

*As Circulated* April 15, 2024  
*April 1, 2024* Regular Council Meeting  
Elyria City Council

**1. CALL TO ORDER:**

The regular meeting of Elyria City Council was called to order on April 15, 2024 at 7:01 p.m. by President Stewart. President Stewart opened the meeting requesting a moment of reflective silence. The Pledge of Allegiance was led by Council member Armstrong.

**2. ROLL CALL: COUNCIL MEMBERS**

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

EXCUSED ABSENT: Lipian, Clerk Lotko

Schneider moved, Mitchell seconded to approve the excused absences

MOTION CARRIED

OTHERS PRESENT: Mayor Brubaker, SSD Pyanowski, Fin. Dir. Pileski, Law Director Deery, Police Chief Pelko, Fire Chief Pronesti, Public Work Supervisor Conner, Water Team Lead Jacob, Building Official Farkas, Eng. Schneider, CD Director Scott

**3. PUBLIC HEARINGS:** None

**4. APPROVAL OF MINUTES:**

Cerra moved, Schneider seconded to approve council meeting minutes.

MOTION CARRIED

**5. REMARKS AND REPORTS OF CITY OFFICIALS:**

**Mayor Brubaker:**

Mayor Brubaker expressed appreciation to Elyria police, fire and city employees for the preparation of the eclipse event on Monday April 8<sup>th</sup>. All safety forces were well prepared and there were no issues. The number of anticipated visitors to the community were lower than expected. Mayor Brubaker acknowledged SSD Pyanowski for ensuring the safety of residents. Mayor Brubaker shared April 15<sup>th</sup> was the kick-off of National Public Safety Telecommunications Week, also known as Dispatchers Week. Mayor Brubaker publicly acknowledged city of Elyria dispatchers on the phenomenal job they perform. Activities will be held all week at the police department to express appreciation. There are currently ten dispatchers on staff, advertising has been published for two open positions.

**Safety Service Director:**

Safety Service Director Pyanowski provided a staff update regarding a promotion of Chris Parker, effective April 22<sup>nd</sup>. Mr. Parker will move into the role of Parks and Recreation Supervisor with managerial duties over cemeteries and parks. SSD Pyanowski provided an update to CDL training for employees that need either A or B license. Training with partnering communities is in discussion. More information will be provided at upcoming meetings. Council member Siwierka inquired about the location of Mr. Parker's role, would it remain within the building department. SSD Pyanowski stated re-evaluation is being considered in back filling the role.

**5. REMARKS AND REPORTS OF CITY OFFICIALS: Continued**

**Finance Director:** No report

**Law Director Deery:** No report

**EPD:** No report

Council member Oswald shared about his recent experience with learning about the use of drones within the police department. He expressed how impressive the range of tasks are within the police and fire department, water department and inside resident homes. Council member Oswald asked Chief Pelko if he could provide additional information on the drones to members of council.

Chief Pelko explained that two additional drones were recently purchase that will fly inside homes. The goal is to send the drones inside instead of EPD having to enter a residence. EPD is training on the new drones. Four other drones that are thermal imaging are used outdoors and shared with other departments within the city. President Stewart inquired about who is licensed to fly the drones within the departments. Chief Pelko explained there are ten drone operators. Licensing is through the FAA. A training course is provided and a test is required before license can be obtained. Council member Siwierka inquired if there is a dedicated officer responsible for video footage. Chief Pelko explained that the operator who flies the drone, downloads footage for evidence purposes.

**EFD:**

Chief Pronesti explained that the eclipse went off without incident . He expressed his appreciation for the ability to increase staffing in preparation of the event. He is hopeful of the opportunity to recoup some of the overtime cost with the state. Chief Pronesti explained that there was an incident that took place on Wed. April 10<sup>th</sup>. There was a smell of too much mercaptan, which is the smell of natural gas. City fire responded to one hundred forty calls. Columbia Gas is investigating the incident. Chief Pronesti provided a statement that the odorant is not placed in the lines by Columbia Gas, it is a third- party company. Most of the calls were from older homes. There were a few leaks detected. Things were handled professionally. Chief Pronesti publicly commended the staff of the fire department. Council member Tollett took the liberty of sharing with the scouts in the audience, that natural gas does not possess a smell. Council member Siwierka inquired if the East River laundry mat was closed as a result of the leak. Chief Pronesti will follow up. Columbia Gas had 1,700 calls from 3:00 p.m. until 11:00 p.m. A comprehensive report will be submitted to the city with the number of actual gas leaks. Council member Siwierka asked does the third party have a consequence to the error. Council member Davis asked if the leak was contained to a specific area, which Chief Pronesti said no. Most of the calls were of older homes. Only a few calls were to newer construction homes.

