment of reflection, he requested a special prayer for the families and victims that have been devastated by recent shootings. President Stewart asked that everyone would keep the families and victims in their prayers. Mr. Corbin led the Pledge of Allegiance.

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, Simmons, Stewart, Tollett

ABSENT: Davis

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

Cerra moved, Mitchell seconded to approve the absence of Davis from the meeting.

MOTION CARRIED

3. PUBLIC HEARINGS:

The meeting recessed for the first public Hearing at 7:14 P.M. Clerk Lotko read the call to the Public Hearing.

You are hereby notified that a Public Hearing will be held on Monday June 6, 2022 at 7:00 P.M. to consider the following:

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO THE DIOCESE OF CLEVELAND AND ELYRIA CATHOLIC HIGH SCHOOL, PURSUANT TO CHAPTER 1174 OF THE CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO FOR A NEW DIGITAL SCOREBOARD ON REAL PROPERTY LOCATED AT 725 GULF ROAD

President Stewart asked if there were any proponent?

President Stewart asked if there were any proponent?

Ryan Brady, Brady Signs 1721 Hancock St., Sandusky, OH

Mr. Brady explained that the organization is looking to upgrade the existing scoreboard which is static in nature with the exception of the running clock and scoring digits.

President Stewart asked if there were any other proponents? There were no others.

3. PUBLIC HEARINGS: Continued

President Stewart asked if there were any opponents?

President Stewart asked if there were any opponents?

President Stewart asked if there were any opponents? There were none.

President Stewart declared the Public Hearing had been held.

The meeting resumed at 7:14 P.M.

Sponsored by:	<u>ORDINANCE NO. 2022-90</u>
Community	AN ORDINANCE GRANTING A CONDITIONAL USE
Development:	PERMIT TO THE DIOCESE OF CLEVELAND AND
T. Callahan	ELYRIA CATHOLIC HIGH SCHOOL, PURSUANT TO
C. Schneider	CHAPTER 1174 OF THE CODIFIED ORDINANCES OF
D. Mitchell	THE CITY OF ELYRIA, OHIO FOR A NEW DIGITAL
K. Oswald	SCOREBOARD ON REAL PROPERTY LOCATED AT 725
	GULF ROAD, AND DECLARING AN EMERGENCY.

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

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

The meeting recessed for the second Public Hearing at 7:15 P.M. Clerk Lotko read the call to the Public Hearing.

You are hereby notified that a Public Hearing will be held on Monday June 6, 2022 at 7:00 P.M. to consider the following:

AN ORDINANCE GRANTING A REZONING REQUEST PURSUANT TO CHAPTER 1131 OF THE CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO TO REZONE REAL PROPERTY, LOCATED ON BUCKEYE AN WILLIAMS STREETS FROM L-I LIGHT INDUSTRIAL AND R-TH RESIDENTIAL TWO HOUSEHOLD TO H-I HEAVY INDUSTRIAL DISTRICT.

Mr. Lipian requested to motion that the matter be voted for a first hearing.

Law Director Deery explained that matter is being called for public hearing at the time.

President Stewart asked if there were any proponent?

Joseph Youssef, 7218 Case Rd., prospective buyer of the old Blue Star Metal Recycling.

3. PUBLIC HEARINGS: Continued

Mr. Youssef explained that Blue Star lost its conform status and went out of business. As a new owner he is making every attempt to go through the proper channels to re-open under the same name, however business will not be as usual. It will be registered under the State of Ohio as a salvage business.

Mr. Oswald asked if the Building Official could weigh in and offer some insight regarding the zoning rezoning request from light industrial to heavy industrial.

Mr. Lipian asked if Mr. Youssef owned a junkyard in North Ridgeville? Mr. Youssef responded yes.

Mr. Lipian asked Mr. Youssef how long he had been in the junkyard business?

Mr. Youssef responded full time since 2011.

Mr. Lipian asked Mr. Youssef if he ever had any complaints made against his facility from the local residents?

Mr. Youssef responded yes, and that he has one particular neighbor that calls pretty regularly with high grass complaints. He explained that he had a couple former employees call the EPA, the investigation came back unsubstantiated. Mr. Youssef explained he doesn't consider any of the complaints out of the norm, but par for the territory.

Mr. Lipian asked Mr. Youssef what his philosophy was for assuring a safe and EPA friendly junkyard?

Mr. Yousseff explained that the Blue Star property had been in business for one hundred and thirty years, had a brownfield grant and a clean EPA inspection and that is why he was purchasing the property.

M Lipian asked Mr. Youssef if he was aware of the Blue Star property as described; water filled up in giant trash bins?

Mr. Youssef stated that he visited the property on Thursday cleaning up dumped tires.

Mr. Lipian stated that he was contacted by Lorain County Solid Waste and wanted to know if Mr. Youssef encountered Lorain County Public Health when he was on the property? Mr. Youssef stated he did not see them when he was on the property.

Mr. Lipian asked Mr. Youssef what question he had for Ms. Reedy.

Mr. Youssef, stated that he sent her a letter, however he is open for any questions that she may have for him.

Mr. Lipan asked Mr. Youssef if his new facility would be nicer than the Blue Star facility?

Mr. Youssef replied yes, and explained that he doesn't take loose metal off the street. The majority of the business is shipping, which will take place two days a week. He promised that his goal is to be a part of the community.

Building Official Farkas provided brief history of the site that consists of two distinct zoning districts that were grand-fathered in because it is one hundred years old. Information was provided to the new owners that the non-conforming status had been lost and it's no longer grand-fathered in and is subject to a re-zone. There are two distinct districts that permit a junkyard, one is heavy industrial, only contingent on a conditional use permit, the other is a special industrial district which is permitted outright. The request is for heavy industrial.

Building Official Farkas read specifically per section 1166.02 regarding the permitted uses for a heavy industrial permit.

3. PUBLIC HEARINGS: Continued

Mr. Oswald stated that he wanted to provide clarity that once the zoning is changed any business can occupy the property under the new re-zoning distinctions.

President Stewart asked if there were any proponents?

President Stewart asked if there were any proponents? There were none.

President Stewart asked if there were any opponents?

Tiffany Reedy, 113 Williams St., Elyria- Exhibit "A"

President Stewart asked if there were any other opponents?

Mike Flanigan, 175 Pasadena Ave., Elyria- Mr. Flanigan stated that he lives in a different ward, however the proximity of the recycle business is two blocks from his home. He expressed that re-zoning the recycle to heavy industrial is a mistake. He recalled a time when another business had a fire, he experienced hot ashes in his yard, as well as his neighbors. He expressed the belief that no neighborhood in the proximity should be zoned heavy industrial. Mr. Flanigan stated the City of Elyria should have neighborhoods, not junk yards or heavy industrial businesses in residential areas.

President Stewart asked if there were any other opponents?

Cheryl Wright, 110 Williams St., Elyria- Ms. Wright expressed her appreciation of council and her desire for a thriving city, however not at the expense of the health and safety of the residents. Ms. Wright expressed the fiscal irresponsibility as well, considering Buckeye Street is not in good condition with potholes. Although trucks are prohibited to travel on Williams St., they appear to do so. She is not opposed to Blue Star as a City of Elyria business, however not in a residential area.

President Stewart asked if there were any other opponents? None

President Stewart declared the Public Hearing had been held.

The meeting resumed at 7:44 P.M.

3. PUBLIC HEARINGS: Continued

Sponsored by:	<u>ORDINANCE NO. 2022-</u>
Community	AN ORDINANCE AMENDING SECTION 1131.02,
Development:	CODIFIED ORDINANCES OF THE CITY OF ELYRIA,
T. Callahan	OHIO, KNOWN AS THE ZONING ORDINANCE, TO
C. Schneider	REZONE REAL PROPERTY LOCATED ON BUCKEYE
D. Mitchell	STREET AND WILLIAMS STREET, ELYRIA, OHIO, FROM
K. Oswald	L-I LIGHT INDUSTRIAL DISTRICT AND R-TH
	RESIDENTIAL-TWO HOUSEHOLD DISTRICT TO H-I
	HEAVY INDUSTRIAL DISTRICT.

Callahan moved, Cerra seconded to declare this ordinance a first reading.

SUSPENSION:	PASSAGE:
AYE: 9	AYE: 9
NAY: 1	NAY: 1
ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED

President Stewart declared this ordinance had its first reading.
The second reading will be held Tuesday July 5, 2022 at 7:00 P.M.

The meeting recessed for the third Public Hearing at 7:51 P.M. Clerk Lotko read the call to the Public Hearing.

You are hereby notified that a Public Hearing will be held on Monday June 6, 2022 at 7:00 P.M. to consider the following:

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT PURSUANT TO CHAPTER 1135 OF THE CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO, TO K. HOVNANIAN OHIO OPERATIONS, LLC, AND ITS ASSIGNEES, FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT (R-PUD), AS DEFINED IN CHAPTER 1177 OF THE ELYRIA CODIFIED ORDINANCES, IN A R-LD RESIDENTIAL-LOW DENSITY DISTRICT, AT REAL PROPERTY LOCATED BETWEEN INDIAN HOLLOW AND GRAFTON ROADS, ELYRIA, OHIO. PERMANENT PARCEL NUMBERS: 10-00-007-103-014 AND 10-00-006-101-026.

President Stewart asked if there were any proponents?

Jeff Markley, K. Hovnanian Homes, Land Planning Manager- Mr. Markley introduced K. Hovnanian’s newest residential community to the City of Elyria called Riverfield Reserve, across the street from the Harvest Meadows Community. Riverfield Reserve is 105 acres and is bordered on the west by Indian Hollow Rd. and the east by Grafton Rd. Two hundred and eighty

3. PUBLIC HEARINGS: Continued

one single-family lots are being proposed utilizing the R-PUD permit, which would provide for fewer lots than what could be built under existing zoning. The R-PUD zoning condenses the amount of infrastructure for the development. Two housing type will exist: 1) traditional two-story single family, 2) active adult ranch homes with an aspect of maintenance free living. In March a package was submitted to the City of Elyria staff and at the May Planning Commission meeting. The request is that Elyria City Council waive the second and third readings due to the summer recess meeting schedule and approve the request for a conditional use permit for R-PUD. K. Hovnanian is aware of the concerns expressed by the neighboring residents. Approval would allow for timely dialogue in a work session with the community members.

President Stewart asked if there were any other proponents?

President Stewart asked if there were any other proponents? None

President Stewart asked if there were any opponents?

President Stewart asked if there were any opponents?

John Gall, 424 Augusta Dr., Elyria- Mr. Gall stated that he had concern with the “traffic issues north and south especially north leading into Elyria.” He stated he is a resident of the third ward, however he used the fifth ward often and believes it will be “hit very hard, with not just 300 cars, but 600 cars, if each homeowner owns two cars each.” He believes nothing has been done to satisfy te traffic at Chestnut Commons intersection. He believes that council should take this as a first reading.

President Stewart asked if there were any opponents? None

President Stewart asked Mayor Whitfield if he wanted to weigh in on the matter.

Mr. Whitfield stated that he initially expressed his concerns at prior meetings. However, after meeting with the Carlisle residents, as well as the K. Hovnanian team to commit to a work session to address concerns, he is satisfied with moving forward.

President Stewart stated that he also confirmed with Mr. Steiger that all resident’s concerns would be addressed. Mr. Steiger is committed to follow up and that was demonstrated in the meeting during the K. Hovnanian presentation.

Mr. Corbin expressed that although this development is not in his ward, he has a serious concern. The concern expressed was how the vendor treats his existing developments. He explained the Four Seasons Development is in his ward and he has received several telephone calls from residents that have purchased and or moved in since the first of 2022 and the yards have not been completed/ graded.

LeAnn Forthoffer- Zvosec expressed that she has attended several meetings. The requests of the residents have been reiterated and the residents do not want the development. Ms. Forthoffer-Zvosec asked Mrs. Mitchell for confirmation of a request in a previous meeting for a traffic

3. PUBLIC HEARINGS: Continued

study. Mrs. Mitchell did not recall. Ms. Forthoffer-Zvosec’s request was to hold another reading. President Stewart explained the process is long and the request at the current meeting being held was only for a conditional use permit. President Stewart felt confident in the requests being made of the developers to be fulfilled in holding the special work session meetings to address resident issues.

Mr. Callahan asked if the Mayor could confirm his position regarding the for or against moving forward with the vote. Mayor Whitfield explained that initially he believed the vote should be a “package deal” and the conditional use permit should not be approved until all other items were worked out. Mayor Whitfield stated that he wanted a confirmed meeting date before the end of the meeting by both parties. President Stewart asked if the date established could accommodate council members work schedules.

President Stewart declared the Public Hearing had been held.

The meeting resumed at 7:55 P.M.

