

As circulated
September 4, 2024 September 16, 2024
Regular Council Meeting
Elyria City Council

1. CALL TO ORDER:

The regular meeting of Elyria City Council was called to order on September 16, 2024 at 6:59 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 Siwierka.

2. ROLL CALL: COUNCIL MEMBERS

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

OTHERS PRESENT: Mayor Brubaker, SSD Pyanowski, Fin. Dir. Pileski, Law Director Deery, Police Chief Pelko, Fire Chief Pronesti, BO Farkas, Engineer McKillips

3. PUBLIC HEARINGS: None

4. APPROVAL OF MINUTES:

Lipian moved, Cerra seconded to approve Strategic Planning meeting minutes.
MOTION CARRIED

5. REMARKS AND REPORTS OF CITY OFFICIALS:

Mayor Brubaker: No report

Mayor Brubaker yielded time to McCaulley & Associates to provide grants updates.
Exhibit "A" attached

Council member Tollett made a statement that he would like everyone to be aware the idea of a potential new fire station has not been pushed aside with the plans of moving forward with the central maintenance garage. He asked for comment from Mayor Brubaker regarding the topic. Mayor Brubaker shared information regarding a report that was released September 2023 regarding the fire department and one of the key components was the location of a potential fire station in the Southeast quadrant. Mayor Brubaker explained the reporting listed the location of the fire station in the area of Reaser Point Broad Street. In February of 2024, an announcement was made by Mr. Reaser that he would be willing to donate some property to the city of Elyria for the purposes of building a fire station. Mayor Brubaker explained in meetings with Finance Director Pileski, those plans were pulled for a multitude of reasons, one being the dollar amount that was previously considered was around \$27 million, once reviewed by the architects it was reduced from \$24 million to \$1.6 million. He believes the cost will ultimately be under \$21 million. The new fire station was projected to be \$ 3million or under. In addition, the city of Elyria does not own the land and additional work is needed in regards to the project at Reaser Point. Mayor Brubaker stated that at the appropriate time, he would look to get the project bonded and built appropriately.

Council member Siwierka stated the report was good to hear. Her ward is the furthest for any of the fire departments. She expressed concern of the continued growth in the Southeast quadrant and stated that the city cannot continue to serve in all the directions that we're growing without another fire station. Council member Siwierka mentioned specific areas of growth in the areas of Indian Hollow, West Ridge Road, and the new homes in the Southeast Quadrant of the city. She

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5. REMARKS AND REPORTS OF CITY OFFICIALS: Continued

expressed that it would not be appropriate as a council body to not continue to look at staffing the fire stations and their locations. She expressed that as the city grows, the fire service needs to grow as well.

Council member Oswald inquired about how is cost calculated in regard to the location of the building and the size of the property. Mayor Brubaker explained in the initial meetings with Mr. Reaser, two lots and two parcels are being offered that would be combined in total of a little over two acres. Mayor Brubaker explained the draft designs would suffice.

Council member Lipian stated the development of the fire station sooner than later would be beneficial to the city.

Mayor Brubaker introduced McCaulley and Associates to provide an update on the current status of city grants. McCaulley and Associates are contracted grant writer lobbyist with the City of Elyria. The work they have done has been well received.

President Stewart asked that a copy of the report be provided to the clerk's office. He inquired on the amount that is being pursued on the Middle Ave. sewer project and if \$ 2 million is the confirmed amount? The consultants will confirm the exact number, the request may have been \$3.2 million. Engineer McKillips responded the sewer project would begin at the city of Elyria city limits n Middle Ave. and extend down towards Butternut Ridge Road, with a spur headed towards LaGrange Road.

Council member Siwierka thanked the consultants for their work. She inquired from a hypothetical perspective of what grants would be trending in the future? The consultants believe for local government the need would remain for infrastructure and public safety.

Council member Davis asked if there is an annual cap on the grant amount requested? There is no cap on the number of grant programs, there is a cap per grant.

Council member Tollett expressed his appreciation of the reporting information. He stated it is exactly what was requested. He asked are there any municipal departments that grants are restricted of pursuit. Finding funding for Prosecutor's offices and HR departments tends to be challenging.

Council member Siwierka stated that a few other departments that could use additional funding sources would be the sanitation department in the area of recycling and the cemetery department. Exhibit 'A' attached

Safety Service Director: No report

Finance Director: No report

Law Director Deery:

Law Director Deery asked that there be a motion to reconsider the minutes of strategic planning during the next strategic planning meeting.