**PWS Conner:** No report

**WTL Jacob:** No report

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**5. REMARKS AND REPORTS OF CITY OFFICIALS: Continued**

**BO Farkas:**

Building Official Farkas provided an update regarding the collapse of the façade on the Huntington Bank Building. He followed up with the manager Mr. VanWormer who shared contractors would be coming out to bid and inspect the remaining portion of the wall to ensure that it's structurally sound. There was some additional loose material that was removed. BO Farkas shared that he expressed his appreciation to Mr. VanWormer for his quick response and clean up of the situation. Building Officials are addressing the situation of the vehicle accident hitting a home on West River and hitting the side of a neighbor's porch. Mr. Farkas provided updates on the hotels; Days Inn is in process. Motel 9 is under repair, albeit slowly but surely. Journey Inn had issues with property maintenance that needed to be addressed. Mr. Farkas is going to make contact with the ownership for an update regards to sales of the hotel. Demolition updates were provided as well for the following addresses, 412 Bell, 429 Huron, 328 18 Street, and 1848 Middle Ave.

Mr. Farkas explained to council that 381-382 Furnace had attorneys come out and the process has to start over, however it is in progress.

Council member Davis shared that she witnessed the condition of 412 Bell and the roof is actually caving in. BO Farkas responded that he was aware and the owners have provided a specific plan for repair.

Council member Siwierka asked for clarification regarding the Furnace Street property and if there was county involvement with the property. BO Farkas stated he was not certain.

Council member Armstrong if a family member of 1848 Middle had made contact with the building department, as she was working on ownership to take care of the situation. BO Farkas was not aware.

Council member Mitchell inquired about an update on Moen. BO Farkas stated the issue is still in court and there has been no response. Council member Mitchell asked what is the recourse in situations such as this, considering they have been waiting patiently for a response. Ms. Mitchell expressed she is simply asking that a fence be built to cover the eyesore in the neighborhood. BO Farkas stated that he would defer to Law Director Deery. Law Director Deery asked Mr. Farkas is fencing a requirement of the property owner? Law Director Deery suggested they receive another citation from the building department.

Council member Schneider inquired about the building inspector vacancy. They are still looking for viable candidates.

**Engineer Schneider:** No report

**CD Dir. Scott:**

Council member Oswald provide an update on the Spruce Up Elyria. The program launched the first week of April. Approximately 50 applications to date have been picked up, 13 have been receive for about \$55, 000. Fifty homes are what the Community Development Department anticipates they will be able to process. The program is a win-win for the city. Council member Oswald is hopeful that it can continue.

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**6. PRESIDENT’S REFERRAL’S:**

1. \*The matter of a vacation between Leona Street and Perkins.

**REFERRED BY:** MCGREGOR PACE & CHN HOUSING PARTNERS

**REFERRED TO:** COMMUNITY DEVELOPMENT

2. The matter of authorizing the Mayor to apply for and enter into a loan agreement through the Division of Environmental (DEFA) and Financial Assistance for the Wet Weather Program.

**REFERRED BY:** ENGINEER SCHNEIDER

**REFERRED TO:** FINANCE

3. The matter of authorizing the Mayor to apply for accept if awarded a Staffing for Adequate Fire and Emergency Response Grants (SAFER) for three firefighters.

**REFERRED BY:** FIRE CHIEF PRONESTI

**REFERRED TO:** FINANCE/ UTILITIES

4. The matter of authorizing the Mayor to enter into agreement with ODOT to perform maintenance repairs on Interstate Route 90.

**REFERRED BY:** ENGINEER SCHNEIDER

**REFERRED TO:** UTILITIES

5. The matter of authorizing the Mayor to approve a change order for the ESRS Phase 1D2N Project.

**REFERRED BY:** ENGINEER SCHNEIDER

**REFERRED TO:** UTILITIES

6. The matter of authorizing the Mayor to approve an amendment for the Consent Decree Flow Monitoring Service Agreement.

**REFERRED BY:** ENGINEER SCHNEIDER

**REFERRED TO:** UTILITIES

7. The matter of authorizing the Mayor to advertise for bids and award a contract for the Overbrook Pump Station II Project.