Sponsored by:	<u>ORDINANCE NO. 2022-91</u>
Community	AN ORDINANCE GRANTING A CONDITIONAL USE
Development:	PERMIT PURSUANT TO CHAPTER 1135 OF THE
T. Callahan	CODIFIED ORDINANCES OF THE CITY OF ELYRIA,
C. Schneider	OHIO, TO K. HOVNANIAN HOMES FOR A
D. Mitchell	RESIDENTIAL- PLANNED UNIT DEVELOPMENT AT
K. Oswald	REAL PROPERTY LOCATED ON GRAFTON ROAD AND
	INDIAN HOLLOW ROAD, ELYRIA OHIO.

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

SUSPENSION:	PASSAGE:
AYE: 5	AYE: 5
NAY: 2	NAY: 2
ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED

4. APPROVAL OF MINUTES:

Mr. Cerra moved, seconded by Mrs. Mitchell that the Meeting Minutes of the May 16 meeting be approved as circulated.

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

5. REMARKS AND REPORTS OF CITY OFFICIALS:

Council President Stewart: None

Mayor Whitfield: Exhibit "A"

President Stewart responded to Mayor Whitfield's statement asking that information be provided to council for the items he has requested a council vote. Mayor Whitfield excused himself from the council meeting..

Safety Service Director Brubaker:

SSD Brubaker expressed his appreciation to Fire Chief Pronesti. He shared that Chief Pronesti could provide additional information regarding a fire on June, 5, 2022. SSD Brubaker extended his appreciation to the Cities of Avon, Lorain and North Ridgeville, Carlisle and Elyria Townships and Sheffield Village fire departments for their response to Elyria in mutual aid and assisting with the battle of the fire. SSD Brubaker announced on behalf of McCauley & Associates, the City of Elyria's grant writer, that a grant for Ohio EPA 2022 Recycle was awarded in the amount of \$120,000.00, city portion \$20,000.00, which will purchase a truck and chipper for clean up with the Sanitation Department.

Finance Director Pileski:

Finance Director Pileski reported that the City of Elyria received the second and final distribution of the American Rescue Plan monies on June 6, 2022. The distribution was nine million, three hundred ninety- thousand, four hundred six dollars. The City of Elyria has received the total award of eighteen million, seven hundred eighty-thousand, eight hundred and twelve dollars. The City of Elyria has spent one- million, seven hundred and fifty six, thousand five hundred and sixty nine dollars. The remaining amount left to spend is seventeen- million, twenty four thousand ,two hundred and forty three dollars.

Mrs. Simmons had a question for SSD Brubaker regarding speeding on 16th Street. She had a caller that was concerned that the last time this issue was addressed, signs were placed in the area, however was ineffective. The request was for speed bumps to be placed in the area. SSD Brubaker responded that he would follow up with Engineering regarding the capability of speed bumps, in addition request that the data signs be relocated in that area.

Mr. Tollett asked if Mr. Pileski could repeat the dollar amount received and remaining of American Rescue Plan Act funds (ARPA). Mr. Pileski responded the City of Elyria has received, 18 million, seven hundred, eighty- thousand, eight hundred twelve dollars, we have 17 million twenty- four thousand ,two hundred forty- three dollars remaining to be spent. Mr. Tollett congratulated city council members on their frugal spending habits and thanked them all.

Law Director Deery:

Law Director Deery shared the work of the civil side of the Law office regarding the thirty four agenda items that had been drafted over the past several weeks for council consideration.

Chief Pelko: No Report

Mr. Tollett shared that he had an experience with a motorized bicycle. He inquired about Ohio

5. REMARKS AND REPORTS OF CITY OFFICIALS: Continued

law regarding licensing of motorized bicycles. Chief Pelko responded that the motorized bicycles should be licensed the same as any other motor vehicle on the roadway.

Mr. Lipian inquired on reporting speeding vehicles to the Police. Chief Pelko shared that some legalities may exist in that type of reporting, and that he would follow up with Mr. Lipian.

Fire Chief Pronesti:

Chief Pronesti shared that the house fire the department experienced was so serious in nature due to the fact that it involved two to three houses. He shouted out the Elyria Fire Department in the fact that they did a phenomenal job fighting the fire. He explained that the City of Elyria has more structure fires per capita compared to a lot of cities our size. The fire department is running at unprecedented numbers with calls. Chief Pronesti explained that 911 calls come in for everything. There have been twenty working structure fires since January 1st and fifty motor vehicle accidents with injuries. In closing Chief Pronesti commended SSD Brubaker for going above and beyond in his assistance during the fire. He stated that SSD Brubaker is spectacular. Mr. Lipian provided appreciation to Fire Chief Pronesti for the hard work during the fire.

ASSD Calvert: No Report

ASSD Williams: No Report

Eng. McKillips: Exhibit "A"

Superintendent Korzan: No Report

B. O. Farkas:

Building Official Farkas provided an update on the building department keeping up with inspections on new home construction. Mr. Farkas stated that the building department is doing it's best to address citizen's complaints in a timely manner, considering the volume of calls received. Effective July 1, 2022, new fee increases will be in effect for the building department. The updated fee information is available on the City of Elyria website at cityofelyria.org

Director Scott: No Report

6. PRESIDENT'S REFERRALS AND REMONSTRANCES:

**Matter is completed or partially completed*

1. The matter of authorizing the Mayor to enter into a Professional Services contract with Media Make Change for the development and production of a public resource and visual documentary.

REFERRED BY: ASSD Williams

REFERRED TO: Community Development/ Finance

2. The matter of a conditional use permit for 244 Columbus St. From Type B Childcare to Type A.

REFERRED BY: Marcella McClinton

REFERRED TO: Community Development/ Planning Commission

6. PRESIDENT'S REFERRALS AND REMONSTRANCES: Continued

3. The matter of disposal, by the best means for the City, the equipment described below at the Wastewater Pollution Control Plant that is unfit for municipal use.

REFERRED BY: Superintendent Korzan

REFERRED TO: Finance

4. The matter of authorizing the Elyria Police Dept. To apply for an ARPA grant for First Responder Wellness program.

REFERRED BY: Chief Pelko

REFERRED TO: Finance

5. The matter of the 2023 Tax Budget.

REFERRED BY: Finance Director Pileski

REFERRED TO: Finance

6. The matter of authorizing the Mayor to submit a capital budget request to the Governor of the State of Ohio.

REFERRED BY: Mayor Whitfield

REFERRED TO: Finance

7. *The matter of authorizing the Mayor to advertise for bids and award a contract for the resurfacing of Hilliard Rd. (Gulf Rd. To Abbe Rd.).

REFERRED BY: Engineer McKillips

REFERRED TO: Utilities/Finance

8. The matter of authorizing the Mayor to enter into an agreement with Black & Veatch Management Consulting LLC.

REFERRED BY: Engineer McKillips

REFERRED TO: Utilities/ Finance

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

9. Copy of the Elyria Parks & Recreation Board Minutes from the April 14, 2022 meeting.

10. List of receipts collected by each division of the Clerk of Court's office for the month of May 2022.

President Stewart received a referral from the floor from SSD Brubaker. Request for authorization for the Mayor to apply for and submit a capital budget request grant to the governor of the State of Ohio, through the offices of the honorable Senator Nathan Manning, a member of the Ohio State Senate, as well as the honorable Gayle Manning, a member of the House of Representatives. The request is for one million dollars with no matching dollars requested from the City of Elyria. Referral will be submitted to the Finance Committee.

7. PETITIONS - LOBBY: None

8. PETITIONS - COUNCIL MEMBERS: None

9. REPORTS OF STANDING AND SPECIAL COMMITTEES: None

10. RESOLUTIONS – FIRST READING:

Sponsored by: **RESOLUTION NO. 2022-14**
Rules A RESOLUTION APPROVING THE APPOINTMENT OF
 J. Cerra KIONNA MCINTOSH-PHARMS AS THE CITY OF
 T. Callahan ELYRIA’S REPRESENTATIVE ON THE LORAIN COUNTY
 D. Mitchell GENERAL HEALTH DISTRICT BOARD PURSUANT TO
 P. Tollett O.R.C. 3709.07, AND DECLARING AN EMERGENCY.

Cerra moved, Tollett seconded to pass this resolution 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: **RESOLUTION NO. 2022-15**
Finance: A RESOLUTION FINDING THAT THE CITY HAS UNFIT
 V. Stewart III FOR MUNICIPAL USE CERTAIN CITY PROPERTY.
 P. Tollett
 B. Davis
 C. Schneider
 J. Cerra

Tollett moved, Schneider seconded to pass this resolution 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. 2022-92
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
 J. Cerra

Tollett moved, Lipian 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. 2022-
Finance: AN ORDINANCE GRANTING A CONDITIONAL USE
 V. Stewart III PERMIT PURSUANT TO CHAPTER 1135 OF THE
 P. Tollett CODIFIED ORDINANCES OF THE CITY OF ELYRIA,
 B. Davis OHIO, TO 1000 LOWEL LLC FOR BARBER SHOP
 C. Schneider /SALON, AT REAL PROPERTY LOCATED AT 1000
 J. Cerra LOWELL STREET, ELYRIA, OHIO.

(PUBLIC HEARING SCHEDULED FOR 7/5/2022)

Sponsored by: ORDINANCE NO. 2022-93
Finance: AN ORDINANCE AUTHORIZING THE FINANCE
 V. Stewart III DIRECTOR TO CREATE A NEW CAPITAL PROJECT
 P. Tollett FUND.
 B. Davis
 C. Schneider
 J. Cerra

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

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. 2022-94
Finance: AN ORDINANCE AUTHORIZING THE FINANCE
 V. Stewart III DIRECTOR TO CREATE A NEW CAPITAL PROJECT
 P. Tollett FUND.
 B. Davis
 C. Schneider
 J. Cerra

Tollett moved, Mitchell 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. 2022-95
Finance: AN ORDINANCE AUTHORIZING THE FINANCE
 V. Stewart III DIRECTOR TO CREATE A NEW CAPITAL PROJECT
 P. Tollett FUND.
 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: 10	AYE: 10
NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED

Sponsored by: ORDINANCE NO. 2022-96
Finance: AN ORDINANCE AUTHORIZING THE FINANCE
 V. Stewart III DIRECTOR TO CREATE A NEW CAPITAL PROJECT
 P. Tollett FUND.
 B. Davis
 C. Schneider
 J. Cerra

13. ORDINANCES – FIRST READING: Continued

Tollett moved, Schneider 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. 2022-97
Finance: AN ORDINANCE AUTHORIZING THE FINANCE
 V. Stewart III DIRECTOR TO CREATE A NEW CAPITAL PROJECT
 P. Tollett FUND.
 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: 10	AYE: 10
NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED

Sponsored by: ORDINANCE NO. 2022-98
Finance: AN ORDINANCE AMENDING ORDINANCE NO. 2022-45,
 V. Stewart III KNOWN AS THE “2022 PERMANENT
 P. Tollett APPROPRIATIONS ORDINANCE,” TO CHANGE FUNDS
 B. Davis IN VARIOUS ACCOUNTS.

Tollett moved, Schneider 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. 2022-99
Community Development: AN ORDINANCE AUTHORIZING THE CITY OF ELYRIA'S FINANCIAL MATCH OF THE NORD FAMILY FOUNDATION GRANT, IN THE AMOUNT OF \$100,000.00, TO SUPPORT THE ELYRIA COMMUNITY PARTNERSHIP, A COMMUNITY DEVELOPMENT CORPORATION, AND DECLARING AN EMERGENCY.
 T. Callahan
 C. Schneider
 D. Mitchell
 K. Oswald
Finance:
 V. Stewart III
 P. Tollett
 B. Davis
 C. Schneider
 J. Cerra

Callahan moved, Schneider 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. 2022-100
Community Development: AN ORDINANCE AUTHORIZING THE CITY OF ELYRIA TO AMEND THE REHABILITATION LOAN AGREEMENT ON REAL PROPERTY LOCATED AT 131 PARMELY AVENUE, ELYRIA, OHIO.
 T. Callahan
 C. Schneider
 D. Mitchell
 K. Oswald
Finance:
 V. Stewart III
 P. Tollett
 B. Davis
 C. Schneider
 J. Cerra

Callahan moved, Schneider 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. 2022-101**
Community Development: AN ORDINANCE AUTHORIZING AN EXTENSION OF THE ELYRIA SKILL CITY PROMISE PROGRAM AGREEMENT WITH LORAIN COUNTY COMMUNITY COLLEGE, AND DECLARING AN EMERGENCY.
 T. Callahan
 C. Schneider
 D. Mitchell
 K. Oswald
Finance:
 P. Tollett
 B. Davis
 C. Schneider
 J. Cerra

Callahan moved, Schneider 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:	NAY: 0
ABSENT: 1	ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

Sponsored by: **ORDINANCE NO. 2022-102**
Finance: AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE FULLER ROAD RESURFACING PROJECT, AND DECLARING AN EMERGENCY.
 V. Stewart III
 P. Tollett
 B. Davis
 C. Schneider
 J. Cerra
Utilities:
 D. Mitchell
 B. Davis
 D. Simmons
 M. Corbin III
 K. Oswald

Tollett moved, Schneider 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. 2022-103
Finance: AN ORDINANCE AUTHORIZING THE MAYOR TO
 V. Stewart III APPLY TO THE STATE OF OHIO FOR ROUND 37
 P. Tollett GRANT AND/OR LOAN, ADMINISTERED BY THE OHIO
 B. Davis PUBLIC WORKS COMMISSION, FOR REPAIR,
 C. Schneider RECONSTRUCTION AND/OR RESURFACING OF
 J. Cerra CERTAIN ROADS IN THE CITY OF ELYRIA, AND
Utilities: AUTHORIZING THE ACCEPTANCE OF SAID GRANT
 D. Mitchell AND/OR LOAN, IF OFFERED, AND TO PROVIDE LOCAL
 B. Davis FUNDS AS NEEDED TO COMPLETE SAID PROJECTS,
 D. Simmons AND DECLARING AN EMERGENCY.
 M. Corbin III
 K. Oswald

Tollett moved, Mitchell 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. 2022-104
Finance: AN ORDINANCE AUTHORIZING THE MAYOR TO
 V. Stewart III ADVERTISE FOR BIDS AND ENTER INTO A
 P. Tollett CONTRACT FOR THE RECONSTRUCTION OF E.
 B. Davis BROAD STREET (LOR-623-0.00) PROJECT.
 C. Schneider
 J. Cerra
Utilities:
 D. Mitchell
 B. Davis
 D. Simmons
 M. Corbin III
 K. Oswald

Discussion held: Mr Lipian expressed that after conversations with residents in the ward, the residents did not initially feel that the project was optimal, however after additional discussion, collectively agreed that the re-paving of Broad Street would be a good idea.

