

Minutes Approved  
*As Circulated*  
*Sept 18, 2023*

September 5, 2023  
Regular Council Meeting  
Elyria City Council

**1. CALL TO ORDER:**

The regular meeting of Elyria City Council was called to order on September 5, 2023 at 7:00 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 Cerra.

**2. ROLL CALL: COUNCIL MEMBERS**

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

**ABSENT:** Callahan

Motion made by Cerra, seconded by Mitchell to excuse the absence of Mr. Callahan.

**AYES = 10**

**MOTION CARRIED**

**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, Asst. Law Director Breunig, CD Mngr. Almobayyed, Eng. McKillips, BO Farkas, Fire Chief Pronesti, Police Chief Pelko

**3. PUBLIC HEARINGS:**

The meeting was recessed for the public hearing at 7:02 P.M.

Clerk Lotko read the Call to Public Hearing:

**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 AT 615 FOSTER AVENUE, TO ELYRIA, OHIO FROM R-M D RESIDENTIAL MEDIUM DENSITY DISTRICT TO R-MHL RESIDENTIAL - MULTI-HOUSEHOLD LOW DENSITY DISTRICT.**

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

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President Stewart asked if there were any opponents?

Ms. Ardelia R. Tolbert-520 Bond Street.- Ms. Tolbert expressed concerns regarding the height of the building as well the age of the occupants of the building, considering the surrounding community is an older community.

Valerie France- 519 Bond Street- Ms. France expressed concerns regarding the project from her perspective being rushed. In addition she shared concerns regarding rainfall absorption and green

**3. PUBLIC HEARINGS: CONTINUED**

space once a new building is constructed. She is not in favor of disruption of the existing quiet community.

Joan Gardner - 600 Foster Ave.- Ms. Gardner expressed she is opposed to the entire idea of rezoning.

Thomas Boggs- 526 Foster Ave.- Mr. Boggs stated that he is simply against it.

President Stewart asked Building Official Farkas to address some of the concerns. Council member Davis stated that the project is in her ward and she would appreciate the opportunity for the company to meet with the residents to address their specific concerns and answer any questions that the community members may have. Asst. Law Director Breunig stated that the public hearing tonight could be declared a second reading if council decides not take action. Building Official Farkas addressed the concern of the height requirement. B.O . Farkas shared the current zoning code height requirement allowable is 35 feet, the new zoning code will allow a height requirement of 40 feet. In discussions with the builder, they will do their best to comply with the requirements. Questions of concern were posed during Planning Commission, regarding the aesthetic appeal. He expressed from his perspective the difference of 5 feet is not a whole lot, however depending on the roof design it could potentially be lower. B.O. Farkas stated that he could not speak to the grading concerns addressed, the Engineering department would need to address that concern. The rezoning would also require stricter set backs than the current zoning. The structure would be further away from the property line than the current zoning permits for a house. Council member Oswald inquired about water filtration and proper drainage due to a lot of water in the area. He asked if there were any planned safeguards in place. B.O. Farkas, stated that although he could not speak for the engineering department, he explained that there is a filtration process for plan submittal that includes review from the engineering department of the grading to ensure the yards are not raised too high to divert water. He is unaware of storm water laterals in the area.

President Stewart stated that he would request the administration and Council member Davis coordinate details of the community meeting for additional concerns to be addressed for residents.

**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 AT 615 FOSTER AVENUE, TO ELYRIA, OHIO FROM R-M D RESIDENTIAL MEDIUM DENSITY DISTRICT TO R-MHL RESIDENTIAL - MULTI-HOUSEHOLD LOW DENSITY DISTRICT.**

President Stewart declared the public hearing had it's second reading.

The Regular Council meeting resumed at 7:11 p.m.

***Third reading scheduled for September 18, 2023***

**4. APPROVAL OF MINUTES:**

Mrs. Simmons. moved, Mr. Schneider seconded to approve the Meeting Minutes of the August 7, 2023 Council Meeting as circulated.

**MOTION CARRIED**

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

Due to technical difficulties that were out of our control, the meeting was not streamed on you tube. We did not have microphones or audio in council chambers. Department reports were requested to be submitted via email. We are hoping to have the issue remedied soon.