**REFERRED BY:** ENGINEER SCHNEIDER

**REFERRED TO:** UTILITIES

8. The matter of allowing Elyria Community Partnership to hold Third Thursdays and Festivals in Ely Square and Pioneer Park for one year.

**REFERRED BY:** P & R DIR. REARDON

**REFERRED TO:** UTILITIES

**9-10 Received and Placed on file in the clerk’s office:**

9. List of receipts collected by each division of the Clerk of court’s office for March 2024.

10. Denied claim for damage: Greg/ Sharon Elek

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**7. PETITIONS-- LOBBY:** None

**8. PETITIONS--COUNCIL MEMBERS:** None

**9. REPORTS OF STANDING AND SPECIAL COMMITTEES:** None

**10. RESOLUTIONS FIRST READING:**

<b>Sponsored by:</b>	<b><u>RESOLUTION NO. 2024-14</u></b>
<b>Finance:</b>	A RESOLUTION APPROVING A LIST SUBMITTED BY THE
P. Tollett	SAFETY SERVICE DIRECTOR FOR THE COLLECTION OF
B. Davis	DELINQUENT INACTIVE UTILITY ACCOUNTS AND
C. Schneider	DIRECTING THE CLERK OF COUNCIL TO CERTIFY SAID
J. Cerra	ACCOUNTS TO THE LORAIN COUNTY AUDITOR.

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

SUSPENSION	PASSAGE
AYE: 10	AYE: 10
NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED

<b>Sponsored by:</b>	<b><u>RESOLUTION NO. 2024-15</u></b>
<b>Finance:</b>	A RESOLUTION FINDING THAT THE CITY HAS UNFIT FOR
P. Tollett	MUNICIPAL USE CERTAIN CITY PROPERTY.
B. Davis	
C. Schneider	
J. Cerra	

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

SUSPENSION	PASSAGE
AYE: 10	AYE: 10
NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED

**11. RESOLUTIONS--SECOND READING:** None

**12. RESOLUTIONS--THIRD READING:** None

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**13. ORDINANCES--FIRST READINGS:**

***Companion to above Resolution***

<p><b>Sponsored by:</b>  <u>Finance:</u>  P. Tollett  C. Schneider  J. Cerra</p>	<p><b><u>ORDINANCE NO. 2024- 61</u></b>  AN ORDINANCE AUTHORIZING THE SAFETY SERVICE  DIRECTOR OF THE CITY OF ELYRIA TO DISPOSE OF CITY  PROPERTY THAT IS UNFIT FOR MUNICIPAL USE.</p>
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Tollett moved, Schneider seconded to pass this ordinance on its first reading under suspension of the rules.

<p>SUSPENSION  AYE: 10  NAY: 0  ABSENT: 1  MOTION CARRIED</p>	<p>PASSAGE  AYE: 10  NAY: 0  ABSENT: 1  MOTION CARRIED</p>
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<p><b>Sponsored by:</b>  <u>Community  Development:</u>  T. Callahan  C. Schneider  D. Mitchell  K. Oswald</p>	<p><b><u>ORDINANCE NO. 2024- 62</u></b>  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 HARVEST MEADOW  SUBDIVISION NO. 3</p>
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Callahan moved, Tollett seconded to pass this ordinance on its first reading under suspension of the rules.

<p>SUSPENSION  AYE: 10  NAY: 0  ABSENT: 1  MOTION CARRIED</p>	<p>PASSAGE  AYE: 10  NAY: 0  ABSENT: 1  MOTION CARRIED</p>
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**13. ORDINANCES--FIRST READINGS: Continued**

**Sponsored by:**

**ORDINANCE NO. 2024- 63**

Finance:

- P. Tollett
- B. Davis
- C. Schneider
- J. Cerra

AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE UP TO FIVE (5) FORD UTILITY INTERCEPTOR VEHICLES, OR SIMILAR TYPE, AND NECESSARY EQUIPMENT FOR SAME, FOR THE ELYRIA POLICE DEPARTMENT, THROUGH A PARTICIPATING PURCHASING PROGRAM AUTHORIZED BY THE STATE OF OHIO, AND DECLARING AN EMERGENCY.

