

AS Circulated August 5, 2024
Regular Council Meeting
Elyria City Council

1. CALL TO ORDER:

The regular meeting of Elyria City Council was called to order on August 5, 2024 at 7:03p.m. by President Stewart. President Stewart opened the meeting requesting a moment of reflective silence. The Pledge of Allegiance was led by Council member Davis.

2. ROLL CALL: COUNCIL MEMBERS

PRESENT: Callahan, Cerra, Armstrong, Oswald, Mitchell, Schneider, Davis, Siwierka, Lipian, Stewart, Tollett

OTHERS PRESENT: Mayor Brubaker, SSD Pyanowski, Fin. Dir. Pileski, Law Director Deery, Police Captain Grooms, Fire Chief Pronesti, ASSD Calvert, BO Farkas, HR Dir. Yousefi, CD Dir. Scott

3. PUBLIC HEARINGS: None

4. APPROVAL OF MINUTES:

Cerra moved, Schneider seconded to approve council meeting minutes.
MOTION CARRIED

5. REMARKS AND REPORTS OF CITY OFFICIALS:

Mayor Brubaker:

Mayor Brubaker provided an update regarding an EPA grant for a Chloride Reduction Program. The program is designed to reduce the amount of salt placed on the roadways. During the first round of grant approvals, the City of Elyria was not awarded. However, the week of July 29th, the administration received notification from McCaulley & Company that the city was awarded the grant in the second round of grant awards. The amount anticipated will be \$61,000. The matter had been previously passed by council through Issue 6. The equipment is scheduled for delivery after September 1, 2024. The purchase is reimbursable. If the decision is made to move forward with a central maintenance complex, the equipment will be housed there. Mayor Brubaker, thanked SSD Strohsack for his assistance with McCaulley & Company through the grant process.

Safety Service Director: No report

Asst. Finance Director: No report

Law Director Deery:

Law Director Deery provided an update to the newspaper article regarding the Law Director's filing of a nuisance action against the former Holiday Inn and former Days Inn. LD Deery explained that service may take some time, however service by publication is allowable. She expressed her appreciation to all city departments that were involved, police, fire and building. As well as Lorain County Public Health for their records, reports and citations. LD Deery informed council of the medical marijuana dispensaries that are currently operating in the City of

5. REMARKS AND REPORTS OF CITY OFFICIALS:

Elyria, who have applied for dual licensure. The dispensaries have been notified by the state cannabis control division that they need to apply under the new law. The law department has received confirmation that the dispensaries have received the green light for operations from the state. Each location, Sugar Lane, Nirvana and the Murray Ridge processor all plan to begin sells on Tuesday August 6, 2024. LD Deery stated the awareness of the city of Elyria has been made known to all locations. The dispensaries beliefs are that the state law permits them to go forward with sales.

Council member Schneider inquired where we might be in the zoning process? LD Deery responded she has a draft ordinance that requires some updates, however they will need to go before Planning Commission and a public hearing is required. It is safe to say that the beginning of October would be the soonest.

Council member Siwierka asked for clarification of the following, “the dispensaries are going to open, they would be violation of our building or zoning codes, they have interpreted our code as superseded by the state as allowing?” She asked for clarification of “where does it go from that point?” LD Deery explained the operator’s interpretation is that if an entity already had its medical marijuana licensure, and they are looking to operate as dual use, adding on the adult use, they are already operating in the community and cleared by the state for dual operations, that the local level can not prevent the operations. LD Deery stated she believes there are constitutional and legal issues with that process of thought. Any challenges would require going to court.

Council member Mitchell stated she understands fully that the dispensaries were approved for medical marijuana sales, met the zoning requirements for medical. She inquired about what is the difference in the zoning for medical and the zoning for adult use? LD Deery responded adult use zoning does not exist, we do not have requirements for parking. She explained the increase in foot traffic for adult use as opposed to medical. Council member Mitchell asked for further clarification on the difference, consider the building did not change in appearance, the licensing did not change. LD Deery stated the question would be best suited for the building department.

