

Meeting Minutes of the Utilities, Safety & Environment Committee which held a meeting on Wednesday, April 8th, 2026 at 6:00 P.M.

[circulated 4/17/2026]

Committee Members Present:

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

Others:

Excused Absence:

Administration and Department Heads Present:

Mayor Brubaker, Engineer Schneider

1. The matter of approval of meeting minutes of the Utilities, Safety & Environment Committee Meeting, which took place on March 18th, 2026, and circulated 3/24/2026.

Motion was made by Mr. Oswald and second by Mr. Armstrong to approve the 'said' meeting minutes as circulated.

MOTION CARRIES

2. The matter of a request to review the current noise ordinance.

Referred By: Elyria Resident Pamela Diaz

Pamela Diaz, 407 Defiance Ave., said she feels this is trivial and she was surprised the committee wanted to hear about it and so she is here this evening regarding the issue of a loud windchime at her next-door neighbor's house. The windchime is very large and the sound carries and it's continuous, 24 hours a day. It's not like if you're outside listening to your radio and a ball game for an hour or two, this sound never stops. In condo communities and certain neighborhoods which have HOA's, they have rules and windchimes are not allowed because condos are close to each other and it's a constant noise which can be disruptive to the other neighbors. Mrs. Diaz has no idea what the City can do about this disruption in her neighborhood.

Chair Mitchell asked Mrs. Diaz if this windchime disturbs her mainly at night?

Mrs. Diaz said yes, it's about 30 feet away from her bedroom window.

Chair Mitchell asked if she has asked her neighbor to move the windchime?

Mrs. Diaz said if they move it, then it will disrupt the other neighbors.

Mrs. Davis said she thinks she should start by approaching the neighbor, even if that doesn't get anywhere, she should at least try and approach the neighbor.

Mrs. Diaz said the neighbor is very difficult and is vindictive to all the neighbors.

Mr. Oswald said he is sorry about this issue, but, he just put a windchime up in his yard.

He wondered how the City could even police something like this?

Mrs. Diaz says that the noise ordinances are addressed for certain times, 8:00 p.m. to 8:00 a.m. She feels something like that would be reasonable.

Chair Mitchell said she has a windchime that doesn't chime all the time unless there is a heavy wind.

Mrs. Diaz said the windchime in question is large enough, that a little movement makes a lot of sound.

Mr. Armstrong said he hears this and he's going to try to approach this even though our legal dept is not here this evening. Our noise disturbance ordinance 509.08 does state that we do not allow disturbing noises from the hours of Midnight to 8 AM. The ordinance states it needs to be about 50 feet away during those hours but, it would need explanation from a legal standpoint.

Mrs. Rothgery asked Mrs. Diaz if she has ever looked into getting a sound machine to drown out the sound?

Chair Mitchell thanked Mrs. Diaz for attending and speaking on this topic.

Mrs. Diaz also wanted to ask the committee one more thing, she said the City dealt with the blighted trees on tree lawns in the past and she wondered if the city would do spot checks for trees in resident's yards. She's noticed that there are a lot of trees in the city that look unhealthy and could be dangerous, especially during wind storms.

Chair Mitchell suggested that Mrs. Diaz call the Forestry Dept. regarding those kinds of issues. And she thanked Mrs. Diaz again.

Another resident wanted to speak on a noise issue. Matthew Swab, 503 West Ave. Mr. Swab said the time of Midnight to 8:00 AM is a separate paragraph, the actual noise ordinance is 24/7, no person shall play any type of sound device, such as a windchime to disturb the peace, quiet, comfort or repose of neighboring inhabitants. This ordinance exists and he thinks the law director should chime in on that.

