

Minutes Approved
As Circulated
June 5, 2023

May 15, 2023
Regular Council Meeting
Elyria City Council

1. CALL TO ORDER:

The regular meeting of Elyria City Council was called to order on May 15, 2023 at 7:04 p.m. by President Stewart. President Stewart opened the meeting requesting prayers for Landry Simmons, the husband of Council member Simmons as well as Josh Lotko, the son of Clerk Mike Lotko and Sherry Grove. Both have experienced emergency health issues. A moment of reflective silence was held followed by the Pledge of Allegiance led by Council member Callahan.

2. ROLL CALL: COUNCIL MEMBERS

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

Motion made by Mitchell, seconded by Cerra to excuse the absences of Ms. Davis and Ms. Simmons.

AYES = 9

MOTION CARRIED

OTHERS PRESENT: Safety Service Director Lundy, Safety Service Director Williams, Asst. Safety Service Dir. Calvert, Finance Director Pileski, Asst. Fin. Dir. Farrell, Law Director Deery, Dir. Scott

3. PUBLIC HEARINGS: None

4. APPROVAL OF MINUTES:

Mr. Cerra moved, Mr. Schneider seconded to approve the Regular Meeting Minutes of the May 1, 2023 council meeting as circulated.

MOTION CARRIED

5. REMARKS AND REPORTS OF CITY OFFICIALS:

Safety Service Director Lundy:

SSD Lundy shared the administration would like to thank the voters of Elyria for their support of Issue eight. He further shared that in challenging economic times the support of issue eight affirms residents belief in support of the city's safety forces and to see the city continue to progress. Close to eighty high grass notifications have been sent out from the office of Safety Service. SSD Lundy expressed that new homeowners have eight days to address the issue of high grass or the city will cut the grass. The biggest challenge that exist has been rain. SSD Lundy reminded residents to please submit high grass complaints to the Safety Service Office. Council member Cerra asked for clarification of the notification term, wether it was eight days or five. SSD Lundy, confirmed an eight day notification. Council member Cerra stated he understood the notification to state eight inches, five days. He believed maybe he had miscommunicated the policy.

5. REMARKS AND REPORTS OF CITY OFFICIALS: CONTINUED

Finance Director Pileski: No Report

Law Director Deery: No report

Police Chief Pelko:

Chief Pelko provided an update on the Traffic Unit. In the first two weeks, the unit issued two hundred sixty-five citations. Chief Pelko reminded everyone the traffic unit was established for the safety of all residents. If there are any complaints, please free to email pelko@cityofelyria.org or Lt. Welsh at welsh@cityofelyria.org . Chief Pelko requested permission to travel for Lt. Welsh and Capt. Hammonds who will attend the FBINAA 2023 Annual Training Conference in Colorado, July 29th through August 1st and Sgt. Wise who will attend homicide training in Oklahoma City the week of August 7th. Mitchell moved to approve all travel request for Elyria Police training out of state, Cerra seconded, motion carried.

Asst. Fire Chief Gall: No Report

Asst. Safety Service Director Calvert: No report

Safety Service Director Williams: No report

ASSD Williams stated that although he was not presenting a formal report, the referrals listed an item referring to Save Our Children and that members present from the organization would like to speak at that time. No representatives were signed in for public comments prior to the start of the meeting. President Stewart explained during referral and remonstrances is not the opportunity for public comment and the process for addressing council can be arranged through the council clerk's office prior to council meetings. ASSD Williams stated he was under the impression representatives would arrive prior to the meeting. President Stewart stated he would allow a few representatives to provide comment during the petitions from the lobby portion of the meeting. Council member Tollett asked about a purchase order that was approved by ASSD Williams in the amount of twenty-five thousand, one hundred fifty dollars for illuminated traffic signs, all specifically for Ward one. The purchase did not go through council committee or the engineer's office and all other city wards were excluded. Council member Tollett asked for guidance on why the other wards were excluded? ASSD Williams responded that he was not able to provide any information, he would need to look up the details and provide information at the next council meeting. Council member Tollett asked if ASSD Williams approved the purchase order? ASSD Williams explained yes, however there are many purchase orders that come through his office. ASSD Williams requested if he could provide due diligence and report back on the specific purchase order in question.