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

13. ORDINANCES – FIRST READING: Continued

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

Sponsored by: **ORDINANCE NO. 2022-105**
Rules: AN ORDINANCE PROVIDING FOR THE SUBMISSION
 J. Cerra TO THE ELECTORATE OF AN AMENDMENT OF
 D. Mitchell ARTICLE XXI OF THE CHARTER OF THE CITY OF
 T. Callahan ELYRIA OHIO, ENTITLED GENERAL.
 P. Tollett

Cerra moved, Callahan 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. 2022-106**
Rules: AN ORDINANCE PROVIDING FOR THE SUBMISSION
 J. Cerra TO THE ELECTORATE OF AN AMENDMENT OF
 D. Mitchell ARTICLE III, SECTION 3.09 OF THE CHARTER OF THE
 T. Callahan CITY OF ELYRIA OHIO, ENTITLED COUNCIL;
 P. Tollett COUNCIL MEETINGS.

Cerra moved, Callahan 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. 2022-107
Rules: AN ORDINANCE PROVIDING FOR THE SUBMISSION
 J. Cerra TO THE ELECTORATE OF AN AMENDMENT OF
 D. Mitchell ARTICLE III, SECTION 3.10 OF THE CHARTER OF THE
 T. Callahan CITY OF ELYRIA OHIO, ENTITLED COUNCIL; SPECIAL
 P. Tollett COUNCIL MEETINGS.

Sponsored by: ORDINANCE NO. 2022-
Rules: AN ORDINANCE PROVIDING FOR THE SUBMISSION
 J. Cerra TO THE ELECTORATE OF AN AMENDMENT OF
 D. Mitchell ARTICLE III, SECTION 3.12 OF THE CHARTER OF THE
 T. Callahan CITY OF ELYRIA OHIO, ENTITLED COUNCIL;
 P. Tollett VACANCIES IN COUNCIL.

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

Mr. Lipian motion to make an amendment to the ordinance, Mr. Callahan seconded, except if the member whose term is vacated did not have any political party affiliation as whether or not he voted in a party primary the vacancy shall be filled by an individual who has no political party affiliation.

Discussion held: Mrs. Mitchell asked for clarification regarding current vacancies are filled with the super majority party affiliation. Law Director Deery explained that if the vacant seat is party affiliated, the remaining members of that party would have to fill the seat with a member of the same party. Confirming the current way vacancies are filled. Law director Deery further explained that if an independent or a non-affiliated member resigns or vacates a seat, all remaining council members regardless of party can appoint someone of any party or no party. President Stewart requested that Assistant Law Director Breunig provide additional information considering he was on the Charter review commission. Assistant Law Director Breunig stated that Law Director Deery provided a very good explanation. Te reason for the charter amendment is for consideration for what is not in the charter review right now. If there were a vacancy created by a seat held by a minority, under the charter now, council does not have the right to choose the minority replacement. The consideration from Mr. Lipian is that whatever seat is being vacated regardless of party affiliation, whether it’s majority, minority, or no party at all. The replacement must have the same designation or non-designation as the vacating member. Mr. Callahan expressed that he believes this amendment is fair to al party affiliations or members with no party affiliation. Mr. Tollett requested additional clarification regarding party affiliation and voter registration. He expressed that he could not support the amendment and has issue with it. Mr. Breunig responded that the charter language provides full definition for Mr. Tollett’s concern” as evidenced by the party primary if they cast a vote in the party primary but the ballot

13. ORDINANCES – FIRST READING: Continued

pulled. Mrs. Mitchell asked for confirmation regarding a time limit to fill vacancies when someone resigns the seat. Mr. Breunig confirmed, yes, another amendment was added to this particular section to extend from thirty days to forty-five days, due to in recent times, resignations have come during summer sessions. Mrs. Mitchell inquired about filling a vacancy resigned by a libertarian, how would council refill the seat and should that be the responsibility. Mr. Breunig responded confirming the validity of the inquiry. The Law Directors confirmed the current charter reads that like for like is the current status for vacancies.

ROLL CALL:

AYE: Callahan, Cerra, Corbin, Lipian, Oswald, Schneider

NAY: Mitchell, Tollett, Simmons, Stewart

ABSENT: 1

MOTION CARRIED

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

ROLL CALL:

SUSPENSION

AYE: Callahan, Cerra, Corbin, Lipian, Oswald, Schneider

NAY: Mitchell, Tollett, Simmons, Stewart

ABSENT: 1

SUSPENSION FAILS

Scheduled for second reading July 5, 2022

Sponsored by:

ORDINANCE NO. 2022-108

Rules:

AN ORDINANCE PROVIDING FOR THE SUBMISSION

J. Cerra

TO THE ELECTORATE OF AN AMENDMENT OF

D. Mitchell

ARTICLE IV, SECTION 4.13 OF THE CHARTER OF THE

T. Callahan

CITY OF ELYRIA OHIO, ENTITLED ORDINANCES AND

P. Tollett

RESOLUTIONS; PUBLIC HEARING ON ZONING

ORDINANCE OR RESOLUTION.

Cerra moved, Callahan 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. 2022-109
Rules: AN ORDINANCE PROVIDING FOR THE SUBMISSION
 J. Cerra TO THE ELECTORATE OF AN AMENDMENT OF
 D. Mitchell ARTICLE V; SECTION 5.04 OF THE CHARTER OF THE
 T. Callahan CITY OF ELYRIA OHIO, ENTITLED MAYOR; POWERS
 P. Tollett AND DUTIES OF THE MAYOR.

Cerra moved, Callahan 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. 2022-110
Rules: AN ORDINANCE PROVIDING FOR THE SUBMISSION
 J. Cerra TO THE ELECTORATE OF AN AMENDMENT OF
 D. Mitchell ARTICLE XXI, SECTION 21.05 OF THE CHARTER OF
 T. Callahan THE CITY OF ELYRIA OHIO, ENTITLED GENERAL;
 P. Tollett PROHIBITIONS.

Cerra moved, Callahan 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. 2022-111**
Utilities: AN ORDINANCE AUTHORIZING THE MAYOR TO
D. Mitchell ADVERTISE FOR BIDS AND ENTER INTO A
B. Davis CONTRACT FOR THE RESURFACING OF OBERLIN-
D. Simmons ELYRIA ROAD.
M. Corbin III
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.

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

Sponsored by: **ORDINANCE NO. 2022-112**
Utilities: AN ORDINANCE AUTHORIZING THE MAYOR TO
D. Mitchell ADVERTISE FOR BIDS AND ENTER INTO CONTRACT
B. Davis FOR THE SECOND STREET/ CEDAR RESURFACING
D. Simmons PROJECT.
M. Corbin III
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.

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. 2022-113
Utilities: AN ORDINANCE AUTHORIZING THE MAYOR TO
 D. Mitchell ADVERTISE FOR BIDS AND ENTER INTO CONTRACT
 B. Davis FOR THE WEST AVENUE RESURFACING PROJECT.
 D. Simmons
 M. Corbin III
 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.

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

Sponsored by: ORDINANCE NO. 2022-114
Utilities: AN ORDINANCE AUTHORIZING THE MAYOR TO
 D. Mitchell ADVERTISE FOR BIDS AND ENTER INTO CONTRACT
 B. Davis FOR THE HILLIARD ROAD RESURFACING PROJECT.
 D. Simmons
 M. Corbin III
 K. Oswald
Finance:
 V. Stewart III
 P. Tollett
 B. Davis
 C. Schneider
 J. Cerra

Mitchell moved, Oswald 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. 2022-115
Utilities: AN ORDINANCE AUTHORIZING THE MAYOR TO
 D. Mitchell ENTER A COOPERATIVE AGREEMENT WITH LORAIN
 B. Davis COUNTY, OHIO FOR THE FULLER ROAD BRIDGE NO.
 D. Simmons 014 REPLACEMENT PROJECT, AND DECLARING AN
 M. Corbin III 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	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. 2022-116
Utilities: AN ORDINANCE AUTHORIZING THE MAYOR TO
 D. Mitchell ENTER INTO AN AGREEMENT WITH THE CITY OF
 B. Davis YOUNGSTOWN FOR THEIR OHIO EPA WATER
 D. Simmons RESOURCE RESTORATION SPONSORSHIP PROGRAM
 M. Corbin III PROJECT, AND DECLARING AN EMERGENCY.
 K. Oswald

Mitchell moved, Schneider 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. 2022-117
Utilities: AN ORDINANCE AUTHORIZING THE MAYOR TO
 D. Mitchell ENTER INTO AN AGREEMENT WITH THE CITY OF
 B. Davis YOUNGSTOWN FOR THEIR OHIO EPA WATER
 D. Simmons RESOURCE RESTORATION SPONSORSHIP PROGRAM
 M. Corbin III PROJECT, AND DECLARING AN EMERGENCY.
 K. Oswald

Mitchell moved, Schneider 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. 2022-118
Utilities: AN ORDINANCE AUTHORIZING THE MAYOR TO
 D. Mitchell ENTER INTO AN AGREEMENT WITH THE CITY OF
 B. Davis YOUNGSTOWN FOR THEIR OHIO EPA WATER
 D. Simmons RESOURCE RESTORATION SPONSORSHIP PROGRAM
 M. Corbin III PROJECT, AND DECLARING AN EMERGENCY.
 K. Oswald

Mitchell moved, Schneider 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

14. ORDINANCES–SECOND READING: None

15. ORDINANCES–THIRD READING: None

16. COMMITTEE CALLS:

COMMUNITY DEVELOPMENT 06/27/2022 6:00 P.M. All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

VIRTUAL/ZOOM

FINANCE 06/27/2022 Following CD All Referred Items Council Chambers w/Mayor, Fin. Director, Law Director, SSD, Engineer

VIRTUAL/ZOOM

16. COMMITTEE CALLS:

UTILITIES, SAFETY & ENVIRONMENT 07/13/2022 6:00 P.M. All Referred items w/ Law Director, SSD, Engineer

STRATEGIC PLANNING 07/05/2022 Immediately following Council All Referred Items Council Chambers w/ Mayor, Safety Service Director, Finance Dir., Law Director, Engineer

Mrs. Mitchell shared with President Stewart due to referrals that need to be considered by both finance and utilities committees, she will follow with the council clerk’s office to reschedule the July 13th utilities meeting.

17. MISC AND UNFINISHED BUSINESS:

Mr. Corbin requested to make a motion to censor Donna Mitchell, Lipian seconded. Law Director Deery explained that council currently does not have any procedure for censorship in the council rules and regulations. Ms. Deery suggest that if that is something Mr. Corbin would like considered, that it would need to go to the rules committee. President Stewart confirmed if Mr. Corbin would like to refer his request to the Rules committee. Mr. Corbin declined to make the referral, however expressed feelings about a committee meeting that he referenced from May 23, 2022. He asked that nine other council member as well as the Assistant Law Director all be censored. Law Director Deery responded that she would not discuss further a matter that is under investigation.

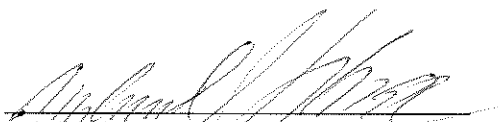
Mr. Lipian inquired if the charter adopts Roberts Rules of Order. Law Director Deery responded that council has adopted Roberts Rules of Order, but have adapted it in their rules and regulations.

