

Minutes Approved
As Circulated
November 4, 2023

October 16, 2023
Regular Council Meeting
Elyria City Council

1. CALL TO ORDER:

The regular meeting of Elyria City Council was called to order on October 16, 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 Mitchell.

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, Fin. Dir. Pileski, Law Director Deery, CD Dir. Scott, Eng. McKillips, BO Farkas, Fire Chief Pronesti, Police Chief Pelko, WW Mngr. Stefek

3. PUBLIC HEARINGS:

The meeting was recessed for the Public Hearing at 7:02 PM. 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, October 16th, 2023 at 7:00 P.M. to consider the following:

AN ORDINANCE AMENDING SECTION 1131.02, CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO, KNOWN AS THE ZONING ORDINANCE, TO OVERLAY A B-G BUSINESS-GENERAL DISTRICT OVER A L-I LIGHT INDUSTRIAL DISTRICT, AS SET FORTH IN CHAPTER 1176, REDEVELOPMENT OVERLAY DISTRICT ("RDOD"), CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO, FOR REAL PROPERTY LOCATED IN THE VICINITY OF REASER POINTE CROSSING, ELYRIA, OHIO AND OWNED BY DBR COMMERCIAL REALTY, LLC.

President Stewart asked if there were any proponents?

Mark Craig- POB 255, Vermillion, Ohio. Mr. Craig introduced himself as legal counsel for DBR Commercial Realty. He expressed that he was pleased to be present in collaboration with the City of Elyria in the development of the area known as Reaser Point Crossings. Mr. Craig respectfully asked for the zoning request to allow for more attractive area of development in the future.

President Stewart asked if there were any other proponents?

President Stewart asked if there were any other proponents?

President Stewart asked if there were any opponents?

President Stewart asked if there were any opponents?

President Stewart asked if there were any opponents?

CALL TO PUBLIC HEARING: CONTINUED

President Stewart declared this public hearing had been held.

The regular council meeting resumed at 7:05 p.m.

Sponsored by:

**Community
Development:**

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

ORDINANCE NO. 2023-140

AN ORDINANCE AMENDING SECTION 1131.02, CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO, KNOWN AS THE ZONING ORDINANCE, TO OVERLAY A B-G BUSINESS-GENERAL DISTRICT OVER A L-I LIGHT INDUSTRIAL DISTRICT, AS SET FORTH IN CHAPTER 1176, REDEVELOPMENT OVERLAY DISTRICT ("RDOD"), CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO, FOR REAL PROPERTY LOCATED IN THE VICINITY OF REASER POINTE CROSSING, ELYRIA, OHIO AND OWNED BY DBR COMMERCIAL REALTY, LLC.

Mitchell moved, Cerra seconded to approve this ordinance on its third reading under suspension of rules.

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

4. APPROVAL OF MINUTES:

Mr. Cerra moved, Mrs. Mitchell seconded to approve the Meeting Minutes of the October 2, 2023 Council Meeting as circulated.

MOTION CARRIED

5. REMARKS AND REPORTS OF CITY OFFICIALS:

Mayor Whitfield:

Mayor Whitfield provided an update to meetings that had been held with the Elyria Police Dept. in preparation of the 2024 budget request, as well as discussions regarding safety in the city. Mayor Whitfield stated plans will be presented in the upcoming weeks regarding making the city of Elyria safer. Mayor Whitfield expressed his appreciation for the joint proclamation presented to Ridge Tool Company in celebration of their one hundred year anniversary. Plans for land and infrastructure development will be shared in the upcoming weeks. Appreciation expressed to the Lorain County Public Health for coordinating a "bike the school" day event. Trick or Treat is scheduled for Halloween Day, Tuesday October 31st from 6:00- 8:00pm, place porch lights on if you are participating in candy pass out.

