

The FINANCE COMMITTEE held a MEETING on Monday, May 12th, 2025 beginning at 6:10 P.M.

FINANCE PRESENT: Chair Tollett, Cerra, Davis, Schneider, Siwierka
COM DEV PRESENT: Chair Schneider, Mitchell, Oswald, Callahan, Lipian
OTHERS: Pres Stewart
EXCUSED ABSENSE: Armstrong

OTHERS PRESENT: Law Dir Deery, Safety Svc Dir Pyanowski, Mayor Brubaker, Finance Dir Pileski, Fin Dir Farrell, Building Official Farkas, Engineer Schneider, Public Works Supt Conner, HR Dir Yousefi, Clerk of Court Rothgery and Judge Bennett

1. The matter of approval of meeting minutes from the Finance Committee Meeting, on April 14th, 2025 and April 28th, 2025 as circulated.

Motion made by Mr. Schneider and seconded by Mr. Cerra to approve the 'said' meeting minutes as circulated.

MOTION CARRIES

Chair Tollett said he will make a change on this evening's agenda. He will move item #13 up to number two on the agenda.

Chair Tollett recused himself from this discussion due to a conflict on this matter and co-chair Davis will take over with the meeting on this matter.

13. The matter of Wages for Certain Employees of the Elyria Municipal Court.

Referred By: Finance Director Pileski/ Pres. Stewart

President began and said this has been ongoing conversations with the muni court. This is to put into place what was voted on by the committee on February 10th, 2025, which was a 6% raise which was given to AFSCME for 2025 and it was discussed to give to the muni court employees. They discussion was had and a committee reported was passed for this raise for the year of 2025 only and to make it retroactive to the beginning of the year. and then they discussed revisiting for the years 2026 and 2027 to see if they can move forward based on passed discussions. When he met with Clerk Rothgery and Judge Bennett and Judge White, he thanked them for pulling back on the court order so everyone can agree that agencies are working together. What he is proposing is to suggest to this committee to approve the 6% pay raise for the muni court employees and for that to be retroactive to January 1st, 2025. He is asking for that motion to be placed on the floor.

Law Dir Deery said for purposes of drafting legislation, does Finance Dir Pileski have any input on this?

Dir Pileski said retro pay would start with pay period two, since pay period one included time worked in the end of December of 2024. If it's effective January 1st, it's actually pay period two.

There was no further discussion and Chair Davis read the committee report.

Motion made by Mr. Schneider, second by Mrs. Siwierka to authorize an ordinance to increase the 'said' wages of the Muni Court Employees 6% and to be retroactive to 01/01/2025. Any increases for 2026 and 2027 to be revisited. Emergency clause applies.

Both motions; Schneider and Siwierka concur that any increase for 2026 and 2027 can be revisited.

Mrs. Siwierka said, under discussion, she would agree that they are looking at this for one year and she asks that the courts reconsider sitting down with the City to look at a salary structure review for 2026 and 2027 and into the future. And if they decide to work with the HR Dept and administration to put a salary structure in place that makes them less reliant upon the union negotiations.

Law Dir Deery said for point of clarification this would be wages for certain employees, essentially all non-bargaining employees of Elyria Muni Court and non-elected employees and this will be an emergency and retroactive to Jan. 1st, 2025, a 6% increase to wages and any increase for years 2026 and 2027 will be revisited.

ALL AYES

MOTION CARRIES

COMMITTEE REPORT WRITTEN

Chair Tollett returned to Chair the remainder of this meeting at 6:23.

HR Dir Yousefi was asked to do an overview on the Gallagher report on the Chapter 165 salary study which does not include the muni court employees. They had a first meeting on April 10th and established a schedule of meetings to meet every other week.