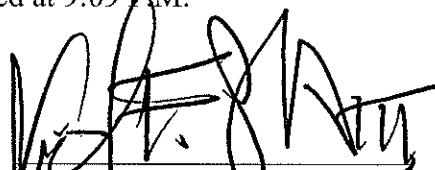
Mr. Lipian inquired if censorship is under Roberts Rules of Order. Law Director Deery responded she will review and follow up with the body.

18. ADJOURNMENT:

Cerra motion to adjourn, Schneider seconded at 9:09 P.M.

MOTION CARRIED


Michael J. Lotko, III
Clerk of Council


Victor F. Stewart, III
President of Council

RLP/

Exhibit "A"

Mayor: 'We need a new council'

Kevin Martin The Chronicle-Telegram

ELYRIA - Mayor Frank Whitfield lashed out at City Council as tensions reached a tipping point Monday. He accused Council members of acting in bad faith, in stalling progress on his agenda and he called for a new City Council.

Addressing City Council from the podium, Whitfield defended Councilman Andrew Lipian, I-1st Ward, who has at times clashed with Council colleagues over a proposal to provide support funds for refugees and other initiatives.

"When Councilman Lipian first got elected, like many of you, I didn't know what to expect. He's well-spoken, energetic, passionate, young and really wasn't sure what to expect. But watching him bring forth ideas about ways to improve the city, passion, trying to represent the needs and wants of the residents and watching how he's been treated has been an eye-opening and shocking experience for me," Whitfield said.

The mayor reflected on his own election in 2019. He said like Lipian, simple ideas he has presented have been "driven down the path of the most frustration and the least impact" when there is a clear path to get things done.

His list of grievances included the Midway Mall transformation, Oakwood Elementary School, hiring a communications professional and paying Elyria Police Auxiliary officers.

"So where we are right now, the reality is, the question is, you hear statements that there's a desire but the thing I don't see is the desire. What it seems to be is a desire to frustrate individuals until they give up. And I will say I am very frustrated and I think the residents are very frustrated at the lack of progress that they expected when they elected me, that they expected now when they elected Councilman Lipian. But the latter part of that about that picture of frustrating people until they give up; I may be frustrated but I'm not gonna give up," Whitfield said.

The mayor pledged to use the rest of his term to work to get things done and refuses to give up on Elyria, calling for City Council to be replaced.

"So I am resolved that we need a new City Council. Straight up. It's been two and a half years, we've spent an exorbitant amount of energy trying to get change and progress and watching how, it's been like an out-of-body experience watching what he's gone through because I realize this is the same thing I've been dealing with for two-and-a-half years and taking it in good faith - some of the comments - but it's not. And it's holding up the city, our residents deserve better, and so that's where my energy is gonna be put for the next two-and-a-half years, year-and-a-half because, again, this city deserves better and I'm gonna work my ass off to make it happen."

Council President: "Disgraceful"

Council President Vic Stewart responded angrily to the mayor's comments and the two exchanged words as he left the podium.

"Until you put a plan together with money and how you're going to be paying for a pool you need to do it," Stewart said.

Whitfield interjected, stating "try again councilman" with Stewart yelling back "this is the Council chambers."

Stewart later reflected on the events of the meeting prior to adjournment.

"In hindsight, there were some things that were said out of frustration - doesn't make it right. We're a good Council and we're a good body. What happened here tonight was disgraceful," Stewart said.

Stewart added they are working together in trying to move Elyria forward and Whitfield's comments were disappointing.

Stewart has been a frequent critic of Whitfield - questioning the mayor's plans for Midway Mall and other projects, and emphasizing transparency and the need to provide City Council with more information.

In a follow-up interview with The Chronicle-Telegram, Stewart said he was caught off guard by Whitfield's reaction and said the turn of events was disappointing, reiterating the importance of Council's role in providing fiscal oversight.

"I was just kind of in shock by it, just the way that it kind of came across and everything like that. We've tried to work well with him there on a number of occasions. And the bottom line for myself and for a lot of Council members is that these projects that he's trying to work on and do - they all require some funding, and where's this money coming from?" Stewart said.

The city is responsible for the use of taxpayer money and Council has repeatedly struggled to get adequate information, he said.

"He wants to make a big splash and not worry about the ripple effect," Stewart said.

In ongoing projects from Midway Mall to Oakwood Elementary School without agreements in place, the city of Elyria still has to come first and Stewart disputed the notion that Council is acting in bad faith.

"He does not like to sit around and wait and wait through the process. If you want to say government works, there is a process, we have checks and balances in everything that we do. It's not like in the private sector where you don't have a lot to a lot of people to answer to. We're going through the process. You have to get reviewed by the law director's office. The finance director needs to be involved as far as the dollars go and I think that is something that he doesn't like," Stewart said.

Stewart said he hopes that Council can repair the strained relationship with the Whitfield administration, but he said the mayor's grandstanding message did not help matters.

He wouldn't comment on whether the city needed a new mayor but acknowledged he probably is at the top of list of City Council members the mayor would like to see replaced.

Whitfield: "What are we doing?"

In a phone interview with The Chronicle Tuesday afternoon, Whitfield said he feels like his administration has been at a stalemate with Council over the past two years and feels that he has gone above and beyond in efforts to provide information and work with Council.

The city has a window with \$18 million in American Rescue Plan Act funding from the federal government and \$30 million in Issue 6 funds, the most money it has had in around 20 years.

"We've spent a lot of energy these past two-and-a-half years trying to bring them along on every issue. And it's kind of just like, now is the time to really start to, you know, raise up the next generation of leaders in the city that are going to be more open minded, that are going to be ready to move the city for those that are going to take advantage of this moment," Whitfield said.

The mayor asked bluntly: "What are we doing?"

The mayor confirmed he would seek to endorse a slate of candidates that share his vision for Elyria's future, but declined to say with certainty that he would seek another term. It will, he said, depend on the leaders that step forward.

In acknowledging the tension, he noted that being the first elected black mayor as a young independent who was elected through non-traditional political challenges has contributed to some of the strained relations with City Council.

In recognizing these competing factors and some introspection, the way Lipian has been treated carried some parallels.

Lipian

The showdown in Council chambers comes after Lipian filed a police report June 3 in connection with hot mic comments made by Council members Donna Mitchell, D-6th Ward, Jack Cerra, D-7th Ward and Dianne Simmons, D-5th Ward, and Assistant Law Director Erik Breunig.

Lipian took exception to Mitchell's May 23 off-hand remarks in between committee meetings. Mitchell was overheard stating, "I'm going to kill him" in reference to a dispute over the Lipian's comments about his refugee support bill and concerns about why it is, in his view, receiving selective scrutiny.

He confirmed Tuesday he filed the report on June 3 after returning from vacation.

"I'm going to take whatever means necessary to protect my family," Lipian said.

On Monday, Councilman Maurice Corbin, R-3rd Ward, attempted to introduce a motion to censure Mitchell, but Law Director Amanda Deery initially said the punitive measure is not a part of Council regulations. The law department is continuing to research its application under Robert's Rules of Order.

Corbin said he was embarrassed for Council over the treatment of Lipian.

"I have been beside myself for several weeks now about this Council. I don't necessarily agree with the observations that our mayor made but I certainly have observations about what I witnessed through my family on the May 23 meeting here."

Corbin said he found out about the incident through family members who live out of state and everyone is aware of it.

"I got this seat because of the indiscretions of a former Council member and nothing was done about that and it appears that nothing will be done about this," Corbin said.

Former Ward 3 Councilman Mark Jessie was defeated in November after pleading no contest to a misdemeanor charge of soliciting prostitution.

Jessie, as Stewart noted Monday night, declined calls for his resignation, opting to serve out the remainder of his term.

Corbin added he wanted to censure every other Council member and Breunig.

Deery said she stood by Breunig, noting the meeting in question was a committee meeting and would not comment further on a matter under investigation.

In capping off Monday's meeting, Lipian made it clear he had no animosity toward fellow members of Council.

"Let's talk about the positive for a second. There were some really good moments in this Council meeting. Genuinely good moments where we were working together. It was a flash but it happened. It can happen again. I honestly want this body to work together," Lipian said.

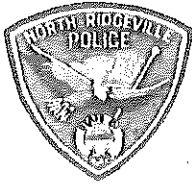
Contact Kevin Martin at (440) 329-7121 or kmartin@chroniclet.com. Follow him on Twitter @KevinMartinCT.

Exhibit "A"

Per Councilman Schneider I was told that Mr. Yousef has a reputation for running a clean operation. I was able to obtain some of the records from Mr. Yousef's current junkyard operation located on Case Rd in North Ridgeville ranging from 2006 to 2021. The results were constant complaints from surrounding residents. Things like improper handling and undocumented hazardous materials, negligent property maintenance, and failure to comply with zoning requirements such as proper fencing and storage of vehicles outside said "fencing". Mr. Yousef has a long history of reckless disregard for the laws that are meant to keep junkyards like his from doing harm to the surrounding areas, abusing his privilege to be located by homes, and retaliation towards residents that complain of his business practices.

I have yet to hear anyone in this room mention the protection/safety of the residents on Williams Street or offer so much as a compromise. After the inferno that happened last Friday at Butternut Auto & Recycling, which was seen for miles. What about buffer zones or other available and appropriately zoned commercial properties that are located away from neighborhoods such as ours, and there are many! Why are these topics not being discussed?! Every resident on Williams Street has made it clear per multiple petitions that we don't want this in our neighborhood. Overwhelming evidence has been presented to show that this zoning should not be approved on our street. So why then do you continue voting to approve what is clearly NOT wanted on Williams Street as if there were no objection and no danger in allowing heavy industrial next to our neighborhood?!

You won't even allow our ward 1 councilman to represent us. Your abhorrent behavior during recess at the May 23rd meeting proves that. There is a serious disconnect between you the ELECTED officials and the taxpayers that elected you. You will not listen to the people of Elyria but demand us to pay exorbitant water bills, stormwater bills, and soon to be increased property taxes. A fish sees the bait, not the hook. As a man sees the profit and not the danger.



CITY OF NORTH RIDGEVILLE
Toni Morgan, Asst. Law Director / City Prosecutor
Brenda Girgash, Police Records Custodian



PUBLIC RECORDS REQUEST REDACTION INFORMATION

Public Records Request responses may contain redactions of the following information. This list is not meant to be exhaustive. See the number written near the redacted portion of the requested document as a reference to the corresponding legal basis for the redaction/omission. Your records request has been redacted or otherwise not disclosed for the following reason(s):

1. **Social Security Numbers, Federal ID Numbers, Drivers' License Numbers, etc.** (5 U.S.C. § 552, Federal Privacy Act). ORC § 149.43(A)(dd).
2. **Information related to Juvenile Offenders** (1990 OAG Ops. 90-101; O.R.C. § 2151.14, & .17, & .313, & .358, & .4421 (H)(1)) ORC 2151.313(D)(3) *State ex rel. Carpenter v. Chief of Police, Cleveland*, No. 62482, 1991 Ohio App. LEXIS 5055, (8th Dist.)
3. **Confidential Law Enforcement Investigatory Records (CLEIRs)**
 O.R.C. § 149.43(A)(1)(h) & (A)(2) where release would create high probability of disclosure of identity of uncharged suspect, identity of a confidential source, specific investigatory techniques or procedures, specific investigatory work product, or information endangering the life or physical safety of law enforcement personnel, crime victim, witness or confidential information source.
4. **Child Abuse Reports** (O.R.C. § 2151.421 (H))
 Identifying information of abused children and molested children names, addresses, telephone numbers, birth dates, ages, address of incidents, parents' and siblings' names and words identifying their relationships to other people mentioned in the record. *State ex rel. White v. Watson*, WL 2831009, 8th App. Dist. 2006.
5. **Medical Records** pertaining to patient's medical history, diagnosis, prognosis or medical condition which were generated and maintained in the process of medical treatment (O.R.C. § 149.43(A)(1)(a)).
6. **Trial Preparation Records** (O.R.C. § 149.43(A)(1)(g) and (A)(4)). Investigative reports (as opposed to incident reports *Rasul-Bey v. Ommvor*, 94 Ohio St. 3d 119, 2001) on an open case are trial preparation records (see #3 above) and are exempt *under Steckman v. Jackson*, 1994, 70 Ohio St. 3d 420; see *Ogle*, 2012-Ohio-1768. Available via discovery.
7. **LEADS & Criminal History Information** (O.R.C. § 149.43 and O.R.C. § 2923.129(D) and O.R.C. § 2913.104).
8. **Uncharged Suspect** (see #3 above) Applicable where police are called and a crime may or may not have been committed but no one is charged or arrested. O.R.C. § 149.43(A)(1)(h)). Includes any identifying information of the uncharged suspect.
9. **Inextricably Intertwined** When nonexempt materials are inextricably intertwined with exempt materials, the nonexempt records are not subject to disclosure under O.R.C. § 149.43, as they are inseparable. *State ex rel. Gambill v. Opperman, Engineer*, 135 Ohio St. 3d 298, 2013-Ohio-761.
10. **Information is not a Public Record** - Does not document the functions, activities, procedures, etc. of the governmental agency - O.R.C. § 149.011(G); *State ex rel. Carr v. Caltrider*, 2001 Ohio Misc. Lexis 41. And/or is protected by PISA (The Privacy Act) O.R.C. § 1347.01 et seq.; *McCleary*, 88 Ohio St. 3d 365, 2000. ORC § 149.43(A)(v)(i) release prohibited by State or Federal law.
11. **Familial/Residential Information for First Responders** - O.R.C. § 2921.24(A) & O.R.C. § 149.43(A)(1)(p), (A)(7)(9)
12. **Financial Information** - *Davis v Cincinnati* 164 Ohio App 3d 36.
13. **Constitutional Right to Privacy** - *Ohio Crime Victim Justice Ctr v. City of Cleveland P.D. Court of Claims # 2019-00872-PQ*
14. **Telephone Numbers** - for a victim, a witness to a crime, or a party to a motor vehicle accident that are listed on any law enforcement record or report. 149.43(A)(1)(mm)