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

*Council member Siwierka inquired on the vehicle turnaround time. Chief Pelko explained the process through Ford has changed for vehicle ordering. In an effort to receive vehicles for 2025, they must be ordered now through June. The vehicles will not be received until 2025.*

SUSPENSION	PASSAGE	EMERGENCY
AYE: 10	AYE: 10	AYE: 10
NAY: 0	NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

**Sponsored by:**

**ORDINANCE NO. 2024- 64**

Finance:

- P. Tollett
- B. Davis
- C. Schneider
- J. Cerra

AN ORDINANCE AMENDING ORDINANCE NO. 2024-39, TO INCREASE THE AUTHORIZED AMOUNT FOR THE PURCHASE OF A NEW PUMPER TRUCK FOR THE FIRE DEPARTMENT, THROUGH THE STATE PURCHASING PROGRAM OR EQUIVALENT PROGRAM, AND DECLARING AN EMERGENCY.

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

SUSPENSION	PASSAGE	EMERGENCY
AYE: 10	AYE: 10	AYE: 10
NAY: 0	NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

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**13. ORDINANCES--FIRST READINGS: Continued**

**Sponsored by:**

Utilities:

- D. Mitchell
- B. Davis
- V. Stewart III
- B. Armstrong

Finance:

- P. Tollett
- B. Davis
- C. Schneider
- J. Cerra

**ORDINANCE NO. 2024- 65**

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR TREE SERVICES FOR THE CITY OF ELYRIA, AND DECLARING AN EMERGENCY.

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

SUSPENSION	PASSAGE	EMERGENCY
AYE: 10	AYE: 10	AYE: 10
NAY: 0	NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

**Sponsored by:**

Finance:

- P. Tollett
- B. Davis
- C. Schneider
- J. Cerra

**ORDINANCE NO. 2024- 66**

AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO CREATE A NEW SPECIAL REVENUE FUND.

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

SUSPENSION	PASSAGE
AYE: 10	AYE: 10
NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED

**Sponsored by:**

Finance:

- P. Tollett
- B. Davis
- C. Schneider
- J. Cerra

**ORDINANCE NO. 2024-67**

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 the rules.

SUSPENSION	PASSAGE
AYE: 10	AYE: 10
NAY: 0	NAY: 0



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**13. ORDINANCES--FIRST READINGS: Continued**

ABSENT: 1                      ABSENT: 1  
MOTION CARRIED              MOTION CARRIED

**Sponsored by:**

Finance:

- P. Tollett
- B. Davis
- C. Schneider
- J. Cerra

**ORDINANCE NO. 2024-68**

AN ORDINANCE AMENDING ORDINANCE NO. 2024-46,  
KNOWN AS THE "2024 PERMANENT APPROPRIATIONS  
ORDINANCE," TO CHANGE FUNDS IN VARIOUS ACCOUNTS.

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

SUSPENSION	PASSAGE
AYE:        10	AYE:     10
NAY:        0	NAY:     0
ABSENT:    1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED

**Sponsored by:**

Utilities:

- D. Mitchell
- B. Davis
- V. Stewart III
- K. Oswald
- B. Armstrong

**ORDINANCE NO. 2024-69**

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE  
FOR BIDS AND ENTER INTO A CONTRACT FOR PAVING  
PROJECTS AT VARIOUS PARKS IN THE CITY OF ELYRIA,  
AND DECLARING AN EMERGENCY.

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

SUSPENSION	PASSAGE	EMERGENCY
AYE:        10	AYE:     10	AYE:     10
NAY:        0	NAY:     0	NAY:     0
ABSENT:    1	ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

**Sponsored by:**

Utilities:

- D. Mitchell
- B. Davis
- V. Stewart III
- K. Oswald
- B. Armstrong

**ORDINANCE NO. 2024-70**

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE  
FOR BIDS AND ENTER INTO A CONTRACT FOR REPAIR AND  
MAINTENANCE AT THE NORTH PARK ICE ARENA, AND  
DECLARING AN EMERGENCY.

