

Minutes Approved

As circulated
December 18
2023

November 20, 2023
Regular Council Meeting
Elyria City Council

1. CALL TO ORDER:

The regular meeting of Elyria City Council was called to order on November 20, 2023 at 7:00 p.m. by President Stewart. President Stewart opened the meeting requesting a moment of reflective silence. The Pledge of Allegiance was led by Elyria resident Caleb Oliver.

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. Williams, Asst. Fin. Dir. Farrell, Law Director Deery, Fire Chief Pronesti, Police Chief Pelko, CD Dir. Scott

3. PUBLIC HEARINGS: None

4. APPROVAL OF MINUTES:

Mr. Cerra moved, Schneider seconded to approve the Meeting Minutes of the November 20, 2023 Regular Council Meeting as circulated.

MOTION CARRIED

5. REMARKS AND REPORTS OF CITY OFFICIALS:

Mayor Whitfield:

Mayor Whitfield thanked everyone for acknowledging Veterans Day.

ASSD Calvert:

ASSD Calvert provided an update regarding the Comprehensive Land Use Plan.

SSD Lundy:

SSD Lundy shared the City of Elyria was the center stage as participants of the Suicide Race for Veterans.

ASST Finance Director: No report

Law Director Deery:

LD Deery provided an update to the Water Treatment Plant ordinance that would be presented to council members. In addition, she expressed the need for an executive session regarding pending litigation in federal court. Law Director Deery shared that attorney Sufian Doleh relocated to Arizona. The law office will post for an Assistant Law Director

EPD:

Chief Pelko provided an update an update that the police department will distribute steering wheel locks from 1-7pm on 11/27 to Elyria residents with an i.d.

CD DIR. SCOTT: No Report

ENG. MCKILLIPS:

Provided an update to the recent projects throughout the city.

6. PRESIDENT'S REFERRALS AND REMONSTRANCES:

1. The matter of accepting a re-plat or lot combination for Single Family Lots for the Final Plat Phase 4 River Run

REFERRED BY: RBR DEVELOPMENT

REFERRED TO: COMMUNITY DEVELOPMENT

2. The matter of discussion of review of community feedback from the comprehensive land use plan.

REFERRED BY: ASSD CALVERT

REFERRED TO: COMMUNITY DEVELOPMENT

3. The matter of authorizing the Mayor to apply for a Water Supply Revolving Loan Account (WSRLA) agreement.

REFERRED BY: WTL JACOB

REFERRED TO: FINANCE

4. The matter of a purchase of 90 Harris radios and accessory chargers in the amount of \$450,000.

REFERRED BY: POLICE CHIEF PELKO

REFERRED TO: FINANCE

5. The matter of updating the City's Tax Code to comply with the provisions of HB 33

REFERRED BY: ASST. LAW DIR. BREUNIG

REFERRED TO: FINANCE

6-9 Received and Placed on file in the clerk's office:

6. September 2023 General Fund Cash Balance Report

7. October 2023 General Fund Cash Balance Report

8. Copy of the Elyria Parks & Recreation Board Minutes from October 12, 2023

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

7. PETITIONS- LOBBY:

1. Carol Hobert- 440 Olivet Dr., Elyria- Police Officer Pay

2. Scott Serazin- 396 Rutgers Ct., Elyria- Destruction of Elyria Kiwanis Bench

3. Tiffani Reedy- 113 Williams St., Elyria- Homelessness

8. PETITIONS-COUNCIL MEMBERS: None

9. REPORTS OF STANDING AND SPECIAL COMMITTEES:

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

COMMITTEE REPORT NO. 2023-7
WE HAVE CONSIDERED THE MATTER OF A LIQUOR
LICENSE TRANSFER FROM OHIO MART GROUP, LLC 515
ABBE RD. TO KRISHNA 2022, INC., 515 ABBE RD. (ELYRIA
FOOD MART)

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

PASSAGE

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

10. RESOLUTIONS FIRST READING:

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

RESOLUTION NO. 2023- 33
A RESOLUTION APPROVING A LIST SUBMITTED BY THE
SAFETY SERVICE DIRECTOR FOR THE COLLECTION OF
DELINQUENT INACTIVE UTILITY ACCOUNTS AND
DIRECTING THE CLERK OF COUNCIL TO CERTIFY SAID
ACCOUNTS TO THE LORAIN COUNTY AUDITOR.

