

# **The Utilities, Safety & Environment Committee**

held a meeting on **Wednesday, May 21<sup>st</sup>, 2025** at 6:00 P.M.

## **Committee Members Present:**

Utilities: Chair Mitchell, Davis, Oswald, Armstrong, Stewart

Others: Cerra, Siwierka, Callahan, Lipian

Excused Absence: none

**Administration and Department Heads Present:** Safety Service Dir Pyanowski,  
Law Dir Deery, Engineer Schneider

## **1. The matter of approval of meeting minutes from the Utilities, Safety & Environment Committee Meeting, on May 7<sup>th</sup>, 2025 as circulated.**

Motion was made by Mr. Oswald and second by Mr. Armstrong to approve.

## **MOTION CARRIES**

## **2. The matter of a proposed City Ordinance which would prohibit Tier II and Tier III sex offenders from residing near Public Parks.**

Referred By: Jayvien Micco

Law Dir Deery said this was referred by a resident who lives near Cascade Park. She communicated via email. They have looked at several neighboring communities and restrictions and they pointed out that in 2006 Lorain had put greater restrictions in place, even more than what the State requires and Dir Deery suggested they make this referral to council. Dir Deery asked Chair Mitchell if it would be the committee's desire to have her office reach out to the Lorain Law Dept. to see what the logistics of Lorain's ordinance are and how they play out.

The residency restrictions that are in place by State Law are complex. Implementing them and forcing them are complex. One of the biggest issues is, depending on when an offender was charged with a crime, or the date it was committed, versus when the conviction happened, those effect whether an offender is required to register, whether the residency restrictions apply, when residency was established and if the offender owns versus rents, those all come into play. She spoke to the Elyria resident who understood that this is not simply a matter of, should council wish to move forward and pass such a law. This would not just be a situation where effective the date the ordinance passes, the offender could no longer live in the vicinity of any public park and that they would move away. There could be a lengthy involved evaluation which might need to come into play. Dir Deery wanted this resident and council to be aware.

Dir Deery asks that this matter be tabled and it would be brought back at a time when she has more information to provide to the committee so everyone has the overall picture of what an increase in the restrictions could look like.

Mr. Oswald agrees this should be tabled. He asked if we could have the police attend a future meeting to educate the committee on what the different Tiers mean.

Dir Deery said that the way the registration and handling violations of registration and residency restrictions happen, are essentially when an offender is required to register and they do that through the Lorain County Sheriff's Department. If it's determined that the offender is in violation of the residency restriction, the Sheriff will forward that to the local prosecutor's office. Then they would take a look at the distance in violation. It's from property line to property line, not doorway to doorway. If there is a violation, the Law Office would reach out to the offender at their address to say that they are in violation and they would have a time frame to move.

Then an injunction would be filed in Common Pleas Court.

When this discussion continues, she could ask the Prosecutor's office to attend the meeting to speak on this, as well as the Police, Sheriff Dept., etc.

Mr. Armstrong agrees this should be tabled. He said he spoke to Sheriff Deputy Smith and he's one of the main officers in the sex offender unit and he is willing to come in and educate us on this issue. There is a lot to be discussed on this.

Mrs. Siwierka asked if we know how many Tier II and Tier III offenders are in the city and Lorain County? She also asked if an offender is removed from the list after a certain amount of time?

Dir Deery said it depends on what the registration requirements were, based on the conviction. She suggests that we not utilize the Tier II and Tier III because State and Federal law changes verbiage so much. Maybe say, if an offender is convicted or pleads guilty to a sexually oriented offense which is not registration exempt. If it's an offender that has to register, then they would have to abide by the restrictions that would apply within our city limits.

The Sheriff's Dept is responsible for the registration and sending out notifications and they would forward that info to Prosecutor's office and when a violation is detected.

Mr. Armstrong said Ohio Revised Code is 2950.034, which prohibits an offender to be 1,000 feet from schools and child care facilities. If an offense was before 2008, they are allowed to live by a school. If an offense was after 2008, they cannot.