Council member Tollett stated that at the beginning of medical marijuana discussions, there was a building on Cleveland Street, that was approved however did not open. He inquired would they qualify to open a retail facility? LD Deery responded it would depend on if the license were active. Mayor Brubaker was able to provide a full update regarding the Cleveland Street building as he recently toured the building. He explained the license was pulled, the building has recently been completely gutted, is not usable and the company is no longer in the area.

Council member Oswald inquired to BO Farkas is this a case of changing the conditional use. Is it a matter of changing the use from medical marijuana to medical and recreational marijuana. BO Farkas explained the change of use is a different code usage from the building codes, the discussion is regarding zoning codes. BO Farkas explained the medical marijuana received a conditional use for that specific function. The filter process for conditional use includes parking, anticipated occupancy load, etc. He further explained that although it may mirror the same activity, it will have a side effect not considered during the first conditional use.

Council member Tollett asked for clarification that all three locations are opening for adult use sales on Tuesday, August 5th. LD Deery confirmed, yes, that is what she has been informed of.

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5. REMARKS AND REPORTS OF CITY OFFICIALS:

Council member Mitchell asked if they open, is it illegal? LD Deery stated they are operating under advice of their legal counsel.

Council member Lipian inquired about infractions with superseding the state law. He further inquired what authority does the state law carry? LD Deery responded her understanding is the home rule authority sides with the city of Elyria, the state law does not supersede the city of Elyria's authority to provide for zoning and other similar laws. She stated she is not of the opinion to have a legal fight in an effort to prove a point, when we are in the process of working on our laws.

Council member Siwierka stated she was in complete agreement with LD Deery. Council member Siwierka suggested that while we are in this waiting period that we inform certain departments of the openings, such as police and fire. She stated that she is not sure if there will be an increase in traffic, however erring on the side of caution would be best in the long run. She stated she believes many cities are in the same process.

EPD:

Police Captain Grooms provided an update on the arrival of the much-anticipated new Bearcat vehicle from Massachusetts after waiting for two years. The cost of the vehicle was \$260,000. He would like to invite all council members to come look at the vehicle. Captain Grooms stated the vehicle is very impressive. Captain Grooms updated council members of Kyle Smith who is a new auxiliary officer that was recently sworn in. Captain Grooms requested permission for Sargent Wise to attend training for the International Association of Crime Analyst Convention in Las Vegas, that is extended beyond the five- hundred-mile radius.

Council member Tollett moved to approve the travel, Council member Schneider seconded, motion carried.

Council member Oswald asked where the Bearcat vehicle would be stored. Captain Grooms responded they are deciding on a location. Consideration of the old jail sally port is one location with permission of Fire Chief Pronesti or East Broad Street Firehouse, or possibly building a garage.

Council member Tollett inquired about a new marijuana testing that is similar to alcohol testing in that it is saliva based; he wanted to know if the Elyria Police department was familiar with the testing and if they are currently using it. Captain Grooms explained the police department does not currently have that type of testing. He will look into further.

EFD:

Chief Pronesti provided an updated regarding a fire at Ohio Metallurgical, one of the major industries in town. Although there was some damage to wiring, the business is operating. Chief Pronesti gave accolades to the Sunday fire crew that was on staff for an exceptional job. Fire rescued a little girl that fell in the park as well as a young man that jumped off the bridge. He provided additional accolades to the fire crews that handled all rescues so well. He explained that each rescue is so different from another and carries its own challenges. Three firefighters had to go into the water for the rescue of the young man that jumped the bridge. He expressed his appreciation of the dedication of the firefighters.

5. REMARKS AND REPORTS OF CITY OFFICIALS:

Council member Lipian stated on behalf of council, they commend the firefighters and inquired on the status of the young man that jumped the bridge. Chief Pronesti provided an update on both the young girl, as she was discharged from the hospital and the young man experienced some severe injuries, however he was discharged as well.

Council member Armstrong shared that he witnessed the young man jump off the bridge, he stated he was extremely impressed with the rescue, from the swimmers, LifeCare, Chief Pronesti, and the fire crew. He expressed accolades to everyone involved.