**Mayor Whitfield:**

Mayor Whitfield requested that written reports be submitted to the administration by Thursday 9/7 and the administration would post the reports to the website.

**Attached :** Elyria Police Department, Engineering, Wastewater

**No Reports:**

Finance, Law, ASSD Calvert, Building Official, Fire

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

*\* Matter is completed or partially completed*

1. The matter of the PY 2024 Community Development Block Grant Action Plan, 2024-2028 Consolidated Plan.

**REFERRED BY:** CD MNGR. ALMOBAYYED

**REFERRED TO:** COMMUNITY DEVELOPMENT

2. The matter of the Community Development Block Grant (CDBG) Consolidated Annual Action Plan Substantial Amendment.

**REFERRED BY:** CD MNGR. ALMOBAYYED

**REFERRED TO:** COMMUNITY DEVELOPMENT

3. The matter of a Downtown Historic Redevelopment Program applicant: T. Breno

**REFERRED BY:** CD MNGR. ALMOBAYYED

**REFERRED TO:** COMMUNITY DEVELOPMENT

4. The matter of a joint resolution between the Mayor and the City of Elyria honoring Ridge Tool Company 100 year anniversary

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

**REFERRED TO:** COMMUNITY DEVELOPMENT

5. The matter of a rezoning request of Parcels 06-25-007-000-248, 06-25-007-000-254, 06-25-007-000-256 and 06-25-007-000-274 from L-I Light Industrial District to RDOD Redevelopment Overlay District.

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

**REFERRED BY: DBR COMMERCIAL REALTY, LLC**

**REFERRED TO: COMMUNITY DEVELOPMENT**

6. The matter of assigning a property lien to 150 Bath St., Elyria, OH 44035: \$280.44.

**REFERRED BY: BO FARKAS**

**REFERRED TO: FINANCE**

7. The matter of assigning a property lien to 215 Clark St., Elyria, OH 44035: \$1,620.39.

**REFERRED BY: BO FARKAS**

**REFERRED TO: FINANCE**

8. The matter of assigning a property lien to 309 E. Broad St., Elyria, OH 44035: \$270.69.

**REFERRED BY: BO FARKAS**

**REFERRED TO: FINANCE**

9. The matter of assigning a property lien to 421 13<sup>th</sup> St., Elyria, OH 44035: \$897.15.

**REFERRED BY: BO FARKAS**

**REFERRED TO: FINANCE**

10. The matter of assigning a property lien to 446 11<sup>th</sup> St., Elyria, OH 44035: \$7,000.46.

**REFERRED BY: BO FARKAS**

**REFERRED TO: FINANCE**

11. The matter of assigning a property lien to 1825 Lorain Blvd., Elyria, OH 44035: \$562.54.

**REFERRED BY: BO FARKAS**

**REFERRED TO: FINANCE**

12. The matter of a moral claim submitted by Thomas Alspach.

**REFERRED BY: SSD LUNDY**

**REFERRED TO: FINANCE**

13. The matter of authorizing the delinquent Stormwater Utility fees past due 180 days to be certified by the Lorain County Auditor.

**REFERRED BY: ENG. MCKILLIPS**

**REFERRED TO: FINANCE**

14. The matter of final assessment to replace Private Sewer Service.

**REFERRED BY: ENG. MCKILLIPS**

**REFERRED TO: FINANCE**

15. The matter a request for a vehicle purchase for the Elyria Fire Department.

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

**REFERRED BY:** SSD LUNDY

**REFERRED TO:** UTILITIES

16. The matter of authorizing the Mayor to advertise and award a contract for the Penfield Ave. Storm Sewer Improvement Project.

**REFERRED BY:** ENG. MCKILLIPS

**REFERRED TO:** UTILITIES

17. The matter of authorizing the Mayor to enter into an agreement with Burgess & Niple for the design and inspection services of the Murray Ridge Water Tower Improvement Project.

**REFERRED BY:** ENG. MCKILLIPS

**REFERRED TO:** UTILITIES

18. The matter of ratification of the Lorain County Solid Waste Management Plan.

**REFERRED BY:** LCSWMD DIR. DAVID A. BLEVINS

**REFERRED TO:** UTILITIES

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

List of receipts collected by each division of the Clerk of court's office for June 2023.

