

THE FINANCE Committee held a meeting on Monday, April 10th, 2023 beginning at 6:40 P.M.

FINANCE MEMBERS PRESENT: Committee Chair Stewart, Tollett, Cerra, Davis, Schneider

CD MEMBERS PRESENT: Committee Chair Callahan, Mitchell, Oswald, Schneider, Lipian

OTHER COUNCIL MEMBERS PRESENT: Simmons

OTHERS PRESENT: Law Director Deery, Safety Service Dir Lundy, Asst. Dir Williams, Finance Dirs. Pileski and Farrell, Engineer Schneider, Building Official Farkas, Asst Dir Calvert, Public Works Sup. Conner

1. Approval of the Finance Meeting Minutes from March 13th and March 27th, 2023
Motion made by Mr. Cerra, seconded by Mr. Schneider to approve the said minutes.

2. 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

Ms. Conner said list shows accounts that were past due and finalized. And there are some accounts that are multi-units, which the service cannot be turned off, but they are delinquent. The tenants pay for their water thru their rent.

Motion made by Mr. Cerra and second by Mrs. Davis for a resolution authorizing the 'said' accounts to be certified to the Lorain County Auditor's Office.
MOTION CARRIED COMMITTEE REPORT WRITTEN

3. The matter of applying for and, accept if offered, a COPS Hiring Program Grant through The Department of Justice.
Referred By: Police Chief Pelko
[This matter was removed from the agenda per Chief Pelko].

4. The matter of Change Order No. 1 for the 2022-2023 Sanitary & Storm Sewer Repairs with Xtreme Excavating, LLC.
Referred By: Engineer McKillips

Engineer Schneider said as everyone is aware, Council has increased the funding for the 2023 Street Resurfacing and it has caused staff to go out and inspect more sewers so they inspect the sewers below the roads before they resurface and they found a lot more breaks so they need to increase the current contract with Xtreme Excavating so they can stay on schedule.

Motion made by Mr. Cerra and second by Mrs. Davis to authorize an ordinance to enter into the 'said' change order.
MOTION CARRIED COMMITTEE REPORT WRITTEN

5. The matter of an Agreement with ODOT for the purchase of road salt for the 2023-2024 Winter Season.

Referred By: Safety Service Director Lundy

Safety Svc Dir Lundy said they have to get the order in to ODOT. We currently have about 2,000 tons in the shed. We have to place a minimum order with the State. Last season the City ordered 8,000 tons and have 2,000 left over. And we have another 4,000 that we still have to receive since it was already ordered, but never received. Current cost is \$47.32 per ton under current pricing. We will participate with other communities to seek pricing with a cooperative approach. We're looking at ordering 7,500 tons which won't arrive until next year. We can reduce that to 90% of what we're committing to or we can go to 110%. Last year we had a 'not to exceed' 9,000 tons. At this time, we're going to order the 7,500 tons.

Mr. Oswald asked if we can sell excess salt to other communities?

Dir Lundy said he would have to look into that, though it has happened in the past.

Motion made by Mrs. Davis and second by Mr. Cerra to authorize an ordinance to enter into an agreement with ODOT for the purchase of road salt.

MOTION CARRIED COMMITTEE REPORT WRITTEN

6. The matter of the increase in pay rates for Electrical and Plumbing Inspectors in the Building Department.

Referred By: HR Director Yousefi

Building Official Farkas is filling in for Ms. Yousefi who was not in attendance and Mr. Farkas read a letter written by Ms. Yousefi: Please consider the following request. In October there was an increase in the range of certain inspectors with commercial, plumbing and electrical credentials. There is a position called building inspector/HVAC Combination inspector which should be bumped up to the higher range due to the specific nature of the commercial certifications which are difficult to recruit. It should be noted that they have additional credentials as residential building officials, which is valuable to the department. They are required to have licensing by the State of Ohio and can only be obtained with years of experience and testing. Current hourly rates are; step C - \$29.4407, step B - \$31.0623, step A - \$32.6431. the proposal is to move these employees which would be impacted to the higher building inspector rates of; step C - \$30.9644, step B - \$33.2623, step A - \$35.3033. this will represent a 5% to 8% increase. The higher rates are more in line with the market.

Mr. Farkas added that certified are hard to come by and keeping them.

Mr. Tollett said this position pays for itself with the rate increases that went into effect last year.

Mr. Oswald asked if there is a bonus program for these inspectors to get more designations?

