

Minutes Approved

as circulated
August 7, 2023

July 10, 2023
Regular Council Meeting
Elyria City Council

1. CALL TO ORDER:

The regular meeting of Elyria City Council was called to order on July 10, 2023 at 7:04 p.m. by President Stewart. President Stewart opened the meeting requesting a moment of reflective silence, followed by the Pledge of Allegiance led by Council member Tollett.

2. ROLL CALL: COUNCIL MEMBERS

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

OTHERS PRESENT: Mayor Whitfield, Safety Service Director Lundy, Asst. Safety Service Dir. Calvert, Asst. Safety Service Dir. Williams, Finance Director Pileski, Asst. Fin. Dir. Farrell, Law Director Deery, Dir. Scott, Eng. McKillips, BO Farkas, Supervisor Conner, Fire Chief Pronesti, Police Chief Pelko

3. PUBLIC HEARINGS:

The meeting was recessed for the Public Hearing at 7:08 P.M. Clerk Lotko read the Call to the Public Hearing:

CALL TO PUBLIC HEARING

You are hereby notified that a Public Hearing will be held on **Monday July 10th, 2023 at 7:00 P.M.** to consider the following:

Notice is hereby given that copies of the proposed TAX BUDGET (estimated unencumbered balances, estimated revenues and estimated expenditures) of the City of Elyria, County of Lorain, State of Ohio, for the calendar (fiscal) year of 2024, will be on file the beginning Friday June 23rd, 2023 in the offices of the City Finance Director and the Clerk of Council, and will be available for public inspection by contacting the Finance or the Council Clerk offices, pursuant to the requirement of law. The proposed Tax Budget indicates the estimated revenues, estimated unencumbered balances and estimated expenditures for the year 2024.

President Stewart asked if there were any proponents?

Ted Pileski-131 Court Street, Elyria, OH 44035 - Finance Director Pileski shared that the tax budget is a document that is required by state law to be passed annually and filed with the Lorain County Budget Commission. The request for consideration presented before council was the 2024 Tax Budget. The budget begins with an estimated cash for each fund by fund type, estimated revenues and expenses to come in for 2024, and estimated cash for the end of 2024. Finance Director Pileski explained that at the completion of the year, he would amend the document with the budget commission to replace estimated cash with actual cash on hand by fund type. Estimated revenues are amended as they are received or not received throughout the course of the year. Finance Director Pileski requested approval to file the tax document with the Lorain County Budget Commission.

3. PUBLIC HEARINGS: CONTINUED

President Stewart asked if there were any other proponents?

Mayor Whitfield stated that in regard to the revenue projections that Finance Director Pileski spoke about, that he noticed during his time in office, an increase in the income tax revenue. Mayor Whitfield expressed he was aware of concern over the loss of Bendix and how the loss would impact the city of Elyria. He expressed appreciation for Ridge Tool, Duraline, Multi- Link and public partners such as the Lorain County Community College and the county government that have helped the city. Mayor Whitfield expressed his excitement with the projections.

President Stewart asked if there were any other proponents? There were none.

President Stewart asked if there were any opponents? There were none.

President Stewart asked if there were any opponents? There were none.

President Stewart asked if there were any opponents? There were none.

President Stewart declared the public hearing had been held.

Sponsored by:

Sponsored by:

Finance

V. Stewart III

P. Tollett

B. Davis

C. Schneider

J. Cerra

ORDINANCE NO. 2023-90

AN ORDINANCE ADOPTING THE TAX BUDGET OF THE CITY OF ELYRIA, OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2024, AND DECLARING AN EMERGENCY.

Tollett moved that this ordinance be passed under suspension of rules, and declaring an emergency Davis seconded.

SUSPENSION

ROLL CALL VOTE:

AYES: Callahan, Cerra, Corbin, Davis, Oswald, Lipian, Mitchell, Tollett, Schneider, Stewart

EMERGENCY

AYES: Callahan, Cerra, Corbin, Davis, Oswald, Lipian, Mitchell, Tollett, Schneider, Stewart

PASSAGE

AYES: Callahan, Cerra, Corbin, Davis, Oswald, Lipian, Mitchell, Tollett, Schneider, Stewart

NAYES: 0

ABSENT: 0

MOTION CARRIED

The regular council meeting resumed at 7:11

4. APPROVAL OF MINUTES:

Mr. Cerra moved, Mr. Schneider seconded to approve the Meeting Minutes of the May 24, 2023 Special Council Meeting and June 5, 2023 Strategic Planning Meeting as circulated.