Status:	Completed	Result:	Complied
Scheduled:	03/30/2021	Completed:	03/30/2021

2nd Reinspection Inspection | Paul Blanchette

Status:	Completed	Result:	Partially Complied
Scheduled:	03/22/2021	Completed:	03/23/2021

1st Reinspection Inspection | Paul Blanchette

Status:	Completed	Result:	Partially Complied
Scheduled:	03/05/2021	Completed:	03/05/2021

Initial Inspection | Paul Blanchette

Status:	Completed	Result:	Partially Complied
Scheduled:	03/02/2021	Completed:	03/03/2021

Junk / Debris Enforcement | EV2020-00440

Property Information

0700045101029 7218 CASE RD Subdivision:
NORTH RIDGEVILLE OH, 44039 Lot: Block:

Name Information

Owner: SAIDI MAJID Phone:
Occupant: JOE'S AUTO RECYCLING Phone: (440) 327-3066
Filer: Phone:

Enforcement Information

Date Filed: 11/03/2020 Date Closed: 11/12/2020 Status: Closed - Abated

Complaint:
Paul,

Please check this out.

Thanks,
Guy

15
10
From: [Redacted]
Sent: Thursday, October 29, 2020 9:08 AM
To: Guy Fursdon
Subject: Junk yard on case

On almost a daily basis the junk yard is stacking up crushed junk cars in their front parking lot. They sit there for hours until a semi shows up for them to be loaded onto and hauled out. There has to be a better way of doing this other than in the front parking lot for all to view? They have several acres behind their fence in which they could do this...??

10
15
[Redacted]

Last Action Date: Last Inspection: 11/06/2020

Last Action:

11-06-2020-PFB- Stopped talked to Joe. They had to get the vehicles out to the front to load them on the flat bed truck as they have since they have been there. They leave no cars out there after they leave for the day, no violation at this inspection.

Initial Inspection | Paul Blanchette

Status: Completed Result: No Violation
Scheduled: 11/06/2020 Completed: 11/06/2020

Status:	Completed	Result:	Partially Complied
Scheduled:	09/26/2019	Completed:	09/26/2019

1st Reinspection Inspection | Paul Blanchette

Status:	Completed	Result:	Not Complied
Scheduled:	09/05/2019	Completed:	09/19/2019

Initial Inspection | Paul Blanchette

Status:	Completed	Result:	Violation(s)
Scheduled:	08/29/2019	Completed:	08/29/2019

Initial Inspection | Paul Blanchette

Status:	Completed	Result:	Violation(s)
Scheduled:	07/29/2019	Completed:	07/29/2019

Vehicles Enforcement | EV2019-9081

Property Information

0700045101029

7218 CASE RD
NORTH RIDGEVILLE OH, 44039

Subdivision:

Lot:

Block:

Name Information

Owner: SAIDI MAJID
Occupant: JOE'S AUTO RECYCLING

Phone:
Phone: (440) 327-3066
Phone:

Filer:

Enforcement Information

Date Filed: 07/25/2019

Date Closed: 10/01/2019

Status: Open - Complaint Received

Complaint:

Would you please check into this Paul.. [REDACTED]

Ward 1 City Councilman
[REDACTED]

Begin forwarded message:

From: [REDACTED]

Date: July 19, 2019 at 10:42:51 AM EDT

To: [REDACTED]

Subject: Junkyard on case road

Hi [REDACTED]

Would it be possible for you to nudge the building department again about the junk yard on case road? It's really starting to look nasty again. Junk cars sit in the front parking lot for days on end, and it really looks bad. It is not pleasant to have to look at that mess day in and day out. They really need to be keeping the wrecked cars behind the fence just like Ridgeville's ordinances state they must. Thank you!

Building Department Complaint Form

Name (optional): [REDACTED]

Address/Location of the Complaint/Issue (be specific):
- Joe's Auto Wrecking 7218 Case Road

Nature of the Complaint/Issue (please provide as many details as possible):

- The home on the property has broken windows and is in very poor condition, and does not appear to be in livable condition. There are 8-10 junk cars outside the gates 24 hours a day. The gates and the property in general are not in good condition. If these people want to run a business here and have big trucks coming and going all day long they should at least respect their neighbors and maintain the property. Thank you

Would you like a building inspector to follow up with you?
- YES

If you answered yes, please provide your name and preferred method of contact including your phone number and/or e-mail address.
- Heather Juma and Mike Tracey email address heatherrjumah@gmail.com mtracey999@hotmail.com

Last Action Date: Last Inspection: 03/04/2020

Last Action:

08-26-2019-PFB-THE NEW BSA PROGRAM DIDN'T SEND THIS OVER. IT HAS CAUSED WEEKS AND WEEKS OF BACK LOGGED COMPLAINTS.
09-05-2019-PFB-DAN L. CHECKED SAME CONDITIONS.
09-26-2019-PFB-DAN L. CHECKED PARTIALLY COMPLIED.
10-01-2019-PFB-I STOPPED AND TALKED TO JOE THE OWNER AND HE DID HAVE SOME PROBLEMS WITH GETTING HIS VEHICLES BEHIND THE FENCE. HE APOLOGIZED AND WILL DO BETTER HE KNOWS THE RULES BEHIND THE FENCE WITH ALL JUNK AND ANY UNLICENSED VEHICLES. THE VEHICLES WILL BE REMOVED OFF THE GRASS BY THE VACANT HOME AND ANY JUNK ONES PUT BEHIND THE FENCE ALSO. THE BROKEN WINDOWS HAVE BEEN BOARDED UP ON THE VACANT RED HOUSE.

2nd Reinspection Inspection | Paul Blanchette

Status: Completed
Scheduled: 10/01 2019

Result: Complied
Completed: 10/01/2019

0,
151
1

Code Enforcement Enforcement | EV2018-8185

Property Information

0700045101029 721B CASE RD Subdivision:
NORTH RIDGEVILLE OH, 44039 Lot: Block:

Name Information

Owner: MAJID SAIDI Phone:
Occupant: Phone:
Filer: COUNCILMAN [REDACTED] ¹⁰/₁₅ Phone:

Enforcement Information

Date Filed: 05/29/2018 Date Closed: 06/01/2018 Status:

Complaint:

Complaint on junk cars stored out front and tall grass.

Last Action Date: 06/01/2018 Last Inspection: 06/01/2018

Last Action:

Inspection

06-01-2018-PFB- Went to site their were no vehicles in the front area. The grass was cut.

Enforcement Inspection Inspection |

Status: Completed Result:
Scheduled: 06/01/2018 Completed: 06/01/2018

09-14-2017-PFB-CBO Guy Fursdon and I walked the entire property. The fenced in area toward the rear area of the junk yard has falling and missing fence sections. The rear property line and the both sides need to have the fences maintained or removed to where the junk is only. There is also miscellaneous material, tires, etc. that need to be cleaned up in the rear area of the junk yard. The fence along the dwelling on the South side needs to be repaired and maintained. We went over these issues with Joe and he stated he will take care of them. He has a crusher coming back for more vehicles and will start on all these items following all that work to be done.

10-13-2017-PFB-Joe called and stated they have the trees removed and working on the fence and roof.

10-23-2017-PFB-I stopped at the site, talked to Joe. He stated the roof is almost completed, the rear yard fence still the same, he is getting new sections for the fence by the dwelling area and the dead trees are removed.

11-08-2017-PFB-Working on all of the violations, almost completed.

12-12-2017-PFB-Same.

01-16-2018-PFB-Same, the fence is the last violation to be compliant.

02-12-2018-PFB-Talked to Joe and they have started to clean up along the fenced in area and along the rear ditch along Dyke Road. Then he will have the fence installed along the rear of the junk automobiles.

03-26-2018-PFB-same.

04-10-2018-PFB-They have cleaned the debris up and will be getting the fence squared away. The equipment keeps sinking from the wet area that always floods out.

05-15-2018-PFB-Same.

06-12-2018-PFB-The back has been cleaned up of the junk, tires and other debris. They are repairing some areas of the fence and determining how far back they want to bring across a new fenced in area from the rear property line.

07-18-2018-PFB-Same.

09-14-2017-PFB-CBO Guy Fursdon and I walked the entire property. The fenced in area toward the rear area of the junk yard has falling and missing fence sections. The rear property line and the both sides need to have the fences maintained or removed to where the junk is only. There is also miscellaneous material, tires, etc. that need to be cleaned up in the rear area of the junk yard. The fence along the dwelling on the South side needs to be repaired and maintained. We went over these issues with Joe and he stated he will take care of them. He has a crusher coming back for more vehicles and will start on all these items following all that work to be done.

10-13-2017-PFB-Joe called and stated they have the trees removed and working on the fence and roof.

10-23-2017-PFB-I stopped at the site, talked to Joe. He stated the roof is almost completed, the rear yard fence still the same, he is getting new sections for the fence by the dwelling area and the dead trees are removed.

11-08-2017-PFB-Working on all of the violations, almost completed.

12-12-2017-PFB-Same.

01-16-2018-PFB-Same, the fence is the last violation to be compliant.

02-12-2018-PFB-Talked to Joe and they have started to clean up along the fenced in area and along the rear ditch along Dyke Road. Then he will have the fence installed along the rear of the junk automobiles.

03-26-2018-PFB-same.

04-10-2018-PFB-They have cleaned the debris up and will be getting the fence squared away. The equipment keeps sinking from the wet area that always floods out.

05-15-2018-PFB-Same.

06-12-2018-PFB-The back has been cleaned up of the junk, tires and other debris. They are repairing some areas of the fence and determining how far back they want to bring across a new fenced in area from the rear property line.

07-18-2018-PFB-Same.

Enforcement Inspection Inspection |

Status: Completed
Scheduled: 07/18/2018

Result:
Completed: 07/18/2018

1480-ext'r Property Area Enforcement | EV2017-7848

Property Information

0700045101029	7218 CASE RD NORTH RIDGEVILLE OH, 44039	Subdivision: Lot:	Block:
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Name Information

Owner:	SAIDI MAJID	Phone:
Occupant:		Phone:
Filer:	Unknown Enforcement Filer	Phone:

Enforcement Information

Date Filed:	09/21/2017	Date Closed:	07/18/2018	Status:
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Complaint:

The fenced in area around the junk yard.

An inspection was done at your property on 09-14-2017 for a general walk through with the CBO as required. We observed the fence in the rear yard has sections that are missing and falling apart and other concerns that need attention in regard to property maintenance code violations. The fence along the dwelling on the South side needs to be repaired and maintained. The rear property line and both sides need to have the fences in place to where the junk vehicles are located. There is also miscellaneous material, tires, debris, old fence parts etc. that need to be cleaned up in the rear area of the lot. 1480.14 EXTERIOR PROPERTY AREAS. (g) Accessory Structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair. 1480.15 EXTERIOR STRUCTURE. (a) General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. City maintenance code states that the exterior of a structure shall be maintained in good repair. Please have the following repaired in 30 days. Thank you.

- 1.) The fence along in the rear property line and both sides has sections that are falling apart, missing, other areas that need repairs or replacement and needs to be maintained.
- 2.) The fence along the dwelling on the South side needs repairs or replacement and needs to be maintained.
- 3.) The miscellaneous material, tires, fence parts, debris etc. needs to be cleaned up in the rear area of the junk yard and maintained.

An appeal from a decision of the Administrative Officer may be made to the Board of Zoning and Building Appeals by any person aggrieved or by any officer of the City affected by any decision of the Administrative Officer. The appellant shall file with the Administrative Officer and with the Board a notice of appeal, specifying the grounds thereof. Such appeal shall be taken within a reasonable time as provided by the rules or the Board. The Administrative Officer shall forthwith transmit to the Board all papers constituting the record of the action appealed from.

