

Minutes Approved .

As Circulated December 18, 2023
Jan. 14, 2024 Regular Council Meeting
Elyria City Council

1. CALL TO ORDER:

The regular meeting of Elyria City Council was called to order on December 18, 2023 at 7:01p.m. by President Stewart. President Stewart opened the meeting requesting a moment of reflective silence. The Pledge of Allegiance was led by Council members Corbin & Simmons.

2. ROLL CALL: COUNCIL MEMBERS

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

Absent: Lipian

Moved by Cerra, seconded by Schneider to approve Council member Lipian's absence.

AYES: 10

MOTION CARRIED

Clerk Lotko read the following statement on behalf of Council member Lipian:
"Regrettably, we've had a sequence of family health issues this year, which preclude my being able to attend tonight. I send my best wishes to Mayor Whitfield, and Council Members Corbin and Simmons, as well as those city officials who will leave us after this year. It was an honor to have served with each of you, and I wish you lots of luck in the future."

OTHERS PRESENT: Mayor Whitfield, Fin. Dir. Pileski, Law Director Deery, Fire Chief Pronesti, Police Chief Pelko, Eng. McKillips, CD Dir. Scott, BO Farkas

3. PUBLIC HEARINGS: None

4. APPROVAL OF MINUTES: None

5. REMARKS AND REPORTS OF CITY OFFICIALS:

Mayor Whitfield:

Mayor Whitfield thanked the residents, his wife and family for having had the opportunity to have served the residents of Elyria. President Stewart wished Mayor Whitfield all the best. Council member Oswald shared that he appreciated working with the Mayor. Council member Callahan wished the Mayor and his family well and applauded his efforts.

Finance Director:

Finance Director Pileski expressed his pleasure with working with Mayor Whitfield, he wished him, and council members Corbin and Simmons well.

Law Director Deery:

Law Director Deery wished everyone a Happy Holidays and Best wishes to Mayor Whitfield and his family as well as Mr. Corbin and Mrs. Simmons.

5. REMARKS AND REPORTS OF CITY OFFICIALS:

EPD:

Chief Pelko thanked Mayor Whitfield for all that he had done for the police station. He wished Council members Corbin and Simmons well. Chief Pelko expressed disdain with the commissioner's decision to purchase radios that were not an option for safety forces.

EFD:

Chief Pronesti wished Mayor Whitfield well and thanked him on behalf of Elyria Fire. He wished Mr. Corbin and Mrs. Simmons well. Chief Pronesti shared the county commissioners is pushing a radio system that not one police or fire agrees with. He requested a resolution is support of police and fire. Chief Pronesti shared that in September a purchase order was submitted for an entire year to cover every fire department on the Harris radio system. He explained that many of the townships have passed resolutions in support of the Harris system and that he requests the same support of council. Chief Pronesti further explained the Marks system does not have the infrastructure of the Harris system and needs improvements for functionality throughout the county. President Stewart responded that council would provide a resolution. The request would go through committee. Council member Oswald inquired about what is the county commissioner's defense? Law director Deery advised that the city not engage in public discussion on behalf on the Chief's Association.

Chief Pronesti shared an update regarding minimum staffing with the Fire Department. The fire department has been staffed at the proper levels. Council member Tollett applauded Chief Pronesti for his work with the Fire Department. Mayor Whitfield responded regarding the radio situation, he stated that the county rescinded the contract.

ASSD CALVERT:

ASSD Calvert thanked Mayor Whitfield for asking her to join his administration four years ago and expressed her gratefulness for what they were able to accomplish. She wished council member Corbin and council member Simmons much success. ASSD Calvert requested that everyone provide input to the comprehensive land use plan, goals, objectives and strategies by December 22, 2023, online at ourelyria.com

Spruce Up Elyria program update: \$500,000 was available for resident home repairs. The program kicked off in March and applications response ended in May due to high demand. One hundred households were served through the program, fifteen applicants were ineligible, thirty applications were not fundable. To date, there is \$410,00 in completed projects, \$68,350 projects under contract, and \$13,000 in projects in process. The types of improvements were various in nature. The most popular were driveway repair or replacements, porch repair or replacements, sidewalks, window replacements, front doors, front steps and painting and staining. Shout out to Kathy Evans in the Community Development Department. Council member Davis shared that she seen pictures of some of the completed work that was done and residents that she had contact with where greatly appreciative of the program. Council member Davis thanked Council member Oswald for bringing the initiative the council for vote. She is hopeful that the initiative can be brought forward again. She stated the work was outstanding.

