

Minutes Approved  
*As Circulated*  
*March 20, 2023*

March 6, 2023  
Regular Council Meeting  
Elyria City Council

**1. CALL TO ORDER:**

The regular meeting of Elyria City Council was called to order on March 6, 2023 at 7:02 p.m. by President Stewart. President Stewart opened the meeting with a moment of reflection, followed by the Pledge of Allegiance led by Mr. Tollett.

**2. ROLL CALL: COUNCIL MEMBERS**

PRESENT: Callahan, Cerra, Corbin, Davis, Oswald, Mitchell, Tollett, Simmons, Schneider  
Moved by Mr. Cerra, seconded by Mr. Corbin to excuse Mr. Stewart's and Mr. Lipian's absence.  
MOTION CARRIED

OTHERS PRESENT: Safety Service Director Lundy, Safety Service Director Williams, Asst. Safety Service Dir. Calvert, Finance Director Pileski, Asst. Fin. Dir. Farrel, Law Director Deery, Police Chief Pelko, Fire Chief Pronesti, Eng. McKillips, Superintendent Korzan, CD Dir. Scott

**3. PUBLIC HEARINGS:** None

**4. APPROVAL OF MINUTES:**

Mr. Cerra moved, Mrs. Schneider seconded to approve the Regular Meeting Minutes of the February 21, 2023 council meeting as circulated.

MOTION CARRIED

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

**Asst. Safety Service Director Calvert:**

ASSD Calvert provided an update on the progress of Forge 417, also known as the Esports Arena. The interior demolition began. The next steps would be presented at the next Planning Commission meeting. Consideration of a lot consolidation would be presented, due to five to six parcels that need to be combined. The phase following lot consolidation would be building, that is scheduled for springtime. A financial closing date is scheduled for the end of June or early July. Council member Tollett inquired when the TIFF would be expected? Ms. Calvert responded relatively soon. Ms. Calvert explained school board notification and chain of title will be required as well. Council member Davis stated that in the last 417 Esports meeting a construction in progress sign was requested. Ms. Davis asked Director Calvert if the sign was forthcoming? Director Calvert shared that a sign would be put in place at the time of financial closing.

**Finance Director Pileski:**

Finance Director Pileski reported that the independent auditors have started the audit for fiscal year 2022. The auditors will be conducting the audit over the next six months in house and by electronic file transfer.

**Law Director Deery:** No report

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

### **Safety Service Director Lundy:**

SSD Lundy explained that the Elyria Police Department experienced a major power outage on Saturday March 4th around two a.m. He provided employee recognition to Brett Schneider, Josh Sauers, and Bill Madden, who collectively were able to locate a part out of the county, travel to pick it up and work tirelessly to restore power to the police station. In addition, due to high winds, fencing in the area of Washington and Broad was in need of repair. Preston Curtiss and Keenan Williams from the street department were able to quickly send crews out to get the fencing back in place. Assistance with the fence required heavy equipment, Director Lundy also thanked Dave Rothgery, who was able to assist with the heavy equipment. Crews were called out at 8:30 p.m. as well for a major pothole on Cleveland St. Director Lundy expressed that crews responded quickly and came in without hesitation. Director Lundy provided an update to the status of the roof at the Elyria Police Department. He also shared that the safety service department receives quite a bit of calls regarding garbage cans not being returned to the property and left out at the curb. The safety service department has started sending letters out to owners of rental properties and tagging cans. Council member Oswald shared a strong opinion regarding tenants that leave their garbage cans on the curb as well as potholes not being repaired. Council President Mitchell, shared that the street department is always very responsive to pothole calls, she encouraged Mr. Oswald to call right away should he have issue or need assistance with a pothole repair. Council member Davis, explained that the enforcement of tagging and fining residents that did not have trash cans removed from the curb lawn by 5p.m. the day after trash pick-up has become relaxed. Ms. Davis expressed she hopes that the departments can get back to enforcing the legislation of removing the can from the property. Director Lundy responded safety service will tag, send letters then fine residents for cans left at the curb lawn.