SSD Lundy:

SSD Lundy provided an update to the fall leaf collection program, starting th week of October 22nd. Residents are asked to rake leaves close to but not in the street, and please do not mix in branches or twigs. Please do not park cars in front of placement of leaf piles. Downtown area

5. REMARKS AND REPORTS OF CITY OFFICIALS: CONTINUED

clean up will continue through November. Grafitti has been removed from the railroad underpasses.

Finance Director:

Finance Director Pileski provided an update to the Annual Comprehensive Report for 2022. The report is on the city website and a pdf file can be provided to anyone upon request.

Law Director Deery: No report

EPD:

Chief Pelko provided an update regarding staffing in that he had a resignation of an officer that left for a role with Westlake Police. Two lateral transfers will be sworn in October 31st in council chambers at 3:00p.m., all are welcome to the ceremony. The murder suspect in the Chronicle Telegram shooting was apprehended. The suspect was located in the state of Iowa. Chief Pelko expressed his appreciation for US Marshals who were crucial in locating the suspect.

Chief Pelko provided an update on a Mass casualty Training event that took place at the Lorain County Health Department on September 29th. He shared they had numerous assimilated fatalities and injuries as part of the training. The training was in collaboration with area safety forces. Council member Davis, stated that she received numerous calls and would like to know how to inform neighbors.

EFD:

Chief Pronesti reiterated Chief Pelko in regard to the mass casualty active shooter event . He expressed, an event to this magnitude had never taken place before. Chief Pronesti stated they learned a lot and feel greatly prepared in their roles. He shared regarding getting the word out and spoke to the WENS system, which provided a text message to everyone in the county or a recorded message regarding all notifications within the county. Council member Schneider stated that a sign was placed on the corner of Leo Bullocks Blvd. That provided information regarding the drill training. In addition it was in the newspaper.

ASSD Calvert:

ASSD Calvert provided an update that the Ohio Department of Development released guidelines for the Building Demolition and Site Revitalization Program. ASSD Calvert shared \$500, 000 will be administered to the Lorain County Landbank in grant funds for the demolition of commercial and residential properties that are not brownfield properties.

ASSD Williams:

ASSD Williams provided an update on the Community Violence Prevention Program, Save Our Streets in collaboration with the Lorain County Urban League. Open positions are available for a Social Worker, Violence Interrupters and is requesting anyone that may be interested can call Angela Lee at the Urban League at 440-323-3364 or email alee@lcul.org.

5. REMARKS AND REPORTS OF CITY OFFICIALS: CONTINUED

Engineer McKillips:

Engineer McKillips provided an update to the East Broad street multi purpose path, it will begin the week of October 23rd. Mayor Whitfield spoke to the number of orange barrels currently throughout the city. He expressed grants are awarded now and the construction jobs are being completed. Council member Lipian inquired about the sidewalk program. It is in progress.

BO Farkas: No report

WW Manager Stefek :No report

CD Director Scott:

CD Director Scott provided an update that the CDBG 2024 Action Plan is available for public comment and viewing beginning today for the next thirty days. Residents are encouraged to review the draft plan and submit any comments to the Community Development Department.

6. PRESIDENT'S REFERRALS AND REMONSTRANCES: None

7. PETITIONS- LOBBY:

Matthew Van Wormer- 235 Denison Ave., Elyria- Embrace Your Beauty Confidence Studio LLC

Exhibit "A" attached

8. PETITIONS-COUNCIL MEMBERS:

Council Member Lipian -614 Garford Ave. - Council member Lipian expressed that he has been informed of the same issue Mr. Van Wormer spoke of. He expressed that it has been a concern for him as well. He expressed his appreciation to BO Farkas for responding to multiple calls and a little pressure regarding the Friendly's building. Council member Lipian stated that working together is how plans are coming together for resident safety, homelessness, community blessing boxes and grants to refurbish Amtrak from Cleveland to Chicago. He urged letter writing for additional advocacy.

