

As circulated August 3, 2026
October 5, 2024 Regular Council Meeting
Elyria City Council

1. CALL TO ORDER:

The regular meeting of Elyria City Council was called to order on Monday August 3, 2026 at 7:00 p.m. by President Mitchell. President Mitchell opened the meeting requesting observance of a moment of silence. The Pledge of Allegiance was led by council member Schneider. President Mitchell requested all cell phones please be turned off or placed on silent position out of respect for the council.

2. ROLL CALL: COUNCIL MEMBERS

PRESENT: Cerra, VanWormer, Armstrong, Rothgery, Davis, Tollett, Oswald, Lipian, Doehne, Schneider, Mitchell

OTHERS PRESENT: Mayor Brubaker, Fin. Dir. Pileski, Law Director Deery, Police Chief Welsh, Fire Chief Vargo, Engineer Schneider

3. PUBLIC HEARINGS: None

4. APPROVAL OF MINUTES:

Lipian moved, Schneider seconded to approve the meeting minutes of July 6, 2026 council meeting.

MOTION CARRIED

5. REMARKS AND REPORTS OF CITY OFFICIALS:

Mayor:

Mayor Brubaker shared remarks regarding a community meeting that was held prior to the start of the council meeting with residents of the community in regard to an incident that took place at the conclusion of a Juneteenth event in Ely Square. Mayor Brubaker reiterated that the event that happened that day was not a reflection of the Black Legacy Connection or the Juneteenth celebration. Mayor Brubaker expressed he thought the meeting was productive and that Chief Welsh did a very good job answering questions. Residents were very respectful and asked very good questions. He expressed his appreciation to Parris Smith, CEO of the Lorain County Urban League and Dee Tolbert, President of Metro Central Unit#3183 NAACP for coordinating the meeting. There will be continuous follow up over the next few weeks with action items to help continue to build relationships between the police department and black community. Mayor Brubaker introduced former Elyria Police Chief Duane Whitely who will join the administration as Safety Service Director. The logistics of his official start date are undetermined as Mr. Whitely is the Commander of the Lorain County community College Police Academy and a class is in the middle of a session. Assistant Safety Service Director Loesch will continue as acting Safety Service Director.

Council member Lipian asked for confirmation that Luv Retail their agreement with the city of Elyria. Mayor Brubaker shared that he had requested an update, a meeting will be held September 3rd. He is hopeful to gain additional information.

Council member Rothgery expressed her appreciation to the Mayor and his team for the Touch A truck event held on Saturday, August 1st. She stated the event was fabulous, and loved by kids and adults. Mayor Brubaker credited Megan Pugh who came up with the idea of the event with the support of Annie Carstarphen-Cheeseboro and Whitney Trimble.

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5. REMARKS AND REPORTS OF CITY OFFICIALS: Continued

Law Director:

Law Director Deery shared the agenda for the evening contains several matters that will go to Strategic Planning tonight, with potential action to follow. One matter, referred by IT Manager Brian Rothgery is a housekeeping item; however, the importance of the matter is the Ohio General Assembly mandates that all local governments pass legislation pertaining to cybersecurity and most importantly designate what individual or department within the local government is responsible for cybersecurity. Law Director Deery stated many questions were asked regarding the relation to data centers, flock cameras and other ideas. This matter specifically pertains to the city's internal email, data storage, etc. This is protection from malware and ransomware.

In addition, a request for annexation of two parcels from Amherst into Elyria had been filed with Lorain County Board of Commissioners. Law Director Deery explained the three matters, should they be approved later in the meeting would require consideration of what services would be provided by the City of Elyria, should the parcels be acquired. The Lorain County Commissioners will consider the petitions on August 25th, contingent on the outcome, the City of Elyria would be asked to accept the annexation within a timeframe pursuant to state law. If it were to happen consideration of what services would be provided would then need to be considered in regard to road maintenance, utilities, etc.

Council member Van Wormer sked for clarification of the ordinance changes regarding charging for police body cam footage. Law Director Deery explained the fees pertain to requests pursuant to the provision chapter 149 of the Ohio Revised Code. If a subpoena request is sent to the city of Elyria for documentation or records of any kind, to include audio recordings, body and dash cam footage. If the subpoena pursuant to a court case that is not considered by law to be a public records request, the fees would not be charged. Law Director Deery explained further if the city of Elyria is a party to the court case, whether it be a civil lawsuit or a criminal case outside of the city municipality or county, if it is a subpoena and considered a public records request, the fees would not apply.