Council member Davis expressed her appreciation and asked that they maintain the safety of Cascade Park as it is a wonderful park. She expressed she wouldn't want people to get the wrong idea that the park isn't safe. The park is beautiful and the accidents are out of the city's control.

ASSD Calvert: No report

BO Farkas: No report

HR Dir. Yousefi:

HR Director Yousefi shared a reminder that everyone, even elected officials are required to take a mandatory fraud acknowledgement and training. She sent an email regarding the training from the Ohio State Auditors. If additional information is needed, feel free to reach out to director Yousefi.

CD Dir. Scott: No report

Council member Siwierka asked ASSD Calvert if any contact had been made with the Rite Aid building. ASSD Calvert stated the administration had been in contact with a representative.

6. PRESIDENT'S REFERRAL'S:

1. The matter of Downtown Facade Improvement Applicant: 300 4th Street.

REFERRED BY: CD MANAGER ALMOBAYYED

REFERRED TO: COMMUNITY DEVELOPMENT

2. The matter of Downtown facade improvement Applicants: 460 Cleveland St., 374 Broad St., 354 Broad St., 341 Broad St., 337 Broad St.

REFERRED BY: CD MANAGER ALMOBAYYED

REFERRED TO: COMMUNITY DEVELOPMENT

3. The matter of a re-zoning permit for 218 Prospect Street.

REFERRED BY: BLACK RIVER COMMERCIAL

REFERRED TO: COMMUNITY DEVELOPMENT/ PLANNING COMMISSION

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6. PRESIDENT’S REFERRAL’S: Continued

4. The matter of transferring PPN: 0632014000044, 0623016101032, 062301610133, 0623014000017 and 0623016101056 from the City of Elyria to the Elyria Community Improvement Corporation.

REFERRED BY: ASSD CALVERT

REFERRED TO: COMMUNITY DEVELOPMENT/ FINANCE

5. The matter of demo lien referrals.

REFERRED BY: BO FARKAS

REFERRED TO: FINANCE

6. The matter of selling or disposing of city property that is unfit for use.

REFERRED BY: POLICE CHIEF PELKO

REFERRED TO: FINANCE

7. The matter of selling or disposing of city property that is unfit for use.

REFERRED BY: FIRE CHIEF PRONESTI

REFERRED TO: FINANCE

8. The matter of donating the City’s 1938 American LaFrance Ladder truck to the Western Reserve fire Buff’s Association.

REFERRED BY: FIRE CHIEF PRONESTI

REFERRED TO: FINANCE

9. The matter of authorizing the Mayor to enter into change order No. 1 for the Abbe Rd. Resurfacing Project

REFERRED BY: ENGINEER SCHNEIDER

REFERRED TO: FINANCE

10. The matter of authorizing delinquent stormwater utility fees to be certified by the Lorain County Auditor.

REFERRED BY: ENGINEER SCHNEIDER

REFERRED TO: FINANCE

11. The matter of the adoption of updated and revised Elyria Codified Ordinances.

REFERRED BY: COUNCIL CLERK SEC.: PER LAW DIR . BREUNIG

REFERRED TO: FINANCE

12. The matter of the Reaser Point Crossing update.

REFERRED BY: MAYOR BRUBAKER

REFERRED TO: FINANCE

13. The matter of FOP Supervisors contract and MOU

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6. PRESIDENT’S REFERRAL’S: Continued

REFERRED BY: SSD PYANOWSKI

Referred to Council without Committee Support

14. The matter of levying the final assessment for the replacement of private water services.

REFERRED BY: ENGINEER SCHNEIDER

REFERRED TO: FINANCE/ UTILITIES

15. The matter of levying the final assessment for the replacement of private sewer services.

REFERRED BY: ENGINEER SCHNEIDER

REFERRED TO: FINANCE/ UTILITIES

16. The matter of maintaining quality of life policing methods.

REFERRED BY: D. ROTHGERY, C. SHAFFER, J. PARKER, T. WEBBER, R. KOVACH, D. KIRKPATRICK, D. OGLE, G. DORSEY, J. BURGER, J. TUCKER, C. SEEL, B. HARDIE, C. SEARLES

REFERRED TO: UTILITIES

17-21 Received and Placed on file in the clerk’s office:

17. Partial claim for damage: Howard Wright

18. Claim for damage: Debra McAfee

19. Denied claim for damage: Kristie Cain

20. June General Fund Cash Balance Report

21. Lists of receipts collected by each division of the Clerk of Court’s office for June 2024 7.

PETITIONS– LOBBY:

- 1. Andrea Hall-792 W. River Rd. N., Elyria- City response from city council visit in May.