CD Dir. Scott: No report

6. PRESIDENT'S REFERRALS AND REMONSTRANCES:

1. The matter of a contract with Resource Consultants for Professional Services to complete five year consolidated plan, one year action plan, analysis of impediments to Fair Housing Choice.

REFERRED BY: CD DIR ASHLEY SCOTT

REFERRED TO: COMMUNITY DEVELOPMENT

2. The matter of increasing the Mechanic pay rate from Step C \$25.2973, Step B \$25.7315, Step A \$26.1490 to Step C \$25.3956, Step B \$27.0310, Step A \$28.6656.

REFERRED BY: SSD LUNDY

REFERRED TO: FINANCE

3. The matter of a moral claim submitted by Freddie Springfield.

REFERRED BY: SSD LUNDY

REFERRED TO: FINANCE

4. The matter of submitting an application to the Office of the Attorney General, State of Ohio, and accept if offered, a 2023-2024 Victims of Crime Act (VOCA).

REFERRED BY: LD Deery

REFERRED TO: FINANCE

5. The matter of assigning a property lien to 225 Harwood Street, Elyria, OH 44035: \$382.28

REFERRED BY: BO FARKAS

REFERRED TO: FINANCE

6. The matter of assigning a property lien to 888 Lorain Blvd., Elyria, OH 44035: \$4,736.65

REFERRED BY: BO FARKAS

REFERRED TO: FINANCE

7. The matter of assigning a property lien to 1825 Lorain Blvd., Elyria, OH 44035: \$16,050.72

REFERRED BY: BO FARKAS

REFERRED TO: FINANCE

8. The matter of assigning a property lien to 2040 Midway Blvd., Elyria, OH 44035: \$182.19

REFERRED BY: BO FARKAS

REFERRED TO: FINANCE

9. The matter of assigning a property lien to 144 Irondale St., Elyria, OH 44035: \$1,630.54

REFERRED BY: BO FARKAS

REFERRED TO: FINANCE

6. PRESIDENT'S REFERRALS AND REMONSTRANCES: CONTINUED

10. The matter of renewing the Finwood Apartment Lease for Inez James.

REFERRED BY: P & R DIR REARDON

REFERRED TO: FINANCE/ COMMUNITY DEVELOPMENT

11. The matter of an extension to the Skill City Promise Agreement.

REFERRED BY: CD DIR ASHLEY SCOTT

REFERRED TO: FINANCE/ COMMUNITY DEVELOPMENT

12. The matter of consideration to lease or purchase Oakwood School Building to Save Our Children of Elyria.

REFERRED BY: ASSD WILLIAMS

REFERRED TO: FINANCE/ COMMUNITY DEVELOPMENT

13. The matter of financial support to Neighborhood Alliance for Rental Assistance Program.

REFERRED BY: ASSD CALVERT

REFERRED TO: FINANCE/ COMMUNITY DEVELOPMENT

14. The matter of donating Permanent Parcel Number 06-24-085-104-018, a vacant lot located on Shear St., to the Elyria Community Improvement Corp.

REFERRED BY: ASSD CALVERT

REFERRED TO: FINANCE/ COMMUNITY DEVELOPMENT

15. The matter of donating Permanent Parcel Number 06-26-071-000-010, a vacant lot located on North St., to the Elyria Community Improvement Corp.

REFERRED BY: ASSD CALVERT

REFERRED TO: FINANCE/ COMMUNITY DEVELOPMENT

16. The matter of creation of a Revolving Loan Fund in partnership with Economic and Community Development Institute (ECDI).

REFERRED BY: ASSD CALVERT

REFERRED TO: FINANCE/ COMMUNITY DEVELOPMENT

17. The matter of authorizing the Mayor to enter into contract with Black & Veatch for the phase 2 of the Water Transmission Line Study.

REFERRED BY: WTL JACOB

REFERRED TO: FINANCE/ UTILITIES

18. The matter of authorizing the Mayor to advertise for bid and enter into a contract for the 2023 Crack Sealing Project.