Finance Director: No Report

EPD: No Report

EFD: No Report

Engineer Schneider:

Engineer Schneider provided an update to current projects in progress. He shared the outcome of a recent pre-construction meeting with one of the contractors who would be performing the West Ave., Washington Ave., Taylor Street resurfacing. All three projects are public works projects. Weather permitting milling is scheduled to begin by the end of the week and signs should be up as well. The project is anticipated to take three weeks to complete. The asphalt street resurfacing is scheduled to start August 10th. The ODOT Abbe Rd./ route 57 project will be completed by August 5th. The Chestnut Ridge and Abbe Road Project is out for engineer qualifications to look

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5. REMARKS AND REPORTS OF CITY OFFICIALS: Continued

at the entire intersection for design, the process is anticipated to be completed by August 14th.

The anticipated start date of the Safe

Routes to School Project is August 24th. Middle Ave. sidewalks are being replaced due to trees lifting the sidewalks. The final update included the Oberlin-Elyria road diet and traffic light removal which is scheduled to begin in September.

President Mitchell inquired about the status of Murray Ridge Rd. Engineer Schneider shared they are awaiting ODOT to complete environmental requirements.

Council member Oswald asked if curbs would be included in the poplar project. Engineer Schneider explained curbs increase the cost.

6. PRESIDENT'S REFERRAL'S:

** Matter is completed or partially completed*

1. The matter of objections to Renewal of Retail Liquor Permits.

REFERRED BY: DIVISION OF LIQUOR CONTROL

REFERRED TO: COMMUNITY DEVELOPMENT

2. The matter of a New Liquor Request for Al Lalil Temple #223, located at 1519 West Avenue, Elyria.

REFERRED BY: DIVISION OF LIQUOR CONTROL

REFERRED TO: COMMUNITY DEVELOPMENT

3. The matter of an application for Placement of Farmland in an Agricultural District.

REFERRED BY: JEFFREY AND LYNETTE FOWL

REFERRED TO: COMMUNITY DEVELOPMENT

4. The matter of Review Community Reinvestment Area Tax Abatement Agreement with Black River Forge L.P.

REFERRED BY: CD MNGR. ALMOBAYYED

REFERRED TO: COMMUNITY DEVELOPMENT/FINANCE

5. The matter of updating ordinance 2016-182- Parks and Recreation Fee Schedule.

REFERRED BY: P&R DIR. REARDON

REFERRED TO: FINANCE

6. The matter of applying for a Step into Swim grant.

REFERRED BY: P&R DIR. REARDON

REFERRED TO: FINANCE

7. The matter of authorizing the delinquent Stormwater Utility Fees past 180 days.

REFERRED BY: ENGINEER SCHNEIDER

REFERRED TO: FINANCE

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6. PRESIDENT'S REFERRAL'S: Continued

8. The matter of levying the final assessment for the replacement of private sewer services pursuant to section 932.31 of the E.C.O.

REFERRED BY:

REFERRED TO: FINANCE

9. The matter of levying the final assessment for the replacement of private water services pursuant to ordinance 2011-208 and section 939.17 of the E.C.O.

REFERRED BY: ENGINEER SCHNEIDER

REFERRED TO: FINANCE

10. The matter of submitting applications to the Office of the Attorney General, State of Ohio, and accepting if offered, a Victims of Crime Act (VOCA) Grant and the State Victims Assistance Act (SVAA) Grant for the Victims Assistance Program.

REFERRED BY: LAW DIRECTOR DEERY

REFERRED TO: FINANCE

11. The matter of authorizing the Mayor to enter into an agreement with ODOT to perform overhead sign support improvements on SR-57 and SR-113.

REFERRED BY: ENGINEER SCHNEIDER

REFERRED TO: UTILITIES

12. The matter of authorizing the Mayor to advertise and award a contract for the 2026 Gulf Road Water Main Improvement Project with Sheffield Village.

REFERRED BY: ENGINEER SCHNEIDER

REFERRED TO: FINANCE/UTILITIES

13. The matter authorizing the Mayor to enter into Change Order #1 and final with Karvo Companies for the Gulf Rd. Resurfacing (OPWC) project from Vista Ct. To Hilliard Rd.

REFERRED BY: ENGINEER SCHNEIDER

REFERRED TO: FINANCE/UTILITIES

14. The matter of authorizing the Mayor to advertise for bids and enter into a contract for the reconstruction of LOR-TR 0054 00.00 (Murray Ridge Rd.).

REFERRED BY: ENGINEER SCHNEIDER

REFERRED TO: FINANCE/UTILITIES

15. The matter of authorizing the Mayor to enter in an agreement with Bramhall Engineering & Surveying Company for professional design services.

