

Minutes Approved  
*as Circulated* September 6, 2022  
09/19/2022 Regular Council Meeting  
Elyria City Council

**1. CALL TO ORDER:**

The regular meeting of Elyria City Council was called to order on Tuesday September 6, 2022 at 7:00 P.M. by President Stewart. President Stewart opened the meeting with a moment of reflective silence and asked that the family of James A. Deery be in our prayers, who was the father of Elyria Law Director, Amanda Deery. Mr. Deery passed away unexpectedly on August 31, 2022. President Stewart described Mr. Deery as a community servant, who served on the local school board and was a great community activists. Mr. Deery will be sadly missed. Councilman Corbin led the Pledge of Allegiance. The recording of this meeting is available on City of Elyria Channel on YouTube. (Zoom meeting)

**2. ROLL CALL--COUNCIL MEMBERS:**

PRESENT: Cerra, Corbin, Davis, Lipian, Mitchell, Oswald, Schneider, Simmons, Stewart, Tollett

ABSENT: Callahan,

Oswald moved Mitchell seconded to approve the absence of Mr. Callahan, from the meeting.

PASSAGE:

AYE: 10

NAY: 0

ABSENT: 1

MOTION CARRIED

OTHERS PRESENT: SSD Brubaker, Asst. Law Director Breunig, Clerk Lotko, Finance Dir. Pileski, Police Chief Pelko, Fire Chief Pronesti, ASSD Calvert, BO Farkas, Superintendent Korzan

**3. PUBLIC HEARINGS:**

The meeting was recessed for the first public Hearing at 7:03P.M. Clerk Lotko read the call to the Public Hearing.

You are hereby notified that a Public Hearing will be held on Tuesday, September 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 MARCELLA MCCLINTON FOR A CHILD CARE FACILITY AT REAL PROPERTY LOCATED AT 244 COLUMBUS STREET, ELYRIA, OHIO.

President Stewart asked if there were any proponents?

Marcella McClinton- 244 Columbus Street- Ms. McClinton explained that the current status of her childcare is type b and she would like to switch to type a child care status. The permit request

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

**Council President Stewart:** No Report

**Safety Service Director Brubaker:**

Safety Service Director Brubaker provided an update on behalf of Engineer McKillips that the manhole and catch basin casting adjustments are in progress in phases one and two. Cedar Street paving is completed. Hilliard Rd. re-paving will begin in early October.

SSD Brubaker received a call from a resident that was involved in a car accident a couple of weeks ago, although there were no injuries, the resident called to thank officers Leeper and Catalano. The resident expressed that the officers went above and beyond the call of duty by staying with her until her family could arrive. SSD Brubaker received an email from Councilman Lipian regarding Wastewater department employee, Stephen Loesch. Mr. Lipian received a call from a constituent in his ward that praised the work of Mr. Loesch and stated that he went above and beyond his duties as well. Congratulations to those employees.

**Finance Director Pileski:** No report

President Stewart asked for a status of ARPA funds, what has been spent, appropriated, received and encumbered. Finance Director Pileski shared that he provided a summary in mid-July. Mr. Pileski offered to update the summary.

**Assistant Law Director Breunig:**

Assistant Law Director Breunig echoed President Stewart's sentiments regarding the loss of Mr. James Deery. He expressed that the Law Office certainly feels for Law Director Deery during this time. He shared the office is open for business if council, the administration or members of the community has any question, Assistant Law Director Breunig is available to answer, not as well as Law Director Deery, however he will do his best in her absence and hopes to make the Law Director proud.

Mr. Breunig provided clarification for council to the amendment of the minutes. Ordinance previously numbered 2022-136 was a proposed charter amendment, that passed by a vote of five to four, upon revisiting the passage, it was determined that the charter specifically, section 4.06 of the charter specifies that no ordinance shall pass unless it has a concurrence of a majority of all members of council, not a quorum, but all members were not present. The ordinance is not actually an ordinance, it was numbered to keep ordinances sequential, the first ordinance of the public hearing will be numbered 136, that will continue the pattern going forward.

