

Minutes Approved

as circulated

December 16, 2024

Regular Council

Elyria City Council

Jan 6, 2025

1. CALL TO ORDER

The regular meeting of Elyria City Council was called to order on December 16, 2024 at 7:00 P.M. by President Stewart. President Stewart opened the meeting with a moment of reflection which was followed by the Pledge of Allegiance led by Mr. Callahan

2. ROLL CALL:

COUNCIL MEMBERS

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

OTHERS PRESENT: Mayor Brubaker, Safety Service Director Pyanowski, Finance Director Pileski, Law Director Deery, Engineer Schneider, Building Official Farkas, Police Chief Pelko, Fire Chief Pronesti, HR Dir Yousefi

Mr. Oswald moved and Mr. Schneider seconded to excuse Ms. Davis's absence.

MOTION CARRIED

3. PUBLIC HEARINGS:

President Stewart excused himself at this time because he's been accused of having a conflict of interest regarding what is going to be presented here, he turned this part of the Meeting over to President Pro-Tem Mitchell to carry on with the Public Hearing.

President Pro-Tem Mitchell asked to let the record show that Mr. Stewart has recused himself. President Pro-Tem Mitchell read the Public Hearing.

A PUBLIC HEARING IN ACCORDANCE WITH OHIO REVISED CODE SECTION 5709.40C. EVERY PROPERTY OWNER WITHIN THE PROPOSED INCENTIVE DISTRICT HAS RECEIVED AT LEAST THIRTY (30) DAYS NOTICE OF THIS HEARING.

President Pro-Tem Mitchell asked if there were any proponents, three times, there were none. President Pro-Tem Mitchell asked if there were any opponents, three times, and there were none. President Pro-Tem Declared this Public Hearing has been held.

Law Dir Deery said for the record, this issue is just for purposes of holding a Public Hearing tonight to discuss the boundaries of the incentive districts. There is no vote or any action to be taken this evening.

Mr. Tollett asked President Stewart to rejoin the meeting.

4. APPROVAL OF MINUTES:

There were none this evening.

5. REMARKS AND REPORTS OF CITY OFFICIALS:

Mayor Brubaker:

Mayor Brubaker wanted to thank the Law Dir's Office and Council President for getting the Resolution on this evening's agenda. It was brought to him late last week. Asst Dir Calvert worked with the Law Dir's Office and the Council President. It's a Resolution to celebrate the 250th Anniversary of the United States and this makes Elyria part of this 250th Anniversary through the Lorain County Historical Society.

He also wanted to thank everyone for a great year in 2024, it's been a successful year. He's looking forward to 2025 and wants to wish everyone a Merry Christmas and Happy New Year.

Safety Service Director Pyanowski:

Director Pyanowski echoed what the Mayor said and added that the year has flown by. We've accomplished quite a bit and he's excited for 2025. He appreciates all of everyone's work and working together. They are still in negotiations with EPPA and AFSCME.

Mr. Schneider asked if there was any update on the property on Parkview Court that the City had secured earlier in the year?

Dir Pyanowski said they intend to have the asbestos remediated before the end of the year. They've chosen the contractor and had the assessment done. They are hoping to have the demolition completed in the first quarter of 2025. Police and Fire will do some training there before they do the demo.

Mrs. Siwierka asked if the Union Contracts are December end dates and will there be retro pay? Dir Pyanowski said they are December ending dates. There won't be any retro for EPPA, but, it goes past the first of there year, there will be with AFSME, there will be.

Finance Director Pileski: Mr. Pileski wished everyone a Merry Christmas and a Happy New Year. The last pay of the year is this week and they will be wrapping the books. He'll have a report early in the year.