REFERRED BY: ENGINEER SCHNEIDER

REFERRED TO: FINANCE/UTILITIES

16. The matter of authorizing the Mayor to enter into a contract with K. E. McCartney & Associates, Inc. For professional engineering services.

Minutes Approved

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6. PRESIDENT'S REFERRAL'S: Continued

REFERRED BY: ENGINEER SCHNEIDER

REFERRED TO: FINANCE/UTILITIES

17. The matter of a Type II Expedited Annexation to annex 65.2559 acres of property having been assigned Lorain County Permanent Parcel Nos. 05-00-071-00-073 & 05-00-090-000-024 from Amherst Township to the City of Elyria.

REFERRED BY: JON D. CLARK

REFERRED TO: STRATEGIC PLANNING

18. Items 18 received and placed on file in the clerk's office:

18. Lists of receipts collected by each division of the Clerk of Courts' Office for June 2026.

7. PETITIONS—LOBBY:

1. Amanda Quimper -2299 W. River Rd. N., Elyria - Annexation
2. Karen Johnson - 33 Lakeview Dr., Carlisle Twp. - Annexation
3. Sara Noonan - 1130 Hunting Hollow - Annexation
4. Kim Polen - 44625 Russia Rd., Elyria – Annexation
5. Andrea Barlow - 43612 Parsons Rd., Oberlin – Annexation
6. Cam Rhodehamel – 133 Harvard Ave., Elyria – Annexation/ Moratorium
7. Stephanie Edwards – 342 Augusta Dr. – Annexation
8. Gene Malow – 145 Westminster Way – Speed Sign Westminster Way

8. PETITIONS—COUNCIL MEMBERS: None

9. REPORTS OF STANDING AND SPECIAL COMMITTEES: None

10. RESOLUTIONS FIRST READING:

Sponsored by

Finance

P. Tollett

C. Schneider

B. Davis

M. Van Wormer

J. Cerra

RESOLUTION NO. 2026-21

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, AND DECLARING AN EMERGENCY.

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

SUSPENSION

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

PASSAGE

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

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10. RESOLUTIONS FIRST READING: Continued

Sponsored by

Finance

P. Tollett
C. Schneider
B. Davis
M. Van Wormer
J. Cerra

RESOLUTION NO. 2026-22

A RESOLUTION APPROVING THE COLLECTION OF
DEMOLITION RELATED COSTS FOR 360 MAPLE STREET,
ELYRIA, OHIO 44035 AND DIRECTING THE CLERK OF
COUNCIL TO CERTIFY SAID COSTS TO THE LORAIN
COUNTY AUDITOR, AND DECLARING AN EMERGENCY.

Tollett moved, Schneider 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

C. Schneider
A. Lipian
D. Mitchell
E. Doehne
G. Rothgery

ORDINANCE NO. 2026- 91

AN ORDINANCE ACCEPTING THE DEDICATION OF CERTAIN
LANDS, EASEMENTS AND RIGHTS-OF-WAY FOR THE
INSTALLATION OF STREETS AND UTILITIES AS PROVIDED
FOR IN THE FINAL PLAT OF SOUTH RIDGE AT FIELDSTONE
LAKES SUBDIVISION NO. 2.

Schneider moved, Rothgery seconded to pass this ordinance 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

Sponsored by

Community

Development

C. Schneider
A. Lipian
D. Mitchell
E. Doehne
G. Rothgery

ORDINANCE NO. 2026-92

AN ORDINANCE ACCEPTING THE DEDICATION OF CERTAIN
LANDS, EASEMENTS AND RIGHTS-OF-WAY FOR THE
INSTALLATION OF STREETS AND UTILITIES AS PROVIDED
FOR IN THE FINAL PLAT OF THE ENCLAVE AT FIELDSTONE
LAKES SUBDIVISION NO. 3.

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13. ORDINANCES--FIRST READINGS: Continued

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

SUSPENSION	EMRGENCY	PASSAGE
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

Finance

P. Tollett
C. Schneider
B. Davis
M. Van Wormer
J. Cerra

ORDINANCE NO. 2026-93

AN ORDINANCE AMENDING ELYRIA CODIFIED
ORDINANCES, SECTION 109.05: DIVISION OF POLICE, AND
DECLARING AN EMERGENCY.

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

SUSPENSION	EMRGENCY	PASSAGE
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

Finance

P. Tollett
C. Schneider
B. Davis
M. Van Wormer
J. Cerra

ORDINANCE NO. 2026-94

AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR
TO TRANSFER FUNDS TO THE SPECIFIED ACCOUNT.