The Gallagher personnel who did the City's last study in 2018/2019 no longer work there. So, they don't have access to previous files. They do have some files but not all. So, they are recreating them. They have established a secure records site so she is able to pass records back and forth securely. They have created and updated organizational charts for all the departments and they are gathering and creating all job descriptions. All employee data has been sent on a census to Gallagher. They have established what the City comparable will be and the benchmark positions, similar to the last study. They are on track with deliverables and anticipate this to go smoothly and they should have a full report in 5 to 6 months, September or October.

Chair Tollett thanked HR Dir Yousefi and continued with the agenda matters.

2. The matter of delinquent and final utility accounts approved by the Utility Resolution Board and to be certified to the Lorain County Auditor's Office.

Referred By: Public Works Supt Conner

Public Works Supt said this list includes 24 accounts totaling \$18,186.46 that need to be passed to the LC Auditor's for liens on those properties.

Mrs. Siwierka said she doesn't know how we should tackle this and at some point we need to come up with a better strategy for these sanitation and sanitation and sewer only accounts. We have more and more of them. If the process is that we have to send these accounts over to the county and wait to get paid, it will continue to pile up. She doesn't know what the answer is. Those new subdivisions will be the same thing. We can't turn the service off and we can't even stop picking up trash. Maybe we need to think outside the box, maybe late charges or some other mechanism. This list we have in front of us has some duplicates.

Supt Conner said they have been getting caught up some of them, they have received statements. From what she can tell from the auditor's site, we will collect, because they are probably paying their taxes through their mortgage.\

Dir Pyanowski said a large percent of people will pay their timely, so this is a small percentage. He would like to see how late fees impact the response. They are currently working on the ordinances and he would also like to consider a repeat offender, maybe someone who is late maybe 3 times in a 12-month period and maybe a \$250 penalty. So, maybe 5% if you're a little late occasionally to cover administrative costs, but, if you're someone who continuously doesn't pay on time. and yes, our options are limited on what we can do with those sewers and or sanitation only accounts. We do have a good collection rate when they get certified to the Auditor's office. He is hoping to have those updated ordinances ready for consideration by July.

Chair Tollett asked if we still have customers that pay at Drug Mart?

Mrs. Conner said yes, there are probably around one thousand.

Mrs. Siwierka piggybacked on Mr. Schneider's comment, the clerical work that this is taking, extra work each month and as the City grows and has more of these accounts. She is glad we are looking into this.

Motion made by Mr. Schneider, second by Mr. Cerra to authorize a resolution for the 'said' delinquent list of accounts to be certified to the Lorain County Auditor.
MOTION CARRIES COMMITTEE REPORT WRITTEN

3. The matter of a contract for the resurfacing of a portion of East River Street, (East Broad to Lincoln Court).

[Approved by Utilities Committee on 5/7/25]

Referred By: Engineer Schneider

Engineer Schneider said they applied for 5 Ohio Public Works Projects. They received notice that all 5 will move forward. We did not technically get the contracts as yet and will get them July 1st. Therefore, they cannot enter into any contracts until after we get the approvals from Ohio Public Works. In the meantime, they would like to get them bid out. They are trying to be ahead of the ballgame. The first one is East River from East Broad to Lincoln Court. All of these are largely mill and fills with pavement markings and signage as needed.

Mrs. Siwierka asked if there is a way to coordinate the crosswalks with the hospital to improve them while we're paving, to consolidate them or add to them. There have been discussions over the years. People cross all over; at the parking lot, under the skywalk, at the ER entrance. If we're going to resurface, maybe we can have one wide section that captures all those out places.

Engineer Schneider, said, yes, this has been discussed, the problem is you need to control pedestrians and their walking patterns and the intent before was to install fencing along the parking area to push them toward an area and without that, people will cross wherever they want to.

Mrs. Siwierka asked about the crosswalk that used to be used for the school, either at Blaine or Lincoln, will that crosswalk be removed?

Engineer Schneider said that will be removed.

Mr. Oswald was going to ask that question, because there are some crosswalks that can be removed and some to be added.

Engineer Schneider said they will remove the one at Lincoln, the ones at the ER and the parking garage will remain and then a crosswalk at E Broad at the traffic light.