5. REMARKS AND REPORTS OF CITY OFFICIALS:

BO FARKAS:

Building official Farkas personally thanked Mayor Whitfield for his involvement in the building department, especially during covid. Mr. Farkas shared a new zoning map was created a new e-permit system and the new land use plan is under way which will update the zoning. BO Farkas provided a year end report: there were 3,641 inspections in 2022, 2023 there were 3,432 inspections. The inspection count for 2022 was 9,237, 2023 was 8,508. Revenue numbers: total fee intake 2020: \$571,000, 2021, \$456,000, 2022, 682,000, 2023, \$1,051,000.

SUPT. KORZAN:

Superintendent Korzan thanked Mayor Whitfield for all of his accomplishments. Thanked Mr. Corbin and Mrs. Simmons for their four years of service and wished everyone a Merry Christmas.

ENG. MCKILLIPS:

Engineer McKillips wished everyone a Merry Christmas.

President Stewart wished Mr. Corbin and Mrs. Simmons well.

6. PRESIDENT'S REFERRAL'S

1. The matter of a conditional use permit for 250 Winckles Street.

REFERRED BY: CHERYL CARTER

REFERRED TO: PLANNING COMMISSION/ COMMUNITY DEVELOPMENT

2. The matter of a conditional use permit for 460 Cleveland Street.

REFERRED BY: HUBERT OLIVER LEGACY 34

REFERRED TO: PLANNING COMMISSION/ COMMUNITY DEVELOPMENT

3. The matter of a conditional use permit for 1100 Gulf Road.

REFERRED BY: MAPLE WAFFLES LAND LLC

REFERRED TO: PLANNING COMMISSION/ COMMUNITY DEVELOPMENT

4. The matter of a rezoning request for 827 Cleveland Street, parcel #06-25-010-101-006.

REFERRED BY: VICTOR FIORELLA

REFERRED TO: PLANNING COMMISSION/ COMMUNITY DEVELOPMENT

5. The matter of authorizing the Mayor to advertise for bids and enter into a contract for chemicals for 2024/2025 for the Water Pumping Plant.

REFERRED BY: WTL JACOB

REFERRED TO: FINANCE/ UTILITIES

6. The matter of authorizing the Mayor to advertise for bids and enter into a contract for chemicals for 2024/2025 for the Wastewater Pollution Control Plant.

REFERRED BY: SUPERINTENDENT KORZAN

6. PRESIDENT’S REFERRAL’S
REFERRED TO: UTILITIES

7. The matter of allowing the Mayor to accept the first optional year of the existing sludge disposal contract with Lorain County Landfill, LLC.
REFERRED BY: SUPERINTENDENT KORZAN
REFERRED TO: UTILITIES

8-11 Received and Placed on file in the clerk’s office:

- 8. List of receipts collected by each division of the Clerk of court’s office for November 2023.
- 9. Approved claim for damage: Melanie Morrow
- 10. Denied claim for damage: Dean Poling
- 11. Denied claim for damage: Dominic & Kristine Skalsky

7. PETITIONS– LOBBY: None

8. PETITIONS–COUNCIL MEMBERS: None

9. REPORTS OF STANDING AND SPECIAL COMMITTEES:

ORDINANCE NO. 2023- 8

THE MATTER OF A NEW LIQUOR PERMIT AS REQUESTED BY PASQUALES PASTA HOUSE, LLC, LOCATED AT 301 BROAD ST., ELYRIA AND THE CITY OF ELYRIA DOES NOT REQUEST A HEARING.

Callahan moved, Mitchell seconded to pass this committee report on its first reading under suspension of rules.

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

10. RESOLUTIONS FIRST READING:

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

ORDINANCE NO. 2023- 34

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

SUSPENSION	PASSAGE
AYE: 10	AYE: 10

10. RESOLUTIONS FIRST READING:

NAY: 0 NAY: 0
ABSENT: 1 ABSENT: 1
MOTION CARRIED MOTION CARRIED

11. RESOLUTIONS--SECOND READING: None

12. RESOLUTIONS--THIRD READING: None

13. ORDINANCES--FIRST READINGS:

ORDINANCE NO. 2023-

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT PURSUANT TO CHAPTER 1135 OF THE CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO, TO TYLLIN LIMITED, FOR A R-PUD RESIDENTIAL-PLANNED UNIT DEVELOPMENT, AT REAL PROPERTY LOCATED AT 264 WINDSOR DRIVE, ELYRIA, OHIO.

Public Hearing Scheduled for Tuesday 1/16/2024

Sponsored by:

Community Development:
T. Callahan
C. Schneider
D. Mitchell
K. Oswald

ORDINANCE NO. 2023- 173

AN ORDINANCE ACCEPTING THE DEDICATION OF CERTAIN LANDS, EASEMENTS, AND RIGHTS-OF-WAY FOR THE INSTALLATION OF STREETS AND UTILITIES AS PROVIDED FOR IN THE FINAL PLAT OF RIVER RUN LANDING SUBDIVISION PHASE 4.