MOTION CARRIED

5. REMARKS AND REPORTS OF CITY OFFICIALS:

The following city officials provided updates of their departments:

Mayor Whitfield, SSD Lundy, Finance Director Pileski, Fire Chief Pronesti, Building Official Farkas, Police Captain Grooms, ASSD Calvert, ASSD Williams and Engineer McKillips, Dialogue ensued during the meeting. The meeting in it's entirety can be viewed on the City of Elyria's youtube channel at <https://www.youtube.com/watch?v=yWOJRuZdN2Q>

6. PRESIDENT'S REFERRALS AND REMONSTRANCES:

** Matter is completed or partially completed*

1. The matter of a liquor license transfer from Aldi Inc. Ohio DBA Aldi #59 426 Oberlin Rd., Carlisle Twp. to Aldi Inc. to Ohio DBA Aldi #59 38275 Chestnut Ridge Rd., Elyria.

REFERRED BY: OHIO DIVISION OF LIQUOR CONTROL

REFERRED TO: COMMUNITY DEVELOPMENT

2. The matter of a new liquor license to Hubert Oliver Legacy 34 LLC at 46 Cleveland St., Elyria.

REFERRED BY: OHIO DIVISION OF LIQUOR CONTROL

REFERRED TO: COMMUNITY DEVELOPMENT

3. The matter of a rezoning request of Parcel #06-24-068-104-002 from Residential Medium Density (R-MD) to Residential Multi Household Low Density (R-MHL).

REFERRED BY: PETE SCHWIEGERAHT

REFERRED TO: COMMUNITY DEVELOPMENT

4. The matter of a moral claim submitted by Ann Louise Lander.

REFERRED BY: SSD LUNDY

REFERRED TO: FINANCE

5. The matter of assigning a property lien to 446 11th Street, Elyria, OH 44035: \$265.75.

REFERRED BY: BO FARKAS

REFERRED TO: FINANCE

6. The matter of assigning a property lien to 826 West Ave., Elyria, OH 44035: \$187.87.

REFERRED BY: BO FARKAS

REFERRED TO: FINANCE

7. The matter of assigning a property lien to 382 Furnace Ave., Elyria, OH 44035: \$1,015.85.

REFERRED BY: BO FARKAS

REFERRED TO: FINANCE

**REGULAR COUNCIL MEETING ELYRIA CITY COUNCIL JULY 10, 2023
6. PRESIDENT'S REFERRALS AND REMONSTRANCES: CONTINUED**

8. The matter of assigning a property lien to 207 Warren Ave., Elyria, OH 44035: \$301.12.

REFERRED BY: BO FARKAS

REFERRED TO: FINANCE

9. The matter of assigning a property lien to 250 Harrison Street, Elyria, OH 44035: \$106.84.

REFERRED BY: BO FARKAS

REFERRED TO: FINANCE

10. The matter of assigning a property lien to 2040 Midway Blvd. , Elyria, OH 44035: \$207.84.

REFERRED BY: BO FARKAS

REFERRED TO: FINANCE

**11. The matter of transfer funds request to special magistrate fund.*

REFERRED BY: JUDGE GARY C. BENNETT

REFERRED TO: FINANCE

12. The matter of authorizing the disposal of a 2018 Ford F150 truck through govdeals or by the best means available.

REFERRED BY: ENG. MCKILLIPS

REFERRED TO: FINANCE

13. The matter of charging a fee for the use of the two (2) Electric Vehicle Charging Ports installed in the City Hall Rear Parking Lot.

REFERRED BY: ENG. MCKILLIPS

REFERRED TO: FINANCE

14. The matter of authorizing the Mayor to enter into a Professional Service Agreement with an ODOT prequalified engineer consultant (LOR-CR658-0.00 Cleveland St.)

REFERRED BY: ENG. MCKILLIPS

REFERRED TO: UTILITIES

15. The matter of authorizing the Mayor to submit applications for the grant and or loan for OPWC for the year 2024.

REFERRED BY: ENG. MCKILLIPS

REFERRED TO: FINANCE/ UTILITIES

16. The matter of authorizing the Mayor to enter into an agreement with ODOT to construct and widen pavement on I-90 within the city corporation limits.

