

**The FINANCE COMMITTEE held a Meeting on  
TUESDAY, OCTOBER 11<sup>th</sup>, 2022 beginning at 7:01 P.M.**

**CD PRESENT:** Co-Chair Mitchell, Schneider, Lipian

**FINANCE PRESENT:** Chair Stewart, Tollett, Cerra, Davis, Schneider

**OTHERS PRESENT:** Mayor Whitfield, Asst Law Dir Breunig, Safety Svc Dir Brubaker, Asst Dir Calvert, Fin Dir Pileski, Engineer McKillips, Water Team Leader Jacob, CD Manager Almobayyed, CD Director Scott

**1. Approval of the Finance Meeting Minutes ~ September 26<sup>th</sup>, 2022**

The minutes from the September 12<sup>th</sup> meeting had not been completed and were not voted on.  
**Motion made by Mr. Cerra, seconded by Mr. Schneider to approve the 'said' meeting minutes.**

**2. The matter of a Moral Claim for Damage submitted by Chad Decker.**

Referred By: Safety Service Dir Brubaker

Chad Decker, 369 Alexis Dr. and Jennifer Decker, 369 Alexis Dr., Elyria  
Jennifer Decker said on July 7<sup>th</sup>, 2022 between the hours of 9:00 - 9:30 A.M. and she saw the white sanitation truck coming down the road, it was the truck which picks up lager bulk items. Jennifer and Chad had put out a wood pallet on the drive to be collected by them. The truck was being driven by one person and another person was picking up items. She noticed the truck backing up onto the drive to collect that pallet and they threw it into the back of the truck. The next day as the Deckers were doing yard work, Mr. Decker asked Mrs. Decker what happened to the apron, he noticed a fresh crack in it. Jennifer said it must have happened when the sanitation truck picked up the pallet. Mr. Decker called the Sanitation Dept and spoke to the supervisor, Rodney Eye and he came right out and looked at it and took pictures. He agreed it must've been that truck. He advised Mr. Decker to make a Claim for Damage, which he did and that started the process.

Director Brubaker said when he rec'd the Claim for Damage from Mr. Decker and the information from the drivers and the drivers didn't realize they had done that damage. Based on that information, the Law Dir's Office denied the claim and now the next step is the Moral Claim which is before the committee now. Upon investigation, Mr. Eye believes that the City's rear loading Sanitation truck's rear wheels backed up and cracked the driveway. That claim is not being disputed. The Decker's did get two quotes for replacement of the apron; one came back at \$4860 and another came back at \$4750. Mr. Brubaker decided to have another quote with the company that the City uses, Westgate Properties, and that quote came back at \$3280. Dir Brubaker's recommendation is that the City pay up to \$3280 for the claim for replacement of the driveway apron.

Law Dir Breunig said if the committee chooses to go forward and Grant a Moral Claim in any dollar amount he would recommend that it be a financial remuneration and not result in the City contracting for the actual work. The moral claim process is to issue payment to the claimant in the form of a check.

Finance Dir Pileski said this matter would be paid from the Sanitation Fund, Department, Operating and Maintenance Account.

Mr. Tollett said this looks fair, we did it and we should pay this.

**Mr. Cerra moved and Mrs. Davis seconded to recommend an ordinance authorizing to pay the 'said' moral claim in amount of \$3,280.00.**

**MOTION MADE**

**COMMITTEE REPORT WRITTEN**

**3. The matter of Inactive/Delinquent EPU Accounts to be certified to The Lorain County Auditor's Office. (Standing Referral)**

Referred By: Public Works Supervisor Conner  
This is standard procedure.