REFERRED BY: ENG. MCKILLIPS

REFERRED TO: UTILITIES

6. PRESIDENT'S REFERRALS AND REMONSTRANCES: CONTINUED

19. The matter of amending Elyria City ordinance 741.99, penalty, changing the fine from \$100 to \$500 for violations.

REFERRED BY: COUNCIL MEMBER LIPIAN -WARD -1

REFERRED TO: UTILITIES

20-22 Received and Placed on file in the clerk's office:

20. List of receipts collected by each division of the Clerk of Court's office for April 2023

21. April 2023 Income Tax Report

22. April 2023 General Fund Cash Balance Report

7. PETITIONS--LOBBY:

Robert Abbott Jr.-618 N. Abbe Rd. , Elyria- Problems at Midway Mall area, Cascade Park, N. Abbe manhole, Midway Diner, Ford Rd. Weed- Mr. Abbott had several issues of concern that were expressed. He previously spoke with a council member regarding a recycle container located near Midway Mall, the company name listed is paperretriever.com. The flap on the side of the bin is broken and has been for two years. The bin is full so papers are flying out of it. The Midway Diner has been dumping illegally for over a year and a homeless person is habitating in a shed in the back on the property. The cosmetic condition of the houses at the entrance of Cascade Park. Abbe Rd. Manhole covers. Ford Rd. High grass issues. President Stewart stated that the office of Safety Service would call Mr. Abbot. Council member Tollett explained that the city now has an ally with the Lorain County Public Health to assist with nuisance properties. Regarding the recycle bin, an ordinance was passed about four years ago, making the recycle bins no longer permissible in the city.

Cherie Crawford-9033 S. Murray Ridge Rd., Elyria- First Responder Joint Training Facility- Ms. Crawford explained that her concerns were regarding her property being adjacent to the FBI gun range facility. She expressed that she is very concerned with the noise and how it would affect her life. She has a small son and horses. Ms. Crawford shared that the shooting is very loud, she has experienced the noise because someone is already utilizing the property to shoot. She has many fears, that someone would get hurt and her quiet enjoyment of her property would be destroyed. President Stewart explained tonight would be the first reading, a Public Hearing will be held on June 5th. Ms. Crawford was invited to the Public Hearing for public comments. Council member Oswald shared that he has witnessed the presentation for the facility and the plan is to install tall mounds around the area.

Neil Marbrouk- 9645 Murray Ridge Rd., Elyria- First Responder Joint Training Facility- Mr. Marbrouk expressed the same concerns as Ms. Crawford in regard to his choice of living in the country for peace and quiet. Mr. Marbrouk shared that he called Elyria Police regarding the shooting and they were unaware. Mr. Marbrouk lives across from Murray Ridge School and questioned wether or not discussions were had with Murray Ridge School regarding the children with developmental disabilities and auditory issues during their recess time. Mr. Marbrouk

7. PETITIONS--LOBBY: CONTINUED

expressed concerns with plans for a skid pad that he believes would certainly impact his quality of life. President Stewart suggested that Chief Pelko and Lt. Frank reach out to Mr. Marbrouk and share plans and address his concerns. President Stewart invited Mr. Marbrouk to the June 5th Public Hearing.

Carla Valles- 155 Brookvalley Dr., Elyria- Oakwood School for SOC- Ms. Valles shared that her situation is unique in that she works for Elyria City Schools as well as Save Our Children. She expressed that her day begins at 8:15AM and ends at 8:30PM everyday working for the children in the community. She expressed the need for the children to be a face and not a number. Ms. Valles stated that it makes sense to her that a facility that was built to educate children would continue to be used in their growth. Ms. Valles shared that due to covid there are children K-12 grades that are struggling. Save our Children is all about helping the children with their struggles. Ms. Valles stated over one hundred children are served by Save Our Children. The current facility no longer provides room for expansion, they have more than one hundred children in need of their help. Ms. Valles stated Oakwood would provide Save Our Children the opportunity to educate and reach more children and their families. It would provide an opportunity to increase programming. The curriculum teaches children about being positive leaders, the importance of education, and that there is no place on earth that the children don't belong. Field trips are centered around expanding the minds of the youth. Ms. Valles stated that she understands that issues exist with the Oakwood school facility, however there is no bigger investment the community can make, than in the children. Ms. Valles stated that if an investment is not made in the children, the community will die. Save Our children is working with the children to help them achieve success.