Mr. Farkas said, yes, there are incentives that are offered in regards to multiple certifications that can be held. The combination inspectors have building inspector portion, residential building official and mechanical inspector, it's a 3 in 1.

Mr. Cerra asked if we outsource some of the inspectors?

Mr. Farkas said, yes, we contract with Safe-Built and currently we are in search of a plumbing inspector. It's not ideal, but until we hire someone. Once they hire a plumbing inspector, they will only have to use Safe-Built on an as needed basis.

Motion made by Mrs. Davis and second by Mr. Schneider to authorize an ordinance amending the salary ordinance to increase pay rates for Building/HVAC Combination Inspectors in the Building Department and to be effective April 9, 2023 and emergency clause.

MOTION CARRIED COMMITTEE REPORT WRITTEN

7. The matter of Issuing Short-Term Bond Anticipation Notes for Chestnut Commons Connector Road, Fire Dept. Pumper Truck and Side-loading Garbage Truck.

Referred By: Finance Director Pileski

Finance Dir Pileski said there are 3 notes that are maturing at the end June; Chestnut Commons in the amount of \$5,200,000 and the plan is to issue a new note for that amount and pay the old note off. The property has not developed, there is a TIF agreement in place along with backing by special assessments but there are no TIFs coming in and no money to pay down on the note. Once it gets cleared up, he will be coming back to council when it's mature and they will issue long term notes to pay the notes off. When the revenue stream starts, they will start paying on long-term bonds.

The other note is \$440,000 which is maturing and is for a pumper truck that was purchased a couple of years ago. The initial note was \$550,000 and paying \$110,000 every year to get it paid off during the 5-year cycle of the 2016 half percent income tax. He'll pay \$110,000 with existing monies and rolling \$330,000.

The other note is \$350,000 which is maturing for a sanitation truck that was purchased a few years ago. He'll pay \$50,000 down on that note and roll \$300,000 and try to get that paid off in 5 or 6 years.

Motion made by Mr. Cerra and second by Mrs. Davis to authorize the Finance Director to Issue 'said' bond notes.

MOTION CARRIED COMMITTEE REPORT WRITTEN

8. The matter of creating a new Special Revenue Fund for the receipt and expenditures of the opioid settlement monies.

Referred By: Finance Director Pileski

Finance Dir Pileski would like to create this special revenue fund to account for the opioid settlement monies that we will be receiving over an 18-year period. We did get some monies last year and they will be addressed on agenda item number 9. This new fund would segregate it from the General Fund and would account for those monies as we get them in and subsequently spend it when we determine how we'll spend that money.

Motion made by Mr. Cerra and second by Mr. Schneider to authorize the Finance Director to create 'said' fund.

MOTION CARRIED COMMITTEE REPORT WRITTEN

9. The matter of transferring \$22,800.07 from the General Fund to the newly created Special Revenue Fund.

Referred By: Finance Director Pileski

Law Dir Deery asked if Dir Pileski had a preference to the legislation to specify what the name of the fund is?

Director Pileski said it will be called the newly created Opioid Settlement Fund

Motion made by Mr. Cerra and second by Mr. Schneider to authorize the Finance Director to create 'said' fund.

MOTION CARRIED COMMITTEE REPORT WRITTEN

10. The matter of Amendments to the Permanent Appropriations.

[Standing Referral]

Referred By: Finance Directors Pileski and Farrell

There were no appropriation changes this evening.

Chair Stewart asked for a motion to Adjourn this meeting.

Mr. Cerra moved and second by Mrs. Davis to adjourn this evening's Finance Meeting. The meeting adjourned at 7:00 P.M.

MOTION CARRIED

Respectfully Submitted by,

Colleen Rosado, Secretary/Administrative Assistant

1. Approval of the Joint Committee Meeting Minutes ~ January 9th, 2022

Motion made by Mrs. Mitchell and seconded by Mr. Schneider to approve the 'said' meeting minutes.

2. The matter of a Development Agreement with ABC Development for Infrastructure Improvements within the City.

Referred By: Assistant Safety Service Dir Calvert

Dir Calvert said they have an agreement drafted in support of the development of Eaton Point which is south of Chestnut at the corner and adjacent to where the Panera and Mattress Firm are located. There will be a Sheetz Gas Station and an Aldi Grocery Store. The Aldi store will be almost 21,000 square feet with an estimated construction cost of 3 & 1/2 million dollars and an estimated value of 4 & 1/2 million dollars and it will create 11 full-time and 9 part-time jobs with an annual payroll of \$600,000. Sheetz gas station will be a little over 6,000 square feet with construction costs of 4 & 1/2 million dollars and an estimated value of 6 million dollars. It will have 18 full-time and 18 part-time jobs with an annual payroll of approximately \$700,020.