Callahan moved, Mitchell 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:

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

ORDINANCE NO. 2023- 174

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

13. ORDINANCES--FIRST READINGS: CONTINUED

Tollett 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- 175**
Finance: AN ORDINANCE TO INCORPORATE THE 2024 OHIO
 P. Tollett MINIMUM WAGE FOR PART TIME SEASONAL PAY GRADES,
 B. Davis AND DECLARING AN EMERGENCY.
 C. Schneider
 J. Cerra

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: 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- 176**
Finance: AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR
 P. Tollett TO ADVANCE MONIES FROM THE GENERAL FUND TO
 B. Davis SPECIFIED ACCOUNTS.
 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	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- 177**
Finance: AN ORDINANCE AMENDING WAGES OF THE ELYRIA
 P. Tollett MUNICIPAL COURT ELECTED OFFICIALS PURSUANT TO
 B. Davis OHIO LAW, EFFECTIVE JANUARY 1, 2024, AND DECLARING
 C. Schneider AN EMERGENCY.
 J. Cerra

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

13. ORDINANCES--FIRST READINGS: CONTINUED

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

ORDINANCE NO. 2023- 178

AN ORDINANCE TO FIX TEMPORARY APPROPRIATIONS FOR THE FIRST THREE (3) MONTHS OF THE YEAR 2024, AND OTHER EXPENSES OF THE CITY OF ELYRIA.

Tollett 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:

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

ORDINANCE NO. 2023- 179

AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO CREATE TWO NEW CAPITAL PROJECT FUNDS.

Tollett 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	MOTION CARRIED

13. ORDINANCES--FIRST READINGS: CONTINUED

Sponsored by:

ORDINANCE NO. 2023- 180

Finance:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE CITY OF NORTH RIDGEVILLE FOR SANITARY SEWER ON TAYLOR STREET, AND DECLARING AN EMERGENCY.

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

Utilities:

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

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: 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- 181

Finance:

AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT APPLICATION(S) TO THE OHIO DEPARTMENT OF DEVELOPMENT, AND ACCEPT, IF OFFERED, THE WATER AND WASTEWATER INFRASTRUCTURE GRANT(S) FUNDS, AND DECLARING AN EMERGENCY.

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

Utilities:

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

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: 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

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

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 All

COUNCIL/STRATEGIC PLANNING 1/2/2024 Immediately following Council Meeting All Referred Items

Council Chambers W/ Mayor, Safety Service Director, Auditor, Solicitor, Engineer

17. MISCELLANEOUS AND UNFINISHED BUSINESS:

Sponsored by:

Finance:

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

ORDINANCE NO. 2023- 166

AN ORDINANCE AMENDING ORDINANCE NO. 2019-94 TO ESTABLISH COMPENSATION FOR CERTAIN POSITIONS CREATED BY THE CHARTER OF THE CITY OF ELYRIA, AND DECLARING AN EMERGENCY.

Tollett moved to reconsider ordinance 2023-166, to override the Mayor’s veto Mitchell seconded and declaring an emergency.

Mayor Whitfield stated explained this legislation was to provide raises for the Law Director , Finance Director and the Mayor. He explained that he vetoed the legislation because he believed that it was not properly referred. He shared that it was brought up on the floor at the committee meeting. Secondly, no wage comparisons were provided. He believed both the Law Director and the finance Director demonstrated a need for an increase through their quality of work. Mayor Whitfield felt that giving the new Mayor a \$20,000 raise was suspicious. He expressed issues of conversations of employment opportunities and conflicts. He explained those were the reasons for his veto.

The question was called.

Minutes Approved

December 18, 2023
Regular Council Meeting
Elyria City Council

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

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

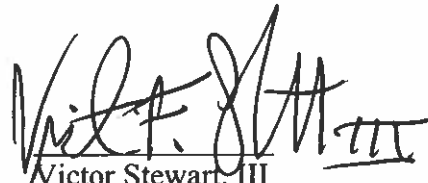
EMERGENCY
AYE: 10
NAY: 0
ABSENT: 1
MOTION CARRIED

Council member Oswald wished Council Ex. Admin Regan Phillips a Happy Birthday. Council member Callahan wished Council members Corbin and Simmons good health. Council member Mitchell wished Council members Corbin and Simmons well and wished Mayor Whitfield all the best in his endeavors.

18. ADJOURNMENT:

Mitchell moved, Simmons seconded to adjourn the Regular Council Meeting at 7:39P.M.
MOTION CARRIED


Michael J. Lotko, III
Clerk of Council


Victor Stewart, III
President of Council

RLP/