Law Director Deery:

We as a City, will have our day in Court on the former Holiday Inn on Monday, December 23rd at 10:00 A.M. in soon to be retired Judge Maraldi's Court. The Lorain County Health District along with Fire Department, Police Department, Building Department. We will ask that property to be declared a nuisance. She's hopeful that we have a good chance to move forward with this. Her office has been notified that there has been an administrative appeal filed on the Hubert Oliver matter in Common Please Court. It's an opposition to the Conditional Use which was denied by Council, it is on the docket. The rationale behind the decision as a public body is on the record. There is an ordinance which will be in miscellaneous and unfinished business which was laid on the table.

There was one particular provision that the courts had concerns about because those employees still receive longevity. She spoke with HR and Finance Dept and they were able to tweak the language for that. The procedure is already being followed, this is just actually to codify what is actually happening and to provide clarification. Muni Court was happy with the proposed language, which is what will be voted on. She will ask for this matter to be voted on under suspension of rules and declared an emergency due to the effective date being the first of the year.

Mr. Schneider asked if there is any update on the zoning for the recreational marijuana use? Dir Deery said Attorney Breunig has been in touch with the new City Planner and they are working thru to incorporate that into update the zoning code and to not have it unreasonably delayed. It will hopefully happen early in the new year.

Mr. Lipian asked who authorized the Law Dir to hire a private attorney in September? Dir Deery wasn't sure which private attorney he was referring to. She said they hire any number of outside legal council, special prosecutors. The City Charter enables her to do that. If there is a conflict of interest in which her team needs to be recused, it's common practice that they bring in an outside legal counsel to handle that. She recused herself and her staff when the LC Sheriff's Dept filed a criminal charges against the County Prosecutor. There were multiple reasons, one he was running for re-election and they are same political party, two one of the members of her staff was a former member of the Prosecutor's office, one is married to a current employee of that office, her spouse used to work in that office, at that point when the case was filed she is charged to handle the State Law states to find someone appropriate to handle it.

Mr. Lipian asked who okayed the \$475 dollars per hour for the Law firm that was chosen? Dir Deery said she entered into an engagement letter, her budget has a line item for professional services and outside legal counsel. She said they had not received an invoice for this yet so we don't know how many hours we will be billed for.

Mr. Lipian asked if there was a cap? Dir Deery said there was not a cap, however, she had an estimate of what the maximum number of hours would be.

Mr. Lipian asked who is paying them? Dir Deery said it comes out of the Law Dept budget. The matter had come before City Council when the 2024 budget was approved.

Mr. Lipian said it sounds like the conflicts are political party oriented and Dir Deery's spouse that worked for that office. Why was this at Muni Court and not at the Court of Common Pleas? Dir Deery said she has no control of a case which is filed by a Law Enforcement Agencies. Muni Court has Jurisdiction over felony matters, where the first stop is Muni Court. When a case is filed in Muni Court, then her office, who prosecutes on behalf of the State of Ohio, has to see that case through.

Mr. Lipian said this is a duplication of services and wondered why we got into a conflict between the Sheriff and The Prosecutor and asked how does this benefit the City of Elyria?

Dir Deery said when a Law Enforcement Agency brings charges and the allegations say a crime was committed within the jurisdiction, she is duty-bound, by her oath, to see that the case is prosecuted. That is for the citizens for the citizens of Elyria.

Mr. Lipian said he asked because he didn't see it come before council, it wasn't in her report and he doesn't see how it benefits the citizens of Elyria, but, he will leave that up to the voters and other people to assess.

President Stewart said he thought that could've been handled in a different way and Mr. Lipian said that he has the right to ask those questions.

Police Chief Pelko: No Report

Fire Chief Pronesti: No Report

Engineer Schneider: No Report

Chief Building Official Farkas: No Report

HR Dir. Yousefi: Ms. Yousefi said after the ordinance passed for the new Employee Handbook, she was asked to give an update on what kind of feedback they got back from the bargaining unit and it was sent out to the bargaining units and they did not receive any feedback on any changes that were needed to be made. So, they will move forward on the handbook.

Mrs. Siwierka asked if each employee will get a copy of this handbook and will it be documented when they receive it?