They are requesting the Development Agreement which will allow the City to enter into a TIF agreement which will help support the development of infrastructure for that project. It will be the extension of the road where that will provide access to Sheetz and Aldi's. The developer is here to explain their plans.

Greg Slyman, managing partner of ABC Development, 3955 Center Road, Brunswick, Ohio and Bob Achary of ABC Development.

Mr. Slyman said they have been working on this property on the corner of Rt 57 and Chestnut Ridge Road for a number of years. The diagram of the proposed project was brought up on the monitor so the committee members could see it and it was also on the large screen so the audience could see it. They are working with the City to look at the Joint Development Agreement for the road construction and the costs of the infrastructure. They would put in a cul-de-sac to help with traffic. They are working with the neighbors to create a public road of which that TIF would offset about 40 per

cent of the cost and the other 55 to 60 percent will be paid for by ABC Development for access for those two users.

The drawing on the screen is showing lot 1 approximately 3.1 acres is where the Sheetz would be. And south of that is where the Aldi will be and that is also 3.1 acres. These will be accessed through the new road, Eaton Point Drive which is about 1.8 acres and that's the initial phase 1 of this project. They've gone through the lot splits, rezoning, design review and now they're ready to move forward. The next image on the screen showed the entire Phase 1 which will be opening up that entire south eastern corridor. The roadway will stop just south of the Aldi's store. We currently have 36 acres under contract. They have been in discussions with the Jacob's Group who own the property south of that. They also have interest from a couple larger retailers that they're working on.

Chair Stewart asked when the traffic study was done?

Mr. Slyman said that there was one done in 2016 with Mannequin Smith. And they have done their own traffic study with TSC in 2020 and they worked with the City on that one which encompassed the overall development. They understand the traffic concerns. Once this process gets into the next phasing there will be access onto RT 57. That is south of where the current Marshall property is, the storage units. As they move the development toward the east there will be a connector to Cletus Road and that's right along Rt. 10. There will be multiple access ways into the development, which will be about 117 acres when it's fully built out. This is the overall vision for the property and again, this is the initial phase.

Chair Stewart asked how the phasing and the traffic will impact the area mentioned. There have been many issues at these intersections. He asked if the process has been started for the entryway on Rt 57. Would that be a right turn only as it's heading north into this phase?

Mr. Slyman said they have approval from ODOT for right in – right out. As the development continues to the east that will eventually be a full access intersection. They've been working with the City on this traffic study for a few years. They understand what the concerns are. Once they get the access onto Rt 57, they believe some of those issues will be addressed.

Law Dir Deery said there is an image of a traffic light there where the connector road would meet Rt 57 so that's the ideal situation, is that correct? Has ODOT approved an actual intersection with a traffic light at this time?

Mr. Slyman said yes, that is correct. ODOT has not approved that intersection yet, just the break access.

Chair Stewart asked when they anticipate this? Is it dependent upon this phasing here?

Mr. Achary said, yes. Phase one is strictly the first two buildings, Sheetz and Aldi's. The next phase would continue south which would include the access item onto Rt 57 which would probably be a right in and right out. They would have to go back to ODOT to revisit full access.

Mrs. Mitchell said they have already addressed her concerns and they've already gone to ODOT and they have approval for right in and right out. She stated that the traffic over there is horrendous as it is and we keep piling more things into the area.

We have so many other areas, like the West side, that have ample space and she would like that to be considered. Her main concern is the traffic.

Mr. Achary said he agrees with that. But as far as the retailers, they want the gravity of all the other retailers together. The success of the Walmart is creating this success of the area.

They have worked very close with the City Engineers with the traffic issues. They do have approval from the Engineering Dept. to build the road. It really will open up a larger development. There are retailers that are interested in Elyria. They're looking for the right places to be. The gravity has moved away from the mall. They still want to be able to sell to the residents. These retailers are interested in this area because of the traffic and the ease of getting in the area. He said he has driven all around Elyria including the west side with multiple retailers and talked about other opportunities in Elyria and if you look in the development agreement, he's still working hard to try to bring additional retailers to other areas of Elyria. The Sheetz and Aldi are focusing on this intersection because of the traffic and they would not consider any other areas at this point. As we make headway in the city, it will attract more.