Tollett moved, Schneider seconded to pass this ordinance 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

Sponsored by

Finance

P. Tollett
C. Schneider
B. Davis
M. Van Wormer
J. Cerra

ORDINANCE NO. 2026-95

AN ORDINANCE AMENDING ORDINANCE NO. 2026-34,
KNOWN AS THE "2026 PERMANENT APPROPRIATIONS
ORDINANCE," TO CHANGE FUNDS IN VARIOUS ACCOUNTS.

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13. ORDINANCES--FIRST READINGS: Continued

Tollett moved, Cerra seconded to pass this ordinance 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

Sponsored by
Community
Development

C. Schneider
A. Lipian
D. Mitchell
E. Doehne
G. Rothgery

Finance

P. Tollett
C. Schneider
B. Davis
M. Van Wormer
J. Cerra

ORDINANCE NO. 2026-96

AN ORDINANCE APPROVING THE PY 2026 COMMUNITY DEVELOPMENT BLOCK GRANT ACTION PLAN AND ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE UPDATES, AND AUTHORIZING THE MAYOR TO SUBMIT THE PY 2026 ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD), AND DECLARING AN EMERGENCY.

Schneider moved, Van Wormer seconded to pass this ordinance on its first reading under suspension of rules, and declaring an emergency.

SUSPENSION	EMRGENCY	PASSAGE
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
Community
Development

C. Schneider
A. Lipian
D. Mitchell
E. Doehne
G. Rothgery

Finance

P. Tollett
C. Schneider
B. Davis
M. Van Wormer
J. Cerra

ORDINANCE NO. 2026-97

AN ORDINANCE AMENDING ORDINANCE NO. 2025-197, TO INCREASE THE REIMBURSEMENT AMOUNT FOR IMPROVEMENT COSTS APPROVED THROUGH THE DOWNTOWN HISTORIC REDEVELOPMENT GRANT PROGRAM, AND DECLARING AN EMERGENCY.

Schneider moved, Van Wormer seconded to pass this ordinance on its first reading under suspension of rules, and declaring an emergency.

SUSPENSION	EMRGENCY	PASSAGE
AYE: 11	AYE: 11	AYE: 11

Minutes Approved

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13. ORDINANCES--FIRST READINGS: Continued

NAY: 0
ABSENT: 0
MOTION CARRIED

NAY: 0
ABSENT: 0
MOTION CARRIED

NAY: 0
ABSENT: 0
MOTION CARRIED

Sponsored by
Community
Development

C. Schneider
A. Lipian
D. Mitchell
E. Doehne
G. Rothgery

Finance

P. Tollett
C. Schneider
B. Davis
M. Van Wormer
J. Cerra

ORDINANCE NO. 2026-98

AN ORDINANCE APPROVING THE APPLICATION OF DANIEL MARTIN, MANAGING MEMBER OF 374 BROAD STREET LLC, FOR IMPROVEMENTS AT 374 BROAD STREET, ELYRIA, PURSUANT TO THE DOWNTOWN FAÇADE IMPROVEMENT PROGRAM, CREATED BY ORDINANCE 2019-19.

Schneider moved, Lipian seconded to pass this ordinance on its first reading under suspension of rules.

SUSPENSION

AYE: 11
NAY: 0
ABSENT: 0

MOTION CARRIED

PASSAGE

AYE: 11
NAY: 0
ABSENT: 0

MOTION CARRIED

Sponsored by
Community
Development

C. Schneider
A. Lipian
D. Mitchell
E. Doehne
G. Rothgery

Finance

P. Tollett
C. Schneider
B. Davis
M. Van Wormer
J. Cerra

ORDINANCE NO. 2026-99

AN ORDINANCE AUTHORIZING THE MAYOR TO APPLY TO THE STATE OF OHIO FOR ROUND 41 GRANT AND/OR LOAN FUNDING, ADMINISTERED BY THE OHIO PUBLIC WORKS COMMISSION, FOR REPAIR, RECONSTRUCTION, AND RESURFACING OF CERTAIN ROADS IN THE CITY OF ELYRIA; AUTHORIZING THE ACCEPTANCE OF SAID GRANT AND/OR LOAN, IF OFFERED; PROVIDING LOCAL FUNDS AS NECESSARY TO COMPLETE SAID PROJECTS.