Dir Pyanowski said they will have an electronic link available with the most current version of the handbook. They will also email it to all employees, initially and will have an acknowledgment form for them to sign and will be placed in the employee's file.

They talked about this before the negotiations started with the Fire union and they will have conversation where the manual might come into conflict with the contract, they will talk thru those things, there will be an adjustment period.

Mr. Oswald thanked the HR Dept for running the office decoration program and he had a great time being part of the judging group.

Ms. Yousefi also thanked the judges for participating in the program. And happy holidays to all.

6. PRESIDENT'S REFERRALS AND REMONSTRANCES:

1. The matter of a Final Plat request for 264 Windsor Place Subdivision.

REFERRED BY: BOB YOST, YOST CONSTRUCTION

REFERRED TO: COMMUNITY DEVELOPMENT

2. The matter of demo lien referrals.

REFERRED BY: BUILDING OFFICIAL FARKAS

REFERRED TO: FINANCE

3. The matter of equipment unfit for municipal use.

REFERRED BY: SERVICE DIRECTOR PYANOWSKI

REFERRED TO: FINANCE

4. The matter of request for the Mayor to enter into a contract renewal for legal service for 2025 with Roetzel & Andress.

REFERRED BY: SERVICE DIRECTOR PYANOWSKI

REFERRED TO: FINANCE

5. The matter of discussion of the Mayor accepting an assistance to Firefighter Grant (AFG) for 2025.

REFERRED BY: FIRE CHIEF PRONESTI

REFERRED TO: FINANCE

6. The matter of authorizing the Mayor to enter into a replacement contract with axon for EPD body worn and in car cameras.

REFERRED BY: POLICE SERGEANT BUCKWAY

REFERRED TO: FINANCE

7. The matter of authorizing the City of Elyria to enter into contract with CT Consultants for bidding, construction services for Lead Service Line (LSL) phase 5 project.

REFERRED BY: WATER TEAM LEADER JACOB

REFERRED TO: FINANCE/ UTILITIES

8. The matter of authorizing the Mayor to apply for and accept if offered a Water Supply Revolving Loan Account.

REFERRED BY: WATER TEAM LEADER JACOB

REFERRED TO: FINANCE/ UTILITIES

9. The matter of authorizing the Mayor to advertise for bids and enter into a contract for the replacement of lead and galvanized service lines.

REFERRED BY: WATER TEAM LEADER JACOB

REFERRED TO: FINANCE/ UTILITIES

Items 10-13 received and placed on file in the clerk's office:

10. Approved claim for Damage: Katherine Austin

11. Income Tax Collections Received in November 2024

12. November 2024 General Fund Cash Balance Report

13. List of receipts collected by each division of the Clerk of court's office for November 2024.

7. PETITIONS--COUNCIL MEMBERS: None

8. PETITIONS--LOBBY:

Theresa Shea, 519 East Ave., Elyria speaking on increase in water bills and Sanitation Dept.

As a private citizen, she's not sure of the present status of decisions about rate increases for the water bill and sanitation, but she wants to speak about them anyway. She attended some discussions in the Finance and Utilities Meetings. She spoke separately on the phone before this, in which Engineer Schneider gave her an overview about why water and sewer bills were needing an increase which was needed to fulfill situations.

What she wrestles with is she cannot afford an increase in her bill for that.

However, the \$5 increase for Sanitation is something she can get behind. That Department helps her every week, without her begging for help. They are excellent, this present Sanitation Department is a dream come true for her. They help her, they are professional and they deserve a raise. Elyria should be proud. Give them the extra \$5 on our bills and compliment them on the fact that they make the world a better place.

Dear Council Members, be a part of this, this wonderful help to the Sanitation Dept., that helps her so much, as does the Street Department, it's an opportunity that you don't want to miss to be a part of the City that really helps forgotten people like me.

She would also like to point out two wonderful miracles she viewed in Elyria, thru the newspaper. The great bike give-a-way on Saturday at the bike place on Middle Ave. There were a lot of happy children. What a beautiful thing to do and what the police did for those kids, made her happy. And seeing Mr. Cerra donating toys to the CT Not Forgotten Box.