**7. PETITIONS- LOBBY:**

Ms. Ardelia R. Tolbert- 520 Bond Street- Ms. Tolbert shared with council that she needed to bring to the attention of council, a map that is on the internet that can be found through a bing search for an area located near Fuller Rd. reflected on the map as Coonville. Ms. Tolbert stated she was approached by community members to address council. Her request of council was if they could advise how the naming of the area came about on the map and what could be done to remove the name reference from the map. Council member Tollett asked if this was a map from the city of Elyria website or exactly where the map could be located. Copies of the map were disseminated during the meeting. The map reflected was a bing.com map. Mayor Whitfield stated this issue has been going on for quite sometime. He stated that if you were to pull up a google map and look up the Wilkes Villa housing complex, the area would reflect on the google map as Coonville. Mayor Whitfield shared information regarding the racist history of the name. Mayor Whitfield stated that he had made contact with google representatives. His belief is that it takes more than one person to advocate for a name change on a google map. President Stewart stated that we certainly need to take a proactive stance and confirm where the name originated from. President Stewart referred to Asst. Law Director Breunig for next steps. Asst. Law Director Breunig explained he had been unaware of the name reference on the map and the best route would be to gather additional information. Council member Tollett asked Mayor Whitfield in his research, would he happen to know if the maps are identified on wikipedia and is Mayor Whitfield aware of if the maps could be edited. Mayor Whitfield stated that he was not aware the reference was on a bing map as well as a google map. His research and reach out was to a civil

**7. PETITIONS– LOBBY: CONTINUED**

rights team with google representatives. Council member Lipian stated the racial epitaph does not represent the city of Elyria.

Carol Hobert- 440 Olivet Dr.- Our Elyria Walks- Exhibit 'A' attached

**8. PETITIONS–COUNCIL MEMBERS:** None

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

**10. RESOLUTIONS–FIRST READING:**

**Sponsored by:**

**Community  
Development**

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

**RESOLUTION NO. 2023-23**

A JOINT RESOLUTION BY COUNCIL AND THE MAYOR OF THE CITY OF ELYRIA, OHIO, HONORING RIDGE TOOL COMPANY (RIDGID) ON ITS 100 ANNIVERSARY.

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

SUSPENSION

AYE: 10

NAY: 0

ABSENT: 1

MOTION CARRIED

PASSAGE

AYE: 10

NAY: 0

ABSENT: 1

MOTION CARRIED

**Sponsored by:**

**Finance**

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

**RESOLUTION NO. 2023-24**

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

SUSPENSION

AYE: 10

NAY: 0

ABSENT: 1

MOTION CARRIED

PASSAGE

AYE: 10

NAY: 0

ABSENT: 1

MOTION CARRIED

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

**Sponsored by:**

**Finance**

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

**RESOLUTION NO. 2023-25**

A RESOLUTION APPROVING A LIST SUBMITTED BY THE SAFETY SERVICE DIRECTOR FOR THE COLLECTION OF FINAL ASSESSMENTS FOR THE REPLACEMENT OF PRIVATE SERVICE SEWER LINES, DIRECTING THE CLERK OF COUNCIL TO CERTIFY SAID LIST TO THE LORAIN COUNTY AUDITOR, AND DECLARING AN EMERGENCY.

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

SUSPENSION	PASSAGE	EMERGENCY
AYE: 10	AYE: 10	AYE: 10
NAY: 0	NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

**Sponsored by:**

**Finance**

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

**RESOLUTION NO. 2023-26**

A RESOLUTION APPROVING A LIST SUBMITTED BY THE SAFETY SERVICE DIRECTOR FOR THE COLLECTION OF 2022 DELINQUENT STORM WATER FEES, DIRECTING THE CLERK OF COUNCIL TO CERTIFY SAID LIST TO THE LORAIN COUNTY AUDITOR, AND DECLARING AN EMERGENCY.