REFERRED BY: ENG. MCKILLIPS

REFERRED TO: UTILITIES

REGULAR COUNCIL MEETING ELYRIA CITY COUNCIL JULY 10, 2023
6. PRESIDENT'S REFERRALS AND REMONSTRANCES: CONTINUED

17. The matter of opposition to Issue 1 on the August 8th special election ballot.

REFERRED BY: MAYOR WHITFIELD

REFERRED TO: STRATEGIC PLANNING

18. The matter of authorizing the Mayor to enter into change order #1 for the LOR-CR623-0.00 E Broad St. \$250,000.00 +3.32 % increase.

REFERRED BY: ENG. MCKILLIPS

REFERRED TO: UTILITIES

19. The matter of authorizing the Mayor to enter into change order #1 for the LOR-CR658-0.00 Cleveland St. \$250,000.00 +5.09 % increase.

REFERRED BY: ENG. MCKILLIPS

REFERRED TO: UTILITIES

20-25 Received and Placed on file in the clerk's office:

20. May 2023 Health Insurance Report

21. May 2023 Income Tax Report

22. May 2023 General Fund Cash Balance Report

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

24. June 2023 RITA Distributions

25. The matter of rental properties and various concerns- Council member Lipian - Ward 1

8. PETITIONS- LOBBY:

Bob Yost- 260 S. Logan- Entrance to 113/ ODOT permission to request property

Patrick Spears- 267 Northfield Dr.- First Responder Joint Training Facility

Janice Monos- 832 Bennett Drive- Neighborhood parking

Mark Mathes- 1730 Gulf Rd.-Codified Bicycle Routes- Exhibit 'A' attached

Danielle Coward - 9645 Murray Ridge Rd.- First Responder Training Facility

Keith Rybarczyk- 361 Rockfern Ave.- Fireworks Communications

8. PETITIONS-COUNCIL MEMBERS: None

9. REPORTS OF STANDING AND SPECIAL COMMITTEES: None

10. RESOLUTIONS—FIRST READING:

Sponsored by:

Finance

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

RESOLUTION NO. 2023-20

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

Sponsored by:

Utilities

- D. Mitchell
- B. Davis
- M. Corbin
- K. Oswald

RESOLUTION NO. 2023-21

A RESOLUTION REQUESTING RAILROAD COMPANIES OWNING INFRASTRUCTURE WITHIN THE CITY OF ELYRIA TO IMPLEMENT, AND ADHERE TO, A MAINTENANCE PROGRAM FOR IMPROVEMENTS AND REPAIRS OF SAID INFRASTRUCTURE AND RELATED APPURTENANCES.

Mitchell moved, Simmons seconded to pass this resolution 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	

11. RESOLUTIONS—SECOND READING: None

12. RESOLUTIONS—THIRD READING: None

13. ORDINANCES—FIRST READINGS:

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

ORDINANCE NO. 2023-91
AN ORDINANCE AUTHORIZING THE USE OF CITY OWNED REAL PROPERTY LOCATED AT ELY SQUARE FOR “THIRD THURSDAYS”, AND DECLARING AN EMERGENCY.

Callahan moved, Mitchell 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:
Community
Development:
T. Callahan
A. Lipian
C. Schneider
D. Mitchell
K. Oswald

ORDINANCE NO. 2023-92
AN ORDINANCE AUTHORIZING THE USE OF CITY OWNED REAL PROPERTY LOCATED AT ELY SQUARE FOR PURPOSES OF A SEASONAL FARMER’S MARKET, AND DECLARING AN EMERGENCY.

Callahan moved, Mitchell 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

13. ORDINANCES--FIRST READINGS: CONTINUED

Sponsored by: **ORDINANCE NO. 2023-93**
Community AN ORDINANCE AUTHORIZING THE CITY TO PETITION THE
Development: BOARD OF COUNTY COMMISSIONERS TO ANNEX CERTAIN
C. Schneider REAL PROPERTY OWNED BY THE STATE OF OHIO AND
LOCATED AT STATE ROUTE 113 IN THE VICINITY OF WEST
RIDGE ROAD, ELYRIA, OHIO.

