

Minutes Approved
as Presented December 5, 2022
12/19/2022 Regular Council Meeting
Elyria City Council

1. CALL TO ORDER:

The Regular Meeting of Elyria City Council was Called to Order on Monday December 5, 2022 at 7:00 P.M. by President Stewart.

President Stewart opened the meeting with a moment of reflective silence and a request for prayers for Finance Director Ted Pileski in the loss of his wife Marilyn Pileski.

Mr. Pileski 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: Callahan, Cerra, Corbin, Davis, Lipian, Mitchell, Oswald, Schneider, Simmons, Stewart, Tollett

OTHERS PRESENT: Mayor Whitfield, Law Director Deery, Council Clerk Lotko, Finance Dir. Pileski, Asst. Finance Dir. Farrell, Police Chief Pelko, Fire Chief Pronesti, Asst. Dir. Calvert, Dir. Williams, Building Official Farkas, Engineer McKillips, CD Dir. Scott

3. PUBLIC HEARINGS:

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

FIRST PUBLIC HEARING:

You are hereby notified that a Public Hearing will be held on
Monday, December 5, 2022 at 7:00 P.M. to consider the following:

AN ORDINANCE AMENDING SECTION 1131.02, CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO, KNOWN AS THE ZONING ORDINANCE, TO REZONE CERTAIN REAL PROPERTY LOCATED AT 1100 GULF ROAD, ELYRIA, OHIO, FROM R-MD RESIDENTIAL-MEDIUM DENSITY DISTRICT AND R-MHL RESIDENTIAL-MULTI-HOUSEHOLD LOW DENSITY DISTRICT TO R-MHL RESIDENTIAL-MULTI-HOUSEHOLD LOW DENSITY DISTRICT.

President Stewart asked if there were any proponents?

Anthony Giardini on behalf of Maple Waffles Land Development LLC. requesting city council approve the conditional use permit that was approved by the Planning Commission. The development formerly known as Spring Valley Country Club, now known as Valley of The Eagles, has seventeen parcels of land composed the property including the golf course, event center, restaurant and bar. The seventeen parcels have been consolidated into three parcels. Two parcels will be the golf course, the third parcel will be for residential development, pursuant to a PUD, planned unit development.

President Stewart asked if there were any other proponents?

3. PUBLIC HEARINGS: CONTINUED

President Stewart asked if there were any other proponents?

There were none.

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.

Sponsored by:
Community
Development

- T. Callahan
- A. Lipian
- C. Schneider
- D. Mitchell
- K. Oswald

ORDINANCE NO. 2022-196

AN ORDINANCE AMENDING SECTION 1131.02, CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO, KNOWN AS THE ZONING ORDINANCE, TO REZONE CERTAIN REAL PROPERTY LOCATED AT 1100 GULF ROAD, ELYRIA, OHIO, FROM R-MD RESIDENTIAL-MEDIUM DENSITY DISTRICT AND R-MHL RESIDENTIAL-MULTI-HOUSEHOLD LOW DENSITY DISTRICT TO R-MHL RESIDENTIAL-MULTI-HOUSEHOLD LOW DENSITY DISTRICT.

Callahan moved, Mitchell seconded to be passed on it's third reading.

PASSAGE:

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

SECOND PUBLIC HEARING:

You are hereby notified that a Public Hearing will be held on

Monday, December 5, 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 VILLAS OF THE VALLEY DEVELOPMENT, LLC AND MAPLE WAFFLES LAND, LLC FOR A RESIDENTIAL-PLANNED UNIT DEVELOPMENT AT REAL PROPERTY LOCATED AT 1100 GULF ROAD, ELYRIA, OHIO.

President Stewart asked if there were any proponents?

Same representation , Anthony Giardini

President Stewart asked if there were any other proponents?

President Stewart asked if there were any other proponents?

There were none.

President Stewart asked if there were any opponents?

President Stewart asked if there were any opponents?

3. PUBLIC HEARINGS: CONTINUED

President Stewart asked if there were any opponents?

There were none.

President Stewart declared the Public Hearing had been held.

Sponsored by:

**Community
Development**

- T. Callahan
- A. Lipian
- C. Schneider
- D. Mitchell
- K. Oswald

ORDINANCE NO. 2022-197

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT PURSUANT TO CHAPTER 1135 OF THE CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO, TO VILLAS OF THE VALLEY DEVELOPMENT, LLC AND MAPLE WAFFLES LAND, LLC FOR A RESIDENTIAL-PLANNED UNIT DEVELOPMENT AT REAL PROPERTY LOCATED AT 1100 GULF ROAD, ELYRIA, OHIO.

Callahan moved, Mitchell seconded to be passed on it's third reading.

PASSAGE:

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

4. APPROVAL OF MINUTES:

Mr. Cerra moved, seconded by Mr. Lipian to approve the meeting minutes of the November 21st, 2022 council meeting.