8. PETITIONS–COUNCIL MEMBERS: None

9. REPORTS OF STANDING AND SPECIAL COMMITTEES:

Sponsored by:

Community
Development:

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

COOMITTEE REPORT NO. 2024- 4

WE HAVE CONSIDERED THE MATTER OF A LIQUOR LICENSE REQUEST BY AL POST 0012 ELYRIA 1ST FL W SIDE CANTEEN ONLY, 393 OHIO ST, ELYRIA, OH 44035, AND THE CITY OF ELYRIA DOES NOT REQUEST A HEARING.

Callahan moved to pass this committee report on the first reading, Mitchell seconded.

PASSAGE

AYE: 11

NAY: 0

ABSENT: 0 MOTION CARRIED

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10. RESOLUTIONS FIRST READING:

Sponsored by:
Finance:
P. Tollett
M. Siwierka
C. Schneider
J. Cerra

RESOLUTION NO. 2024- 22

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 rule.

Council member Siwierka inquires about the delinquent inactive utility account list, specifically 523 Griswold Rd. She asked if the address was the old Knights Inn and if the business was closed, if anyone was aware.

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

Sponsored by:
Utilities:
D. Mitchell
B. Davis
K. Oswald
B. Armstrong
V. Stewart III
Finance:
P. Tollett
M. Siwierka
C. Schneider
J. Cerra

RESOLUTION NO. 2024- 23

A RESOLUTION AUTHORIZING FINAL ASSESSMENTS FOR THE 2023 SIDEWALK ASSESSMENT-BASED LOAN PROGRAM, DIRECTING THE CLERK OF COUNCIL TO CERTIFY SAID LIST TO THE LORAIN COUNTY AUDITOR, AND DECLARING AN EMERGENCY.

Mitchell moved, Davis seconded to pass this resolution on its first reading under suspension of the rule and declared 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

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10. RESOLUTIONS FIRST READING: Continued

Sponsored by:
Finance:
P. Tollett
M. Siwierka
C. Schneider
J. Cerra

RESOLUTION NO. 2024- 24
A RESOLUTION FINDING THAT THE CITY HAS UNFIT FOR MUNICIPAL USE CERTAIN CITY PROPERTY.

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

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:

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

ORDINANCE NO. 2024- 122
AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR OF THE CITY OF ELYRIA TO DISPOSE OF CITY PROPERTY THAT IS UNFIT FOR MUNICIPAL USE.

Tollett moved, Schneider 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	

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13. ORDINANCES--FIRST READINGS: Continued

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

ORDINANCE NO. 2024-
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 LEONA STREET AND GRISWOLD ROAD, ELYRIA, FROM B-AO BUSINESS-AUTOMOTIVE ORIENTED DISTRICT TO B-G BUSINESS-GENERAL DISTRICT, AND DECLARING AN EMERGENCY.

Public Hearing Scheduled for Tuesday 9/3/2024 at 7:00PM

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

ORDINANCE NO. 2024-
AN ORDINANCE AMENDING SECTION 1131.02, CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO, KNOWN AS THE ZONING ORDINANCE, TO OVERLAY A L-I LIGHT INDUSTRIAL DISTRICT OVER A B-G BUSINESS-GENERAL DISTRICT, AS SET FORTH IN CHAPTER 1176, REDEVELOPMENT OVERLAY DISTRICT ("RDOD"), CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO, FOR REAL PROPERTY LOCATED AT LEONA STREET AND GRISWOLD ROAD, ELYRIA, OHIO AND OWNED BY THE CITY OF ELYRIA AND THE ELYRIA COMMUNITY IMPROVEMENT CORPORATION, AND DECLARING AN EMERGENCY.

