

THE FINANCE Committee held a meeting on Monday, July 24th, 2023 beginning at 7:56 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: Corbin and Simmons

OTHERS PRESENT: Law Director Deery, Mayor Whitfield, Safety Service Dir Lundy, Asst. Dir Williams, Finance Dir Pileski, Building Official Farkas, Asst Dir Calvert, Police Chief Pelko, HR Dir Yousefi, Engineer McKillips, WWPC Supt Korzan, Public Works Supt Conner

Approval of the Finance Meeting Minutes from May 22nd, 2023.

Mr. Schneider moved, second by Mrs. Davis to approve the said meeting minutes.

2. The matter of a Moral Claim for Damage submitted by Ann Louise Lander.

Referred By: Safety Service Director Lundy

Law Dir Deery said this was a motor vehicle accident where an Elyria Police Officer was at fault. Both parties were covered by insurance. Elyria, as a municipality are not authorized to reimburse any monies that have been paid by the insurance company. Therefore, the claim was denied and instructions for filing a moral claim were provided and that brings us here today. The specifics of the ORC Ch. 2744 states, if a claimant receives or is entitled to receive insurance benefits of a political subdivision that may be responsible for damages is liable only to the extent of the insurance deductible amount required by the insurance policy. The City's insurance did cover the deductible amount.

Dir Lundy said the Law Dir covered what happened. It happened April 10th and our patrolman did hit the rear bumper of Ms. Lander's vehicle and the deductible was paid as Dir Deery stated. The Landers decided they wanted to bring their concern to Council. They rec'd a letter from the Law Dir 's office.

Mr. Tollett asked if the City paid 100% of the cost of the damage and a 100% of the deductible, what are the Lander's asking for?

Dir Deery said that the Lander's insurance covered a large portion of the repairs and that's part of this issue is that it was their insurance.

Brian Lander of 135 Northfield Dr., Elyria is here speaking on behalf of his wife. He said, yes, they were reimbursed by their insurance as well as the City for the deductible. Their insurance premiums will now go up because they filed a claim. Other issues they encountered is that the City doesn't appear to inform their employees of what to do in a case like this. it was only when Dir Lundy informed them of the process that they were able to get it done. Prior to that that had gotten different information from different employees and they were confused.

On May 19th another issue came up when his wife rec'd a phone call from the prosecutor's office stating he was trying to reduce this officer's charges. They don't want the officer to face additional charges, but this indicates that the City's interest lies in protecting their employees and not providing protection or assistance to its citizens.

Mr. Landers said he and his wife are requesting that the City rectify this situation by refunding their insurance, the portion that they paid toward the claim. They are also requesting the City create a standard operating procedure for these types of situations so that this process is streamlined and employees are aware of how it's handled and no other resident will have to endure the challenging process that they have.

Law Dir Deery said it's clear that our officer was at fault and the information would've been handed over to both insurance companies.

Dir Lundy said that the information was forwarded to the insurance company and documentation was provided the insurance companies negotiated and this was the arrangement that was decided on.

Law Dir Deery said the Landers have been reimbursed, either directly or thru the repair of the vehicle. Their insurance covered that. The Lander's are asking for the City to reimburse the insurance company so that their premiums won't go up. Ms. Deery asked if the Lander's would be willing to provide some documentation.

Mr. Landers said yes, they would ask for that documentation.

Chair Stewart asked for the Landers to have their insurance company to write up a documentation stating that if they are reimbursed, that it would reverse, stating that their premiums would not go up. And they can forward it to the Safety Service Office.

This matter is tabled until that documentation is received.

3. 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

Public Works Sup Conner said there are two dozen accounts that are inactive and have been finalized and were approved by the EPU Resolution Board to be certified to the Lorain County Auditor's Office.

Motion made by Mr. Cerra and second by Mrs. Davis to authorize a resolution for the 'said' charges.

MOTION CARRIED COMMITTEE REPORT WRITTEN

4. The matter of an Amendment to the Rural Lorain County Water Authority Agreement.

Referred by Public Works Supervisor Conner
(This matter was passed by Utilities on 7/12)

Public Works Supt Conner said they are asking to extend the contract with Rural Water for six months at the current rates. It's for the area of Chestnut Commons and they have Elyria water but they are in the Rural Water District. Elyria collects payments and we pay Rural Water a portion of that. The contract has been in place for 10 years and it's up in December and they'll sit down with Rural Water and talk about adjusting it. This contract is for the restaurants and businesses in Chestnut Commons. EPU billed \$10,000 in water in the first half of this year and paid Rural Water \$5,000.