The fenced in area around the junk yard.

An inspection was done at your property on 09-14-2017 for a general walk through with the CBO as required. We observed the fence in the rear yard has sections that are missing and falling apart and other concerns that need attention in regard to property maintenance code violations. The fence along the dwelling on the South side needs to be repaired and maintained. The rear property line and both sides need to have the fences in place to where the junk vehicles are located. There is also miscellaneous material, tires, debris, old fence parts etc. that need to be cleaned up in the rear area of the lot. 1480.14 EXTERIOR PROPERTY AREAS. (g) Accessory Structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair. 1480.15 EXTERIOR STRUCTURE. (a) General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. City maintenance code states that the exterior of a structure shall be maintained in good repair. Please have the following repaired in 30 days. Thank you.

- 1.) The fence along in the rear property line and both sides has sections that are falling apart, missing, other areas that need repairs or replacement and needs to be maintained.
- 2.) The fence along the dwelling on the South side needs repairs or replacement and needs to be maintained.
- 3.) The miscellaneous material, tires, fence parts, debris etc. needs to be cleaned up in the rear area of the junk yard and maintained.

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Last Action Date: 07/18/2018 Last Inspection: 07/18/2018

Last Action:

Inspection

1480 Exterior Structure Enforcement | EV2017-7629

Property Information

0700045101029 7218 CASE RD Subdivision:
 NORTH RIDGEVILLE OH, 44039 Lot: Block:

Name Information

Owner: SAIDI MAJID Phone:
Occupant: Phone:
Filer: Unknown Enforcement Filer Phone:

Enforcement Information

Date Filed: 09/12/2017 Date Closed: 12/12/2017 Status: Closed

Complaint:

Dwelling missing shingles on roof.

An inspection was done at your property on 09-11-2017 for a general walk through with the CBO as required. The dwelling has missing shingles as pointed out by CBO Guy Fursdon, which is a property maintenance code violation. City maintenance code states that the exterior of a structure shall be maintained in good repair. 1480.15 EXTERIOR STRUCTURE.

(a) General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

(g) Roofs and Drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

Please have the following repaired in 30 days. Thank you.

- 1.) There are missing shingles in need of repair or replacement on the dwelling.

An appeal from a decision of the Administrative Officer may be made to the Board of Zoning and Building Appeals by any person aggrieved or by any officer of the City affected by any decision of the Administrative Officer. The appellant shall file with the Administrative Officer and with the Board a notice of appeal, specifying the grounds thereof. Such appeal shall be taken within a reasonable time as provided by the rules or the Board. The Administrative Officer shall forthwith transmit to the Board all papers constituting the record of the action appealed from.

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An inspection was done at your property on 09-11-2017 for a general walk through with the CBO as required. The dwelling has missing shingles as pointed out by CBO Guy Fursdon, which is a property maintenance code violation. City maintenance code states that the exterior of a structure shall be maintained in good repair. 1480.15 EXTERIOR STRUCTURE.

(a) General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

(g) Roofs and Drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

Please have the following repaired in 30 days. Thank you.

- 1.) There are missing shingles in need of repair or replacement on the dwelling.

An appeal from a decision of the Administrative Officer may be made to the Board of Zoning and Building Appeals by any person aggrieved or by any officer of the City affected by any decision of the Administrative Officer. The appellant shall file with the Administrative Officer and with the Board a notice of appeal, specifying the grounds thereof. Such appeal shall be taken within a reasonable time as provided by the rules or the Board. The Administrative Officer shall forthwith transmit to the Board all papers constituting the record of the action appealed from.

Last Action Date: 12/12/2017 Last Inspection: 12/12/2017

Last Action:

Inspection

Code Enforcement Enforcement | EV2017-7814

Property Information

0700045101029 7218 CASE RD Subdivision:
NORTH RIDGEVILLE OH, 44039 Lot: Block:

Name Information

Owner: SAIDI MAJID Phone:
Occupant: Phone:
Filer: COUNCILMAN [REDACTED] 105 Phone:

Enforcement Information

Date Filed: 09/07/2017 Date Closed: 09/14/2017 Status:

Complaint:
Complaint on overall compliance with the property per Codified Ordinance 840 Junk Yards. CBO has the right of entry during regular work hours between 8:00 A.M. and 4:00 P.M. Monday through Friday.
Complaint on overall compliance with the property per Codified Ordinance 840 Junk Yards. CBO has the right of entry during regular work hours between 8:00 A.M. and 4:00 P.M. Monday through Friday.
Last Action Date: 09/14/2017 Last Inspection: 09/14/2017

Last Action:
Inspection

09-11-2017-PFB-CBO Guy Fursdon and I went to the site talked to the owner Joe. CBO G.F. asked to walk the property and Joe refused and wanted a copy of the Codified Ordinance for the fence and other issues. CBO GF told him we will supply him with the requested information. CBO GF also told him to get the shingles repaired on the dwelling next door to the junk yard and keep up with the tall grass etc. He said he will comply. CBO GF told Joe the fence needs to be maintained along the property and all the junk must be fenced off in the rear area.
09-12-2017-PFB- I went to the property and gave copies of the Codified Ordinance 840 Junk Yards and 660.08 Motor vehicle graveyards to Joe the owner. I told him CBO GF will be there later this week to walk the junk yard area as required in the ordinance twice annually per (840.06) stating the CBO has the right of entry during regular work hours between 8:00 A.M. and 4:00 P.M. Monday through Friday.
09-14-2017-PFB-Complied with letting the CBO enter the property for Inspection.
09-11-2017-PFB-CBO Guy Fursdon and I went to the site talked to the owner Joe. CBO G.F. asked to walk the property and Joe refused and wanted a copy of the Codified Ordinance for the fence and other issues. CBO GF told him we will supply him with the requested information. CBO GF also told him to get the shingles repaired on the dwelling next door to the junk yard and keep up with the tall grass etc. He said he will comply. CBO GF told Joe the fence needs to be maintained along the property and all the junk must be fenced off in the rear area.
09-12-2017-PFB- I went to the property and gave copies of the Codified Ordinance 840 Junk Yards and 660.08 Motor vehicle graveyards to Joe the owner. I told him CBO GF will be there later this week to walk the junk yard area as required in the ordinance twice annually per (840.06) stating the CBO has the right of entry during regular work hours between 8:00 A.M. and 4:00 P.M. Monday through Friday.
09-14-2017-PFB-Complied with letting the CBO enter the property for Inspection.

Enforcement Inspection Inspection |

Status: Completed Result:
Scheduled: 09/14/2017 Completed: 09/14/2017

Code Enforcement | EV2017-7411**Property Information**

0700045101029	7218 CASE RD	Subdivision:	
	NORTH RIDGEVILLE OH, 44039	Lot:	Block:

Name Information

Owner:	SAIDI MAJID	Phone:	
Occupant:		Phone:	
Filer:	COUNCIL PERSON [REDACTED]	Phone:	

Enforcement Information

Date Filed:	05/09/2017	Date Closed:	05/19/2017	Status:	
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Complaint:

Complaint drive there large semi trucks in our front yards, because they don't have enough room to swing in the driveway. Have wreck cars, sometimes with blood on the windshield parked for weeks in front of the yard fence. We look out are front windows and see that. These cars are un-plated. Do not maintain there property, besides pump out there house basement once a year. At least they could cut the lawn. Which has not been cut this year. Also have stacks of skids and car parts in front of the fence. They are now removing fence that blocks the unsightly mess, rather than fix it. This is occurring on the north side. It would be nice if they could keep it up. The stink of gas and oil in the spring and summer cause us not to be able to open are windows. Please see pic below. This is what I come home too. This is the second fire in this decade. Are fear is when will it become so big it will burn a families home. I have called them personal on some issues but they don't answer and do not return calls. Messages have been left. Please help us?

Last Action Date: 05/19/2017 Last Inspection: 05/19/2017

Last Action:

Inspection

05-10-2017-PFB-Met with Joe the renter. There were no vehicles in the front area at this inspection. He stated there were two vehicles in the front area and they were removed and put behind the fenced in area the next day. The reason is they get deliveries from all over the country. They drop off the vehicles at night and no one is there. They are putting up a new fence along the North side and I told him they need to get a fence permit and inspections. He staed they will get the permit. There were a few wooden pallets in the front area and were removed while I was there.

05-19-2017-PFB-COMPLIANT.

05-10-2017-PFB-Met with Joe the renter. There were no vehicles in the front area at this inspection. He stated there were two vehicles in the front area and they were removed and put behind the fenced in area the next day. The reason is they get deliveries from all over the country. They drop off the vehicles at night and no one is there. They are putting up a new fence along the North side and I told him they need to get a fence permit and inspections. He staed they will get the permit. There were a few wooden pallets in the front area and were removed while I was there.

05-19-2017-PFB-COMPLIANT.

Enforcement Inspection Inspection |

Status:	Completed	Result:	
Scheduled:	05/19/2017	Completed:	05/19/2017

Code Enforcement | EV2017-7197

Property Information

0700045101029 7218 CASE RD Subdivision:
 NORTH RIDGEVILLE OH, 44039 Lot: Block:

Name Information

Owner: SAIDI MAJID Phone:
Occupant: Phone:
Filer: A NEIGHBOR Phone:

Enforcement Information

Date Filed: 02/27/2017 Date Closed: 04/06/2017 Status: Closed

Complaint:

Complaint on the junk yard. Is there anything the city can do to have them clean things up a bit? The sign in their front yard is all mangled and unreadable, the mailbox is leaning, it just is difficult to look at every day when the rest of the neighborhood is fairly well kept up and tidy. There are junk vehicles stacked high enough that they show over the fence in the junk yard. Last year they put gravel down that ran from the junk yard parking lot to the house next door.

Last Action Date: 04/06/2017 Last Inspection: 04/06/2017

Last Action:

Inspection

02-28-2017-PFB-Talked to Joe and he is in the process of getting rid of 200 vehicles. That is the reason for a few vehicles out front to make room for a crushing machine that will be there tomorrow to start on the project. He stated he will fix the post mailbox and the sign too. Everything will be ok and compliant in the 10 to 12 days.

03-16-2017-PFB-They are still working on the crushing of the vehicles and will be continuing for the next week or two. Then there will be plenty of room and no more vehicle problems parking in the front lot area.

03-23-2017-PFB-Gregg W. asked about the progress of the complaint. Sent an email to CBO Guy F. & him as follows: Good morning Guy, The following are my notes on this violation complaint. Also the removal of the 200 vehicles frees UP the space up behind the fenced in area. The owner of the salvage yard JOE stated he should have no more complaints about junk vehicles out in front OF THE FENCE area parking FOR EMPLOYEES AND CUSTOMERS. My next scheduled inspection will be on March 30, 2017.

(NOTES): 02-28-2017-PFB-Talked to Joe and he is in the process of getting rid of 200 vehicles. That is the reason for a few vehicles out front to make room for a crushing machine that will be there tomorrow to start on the project. He stated he will fix the post mailbox and the sign too. Everything will be ok and compliant in the 10 to 12 days.

03-16-2017-PFB-They are still working on the crushing of the vehicles and will be continuing for the next week or two. Then there will be plenty of room and no more vehicle problems parking in the front lot area.

Make It A Great Day, Paul Blanchette Building and Zoning Inspector.

03-30-2017-PFB-Stopped talked to Joe and they were still getting the vehicles removed. They crushed 260 not 200. It took a little more time. He said he will be done for sure next week.

04-06-2017-PFB-Stopped talked to Joe and they have completed the removal of vehicles and should have the front area compliant from now on. He stated he will also be getting permits in the future to fix up the front area putting new fence & signs. I told him to make sure the front has only licensed running vehicle only, employees and customers. Compliant at this inspection.

02-28-2017-PFB-Talked to Joe and he is in the process of getting rid of 200 vehicles. That is the reason for a few vehicles out front to make room for a crushing machine that will be there tomorrow to start on the project. He stated he will fix the post mailbox and the sign too. Everything will be ok and compliant in the 10 to 12 days.

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(NOTES): 02-28-2017-PFB-Talked to Joe and he is in the process of getting rid of 200 vehicles. That is the reason for a few vehicles out front to make room for a crushing machine that will be there tomorrow to start on the project. He stated he will fix the post mailbox and the sign too. Everything will be ok and compliant in the 10 to 12 days.

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Make It A Great Day, Paul Blanchette Building and Zoning Inspector.

03-30-2017-PFB-Stopped talked to Joe and they were still getting the vehicles removed. They crushed 260 not 200. It took a little more time. He said he will be done for sure next week.

04-06-2017-PFB-Stopped talked to Joe and they have completed the removal of vehicles and should have the front area compliant from now on. He stated he will also be getting permits in the future to fix up the front area putting new fence & signs. I told him to make sure the front has only licensed running vehicle only, employees and customers. Compliant at this inspection.