9. REPORTS OF STANDING AND SPECIAL COMMITTEES: None

9. RESOLUTIONS FIRST READING:

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

RESOLUTION NO. 2023- 29

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:
Finance:
V. Stewart III
B. Davis
C. Schneider
J. Cerra

RESOLUTION NO. 2023- 30

A RESOLUTION APPROVING THE LIST OF PROPERTIES FOR THE COLLECTION OF EMERGENCY TEMPORARY REPAIR COSTS AND DIRECTING THE CLERK OF COUNCIL TO CERTIFY SAID COSTS 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:
Finance:
V. Stewart III
B. Davis
C. Schneider
J. Cerra

RESOLUTION NO. 2023- 31

A RESOLUTION FINDING THAT THE CITY HAS UNFIT FOR MUNICIPAL USE CERTAIN CITY PROPERTY.

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

REGULAR COUNCIL MEETING ELYRIA CITY COUNCIL

October 16, 2023

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:

<u>Sponsored by:</u>	<u>ORDINANCE NO. 2023-141</u>
<u>Finance:</u>	AN ORDINANCE AUTHORIZING THE DIRECTOR OF SAFETY
V. Stewart III	SERVICE OF THE CITY OF ELYRIA TO DISPOSE OF, BY THE
<u>B. Davis</u>	BEST MEANS POSSIBLE, CITY PROPERTY THAT IS UNFIT
<u>C. Schneider</u>	FOR MUNICIPAL USE.
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

<u>Sponsored by:</u>	<u>ORDINANCE NO. 2023- 142</u>
<u>Community</u>	AN ORDINANCE AUTHORIZING THE CITY OF ELYRIA TO
<u>Development:</u>	REDUCE THE COMMUNITY HOUSING IMPACT &
D. Mitchell	PRESERVATION (CHIP) PROGRAM LOAN BALANCE OF
A. Lipian	ANDREA HALL, ELYRIA, OHIO.
C. Schneider	
K. Oswald	
<u>Finance:</u>	
B. Davis	
C. Schneider	
V. Stewart III	
J. Cerra	

Mitchell 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

13. ORDINANCES--FIRST READINGS: CONTNUED

Sponsored by:

Community Development:

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

Finance:

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

ORDINANCE NO. 2023-143

AN ORDINANCE APPROVING THE APPLICATION OF THE VENUE CHURCH, INC. FOR IMPROVEMENTS AT 200 EAST AVENUE, ELYRIA, PURSUANT TO THE DOWNTOWN FAÇADE IMPROVEMENT PROGRAM, CREATED BY ORDINANCE 2019-19.

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

SUSPENSION

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

PASSAGE

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

Sponsored by:

Finance:

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

Utilities:

- D. Mitchell
- B. Davis
- D. Simmons
- M. Corbin

ORDINANCE NO. 2023-144

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE 2024 EMERGENCY SANITARY AND STORM SEWER REPAIRS, AND DECLARING AN EMERGENCY.

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

SUSPENSION

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

PASSAGE

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

EMERGENCY

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

13. ORDINANCES--FIRST READINGS: CONTINUED

Sponsored by:

ORDINANCE NO. 2023-145

Finance:

V. Stewart III

B. Davis

C. Schneider

J. Cerra

Utilities:

D. Mitchell

B. Davis

D. Simmons

M. Corbin

AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION FOR AND ACCEPT, IF OFFERED, A TRANSPORTATION FOR LIVABLE COMMUNITIES INITIATIVE (TLCI) GRANT, SAID FUNDING TO BE FOR CITY OF ELYRIA WAYFINDING SIGNAGE PROJECT, 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: 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. 2023-146

Finance:

V. Stewart III

B. Davis

C. Schneider

J. Cerra

Utilities:

D. Mitchell

B. Davis

D. Simmons

M. Corbin

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BLACK & VEATCH MANAGEMENT CONSULTING, LLC FOR PROFESSIONAL SERVICES PERTAINING TO THE WATER TREATMENT PLANT IMPROVEMENTS AND UPGRADES, AND DECLARING AN EMERGENCY.