These are all positive things and she hopes everyone listens.

9. REPORTS OF STANDING AND SPECIAL COMMITTEES: None

10. RESOLUTIONS--FIRST READING:

No Sponsorship
by Committees

RESOLUTION NO. R2024-45

A RESOLUTION IN SUPPORT OF THE OHIO COMMISSION FOR THE UNITED STATES SEMIQUINCENTENNIAL (AMERICA250-OH) AND DECLARING AN EMERGENCY.

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

SUSPENSION:

AYE: 10
NAY: 0
ABSENT: 1(Davis)
MOTION CARRIED

EMERGENCY:

AYE: 10
NAY: 0
ABSENT: 1 (Davis)
MOTION CARRIED

PASSAGE:

AYE: 10
NAY: 0
ABSENT: 1(Davis)
MOTION CARRIED

11. RESOLUTIONS--SECOND READING: None

12. RESOLUTIONS--THIRD READING: None

13. ORDINANCES--FIRST READING:

Sponsored by:

Finance:

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

ORDINANCE NO. 2024-189

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO PROFESSIONAL SERVICES AGREEMENT(S) FOR AN OPERATOR OR OPERATORS OF RECORD AT THE WASTEWATER POLLUTION CONTROL PLANT, AND DECLARING AN EMERGENCY.

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

SUSPENSION:

AYE: 10
NAY: 0
ABSENT: 1(Davis)
MOTION CARRIED

EMERGENCY:

AYE: 10
NAY: 0
ABSENT: 1 (Davis)
MOTION CARRIED

PASSAGE:

AYE: 10
NAY: 0
ABSENT: 1(Davis)
MOTION CARRIED

Sponsored by:

ORDINANCE NO. 2024-190

Finance:

AN ORDINANCE TO INCORPORATE THE 2025 OHIO MINIMUM WAGE FOR PART TIME SEASONAL PAY GRADES, AND DECLARING AN EMERGENCY.

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

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

SUSPENSION:

EMERGENCY:

PASSAGE:

AYE: 10

AYE: 10

AYE: 10

NAY: 0

NAY: 0

NAY: 0

ABSENT: 1(Davis)

ABSENT: 1 (Davis)

ABSENT: 1(Davis)

MOTION CARRIED

MOTION CARRIED

MOTION CARRIED

Sponsored by:

ORDINANCE NO. 2024-191

Finance:

AN ORDINANCE AMENDING ORDINANCE 2021-73, KNOWN AS THE SALARY ORDINANCE, TO ADD THE POSITION OF LABORER III FOR THE PARKS AND RECREATION DEPARTMENT, AND DECLARING AN EMERGENCY.

- P. Tollett
- M. Siwierka
- B. Davis
- C. Schneider
- J. Cerra
- and
- Utilities:
- V. Stewart III
- D. Mitchell
- K. Oswald
- B. Armstrong

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

SUSPENSION:

EMERGENCY:

PASSAGE:

AYE: 10

AYE: 10

AYE: 10

NAY: 0

NAY: 0

NAY: 0

ABSENT: 1(Davis)

ABSENT: 1 (Davis)

ABSENT: 1(Davis)

MOTION CARRIED

MOTION CARRIED

MOTION CARRIED

Sponsored by: **ORDINANCE NO. 2024-192**
Finance: AN ORDINANCE AMENDING ORDINANCE NO. 2024-46, KNOWN
P. Tollett AS THE "2024 PERMANENT APPROPRIATIONS
M. Siwierka ORDINANCE," TO CHANGE FUNDS IN VARIOUS ACCOUNTS.
B. Davis
C. Schneider
J. Cerra