Pres Stewart asked if we were going to be replacing the handicap ramps at some of those locations to continue to be complying from what it already was.

Engineer Schneider said, as part of the overall design, they will look at that to see if they meet today's standards, since they sometimes change.

Mrs. Siwierka asked about the changing of the helicopter pad, will that effect any of the crosswalks or any of the cross traffic since it will now be on the ground in the area of the old school.

Engineer Schneider said he has not seen any plans of that as yet and how that will impact traffic.

Mrs. Siwierka asked, when this work is done, will there be some contingency plan to allow for access to the emergency room because you can only get there from East River.

Engineer Schneider said, yes, this will only be a mill & fill, it will be a short time and there will be flaggers to maintain traffic.

Mr. Oswald asked if there will be times when they will have to close the street for helicopters, because he remembers that happening in the past.

Dir Pyanowski said the reason why they had fire trucks there is because it wasn't the normal landing spot. They are now installing an actual landing pad and taking away the rooftop landing. Protective measures will be taken into consideration and it will be a permanent landing area.

Finance Pileski said for agenda items 3 through 7, the local share has been appropriated in the muni motor vehicle tax fund. The Ohio Public Works share has not been appropriated so he will ask to create five new capital project funds and he'll get estimates from John and do the appropriation changes at the next Finance meeting.

Mr. Lipian said he would've liked to have seen more of East River get fixed. He thanked the Engineer's Dept for working with him on getting that application in. He stated that there is a problem with the retro reflectivity of the road paint, which he brought up about a year and a half ago, around the time that a car ran into Espresso Bakery. The conversation was how do we make it clear that there's a curve there? At nighttime the paint is not retro reflective. He's wondering if it's possible to use muni motor vehicle tax fund, but, outside the scope of this project, to get that paint extended further down the road so that its clear and more conspicuous for drivers to reduce that risk?

Engineer Schneider said that's correct this cannot be included as part of this OPWC project. Outside of that, additional funding can be used as how council see to fund it. he knows the Street Dept has a machine that has glass beads that they can put down and would help. Their paint wouldn't be as long lasting, but they can provide the reflectivity, but just doesn't last as long. The OPWC project will use a thermoplastic paint which is thicker.

Dir Pyanowski said if Engineer Schneider wants to explore the pricing to add that work outside of this, he'd be happy to look at it or they can work with the Street Dept to at least improve it within those means.

Chair Tollett read the committee report and asked for a motion:

Motion made by Mr. Cerra second by Mrs. Davis to authorize an ordinance authorizing the Mayor to advertise for bids and award a contract for 'said' project.
MOTION CARRIES COMMITTEE REPORT WRITTEN

4. The matter of a contract for the resurfacing of a portion of Gulf Road, (Hilliard to Vista Court).

[Approved by Utilities Committee on 5/7/25]

Referred By: Engineer Schneider

Engineer Schneider said this is also an OPWC project. It's from Vista Ct to Hilliard and it's a mill and fill. This will be later this year because they will need to replace the water main, which was approved recently, and that is out for bid now. The resurfacing probably won't start until late September or October.

Chair Tollett asked if the resurfacing project can move a little south past Hilliard (approximately 100 yards), to resurface the area that was damaged in the earlier in the year water main project at Overbrook?

Engineer Schneider said unfortunately with this OPWC project, when they submit applications, they have to define the project limits lines and we are held to those limits.

Mrs. Davis asked if there is a deadline for these projects to be completed by?

Engineer Schneider said when they apply for Ohio Public Works dollars there is a timeline that is generated. The main goal is that it gets bided out within a certain time period and they score it. The sooner we bid it out, the more points we get, usually within the first 6 months. They can carry over to the next year if need be.