**Police Chief Pelko:** No Report

**Fire Chief Pronesti:** No Report

**ASSD Calvert:** No Report

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

Waste Water facility. Mr. Lipian asked for some additional education regarding a 78 inch pipe. Superintendent Korzan explained the project is the East Side Sewer Relief , that will be starting from East Bridge Street to Poplar St. The goal is to intercept as much flow off that pipe as possible, environmentally and public health aspect. Mr. Lipian inquired if any effort or information could be provided for the intensity of impact from the rain on Miami. Supt. Korzan explained that crews recently televised Miami, the compilation of results are not available yet, however should be ready soon.

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

*\*Matter is completed or partially completed*

1. The matter of a Downtown Facade Improvement Program applicant.

**REFERRED BY:** CD Manager, Mona Almobayyed

**REFERRED TO:** Community Development

2. The matter of a request to accept the final plat for the Fieldstone Lakes Subdivision Phase 2.

**REFERRED BY:** PC Secretary, Mark Ballard II

**REFERRED TO:** Community Development

3. The matter of request for a request for fireworks permit/ violations, which could include a misdemeanor.

**REFERRED BY:** Councilman Andrew Lipian

**REFERRED TO:** Community Development

4. The matter of a re-zoning request for Villas of the Valley LLC located at 1100 Gulf Rd.

**REFERRED BY:** Maple Waffles Land LLC

**REFERRED TO:** Community Development

5. The matter of a re-zoning/re-plat for Beacon Sales Acquisition.

**REFERRED BY:** Rene Jimenez

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

6. The matter of entering into a contract with MS Consultants, Inc. For services rendered for the completion of a Comprehensive Plan and Zoning Code Update.

**REFERRED BY:** ASSD Calvert

**REFERRED TO:** Community Development/ Finance

7. The matter of allocation of OneOpiod crisis settlement funds to Elyria Municipal Recovery Court.

**REFERRED BY:** Judge White/ Judge Bennett

**REFERRED TO:** Finance

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

16. The matter of appropriating monies to purchase for the sanitary sewer collection system a replacement control system.

**REFERRED BY:** Superintendent Korzan

**REFERRED TO:** Finance/ Utilities

**17-22-Received and Placed on file in the clerk's office**

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

18. Denied Claim for Damage: Chad Decker

19. June 2022 General Fund Cash Balance Report

20. June 2022 Income Tax Report

21. July 2022 General Fund Cash Balance Report

22. July 2022 Income Tax Report

**7. PETITIONS - LOBBY:**

**Mike Flanigan- 175 Pasadena Ave.-** Delay in ongoing sewer problems on Poplar St.

Mr. Flanigan expressed contention with the delay of the sewer project getting started on Poplar St. He inquired if ARPA funding could have been allocated toward the project. He expressed his belief that the build of the new subdivisions creates suffering for the old neighborhoods. His belief is that he never had flooding in his basement before these new projects started and now his basement floods every time it rains.

**Marsalis Hammons- 38775 Butternut Ridge Rd.-** Leaders of Today/ South Elyria Pocket Park Kick-off update.

Mr. Hammons provided an update on the South Elyria Pocket Park kickoff that was held Saturday August 27, 2022. - Exhibit "A"

Mr. Hammons thanked the Elyria Street department for assisting with the ground mural painting on the intersection of 15<sup>th</sup> Street and West Ave. The project was in partnership with Lorain County Public Health and Cap Mavericks.

President Stewart expressed how impressive the ground mural project is.

Ms. Davis inquired if there was any consideration of incorporating the corner of 16<sup>th</sup> St. and West Ave. into the project. Mr. Hammons replied there have not been discussions surrounding that at this time.

Mr. Lipian asked if a reach out has been made to Elyria Arts Council or Oberlin Conservatory.

Mr. Hammons shared that Leaders of Today has an established relationship with EAC and the vision of the space is for small gathering and to remain a pocket park.

Mrs. Simmons thanked Mr. Hammons for his activism and for his this project being in her ward. She shared that due to death in her family she was unable to attend, however heard that the event was well attended. Mrs. Simmons shared that if there is anything LOT needs to please reach out.