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

SUSPENSION	PASSAGE	EMERGENCY
AYE: 10	AYE: 10	AYE: 10
NAY: 0	NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

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

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

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

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

**Sponsored by:**

**Community Development:**

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

**Finance**

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

**ORDINANCE NO. 2023-117**

AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM YEAR (PY) 2023 CONSOLIDATED ANNUAL ACTION PLAN, 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: 10	AYE: 10	AYE: 10
NAY: 0	NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

**Sponsored by:**

**Community Development:**

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

**Finance**

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

**ORDINANCE NO. 2023-118**

AN ORDINANCE AMENDING ORDINANCE NO. 2023-57, APPROVING THE APPLICATION FOR THE DOWNTOWN HISTORIC REDEVELOPMENT GRANT PROGRAM, FOR IMPROVEMENTS AT 246 SECOND STREET, ELYRIA, OHIO.

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

SUSPENSION	PASSAGE
AYE: 10	AYE: 10
NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED



**Sponsored by:**  
**Community**  
**Development:**  
T. Callahan  
A. Lipian  
C. Schneider  
D. Mitchell  
K. Oswald  
**Finance**  
V. Stewart III  
P. Tollett  
B. Davis  
C. Schneider  
J. Cerra

**ORDINANCE NO. 2023-119**  
AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION, DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE TO DIRECTLY BENEFIT SUCH PARCELS, REQUIRING THE OWNER OF THE IMPROVEMENTS ON SUCH PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS, AND RELATED AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40, 5709.42 AND 5709.43.

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

**SUSPENSION**

AYE: 10  
NAY: 0  
ABSENT: 1

MOTION CARRIED

**PASSAGE**

**ROLL CALL VOTE**

AYE: Cerra, Davis, Oswald, Mitchell, Tollett, Schneider, Simmons, Stewart  
NAY: Corbin, Lipian  
ABSENT: 1

MOTION CARRIED

**Sponsored by:**  
**Community**  
**Development:**  
T. Callahan  
A. Lipian  
C. Schneider  
D. Mitchell  
K. Oswald  
**Finance**  
V. Stewart III  
P. Tollett  
B. Davis  
C. Schneider  
J. Cerra

**ORDINANCE NO. 2023-120**  
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO ESTABLISH A REVOLVING LOAN FUND IN PARTNERSHIP WITH ECONOMIC & COMMUNITY DEVELOPMENT INSTITUTE (ECDI).

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

President Stewart expressed his concerns although he supports the project, he does not support the project being done internally. Clarification was confirmed regarding the \$25,000 administrative cost that ECDI had been made aware of.

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

<b>SUSPENSION</b>	<b>PASSAGE</b>
AYE: 10	AYE: 9
NAY: 0	NAY: 1
ABSENT: 1	ABSENT: 1
<b>MOTION CARRIED</b>	<b>MOTION CARRIED</b>

*President Stewart voted nay on the passage*

**Sponsored by:**  
**Finance**  
P. Tollett  
B. Davis  
C. Schneider  
J. Cerra

**ORDINANCE NO. 2023-**  
**AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO**  
**PAY A MORAL CLAIM TO THOMAS F. ALSPACH JR.**

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

**ROLL CALL VOTE**

**SUSPENSION**  
 AYE: Cerra, Corbin, Lipian, Tollett, Simmons  
 NAY: Davis, Oswald, Mitchell, Schneider, Stewart  
 ABSENT: 1

*Second reading scheduled for September 18, 2023*

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

**ORDINANCE NO. 2023-121**  
**AN ORDINANCE AMENDING ORDINANCE NO. 2023-34,**  
**KNOWN AS THE "2023 PERMANENT APPROPRIATIONS**  
**ORDINANCE," TO CHANGE FUNDS IN VARIOUS ACCOUNTS.**

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

<b>SUSPENSION</b>	<b>PASSAGE</b>
AYE: 10	AYE: 10
NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1
<b>MOTION CARRIED</b>	<b>MOTION CARRIED</b>

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

**Sponsored by:** ORDINANCE NO. 2023-122  
**Utilities**  
 D. Mitchell AN ORDINANCE ADOPTING THE SOLID WASTE  
 B. Davis MANAGEMENT PLAN FOR THE LORAIN COUNTY SOLID  
 M. Corbin WASTE MANAGEMENT DISTRICT.  
 K. Oswald