Schneider moved, Tollett 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: **ORDINANCE NO. 2023-94**
Finance AN ORDINANCE AUTHORIZING THE WAIVER OF BUILDING
V. Stewart III PERMIT RELATED FEES FOR THE DIOCESES OF CLEVELAND
P. Tollett AND ELYRIA CATHOLIC HIGH SCHOOL FOR THE
B. Davis CONSTRUCTION PROJECTS AT 725 GULF ROAD, ELYRIA,
C. Schneider OHIO.
J. Cerra

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

Sponsored by: **ORDINANCE NO. 2023-95**
Finance AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO
P. Tollett TRANSFER FUNDS TO THE SPECIFIED ACCOUNT
B. Davis
C. Schneider
J. Cerra

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

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

13. ORDINANCES--FIRST READINGS: CONTINUED

Sponsored by: **ORDINANCE NO. 2023-96**
Finance AN ORDINANCE AMENDING ORDINANCE NO. 2023-34,
V. Stewart III KNOWN AS THE "2023 PERMANENT APPROPRIATIONS
P. Tollett ORDINANCE," TO CHANGE FUNDS IN VARIOUS ACCOUNTS.
B. Davis
C. Schneider
J. Cerra

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

Sponsored by: **ORDINANCE NO. 2023-97**
Utilities AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER
D. Mitchell INTO AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES
B. Davis AGREEMENT WITH BLACK & VEATCH MANAGEMENT
M. Corbin CONSULTING, LLC, AND DECLARING AN EMERGENCY.
K. Oswald
Finance
V. Stewart III
P. Tollett
B. Davis
C. Schneider
J. Cerra

Mitchell 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: **ORDINANCE NO. 2023-98**
Utilities AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE
D. Mitchell FOR BIDS AND ENTER INTO A CONTRACT FOR THE WATER
B. Davis TRANSMISSION PHASE 2 PRE-INSPECTION PIPELINE
M. Corbin IMPROVEMENTS PROJECT.
K. Oswald

Mitchell moved, Simmons 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

13. ORDINANCES—FIRST READINGS: CONTINUED

MOTION CARRIED MOTION CARRIED

<p>Sponsored by: <u>Utilities</u> D. Mitchell B. Davis M. Corbin K. Oswald</p>	<p>ORDINANCE NO. 2023-99 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE EAST SIDE RELIEF SEWER DIVERSION STRUCTURE PROJECT AT THE WASTEWATER POLLUTION CONTROL PLANT.</p>
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Mitchell moved, Simmons seconded to pass this ordinance on its first reading under suspension of the rules.

<p>SUSPENSION AYE: 11 NAY: 0 ABSENT: 0 MOTION CARRIED</p>	<p>PASSAGE AYE: 11 NAY: 0 ABSENT: 0 MOTION CARRIED</p>
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<p>Sponsored by: <u>Utilities</u> D. Mitchell B. Davis M. Corbin K. Oswald</p>	<p>ORDINANCE NO. 2023-100 AN ORDINANCE DESIGNATING REAL PROPERTY OWNED BY THE CITY OF ELYRIA LOCATED AT 1504 WEST AVENUE, AS A PARK.</p>
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Mitchell moved, Simmons seconded to pass this ordinance on its first reading under suspension of the rules.

<p>SUSPENSION AYE: 11 NAY: 0 ABSENT: 0 MOTION CARRIED</p>	<p>PASSAGE AYE: 11 NAY: 0 ABSENT: 0 MOTION CARRIED</p>
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<p>Sponsored by: <u>Utilities</u> D. Mitchell B. Davis M. Corbin K. Oswald</p>	<p>ORDINANCE NO. 2023-101 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE FOSTER AVENUE RESURFACING PROJECT, AND DECLARING AN EMERGENCY.</p>
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Mitchell moved, Davis seconded to pass this ordinance on its first reading under suspension of the rules, and declaring an emergency.

<p>SUSPENSION AYE: 11 NAY: 0 ABSENT: 0 MOTION CARRIED</p>	<p>PASSAGE AYE: 11 NAY: 0 ABSENT: 0 MOTION CARRIED</p>	<p>EMERGENCY AYE: 11 NAY: 0 ABSENT: 0 MOTION CARRIED</p>
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13. ORDINANCES--FIRST READINGS: CONTINUED

Sponsored by: **ORDINANCE NO. 2023-102**
Utilities
 D. Mitchell AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE
 B. Davis FOR BIDS AND ENTER INTO A CONTRACT FOR THE LAKE
 M. Corbin AVENUE RESURFACING PROJECT, AND DECLARING AN
 K. Oswald EMERGENCY..