Moved by Lipian, seconded by Cerra, motion carried.

Law Director Deery shared that she heard from a few council members regarding the conditional use permit related to 460 Cleveland Street, Hubert Oliver Legacy 34. The matter did not pass at committee and will go before council without the benefit of committee report. She stated after

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5. REMARKS AND REPORTS OF CITY OFFICIALS: Continued

further review from her office, the city charter requires that council shall hold a public hearing on a matter when a zoning recommendation is made by the Planning Commission. The Public hearing is not scheduled. The matter before council would be a first reading.

EPD: No report

EFD:

Chief Pronesti gave a shout out to four fire department employees who responded to a medical emergency in late August on S. Abbe Road. The team was able to perform medical techniques and restore a normal heart rate. Expressions of appreciation were made to the following. Lt. Jared Suki, Firefighters Scott Slaughterback, Kurt Higgenbotham, and Cody Burkin. Chief Pronesti provided an update that inspections have been completed on all but fifty buildings. He expressed everyone stressing the importance of the fire station. He also expressed hi appreciation to McCaulley and Associates for their assistance with the fire department successful grants. Chief Pronesti stated the consultants are easy to work with and listen to their needs. Chief Pronesti stated he is committed to staffing a new station.

Council member Tollett inquired on the delivery date of the new pumper truck. Chief Pronesti stated possibly 2026.

Council member Siwierka asked if the completed inspections will transfer to the building department for violations? Chief Pronesti shared that fire inspections include public safety, fire exit signs, extinguishers, hazards. He shared occupancy or change in occupancy are transferred to the building department. Council member Lipian asked what the plans are for the Kipling station. Chief Pronesti explained that would not be his decision to make. Council member Lipian made mention of the wear and tear on Kipling Street with fire vehicles. Chief Pronesti explained that Cedar street was paved, however the back lot on Kipling needs service, however the building is not a functioning building.

Council member Schneider asked where would the response of fire come from to the Bender Rd., Chestnut and Indian Hollow areas? Currently the first to respond is the station at 609 North Abbe. Rd. The first response for the Indian Hollow area is from station engine one.

BO Farkas: No report

Eng. McKillips: No report

6. PRESIDENT’S REFERRAL’S:

1. The matter of PY 2025 Community Development Block Grant Action Plan

REFERRED BY: CD DIR SCOTT/ MNGR ALMOBAYYED

REFERRED TO: COMMUNITY DEVELOPMENT

2.The matter of a demo lien referrals.

REFERRED BY: BO FARKAS

REFERRED TO: FINANCE

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6. PRESIDENT’S REFERRAL’S: Continued

3. The matter of authorizing the Mayor to apply for and accept a TLCI (Transportation for Livable Communities Initiative) grant.

REFERRED BY: ENGINEER SCHNEIDER

REFERRED TO: FINANCE

4. The matter of a request to change Elyria Codified Ordinance 165.07 (b) (1) Usage of Sick Leave.

REFERRED BY: C. L. DARMSTADT, A. M. MOLLENKAMP, J. REISZ

REFERRED TO: RULES

5.-Received and Placed on file in the clerk’s office:

5. List of receipts collected by each division of the Clerk of Court’s office for August 2024.

7. PETITIONS– LOBBY:

- 1. Dean Marks- 318 Ashland Ave.- Fire Department/ Station

8. PETITIONS–COUNCIL MEMBERS: None

9. REPORTS OF STANDING AND SPECIAL COMMITTEES:

**Sponsored by
Community
Development**

- D. Mitchell
- A. Lipian
- C. Schneider
- K. Oswald

COMMITTEE REPORT NO. 2024-5

WE HAVE CONSIDERED THE MATTER OF A LIQUOR LICENSE TRANSFER FROM RISER FOODS CO., DBA GETGO 3811 TO GETGO OPERATING LLC DBA ELYRIA GETGO 381 AT 209 EAST BRIDGE STREET AND THE CITY OF ELYRIA DOES NOT REQUEST A HEARING.