Tollett 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. 2023-147

Finance:

AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR), A GRANT THROUGH THE LAND AND WATER CONSERVATION FUND PROGRAM FOR THE PARKS AND RECREATION DEPARTMENT, AND DECLARING AN EMERGENCY.

V. Stewart III

B. Davis

C. Schneider

J. Cerra

Utilities:

D. Mitchell

B. Davis

D. Simmons

M. Corbin

Tollett 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:

ORDINANCE NO. 2023-148

Finance:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PURCHASE A LEAF VAC TRUCK FOR THE SANITATION DEPARTMENT, THROUGH THE OHIO STATE PURCHASING PROGRAM OR EQUIVALENT PROGRAM, AND DECLARING AN EMERGENCY.

V. Stewart III

B. Davis

C. Schneider

J. Cerra

Utilities:

D. Mitchell

B. Davis

D. Simmons

M. Corbin

Tollett 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. 2023-149

Finance:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PURCHASE A DUMP TRUCK, THROUGH THE OHIO STATE PURCHASING PROGRAM OR EQUIVALENT PROGRAM, AND DECLARING AN EMERGENCY.

V. Stewart III

B. Davis

C. Schneider

J. Cerra

Utilities:

D. Mitchell

B. Davis

D. Simmons

M. Corbin

Tollett 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:

ORDINANCE NO. 2023-150

Finance:

AN ORDINANCE AMENDING ORDINANCE NO. 2023-8 TO PERMIT THE PURCHASE OF AN ALTERNATIVE TYPE OF TRUCK FOR THE WASTEWATER POLLUTION CONTROL PLANT, AND DECLARING AN EMERGENCY.

V. Stewart III

B. Davis

C. Schneider

J. Cerra

Utilities:

D. Mitchell

B. Davis

D. Simmons

M. Corbin

Tollett 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:

Finance:

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

Utilities:

- D. Mitchell
- B. Davis
- D. Simmons
- M. Corbin

ORDINANCE NO. 2023-151

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CHANGE ORDER NO. 1 WITH JADCO CONSTRUCTION SERVICES, INC. FOR THE PRIMARY SETTLING TANKS NO. 3 AND NO. 4 CONCRETE REPAIRS PROJECT, AT THE WASTEWATER POLLUTION CONTROL PLANT, AND DECLARING AN EMERGENCY.

Tollett 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

14. ORDINANCES--SECOND READINGS: None

15. ORDINANCES--THIRD READING: None

16. COMMITTEE CALLS:

COMMUNITY DEVELOPMENT No Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

JOINT CD/FINANCE No Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

FINANCE 10/10/2023 No Referred Items Council Chambers w/Mayor, Auditor, Law Director, SSD, Engineer

UTILITIES, SAFETY & ENVIRONMENT No Referred Items Council Chambers w/SSD, Law Director, Engineer

COUNCIL/STRATEGIC PLANNING 11/6/2023 Immediately following Council Meeting All Referred Items Council Chambers W/ Mayor, Safety Service Director, Auditor, Solicitor, Engineer

17. MISCELLANEOUS AND UNFINISHED BUSINESS:

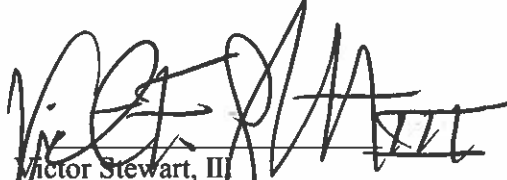
Council Member Lipian shared no parking signs are being put around the Bistro due to issues. He thanked Chief Pelko for his help on Lexington. Council Member Oswald gave a shout out to the IT Department for restoration of the audio system.

18. ADJOURNMENT:

Mitchell moved, Cerra seconded to adjourn the Regular Council Meeting at 7:52P.M.