PASSAGE:

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

5. REMARKS AND REPORTS OF CITY OFFICIALS:

Mayor Whitfield:

Mayor Whitfield expressed his appreciation to the engineering staff for overseeing the Shane demolition. He also expressed appreciation to individuals and organizations that helped families during Thanksgiving, to First Energy for their investment in Pioneer Plaza, Elyria Arts Council, Elyria Public Library, to the Elyria Council of Veterans for the veterans tree located in city hall, to the park and recreation staff for an amazing festival of lights and a great display at Finwood. Mayor Whitfield welcomed new business Rita's Italian Ice to the community.

President Stewart inquired on the status of the Shane demolition clean up. Engineer McKillips explained stabilization of the sidewalk area will require extension of the clean up. Mr. Oswald asked if the sidewalk area underneath is open or filled in. Ms. McKillips explained they can

5. REMARKS AND REPORTS OF CITY OFFICIALS: CONTINUED

confirm once more debris is cleaned up. Mr. Tollett provided kudos to the Mayor and parks and recreation department, he stated the square and Finwood lights are amazing, the lights are breathtaking. Mrs. Mitchell shared if you have not done a ride along, you should and to the Mayor, if there is extra money for streets, her hand is out. President Stewart asked about changes administratively, if the Mayor would like to share. Mayor Whitfield shared that Matt Lundy will be joining the administrative team as Safety Service Director.

Dir. Williams:

SSD Williams expressed his appreciation for everyone especially the department heads and the treasurer's office for the support and assistance that has been provided to him during the transition and help to acclimate him to process, procedures and getting things done.

Finance Director Pileski:

Mr. Pileski shared that the city of Elyria along with thirty -eight other municipalities formed the regional Income Tax Agency in 1971. 2021 marked the 50th anniversary of RITA, a proclamation was presented to the city of Elyria.

Mr. Pileski thanked everyone for their thoughts and prayers for his wife.

Law Director Deery: No report

Police Chief Pelko:

Chief Pelko shared that he was outfitted with a body camera, he was open to providing a tutorial to anyone. In two weeks, all officers will have body cameras. On December 19th four new officers will be sworn in. The Elyria Elks donated over \$6,000.00 to the Elyria Police Department. Chief Pelko thanked the Elks for their generous donation.

Fire Chief Pronesti: No report

Mr. Oswald inquired about the last meeting regarding education on smoke detectors and suggested maybe there could be a slogan contest.

Asst. Dir. Calvert:

Ms. Calvert provided an update on the land use plan regarding MS Consultants. A project time line has been laid out. Website development and branding has started. Meetings with the Building Official to review zoning have been successful. The next step is to form a steering committee reflective of the community.

City Engineer McKillips: No report

President Stewart inquired about the route 57 sign, its been ordered. Mr. Oswald asked about the Clark street water tower.

Chief Building Official Farkas:

BO Farkas reiterated what ASSD Calvert had to say regarding zoning codes. He stated that some

5. REMARKS AND REPORTS OF CITY OFFICIALS: CONTINUED

areas are sixty years old and are outdated. He is working on updating the zoning information as well as incorporating some future solar power energy and wind resources. Mr. Farkas addressed the question regarding smoke detectors and shared the biggest issue is making sure that detectors are properly maintained.

CD Dir. Scott:

Ms. Scott shared community development has been receiving calls regarding the beautification program. The CD department is currently in the process of creating the forms and applications for the program. Once complete, they would like the Law Department to review all documents. The goal is to have everything ready to roll early spring 2023.

6. PRESIDENT'S REFERRALS AND REMONSTRANCES:

1. The matter of a purchase of a Lenco Armored vehicle for Elyria Police Department at a cost of \$258,092.00

REFERRED BY: Chief Pelko

REFERRED TO: Finance Committee

2. The matter of the purchase of a camera replacement system at the Elyria Police Department to a cost of \$83,143.78.

REFERRED BY: Chief Pelko

REFERRED TO: Finance Committee

3. The matter of salary ordinance amendment for the Muni Court Chapter 165 employees to adjust the 2023 salary Probation Officer to incorporate the 3% increase effective pa period 1 of 2023 provided by Ord. 2022-6.

REFERRED BY: Asst. Fin. Director Farrell

REFERRED TO: Finance Committee

4. The matter of salary ordinance amendment for the Muni Court Part time employees to incorporate changes to comply with the 2023 State of Ohio minimum wage rate of \$10.10 per hour.

REFERRED BY: Asst. Fin. Director Farrell

REFERRED TO: Finance Committee

5. The matter of salary ordinance amendment for City of Elyria Part-Time/ Seasonal Employees to incorporate changes to comply with the 2023 State of Ohio minimum wage rate of \$10.10 per hour.

REFERRED BY: Asst. Fin. Director Farrell

REFERRED TO: Finance Committee

6. The matter Elyria Municipal Court elected officials 2023 salary increase.

REFERRED BY: Asst. Fin. Director Farrell

REFERRED TO: Finance Committee

7. The matter of an adjustment to the 2023 salary for the Muni Court- Secretary II/ Specialized Dockets Assistant to include the 3% increase provided to Muni Court Chapter 165 employees/ Ord 2022-140.