Mrs. Mitchell shared a job well done and encouraged anyone who had not seen the ground mural on the corner of 15<sup>th</sup> St. and West Ave. to go see it, because it is awesome. She expressed her congratulations and encouraged LOT to keep up the good work and maintain their collaboration

**10. RESOLUTIONS – FIRST READING: CONTINUED**

**Sponsored by:**     **RESOLUTION NO. 2022-21**  
**Utilities:**         A RESOLUTION APPROVING A LIST SUBMITTED BY  
D. Mitchell         THE SAFETY SERVICE DIRECTOR FOR THE  
B. Davis             COLLECTION OF FINAL ASSESSMENTS FOR THE  
D. Simmons         REPLACEMENT OF PRIVATE SERVICE SEWER LINES,  
K. Oswald           DIRECTING THE CLERK OF COUNCIL TO CERTIFY  
**Finance:**           SAID LIST TO THE LORAIN COUNTY AUDITOR, AND  
V. Stewart III       DECLARING AN EMERGENCY.  
P. Tollett  
B. Davis  
C. Schneider  
J. Cerra

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

<b>SUSPENSION</b>	<b>EMERGENCY</b>	<b>PASSAGE</b>
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. 2022-22**  
**Utilities:**         A RESOLUTION APPROVING A LIST SUBMITTED BY  
D. Mitchell         THE SAFETY SERVICE DIRECTOR FOR THE  
B. Davis             COLLECTION OF 2021 DELINQUENT STORMWATER  
D. Simmons         FEES, DIRECTING THE CLERK OF COUNCIL TO  
K. Oswald           CERTIFY SAID LIST TO THE LORAIN COUNTY  
**Finance:**           AUDITOR, AND DECLARING AN EMERGENCY.  
V. Stewart III  
P. Tollett  
B. Davis  
C. Schneider  
J. Cerra

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

<b>SUSPENSION</b>	<b>EMERGENCY</b>	<b>PASSAGE</b>
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-  
**Community** AN ORDINANCE GRANTING A CONDITIONAL USE  
**Development:** PERMIT TO CROSS COMMUNITY CHURCH, PURSUANT  
T. Callahan TO CHAPTER 1174 OF THE CODIFIED ORDINANCES OF  
A. Lipian THE CITY OF ELYRIA, OHIO FOR A NEW FULL COLOR  
D. Mitchell LED DISPLAY SIGN ON REAL PROPERTY LOCATED AT  
K. Oswald 525 ABBE ROAD.

*(Public hearing will be held September 19, 2022)*

**Sponsored by:** ORDINANCE NO. 2022-138  
**Community** AN ORDINANCE AMENDING THE COMMUNITY  
**Development:** DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM  
T. Callahan YEAR (PY) 2021 ANNUAL ACTION PLAN, AND  
A. Lipian DECLARING AN EMERGENCY.  
D. Mitchell  
K. Oswald  
**Finance:**  
P. Tollett  
B. Davis  
C. Schneider  
V. Stewart III  
J. Cerra

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

<b>SUSPENSION</b>	<b>EMERGENCY</b>	<b>PASSAGE</b>
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. 2022-139  
**Finance:** AN ORDINANCE AMENDING ORDINANCE NO. 2021-73,  
P. Tollett KNOWN AS THE “SALARY ORDINANCE”, TO CHANGE  
B. Davis THE NAME OF A CURRENT POSITION OF A  
C. Schneider MUNICIPAL COURT EMPLOYEE, AND DECLARING AN  
V. Stewart III EMERGENCY.  
J. Cerra

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

**Sponsored by:** **ORDINANCE NO. 2022-142**  
**Finance:** AN ORDINANCE AUTHORIZING THE SUBMISSION, THROUGH THE LAW DIRECTOR’S OFFICE, OF APPLICATIONS TO THE OFFICE OF THE ATTORNEY GENERAL, STATE OF OHIO, AND TO ACCEPT IF OFFERED, A 2022-2023 VICTIMS OF CRIME ACT (VOCA) GRANT AND THE 2022-2023 STATE VICTIMS ASSISTANCE ACT (SVAA) GRANT FOR THE VICTIM’S ASSISTANCE PROGRAM, AND DECLARING AN EMERGENCY.

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

<b>SUSPENSION</b>		<b>EMERGENCY</b>		<b>PASSAGE</b>	
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. 2022-143**  
**Finance:** AN ORDINANCE AMENDING ORDINANCE NO. 2022-45, KNOWN AS THE “2022 PERMANENT APPROPRIATIONS ORDINANCE,” TO CHANGE FUNDS IN VARIOUS ACCOUNTS.