Mitchell moved, Callahan seconded to pass this committee report 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**

- D. Mitchell
- A. Lipian
- C. Schneider
- K. Oswald

COMMITTEE REPORT NO. 2024-6

WE HAVE CONSIDERED THE MATTER OF A LIQUOR LICENSE TRANSFER FROM RISER FOODS CO., DBA GETGO TO GETGO OPERATING LLC DBA ELYRIA GETGO 559 MIDWAY BLVD. AND THE CITY OF ELYRIA DOES NOT REQUEST A HEARING

Mitchell moved, Callahan seconded to pass this committee report under suspension of rules.

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9. REPORTS OF STANDING AND SPECIAL COMMITTEES: Continued

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

Sponsored by
Community
Development
D. Mitchell
A. Lipian
C. Schneider
K. Oswald

COMMITTEE REPORT NO. 2024-7

WE HAVE CONSIDERED THE MATTER OF A NEW LIQUOR LICENSE REQUEST BY NIRVANA GROCERS LLC, 1227 LAKE AVE., UNIT C, AND THE CITY OF ELYRIA DOES NOT REQUEST A HEARING.

Mitchell moved, Callahan seconded to pass this committee report under suspension of rules.

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

10. RESOLUTIONS FIRST READING:

Finance
P. Tollett
B. Davis
C. Schneider
M. Siwierka
J. Cerra

RESOLUTION NO. 2024- 35

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.

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

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

Sponsored by:
Finance
P. Tollett
M. Siwierka
B. Davis
C. Schneider
J. Cerra

RESOLUTION NO. 2024-36

A RESOLUTION FINDING THAT THE CITY HAS UNFIT FOR MUNICIPAL USE CERTAIN CITY PROPERTY.

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10. RESOLUTIONS FIRST READING: Continued

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

Companion to above Resolution

Finance

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

ORDINANCE NO. 2024- 149

AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR OF THE CITY OF ELYRIA TO DISPOSE OF CITY PROPERTY THAT IS UNFIT FOR MUNICIPAL USE.

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

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

ORDINANCE NO. 2024-

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT PURSUANT TO CHAPTER 1135 OF THE CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO TO HUBERT OLIVER LEGACY 34 AND HUBERT OLIVER FOR A RESTAURANT AT REAL PROPERTY LOCATED AT 460 CLEVELAND STREET, ELYRIA OHIO.

Public Hearing Date TBD

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13. ORDINANCES--FIRST READINGS: Continued

Sponsored by:	<u>ORDINANCE NO. 2024- 150</u>
Finance:	
P. Tollett	AN ORDINANCE AMENDING ORDINANCE NO. 2024-46,
M. Siwierka	KNOWN AS THE "2024 PERMANENT APPROPRIATIONS
B. Davis	ORDINANCE," TO CHANGE FUNDS IN VARIOUS ACCOUNTS.
C. Schneider	
J. Cerra	

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

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

Sponsored by:	<u>ORDINANCE NO. 2024-151</u>
Finance:	
P. Tollett	AN ORDINANCE AUTHORIZING THE CITY OF ELYRIA TO
M. Siwierka	FORGIVE THE FEBRUARY 2019 LOAN AND CANCEL THE
B. Davis	ASSOCIATED COGNOVIT PROMISSORY NOTE BETWEEN THE
C. Schneider	CITY OF ELYRIA AND THE ELYRIA COMMUNITY
J. Cerra	IMPROVEMENT CORPORATION.

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

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

Sponsored by:	<u>ORDINANCE NO. 2024-152</u>
Utilities:	
D. Mitchell	AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE
B. Davis	FOR BIDS AND ENTER INTO A CONTRACT FOR THE
K. Oswald	PURCHASE AND INSTALLATION OF NEW EPA COMPLIANT
B. Armstrong	HATCHES FOR THE WATER PLANT'S CLEARWELL #1, 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: 11	AYE: 11	AYE: 11
NAY: 0	NAY: 0	NAY: 0
ABSENT: 0	ABSENT: 0	ABSENT: 0

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13. ORDINANCES--FIRST READINGS: Continued

MOTION CARRIED MOTION CARRIED MOTION CARRIED

Sponsored by:

Utilities:

D. Mitchell

B. Davis

K. Oswald

B. Armstrong

ORDINANCE NO. 2024- 153

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS, AND ENTER INTO A CONTRACT FOR THE WATER PUMPING PLANT SLUDGE CAKE DISPOSAL, 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

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

PASSAGE

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

EMERGENCY

AYE: 11

NAY: 0

ABSENT: 0

MOTION CARRIED

14. ORDINANCES--SECOND READINGS:

Sponsored by

Community

Development

D. Mitchell

A. Lipian

C. Schneider

K. Oswald

ORDINANCE NO. 2024-

AN ORDINANCE AMENDING SECTION 1131.02, CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO, KNOWN AS THE ZONING ORDINANCE, TO REZONE CERTAIN REAL PROPERTY LOCATED AT 218 PROSPECT STREET, ELYRIA, OHIO, FROM B-N BUSINESS-NEIGHBORHOOD DISTRICT TO L-I LIGHT INDUSTRIAL DISTRICT.