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

SUSPENSION

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

PASSAGE

AYE: 11

NAY: 0

ABSENT: 0

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

Finance:

- P. Tollett
- B. Davis
- C. Schneider
- J. Cerra

ORDINANCE NO. 2023- 152

AN ORDINANCE AUTHORIZING THE ELYRIA SKILL CITY PROMISE PROGRAM AGREEMENT WITH LORAIN COUNTY COMMUNITY COLLEGE, 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:

- Finance:
P. Tollett
B. Davis
C. Schneider
J. Cerra

ORDINANCE NO. 2023- 153

AN ORDINANCE AMENDING ORDINANCE NO. 2022-44, TO INCREASE THE NOT TO EXCEED AMOUNT FOR THE PURCHASE OF A DUAL AXLE PLOW TRUCK FOR THE STREET DEPARTMENT, AND DECLARING AN EMERGENCY.

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

SUSPENSION	PASSAGE	EMERGENCY
AYE: 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- 154**
Finance: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER
P. Tollett INTO A PROFESSIONAL SERVICES AGREEMENT WITH
B. Davis ROETZEL & ANDRESS, A LEGAL PROFESSIONAL
C. Schneider ASSOCIATION, FOR LEGAL SERVICES (LABOR MATTERS).
J. Cerra

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

Sponsored by: **ORDINANCE NO. 2023- 155**
Utilities: AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AN
D. Mitchell APPLICATION TO THE OHIO ENVIRONMENTAL
D. Simmons PROTECTION AGENCY, AND ACCEPT, IF OFFERED, THE
M. Corbin WATER BOTTLE REFILLING STATION GRANT, FOR A NEW
K. Oswald WATER FOUNTAIN LOCATED AT SOUTH PARK, AND
Finance: DECLARING AN EMERGENCY.
P. Tollett
B. Davis
C. Schneider
J. Cerra

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- 156**
Finance: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER
P. Tollett INTO AN AGREEMENT TO PURCHASE A NEW FORD F-350
B. Davis PICKUP TRUCK, FOR THE WATER PUMPING PLANT,
C. Schneider THROUGH THE STATE PURCHASING PROGRAM OR
J. Cerra EQUIVALENT PROGRAM, 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: 11	AYE: 11	AYE: 11

13. ORDINANCES--FIRST READINGS: CONTINUED

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

Utilities:
D. Mitchell
B. Davis
D. Simmons
M. Corbin

ORDINANCE NO. 2023- 157

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CHANGE ORDER NO. 1 WITH MC. B PAVING, LLC FOR THE WASHINGTON VILLAGE PARK PROJECT, AND DECLARING AN EMERGENCY. N VILLAGE PARK 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: 11	AYE: 11	AYE: 11
NAY: 0	NAY: 0	NAY: 0
ABSENT: 0	ABSENT: 0	ABSENT: 0
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

Meeting was recessed for executive session at 7:45 p.m. Cerra moved to recess for executive session Davis seconded.

Regular council meeting resumed at 8:13 p.m. Cerra moved to return to the regular council meeting, Davis seconded.

ORDINANCE NO. 2023- 158

AN ORDINANCE AUTHORIZING SETTLEMENT WITH THE PLAINTIFF IN UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF OHIO, EASTERN DIVISION CASE NO, 1:23-CV-01126, CAPTIONED SEAN WEBB V. CITY OF ELYRIA, ET AL., AND DECLARING AN EMERGENCY

Tollett moved to pass this ordinance as an emergency, under suspension of the rules, without the benefit of a committee report, Mitchell seconded.

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

Minutes Approved

November 20, 2023
Regular Council Meeting
Elyria City Council

16. COMMITTEE CALLS:

COMMUNITY DEVELOPMENT 11/27/2023 6:00 P.M. All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

JOINT CD/FINANCE 11/27/2023 Following CD All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

FINANCE 11/27/2023 Following Joint All Referred Items Council Chambers w/Mayor, Auditor, Law Director, SSD, Engineer

UTILITIES, SAFETY & ENVIRONMENT 12/13/2023 6:00 P.M. All Referred Items Council Chambers w/SSD, Law Director, Engineer All

COUNCIL/STRATEGIC PLANNING 12/4/2023 Immediately following Council Meeting All Referred Items Council Chambers W/ Mayor, Safety Service Director, Auditor, Solicitor, Engineer

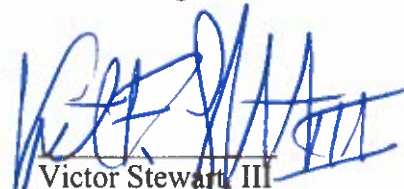
17. MISCELLANEOUS AND UNFINISHED BUSINESS:

Mr. Lotko expressed his appreciation to the members of council for the expression of sympathy in the loss of his mother.

18. ADJOURNMENT:

Mitchell moved, Cerra seconded to adjourn the Regular Council Meeting at 8:21P.M.
MOTION CARRIED


Michael J. Lotko, III
Clerk of Council


Victor Stewart III
President of Council

RLP/