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

SUSPENSION

AYE: 10
NAY: 0 Lipian recuse
ABSENT: 0

MOTION CARRIED

PASSAGE

AYE: 10
NAY: 0 Lipian recuse
ABSENT: 0

MOTION CARRIED

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13. ORDINANCES--FIRST READINGS: Continued

Sponsored by
Community
Development

C. Schneider
A. Lipian
D. Mitchell
E. Doehne
G. Rothgery

Utilities

D. Mitchell
K. Oswald
B. Davis
G. Rothgery
B. Armstrong

ORDINANCE NO. 2026-100

AN ORDINANCE AUTHORIZING THE MAYOR TO
ADVERTISE FOR BIDS, AND ENTER INTO A CONTRACT FOR
SLUDGE CAKE DISPOSAL AT THE WATER RECLAMATION
FACILITY, FORMERLY KNOWN AS THE WASTEWATER
POLLUTION CONTROL PLANT, AND DECLARING AN
EMERGENCY.

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

SUSPENSION

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

EMRGENCY

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

PASSAGE

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

Sponsored by
Utilities

D. Mitchell
K. Oswald
B. Davis
G. Rothgery
B. Armstrong

Finance

P. Tollett
C. Schneider
B. Davis
M. Van Wormer
J. Cerra

ORDINANCE NO. 2026-101

AN ORDINANCE AMENDING ELYRIA CODIFIED ORDINANCE
CHAPTER 373 BICYCLES AND MOTORCYCLES GENERALLY.

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

SUSPENSION

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

PASSAGE

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

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13. ORDINANCES--FIRST READINGS: Continued

Sponsored by

Utilities

D. Mitchell
K. Oswald
B. Davis
G. Rothgery
B. Armstrong

Finance

P. Tollett
C. Schneider
B. Davis
M. Van Wormer
J. Cerra

ORDINANCE NO. 2026-102

AN ORDINANCE AMENDING ELYRIA CODIFIED ORDINANCE
CHAPTER 959 SANITATION DEPARTMENT RULES AND
REGULATIONS.

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

SUSPENSION

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

PASSAGE

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

14. ORDINANCES--SECOND READING:

Sponsored by

Community

Development

C. Schneider
D. Mitchell

ORDINANCE NO. 2026-

AN ORDINANCE AMENDING SECTION 1119.02, CODIFIED
ORDINANCES OF THE CITY OF ELYRIA, OHIO, KNOWN AS
THE ZONING ORDINANCE, TO REZONE CERTAIN REAL
PROPERTY LOCATED ON THE NORTHWEST CORNER OF
CHESTNUT RIDGE ROAD AND STATE ROUTE 57, ELYRIA,
FROM RESIDENTIAL 1 DISTRICT TO COMMERCIAL
DISTRICT.

Public Hearing Scheduled for 9/8/2026

15. ORDINANCES--THIRD READING: None

Moved by Cerra, seconded by Tollett to go into Strategic Planning Committee.

MOTION CARRIED

A five-minute recess from the Regular Council Meeting was called by President Mitchell at 8:05 p.m.

8:10 p.m. Strategic Planning Committee was called to order by President Mitchell.

President Mitchell requested the reading of the committee report.

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STRATEGIC PLANNING:

Clerk Stewart read agenda item number one:

The matter of adopting a Cyber-security Program to support operational technology and data for the City.

Referred by IT Director Rothgery

IT Director Rothgery provided information regarding the details shared in the earlier council meeting by Law Director Deery, confirming the matter is a housekeeping item. A law was passed that requires the city's legislative authority to formally adopt a cybersecurity program. The IT department has completed an assessment of existing items in conjunction with the new legal requirements to ensure full compliance.

Council member Tollett shared that recently an Ohio community was held ransom for their water department. He understands that the threat of all water supplies to include hospitals and nursing homes would have been affected. He inquired if this compliance would prevent an issue such as that. IT Director Rothgery confirmed the question was indeed a fair question and part of the IT departments job every day.

Clerk Stewart read the committee report:

We have considered legislation be drawn authorizing an ordinance supports operational technology and data for the City of Elyria. Emergency clause to follow.

Clerk Stewart read agenda item number two:

The matter of a Type II Expedited Annexation to annex 65.2559 acres of property having been assigned Lorain County Permanent Parcel No. 05-00-071-000-073 and Parcel 05-00-090-000-024 from Amherst Township to the City of Elyria, Ohio.

Referred by Jon D. Clark -35 West College Street, Oberlin, OH

Law Director Deery shared that Attorney Jon Clark was present in the meeting representing the parcel owner.

Attorney Clark explained that annexations are strictly statutory. The reason for their meeting attendance is due to the statutory process. There are time limits that must be met, this requirement is that Council pass an ordinance of services it would provide should the annexation be approved, and establishing a buffer zone to separate incompatible uses with the use of the annexed territory, and road maintenance. It is required that this is done within twenty days of the filing of the petition. The process is that the ordinance then goes to the County Commissioners. If the County Commissioners approve the annexation, it will come back before this body for final approval.

