

As circulated
Sept 2, 2025
Approval of Minutes
August 11, 2025
Special Council Meeting
Elyria City Council

1. CALL TO ORDER:

The Special Meeting of Elyria City Council was called to order on Monday, August 11th, 2025 beginning at 7:25 P.M. by President Stewart. President Stewart opened the meeting with a moment of reflection and followed by the Pledge of Allegiance.

2. ROLL CALL--COUNCIL MEMBERS:

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

OTHERS PRESENT: Mayor Brubaker, Safety Ser. Dir. Pyanowski, Law Dir. Deery,
Finance Dir. Pileski, Engineer Schneider, Asst Dir. Calvert, Asst Fin. Dir. Farrell, Clerk Lotko

Cerra moved, Mitchell seconded to excuse the absence of Mr. Callahan and Mr. Lipian.
MOTION CARRIES

3. PUBLIC HEARINGS: None

4. APPROVAL OF MINUTES: None

5. REMARKS AND REPORTS OF CITY OFFICIALS: None

6. PRESIDENT'S REFERRALS AND REMONSTRANCES: None

7. PETITIONS COUNCIL MEMBERS: None

8. PETITIONS--LOBBY: None

9. REPORTS OF STANDING AND SPECIAL COMMITTEES: None

10. RESOLUTIONS FIRST READING: None

11. RESOLUTIONS--SECOND READING: None

12. RESOLUTIONS--THIRD READING: None

13. ORDINANCES FIRST READINGS:

Sponsored by:
Strategic Planning
Committee:
 P. Tollett
 M. Siwierka
 B. Armstrong
 J. Cerra
 T. Callahan

ORDINANCE NO. 2025 - 125

AN ORDINANCE AMENDING ORDINANCE NO. 2020-10 AND
 AUTHORIZING THE EXECUTION AND DELIVERY OF A SCHOOL
 COMPENSATION AGREEMENT WITH THE ELYRIA CITY
 SCHOOL DISTRICT, AND DECLARING AN EMERGENCY.

Law Dir Deery wanted to state for the record that Attorney Balthis is here this evening and will answer any further questions. Also, in order to move forward and vote on a first reading, there does need to be a vote in favor of suspension of the rules on both of these ordinances, eight votes in favor. In terms of status update of the school compensation agreement, both she and Attorney Balthis have been in touch with Attorney David Seed, who was in attendance at the most recent committee meeting and they do have a draft that they believe is substantially finalized. She noted that these are two separate ordinances they are companion pieces, and if anyone wishes to hear more details, specifically about how they interact, she would defer to Attorney Balthis to give more explanation.

Mrs. Davis moved and that motion was seconded by Mr. Tollett to pass this ordinance on its first reading under suspension of rules and declaring an emergency.

Law Dir Deery recommended a roll call vote.

Question has been called and President Stewart asked for a Roll Call Vote.

Clerk Lotko read the legislation and took the roll call vote.

SUSPENSION

Cerra - Aye
 Armstrong - Aye
 Oswald - Aye
 Mitchell - Aye
 Tollett - Aye
 Siwierka - Aye
 Davis - Aye
 Schneider - Aye
 Stewart - Aye
 9 Ayes
 0 Nays

MOTION CARRIES

EMERGENCY

Cerra - Aye
 Armstrong - Aye
 Oswald - Nay
 Mitchell - Aye
 Tollett - Aye
 Siwierka - Aye
 Davis - Aye
 Schneider - Nay
 Stewart - Nay
 6 Ayes
 3 Nays

MOTION FAILED

PASSAGE

Cerra - Aye
 Armstrong - Aye
 Oswald - Nay
 Mitchell - Aye
 Tollett - Aye
 Siwierka - Aye
 Davis - Aye
 Schneider - Nay
 Stewart - Nay
 6 Ayes
 3 Nays

MOTION CARRIES

The ordinance passed and will go into effect after 30 days, Ordinance No. 2025-125.

13. ORDINANCES FIRST READING: (CONT.)

Sponsored by:	<u>ORDINANCE NO. 2025 -126</u>
<u>Strategic</u>	AN ORDINANCE CREATING THE REASER CROSSING TAX
<u>Planning</u>	INCREMENT FINANCING INCENTIVE DISTRICTS; DECLARING
<u>Committee:</u>	IMPROVEMENTS TO THE PARCELS WITHIN EACH INCENTIVE
P. Tollett	DISTRICT TO BE A PUBLIC PURPOSE AND EXEMPT FROM REAL
M. Siwierka	PROPERTY TAXATION; REQUIRING THE OWNERS OF THOSE
B. Armstrong	PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES;
J. Cerra	ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX
T. Callahan	INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THOSE
	SERVICE PAYMENTS; SPECIFYING THE PUBLIC
	INFRASTRUCTURE IMPROVEMENTS THAT BENEFIT OR SERVE
	PARCELS IN THE INCENTIVE DISTRICT; PROVIDING FOR
	COMPENSATION PAYMENTS; AND APPROVING AN
	AMENDMENT TO THE DEVELOPMENT AGREEMENT, AND
	DECLARING AN EMERGENCY.

Mr. Tollett moved and that motion was seconded by Mr. Cerra to pass this ordinance on its first reading under suspension of rules and declaring an emergency.