MOTION CARRIED


Michael J. Lotko, III
Clerk of Council


Victor Stewart, III
President of Council

RLP/

EXHIBIT 'A'

Monday, October 16th, 2023

Re: Business Growth

Good Evening,

Elyria is home to hundreds of businesses, both large and small, and as we look to the future of Elyria, we have to see business growth as a cornerstone to our progress as a city. Unfortunately, it seems that several businesses are meeting roadblock after road block when they are ready to grow and expand their business. I speak tonight, representing one of those business owners, Rachel Horvat. Rachel owns Embrace Your Beauty Confidence Studio at 612 Prospect St in Elyria. She's been renting a space where the landlord has been less than attentive, and that combined with the growth of her client base and service offerings allowed her to sign a lease at a new location where she would be able to conduct a build-out that would suit the needs of her business and the independent contractors that use the space.

Starting in April of this year, Rachel was in contact with multiple members of the building department to ensure that zoning was correct for what she needed to do. She also spoke with city-licensed contractors who were trying to help guide her through the process. The building department let her know which permits would be required, and told her they would need layout drawings of the floor plan and for an inspection to be scheduled. Rachel specifically asked if these were architectural drawings that were being requested, and she was told no.

A fee was paid for a special inspection, and in a meeting with city officials at the unit she was going to rent, she was told that everything she had done so far, per instructions from the building department, were wrong. Additionally, she was told that new drawings, by a licensed architect, were in fact required. Does anyone know how much these types of drawings run? These specific drawings would have run Rachel anywhere between \$5500-\$6000 dollars. Small business owners working to grow their businesses don't often have that kind of money laying around, and Rachel didn't include it in the financing package she put together for the buildout of the space. Because of all this, Rachel was forced to terminate the lease at a cost of \$3,000 and to start looking for a new location that meets her needs. She had wanted to stay within the city of Elyria, but now, she's not so sure.

I've heard similar stories to Rachel's from dozens of business owners in Elyria. There are contractors who are avoiding taking jobs within the city because they don't want to deal with the hassle. I'm not here to accuse the building department of doing anything wrong, let me be clear, but I can see that there are things that can be done to make things easier and more efficient for business owners to run their businesses. Attached to my statement are Rachel's full statement, as well as the e-mails between Rachel and the Building Department. ~~Thank you.~~

IF THIS IS BEING DONE TO DO THINGS BY THE BOOK,
WE NEED TO REVISIT THE BOOK. THANK YOU.

I am a small business owner in Elyria and have been since October of 2019. I was in business for only 5 months before the Covid-19 pandemic had us closed for 8 weeks. The business stood strong and has continued to build a solid reputation in the community since. We participate in the Memorial Day Parade, have donated baskets to different organizations and participate in other community events. We, at Embrace Your Beauty Confidence Studio, LLC. love our community and the clients that have become friends and family.

As we build our reputation, we have been seeking a new, larger location to grow into. What started as just two stylists has now grown into three stylists, an esthetician and 3 interns. We are only moving forward. That being said, finding a new location with reasonable rent, a landlord with integrity and in the city of Elyria has been incredibly difficult.

My search for a new location began years ago, as my current landlord does not come around or take care of the property. Any maintenance or upgrades to the property are expected to be taken care of by the tenants-which seems to defeat the purpose of paying a monthly rent. I have searched in different plazas to find a larger unit and have been told by agents showing me the property that, once again, the landlord in said unit will expect me to cover the cost of any buildout and will only cover maintenance for certain, select items in the building to a certain extent. What is left, falls to me. I understand that my business will be occupying the space and it is my responsibility to pay for things but my concern is getting into a similar situation I am in now, all the while, acquiring more debt to make things functional. In April of 2023, I found a unit I fell in love with and knew that the layout could be made suitable for my needs. I met with the landlord, talked with the city of Elyria Building Department to ensure the space would be correctly zoned for my business and moved forward. I met with several contractors licensed with the city. Many, if not all, told me the majority of the work was simply cosmetic and should only require a demolition permit. I reached out to Mr. Farkas (if this needs to be anonymous, I can remove the name) about the required permits so I could move into construction and was told more information was needed. There was another city official CC'd on the email who informed me that layout drawings were required to understand the floor plan. I asked if drawings needed to be done by a licensed architect-I was told no. Once completed, the application and drawings were sent to the city, fee was paid and the inspection was set up, which to my knowledge, again, was to give me the okay to move forward into construction.