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

SUSPENSION	PASSAGE
AYE: 10	AYE: 10
NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED

**Sponsored by:** ORDINANCE NO. 2023-123  
**Utilities**  
 D. Mitchell AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER  
 B. Davis INTO AN AGREEMENT TO PURCHASE A 2023 FORD F-150  
 D. Simmons TRUCK AND A 2023 FORD F-250 TRUCK FOR THE FIRE  
 K. Oswald DEPARTMENT, THROUGH THE STATE PURCHASING  
 PROGRAM OR EQUIVALENT PROGRAM, AND DECLARING  
 AN 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: 10	AYE: 10	AYE: 10
NAY: 0	NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

**Sponsored by:** ORDINANCE NO. 2023-124  
**Utilities:**  
 D. Mitchell AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE  
 B. Davis FOR BIDS AND ENTER INTO A CONTRACT FOR THE  
 D. Simmons PENFIELD AVENUE STORM SEWER IMPROVEMENT  
 K. Oswald PROJECT, AND 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: 10	AYE: 10	AYE: 10
NAY: 0	NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

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

**Sponsored by:**

**Utilities:**

D. Mitchell  
B. Davis  
D. Simmons  
K. Oswald

**ORDINANCE NO. 2023-125**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BURGESS & NIPL, INC. FOR PROFESSIONAL DESIGN AND CONSTRUCTION INSPECTION SERVICES FOR THE MURRAY RIDGE WATER TOWER IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY.

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

SUSPENSION	PASSAGE	EMERGENCY
AYE: 10	AYE: 10	AYE: 10
NAY: 0	NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

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

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

**16. COMMITTEE CALLS:**

COMMUNITY DEVELOPMENT 9/11/2023 6:00 P.M. All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

JOINT CD/FINANCE 9/11/2023 Following CD All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

FINANCE 9/11/2023 Following Joint All Referred Items Council Chambers w/Mayor, Auditor, Law Director, SSD, Engineer

UTILITIES, SAFETY & ENVIRONMENT 9/13/2023 6:00 P.M. All Referred Items Council Chambers w/SSD, Law Director, Engineer

COUNCIL/STRATEGIC PLANNING 9/18/2023 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 reminded everyone of the remembrance of 911 on next Monday September 11th.

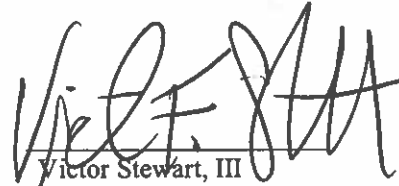
**18. ADJOURNMENT:**

Mitchell moved, Cerra seconded to adjourn the Regular Council Meeting at 7:37 P.M.

MOTION CARRIED



Michael J. Lotko, III  
Clerk of Council



Victor Stewart, III  
President of Council

RLP/



**Addendum to the September 5, 2023 Regular Council Meeting Minutes**

Council member Lipian stated that the racial epitaph does not represent the city of Elyria, and requested that it be investigated and proper action taken.

September 18, 2023

*/RLP*





## Engineering Update

09/05/2023

### Street Resurfacing

The asphalt contractor has started manhole and catch basin casting adjustments on the street paved with asphalt. Please watch for construction cones and barrels on the newly paved streets.

The Concrete Street Repair contract is in the process of being awarded. This project was re-bid due to the bids coming in over 10% over the Engineer's Estimate. Due to the timing of the bid opening and award, part of the work will likely be performed in Spring 2024 (this work is weather dependent and allowing the contractor to perform part of the work in 2024 helped with the final cost of the contract). A schedule will be shared when we have one.

### West Ave Watermain Improvements

This project about a couple weeks out from being wrapped up. Then, the resurfacing contractor will be in to get the new asphalt down. With the weather cooperates, West Ave work should be completed by the end of the first week in October.

### ESRS

People are wondering what's going on with Gulf Road; why is the contractor working on the road and not the sidewalk; when will all the East Bridge lanes open back up.

This project has had its share of obstacles.

- Delay in delivery of the shoring system for the E Bridge Chamber.
- Fiber/communication duct bank found to be in the excavation area of the chamber as well as electric pole and gas main encroachments
- Steel casing pipe found around the 10-foot storm sewer that needs to be cut for the chamber construction
- Old sandstone box culvert buried when the 10-foot storm sewer was installed.