Mr. Cerra moved, Mrs. Davis second to authorize the amendment to the 'said' agreement to reflect the extension of the 'said' contract at the same rate.

MOTION CARRIED COMMITTEE REPORT WRITTEN

5. The matter of a property lien for boarding up and securing the property located at 264 Windsor Drive. Referred By: Building Official Farkas
Building Official Farkas said this lien has been satisfied and paid in full.

6. The matter of a property lien for boarding up and securing the property located at 309 East Broad Street. Referred By: Building Official Farkas
Building Official Farkas said this board up was initiated by the EPD and resulted in the need for securing the structure.

Motion made by Mr. Cerra and second by Mrs. Davis to authorize a resolution for the 'said' charges.

MOTION CARRIED COMMITTEE REPORT WRITTEN

8. The matter of a property lien for boarding up and securing the property located at 446 11th Street. Referred By: Building Official Farkas
Building Official Farkas said this board up was initiated by the EPD and resulted in the need for securing the structure.

Motion made by Mr. Schneider and second by Mr. Cerra to authorize a resolution for the 'said' charges.

MOTION CARRIED COMMITTEE REPORT WRITTEN

9. The matter of a property lien for boarding up and securing the property located at 826 West Avenue. Referred By: Building Official Farkas
Building Official Farkas said this board up was initiated by the EPD and resulted in the need for securing the structure.

Motion made by Mr. Cerra and second by Mr. Schneider to authorize a resolution for the 'said' charges.

MOTION CARRIED COMMITTEE REPORT WRITTEN

10. The matter of a property lien for boarding up and securing the property located at 382 Furnace Street. Referred By: Building Official Farkas
Building Official Farkas said this board up was initiated by the Elyria Building Department and resulted in the need for securing the structure.

Motion made by Mr. Cerra and second by Mr. Schneider to authorize a resolution for the 'said' charges.

MOTION CARRIED COMMITTEE REPORT WRITTEN

11. The matter of a property lien for boarding up and securing the property located at 207 Warren Avenue. Referred By: Building Official Farkas
Building Official Farkas said this board up was initiated by the EPD and resulted in the need for securing the structure.
Motion made by Mr. Cerra and second by Mr. Schneider to authorize a resolution for the 'said' charges.
MOTION CARRIED COMMITTEE REPORT WRITTEN

12. The matter of a property lien for boarding up and securing the property located at 250 Harrison Street. Referred By: Building Official Farkas
Building Official Farkas said this board up was initiated by the EPD and resulted in the need for securing the structure.
Motion made by Mrs. Davis and second by Mr. Cerra to authorize a resolution for the 'said' charges.
MOTION CARRIED COMMITTEE REPORT WRITTEN

13. The matter of a property lien for boarding up and securing the property located at 2040 Midway Blvd. Referred By: Building Official Farkas
Building Official Farkas said this board up was initiated by the EPD and resulted in the need for securing the structure.
Motion made by Mrs. Davis and second by Mr. Schneider to authorize a resolution for the 'said' charges.
MOTION CARRIED COMMITTEE REPORT WRITTEN

14. The matter of disposal of a 2018 Ford F150 truck through Gov deals or best means. Referred By: Engineer McKillips

Engineer McKillips said this is a truck used by the Engineer's Office. It has 35,000 miles on it but it has a knocking in the engine and is getting worse. They've taken it to the dealership and there is nothing they can do about it. Due to the current condition they would like to get as much money from it.

Mrs. Davis said that since this is only 5 years old and the dealer can't figure out what the knocking in the engine is, shouldn't it be under warranty and the dealer to take care of it?

Engineer McKillips said for whatever reason this model of engine is prone to have these issues.

Ms. Davis said Ford has a number to call. This truck isn't that old and they know it has a knock in the engine and if this is a problem on this model, they need to look at it. She has a number to call to have they will send a representative to look at it.

Chair Stewart said they should take that under advisement for someone to come in and look at it.

This matter is tabled until further information is received.