I met with the necessary city officials in the unit for the Special Inspection, only to be told that all I had done, per city instructions, was incorrect. The Special Inspection was not necessary before construction. I was told that new drawings were required and they WERE to be done by a licensed architect. At this point, My rental agreement was only days away from beginning and I was no further along in the process of getting moved in. I made the decision to terminate the lease agreement, which cost over \$3,000 for a unit I never even started work in due to back-and-forth instructions from the City Building Department. I love the city of Elyria and would love to stay to build my business and even become a pillar in the community. However, due to this situation alone, I am considering moving my small business to a different city in the surrounding area. Not only as a business owner but as a resident of Elyria, something has to change. We are ready to see our community thrive and grow in the best ways but when small businesses are being pushed out because the city requires jumping through rings of fire to get things

accomplished, we are moving more in the direction of being a forgotten community instead of a thriving one.

With all sincerity, please consider making changes to the process and getting all members of the building department on the same page.

Thank you, Rachel Horvat
Owner and Sole Member of EYB Confidence Studio, LLC.

Building Department

131 Court St. Suite 101

Elyria, Ohio 44035

440-326-1400 ext. 1473

440-346-9747 (Mobile)

440-326-1488 (Fax)

This message is intended solely for the recipient to which it is addressed. If you are not the intended recipient, you should not disclose, distribute or copy this email. Please notify the sender immediately by email and delete this email from your system.

-----Original Message-----

From: Rachel Palmer <rachel1palmer@icloud.com>

Sent: Wednesday, April 12, 2023 1:23 PM

To: Janet Realtor <jcsirbaugh@gmail.com>; Darryl Farkas <dfarkas@cityofelyria.org>

Subject: Zoning Request Information

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hi Darryl,

My name is Rachel Horvat. I own Embrace Your Beauty Confidence Studio in Elyria. I am looking to relocate to 511 N. Abbe, unit G. I have attached the request information below. You can contact me at 440.453.7109 or through this email address.

Thank you!

From: Darryl Farkas <dfarkas@cityofelyria.org>

Date: April 12, 2023 at 2:28:54 PM EDT

To: Rachel Palmer <rachel1palmer@icloud.com>, Janet Realtor <jcsirbaugh@gmail.com>

Cc: Dawn Calvert <dcalvert@cityofelyria.org>, Brandon Borrelli <bborrelli@cityofelyria.org>, Raymond Langdon <rlangdon@cityofelyria.org>, Mary Tomski <mtomski@cityofelyria.org>, Leesha Doehr <ldoehr@cityofelyria.org>, William Gall <wgall@cityofelyria.org>

Subject: Zoning Request Information (511 N. Abbe Rd.)

Rachel, I have completed my review of your zoning request for the above listed site and offer the following:

1. The specific site listed is currently Zoned, Business -Neighborhood District (B-N), the requirements of which can be located in Chapter 1156 of the Elyria Codified Ordinance. (Copy Attached)
2. The proposed use "Salon" is a Permitted use per section 1156.02 (H)