### **Safety Service Director Williams: No report**

### **Police Chief Pelko:**

Chief Pelko stated that he would like to commend Brett Schneider, Josh Sauers and Bill Madden as well. He stated that the police department actually lost power Friday evening at 7:30p.m. and the team went in immediately. They worked until 3:00 a.m. to uncover the issue and was back at 7:00 a.m. to prepare for travel to get the part, install it and had the power restored by noon. Chief Pelko invited everyone to council chambers on March 13<sup>th</sup> at 3:00 for the swearing-in ceremony of five new officers. Chief Pelko also invited everyone on March 15<sup>th</sup> to the wreath laying ceremony for James Kerstetter Memorial noon at the Elyria Police Station.

### **Engineer McKillips:**

Engineer McKillips provided an update to lane closures on East Bridge St. that will begin Monday March 13<sup>th</sup> as part of the big sewer project. Council member Oswald if a slow down sign could be placed near the GetGo gas station. Council member Cerra asked for clarification of the traffic pattern underneath the bridge.

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

**HR Director Yousefi:**

Director Yousefi requested to make a referral from the floor to codify a DEI (Diversity, Equity and Inclusion Committee). The committee is made up of ten employees who have volunteered to serve on the committee.

**WWPC Superintendent Korzan:**

Superintendent Korzan explained that WWPC had been busy with permit requirements and CD deadlines along with the engineering department. The WWPC Plant had been busy with rain events. Supt. Korzan expressed on behalf of himself and his staff his appreciation of council for having all of their capital put into the temporary budget this year. It allowed the WWPCP to order everything they needed to order and get ahead of price increases. The WWPCP is a couple of months ahead of the game and looking forward to a successful year. Council member Tollett expressed that Superintendent Korzan made it easy for council. He explained that Superintendent Korzan provided several pieces of equipment that he placed trade in values for a year in advance. That process saved the taxpayers a tremendous amount of money.

**CD Director Scott:**

Director Scott provided an update on the housing beautification program. The program is scheduled for implementation by the end of March. Information will be placed on the city of Elyria website.

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

1. The matter of commercial building inspections. (For Discussion Only)

**REFERRED BY: COUNCIL MEMBER OSWALD- WARD 4**

**REFERRED TO: COMMUNITY DEVELOPMENT**

2. The matter of an ordinance request of the DEI (Diversity, Equity, Inclusion) Committee.

**REFERRED BY: HR DIRECTOR YOUSEFI**

**REFERRED TO: COMMUNITY DEVELOPMENT**

3. The matter of a rezoning request of Parcel #06-24-006-000-011 from Residential Medium Density (RMD) to Special Industry (SI).

**REFERRED BY: POLICE CHIEF PELKO**

**REFERRED TO: PC/ COMMUNITY DEVELOPMENT**

4. The matter of a conditional use permit for Parcel #06-24-006-000-011.

**REFERRED BY: POLICE CHIEF PELKO**

**REFERRED TO: PC/ COMMUNITY DEVELOPMENT**

5. The matter of authorizing the Mayor to advertise for bids and award a contract for grant camera projects.

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

**REFERRED BY: POLICE CHIEF PELKO**

**REFERRED TO: FINANCE**

6. The matter of appropriating \$193,496.88 for two grants for Elyria Police: Project Safe Neighborhood and Violent Crime Reduction.

**REFERRED BY: POLICE CHIEF PELKO**

**REFERRED TO: FINANCE**

7. The matter of a property demolition:144 Irondale St., Elyria

**REFERRED BY: BUILDING OFFICIAL FARKAS**

**REFERRED TO: FINANCE**

8. The matter of appropriating \$50,000 to create the Elyria Housing and Employer Labor Placement (HELP) Program.

**REFERRED BY: COUNCIL MEMBER LIPIAN- WARD 1**

**REFERRED TO: FINANCE**

9. The matter of \$1 million dollars to be used for residential street paving through ARPA funding.

**REFERRED BY: COUNCIL MEMBER CERRA- WARD 7**

**REFERRED TO: FINANCE**

10. The matter of a resolution calling for The Lorain County Board of Commissioners to reinstate a contract with Cleveland Communications Inc. for the L3 Harris Emergency Radio System.

**REFERRED BY: COUNCIL- AT - LARGE MEMBER STEWART**

**REFERRED TO: FINANCE**

11. The matter of a referral request asking Railroad companies to notify local First Responders when chemicals and hazardous materials will be transported through Elyria and surrounding communities.