Council member Tollett asked if the request of council has anything to do with the mega site? Attorney Clark responded, it does not.

Council member Doehne asked if this council has discussed what services will be provided?

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STRATEGIC PLANNING: Continued

Law Director Deery shared that in her discussions with Engineer Schneider, the parcels are in the wastewater service area of the city, they are not located in the water service area. Should the parcels become part of the city, they would receive, police, fire and ambulance, sanitation and wastewater services.

Engineer Schneider stated there have not been any shared plans as of yet.

Council member Lipian asked if a commitment could be made that the land would not be sold for any other reason than housing development.

President Mitchell stated that he doesn't own the land.

Attorney Clark shared that under City of Elyria ordinances, it comes in as high density residential. Any changes that would differ from that would require approval from Planning Commission.

Law Director Deery shared that the parcels would only be able to utilized for the purposes currently zoned for as residential. If it were to be used for anything other than the current use, it would need to be rezoned.

ASSD Calvert shared the current zoning is the most restrictive in that you can put the fewest houses on it that the city of Elyria zoning code allows in this district and lowest density.

ASSD Calvert spoke specifically regarding a flat and declining population concern within the City of Elyria. She explained what a problem that has created in delivering economical services to residents throughout the entire city. ASSD Calvert shared that families make up 55.4% of households in Elyria compared to 62.5% in Lorain County. There is a shortage of the type of housing that attracts young families. The need for these single-family homes exist to help round out the housing possibilities within the city. The other concern is that there are homes that are seven years older than homes within the balance of Lorain County on average. When these factors are taken into account, we get a view of an aging housing stock, a declining population and when we make more housing available in the Elyria market, we have positive externalities, more people buying more goods and services in the City of Elyria.

ASSD Calvert shared that Mr. Baron approached the City of Elyria over a year ago regarding potential residential development. She shared that during that conversation Mr. Baron wanted to confirm the City of Elyria's ability to provide sanitary sewer service to the site. She shared that he informed the city he was to seek annexation of the property. She explained since that time, Builders and Developers Company has continued working on the proposed development and our now requesting formal annexation. ASSD Calvert also shared there was a miscommunication regarding she and the Mayor not wanting to meet with the Amherst Township Trustees.

Council member Doehne asked what benefit is it to annex to Elyria and if it is in part to circumvent Amherst Township zoning requirements of two acres per lot for dwelling unit?

ASSD Calvert explained the property sits within the city of Elyria facility planning area. The city of Elyria, in cooperation with NOACA, laid out where we would provide sewer service into the future, based on coordinated planning and effort, determined about where future growth would potentially be. ASSD Calvert further explained that long term infrastructure improvements are made further up that pipeline to be able to offer extended service when the time comes within that facility planning area. ASSD Calvert explained the negative consequences of losing territory

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STRATEGIC PLANNING: Continued

elsewhere within the planning area when we disregard the panning area. She explained it is an important consideration to take into account. ASSD Calvert explained that site plan conversations will need to be held through Planning Commission as a requirement of subdivision approval.

Council member Schneider asked for process clarification if the proponent wanted to request a higher density. ASSD Calvert stated a waiver or modification to the preliminary plat would need to be requested and approved by Planning Commission, or a request for rezoning.

Council member Lipian asked if the city of Elyria would place a TIFF agreement on the sewer? ASSD Calvert stated that determination had not yet been made. Discussion held between Council member Lipian and ASSD Calvert regarding the possibility of sewer connection to the proposed end of the annexed property that is owned by the Lorain County Airport. ASSD Calvert reiterated the area is not the city of Elyria's FPA (facilities planning area).

President Mitchell stated that the city of Elyria can not control the actions of the county, the strategic planning matter before council is regarding the annexation.

Engineer Schneider stated that the furthest eastern part of the airport is in the city of Elyria FPA. The majority of the airport is in the city of Lorain FPA, the proposed area of the mega site, is located in Lorain's FPA, it is not the City of Elyria. He further explained the sewer that would be run to this area would be very limited. He shared if there were a mega site, the sewer capacity at that location would not be sufficient.

Richard Beran 27201 Royalton Road, Columbia Station, OH

Mr. Beran shared that he is the owner of the properties, it can be verified online. He has a contract option with Ryan Homes for single family lots only. Along with the contract they have supplied deposit money for you to look up online mortgages to Ryan Homes for a single -family, no multifamily subdivision for that area. Mr. Beran stated he has not been approached regarding any of the other ideas discussed this evening. It has always been a single- family subdivision. Council member Lipian provided a history lesson on President Roosevelt and edge of border agreements.