Public Hearing Scheduled for 10/7/2024 at 7:00 PM

15. ORDINANCES--THIRD READING: None

16. COMMITTEE CALLS:

COMMUNITY DEVELOPMENT

Mon 9/30/2024 Beginning at 6:00 P.M. All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

JOINT CD/FINANCE

Mon. 9/30/2024 Immediately following Community Development All Referred Items Council Chambers w/Law Director, SSD, Engineer, Bldg. Insp.

FINANCE

Mon. 9/30/2024 Immediately following Joint All Referred Items Council Chambers w/Mayor, Auditor, Law Director, SSD, Engineer

Minutes Approved

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16. COMMITTEE CALLS: Continued

RULES

Wed. 9/18/2024 Combined with Finance All Referred Items Council Chambers w/SSD, Law Director, Engineer All

COUNCIL/STRATEGIC PLANNING

Mon. 10/7/2024 Immediately following Council Meeting All Referred Items Council Chambers W/ Mayor, Safety Service Director, Auditor, Solicitor, Engineer

Council member Siwierka asked for clarification of the date of the scheduled Rules Committee Meeting. Two Rules Committee meetings are scheduled. The dates are Wednesday September 18th and Wednesday October 18th, immediately following the Utilities Committee meetings.

17. MISCELLANEOUS AND UNFINISHED BUSINESS:

Council member Lipian stated that he is excited about the upcoming Apple Festival and serving fried ice cream with both the Law Director and Safety Service Director.


Council member Armstrong expressed his appreciation to Brad for showing him around the Waste Water Treatment Plant. He stated the tour was extremely knowledgeable. He learned about the microbes that clean all of our water.

Council member Davis reminded everyone to attend the ground breaking of the new hotel at 1:00PM on Tuesday, September 17th in the second ward.

18. ADJOURNMENT:

Mitchell moved, Cerra seconded to adjourn the Regular Council Meeting at 7:55 p.m.

MOTION CARRIED


Michael J. Lotko, III
Clerk of Council


Victor Stewart, III
President of Council

EXHIBIT 'A'

Following last night's discussion, below is the list of grant activities discussed with City Council. Please let me know if you have any questions.

Grants

Awarded 2024

OEPA Water Bottle Refilling Station Grant (03/06/24)(South Park) \$ 3,195.00

2024 Violent Crime Reduction Grant Program (05/21/24) \$ 89,436.20

- Proactive Policing (build upon Project Safe Neighborhoods)
- Additional Cameras to track vehicles
- Neighborhood meetings with residents
- Collaborative Board Meetings

H2Ohio Rivers Initiative: Chloride Reduction Grant (08/01/24) \$ 60,536.00

- Brine System

Staffing for Adequate Fire and Emergency (SAFER) (08/16/24)

- Add three firefighter positions

\$847,503.66

TOTAL \$1,000,670.86

Submitted/Pending 2024

Energy Efficiency and Conservation Block Grant \$115,200.00

Assistance to Firefighters Grant (Pumper Truck) \$985,000.00

Natureworks Grant (ODNR) (Pocket Park Entrance & Bench Swings) \$ 30,600.00

FY2025 Earmark - Congressman Latta \$2,000,000.00

Middle Avenue Community Connection Sewer Extension Project

TOTAL \$3,130,800.00

In Process

NOACA TICI (Downtown - Phase 7) \$ TBD

Land & Water Conservation Fund \$ TBD

FY26 Federal Earmark (CDS and CPF) Projects

- 1st Priority - Southeast Interceptor - Phase 2 \$ TBD
- 2nd Priority - Ternes Avenue Sewer \$ TBD
- 3rd Priority - Middle Avenue Sewer Extension - Phase 2 \$ TBD

TOTAL \$ TBD

Thank you,
Shannon

Shannon C. Strachan