- Concrete duct bank on Poplar that meanders in and out of the excavation for the 72" pipe.
- Normal everyday issues like finding additional inverts needed in a new manhole, trying to determine if an old utility is live or abandoned, etc.

So, to answer the common questions:

1. Work on Gulf Road will continue when the chamber hole in front of Smitty's and BP is backfilled and pipe is in place on East Bridge. Gulf Road is also being used for a staging area for pipe, materials and equipment. The general area just isn't suited for having a large enough construction yard to store the size pipes involved on this project.
2. On Poplar, it's important to be able to move traffic as soon as possible so work was concentrated on the roadway and not the sidewalks. The sidewalk work will take place after drive approaches are completed.
3. Work on East Bridge should be wrapping up the beginning of November if no hurdles are encountered.

#### **E Broad Street project**

Work continues on E Broad Street. The road is closed between E. River and Park. This is a short-term closure. Traffic updates are being sent out when changes occur.

#### **Cleveland St Roadway Project**

As of last Friday, the contractor will be out on site after Labor Day to perform test holes and locate the new traffic signal poles spots. The work zone will be installed. Curb removal on the south side of the street is expected to begin on 9/13 if everything falls into place. Traffic will be limited to 1 lane in each direction until the first part of November when the contractor needs to have all 4 lanes opened to traffic.

**EPD Report for Council  
09-05-2023**

Thanks to all of the city employees and EPD employees for their efforts with all the storms/flooding.

Homicide on 09-02-2023. EPD detailed to person shot at approx. 0300 hours. Victim shot in parking lot of The Chronicle Telegram. Investigative Division is actively investigating.

Patrol Officer Mic Fairbanks retired on Sept. 1 after 25 years of service.

Detective Zack Kasperovich resigned to work in the private sector for more money/time off. This puts the department at 79 patrol officers. Budgeted for 100.

Only had two viable candidates for lateral entry, both given conditional offers pending psychological and medical exams.



**Wastewater Department – Report to Council**

**September 6, 2023**

**Topic: Recent Rain Events**

**August 11, 2023:**

On this date, the City of Elyria received 2 inches of rain over a very short period of time. Several times during the rain event, the rain was falling at rates of 3-4 inches per hour. Neither the sanitary or storm sewers were able to keep up with the rates of rainfall. There were 11 calls for service due to basement backups and 4 calls for service due to water ponding in the streets. Wastewater crews were dispatched and responded to each call for service as they were received.

**August 23, 2023:**

On this date, the City of Elyria (and all of Lorain County and Northern Ohio) experienced the worst storm event in decades. The National Weather Service classified this as a 500-year storm event. The only other storm event in recollection that was similar to this was the July 4, 1969 storm/flood. In comparing the amounts of rainfall to Elyria for both storms, the storm of August 23<sup>rd</sup> was worse than the 1969 storm at 6-7 inches of rain for this most recent storm compared with 4-5 inches recorded by the National Weather Service for the 1969 storm. We are recording this storm in the 6-7 inch range because we lost power to the rain gauge when it was reading 6.5 inches while heavy rain continued. While we are certain the total rainfall exceeded 7 inches, we can only officially record 6-7 inches for the event.

At approximately 3 PM on August 23<sup>rd</sup>, Elyria received 2 inches of rain over a very short period of time which sent the flow rate coming into the wastewater treatment plant from 5 million gallons per day (MGD) to 75 MGD (please see the first attachment). This first storm saturated the ground and filled the sewer systems to capacity. A short time later, before the systems had a chance to catch up, additional storm supercells kept forming one after another on into the night dropping an additional 4-5 inches of rain. This completely overwhelmed the storm and sanitary sewers and the wastewater treatment plant. The flow rate coming into the treatment plant far exceeded 100 MGD, which submerged plant processes and caused bypasses through the processes to the river. As per our NPDES permit, Ohio EPA was notified of the bypasses and a public notification email was sent out. The only previous time the treatment plant sustained any flooding was during the storm on July 4, 1969.