**Mrs. Davis moved and Mr. Cerra second to recommend a resolution authorizing the 'said' delinquent accounts certified to the Lorain County Auditor's Office.  
MOTION MADE COMMITTEE REPORT WRITTEN**

**4. The matter of a change to the Fee Ordinance in the Cemetery Division.**

Referred By: Safety Service Dir Brubaker

Dir Brubaker said this is that when the City sells a columbarium at Brookdale or Ridgelawn part of the cost is the cost of engraving. There have been issues that have come up over the number of months regarding engraving; the cost has exceeded the \$460 that is built into the ordinance. It's now at \$660 range. Actually finding a company to do the engraving is difficult. In speaking to the supervisor the recommendation is to remove the cost of engraving from the fee ordinance and leave that to the purchaser to arrange the engraving to be done by a company of their choice and at their cost. By removing the cost of engraving it will reduce the total cost of the columbarium and there needs to be a change on the second row of the exhibit, that dollar amount should be \$1,010.00. Dir Brubaker said there are many headstones at Brookdale that are regular flat headstones which are pre-purchased and all the info is on those other than the date of death. The cost to do that was about \$125 in the past and it can be upwards of \$300 to \$325 now.

**Mrs. Davis moved and Mr. Cerra seconded to recommend an ordinance authorizing the 'said' changes to ECO Chapter 109.07.  
MOTION MADE COMMITTEE REPORT WRITTEN**

**5. The matter of a placing a lien for the cost of demolition to the property at 341 9<sup>th</sup> Street.**

Referred By: Safety Service Dir Brubaker

Dir Brubaker this is a vacant house, the owner deceased. There was a fire Sept. 15<sup>th</sup> and it was decided the house needs to come down do to safety issues. The lien amount is \$12,500 and it's to protect the City's interest in the property.

**Mr. Tollett moved and Mr. Cerra second to recommend a resolution authorizing the 'said' charges to be certified to the Lorain County Auditor's Office.  
MOTION MADE COMMITTEE REPORT WRITTEN**

**6. The matter of applying for and accepting a TLCI Grant for the TLCI Phase 5 Downtown Project.**

Referred By: Engineer McKillips

*(this matter will also go to Utilities, Safety & Environment Committee on Oct. 12<sup>th</sup>)*

Engineer McKillips said they submitted the application for the TLCI Grant (Transportation for Livable Communities Initiative). They applied for Phase 5 of the Downtown Revitalization. A continuation of the work that has already been completed throughout downtown.

This project will continue replacing the deteriorated Ohio Edison lights with new LED luminaries and decorative poles. It also includes installation of the red stamped concrete crosswalks at the intersection of East Ave & 2<sup>nd</sup> St. Also will be adding additional benches, bike racks and repairing sidewalks or pavers. Preliminary estimate is \$603,600. Based on NOACA criteria, Elyria is considered an environmental justice area and an urban core community and a disadvantaged community and that means the match for the grant could be waived and therefore they are asking for the full amount, \$603,600 with no match. The grant is limited, if we get only partial funding for Phase 5, we will likely split that Phase into 2 parts and if need be she'll come back to committee. At this point they are requesting the grant with no match.

Law Dir Breunig wants the legislation to include a not to exceed amount incase there is a City match and asked Engineer McKillips what that up to amount would be.

Engineer McKillips said she don't know what that amount would be. She asked if it's possible to approve this with no match and then at a point when they know the amount and they would amend the legislation. The last grant application we asked for \$250,000 and we got \$190,000.

Dir Breunig said he has no problem asking for and accepting as much is asked for provided it doesn't obligate the City to a match that wasn't disclosed and authorized by legislation.

Chair Stewart asked if the City goes out and shoots elevations to make sure we'll have positive drainage getting to the next structure. Because he's noticed standing water in front of some of these. He thought maybe they can look into that when the time comes.