Mrs. Mitchell said that the Aldi's on the south side will be closed after this one is built. That will create a food desert for those residents on that side of town and the Mayor has been very vocal about that. Aldi is under lease at the south side location for another 5 years. He doesn't know what their plan is.

Mr. Oswald said he sees the street going back from the Sheetz and to the Aldi's and then it turns into a cul-de-sac on the first rendering. Will that cul-de-sac go away and will the street continue onto the second phase?

Mr. Slyman said yes.

Mr. Oswald asked where are the storm water, sanitary, gas etc coming from? The other side of Chestnut?

Mr. Achary said there is an existing sanitary line that is on Chestnut Ridge and they have approval from the City to tie into. That will support Aldi and Sheetz. They've been talking with the City about the trunk line on the other side of Rt 57 and eventually bringing that over which would need to be brought over to serve the rest of that area, to the larger development.

Mr. Lipian echoes the concerns of councilperson Mitchell. When we look at the economic concentrations in the City transitioning from downtown to Midway Mall to Chestnut Commons, they've swept up businesses with them to catch others and have noted that traffic. He thinks it would be good for the committee to get ahead of the problem of the possible food desert and be proactive and engage in relationships with the owners of the Aldi Building in the 5th Ward and not to wait for it to close if that's going to happen. And to regularly engage with food service businesses that could set up in the 5th Ward and get ahead of that problem. It's proactivity versus reactivity. Thinking of the Friendly's Building in Ward One. He has calls placed to the owner of that building trying to find someone who would be interested in it. We have to consider the wards that might be impacted by the shifting of economic activity.

Mr. Schneider asked if the Sheetz would be a right in and right out?

Mr. Achary said that will be full access. They will align that with the bank parcel across the street at the City's request.

Mr. Lipian asked this question to Mr. Corbin asking if there are talks of a restaurant at the corner of East Broad and Chestnut at the land that is currently for sale?

Mr. Corbin said that he heard from a source that was a possibility. That was about 6 months ago. He had phone calls from residents saying for the City to not repair Chestnut Ridge so they could keep the traffic at a minimum.

Mrs. Davis said there was a traffic study in 2016 and another one in 2023 and then they did their own and is there anyway we could have another one?

Dir Calvert deferred to Engineering for the traffic study question.

Engineer McKillips said the last traffic study that was done by the developer was by an Engineering Firm called TMS and they do traffic studies. She would state that it was an actual traffic study and it was done in 2019. Is it necessary to update it at this point? It would've been close to today's activity.

Mrs. Davis said that a car wash and other activities have been added since 2019.

Mr. Tollett said in 2019 the Reaser Parkway wasn't there. It's a relief outlet for that area so it would seem what we lost with the car wash we more than gained with the connector road.

Engineer McKillips said that connector roadway was completed at the end of 2020. So, it wasn't considered with that most recent traffic study.

Mrs. Mitchell asked why we aren't using that land along Reaser Parkway. The thought of a right out onto Rt 57 with no stop light is very scary. People fly down Rt 57. She is not against development in the City, she loves to see the City moving forward. When she said the west side, she was not referring to the mall area. She was referring to the West Ridge and Murray Ridge area. There's all kind of land available. Let's promote it, it's available.

Mr. Schneider said since this master site plan has been revealed this evening, that we should consider another traffic study because we know what the future holds for this area.

Mr. Oswald said we could do study after study after study and we could still forecast wrong. So, if we plan on a lot of growth with good businesses. Maybe the Jacob's Group could figure out to possibly get an actual intersection to come out onto Rt 57. He wants development to continue.

Mr. Lipian agrees with Councilman Oswald; his inclination is to move forward with a cautionary tale that we need to begin planning and consider the ways this is going to impact us moving forward. He thinks if the traffic study didn't include the Reaser connector road that means the outlook of the traffic forecast would likely be better than the report states because we have that additional street and that does provide relief. If traffic starts flowing down the Reaser Point Crossing because of the Aldi and Sheetz, it's possible that will attract businesses to set up shop on Reaser Point Crossing which would be good for the area.

Chair Stewart asked if any issues or concerns were found with the TMS study?