Council member Schneider expressed this council's familiarity with Mr. Beran as he has developed homes within the municipality prior.

Council member Rothgery shared that her home was built over twenty-three years ago on farmland that no one wanted and expressed how thankful she is regarding her decision. She shared that her neighborhood is maintained wonderfully, all the surrounding neighbors get along well and the value of homes have increased, the buffers are beautiful. She expressed she is a proponent .

Council member Cerra asked clarifying questions of the process. If approved tonight, it would then have to be approved by the commissioners, a plan would be devolved, would there be a way out at that point?

Law Director Deery stated tonight council members are being asked which services would be provided should the annexation go through. The commissioners will meet in several weeks to approve or disapprove the annexation according to Ohio law. If the annexation is approved by the commissioners, no later than sixty days, city council would need to make a decision on accepting the annexation.

Minutes Approved

August 3, 2026
Regular Council Meeting
Elyria City Council

STRATEGIC PLANNING: Continued

Council member Cerra stated as the housing increases, the potential for workers increases and if we have workers, there is a potential to attract businesses. ASSD Calvert stated yes that is a common tenet of economic development.

Council member Lipian stated he wish that same discussion had been held with Reaser Point Crossing. He cited ORC 709.0223 that seven requirements must be met. Council member Lipian asked ASSD Calvert were the seven requirements met before the annexation request was submitted to the commissioners? ASSD Calvert deferred to Law Director Deery. Law Director Deery stated procedurally the city of Elyria has to consider the matter of services, buffer requirements, and the matter of road maintenance.

Council member Doehne expressed he has problems with the annexation. He stated areas of concern with Luv Retail and Chestnut Commons as well.

Law Director Deery stated from a legal standpoint the decision to annex a parcel and whether it is in the best interest of the City of Elyria, is to absorb those parcels into the city to make it a part of the city.

Council member Schneider asked if the density were lower would the market response be too high? Mr. Beran explained that there is more work that needs to be done that dictate the size of the lots. The houses will be similar to what has been built in the area, maybe a little bigger due to three-car garages.

Council member Oswald stated the he understands this council does not trust people, he does. He stated he trust the company.

President Mitchell asked that the committee report be read.

Clerk Stewart stated that three committee reports have been prepared related to the buffer, road maintenance and services to be provided by the city.

Committee report read:

We have considered the matter of buffer should annexation proceed for certain parcels from Amherst Township buffer requirement pursuant to ORC code 709.023c

Moved by Davis, seconded by Davis to accept the committee report.

Council member Lipian stated that from the looks of the map, it appears the annexation would be separating a piece of Amherst Township away from itself.

Mr. Clark explained it's not an impediment to the approval process. Mr. Clark further clarified the boundary lines for Elyria of the parcel.

Council member Lipan requested a Roll Call vote on the Committee Report

ROLL CALL VOTE

AYES: Cerra VanWormer, Rothgery, Davis, Tollett, Oswald, Schneider, Mitchell

NAYES: Armstrong, Lipian, Doehne

MOTION CARRIED

Committee report read:

We have considered the matter by the City of Elyria should annexation of certain parcels from Amherst Township road maintenance legislation.

Moved by Tollett, seconded by Davis to accept the committee report

Minutes Approved

August 3, 2026
Regular Council Meeting
Elyria City Council

STRATEGIC PLANNING: Continued

ROLL CALL VOTE

AYES: Cerra VanWormer, Rothgery, Davis, Tollett, Oswald, Schneider, Mitchell

NAYES: Armstrong, Lipian , Doehne

MOTION CARRIED

Committee report read:

We have considered the matter services to be provided by the city should annexation be approved , pursuant to ORC 709.023c said legislation addressing provision of services.

Davis moved Cerra seconded to approve committee report.

ROLL CALL VOTE

AYES: Cerra, VanWormer, Armstrong, Rothgery, Davis, Tollett, Oswald, Lipian , Doehne, Schneider, Mitchell

MOTION CARRIED

Tollett moved, Schneider seconded to resume the regular council meeting at 9:03 p.m.

COUNCIL AGENDA ITEMS 16-19

RESOLUTION NO. 2026-23

A RESOLUTION ADOPTING A CYBERSECURITY PROGRAM FOR THE CITY OF ELYRIA IN ACCORDANCE WITH THE OHIO REVISED CODE SECTION 9.64, AND DECLARING AN EMERGENCY.