President Stewart called for discussion in regards to what is before council. There has been much debate in regards to this project in it's entirety. This is not what the project was intended to be. 75% of this is residential property. It was supposed to be a help our city and our tax base with general business and commercial and this development is going to do none of that. This proposed subdivision is not in compliance with the City of Elyria s standards as far as pavement width. The proposed is a 22 foot road, none of our public roads are that width. This was supposed to offset the traffic flow going from Chestnut Commons and now we're going to be introducing, potentially 400 to 800 vehicles. There are a lot of unknowns including variances, sidewalks. And a question which didn't get brought up is the lawsuit. Will the lawsuit go away with the passage of the development agreement? Everyone wanted to rush the vote on this to get it in front of this committee. He's in favor of development, but, he is not in favor of this development because it is not what it was intended to be, five years ago.

Mr. Oswald said the main question he wants to ask is, does everyone feel comfortable with this agreement? He does not. There are so many loose ends and down the road with these unanswered questions and details could lead to a lot of complications when we start building this. Planning Commission has an agenda and they call for a review and the engineer speaks and the building official speaks.

The police and fire speak and everyone explains all the pros and cons. They get all the questions answered and planning commission approves it. Why is no one on the planning commission listening to what the department heads are saying about issues that will come up down the road and the commission still approves it. What good is planning commission and what good is it to have the department heads give there answers. If it was done right a long time ago, these issues would have been taken care of. That is very bothersome because he wants it to be nice and he wants what's best for the city and for the city to profit off of it. He understands that the schools will get money from this, but those funds will be sprinkles of dollars for awhile and will the city really see that benefit to the schools?

Mr. Schneider said he echo's these comments. He feels that since the Planning Commission meeting, they have not been presented with any formal plan. Many questions have been addressed about road widths, variances, sidewalks, the lawsuit, street lights, setbacks and easements. He isn't about approving a TIF with some different items or clarifications on some of these things that are just hanging and they don't have answers to. No one has presented anything to say this is what we're looking at, no answers, just this is what it is and you will approve it. We would be dedicating public streets at the smallest width that has ever been dedicated and there is no clear answer if there will be sidewalks on these dedicated streets, 22 feet with no sidewalks? He still doesn't have enough information to get fully behind this.

Mrs. Siwierka said in the part of multiple Planning Commission Meetings over the years, she thinks there have been other cases where Planning Commission said yes when experts for the city said don't do that. She's not crazy about all of this development, but, she thinks there's enough of a guarantee, so far to move forward. She hopes that the economy supports this. Just like the affordable houses on Griswold Road, we don't control what goes into the future. She thinks if there is a true intent by this council or the next council to change the stature or power of planning commission, that should be done separately. If planning commission is going to appear as a rubber stamp or a board that hinders development, that wouldn't be good either way. Council should take a look at planning commission now or in the future to look at the makeup of planning commission, how it works, how cases flow through it. If we want to change it before it flows down the river, that's where we need to change it. At this point, it was approved.

Mr. Tollett said one of the things that was a huge positive to support this was when the county stepped in and assumed the liability with the TIF. Also seeing the development of three-story town houses in surrounding communities, including Avon with multiple town house and a much smaller footprint and also with tight roads that people were clamoring for. This is a large project in the history of the city and the income it will generate for our city through construction jobs is huge. We had an estimate that was shared by the schools attorney who was here at the last meeting that his representation also concurred with 1.2 million a year for the city of Elyria schools, which is needed. That is just an estimate. Looking at long term he doesn't know how we could say no to this project.

SPECIAL COUNCIL MEETING

ELYRIA CITY COUNCIL

August 11, 2025

President Stewart asked if there were any more questions or comments.

Mrs. Mitchell called for the question. Clerk Lotko took a roll call vote.

SUSPENSION

Cerra - Aye
Armstrong - Aye
Oswald - Aye
Mitchell - Aye
Tollett - Aye
Siwierka - Aye
Davis - Aye
Schneider - Aye
Stewart - Aye

9 Ayes

0 Nays

MOTION CARRIES

EMERGENCY

Cerra - Aye
Armstrong - Aye
Oswald - Nay
Mitchell - Aye
Tollett - Aye
Siwierka - Aye
Davis - Aye
Schneider - Nay
Stewart - Nay

6 Ayes

3 Nays

MOTION FAILED

PASSAGE

Cerra - Aye
Armstrong - Aye
Oswald - Nay
Mitchell - Aye
Tollett - Aye
Siwierka - Aye
Davis - Aye
Schneider - Nay
Stewart - Nay

6 Ayes

3 Nays

MOTION CARRIES

The ordinance passed and will go into effect after 30 days, Ordinance No. 2025-126.

Law Dir Deery said do to the fact that the emergency failed but the ordinance passed this will go into effect, banning any sort of referendum within 30 days.

14. ORDINANCES SECOND READING: None

15. ORDINANCES THIRD READING: None

16. COMMITTEE CALLS: None

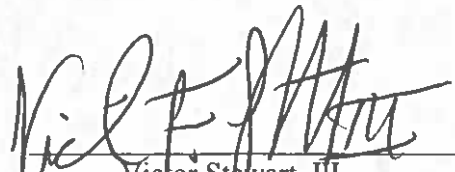
17. MISCELLANEOUS AND UNFINISHED BUSINESS: None

18. ADJOURNMENT:

Motion made by Mr. Schneider and second by Mr. Cerra to adjourn this Special Council Meeting at 7:45 P.M.

MOTION CARRIES


Michael J. Lotko, III
Clerk of Council


Victor Stewart, III
President of Council

CMR/