Enforcement Inspection

Status: Completed Result:

Code Enforcement | EV2015-6587

Property Information

0700045101029 7218 CASE RD Subdivision:
 NORTH RIDGEVILLE OH, 44039 Lot: Block:

Name Information

Owner: SAIDI MAJID Phone:
 Occupant: Phone:
 Filer: CBO GUY FURSDON Phone:

Enforcement Information

Date Filed: 12/14/2015 Date Closed: 12/16/2015 Status:

Complaint:

Complaint on 6-7 cars in parking lot that have not moved in over 2 weeks in the front lot. (SEE NOTES)
 Complaint on 6-7 cars in parking lot that have not moved in over 2 weeks in the front lot. (SEE NOTES)

Last Action Date: 12/16/2015 Last Inspection: 12/16/2015

Last Action:

Inspection
 12-16-2015-PFB-There are no illegal vehicles parked in the front yard area. All are licensed and operating. No violation again.
 12-14-2015-Complaintant wants us to contact her after the inspection. [REDACTED]

Enforcement Inspection

Status: Completed Result:
 Scheduled: 12/16/2015 Completed: 12/16/2015

Code Enforcement | EV2015-6562

Property Information

0700045101029 7218 CASE RD Subdivision:
 NORTH RIDGEVILLE OH, 44039 Lot: Block:

Name Information

Owner: SAIDI MAJID Phone:
Occupant: Phone:
Filer: CBO GUY FURSDON Phone:

Enforcement Information

Date Filed: 11/18/2015 Date Closed: 11/19/2015 Status:

Complaint:

Complaint on 5 cars in parking lot that have not moved in over 2 weeks. Can those be moved behind fence and out of view? (SEE NOTES)

Last Action Date: 11/19/2015 Last Inspection: 11/19/2015

Last Action:

Inspection

11-19-2015-PFB-ALL THE VEHICLES IN THE FRONT PARKING LOT ARE REGISTERED AND OPERATING. NO VIOLATION AT THIS INSPECTION.

Enforcement Inspection Inspection |

Status: Completed Result:
Scheduled: 11/19/2015 Completed: 11/19/2015

Code Enforcement Enforcement | EV2015-6060

Property Information

0700045101029 7218 CASE RD Subdivision:
NORTH RIDGEVILLE OH, 44039 Lot: Block:

Name Information

Owner: SAIDI MAJID Phone:
Occupant: Phone:
Filer: COUNCILPERSON [REDACTED] Phone:

Enforcement Information

Date Filed: 05/08/2015 Date Closed: 05/11/2015 Status:

Complaint:

Complaint on dwelling burned out needs to be demo. or reconditioned

Last Action Date: 05/11/2015 Last Inspection: 05/11/2015

Last Action:

Inspection

05-11-2015-PFB-The home is vacant but no property maintenance issues at this time. No violations. Address is 7244 Case Road.

Enforcement Inspection Inspection |

Status: Completed Result:
Scheduled: 05/11/2015 Completed: 05/11/2015

Code Enforcement Enforcement | EV2014-5319

Property Information

0700045101029	7218 CASE RD NORTH RIDGEVILLE OH, 44039	Subdivision: Lot:	Block:
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Name Information

Owner:	SAIDI MAJID	Phone:
Occupant:		Phone:
Filer:	A NEIGHBOR	Phone:

Enforcement Information

Date Filed:	03/26/2014	Date Closed:	03/26/2014	Status:
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Complaint:

It appears that it has. There are three cars (no license plates visible) that have been parked on the house side of the parking area for a few weeks now. these vehicles never move. It would seem to me that this would not be allowed? Before we get more cars parked there can this please be looked in to? (SEE NOTES)

The city's ordinance for junk yards states that the fences surrounding the area should be a minimum of 6 feet tall - can you double check the height of the fence running along the north side of the junk yard? It doesn't appear to meet the height requirement.

It appears that it has. There are three cars (no license plates visible) that have been parked on the house side of the parking area for a few weeks now. these vehicles never move. It would seem to me that this would not be allowed? Before we get more cars parked there can this please be looked in to? (SEE NOTES)

The city's ordinance for junk yards states that the fences surrounding the area should be a minimum of 6 feet tall - can you double check the height of the fence running along the north side of the junk yard? It doesn't appear to meet the height requirement.

Last Action Date: 03/26/2014 Last Inspection: 03/26/2014

Last Action:

Inspection

03-26-2014-PFB-no violation.

Enforcement Inspection Inspection |

Status:	Completed	Result:
Scheduled:	03/26/2014	Completed: 03/26/2014

Code Enforcement Enforcement | EV2013-4569

Property Information

0700045101029 7218 CASE RD Subdivision:
 NORTH RIDGEVILLE OH, 44039 Lot: Block:

Name Information

Owner: SAIDI MAJID Phone:
 Occupant: Phone:
 Filer: A NEIGHBOR Phone:

Enforcement Information

Date Filed: 03/22/2013 Date Closed: 06/18/2013 Status: Closed

Complaint:

Complaint on the red dwelling being vacant needs maintenance, rats and varmits around and no cover on the fence on the south side of the property.

Last Action Date: 06/18/2013 Last Inspection: 06/18/2013

Last Action:

Inspection

03 27 2013-PFB-The wooden fence on the south side of the property is leaning and needs to be repaired or replaced. The are car bumpers hanging over the fence that need to be removed. The front gutter is hanging low and needs to be repaired. A few spots on the faca with bare wood needs to be weather proofed. Talked to Joe at the office and he will take care of the complaints.

04-29-2013-PFB- The bumpers have been removed off the fence and the fence braced. They were waiting for better weather to repair the leaning fence. The north side fence covering will be fixed also from the veiw from Case Rd. and the public. The dwelling issues have been complied with.

05-13-2013-PFB-Failed the fence on North side covering blown off from high winds and wooden fence same.

05-28-2013-PFB-Same.

06-18-2013-PFB-Same. Called the renter for compliance. Joe stated the high winds keep blowing the cloth on the fence. He will get it covered.

03 27 2013-PFB-The wooden fence on the south side of the property is leaning and needs to be repaired or replaced. The are car bumpers hanging over the fence that need to be removed. The front gutter is hanging low and needs to be repaired. A few spots on the faca with bare wood needs to be weather proofed. Talked to Joe at the office and he will take care of the complaints.

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05-13-2013-PFB-Failed the fence on North side covering blown off from high winds and wooden fence same.

05-28-2013-PFB-Same.

06-18-2013-PFB-Same. Called the renter for compliance. Joe stated the high winds keep blowing the cloth on the fence. He will get it covered.

Enforcement Inspection Inspection |

Status: Completed Result:
 Scheduled: 06/18/2013 Completed: 06/18/2013

Code Enforcement Enforcement | EV2013-4523

Property Information

0700045101029 7218 CASE RD Subdivision:
NORTH RIDGEVILLE OH, 44039 Lot: Block:

Name Information

Owner: JOE'S AUTO RECYCLING Phone:
Occupant: Phone:
Filer: N/A Phone:

Enforcement Information

Date Filed: 01/29/2013 Date Closed: 01/30/2013 Status:

Complaint:

Gravel added to the parking lot next door to the residential area.

Last Action Date: 01/30/2013 Last Inspection: 01/30/2013

Last Action:

Inspection

01-30-2013-PFB- Owner has put down new stone for the front area and increased his area to the South. It was maintenance of the parking area because of complaints of mud and water when customers would come in. The area is only parking for his employees and customers. Made it look better also.

Enforcement Inspection Inspection |

Status: Completed Result:
Scheduled: 01/30/2013 Completed: 01/30/2013

Code Enforcement Enforcement | EV2012-4323

Property Information

0700045101029	7218 CASE RD	Subdivision:
	NORTH RIDGEVILLE OH, 44039	Lot: Block:

Name Information

Owner:	JOE'S AUTO RECYCLING	Phone:
Occupant:		Phone:
Filer:	Unknown Enforcement Filer	Phone:

Enforcement Information

Date Filed:	08/31/2012	Date Closed:	09/19/2012	Status:	Closed
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Complaint:

This is junk yard. They are storing more cars in front of gates in their parking lot. There is also a large truck with 4-Sale sign that has been out there for quite a while. Please check out. They think they are using plates from other vehicles.....

This is junk yard. They are storing more cars in front of gates in their parking lot. There is also a large truck with 4-Sale sign that has been out there for quite a while. Please check out. They think they are using plates from other vehicles.....

Last Action Date: 09/19/2012 Last Inspection: 09/19/2012

Last Action:

Inspection

09-04-2012- PFB-There is no switching of license plates, thou the owner does have dealer plates. There were two vehicles out front and were moved back. The one for sale is a black pick-up truck and the owner will remove it from out front. I explained the Zoning R-1 and he is that even thou the junk yard is allowed. Two permits a year only to sell any vehicles. He felt he was grandfathered in and shouldn't need any permits to sell vehicles. The owner wants an answer on that and where in the Codified Ordinance it states he can't have any vehicles in the front area as they did before. Told him I will get back to him.

09-19-2012- PFB-Stopped talked to Joe and his son Joe. Gave his son the copies of the Codified Ordinances 840 Junk Yards & 650 Public Nuisances on unlicensed or junk vehicles in a residential zoned area. They under stood. All was ok today no violations.

09-04-2012- PFB-There is no switching of license plates, thou the owner does have dealer plates. There were two vehicles out front and were moved back. The one for sale is a black pick-up truck and the owner will remove it from out front. I explained the Zoning R-1 and he is that even thou the junk yard is allowed. Two permits a year only to sell any vehicles. He felt he was grandfathered in and shouldn't need any permits to sell vehicles. The owner wants an answer on that and where in the Codified Ordinance it states he can't have any vehicles in the front area as they did before. Told him I will get back to him.

09-19-2012- PFB-Stopped talked to Joe and his son Joe. Gave his son the copies of the Codified Ordinances 840 Junk Yards & 650 Public Nuisances on unlicensed or junk vehicles in a residential zoned area. They under stood. All was ok today no violations.

Enforcement Inspection Inspection |

Status:	Completed	Result:
Scheduled:	09/19/2012	Completed: 09/19/2012

Code Enforcement | EV2010-2602

Property Information

0700045101029 7218 CASE RD Subdivision:
NORTH RIDGEVILLE OH, 44039 Lot: Block:

Name Information

Owner: JOE'S AUTO RECYCLING Phone:
Occupant: Phone:
Filer: 10 [Redacted] Phone: 14 [Redacted]

Enforcement Information

Date Filed: 06/04/2010 Date Closed: 06/07/2010 Status: Closed

Complaint: FENCE AROUND JUNK YARD FALLING DOWN, NEEDS TO HAVE A REAL FENCE PUT UP NOT LANDSCAPING CLOTH. JUNK UNLICENSED VEHICLES IN PARKING AREA OF BUSINESS (STORING IT THERE) NOT MOWING GRASS AND WEEDS AROUND AREA
Last Action Date: 06/07/2010 Last Inspection: 06/07/2010

Last Action: Inspection

06-07-2010- TALKED TO JOE OWNER, HE REMOVED TWO VEHICLES BACK BEHIND THE FENCE. THE GRASS has been cut the next door has tall grass and weeds and was posted today. The city will cut the ditch along case on both properties. The fence membrane was hanging low and visible from the street from the recent high winds. The owner had his employees fix it while I was present. pfb
15 06-14-2010- [Redacted] told to the owner at this address. I told him it was typed in on the complaint. [Redacted] other wise no name would have been stated. I didn't receive this complaint. I was the inspector who it was given to by the CBO Guy F. pfb
07-01-2010- Received signed green certified card on the requested information form Joe's recycling. pfb
06-07-2010- TALKED TO JOE OWNER, HE REMOVED TWO VEHICLES BACK BEHIND THE FENCE. THE GRASS has been cut the next door has tall grass and weeds and was posted today. The city will cut the ditch along case on both properties. The fence membrane was hanging low and visible from the street from the recent high winds. The owner had his employees fix it while I was present. pfb
15 06-14-2010- [Redacted] was told to the owner at this address. I told him it was typed in on the complaint. [Redacted] other wise no name would have been stated. I didn't receive this complaint. I was the inspector who it was given to by the CBO Guy F. pfb
07-01-2010- Received signed green certified card on the requested information form Joe's recycling. pfb

Enforcement Inspection Information

Status: Completed Result:
Scheduled: 06/07/2010 Completed: 06/07/2010

In Ohio addresses of the public which are kept for administrative use are not classified as a "record" for purposes of the Public Records Act. *State ex rel. Dispatch Printing Co., v. Johnson*, 106 Ohio St. 3d 160, 2005-Ohio-4384 (addresses of employees do not document the organization, functions, policies, etc. of the organization, and are not "records" subject to disclosure.); *State ex rel. McCleary v. Roberts*, 2000 Ohio LEXIS 769 (a database containing names, home addresses, family information, emergency contact and medical information are not "records" for public records purposes) *Keller v. Cox* (1999) 85 Ohio St. 3d 279 (exempted from public dissemination police personal information such as home addresses, phone numbers, names of family members, and medical information.) *State ex rel. Fant v. Enright*, 66 Ohio St. 3d 186 (1993) (not every record kept by a public agency is a "public record" as defined in ORC 149.43; and *State ex rel. Essi v. City of Lakewood*, 2018-Ohio-5027, agreed that private telephone numbers and private address information were personal information and that it "does not document a public function."