Public Hearing Scheduled for Tuesday 9/3/2024 at 7:00PM

Sponsored by:
Finance:
P. Tollett
M. Siwierka
C. Schneider
J. Cerra

ORDINANCE NO. 2024-123
AN ORDINANCE AMENDING SECTION 165.33(a) OF THE ELYRIA CODIFIED ORDINANCES TO ADD THE POSITION OF CITY PLANNER TO THE COMMUNITY DEVELOPMENT DEPARTMENT AND ASSIGN A PAYGRADE FOR SAME; 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.

Council member Siwierka requested a copy of the job description when it is finalized.

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

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13. ORDINANCES--FIRST READINGS: Continued

Sponsored by:

Utilities:

- D. Mitchell
- B. Davis
- K. Oswald
- B. Armstrong
- C. Schneider

Finance:

- P. Tollett
- M. Siwierka
- C. Schneider
- J. Cerra

ORDINANCE NO. 2024-124

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE LOWELL STREET SANITARY SEWER EXTENSION IMPROVEMENT PROJECT, 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: 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:

Utilities:

- D. Mitchell
- B. Davis
- K. Oswald
- B. Armstrong
- C. Schneider

Finance:

- P. Tollett
- M. Siwierka
- C. Schneider
- J. Cerra

ORDINANCE NO. 2024- 125

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AMENDED EASEMENT AGREEMENTS WITH REAL PROPERTY OWNERS FOR THE WINDWARD SEWER AND GULF ROAD PUMP STATION PROJECT 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: 11	AYE: 11	AYE: 11
NAY: 0	NAY: 0	NAY: 0
ABSENT: 0	ABSENT: 0	ABSENT: 0
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

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13. ORDINANCES--FIRST READINGS: Continued

Sponsored by:

Finance:

- P. Tollett
- M. Siwierka
- C. Schneider
- J. Cerra

ORDINANCE NO. 2024-126

AN ORDINANCE AMENDING ORDINANCE NO. 2024-46, KNOWN AS THE "2024 PERMANENT APPROPRIATIONS ORDINANCE," TO CHANGE FUNDS IN VARIOUS ACCOUNTS

Tollett moved, Schneider 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:

Community

Development:

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

Finance:

- P. Tollett
- M. Siwierka
- C. Schneider
- J. Cerra

ORDINANCE NO. 2024-127

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA AGREEMENT WITH FOSTER SENIOR LOFTS LLC, AND DECLARING AN EMERGENCY.

Callahan moved, Tollett 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:

Utilities:

- D. Mitchell
- B. Davis
- V. Stewart III
- K. Oswald
- B. Armstrong

ORDINANCE NO. 2024-128

AN ORDINANCE AUTHORIZING THE MAYOR TO APPLY FOR, AND ACCEPT IF OFFERED, "IN-KIND ASSISTANCE" FROM THE OHIO EPA FOR THE LEAD SERVICE LINE PLAN, PROGRAM, AND PROJECT, AND DECLARING AN EMERGENCY.

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

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13. ORDINANCES--FIRST READINGS: Continued

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

ORDINANCE NO. 2024-129

AN ORDINANCE RATIFYING AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT BY AND BETWEEN THE CITY OF ELYRIA AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC., SUPERVISORS' UNIT, AND DECLARING AN EMERGENCY.

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

Council member Siwierka inquired of confirmation of terms. SSD Pyanowski responded terms are for a three -year contract.

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

ORDINANCE NO. 2024-130

AN ORDINANCE AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE ELYRIA FRATERNAL ORDER OF POLICE (FOP), AND DECLARING AN EMERGENCY.

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

Council member Siwierka stated that she would hope that council would get out of the habit of preparing MOU for contracts, as she doesn't feel it is a good practice.