Mary Siwierka- 119 Fresno Ct., Elyria- Utility Bill Write-Offs, Chestnut Commons Traffic- Ms. Siwierka began her remarks by providing SSD Lundy with the correct notification information for high grass, being eight inches with five days to cut. SSD Lundy responded that was not correct. Ms. Siwierka explained she confirmed the information by ordinance look-up. Ms. Siwierka shared that she wanted to provide some reminders to council and Mayor Whitfield in his absence, that she is hopeful discussions regarding the traffic situation at Chestnut Commons are continuing. The Sheets gas station is under construction and increased traffic will begin. Ms. Siwierka provided a reminder regarding ARPA money. She asked that a sliver of the ARPA money be saved for railroad bridges in the downtown area, as they are still falling apart and look horrible. Ms. Siwierka inquired about utility bill write-offs. She suggested that the community receive a percentage of the write-offs each week that are transferred over to the real estate taxes. Ms. Siwierka stated that Mayor Whitfield "pontificated" about lowering water bills, however she is still paying her water bill. Ms. Siwierka stated that the write-offs would make everyone that is still paying their water bills pay more, due to non-payment and transfer to bad debt. Ms. Siwierka requested a report of council on the delinquency factor in the water and sewers funds and the amount of write-offs as a percentage of income. Law Director Deery expressed that when these matters come before committee or council, for example the resolution that is on the agenda

7. PETITIONS--LOBBY: CONTINUED

tonight for the collection of delinquent or inactive utility accounts to certify council and County auditor, the amounts are not written off, they are certified to the tax duplicate for collection. They have priority right behind property taxes and do not prevent the city from collecting in other matters. Law Director Deery explained they are the best shot at collecting and the city does frequently collect. Law Director Deery expressed to term the certification as a write-off would be inaccurate from a legal and financial standpoint.

Chase Farris- 4229 Ivanhoe Dr., Lorain- SOC- Mr. Farris thanked all of the Save Our Children parents, students and staff for attending the meeting and expressed his appreciation for their support. He asked council if the proposal for Oakwood be provided consideration on the agenda for the June 5th council meeting.

8. PETITIONS--COUNCIL MEMBERS: None

9. REPORTS OF STANDING AND SPECIAL COMMITTEES:

Sponsored by:
Community Development
T. Callahan
A. Lipian
C. Schneider
D. Mitchell
K. Oswald

COMMITTEE REPORT NO. 2023-
WE HAVE CONSIDERED THE MATTER OF A LIQUOR LICENSE TRANSFER FROM AYALA GUTIERREZ, LLC TO 628 MIDVILLE, LLC DBA LA COCINA, 629 CHESTNUT COMMONS DRIVE, ELYRIA AND THE CITY OF ELYRIA DOES NOT REQUEST A HEARING.

Callahan moved that this committee report be passed on its first reading, Mitchell seconded.

PASSAGE
AYE: 9
ABSENT: 2
MOTION CARRIED

10. RESOLUTIONS--FIRST READING:

Sponsored by:
Finance
V. Stewart III
P. Tollett
B. Davis
C. Schneider
J. Cerra

RESOLUTION NO. 2023-13
A RESOLUTION APPROVING A LIST SUBMITTED BY THE SAFETY SERVICE DIRECTOR FOR THE COLLECTION OF DELINQUENT INACTIVE UTILITY ACCOUNTS AND DIRECTING THE CLERK OF COUNCIL TO CERTIFY SAID ACCOUNTS TO THE LORAIN COUNTY AUDITOR.

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

SUSPENSION
AYE: 9
PASSAGE
AYE: 9

10. RESOLUTIONS--FIRST READING: CONTINUED

NAY: 0	NAY: 0
ABSENT: 2	ABSENT: 2
MOTION CARRIED	MOTION CARRIED

Sponsored by:
Finance
V. Stewart III
P. Tollett
B. Davis
C. Schneider
J. Cerra

RESOLUTION NO. 2023-14
A RESOLUTION FINDING THAT THE CITY HAS UNFIT FOR MUNICIPAL USE CERTAIN CITY PROPERTY.