**Mr. Cerra moved and Mr. Schneider seconded to recommend an ordinance authorizing the Mayor to apply for the 'said' grant with no City match.**

**MOTION MADE**

**COMMITTEE REPORT WRITTEN**

## **7. The matter of authorizing the Mayor to apply for a Water Supply Revolving Loan Account [WSRLA] Agreement for lead and galvanized water service lines.**

Referred By: Water Team Leader Jacob

*(this matter will also go to Utilities, Safety & Environment Committee on Oct. 12<sup>th</sup>)*

Water Team Leader Jacob said this is the same proposal that they got earlier this year with the same proposal, but the EPA rules have changed. It's not a 100% forgivable loan. The City qualifies as a disadvantage community for 54 percent Grant with a 46 percent match. They will apply for a million dollars for lead service line replacement and the grant would be for \$540,000 and the City share would be \$460,000 which the EPA would finance at zero percent interest. He spoke with Dir Pileski and they agreed that they would be able to pay that off with the first payment through water funds.

Dir Pileski asked if we decide to not do that, how long is the zero percent loan good for?

Mr. Jacob said 20 years but we could pay it off with the first payment.

Mrs. Davis asked what area are we working on with this replacement project?

Mr. Jacob said it's in the Washington Ave. area and some of the streets off Middle Ave and other areas where they're certain there is lead and galvanized service lines.

**Mr. Schneider moved and Mr. Tollett seconded to recommend an ordinance authorizing the Mayor to apply for the 'said' grant.**

**MOTION MADE**

**COMMITTEE REPORT WRITTEN**

**8. The matter of authorizing the Mayor to advertise for bids and enter into an agreement for lead and galvanized water service line replacement project.**

Referred By: Water Team Leader Jacob

*(this matter will also go to Utilities, Safety & Environment Committee on Oct. 12<sup>th</sup>)*

Team Leader Jacob said this is the same they did the other two phases of the project. They will bid this out in November, open bids in December, submit paperwork to EPA in January and we'll find out after that and the Mayor will sign the contract. If we are denied, we won't do the project.

**Motion made by Mrs. Davis, second by Mr. Cerra to recommend an ordinance authorizing the Mayor to advertise for bids and enter into an agreement for the lead and galvanized water service line replacement project.**

**9. The matter of accepting the amounts and rates as determined by the Lorain County Budget Commission.**

Referred By: Finance Dir Pileski

Dir Pileski said this is something done annually and it's prepared by the Lorain County Budget Commission. It sets the City's share of the inside 10 Mill Limitation and also includes the two levies that Elyria lends it's name to; the Elyria Public Library. The monies from that levy actually goes to the Library but appears on the City's Resolution because the Library was not able to go out for a Levy without either the City or the Schools backing it. This gives us an estimate on what our property tax revenue is going to be, split between the General Fund, Police Pension Fund, Fire Pension Fund and General Bond Retirement Fund. Upon Council's approval it will be resubmitted back to the Lorain County Budget Commission and it will be part of the City's Certificate of Revenue and Resources for Fiscal Year 2023.

Mr. Tollett asked if the Library is part of this budget?

Dir Pileski said the asset appears on the first column which is the amount of monies of their two levies, one was voted in 2014 and one 2017 and it appears on Elyria's Resolution because the Library is not able to put a levy on the ballot on their own so we did that for them.

Mr. Tollett asked if the City can re-coup our settlement with the Library through that fund? Dir Pileski's answer was no.

**Mr. Cerra moved and Mr. Schneider second to recommend a resolution accepting amounts and rates as determined by The Lorain County Budget Commission.**

**MOTION MADE**

**COMMITTEE REPORT WRITTEN**

**10. The matter of Amendments to the 2022 Permanent Appropriations.**

*[Standing Referral]*

Referred By: Finance Directors Pileski and Farrell

Finance Dir Pileski said there were none this evening.

**Chair Stewart asked for a motion to adjourn.**

**Mr. Cerra moved and second by Mr. Tollett to adjourn this evening's Finance Committee Meeting at 6:45 P.M.**

**MOTION CARRIED**

*Respectfully submitted by,  
Colleen Rosado, Council Clerk Secretary/Administrative Assistant  
CMR/*