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

<b>SUSPENSION</b>		<b>PASSAGE</b>	
AYE:	10	AYE:	10
NAY:	0	NAY:	0
ABSENT:	1	ABSENT:	1
MOTION CARRIED		MOTION CARRIED	

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

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

**16. COMMITTEE CALLS:**

COMMUNITY DEVELOPMENT 09/12/2022 6:00 P.M. All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

FINANCE 09/12/2022 Following CD All Referred Items Council Chambers w/Mayor, Fin. Director, Law Director, SSD, Engineer

UTILITIES, SAFETY & ENVIRONMENT 09/12/2022 6:00 P.M. All Referred items w/ Law Director, SSD, Engineer

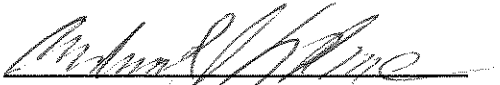
STRATEGIC PLANNING 09/19/2022 Immediately following Council All Referred Items Council Chambers w/ Mayor, Safety Service Director, Finance Dir., Law Director, Engineer

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

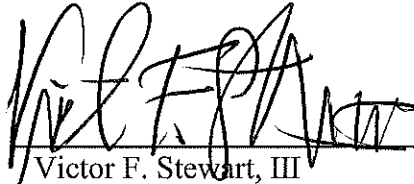
**18. ADJOURNMENT:**

Mitchell motion to adjourn, Cerra seconded at 7:58 P.M.

MOTION CARRIED



Michael J. Lotko, III  
Clerk of Council



Victor F. Stewart, III  
President of Council

RLP/



## South Elyria Pocket Park - Survey Feedback Summary



### Project Background

On Saturday, August 27th Leaders of Today, Lorain County Public Health, and City of Elyria hosted the South Elyria Pocket Park Community Kick-Off at 1504 West Ave. Elyria, OH. The event served as a temporary demonstration to engage residents on the needs and desired park improvements shown by the initial survey. The event totaled approximately 175 people and additional data was collected during the event and via door-to-door to gain insight on desired permanent park improvements.

### Survey Summary

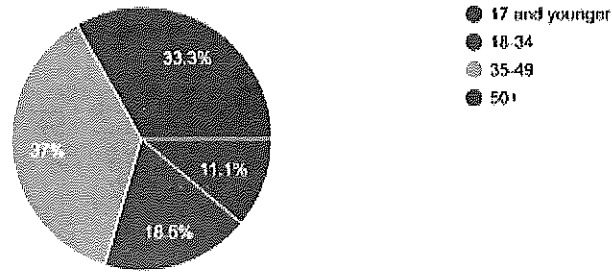
Between the survey data collected through door-to-door engagement as well as at the temporary demonstration event, it can be concluded that there is a strong need and interest from Elyria residents to establish the implementation of a new, permanent pocket park in South Elyria. Leaders of Today, Lorain County Public Health, and The City of Elyria will work collaboratively to use this detailed feedback data to select the attributes that will make up the permanent pocket park in attempts to benefit Elyria residents and to satisfy this feedback to the fullest extent.

### South Elyria Perception Survey - Quick Facts

- 27 total survey responses
- 82% (22) indicated they lived or have lived in South Elyria
- When asked "*What do you (or did you) like most about living in South Elyria?*" most respondents indicated because of: "**People**", "**Community**", or "**Culture**"
- When asked "*What is missing in South Elyria?*" most respondents indicated: "**Youth Programming**", "**Trees**", "**Art**", or "**Community Involvement**"