660.08-vehicle Graveyards Enforcement | EV2008-1657

Property Information

0700045101029	7218 CASE RD	Subdivision:
	NORTH RIDGEVILLE OH, 44039	Lot: Block:

Name Information

Owner:	REDS ALL AMERICAN	Phone:
Occupant:		Phone:
Filer:	Unknown Enforcement Filer	Phone:

Enforcement Information

Date Filed:	05/07/2009	Date Closed:	08/17/2009	Status:	Closed
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Complaint:

660.08 MOTOR VEHICLE GRAVEYARDS.

An inspection was done on your property on 5-6-09. We observed the nontransparent material on the North side fence, which is required by city ordinance, is falling down. This material shall be maintained so as to obscure the view from residence. Also, toward the rear on the North side, the metal sheeting is falling down. This also is required to be maintained to obscure the view by residence. Your wood fence on the South side, toward the front of the building, is leaning over and is a hazard. Fences shall be maintained and kept in good order and repair. These issues shall be repaired to comply with city ordinances.

1244.07 APPEALS FROM DECISIONS OF THE ADMINISTRATIVE OFFICER.

(a) An appeal from a decision of the Administrative Officer may be made to the Board of Zoning and Building Appeals by any person aggrieved or affected by any decision of the Administrative Officer. The appellant shall file with the Administrative Officer and with the Board a notice of appeal, specifying the grounds thereof. Such appeal shall be taken within a reasonable time as provided by the rules or the Board. The Administrative Officer shall forthwith transmit to the Board all papers constituting the record of the action appealed from.

660.08 MOTOR VEHICLE GRAVEYARDS.

An inspection was done on your property on 5-6-09. We observed the nontransparent material on the North side fence, which is required by city ordinance, is falling down. This material shall be maintained so as to obscure the view from residence. Also, toward the rear on the North side, the metal sheeting is falling down. This also is required to be maintained to obscure the view by residence. Your wood fence on the South side, toward the front of the building, is leaning over and is a hazard. Fences shall be maintained and kept in good order and repair. These issues shall be repaired to comply with city ordinances.

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Last Action Date: 08/17/2009 Last Inspection: 08/17/2009

Last Action:

Inspection

5-7-09 BR went to building with Guy. Walked property and saw fence on North side and black tarp for fence falling down and toward the back(west) metal fencing falling apart. On the South side fence leaning over front (East) side. 6-8-09 BR went to property, no metal fencing fixed, 40' of nontransparent material missing on North side, wood fence on South side even worse, entire front and side falling over. 6-11-09 BR dropped off cert. letter and had signed. 7-9-09 BR went to property. Talked with Guy F. we are ok with rear fence not having material owner will fix south fence leaning over. Only violation if seen from street. 8-7-09 BR talked to owner he asked for 1 week to fix wood fence on South side of house. 8-17-09 BR fence still has slight bow. Owner did shore up fence. Feels more secure.

Enforcement Inspection Inspection |

Status:	Completed	Result:
Scheduled:	08/17/2009	Completed: 08/17/2009

Code Enforcement Enforcement | EV2007-1142

Property Information

0700045101029	7218 CASE RD	Subdivision:	
	NORTH RIDGEVILLE OH, 44039	Lot:	Block:

Name Information

Owner:	REDS ALL AMERICAN	Phone:	
Occupant:		Phone:	
Filer:	Unknown Enforcement Filer	Phone:	

Enforcement Information

Date Filed:	04/14/2008	Date Closed:	03/13/2008	Status:	Closed
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Complaint:

COMPLAINT ON TOP SOIL BEING DUMPED IN THE BACK OF THE PROPERTY AT THE JUNK YARD.

Last Action Date: 07/30/2008 Last Inspection: 07/30/2008

Last Action:

Inspection

02-13-08- STOPPED AT LOCATION AND HAD JOE TO HALT ANYMORE DUMPING OF THE MATERIAL AT HIS SITE. HE STATED IT WAS FROM THE RIDGEVIEW PLAZA THAT IS TEARING DOWN THE BUILDINGS ALONG CENTER RIDGE ROAD. TOLD HIM WE NEED TO FIND OUT OF THE ABATEMENTS ON ASBESTOS OR ANY HAZORDOUS MATERIALS, ETC. FROM THE DEMO CO. I CALLED RUSS GOTT AT 440-241-2797 ON THE DEMO PERMITS OBTAINED AND NEEDING THE ABATEMENT INFORMATION ON THE SITE. ANOTHER NUMBER TO REACH MR GOTT WAS 330-760-5909. HE STATED HE WOULD GET US THE COPIES. HAD MARK SMITH LCHI , GUY F. CBO AND I CHECK THE MATERIAL THAT WAS DUMPED ON THE SITE. MARK STATED HE WOULD HAVE TO CALL THE EPA IN. PFB.

04-14-08- THE OEPA CAME TO INSPECT THE MATERIAL AND STATED IT WOULD NEED TO BE REMOVED. A LETTER WILL FOLLOW ON THE SITUATION. CLARRISA GEREBY AND JOHN R. HUIJAR ENVIRONMENTAL SPECIALIST WERE THE INSPECTORS. TEL. # 330-963-1224. PFB

02-13-08- STOPPED AT LOCATION AND HAD JOE TO HALT ANYMORE DUMPING OF THE MATERIAL AT HIS SITE. HE STATED IT WAS FROM THE RIDGEVIEW PLAZA THAT IS TEARING DOWN THE BUILDINGS ALONG CENTER RIDGE ROAD. TOLD HIM WE NEED TO FIND OUT OF THE ABATEMENTS ON ASBESTOS OR ANY HAZORDOUS MATERIALS, ETC. FROM THE DEMO CO. I CALLED RUSS GOTT AT 440-241-2797 ON THE DEMO PERMITS OBTAINED AND NEEDING THE ABATEMENT INFORMATION ON THE SITE. ANOTHER NUMBER TO REACH MR GOTT WAS 330-760-5909. HE STATED HE WOULD GET US THE COPIES. HAD MARK SMITH LCHI , GUY F. CBO AND I CHECK THE MATERIAL THAT WAS DUMPED ON THE SITE. MARK STATED HE WOULD HAVE TO CALL THE EPA IN. PFB.

04-14-08- THE OEPA CAME TO INSPECT THE MATERIAL AND STATED IT WOULD NEED TO BE REMOVED. A LETTER WILL FOLLOW ON THE SITUATION. CLARRISA GEREBY AND JOHN R. HUIJAR ENVIRONMENTAL SPECIALIST WERE THE INSPECTORS. TEL. # 330-963-1224. PFB

Enforcement Inspection Inspection |

Status:	Completed	Result:	
Scheduled:	07/30/2008	Completed:	07/30/2008

Code Enforcement Enforcement | EV2007-1104

Property Information

0700045101029

7218 CASE RD
NORTH RIDGEVILLE OH, 44039

Subdivision:

Lot:

Block:

Name Information

Owner: MAJEED SAIDI

Phone:

Occupant:

Phone:

Filer: GUY FURSDON E-MAIL COMPLAINT

Phone:

Enforcement Information

Date Filed: 01/28/2008

Date Closed: 01/28/2008

Status: Closed

Complaint:

COMPLAINT ON JUNK PICK-UP TRUCK PARKED IN PARKING LOT OVER A MONTH ALONG WITH PILES OF WOODEN PALLETS.
NO LETTER WAS NEEDED. REMOVED SAME DAY I TOLD THEM. PFB
COMPLAINT ON JUNK PICK-UP TRUCK PARKED IN PARKING LOT OVER A MONTH ALONG WITH PILES OF WOODEN PALLETS.
NO LETTER WAS NEEDED. REMOVED SAME DAY I TOLD THEM. PFB

Last Action Date:

Last Inspection:

Last Action:

01-28-08- OWNER REMOVED WOODEN PALLETS AND PICK-UP TRUCK AS SOON AS I TOLD HIM. THE PICK-UP WAS AN EMPLOYEES AND WAS TOLD TO REMOVE IT. PFB.

Code Enforcement | EV2003-0586

Property Information

0700045101029	7218 CASE RD NORTH RIDGEVILLE OH, 44039	Subdivision: Lot:	Block:
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Name Information

Owner:	DAVID CARTER	Phone:
Occupant:		Phone:
Filer:	RESIDENT N/A	Phone:

Enforcement Information

Date Filed:	03/14/2006	Date Closed:	04/14/2008	Status:	Closed
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Complaint:

COMPLAINT ON TWO BUSES AND TWO JUNK CARS IN FRONT ALONG CASE ROAD

Last Action Date:

Last Inspection:

Last Action:

03-14-06- COMPLAINT ON TWO BUSES AND TWO JUNK VEHICLES THAT HAVE BEEN PARKED IN FRONT OF THE FENCE SINCE LAST THURSDAY. I CALLED THE NEW OWNER MIKE SAIDI AND TOLD HIM TO GET ALL THE VEHICLES BEHIND THE FENCE. PFB.

06-20-07- UNLICENSED VEHICLES PARKED IN FRONT OF THE VACANT HOME CALLED AND TALKED TO JOE AND THEY WILL BE REMOVED TONIGHT. NO COMPLAINT, BUT I TOLD HIM THEY ARE ALSO RESPONSIBLE FOR CUTTING THE GRASS IN THE RIGHT OF WAY, IT NEEDED IT. HE WILL TAKE CARE OF THAT ALSO. PFB.

03-14-06- COMPLAINT ON TWO BUSES AND TWO JUNK VEHICLES THAT HAVE BEEN PARKED IN FRONT OF THE FENCE SINCE LAST THURSDAY. I CALLED THE NEW OWNER MIKE SAIDI AND TOLD HIM TO GET ALL THE VEHICLES BEHIND THE FENCE. PFB.

06-20-07- UNLICENSED VEHICLES PARKED IN FRONT OF THE VACANT HOME CALLED AND TALKED TO JOE AND THEY WILL BE REMOVED TONIGHT. NO COMPLAINT, BUT I TOLD HIM THEY ARE ALSO RESPONSIBLE FOR CUTTING THE GRASS IN THE RIGHT OF WAY, IT NEEDED IT. HE WILL TAKE CARE OF THAT ALSO. PFB.

Engineering Update

Burns Rd Resurfacing – OPWC Funds

Contractor – Karvo

Start Date – Week of June 20

Duration – 10 days (weather permitting)

Road Closure – 24/7; Message boards will be set up in advance regarding closure

City Resurfacing Program Phase 1 – Issue 6 (street list is attached)

Contractor – Karvo

Start Date – Week of July 5 (tentative-dependent on Burns Rd schedule)

Duration – TBD

Starting Location – North end of city: TBD

2nd/Cedar Watermain Replacement

Contractor – Buckeye Excavating

Completion – Weather permitting, approximately 2 wks for services and restoration work

Oberlin Elyria Rd Watermain Replacement

Contractor – Buckeye Excavating (crew #2)

Start Date – Week of June 6

Infrastructure Townhall Meeting

Wednesday, June 22 @ 6:00 pm

Council Chamber, City Hall

Topics include E Broad St, Cleveland St, ESRS Phase 1D & 2N, City Resurfacing, Q&A

2022 Street Resurfacing ~ FINAL LIST -AMENDED 05/11/2022

Ward 1	Phase 1	Phase 2
Denison (Park - Garford)	X	
Denison (Fairlawn - Concord)	X	
Harvard (Concord - Fairlawn)	X	
Harvard (Park to Garford)	X	
Fairlawn (Int Denison)	X	
Ward 2		
Floradale	X	
Madison (Foster-Bond)		X
West River (Lake to Fremont)	X	
Ward 3		
Pinewood Drive	X	
427 Songbird		X
Ward 4		
Hamilton Circle		X
Hemlock (191 to Cal de Sac)	X	
Vista Ct	X	
Ward 5		
11th St (West Ave - Riverside Dr)	X	
Barres Ln (West - East)		X
George St	X	
Ward 6		
Woodland (Lowell to Foster)		X
intersection Demas & Oakwood	X	
Clemens (Courtland to Bell)	X	
Ward 7		
Poplar St (SR-57 - White Oak) *		
Wesley (Cleveland St - Poplar) *		
Pasadena (Greely to Poplar)	X	
ALTERNATES		
Fairlawn (Stanford-Denison)	X	
Bond St (Lake - Adams)	X	
Defiance (intersection with Tennessee)		X
Ohio St (St. Clair - Glenwood)	X	
Murray Ridge (Lowell to RR)	X	
Adams (Bell to High)	X	
Arlington Cir	X	

* Street to get new water main prior to pavement rehab