Mr. Swab is here this evening regarding his neighbor, the Elyria High Marching Band, directly outside his window. He hears the band outside his window all summer. If the Law Dept is able to read this and say that the marching band is allowed to perform right outside of a house in a residential neighborhood how is that good for the wellbeing of the residents. If the noise ordinance can be interpreted to say the marching band is allowed outside of a neighborhood at 85 decibels or more outside of someone's back yard. They used to practice at the football stadium for many years and now have been at the West Ave. parking lot which was supposed to be temporary. He has spoken to the school board and ultimately, it's the ordinance interpretation from the Law Dept that seems to be able to read into this and allow in favor of the schools.

Elyria codified ordinances are there to protect citizens, ensure wellbeing and quality of life and the City interprets one ordinance that disrupts the entire neighborhood.

Chair Mitchell asked if any of the neighbors have made complaints about this issue?

Mr. Swab said, yes, other neighbors have complained. The neighbors signed a petition and turned it in to the school board and nothing became of it. He has spoken to Supt. Schloss and residents have attended many school board meetings. He feels the Law Dept has improperly interpreted this ordinance and he would like them to review it and reconsider their interpretation of it.

That concluded Mr. Swab's presentation and he thanked the committee for listening.

There was no vote on this matter.

3. The matter of an LPA Agreement with ODOT for improvements to the East Broad Street Bridge over the East Branch of the Black River.

[This matter will also be discussed at The Finance Committee Meeting on April 13, 2026].

Referred By: Engineer Schneider

Engineer Schneider said the Mayor secured a grant from the Federal Government to complete some improvements on this bridge. There are scour channel issues, trees collecting, sandbars and other things like that. Before they get started with these improvements they need to enter into an agreement with ODOT.

Chair Mitchell clarified that we got 1.28 million dollars for this project?

Engineer Schneider said yes.

Mrs. Davis said she's thankful that the Mayor was able to acquire this grant and is there a match from the City?

Engineer Schneider said we won't have to pay anything unless we go over the total cost.

Mr. Oswald thinks we have been paying to clean those parts of the bridge out every year, is that correct?

Engineer Schneider said yes, we've removed trees and other things over the years to try to help get things moving, but, some of the sandbars and trees have been there for many years and they are wedged in and we're unable to get them out.

Mr. Oswald asked what is scour channel?

Engineer Schneider said it's eroding at the footers of the bridge. It's taking what is along the footers and carving out so we need to go in there and repack it.

Chair Mitchell read the committee report and asked for a motion.

Motion made by Mr. Oswald and second by Mr. Armstrong to authorize the Mayor to enter into the ‘said’ agreement with ODOT for the ‘said’ project.

MOTION CARRIES COMMITTEE REPORT WRITTEN

This matter will also be discussed and voted on by Finance Committee on April 13th.

4. The matter of an LPA Agreement with ODOT for the reconstruction of 2nd St.

[This matter will also be discussed at The Finance Committee Meeting on April 13, 2026].

Referred By: Engineer Schneider

Engineer Schneider this is same thing as previous agenda item. We need to enter into an LPA agreement with ODOT for the 2nd Street reconstruction project. We received a grant in the amount of one million dollars from NOACA. It is an 80/20 split. We pay 20 percent. The plan is to mill the road, repave it, complete any full-depth repairs that may be needed. Also, will install new pavement markings, replace the traffic lights, enhance crosswalks, add signage. We only got one million and the overall costs could be higher than that. They haven’t started any design work, but, it needs to be done and when we get further along we may apply for some Ohio Public Works Funds to help offset some of our costs. But, the project needs to happen.

Mrs. Rothgery asked if he’s pretty sure the cost will probably be more?

Engineer Schneider said the typical cost just for a traffic light is close to a half million dollars, including mast arms, electrical, crosswalks, push buttons, etc.

Mr. Oswald said this is great that we got this money to do 2nd Street.

Mr. Armstrong said he is happy this project will get done, this is a very busy street. How will we prepare for traffic?

Engineer Schneider said he doesn’t see a traffic issue. It will be a mill and fill of three inches. Parking on 2nd Street will be restricted during construction. They will maintain traffic one way and they will have more information on that once the plans are designed.

Chair Mitchell read the committee report and asked for a motion.