## South Elyria Pocket Park - Survey Feedback Summary

What is your age?  
27 responses



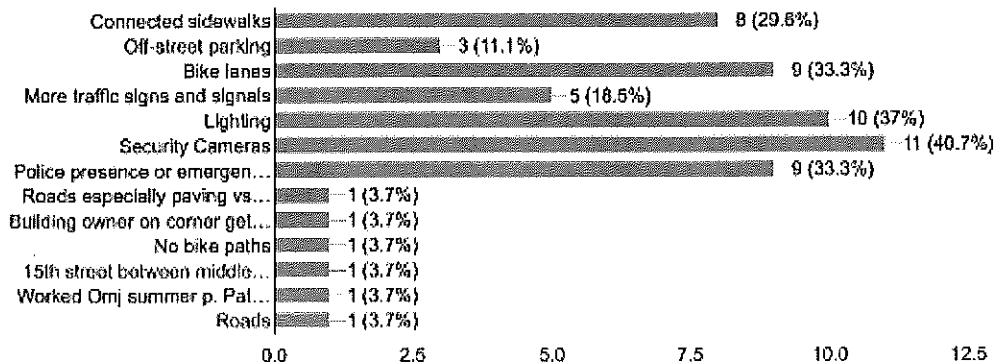
- When asked "What equipment would you like to see at the permanent pocket park?" 63% (17) responded **pavilion or shaded area**, 48% (13) responded **benches**, 41% (11) responded **drinking fountain**, 37% (10) responded **games**, and 33% (9) responded for both **exercise equipment** and **public art**.

Installment	Votes
Pedestrian Crossing Signs & Signals	19
Outdoor Exercise Classes	22
<b>Pavilion &amp; Grill</b>	22
Public Art Mural	23
<b>Benches</b>	25
<b>Improved Sidewalks</b>	25
<b>Small Walking Loop</b>	26
Farmers Market	27
Live Music/Outdoor Stage	31
<b>Lighting</b>	32
Children's Sensory Toys	33
Outdoor Movies	34
<b>Emergency Station/Camera</b>	50
<b>Exercise Equipment</b>	51
<b>Total</b>	420

# South Elyria Pocket Park - Survey Feedback Summary

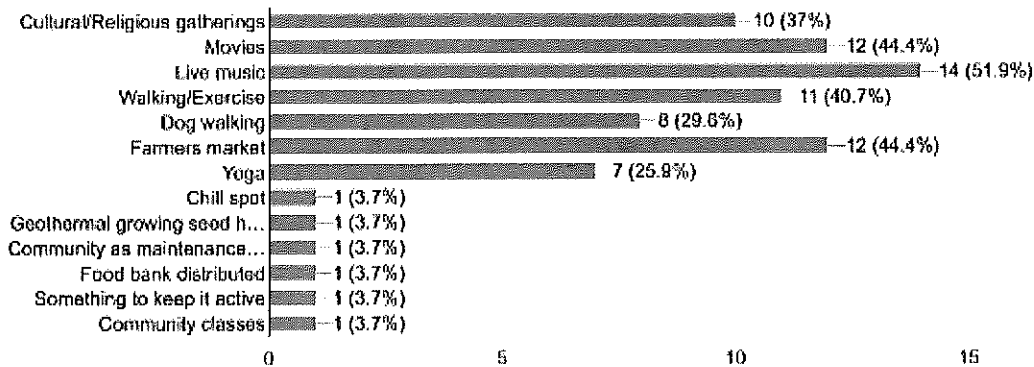
## What improvements should be prioritized in South Elyria?

27 responses



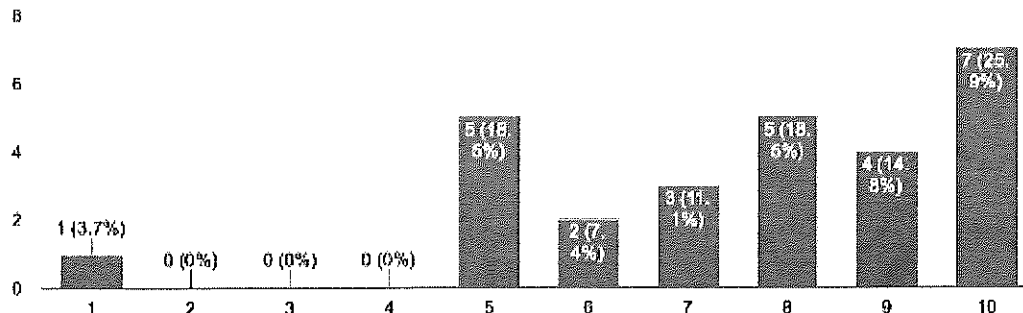
## What uses of the pocket park would you like to see?