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

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13. ORDINANCES--FIRST READINGS: Continued

Sponsored by:
Utilities:
D. Mitchell
B. Davis
V. Stewart III
K. Oswald
B. Armstrong

ORDINANCE NO. 2024-131

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ODOT FOR REPLACEMENT OF SIGNS ON SR-57 FROM THE OHIO TURNPIKE TO CLEVELAND STREET.

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	

ORDINANCE NO. 2024-132

AN ORDINANCE AUTHORIZING CHANGE ORDERS UP TO 250,000 FOR THE CLEVELAND STREET (LOR-CR658-0.00) PROJECT, AND DECLARING AN EMERGENCY.

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

Council member Siwierka stated that if change orders will be presented without benefit of a committee report, she suggested that a City Engineer be present in the meeting to answer any questions.

Law Director Deery explained the change order was discovered by the law office when a contract was submitted the week of July 29th, monies had been appropriated, however there had been a misunderstanding that the amount of the change order would necessitate legislation from council. The discovery was over summer session. President Stewart stated that he was called with an update regarding the contract update as well. Council member Lipian stated that it would be helpful to apply an attachment with the additional cost imposed and what categories the cost are accrued under.

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	

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13. ORDINANCES--FIRST READINGS: Continued

ORDINANCE NO. 2024-133

AN ORDINANCE AUTHORIZING CHANGE ORDERS UP TO \$250,000 FOR THE E. BROAD STREET (LOR- CR623-0.00) PROJECT, AND DECLARING AN EMERGENCY.

Mitchell moved to pass this ordinance without the benefit of a committee report under suspension of rules, and declaring an emergency Davis 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

16. COMMITTEE CALLS:

COMMUNITY DEVELOPMENT

Mon 8/12/2024 Beginning at 6:00 P.M. All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

JOINT CD/FINANCE

Mon. 8/12/2024 Immediately following Community Development All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

FINANCE

Mon. 8/12/2024 Immediately following Joint All Referred Items Council Chambers w/Mayor, Auditor, Law Director, SSD, Engineer

UTILITIES, SAFETY & ENVIRONMENT

Wed. 8/07/2024 Combined with Finance All Referred Items Council Chambers w/SSD, Law Director, Engineer All

COUNCIL/STRATEGIC PLANNING

Mon. 9/3/2024 Immediately following Council Meeting All Referred Items Council Chambers W/ Mayor, Safety Service Director, Auditor, Solicitor, Engineer

Minutes Approved

August 5, 2024
Regular Council Meeting
Elyria City Council

17. MISCELLANEOUS AND UNFINISHED BUSINESS:

Update from Elyria Community Partnership (Attached Exhibit 'A')

Law Director Deery provided an update from the law office regarding updates to the most recent codifications process with American Legal. There has been a substantive typo in Ordinance 2021-54, the ordinance that codified the employee's hospitalization plan committee. The ordinance states that all meetings shall be open to the public, however the meetings are open to all plan members. A vote was requested to approve the change in the ordinance that would be reflected in the minutes to submit to the company that manages the codification of our ordinances.

Law Director Deery stated the revised language would state the following:
The meetings of the board shall be held quarterly not later than the 15th day of the following months, February, May, August, November, special meetings shall be at the call of the chairperson and at such other times as the committee may determine. All meetings shall be open to plan members.

Council member Tollett moved to pass the revised language, Council member Cerra seconded.

PASSAGE

AYE: 10

NAY: 1 (Siwierka)


ABSENT: 0

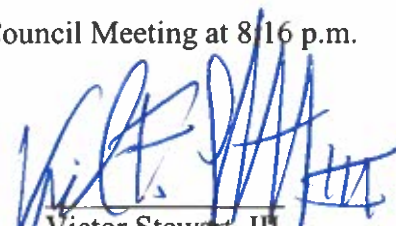
MOTION CARRIED

18. ADJOURNMENT:

Mitchell moved, Cerra seconded to adjourn the Regular Council Meeting at 8:16 p.m.