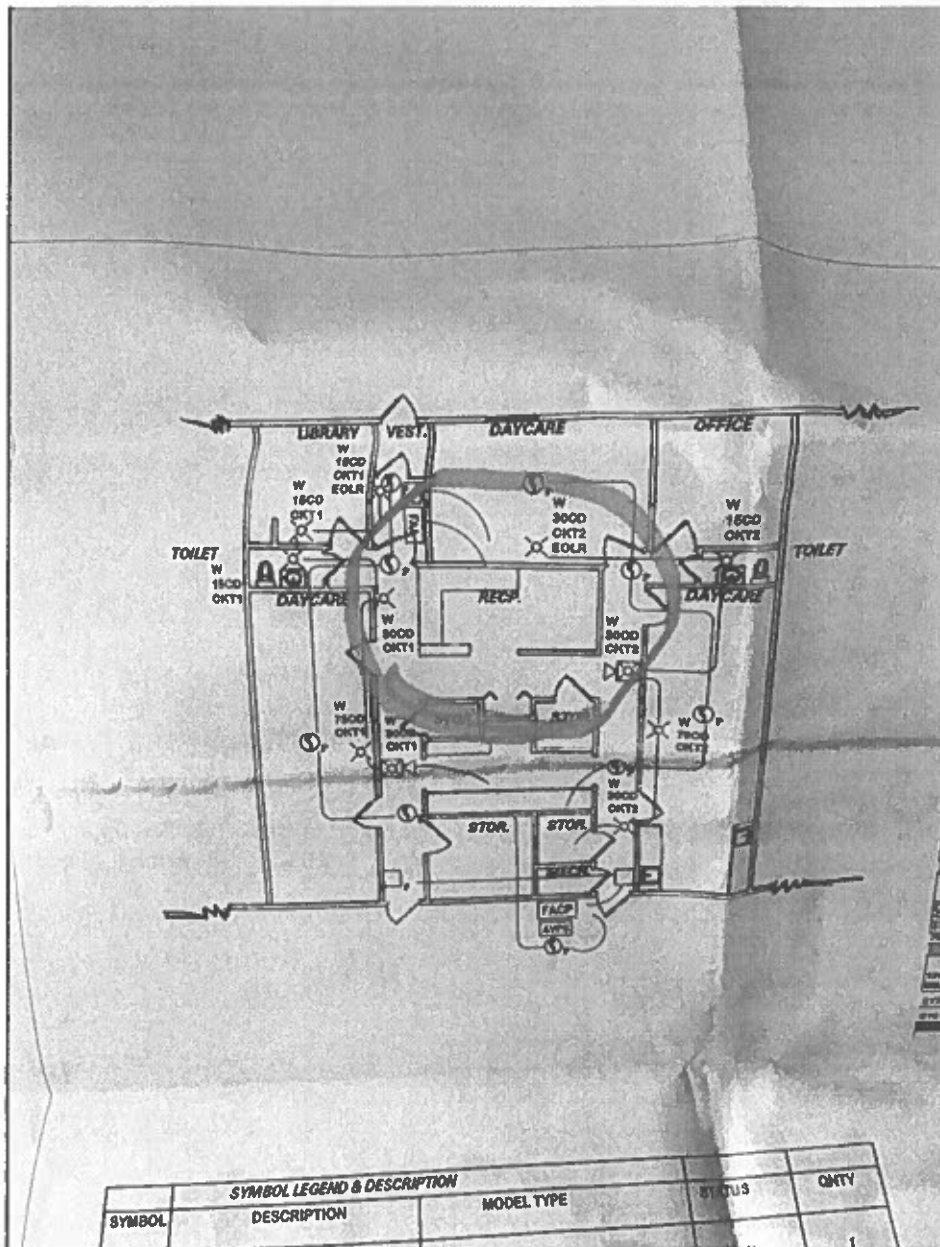
If the site undergoes any alterations to accommodate the said business, it will require approvals via the 2017 Ohio Building Code process, assuring compliance is achieved and or a new occupancy certificate is issued prior to use.

Thank You

Darryl Farkas

Building Official / Zoning Administrator

City of Elyria



----- Forwarded message -----

From: Rachel Palmer <rachel1palmer@icloud.com>

Date: Tue, Oct 10, 2023, 12:49 PM

Subject: Fwd: Zoning Request Information (511 N. Abbe Rd.)