**REFERRED BY: COUNCIL-AT-LARGE MEMBER- T. CALLAHAN**

**REFERRED TO: UTILITIES**

12. The matter of ward redistricting.

**REFERRED BY: CD DIRECTOR SCOTT**

**REFERRED TO: STRATEGIC PLANNING**

**13-14 Received and Placed on file in the clerk's office:**

13. Report of Brookdale Cemetery for the period of October 1, 2022 through December 31, 2022.

14. Copy of the Elyria Parks and Recreation Board Minutes from Thursday January 12, 2023.

**7. PETITIONS--LOBBY:**

Tiffani Reedy 113 Williams Street, Elyria- Republic Steel Quarry - Exhibit "A" attached, questions were asked of Superintendent Korzan who responded that the initial purchase of the Quarry from the city was park land and later found it to be contaminated. U S. EPA tested the waters and determined that the deepest portion of the water down to thirty feet holds the contamination. Soil was removed and the final remediation de-listed the quarry from the contamination listing. Every five years the quarry is re-assessed by way of a pubic hearing and no-one shows up. Council member Mitchell confirmed that fencing exists around the quarry. Council member Davis asked would it be possible to get together to visit the quarry. Cristini Johnson-Howard asked if she could address council and inquired to Superintendent Korzan regarding the flow of water and air. Superintendent Korzan explained there is no documentation from the EPA that determines there to be any concern with the flow of water. There is a town hall scheduled for March 25<sup>th</sup> at 2:00PM, location to be determined.

Jason Pallardy- 312 Harvard Ave., Elyria- Harvard Neighborhood Safety- Concerned about block watch information share.

Rev. Nathan A. Russell- 136 Barrington Ct., Elyria- ARPA Funding/ Essential Services, held a meeting with Mayor Whitfield and attended the finance committee meeting

Matthew Van Wormer- 235 Denison Ave., Elyria- Exhibit "A" attached

**8. PETITIONS--COUNCIL MEMBERS:**

Council-At-Large Member Thomas G. Callahan- Referral of the matter of the rail industry and hazardous materials.- The matter will be referred to Utilities, Safety and Environment committee.

**9. REPORTS OF STANDING AND SPECIAL COMMITTEES:** None

**10. RESOLUTIONS--FIRST READING:**

**Sponsored by:**

**Community Development**

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

**Finance**

- P. Tollett
- B. Davis
- C. Schneider
- V. Stewart III
- J. Cerra

**RESOLUTION NO. 2023-6**

**A RESOLUTION ADOPTING THE 2022 REPORT OF THE ELYRIA TAX INCENTIVE REVIEW COUNCIL, AND DECLARING AN EMERGENCY.**

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

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

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

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

**Sponsored by:**

**Finance**

- V. Stewart III
- P. Tollett
- B. Davis
- C. Schneider
- J. Cerra

**RESOLUTION NO. 2023-7**

**A RESOLUTION FINDING THAT THE CITY HAS UNFIT FOR MUNICIPAL USE CERTAIN CITY PROPERTY.**

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

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

**11. RESOLUTIONS--SECOND READING: None**

**12. RESOLUTIONS--THIRD READING: None**

**13. ORDINANCES--FIRST READINGS:**

**Sponsored by:**

- V. Stewart III
- P. Tollett
- B. Davis
- C. Schneider
- J. Cerra

**ORDINANCE NO. 2023-32**

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF SAFETY SERVICE DIRECTOR OF THE CITY OF ELYRIA TO DISPOSE OF CITY PROPERTY THAT IS UNFIT FOR MUNICIPAL USE.**

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

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

**13. ORDINANCES--FIRST READINGS:**

**Sponsored by:**

**Finance**

- V. Stewart III
- P. Tollett
- B. Davis
- C. Schneider
- J. Cerra

**ORDINANCE NO. 2023-33**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CINTAS CORPORATION TO PROVIDE AND MAINTAIN CITY UNIFORMS, FLOOR MATS AND OTHER LAUNDERED ITEMS, THROUGH THE STATE PURCHASING PROGRAM OR EQUIVALENT PROGRAM.

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

SUSPENSION

AYE: 9

NAY: 0

ABSENT: 2

MOTION CARRIED

PASSAGE

AYE: 9

NAY: 0

ABSENT: 2

MOTION CARRIED

**Sponsored by:**

**Community Development**

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

**Finance**

- V. Stewart
- P. Tollett
- B. Davis
- C. Schneider
- J. Cerra

**ORDINANCE NO. 2023-34**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ECONOMIC DEVELOPMENT AGREEMENT WITH EATON POINT LLC, OR ITS DESIGNEE.