27 responses



## How safe do you feel living in South Elyria?

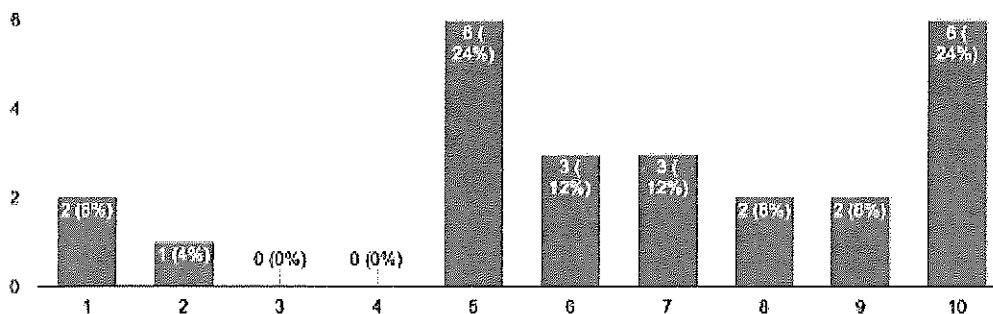
27 responses



## South Elyria Pocket Park - Survey Feedback Summary

How would you rate the outreach and engagement on this process so far?

25 responses



### LOT Community Solutions Think Tank - Quick Facts

From Nov 2021- April 2022 Leaders of Today conducted a survey to gather input on the needs and desires of the South Elyria community about the construction of a pocket park. Below are the major findings of the survey from 118 respondents.

- 71 total respondents where 60% either live, work, or visit South Elyria.
- The ages of respondents ranged from 19 yrs to 61+ years old. The majority of respondents were 61+ years old.
- We found that the majority of people want a play area for children, an area to walk, benches, a shaded pavilion, and open green space.
- Some potential programming the community wants to see is walking/exercising, active play areas for children, and a fresh farmers market in conjunction with the community garden.

### Walkability and Park Access maps - LCPH data

During the Think Tank, students met with representatives from Lorain County Public Health where they discussed walkability and park access in South Elyria. While South Elyria is walkable, park access (within a 10 minute walk) is limited.

South Rec is nearby, but without proper crosswalks it is unsafe for people to walk to the park which may be the only option due to lack of transportation.

### Walk Audit findings

Students conducted a walk audit of the empty lot on the corner of 15th Street and West Avenue and recorded the following.

#### Sidewalks:

- Cracks in the sidewalk cause potential tripping hazards.
- Unlevel and narrow sidewalks causing people to walk on the streets.

#### Street Safety:

- No pedestrian signals at crosswalks.
- Distracted drivers
- Lack of street lights

#### Comfort:

- Not enough natural shade or tree canopies and no benches/places to rest

This table shows the number of rain events per year and the numbers of those rain events that fall within certain categories of rainfall, in inches.

Year	Events	>0.5 to <1.0	>1.0 to <2.0	>2.0 to <3.0	>3.0 to <4.0	>4.0 to <5.0	>5.0 to <6.0	>6.0 to <7.0	>7.0 to <8.0	NOTES
1995	30									
1996	36									
1997	39	14	2	2	1	0	0	0	0	
1998	37	9	7	5	0	0	0	0	0	
1999	32	13	2	2	0	0	0	0	0	
2000	40	12	4	0	0	0	0	0	0	
2001	36	14	3	0	0	0	0	0	0	
2002	36	13	2	0	1	0	0	0	0	
2003	43	12	7	4	0	0	0	0	0	
2004	54	15	6	1	0	0	0	0	0	
2005	13	7	2	0	1	0	0	0	0	
2006	41	14	10	1	0	0	0	0	0	
2007	37	11	10	1	1	0	0	0	0	
2008	43	17	13	0	0	0	0	0	0	
2009	27	16	8	1	0	0	0	0	0	
2010	27	10	10	0	0	1	0	0	0	
2011	39	9	17	4	1	0	1	0	0	
2012	31	14	11	0	0	0	0	0	0	
2013	22	9	6	1	2	1	0	0	1	H.S.
2014	26	13	8	2	0	0	0	0	0	
2015	19	4	10	2	0	0	1	0	0	
2016	20	12	2	1	0	0	0	0	0	
2017	32	12	4	0	3	0	0	0	0	
2018	35	12	6	3	0	0	0	0	0	
2019	26	13	2	1	0	0	0	0	0	
2020	30	13	3	1	0	0	0	0	0	
2021	15	5	2	1	1	0	0	0	0	
2022 To Date	23	7	6	0	0	1	0	0	0	

H.S. = Hurricane Sandy