Motion made by Mrs. Davis, second by Mr. Schneider to authorize an ordinance authorizing the Mayor to advertise for bids and award a contract for 'said' project.
MOTION CARRIES COMMITTEE REPORT WRITTEN

5. The matter of a contract for the resurfacing of a portion of Leona Street, (Midway Blvd. to Griswold).

[Approved by Utilities Committee on 5/7/25]

Referred By: Engineer Schneider

Engineer Schneider said this is also an OPWC project. It's in the area where McGregor Pace just installed sanitary sewers. It's a small asphalt section of Leona St between Midway and Griswold. The concrete portion was done by the state about 7-8 years ago, which is still in good condition.

Motion made by Mrs. Davis second by Mr. Cerra to authorize an ordinance authorizing the Mayor to advertise for bids and award a contract for 'said' project.
MOTION CARRIES COMMITTEE REPORT WRITTEN

6. The matter of a contract for the resurfacing of a portion of Murray Ridge Road, (9967 Murray Ridge to 9740 Murray Ridge).

[Approved by Utilities Committee on 5/7/25]

Referred By: Engineer Schneider

Engineer Schneider said this is also an OPWC project. The area is approximately between 9967 and 9740 Murray Ridge, near the DH up to Murray Ridge School and the corporation line. The northern portion will be resurfaced next year, which is worse. But, they have been working on it and laying hot patch to make it better.

Mrs. Mitchell thanked the Street Dept for going out and patching and lane tar and rolling, it's a little better and she appreciates what they've done.

Motion made by Mr. Cerra, second by Mrs. Davis to authorize an ordinance authorizing the Mayor to advertise for bids and award a contract for 'said' project.
MOTION CARRIES COMMITTEE REPORT WRITTEN

7. The matter of a contract for the resurfacing of a portion of West River Road, (SR 57 to Foster Avenue).

[Approved by Utilities Committee on 5/7/25]

Referred By: Engineer Schneider

Engineer Schneider said this is also an OPWC project. They have been trying to get funding for this for many years. The sewer portion was taken care of a couple of years ago. It will be a mill and fill type project.

Motion made by Mrs. Davis second by Mr. Schneider to authorize an ordinance authorizing the Mayor to advertise for bids and award a contract for 'said' project.
MOTION CARRIES COMMITTEE REPORT WRITTEN

8. The matter of accepting a grant through the Ohio Attorney General's Office for the 'Shine a Light on Dumpers' Program.

[Approved by Utilities Committee on 5/7/25]

Referred By: Engineer Schneider

Engineer Schneider said this is a new grant and it's for illegal dumping and vandalism type activities. It's \$19,400 and is 100 percent paid. We would install some vandal proof fencing around the quarry, something to limit vandals from going there.

Each time we finish and we fix the fence, vandals just cut it and the City keeps going back to fix it. This would allow us to put some kind of durable fencing that will deter the vandals more.

Mrs. Davis asked if the fencing would run along Riverside versus West River? And the signage on the West River also needs to be replaced.

Engineer Schneider said they will replace the fencing where the vandals have been cutting it, which is on the back side of Riverside. There is a limited number of funds for this.

Dir Pyanowski directed this to Mrs. Davis for her to reach out to our sign department for signs she feels need to be replaced. She also thinks they need to be setback and tall enough so people can see them. The vandals just take the signs off the fence, but, if they're set-back with the signage on a pole and it won't be so quickly accessible, but they will be able to see the signs.

Motion made by Mr. Cerra second by Mr. Schneider to authorize an ordinance authorizing the Mayor to accept the 'said' grant in amount of \$19,400.00.
MOTION CARRIES COMMITTEE REPORT WRITTEN

9. The matter of City property (Ford F150 Truck) that is unfit for use and to be taken out of service and to be disposed of by the best means possible.

Referred By: Public Works Supervisor R. Eye

Dir Pyanowski said this is a F150 truck that has 72,000 miles on it and it's served its useful life and they would like to dispose of it on govdeals.

Mrs. Siwierka asked what Department this truck was used in?