15. The matter of charging a fee for the use of Electric Charging Ports in City Hall lot. Referred By: Engineer McKillips

Engineer McKillips said this is for discussion only. Around a 2 years ago, the City received a \$15,000 Grant from the Ohio EPA to install the electric charging units in the rear of the City Hall parking lot. It's a 2-port unit so 2 vehicles can be charged. The grant covered the cost of the equipment and installation and 3 years of service from the provider that operates the charging unit. Up until now the fee is free. We have now reached the point where we need to look at getting ourselves reimbursed to recoup the electricity costs. They've looked at how much should be charged. They looked at what others are charging; 15 cents a kilowatt hour up to \$1.55 per kilowatt hour. These charging stations are at a lot of places where the person using it could be a patron of the business it's connected with. However, since we're a government entity, we need to get reimbursed. They are looking at is a per kilowatt hour and also looking at whether they set a number, a flat rate or is there a way to set a not to exceed number. Right now, it's free and to recoup our cost we would have to charge 27 cents per kilowatt hour. We could charge 30 cents per hour to make it even. Right now, those folks who have been using it would probably no longer use it. We have to figure what is our reimbursement cost. The not to exceed limit would allow to increase the fee based on the actual usage. The more kilowatts that are out on these units, the cheaper it gets.

Engineer McKillips wanted to provide this information to the committee and is asking for suggestions. This is new territory for the City and for NOACA. We're gathering any information we can.

Mr. Tollett said he is a believer in the future of electric vehicles. How many employees do we allow to use gas pumps for their personal vehicles? Answer is zero and it's because of liability and expense. We have collective bargaining units and one facility and are we being unfair that those who work at the CMG garage don't have the same benefit? The bigger this becomes, and we're at that transition stage, now is a good time to discuss this.

Law Dir Deery said perhaps this should have been a conversation before those units were installed. As far as liability, once we get into a paid situation there could be less liability. She asked if there are any restrictions based on the grant we received?

Engineer McKillips said we are permitted to recoup our costs.

Mrs. Davis asked Mr. Pileski if they've seen an increase in our Electric bill?

Fin Dir Pileski said he would have to look through all of the recent electric bills. He said he's surprised that no one who works at City Hall and has a regular vehicle hasn't asked for the City to pay for their gas.

Mr. Schneider asked if we have plans on putting up more of these in the future?
Eng. McKillips is not aware of that.

Chair Stewart said this was good conversation and we can gather information and discuss the kilowatt rate. We'll put this in pending items.

16. The matter of authorizing the Mayor to submit applications for the grant and or loan for OPWC Projects (round 38) for the year 2024.

Referred by Engineer McKillips *(This matter was passed by Utilities on 7/12)*

Engineer McKillips said this is an annual program and they submit applications for the larger street resurfacing projects. This year's streets include Abbe (University, N to East Broad), Furnace (Lake Ave to West River), West River (Furnace to Rt 57), Leona (Griswold to Midway Blvd.), Midway Blvd. (Tillotson to West River). Apps are due Sept 1st.

Mrs. Davis moved, Mr. Cerra second to authorize an ordinance to submit applications for grants and /or loans from OPWC for 2024 Street projects.

MOTION CARREID COMMITTEE REPORT WRITTEN

17. The matter of Amendments to the Permanent Appropriations.

[Standing Referral] Referred By: Finance Directors Pileski and Farrell

Finance Dir Pileski said the Building Dept's board-ups and securing of vacant properties have depleted the operating and maintenance in the building dept. so we need to move \$50,000 from salary & wages and \$50,000 from benefits & pension to operating and maintenance so they can get started on demos.

The second is to appropriate monies for the Cleveland St., East Bridge St. Improvement project, adding \$6,644,038 to Capital Outlay. 46% is funded by a grant thru NOACA and 27% is funded by a grant thru ODOT and the remaining 27% is the City's share which will be funded by a state infrastructure bank loan that we'll pay off over 10 years.

Mrs. Davis moved, Mr. Cerra second to authorize an ordinance to amend the 2023 permanent appropriations.

MOTION CARREID COMMITTEE REPORT WRITTEN

Chair Stewart asked for a motion to Adjourn this meeting.

Mr. Cerra moved and second by Mr. Schneider to adjourn this evening's Finance Meeting. The meeting adjourned at 8:45 P.M.

MOTION CARRIED

Respectfully Submitted by,
Colleen Rosado, Secretary/Administrative Assistant