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

SUSPENSION

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

EMERGENCY

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

PASSAGE

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

ORDINANCE NO. 2026-103

AN ORDINANCE PURSUANT TO OHIO REVISED CODE SECTION 709.023(C) REQUIRING A BUFFER BETWEEN THE TERRITORY PROPOSED FOR ANNEXATION AND SURROUNDING TOWNSHIP LAND IF ELYRIA DETERMINES THAT THE USE DISTRICTS IN THE TOWNSHIP ARE INCOMPATIBLE WITH THOSE IN THE CITY OF ELYRIA.

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

ROLL CALL VOTE

AYES: Cerra VanWormer, Rothgery, Davis, Tollett, Oswald, Schneider, Mitchell

NAYES: Armstrong, Lipian , Doehne

SUSPENSION

PASSAGE

Minutes Approved

August 3, 2026
Regular Council Meeting
Elyria City Council

COUNCIL AGENDA ITEMS 16-19

AYE: 8	AYE: 8
NAY: 3	NAY: 3
ABSENT: 0	ABSENT: 0
MOTION CARRIED	MOTION CARRIED

ORDINANCE NO. 2026-104

AN ORDINANCE PURSUANT TO OHIO REVISED CODE SECTION 709.023 (E) PROVIDING THAT ELYRIA WILL MAINTAIN ANY SEGMENTED ROAD CAUSED BY THE ANNEXATION, TO THE CITY OF ELYRIA, TERRITORY OWNED BY BUILDERS AND DEVELOPERS CO., INC.

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

ROLL CALL VOTE

AYES: Cerra VanWormer, Rothgery, Davis, Tollett, Oswald, Schneider, Mitchell

NAYES: Armstrong, Lipian , Doehne

SUSPENSION	PASSAGE
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AYE: 8	AYE: 8
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NAY: 3	NAY: 3
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ABSENT: 0	ABSENT: 0
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MOTION CARRIED	MOTION CARRIED
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ORDINANCE NO. 2026-105

AN ORDINANCE PURSUANT TO OHIO REVISED CODE SECTION 709.023(C) INDICATING WHAT SERVICES THE CITY OF ELYRIA WILL PROVIDE UPON ANNEXATION, TO TERRITORY OWNED BY BUILDERS AND DEVELOPERS CO., INC.

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

ROLL CALL VOTE

AYES: Cerra, VanWormer, Armstrong, Rothgery, Davis, Tollett, Oswald, Lipian , Doehne, Schneider, Mitchell

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

As circulated August 3, 2026
October 5, 2026 Regular Council Meeting
Elyria City Council

16. COMMITTEE CALLS:

COMMUNITY DEVELOPMENT

Mon. 8/10/2026 Beginning at 6:00 P.M. All Referred Items Council Chambers w/ C. Schneider Chr., Mayor, Law Dir. Fin. Dir., SSD, Engr.

JOINT CD/FINANCE

Mon. 8/10/2026 Immediately following Community Development. All Referred Items Council Chambers w/ C. Schneider, Chr., w/ P. Tollett, Chr., Mayor, Law Dir. Fin. Dir., SSD, Engr.

FINANCE /UTILITIES

Mon. 8/10/2026 Immediately following Joint/CD. All Referred Items Council Chambers w/ P. Tollett, Chr., w/ D. Mitchell, Chr., w/Mayor, Finance Director, Law Director, SSD, Engineer

FINANCE

Mon. 8/10/2026 Immediately following Finance/Utilities All Referred Items Council Chambers Chr., w/ P. Tollett, Chr., Mayor, Law Dir. Fin. Dir., SSD, Engr.

UTILITIES

Mon. 8/10/2026 Immediately following Finance. All Referred Items Council Chambers w/ Chr., D. Mitchell, Chr., w/Mayor, Finance Director, Law Director, SSD, Engineer

STRATEGIC PLANNING

Tues. 9/8/2026 Immediately following Council Meeting All Referred Items Council Chambers W/ Mayor, Safety Service Director, Finance Director, Law Director, Engineer

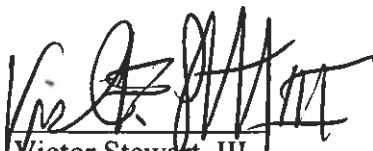
17. MISCELLANEOUS AND UNFINISHED BUSINESS:

18. ADJOURNMENT:

REGULAR MEETING:

Davis moved, Cerra seconded to adjourn the Regular Council Meeting at 9:13 p.m.

MOTION CARRIED


Victor Stewart, III
Clerk of Council


Donna Mitchell
President of Council

YouTube Link: <https://www.youtube.com/watch?v=ibXRROPgwhk>

Rlp/