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

*Council member Siwierka inquired about the decision maker of the repairing and cleaning of the ice rink, was it a third party. President Stewart stated he would follow up and provide the*

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**13. ORDINANCES--FIRST READINGS: Continued**

*information to Council member Siwierka. Mayor Brubaker explained SSD Strohsack and an engineering employee provided the information for repair maintenance to determine the need.*

SUSPENSION	PASSAGE
AYE: 10	AYE: 10
NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED

**Sponsored by:**

Utilities:

- D. Mitchell
- B. Davis
- V. Stewart III
- K. Oswald
- B. Armstrong

**ORDINANCE NO. 2024-71**

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE ADDITION OF A BASEBALL FIELD AT SOUTH PARK, AND DECLARING AN EMERGENCY.

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

SUSPENSION	PASSAGE	EMERGENCY
AYE: 10	AYE: 10	AYE: 10
NAY: 0	NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

**Sponsored by:**

Utilities:

- D. Mitchell
- B. Davis
- V. Stewart III
- K. Oswald
- B. Armstrong

**ORDINANCE NO. 2024-72**

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE DEVELOPMENT OF THE WEST AVENUE "POCKET" PARK, AND DECLARING AN EMERGENCY.

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

SUSPENSION	PASSAGE	EMERGENCY
AYE: 10	AYE: 10	AYE: 10
NAY: 0	NAY: 0	NAY: 0
ABSENT: 1	ABSENT: 1	ABSENT: 1
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

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**14. ORDINANCES--SECOND READINGS:**

**Sponsored by:**

**Utilities:**

D. Mitchell  
B. Davis  
V. Stewart III  
K. Oswald  
B. Armstrong

**Finance:**

P. Tollett  
B. Davis  
C. Schneider  
J. Cerra

**ORDINANCE NO. 2024-**

AN ORDINANCE AMENDING ELYRIA CODIFIED ORDINANCE SECTION 937.20 ALTERNATIVE CONSUMPTION CALCULATION FOR SANITARY SEWER ACCOUNT HOLDERS SERVED BY A WATER SYSTEM OTHER THAN THE ELYRIA MUNICIPAL WATER SUPPLY SYSTEM, AND DECLARING AN EMERGENCY.

*President Stewart declared the second reading*

**15. ORDINANCES--THIRD READING:** None

**16. COMMITTEE CALLS:**

COMMUNITY DEVELOPMENT

Mon. 4/29/2024 Beginning at 6:00 P.M. All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

JOINT CD/FINANCE

Mon. 4/29/2024 Immediately following Community Development All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

FINANCE

Mon. 4/29/2024 Immediately following Joint All Referred Items Council Chambers w/Mayor, Auditor, Law Director, SSD, Engineer

UTILITIES, SAFETY & ENVIRONMENT

Wed. 4/17/2024 Combined with Finance All Referred Items Council Chambers w/SSD, Law Director, Engineer All

COUNCIL/STRATEGIC PLANNING

Mon. 5/6/2024 Immediately following Council Meeting All Referred Items Council Chambers W/ Mayor, Safety Service Director, Auditor, Solicitor, Engineer

**17. MISCELLANEOUS AND UNFINISHED BUSINESS:**

Council member Siwierka requested the clerk's office reflect when council members are excused from council and committee meetings to list specifically excused absence, opposed to not in attendance, in the meeting minutes. Council member Siwierka has hared her request with both clerks.

Minutes Approved

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**17. MISCELLANEOUS AND UNFINISHED BUSINESS:**

President Stewart stated the he and Chair Tollett received an email from Judge White requesting to waive the 500- mile restriction to attend a conference in California for the National Association for Drug Professionals, in May.

Tollett moved to waive the 500- mile restriction, Cerra seconded.

AYE: 10

ABSENT: 1

MOTION CARRIED

Council member Mitchell reminded everyone street selections would be discussed on Wednesday April 17<sup>th</sup>. Ms. Mitchell asked everyone to please be in attendance if able. Council member Siwierka inquired will any information be submitted prior to the meeting for preview.


Council member Davis expressed her appreciation for how well the concrete streets are looking.

**18. ADJOURNMENT:**

Mitchell moved, Cerra seconded to adjourn the Regular Council Meeting at 7:53 p.m.

MOTION CARRIED

  
\_\_\_\_\_  
Michael J. Lotko, III  
Clerk of Council

  
\_\_\_\_\_  
Victor Stewart, III  
President of Council

RLP/