MOTION CARRIED


Michael J. Lotke, III
Clerk of Council


Victor Stewart, III
President of Council

July City Council Updates

- Staffing/Capacity
 - Jacob Abraham, Communications Intern from May 28-August 1, 2024
 - Americorp Vista Position delays expected start October/ November 2024
 - Office Holidays
 - i. Sept 2nd Labor Day
 - Mone't maternity leave will likely begin at the end of August or Early September for eight weeks.
- Administration Update
 - Chronicle Telegram Official Move In on May 1,2024
 - Permanent Space Options - Further Discussion with Executive Committee Required
 - Subscribed to a new web hosting company, Holland Computers
- Funding Resources
 - Nord Family Foundation Multi Year Grant Submitted
 - Community Foundation 5-10K Application for 2025 Project Submitted
 - Key Bank Application Approved for 20K
 - 5K Art Rise Grant (Partial payment has been requested, they can not fully issue funding until project is complete, will submit in September)
 - \$2,500 with Lorain County Public Health for Bike Racks
 - Lakeland Fund \$500 for Bike Racks Submitted & Received
 - PNC Bank Grant Submitted
 - Vibrancy Plan Submitted
 - i. Lorain County Visitors Bureau provided Dining Under the Stars Funding
 - ii. Busch Funeral Home would like to cater and potential sponsor an event this year
 - Bendix Grant Application (Ongoing Application) 5K Request -Credential challenges
- Housing
 - Pivotal
 - i. Registration with the Federal Home Loan Bank of Cincinnati Submitted
 - ii. JVS and EHS Abatement
 - iii. Early closing convos began- expected closing October
 - iv. ECP Foster Lofts LLC created
 - CHN Has begun construction on the Senior Facility. The 9% tax credit was not awarded and the housing construction will be delayed until next year's application.
- Event Updates
 - I'm Here Campaign Ends Saturday May 4th- Shop Local and encourage others
 - i. One of our Events Volunteers won the Vermillion Prize
 - ii. Stores want to continue engagement
 - Movie Night is May 25th -Sherlock Gnomes is the movie
 - i. Attendance 120 Youth and Adults (Lower than previous, fell on memorial day weekend and tragedy for Elyria High the day prior and memorial event day of for student)
 - Third Thursday June 20th Success, Hot, Rethinking Vendor Placement

- Dining Under the Stars July 27th Success, 63 Tickets sold
- Sacred Landmarks Tour with Lorain County Historical Society Sept 8th, 2024
- Downtown Development
 - Connect Ely:
 - i. Landscaping: Sept 6th and 7th with Leadership Lorain County
 - ii. Mural #1
 - Facade Improvement Grant pending, artist ready to implement upon completion of Masonry work (expected end of Sept pending grant)
 - iii. Mural #2
 - Facade Improvement Grant pending, artist and students ready to implement upon completion of Masonry work (expected end of Sept pending grant)
 - Bike Racks
 - i. Lasercraft USA is currently laser cutting, powder coating, and welding 5 bike rack and we will work with Elyria Parks and Recreation Department for installation.
 - Historical Looking Glass (HLG)
 - i. Gathering quotes from three sign companies to configure installation cost
 - Downtown Businesses
 - i. Jamil Broad St. Rentals (three spaces being rented) a Creative Space and Two Spaces for Retail.
 - ii. Plantaria and Vintage Vibes- Food Truck Fridays 11 AM -3 PM
 - iii. Urality Program will help manage property & business owner databases and management. August follow up meeting.