Tollett moved, Schneider 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:

(COMPANION TO ABOVE RESOLUTION)

Sponsored by:
Finance
V. Stewart III
P. Tollett
B. Davis
C. Schneider
J. Cerra

ORDINANCE NO. 2023-69
AN ORDINANCE AUTHORIZING THE DIRECTOR OF SAFETY SERVICE TO DISPOSE OF, BY THE BEST MEANS POSSIBLE, CITY PROPERTY THAT IS UNFIT FOR MUNICIPAL USE.

Tollett moved, Schneider 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

REGULAR COUNCIL MEETING ELYRIA CITY COUNCIL
13. ORDINANCES--FIRST READINGS: CONTINUED

MAY 15, 2023

Sponsored by: **ORDINANCE NO. 2023-70**
Finance
P. Tollett
B. Davis
C. Schneider
J. Cerra
AN ORDINANCE AUTHORIZING THE WAIVER OF FIRE SUPPRESSION RELATED FEES AND PLAN REVIEW FEES FOR EXPRESSO BAKERY LLC, LOCATED AT 100 4TH STREET, ELYRIA, OHIO 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: 8	AYE: 8	AYE: 8
NAY: 0	NAY: 0	NAY: 0
ABSENT: 2	ABSENT: 2	ABSENT: 2

Council member Lipian abstain

MOTION CARRIED MOTION CARRIED MOTION CARRIED

Sponsored by: **ORDINANCE NO. 2023-71**
Finance
V. Stewart III
P. Tollett
B. Davis
C. Schneider
J. Cerra
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO PURCHASE THREE (3) NEW FORD F-350 TRUCKS, FOR PARKS AND RECREATION, CENTRAL MAINTENANCE AND STREET DEPARTMENTS, PURSUANT TO O.R.C. CODE 125.04, AND DECLARING AN EMERGENCY.

Tollett moved, Schneider seconded to pass this ordinance 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

Sponsored by: **ORDINANCE NO. 2023-72**
Finance
V. Stewart III
P. Tollett
B. Davis
C. Schneider
J. Cerra
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A ONE YEAR AGREEMENT WITH VERIZON WIRELESS FOR WIRELESS SERVICE DATA ACCESS FOR COMPUTERS AND MODEMS IN CERTAIN DEPARTMENT VEHICLES OF THE CITY OF ELYRIA, THROUGH THE STATE OF OHIO PURCHASING PROGRAM OR EQUIVALENT PROGRAM.

Tollett moved, Schneider seconded to pass this ordinance 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

13. ORDINANCES--FIRST READINGS: CONTINUED

MOTION CARRIED MOTION CARRIED MOTION CARRIED

Sponsored by:
Finance
V. Stewart III
P. Tollett
B. Davis
C. Schneider
J. Cerra

ORDINANCE NO. 2023-73
AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO
PAY 2023 MEMBERSHIP DUES TO LORAIN COUNTY
COMMUNITY DEVELOPMENT CORPORATION, AND
DECLARING AN EMERGENCY.

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

SUSPENSION	PASSAGE	EMERGENCY
AYE: 8	AYE: 8	AYE: 8
NAY: 0	NAY: 0	NAY: 0
ABSENT: 2	ABSENT: 2	ABSENT: 2

Council member Lipian abstain

MOTION CARRIED MOTION CARRIED MOTION FAILED

Sponsored by:
Finance
V. Stewart III
P. Tollett
B. Davis
C. Schneider
J. Cerra

ORDINANCE NO. 2023-74
AN ORDINANCE AMENDING ORDINANCE NO. 2023-34,
KNOWN AS THE "2023 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, 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

Sponsored by:
Community Development:
T. Callahan
A. Lipian
C. Schneider
D. Mitchell
K. Oswald

ORDINANCE NO. 2023-
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 IN THE VICINITY OF MURRAY RIDGE
ROAD, INFIRMARY ROAD AND GARDEN STREET, ELYRIA,
OHIO, FROM R-MD RESIDENTIAL- MEDIUM DENSITY
DISTRICT TO S-I SPECIAL INDUSTRIAL DISTRICT.