Second reading scheduled for Monday March 20th

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

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

**16. COMMITTEE CALLS:**

COMMUNITY DEVELOPMENT 3/13/2023 6:00 P.M. All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

JOINT CD/FINANCE 3/13/2023 Following CD All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

FINANCE 3/13/2023 Following Joint All Referred Items Council Chambers w/Mayor, Auditor, Law Director, SSD, Engineer

UTILITIES, SAFETY & ENVIRONMENT 3/08/2023 6:00 P.M. All Referred Items Council Chambers w/SSD, Law Director, Engineer

STRATEGIC PLANNING 3/20/2023 Immediately following Council Meeting All Referred Items Council Chambers W/ Mayor, Safety Service Director, Auditor, Solicitor, Engineer


**17. MISCELLANEOUS AND UNFINISHED BUSINESS:**

Council member Oswald reminded everyone that on Tuesday March 7, at 6:30 PM a meeting will be held regarding an educational meeting on deer population.

**18. ADJOURNMENT:**

Cerra moved, Schneider seconded to adjourn the Regular Council Meeting at 8:03 P.M.  
MOTION CARRIED

  
Michael J. Lotko, III  
Clerk of Council

  
Victor Stewart, HI  
President of Council

RLP/



## EXHIBIT "A"

To City Council and the Administration,

Ms. Siwierka and I appreciate this opportunity to address the issue regarding the expansion of retail services at Chestnut Commons. As two lifelong Elyrians, with families that have seen Elyria change over the years, we see these developments with excitement, but also trepidation.

The tract of land for this development falls within the Third Ward, as well as Eaton Township, and the traffic corridor passes through the First Ward. This is why Mary and I wanted to express our thoughts and concerns as you consider giving the green light to this expansion. Let us be clear: we agree that expansion can be good for the city, but not if that expansion adds to the congestion that we're already dealing with around Chestnut Commons.

Phase one, bringing a gas station and grocery store, will, by the very nature of those enterprises, increase the amount of traffic on Route 57, as well as Chestnut Ridge. Additionally, we will see more traffic on Reasar Pointe Crossing. That area will also be ripe for expansion, and already has the infrastructure in place, which could bring several more businesses to the First Ward.

Now, it appears that Council is willing to give the developers the go-ahead without a solid plan for traffic control in place. It also appears that ODOT's involvement in this process won't begin until we're further down the road, no pun intended. The reality of the timeline, presented to Committee on Monday, February 27<sup>th</sup>, shows us that ABC Development doesn't offer a traffic-easing solution until 2026 or later.

So, if Council moves forward, and the Mayor gives his approval as well, we urge those parties to continue to challenge ABC Development for solutions and require ODOT to be at the table for future roadway design and development. We need them to be more than just silent partners in this process.

On behalf of myself, and Mary Siwierka, who couldn't be here this evening, we urge all parties to seek solutions, large and small, that will benefit the residents, and bring progress to our community.

Speaking of the community, it is vital that we the people be informed and engaged, as we will be part of the solution. After all, in the end, the consumers will determine the success or failure of these endeavors. We want them to be successful, without a doubt, and creating an efficient traffic situation is vital to that success.

Thank you all for your time.

Left by predecessors <sup>EXHIBIT "A"</sup> caused not an attack

Here are the facts:

1) Access is NOT being restricted as required because children from all over the county are coming to swim in it.

2) The chemicals cause serious health issues like cancer, sterilization, and death. The health effects are too vast to list. The residential soil tests high in something called benzo a pyrene. That causes skin cancer and when inhaled lung cancer. This proves chemicals are NOT staying on the site.

3) For 46 years residents have been kept in the dark and prevented from being an active part of the remediation and processes at this site. That will no longer be accepted moving forward.

I don't want to see a death or some horrific tragedy before action is finally taken.

~~You swore an oath to God Almighty and to the people of this city and county to serve the people and protect their health/wellbeing. Today as I stand here under the authority of God, you are being given the opportunity to come back under grace and honor.~~ The opportunity to do what is right moving forward.

Today starts a new chapter in cleaning up this site and protecting the residents. We will now be an active part of this process, watching and holding accountable those tasked with this site until the goal has been reached.

March 25<sup>th</sup> 2pm