To: <elyriansformvw@gmail.com>

Sent from my iPhone

Begin forwarded message:

From: Darryl Farkas <dfarkas@cityofelyria.org>
Sent: Tuesday, August 15, 2023 7:33 AM
To: Brandon Borrelli <bborrelli@cityofelyria.org>
Cc: 'Eyb Confidence Studio' <embraceyourbeauty1019@gmail.com>
Subject: RE: Renovations

Brandon, please pull what info we have on file, review and report your findings. Thank You

Darryl Farkas
Building Official / Zoning Administrator

City of Elyria
Building Department
131 Court St. Suite 101
Elyria, Ohio 44035
440-326-1400 ext. 1473
440-346-9747 (Mobile)
440-326-1488 (Fax)

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From: Eyb Confidence Studio <embraceyourbeauty1019@gmail.com>
Sent: Monday, August 14, 2023 4:41 PM
To: Darryl Farkas <dfarkas@cityofelyria.org>
Subject: Renovations

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Good afternoon, Mr. Farkas,

This is the only blueprint I could find of the space. I got it from the city. The reception area in the center is all that will be knocked out. The side rooms and offices and such will all remain the same. I hope this helps.

Thank you, Rachel

----- Forwarded message -----

From: Eyb Confidence Studio <embraceyourbeauty1019@gmail.com>
Date: Tue, Oct 10, 2023, 12:52 PM
Subject: Fwd: FW: Renovations
To: Elyrians For Matthew Van Wormer <elyriansformvw@gmail.com>

----- Forwarded message -----

From: Brandon Borrelli <bborrelli@cityofelyria.org>
Date: Wed, Aug 23, 2023 at 3:58 PM
Subject: RE: FW: Renovations
To: Eyb Confidence Studio <embraceyourbeauty1019@gmail.com>

It does not need to be completed by a licensed architect but the drawings do need to be very detailed so the Building Official can understand what's going on with the space.

From: Eyb Confidence Studio <embraceyourbeauty1019@gmail.com>
Sent: Wednesday, August 23, 2023 1:04 PM
To: Brandon Borrelli <bborrelli@cityofelyria.org>
Subject: Re: FW: Renovations

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Thank you! I am working on these things now. Does the drawing/floor plan need to be completed by a licensed architect?

On Tue, Aug 22, 2023 at 1:33 PM Brandon Borrelli <bborrelli@cityofelyria.org> wrote:

Hello, I'm reaching out you because the Building Official asked me to look into our files for information regarding 511 Abbe Rd. suite C. The fire alarm plans copied at the beginning of this e-mail thread doesn't tell specifically which walls are proposed to be removed. Is it just the receptionist desk area or is the wall for the vestibule that has the FAA mounted to it being removed as well? Also are the doors that are in the circle proposed to be removed? Because the space is for a daycare use the Building Official is requesting that a Special Inspection application and Site/Floor plan will need to be submitted for review and approval for the proposed Beauty Shop to obtain Occupancy of the space. There is a check list that's attached to the Special Inspection Application that lists items the Building Official looks for when reviewing the Site/Floor plan. Please have all the information listed (that pertaining to your business) on

the Site/Floor Plan to avoid any delays for issuance of the permit application. If you have any questions please feel free to contact me.

Thankyou

From: Darryl Farkas <dfarkas@cityofelyria.org>
Sent: Wednesday, August 16, 2023 9:28 AM
To: Brandon Borrelli <bborrelli@cityofelyria.org>
Subject: RE: Renovations

Brandon, I want to say its 511 N Abbe, tenant strip.....

Darryl Farkas
Building Official / Zoning Administrator

City of Elyria
Building Department
131 Court St. Suite 101
Elyria, Ohio 44035
440-326-1400 ext. 1473
440-346-9747 (Mobile)
440-326-1488 (Fax)

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From: Brandon Borrelli <bborrelli@cityofelyria.org>
Sent: Wednesday, August 16, 2023 7:48 AM
To: Darryl Farkas <dfarkas@cityofelyria.org>
Subject: RE: Renovations

Hey Darryl, do you know what address this is referring to?