Public Hearing Scheduled for June 5, 2023

13. ORDINANCES--FIRST READINGS: CONTINUED

Sponsored by: **ORDINANCE NO. 2023-**
Community
Development:
 T. Callahan
 A. Lipian
 C. Schneider
 D. Mitchell
 K. Oswald

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT PURSUANT TO CHAPTER 1135 OF THE CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO, TO THE CITY OF ELYRIA FOR A FIRST RESPONDER JOINT TRAINING FACILITY AT REAL PROPERTY IN THE VICINITY OF MURRAY RIDGE ROAD, INFIRMARY ROAD, AND GARDEN STREET, ELYRIA, OHIO.

Public Hearing Scheduled for June 5, 2023

Sponsored by: **ORDINANCE NO. 2023-75**
Finance
 V. Stewart III
 P. Tollett
 B. Davis
 C. Schneider
 J. Cerra
Utilities
 D. Mitchell
 B. Davis
 D. Simmons
 M. Corbin
 K. Oswald

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT NO. 10 TO THE AGREEMENT WITH AECOM TECHNICAL SERVICES, INC. FOR MANAGEMENT SERVICES FOR THE CITY OF ELYRIA WASTE WATER POLLUTION PLANT CONSOLIDATED SSO/CSO/WWPCP WET WEATHER PLAN.

Tollett moved, Mitchell 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

Sponsored by: **ORDINANCE NO. 2023-76**
Utilities
 D. Mitchell
 B. Davis
 D. Simmons
 M. Corbin
 K. Oswald

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS, AND ENTER INTO A CONTRACT FOR THE 2023 STREET SWEEPING PROGRAM FOR THE CITY OF ELYRIA, AND DECLARING AN EMERGENCY.

Mitchell moved, Schneider seconded to pass this ordinance 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

13. ORDINANCES--FIRST READINGS: CONTINUED

Sponsored by:

Utilities

D. Mitchell

B. Davis

D. Simmons

M. Corbin

K. Oswald

ORDINANCE NO. 2023-77

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PURCHASE THREE (3) NEW 2024 SIDE LOADING SANITATION TRUCKS FOR THE SANITATION DEPARTMENT, THROUGH THE OHIO STATE PURCHASING PROGRAM OR EQUIVALENT PROGRAM, AND DECLARING AN EMERGENCY.

Mitchell moved, Tollett seconded to pass this ordinance 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

Sponsored by:

Utilities

D. Mitchell

B. Davis

D. Simmons

M. Corbin

K. Oswald

ORDINANCE NO. 2023-78

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS, AND ENTER INTO A CONTRACT FOR THE 2023 WESLEY WATERMAIN REPLACEMENT PROJECT.

Mitchell moved, Schneider 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

Sponsored by:

Utilities

D. Mitchell

B. Davis

D. Simmons

M. Corbin

K. Oswald

ORDINANCE NO. 2023-79

AN ORDINANCE AMENDING ELYRIA CODIFIED ORDINANCE SECTION 932.01: DEFINITIONS, AND DECLARING AN EMERGENCY.

Mitchell moved, Schneider seconded to pass this ordinance 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

13. ORDINANCES--FIRST READINGS: CONTINUED

<p>Sponsored by: <u>Utilities</u> D. Mitchell B. Davis D. Simmons M. Corbin K. Oswald</p>	<p><u>ORDINANCE NO. 2023-80</u> AN ORDINANCE AMENDING ELYRIA CODIFIED ORDINANCE SECTION 932.03: GENERAL DISCHARGE PROHIBITIONS, AND DECLARING AN EMERGENCY.</p>
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Mitchell moved, Schneider seconded to pass this ordinance on its first reading under suspension of the rules, and declaring an emergency.