Motion made by Mr. Oswald and second by Mrs. Davis to authorize the Mayor to enter into the ‘said’ agreement with ODOT for the ‘said’ project.

MOTION CARRIES COMMITTEE REPORT WRITTEN

This matter will also be discussed and voted on by Finance Committee on April 13th.

5. The matter of an LPA Agreement with ODOT for constructing pedestrian improvements along Burns Road and Abbe Road.

[This matter will also be discussed at The Finance Committee Meeting on April 13, 2026].

Referred By: Engineer Schneider

This is the sidewalk project which will help create connectivity between Hilltop Park and Abbe Road, from Sheffield to the City limits. It will include a multi-use / bike path on the College side. We received 1.3 million, it’s a 90/10 split.

They have not started the design work as yet and the City may have to add to the project. There will be some drainage issues to contend with, and those monies will come out of Storm Water. Those other parts of these project will come back to committee at a later date before they go out for bid.

Mayor Brubaker said this is a grant that they applied for in respect to the young fellow that was killed on the bike almost two years ago. We applied after that incident and found out we received the funds in in January 2025, but we knew we wouldn't get to the construction phase until '26 or '27.

Mrs. Davis asked which side of Abbe will sidewalks be installed?

Engineer Schneider said they will be on both sides except for the side where there is that ditch at Burns Road.

Mr. Oswald asked if some of the money is for the design of this project?
Engineer Schneider said yes.

Mr. Oswald said now that we have the dog park and there are a lot of pedestrians and bicyclists in the area, he is glad for this project and it will be safer.

Chair Mitchell read the committee report and asked for a motion.

Motion made by Mr. Oswald and second by Mr. Armstrong to authorize the Mayor to enter into the 'said' agreement with ODOT for the 'said' project.

MOTION CARRIES COMMITTEE REPORT WRITTEN

This matter will also be discussed and voted on by Finance Committee on April 13th.

6. The matter of an LPA Agreement with ODOT for the reconstruction of Murray Ridge Road.

[This matter will also be discussed at The Finance Committee Meeting on April 13, 2026].

Referred By: Engineer Schneider

Engineer Schneider said the City received just over one million dollars to resurface Murray Ridge Road, from Albrecht to Lowell St. It's an 80/20 split. We applied to Ohio Public Works for the local share, which includes only the city share. The road does go from inside the city and outside the city. They secured the funding. The plan is to bid it out later this year. We need this ordinance to enter into an agreement and to get the ball rolling.

Chair Mitchell read the committee report and asked for a motion.

Motion made by Mrs. Davis and second by Mrs. Rothgery to authorize the Mayor to enter into the 'said' agreement with ODOT for the 'said' project.

MOTION CARRIES COMMITTEE REPORT WRITTEN

This matter will also be discussed and voted on by Finance Committee on April 13th.

7. The matter of Amending the Agreement with Browning-Ferris, DBA Republic Services for solid waste container services, Ordinance 2025-68.

[This matter will also be discussed at The Finance Committee Meeting on April 13, 2026].

Referred By: Director Pyanowski

Mayor Brubaker said this is simply to add two dumpsters to the contract that was not included on the original contract. It's just to amend the contract and by adding those two dumpsters in the contract it will lower the city's cost.

Chair Mitchell read the committee report and asked for a motion.

Motion made by Mr. Oswald and second by Mr. Armstrong to authorize amending the 'said' ordinance.

MOTION CARRIES COMMITTEE REPORT WRITTEN

This matter will also be discussed and voted on by Finance Committee on April 13th.

Chair Mitchell said there is nothing more to come before this committee and she asked for a motion for adjournment.

Mr. Armstrong moved to adjourn the Utilities, Safety & Environment Committee Meeting and that motion was seconded by Mrs. Davis and the meeting adjourned at 6:35 P.M.

MOTION CARRIES

The next scheduled meeting of the Utilities, Safety & Environment Committee will be held on Wednesday, April 22nd, 2026 at 6:00 P.M.

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