Mr. Oswald said he's had some of his tenants that would say that there was a sex offender living next door. And they found out it's not the owner of the tenant, but they were a friend that was staying there, they have their ways around the restrictions.

Chair Mitchell said, when this comes back for further discussion, it will be a long discussion, because there is so much information out there and we will let the experts educate us.

***This matter is tabled until further notice and will be placed in Pending Items.***

### **3. The matter of finalizing the list of the 2025 Ward Street Resurfacing projects.**

Referred By: Chair Mitchell

Chair Mitchell stated that she announced at Monday's meeting that Utilities will be meeting this evening and that we have to finalize the streets this evening, we are already way behind and we won't delay any longer. Everyone has the list in front of them. She began by asking Mrs. Davis to go over her list.

Mrs. Davis selected Euclid Street as her alternate and that takes her to slightly under her allowed amount. The lists of streets for resurfacing for each ward is attached to these meeting minutes as Exhibit A.

Mrs. Siwierka said that she has given a list of spot repairs to the Engineer's Office, so if there is extra money she thought those could be listed as her alternate for her ward. She listed some of the streets she has on her list; Alexis, East River, Illinois Cir, the miscellaneous concrete repairs, on sections.

Engineer Schneider said a lot of these estimates have been done from a computer and have not been in the field yet, the areas have not been measured as yet.

Mrs. Siwierka said there are sections on Vanderbilt, Ashland, Kent, Michigan and the corner of Xavier & Hampton.

Chair Mitchell reminded everyone that the Street Dept has a roller they use for patching potholes and she wanted to let the committee members know to report any potholes so they can be patched.

Mr. Oswald said his streets include Overbrook South, Overbrook North, Hilltop Cir., Randall (Pasadena to Nash), Washington (Ohio to Hamilton), Alternate should be Commodore Cir, which is concrete work.

Mr. Armstrong said he used the Street Dept and Waste Water and Forestry Depts to save \$50,000. He'll take that \$50,000 from the 10<sup>th</sup> Street Alley off his list. Maybe add Temple Court as an alternate.

Mr. Cerra said he will remove Pasadena (Cleveland to house 545 Pasadena), he asked if that can be patched?

Engineer Schneider said no, that section needs to be repaved and we could leave it on as an alternate.

Mr. Cerra suggested to leave Hawthorne (from 424 to Sycamore) as his alternate.

Chair Mitchell listed her streets; 16<sup>th</sup> St. (Infirmary to Douglas), 16<sup>th</sup> St. (Douglas to West River), Bell (Lake to Penfield), Oakwood (Demas to Clemmons) and the intersection of Water St. & Broad).

Engineer Schneider said that it's easier to get pricing for the blacktop projects because it's easier to estimate with asphalt than concrete.

Mr. Lipian had his list of streets and stated that his alternate would be Sumner (E Board to Ridge Tool). He will leave Sugar Lane on his list, 760 Sugar Lane to the end and Clark St (Concord to Boston), S Logan (E Broad to E Heights), Kenyon (Garford to Prospect), Denison (Fairlawn to Prospect), Cornell (Concord to Boston).

Mr. Lipian said he heard that Park Ave might get resurfaced once there is a replacement of some sewers, he asked Engineer Schneider if that is correct?

Engineer Schneider said as of now they don't have a date projected for that project. Possibly looking at 2028 or 2029. The southeast interceptor sewer that's being extended, the next phase of that will get us under the railroad tracks by Clark and then it will run down Clark Street before it goes to Park Avenue.

Mr. Lipian said that helps. And because the intersection by Park Ave., E Broad to Oxford is bad on the turn onto E Broad because of all the construction equipment, is it possible to take off Cornell (Boston to Concord) and do Sugar Lane (760 to end). And then as much of Park Ave (E Broad to Oxford), as possible for the remainder of the funds.

Mr. Callahan said he's not on this committee, but, he's always been impressed year after year how this committee really works well together and that includes the ward council people. He's looking at it from the perspective of the whole city, as being council-at-large. The give and take and wanting to get as much done with the funds available for the residents, thank you to the committee.