<p>SUSPENSION AYE: 9 NAY: 0 ABSENT: 2 MOTION CARRIED</p>	<p>PASSAGE AYE: 9 NAY: 0 ABSENT: 2 MOTION CARRIED</p>	<p>EMERGENCY AYE: 9 NAY: 0 ABSENT: 2 MOTION CARRIED</p>
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<p>Sponsored by: <u>Utilities</u> D. Mitchell B. Davis D. Simmons M. Corbin K. Oswald</p>	<p><u>ORDINANCE NO. 2023-81</u> AN ORDINANCE AMENDING ELYRIA CODIFIED ORDINANCE SECTION 932.04: SPECIFIC POLLUTANT LIMITATIONS; GREASE, OIL AND SAND TRAPS, AND DECLARING AN EMERGENCY.</p>
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Mitchell moved, Schneider seconded to pass this ordinance on its first reading under suspension of the rules, and declaring an emergency.

<p>SUSPENSION AYE: 9 NAY: 0 ABSENT: 2 MOTION CARRIED</p>	<p>PASSAGE AYE: 9 NAY: 0 ABSENT: 2 MOTION CARRIED</p>	<p>EMERGENCY AYE: 9 NAY: 0 ABSENT: 2 MOTION CARRIED</p>
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14. ORDINANCES--SECOND READINGS:

ORDINANCE NO. 2023-
AN ORDINANCE WAIVING THE RESIDENCY REQUIREMENT OF THE SAFETY-SERVICE DIRECTOR, MATTHEW LUNDY, PURSUANT TO SECTIONS 735.01 AND 737.01 OF THE OHIO REVISED CODE.

Tollett moved, Cerra seconded to pass this ordinance on its second reading. Law Director Deery requested a point of clarification in the motion and asked that Council member Tollett re-state the motion.

Tollett moved, Cerra seconded to pass this ordinance on its second reading under suspension of rules.

Cerra moved, Tollett seconded to pass this ordinance under suspension of rules by roll call vote. Council member Lipian asked for clarification of what was being voted on.

14. ORDINANCES--SECOND READINGS: CONTINUED

Clarification provided that a roll call vote was called for passage and suspension of rules.

Roll Call **SUSPENSION**

AYE: Callahan , Cerra ,Oswald, Corbin, Mitchell, Tollett, Schneider, Stewart

NAY: Lipian

ABSENT: 2

Roll Call **PASSAGE**

AYE: Callahan , Cerra, Oswald, Corbin

NAY: Mitchell, Tollett, Schneider, Stewart

ABSENT: 2

Council member Lipian stated that he would like to request a third reading, he abstained from the vote

MOTION FAILED

Claryifying questions were asked of the Law Director regarding a third reading. Law Director Deery responded to each question that she would take the vote under advisement, however at this time, it is a failed vote. Law Director Deery will provide an update to the vote.

President Stewart stated that Council member Lipian should not make comment on a vote of abstention. Law Director Deery stated that she would also take that under advisement.

15. ORDINANCES--THIRD READING: None

16. COMMITTEE CALLS:

COMMUNITY DEVELOPMENT 5/22/2023 6:00 P.M. All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

JOINT CD/FINANCE 5/22/2023 Following CD All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

FINANCE 5/22/2023 Following Joint All Referred Items Council Chambers w/Mayor, Auditor, Law Director, SSD, Engineer

RULES 5/24/2023 6:00 P.M. All Referred Items Council Chambers J. Cerra, Chr., Law Director, SSD

UTILITIES, SAFETY & ENVIRONMENT 6/07/2023 6:00 P.M. All Referred Items Council Chambers w/SSD, Law Director, Engineer

STRATEGIC PLANNING 6/05/2023 Immediately following Council Meeting All Referred Items

Council Chambers W/ Mayor, Safety Service Director, Auditor, Solicitor, Engineer

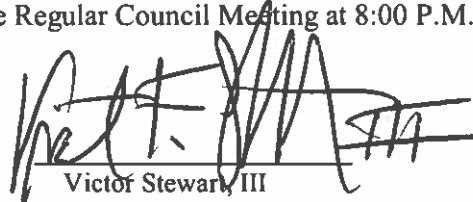
17. MISCELLANEOUS AND UNFINISHED BUSINESS: None

18. ADJOURNMENT:

Mitchell moved, Cerra seconded to adjourn the Regular Council Meeting at 8:00 P.M.

MOTION CARRIED


Michael J. Lotko, III
Clerk of Council


Victor Stewart, III
President of Council

RLP/