Mitchell 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: **ORDINANCE NO. 2023-103**
Utilities
 D. Mitchell AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE
 B. Davis FOR BIDS AND ENTER INTO CONTRACT FOR THE ABBE
 M. Corbin ROAD S. RESURFACING PROJECT, AND DECLARING AN
 K. Oswald EMERGENCY.

Mitchell moved, Simmons 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: **ORDINANCE NO. 2023-104**
Utilities
 D. Mitchell AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE
 B. Davis FOR BIDS AND ENTER INTO A CONTRACT FOR THE
 M. Corbin CHESTNUT RIDGE ROAD RESURFACING PROJECT, AND
 K. Oswald DECLARING AN EMERGENCY.

Mitchell moved, Simmons 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

13. ORDINANCES--FIRST READINGS: CONTINUED

Sponsored by:

Utilities

D. Mitchell
B. Davis
M. Corbin
K. Oswald

ORDINANCE NO. 2023-105

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE 2023 CRACK SEALING PROJECT.

Mitchell moved, Simmons 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 READINGS: None

15. ORDINANCES--THIRD READING:

Sponsored by:

Community

Development:

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

ORDINANCE NO. 2023-106

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..

Callahan moved, Mitchell 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	

15. ORDINANCES—THIRD READING: CONTINUED

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

ORDINANCE NO. 2023-107
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 FIRST RESPONDER JOINT TRAINING FACILITY AT REAL PROPERTY IN THE VICINITY OF MURRAY RIDGE ROAD, INFIRMARY ROAD, AND GARDEN STREET, ELYRIA, OHIO.

Callahan 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	

16. COMMITTEE CALLS:

COMMUNITY DEVELOPMENT 7/24/2023 6:00 P.M. All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

JOINT CD/FINANCE 7/24/2023 Following CD All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

FINANCE 7/24/2023 Following Joint All Referred Items Council Chambers w/Mayor, Auditor, Law Director, SSD, Engineer

UTILITIES, SAFETY & ENVIRONMENT 7/12/2023 6:00 P.M. All Referred Items Council Chambers w/SSD, Law Director, Engineer

COUNCIL/STRATEGIC PLANNING 8/07/2023 Immediately following Council Meeting All Referred Items Council Chambers W/ Mayor, Safety Service Director, Auditor, Solicitor, Engineer

17. MISCELLANEOUS AND UNFINISHED BUSINESS:

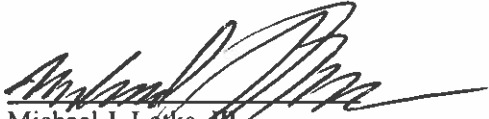
Council member Lipian suggested a reminder about certain laws being placed in the water bills. Council member Callahan spoke about Windsor school being demolished, keep sake bricks are available.

Finance Director Pileski reminded the clerk’s office that a certified copy of Ord 2023-90 would be needed for finance records.

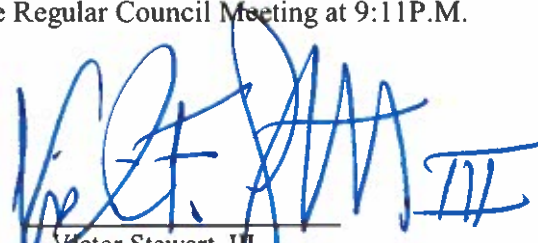
18. ADJOURNMENT:

Mitchell moved, Lipian seconded to adjourn the Regular Council Meeting at 9:11P.M.

MOTION CARRIED



Michael J. Lotko, III
Clerk of Council



Victor Stewart, III
President of Council

RLP/

EXHIBIT 'A'

Dear Members of Elyria City Government

On January 19, 1999 Elyria City Council passed Ordinance 99-5 establishing two Bicycle Routes in the City from the Lorain County Metro Bike Path to the Black River Reservation Lorain County Metro Bike Trail and then Back again. Today those two locations are called the North Coast Inland Trail Gateway Trailhead and Bur Oak. If one searches "Bicycle Routes" on the City's website, the results are "No Results Found." It would not surprise me if many residents or even members of City Government are not even aware of these routes or their specifics, and yet they are part of our current code. This ordinance can, of course, be found on the American Legal Publishing Corporation website. This site, however, is only current through June 8, 2021.