There were 82 calls for service due to basement backups and 25 calls for service due to water ponding in the streets. The East side of the city was most affected with backup issues, with the highest concentration in the Abbe Road North area (please refer to the second attachment). Wastewater crews were out all night and through the next day responding to these calls for service as they were received. Additional crews were in keeping the plant operational and taking care of the flooding issues there.

The third attachment is a table of all significant rain events from 1995 through 2023, to date. While those highlighted yellow indicate the largest, many of the events in the 1-2 inches of rain column occurred over very short periods of time and cannot be discounted as significant events. It is important to note that there are only two storms in the 6-7 inch categories: The first was caused by Hurricane Sandy from October 27 – 31, 2012 which dropped 7.17 inches of rain over a 5-day period. The second was the August 23, 2023 storm which dropped 6-7 inches of rain over a period of 12 hours.

There were most probably a number of residents who had backup issues but did not call the wastewater plant at (440) 366-2211 Ext. 0 to report the problem. We have Operators on duty 24/7 to receive such calls and dispatch crews to investigate the problem. Our crews can also provide follow-up services and information to assist residents with these issues. The City Engineer's Office also has lateral replacement and backflow/check valve installation programs to assist residents who might want to look at these options as ways to help prevent future backups. Additional information can be obtained by calling their office at (440) 326-1444.

Most Respectfully Submitted:



Terry Korzan  
Superintendent  
City of Elyria  
Wastewater Pollution Control







Evaluation of Rain Data 1995 - 2023

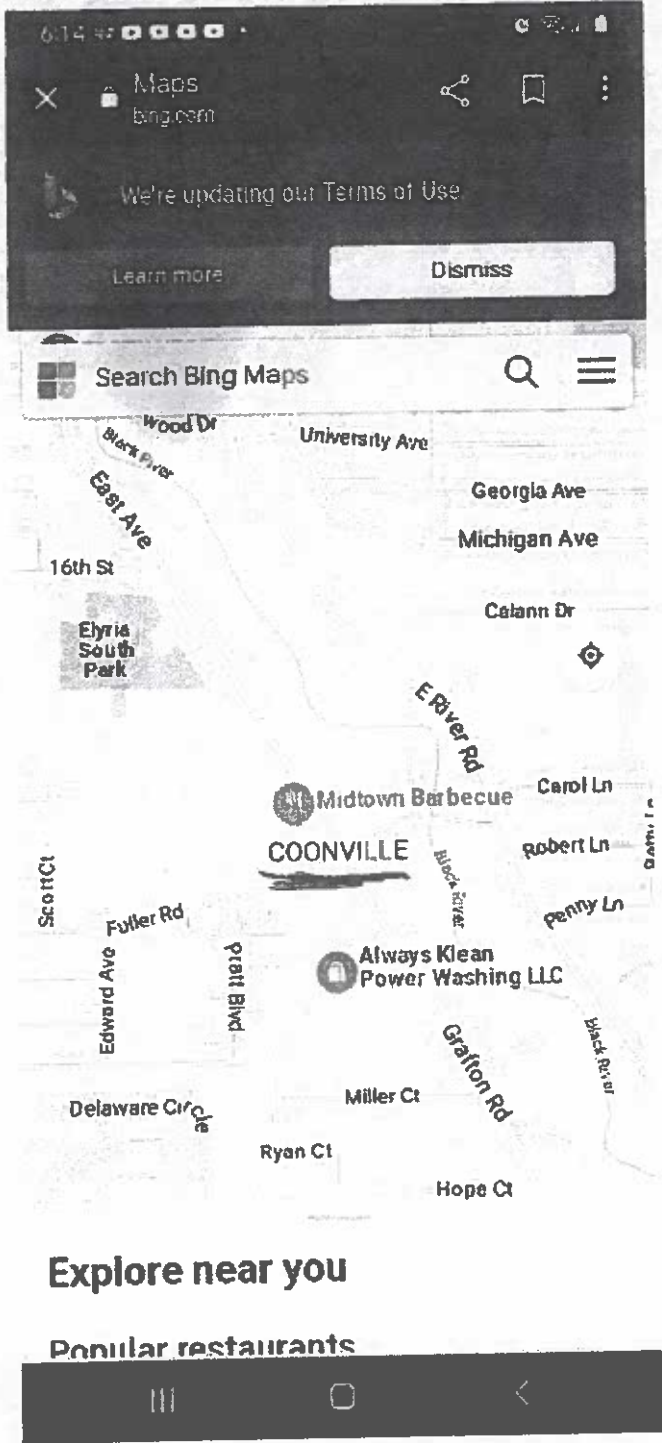
This table shows the number of rain events per year and the numbers of those rain events that fall within certain categories of rainfall, in inches.  
 Note: Rain events with < 0.5 inches of rain are not included in this table.