Mr. Achary said it was obviously the volume. The study focused on solutions which were the right-in and right-out on Rt 57 for Phase 2. Then the Cletus Road connector was not in the original study. There is not question when Phase 2 proceeds they will have to revisit the traffic study which would include the Reaser Point Crossing, the car wash and any other development that happens between now and then.

Mr. Cerra said in all fairness, anyone who's gone to Avon Commons, that traffic is horrific too, but people keep going there and the buildings keep being built. What kind of time line are we looking for Phase 1 and then Phase 2?

Mr. Slyman said the Phase 1 construction is planning to start in the beginning of March for the road.

The Phase 2 will take some time, it will be a minimum of 36 months up to 60 months. There are some infrastructure issues related specifically to the sewer. There will need to be significant investment to create that we'll have to create some very strong demand to put the money into that. This is a prime economic driver for the City of Elyria. They have been involved with this since 2016 and that's when it was Eaton Township. They worked with the former Mayor to bring that into the City Of Elyria because they knew that getting it into Elyria it would help to develop it the proper way. They would like to continue to annex additional properties into Elyria if that's what the City would be interested in.

Mr. Oswald asked what area are in Eaton Township?

Mr. Slyman said the 36 acres of property that was annexed for their development and the other properties are extensions. As they continue to add parcels and they have an agreement, in theory and they have a great relationship with The Jacob Group, they're ready to go. There are some additional parcels that are end parcels of the property near Rt 10. The hope would be to be able to continue to build off of what they've already annexed.

Mr. Tollett said he's a huge Sheetz fan and they're on the cutting edge for electric charging stations, which Elyria lacks. It's the future.

Mayor said this has been a great discussion. Some of the committee's concerns have been shared with the developers. He wants everyone to recognize that this is considered to be a safe first step for this development. It's getting some momentum and demonstrating the City's interest and the developer's investment and willingness to help us develop this space.

He said the City has multiple food deserts which need to be addressed. Part of the agreement will have the goodwill effort to assist us with those food desert efforts. There will be an announcement coming soon and a partnership to help address that.

There is an education of how these retailers choose their locations, it's unique. It's a data driven process. Maybe we can get creative in ways to see where we want to see development.

Chair Stewart said this is a prime piece of property and this development will happen eventually. He said in Avon, they have multiple lanes and it's still congested. Ours will be one straight lane on Chestnut Ridge and one left turn on Chestnut going into the complex. It's not multiple lanes heading in two directions. There was a study done in 2016 about widening the road and putting in a roundabout and considering those Michigan lefts and there were concerns about that. He thinks this is a great opportunity, but he has concerns about the traffic in the short term in regards to this.

Mayor Whitfield shares his concerns about the big macro vision in terms if we would try to do this without the right-in and out or full intersection, it would be chaotic. That's why they thought it would be strategic to just start with these two projects that wouldn't overwhelm the system and at the same time they've put in a Capital request to get an earmark to build the sewer infrastructure so that the it can grow more.

Chair Callahan said these have been healthy discussions and all members had excellent questions and concerns. Most important is that the developers are listening to the City and hear our concerns and working with us.

Chair Callahan asked for a motion:

COMMUNITY DEVELOPMENT:

Motion was made by Mr. Oswald and second by Mr. Lipian to authorize an ordinance authorizing the Mayor to enter into the 'said' agreement.

MOTION CARRIED COMMITTEE REPORT WRITTEN

FINANCE:

Motion was made by Mr. Cerra and second by Mr. Schneider to authorize an ordinance authorizing the Mayor to enter into the 'said' agreement.

MOTION CARRIED COMMITTEE REPORT WRITTEN

1 - NAY (Stewart)

COMMUNITY DEVELOPMENT:

Mr. Schneider moved and Mr. Oswald seconded to recommend an ordinance authorizing the Mayor to enter into the 'said' lease agreement.

MOTION MADE COMMITTEE REPORT WRITTEN

FINANCE:

Mr. Schneider moved and Mrs. Davis seconded to recommend an ordinance authorizing the Mayor to enter into the 'said' lease agreement.

MOTION MADE COMMITTEE REPORT WRITTEN

Mr. Lipian moved to adjourn the Community Development portion of this evening's meetings and that motion was seconded by Mrs. Mitchell.

The meeting adjourned at 6:50 P.M.

MOTION CARRIED

The evening's meetings continued with The Finance Committee.

Respectfully Submitted by,
Colleen Rosado, Secretary/Administrative Assistant
/CMR