As a 43 year resident of Elyria and one concerned with safety and the image of my home city, I am asking City Council to consider rescinding this ordinance for the following reasons:

1. There are currently better, shorter, easier and most importantly safe ways for cyclists to travel from these two points, particularly on the Bridgeway Trail as established by the Lorain County Metro Parks. There is infrastructure that did exist in 1999 and there are better solutions to getting from point A to point B, particularly for those residents and visitors who do not know their way around Elyria.
2. I have surveyed both routes, North and South. Of the 54 Intersections with turns on the North and South routes, 25% of them have no signage indicating the route or a turn. Some other intersections have only one sign. With rare exceptions, intersections that go straight are not marked, which is not uncommon on marked routes of this nature. All turn intersections are designed to have an arrow and a Bicycle Route sign. Since the Route's inception, I have observed that the signage has not been kept current. Without proper signage, how is anyone not familiar with the area, with its bridges, rivers and railroads to know where to turn? Those who are familiar with Elyria likely do not need route signage. An example of the Route not being kept current is the past and current closing of Poplar St, and the fact that there has been no detour posted for the Bicycle Route.
3. The route goes through 2 privately owned properties, one on Washington Ave. and one on Poplar St. One parcel is the former Northwood Junior High, now owned by a private organization and the other is the parcel on the North Cul de Sac of Washington Ave. at 823 Washington Ave. An easement for this sidewalk and a water main is listed on this residential property on the Plat Map for this area. I am not able to determine whether or not any easement exists on the former Northwood School property.
4. The routes to and from Gulf Rd. and Hemlock Dr. to Bur Oak on Ford Rd. and back are in my opinion, the biggest concern. Although the speed limit on Gulf Rd. is 35 MPH, 50 MPH or higher is not uncommon and Gulf Rd. is heavily traveled. The Routes turn at the intersection of Gulf and Ford in the Village of Sheffield and this intersection is often congested as it is only 200 feet South of the intersection of Gulf and Detroit Rd. (Rt 254).

Ford Rd is a steep hill that is difficult to climb on a bicycle, particularly with motor traffic going both ways. Also, the vegetation on the East side of Ford going up the hill often encroached onto the roadway, effectively narrowing the roadway. All in all, I consider this Northernmost section of these Routes to be the most dangerous section of the Routes and to be generally unsafe for all but experienced cyclists. This section is, in my opinion, not appropriate to be part of a city's codified bike route that is intended for riders who do not know the way to a destination. Within the past 2 ½ weeks, there have been two accidents on the North section of Gulf Rd South of Ford Rd in Sheffield Village during the daytime causing considerable damage to the City of Elyria, Ohio Edison and our property at 1730 Gulf Rd.

5. This North section contrasts with sections on Abbe Rd. North and South of Rt. 57 which directs cyclists to go onto the sidewalk. The North Route directs cyclists to walk across Rt 57 WHERE THERE IS NOT A CROSSWALK. This is a serious safety concern particularly for youthful riders and I'm saddened to bring this to your attention.

The primary issue that I am bringing up is Safety. If the routes codified by the City of Elyria are unsafe and I believe they are, it is incumbent on the city to correct the situation. Period. Failure to do so, I believe creates a liability issue that the City of Elyria and all its residents can not afford. We can do better than this.

I would encourage any city official to actually ride these routes. This will give you firsthand knowledge and you'll be better able to assess my concerns. I am fully aware that this is not the most pressing issue facing Elyria of society, but I believe it is low hanging fruit that can be easily accomplished. It will remove an ordinance for which the original purpose no longer exists and will help make Elyria a safer place to live.

Additionally, I am willing to escort any city official on a bicycle ride on either of these two sections of the Bicycle Routes. I can't guarantee your safety, but will do my best to escort you in a safe manner. I've ridden this area many times and I'm always fully aware of my surroundings. Please contact me to make arrangements if you wish to take me up on my offer.

Thank you for your time and consideration,

Mark Mathes
1730 Gulf Rd.
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