Dir. Pyanowski said this vehicle was from the Water Distribution Dept. and it will not be replaced at this time.'

Mr. Oswald said we're going into times where maybe we shouldn't be spending money and maybe we should re-visit how many trucks so we actually need in each department.

Dir Pyanowski said the administration has been having those conversations, not just about vehicles, but also equipment. Maybe the departments can plan a little bit to schedule when a piece of equipment might be needed.

Motion made by Mr. Cerra, second by Mrs. Siwierka to authorize a resolution declaring the 'said' vehicle unfit and an ordinance authorizing the 'said' vehicle to be disposed of by the best means possible.
MOTION CARRIES COMMITTEE REPORT WRITTEN

10. The matter of City property (Trailer 20XPT) that is unfit for use and to be taken out of service and to be disposed of by the best means possible.

Referred By: Public Works Supervisor R. Eye

Dir Pyanowski said this is a 2011 trailer and is from the Wastewater Dept. and its useful life has been used. He thinks this has already been replaced and they would like to sell it on gov deals.

Motion made by Mr. Cerra, second by Mrs. Siwierka to authorize a resolution declaring the 'said' trailer unfit and an ordinance authorizing the 'said' trailer to be disposed of by the best means possible.
MOTION CARRIES COMMITTEE REPORT WRITTEN

11. The matter of City property (Reading Truck body) that is unfit for use and to be taken out of service and to be disposed of by the best means possible.

Referred By: Public Works Supervisor R. Eye

Dir Pyanowski said this is a truck bed which is on the side of the back of the truck where they put tools. It's rusted and they want to replace it with another box type set-up.

Motion made by Mrs. Davis, second by Mr. Cerra to authorize a resolution declaring the 'said' truck body unfit and an ordinance authorizing the 'said' truck body to be disposed of by the best means possible.
MOTION CARRIES COMMITTEE REPORT WRITTEN

12. The matter of Class Action Litigation regarding Fire Fighting Foam (AFFF) and retaining Brian Balser Law to represent the City.

Referred By: Law Director Deery

Law Dir Deery said at the beginning of the year the Mayor was contacted from a Law Firm out of Florida regarding a class action lawsuit. It has to do with permanent chemicals known as acronym pas and these chemicals are found in firefighting foam, fire extinguishers and other equipment like these that are or were used for firefighting. They reached out to attorney Brian Balser who handles class action matters such as these. Attorney Balser said if the City was able to ascertain that they had utilized some of these products and he indicated that he is working on this class action case. They confirmed with Chief Pronesti that these products were utilized in the last decade and we would have verification of that which would be needed in order to enter this class action and therefore she is requesting that Council would approve the retention of Attorney Brian Balser's firm to allow the City to participate in this Class Action for purposes of recouping any monies that the city may be entitled to as result of these materials.

Mrs. Siwierka asked where would those monies go to if we were to win some kind of a settlement in this case? Back to EFD? We should think about that. This foam was used by our department and we should have some serious conversation if we win a settlement. She feels it should go to the fire department.

Dir Deery said they this could take a long time and it may very well be that, if there's a settlement she didn't know if it would be as complex as the opioid settlement was. But, a settlement may specify that the proceeds can only be used for particular matters. As the opioid litigation settlement monies could only be used for recovery, law enforcement. So, she could foresee that it may specify that. Should Council pass a resolution that would earmark any monies that will be awarded to the General Fund, but setting up some sort of sub account and she would defer this to Finance Director Pileski specifically for the Fire Department.

Mrs. Siwierka said that's not her intent, but she thinks if this is settled and we could work with some sort of parameters within. It could also go towards medical costs because the foam could be tied to some specific diseases. Maybe is could go toward the health care in the future.

Chair Tollett said this product is active in systems for hoods in kitchens, which is also part of this same lawsuit.

Mr. Oswald asked if we owe money to Attorney Balser for retaining his services?