Mr. Lipian thanked Mr. Callahan. He asked the Engineer about the collaboration with ward one and ward three concerning Baldwin, which is in both wards. He wanted to know if all of Baldwin is going to be resurfaced as per earlier discussions and using different funds and doing it in all concrete?

Engineer Schneider said the intent is to do Baldwin, but, not in concrete, it will be asphalt and it will be done as part of the first phase of asphalt resurfacing this year.

Mr. Lipian thanked councilwoman Siwierka for working with him on this.

Chair Mitchell wanted to thank the residents again for approving Issue five. We couldn't do what they do without that. Two million dollars may seem like a lot, but, as everyone sees here, it doesn't go far. She thanked everyone.

*She read the committee report and asked for a motion.*

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

Dir Pyanowski wanted to take the opportunity to bring up the matter which was discussed a few months ago and ask if there was still an interest in the Street Scan Program, now that the tax levy has been renewed. This tool could be helpful identifying the streets that are in the most need of repair. He received some referrals from councilman Stewart for some companies that he was aware that provide this service. They have forwarded to all of these companies that the matter was on hold until after the election, so now, he can reach out to them and get some quotes if the council is interested in bringing this back for consideration?

Chair Mitchell asked what the cost for that was?

Dir Pyanowski said the one quote was for approximately \$50,000 and a three-year commitment; which would be \$50,000 for the 1<sup>st</sup> year and \$12,000 per year for the second and third year. There are other companies to explore and get quotes from, which we never got to once we put it on hold.

Mr. Oswald said he would be interested in reviewing that process, but the Engineers do a good job at what we're doing, but, if this is a good tool that would be helpful, maybe we should look into it further.

Mr. Stewart said it is beneficial in the line of work that he does and some of the communities he works with. It's a beneficial tool, it gives a lot of variety of looking and scanning and seeing critical addresses and from the right of way, sidewalks and looking at the areas in their entirety and if there's other opportunities to look at for other issues, once you have it and utilize it, it's a valuable tool. He encourages to get this back on the docket.

Mr. Cerra agrees with all that and also, we do have parts of town that are older than others and need more than other wards and that would only be fair to the residents.

Mrs. Davis said she saw the presentation on Street Scan and she was really looking forward to seeing this in our city and that we are moving forward. The operations that are going on in her area, there have been issues with the gas line underground, which have been there for 40 plus years and they are tearing up the streets. With this equipment, maybe they could go under and see what's going below the street, can this equipment do that?

Chair Michell said, no, it only assesses on the surface. She asked if the committee would like Dir Pyanowski to move forward and investigating more information on this?

Mr. Armstrong asked if they will get to see other options?

Dir Pyanowski said yes, they will look at other companies and get quotes. The first company that he brought forward is the one the City of Lorain uses and he felt comfortable with it. But, they can explore more before deciding and do a presentation as they did with Street Scan.

He feels this is a helpful tool and it gives a more scientific approach on choosing street.

Mr. Lipian said he feels the personal touch of every year being able to go around the ward and drive on the streets and make notations. He said he takes his kids with him and they discuss issues together with his kids and get them involved in government advocacy. While he's looking at the streets he inevitably finds signs and other things, it's just a great opportunity to be out and about in his ward. Not that he's against this program, but, he would hate to see us lose that personal touch.

Chair Mitchell said this won't replace that personal touch, it will give an enhancement, an extra tool.

Mr. Armstrong has a concern about the M1 mobile that the presentation was on. When he did his research, they were already working on the upgrade. He wants to make sure we're getting the best equipment and not need an upgrade within months after we purchase it.

*Chair Mitchell said this was a good discussion and she asked for a motion to adjourn.*

**Mr. Oswald moved to adjourn the Utilities, Safety & Environment Committee Meeting and that motion was seconded by Mr. Armstrong at 6:50 P.M.  
MOTION CARRIES**

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