June City Council Updates

- Staffing/Capacity
 - Jacob Abraham, Communications Intern began May 28, 2024
 - Americorp Vista Position promo pieces will go out soon,, expected start October
 - Office Holidays
 - i. June 19th
 - Mone't was awarded the Community Conquer Award at the first African American Community Fund (AACF) Gala (Friday June 14th)
- Administration Update
 - Chronicle Telegram Official Move In on May 1,2024
 - Permanent Space Options - with a focus on space for other Local Nonprofits included
 - i. CIC Building (Funders are interested in financially supporting but have stipulations)
 - ii. 134 Middle Ave Elyria, OH
 - Subscribed to a new web hosting company, Holland Computers
- Funding Resources
 - Nord Family Foundation Multi Year Grant Due August 1 Application Opens July 1
 - Community Foundation 5-10K Application for 2025 Project due July 1
 - Two Grants with McCaulley & Co /Administration for Children and Family Services due July 2, and July 17th -Currently application challenges
 - Key Bank Application Approved for 20K
 - 5K Art Rise Grant (Partial payment has been requested, they can not fully issue funding until project is complete, will submit in September)
 - \$2,500 with Lorain County Public Health for Bike Racks
 - Lakeland Fund \$500 for Bike Racks Submitted & Recieved
 - PNC Bank preliminarily allocated funding for the year -a follow up has been made
 - Vibrancy Plan Submitted
 - i. Lorain County Visitors Bureau provided Dining Under the Stars Funding
 - ii. Busch Funeral Home would like to cater and potential sponsor an event this year
 - Healthy Places Grant Submitted February 19, 2024 10K Request (We did not receive the funding, awaiting on insight into next year's application process)
 - Bendix Grant Application (Ongoing Application) 5K Request -Credential challenges
- Housing
 - Pivotal
 - i. Registration with the Federal Home Loan Bank of Cincinnati due July 1, ECP information logged into the system, awaiting Pivotal to complete the application.
 - Bridge Point Commons connections for volunteer opportunities have been made
 - CHN Has begun construction on the Senior Facility. The 9% tax credit was not awarded and the housing construction will be delayed until next year's application.
- Event Updates
 - I'm Here Campaign Ends Saturday May 4th- Shop Local and encourage others

- i. One of our Events Volunteers won the Vermillion Prize
 - ii. Stores want to continue engagement
 - o Movie Night is May 25th -Sherlock Gnomes is the movie
 - i. Attendance 120 Youth and Adults (Lower than previous, fell on memorial day weekend and tragedy for Elyria High the day prior and memorial event day of for student)
 - o Third Thursday June 20th Success, Hot, Rethinking Vendor Placement
 - o Dining Under the Stars July 27th [Register Here](#) (\$75 a ticket, Live music, Steak or Vegan Bolognese, and a cash bar)
 - o Potential collaborative event with Lorain Historical Society Sept 8th, 2024
- Downtown Development
 - o Connect Ely:
 - i. Landscaping: Signed waiver of Indemnity with the County, Certificate of Liability with County rider provider, Design review submitted and approved (June 3, 2024), Meeting with JVS to discuss day of agenda, scheduled plan of installation Sept 7, 2024.
 - ii. Mural #1
 - 1. Mason Selected and Design Review Approved May 22, 2024 next steps: Property owner must submit Facade Improvement Grant, Schedule the Masonry work and then the Artist can begin!
 - iii. Mural #2
 - 1. Mason Selected, Design Review(DR) Submitted, Design Review Approval May 22, 2024, andMason scheduled for the end of June (pending grant submission and signed MOU) next steps: Property Owner MOU and Facade Improvement Grant submission needed.
 - 2. Art work: Call for Artist Finalized, Artist selected, Artist begin work May 8th, Initial Deposit made, Partial Payment Requested from Ohio Arts Council, and Design Review Approved, Planning commission application submitted. next steps: Planning Commision Presentation with Project Ready Youth July 2, and Art Installation on target for August 1 upon Planning Commission Approval and Property Owner signed MOU and Facade Improvement Grant submission.
 - o Bike Racks
 - i. Parks and Recreation Department has six bike racks for use
 - ii. Laser Cut USA is finalizing quotes to laser cut, weld and paint the bike racks for installation
 - o Historical Looking Glass (HLG)
 - i. Soft approval for HLG Location #1 from the City administration
 - ii. Gathering quotes from three sign companies to configure installation cost
 - o Downtown Businesses
 - i. Jamil Broad St. Rentals (three spaces being rented) a Creative Space and Two Spaces for Retail.
 - ii. Plantaria Grand Opening June 8th, Successful ribbon cutting and creative marketing toward customers.
 - iii. Urality Program will help manage property & business owner database and management.Program launch meeting Thursday June 13, 2024.