Year	Events	Inches of rain											NOTES
		>0.5 to <1.0	>1.0 to <2.0	>2.0 to <3.0	>3.0 to <4.0	>4.0 to <5.0	>5.0 to <6.0	>6.0 to <7.0	>7.0 to <8.0				
1995	30	...	...	...	...	...	...	...	...	...	...	...	
1996	36	...	...	...	...	...	...	...	...	...	...	...	
1997	39	14	2	2	1	0	0	0	0	0	0	0	
1998	37	9	7	5	0	0	0	0	0	0	0	0	
1999	32	13	2	2	0	0	0	0	0	0	0	0	
2000	40	12	4	0	0	0	0	0	0	0	0	0	
2001	36	14	3	0	0	0	0	0	0	0	0	0	
2002	36	13	2	0	1	0	0	0	0	0	0	0	
2003	43	12	7	4	0	0	0	0	0	0	0	0	
2004	54	15	6	1	0	0	0	0	0	0	0	0	
2005	13	7	2	0	1	0	0	0	0	0	0	0	
2006	41	14	10	1	0	0	0	0	0	0	0	0	
2007	37	11	10	1	1	0	0	0	0	0	0	0	
2008	43	17	13	0	0	0	0	0	0	0	0	0	
2009	27	16	8	1	0	0	0	0	0	0	0	0	
2010	27	10	10	0	0	0	0	0	0	0	0	0	
2011	39	9	17	4	0	1	0	0	0	0	0	0	
2012	31	14	11	0	1	0	0	0	0	0	0	1	Hurricane Sandy
2013	22	9	6	1	2	0	0	0	0	0	0	0	
2014	26	13	8	2	0	0	0	0	0	0	0	0	
2015	19	4	10	2	0	0	0	0	0	0	0	0	
2016	20	12	2	1	0	0	0	0	0	0	0	0	
2017	32	12	4	0	3	0	0	0	0	0	0	0	
2018	35	12	6	3	0	0	0	0	0	0	0	0	
2019	26	13	2	1	0	0	0	0	0	0	0	0	
2020	30	13	3	1	0	0	0	0	0	0	0	0	
2021	15	5	2	1	1	0	0	0	0	0	0	0	
2022	18	12	6	1	0	0	0	0	0	0	0	0	
2023	16	6	5	1	0	0	0	0	0	0	0	0	
<b>TOTALS</b>	<b>900</b>	<b>311</b>	<b>168</b>	<b>34</b>	<b>11</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	500-Year Storm

Hurricane Sandy Statistics:

Hurricane Sandy Statistics:	Rainfall (inches)
October 27, 2012	1.15
October 28, 2012	1.32"
October 29, 2012	2.22"
October 30, 2012	1.80"
October 31, 2012	0.68"
<b>Total</b>	<b>7.17"</b>







## Our Elyria Walks

I did All 4 our Elyria Walks. The Mayor brought a city bus for the residence that couldn't do the walk. I met and talked to many Elyrians through out the city. I heard there hopes, ideas, complaints, and sometimes a little history about our city. Mayor Whitfield, Ass. S.S. Dawn Calvert, Ashley Scott and Darryle Farcas answered questions and concerns the residence had.

Jack Cera from ward 7 showed up at all 4 walks, and Andrew Lipian from ward 1 was there for the East side walk. I'm so disappointed in the rest of council. Not one council at large or the other ward council showed up. I don't know the reason they didn't. Phil Tollet has a reason, he's dealing with



some medical issues.

This was an opportunity for council members to listen to residence and see some of the issues going on in different parts of the city