Dir Deery said this would be on a contingency basis should Council approve which means there would be an agreement between Attorney Balser's firm and the City. He would be paid a percentage of any settlement that the City would receive which would be agreed to at the time we would retain him.

Finance Dir Pileski said if it's like the Opioid Settlement we would set up a Special Revenue Fund to account for it separately, but, it can be appropriated for whatever is decided. If it's any large amount of money, he would rather keep it out of the General Fund and set-up a separate fund, that way, if there are questions on how the money is spent, it will be easily accessible.

Motion made by Mr. Cerra, second by Mr. Schneider to authorize an ordinance to authorize to retain 'said' law firm in 'said' litigation.

Mr. Lipian asked if there would be split with the contingency, 80/20, 60/40 split?
Dir Deery said yes, the agreement that would be entered into following the ordinance would set forth what percentage Attorney Balser's firm would receive. She has not yet received a proposal from the firm for this litigation. The previous litigation was 24% for his share.

MOTION CARRIES COMMITTEE REPORT WRITTEN

14. The matter of amendments to the 2025 Permanent Appropriations Ordinance.

Referred By: Finance Directors Pileski and Farrell *[Standing Referral]*.

Finance Dir Pileski said there are 4 appropriation changes this evening.

The City received the Safer Grant to hire 3 additional fire fighters. They estimated the 2025 portion to be \$140,000 for Salary & Wages and \$87,280 for Benefits & Pension, which would be in the Safer Grant Fund.

EPD Equitable Sharing Fund is for funds received from investigations the EPD is involved in with the Federal Government. There is money in that fund and they would like to spend \$72,000 on replacing their outdated ballistic protection vests.

In the Public Works Complex construction fund, we borrowed \$21 million and it's invested in a liquid investment and their investment fees associated withheld. So, need to appropriate \$10,000 for those fees.

General Fund/Parks & Rec., Dir Reardon rec'd a NOPEC Grant for \$3,500 to offset summer entertainment and to come out of operating & maintenance account.

Mrs. Siwierka asked how many vests are being purchased?

Dir Pyanowski said the old vests are over 5 years old and past their expired dates and this will replace vests for the SWAT Team only.

Motion made by Mr. Cerra, second by Mr. Schneider to authorize an ordinance to amend the 'said' permanent appropriations.

MOTION CARRIES COMMITTEE REPORT WRITTEN

Finance Dir Pileski said that in order to move forward with the 6% wage increase to municipal court employees we would need to amend the Salary Ordinance.

15. The matter of amending the Salary Ordinance, to address certain Elyria Municipal Court Employees salaries, non-elected and non-bargaining.

Law Dir Deery said her office can prepare legislation to amend the salary ordinance and Dir Pileski said the exhibit for the salary changes has been prepared.

Mrs. Siwierka asked if they can amend the previous motion with the committee report that approved the salary increase and change the salary ordinance as appropriate? She believes the exhibit which was attached has all 3 years and we are only doing one year at this time; therefore, we wouldn't want to adopt that because it has 3 years.

Dir Deery suggested that if we do have the exhibit then if the committee would like to make a motion to amend the salary ordinance and that would be a separate piece of legislation which could go to the next council meeting along with the ordinance to amend the salary ordinance.

Chair Tollett recused himself and turned the meeting back to Mrs. Davis.

Finance Dir Farrell stated that he had the exhibit for the 6% increase from January 2025 and he handed that exhibit out.

Motion made by Mr. Cerra, second by Mr. Schneider to authorize an amendment to the 'salary ordinance' to reflect 6% increase to Municipal Court Employee salaries, (non-elected, non-bargaining). Emergency clause.

MOTION CARRIES COMMITTEE REPORT WRITTEN

Chair Tollett asked for a motion to adjourn Finance:

Motion made by Mr. Cerra and second by Mr. Schneider to adjourn this evening's Finance committee meeting at 7:30 P.M.

MOTION CARRIES

Respectfully Submitted by,
Colleen Rosado, Clerk Secretary/Administrative Assistant