REFERRED BY: Asst. Fin. Director Farrell

REFERRED TO: Finance Committee

8. The matter of authorizing the Mayor to solicit bids for professional services and enter into a contract to hire a primary Plans Examiner and a back-up Plans Examiner per Section 104 of the Ohio Building code.

REFERRED BY: Building Official Farkas

REFERRED TO: Finance Committee

7. PETITIONS - LOBBY:

Bernita White- 639 Reublin Ct.- water bill

8. PETITIONS - COUNCIL MEMBERS:

9. REPORTS OF STANDING AND SPECIAL COMMITTEES: None

10. RESOLUTIONS – FIRST READING: None

11. RESOLUTIONS – FIRST READING: None

12. RESOLUTIONS – FIRST READING: None

13. ORDINANCES – FIRST READING:

Sponsored by:

**Community
Development:**

T. Callahan

A. Lipian

D. Mitchell

K. Oswald

Finance:

P. Tollett

B. Davis

J. Cerra

ORDINANCE NO. 2022-198

AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE, ACQUIRE, AND ACCEPT VARIOUS EASEMENTS AND RIGHTS-OF-WAY FOR THE CLEVELAND STREET ROAD DIET PROJECT, AND DECLARING AN EMERGENCY.

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

13. ORDINANCES – FIRST READING: CONTINUED

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

1 Abstain- President Stewart

Sponsored by:

Community Development:
T. Callahan

A. Lipian
D. Mitchell
K. Oswald

Finance:

P. Tollett
B. Davis
J. Cerra

ORDINANCE NO. 2022-199

AN ORDINANCE APPROVING THE PY 2023 COMMUNITY DEVELOPMENT BLOCK GRANT ACTION PLAN, THE 5 YEAR CONSOLIDATED PLAN UPDATE AND ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE UPDATE FOR 2023, AND AUTHORIZING THE MAYOR TO SUBMIT THE PY 2023 ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, AND DECLARING AN EMERGENCY.

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

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

Sponsored by:

Finance:

V. Stewart
P. Tollett
A. Lipian
B. Davis
J. Cerra

ORDINANCE NO. 2022-200

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH ROETZEL & ANDRESS, A LEGAL PROFESSIONAL ASSOCIATION, FOR LEGAL SERVICES (LABOR MATTERS).

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

SUSPENSION	PASSAGE
AYE: 11	AYE: 11
NAY: 0	NAY: 0
ABSENT: 0	ABSENT: 0
MOTION CARRIED	MOTION CARRIED

13. ORDINANCES – FIRST READING: CONTINUED

Sponsored by:

Finance:

V. Stewart
P. Tollett
B. Davis
J. Cerra

ORDINANCE NO. 2022-201

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH MCCAULEY & COMPANY LLC FOR GRANT CONSULTING AND WRITING, GOVERNMENT AND PUBLIC RELATIONS, AND RESOURCE DEVELOPMENT SERVICES.

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

SUSPENSION	PASSAGE
AYE: 11	AYE: 11
NAY: 0	NAY: 0
ABSENT: 0	ABSENT: 0
MOTION CARRIED	MOTION CARRIED

Sponsored by:

Finance:

V. Stewart
P. Tollett
B. Davis
J. Cerra

ORDINANCE NO. 2022-202

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MCDONALD HOPKINS LLC, FOR ECONOMIC DEVELOPMENT LEGAL SERVICES..

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

SUSPENSION	PASSAGE
AYE: 11	AYE: 11
NAY: 0	NAY: 0
ABSENT: 0	ABSENT: 0
MOTION CARRIED	MOTION CARRIED

14. ORDINANCES–SECOND READING: None

15. ORDINANCES–THIRD READING: None

16. COMMITTEE CALLS:

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

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

16. COMMITTEE CALLS: CONTINUED

UTILITIES, SAFETY & ENVIRONMENT 12/14/2022 6:00 P.M. All Referred items w/ Law Director, SSD, Engineer

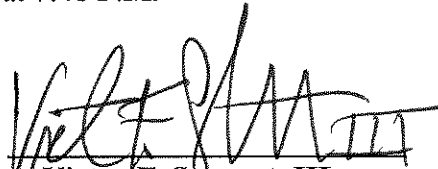
STRATEGIC PLANNING 12/19/2022 Immediately following Council All Referred Items
Council Chambers w/ Mayor, Safety Service Director, Finance Dir., Law Director, Engineer

17. MISC AND UNFINISHED BUSINESS:

18. ADJOURNMENT:

Mitchell motion to adjourn, Cerra seconded at 7:48 P.M.
MOTION CARRIED


Michael J. Lotko, III
Clerk of Council


Victor F. Stewart, III
President of Council

/RLP