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

SUSPENSION:	PASSAGE:
AYE: 10	AYE: 10
NAY: 0	NAY: 0
ABSENT: 1(Davis)	ABSENT: 1 (Davis)
MOTION CARRIED	MOTION CARRIED

Sponsored by: **ORDINANCE NO. 2024-193**
Finance: AN ORDINANCE TO FIX TEMPORARY APPROPRIATIONS FOR
P. Tollett THE FIRST THREE (3) MONTHS OF THE YEAR 2025, AND OTHER
M. Siwierka EXPENSES OF THE CITY OF ELYRIA.
B. Davis
C. Schneider
J. Cerra

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

SUSPENSION:	PASSAGE:
AYE: 10	AYE: 10
NAY: 0	NAY: 0
ABSENT: 1(Davis)	ABSENT: 1 (Davis)
MOTION CARRIED	MOTION CARRIED

Sponsored by: **ORDINANCE NO. 2024-194**
Finance: AN ORDINANCE AMENDING SECTION 959 ENTITLED
P. Tollett SANITATION RULES AND REGULATIONS, SECTION 959.11
C. Schneider ENTITLED RATES FOR COLLECTION, TO CREATE PROVISIONS
J. Cerra OF THE CODIFIED ORDINANCES OF THE CITY OF ELYRIA, AND
and DECLARING AN EMERGENCY.
Utilities:
V. Stewart III
D. Mitchell
K. Oswald

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

President Stewart said this has been a great debate in conversations about what is facing us, this has been going on since 2019. These rate have been needed to be increased and he will support this measure, but one request he would ask is that while there was a study in 2019, the Safety Service Dir said he will revisit that, based on today’s rates, what we have right now and what’s being proposed. We should look at the possibility to out source the Sanitation Department. We need to do that to see what else is out there. We offer a great service, but we need to look at what those numbers are and he recommends that.

Dir Pyanowski asked it that is for comparison?

President Stewart said yes, for comparison to see what is out there. We need to look at cost savings.

Mrs. Siwierka said she supports President Stewart’s comments and she agrees 100%. She’s felt uncomfortable with this increase because we haven’t looked at enough efficiencies, currently. She’s spoken to the Finance Dir, if we wait on this a little, we’re talking about \$75,000, one month isn’t going to make a difference. She doesn’t feel comfortable voting for this when things are still in the works and not before us as efficiencies. She agrees with Mrs. Shea, we have great workers and they do great jobs, but we need to look at where can we cut corners and make savings.

SUSPENSION:

AYE: 9
NAY: 1 (Siwierka)
ABSENT: 1(Davis)
MOTION CARRIED

EMERGENCY:

AYE: 8
NAY: 2 (Siwierka, Lipian)
ABSENT: 1 (Davis)
MOTION FAILED

PASSAGE:

AYE: 9
NAY: 1 (Siwierka)
ABSENT: 1(Davis)
MOTION CARRIED

Law Dir Deery said the emergency failed, however, suspension and the ordinance itself passed.

Sponsored by:

Finance:

- P. Tollett
- M. Siwierka
- B. Davis
- C. Schneider
- J. Cerra
- and
- Utilities:
- B. Davis
- V. Stewart III
- D. Mitchell
- K. Oswald
- B. Armstrong

ORDINANCE NO. 2024-195

AN ORDINANCE AMENDING CHAPTER 937, SEWER CHARGES, SECTION 937.12, SCHEDULE OF RATES, CODIFIED ORDINANCES OF THE CITY OF ELYRIA, OHIO, TO REFLECT ESTABLISHED SANITARY SEWER RATES FOR THE YEARS 2025, 2026 AND 2027, AND REPEALING ANY ORDINANCES IN CONTRADICTION THERETO, AND DECLARING AN EMERGENCY.

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

Mrs. Siwierka said that she is in support of this and she wants to acknowledge Mayor Brubaker’s work on reducing this and bringing options before us. Costs have gone up at both the Wastewater Plant and the Water Pumping Plant. Chemicals have gone up and utilities have gone up, she’s in support of this increase.

SUSPENSION:

AYE: 8
NAY: 2 (Lipian, Armstrong)
ABSENT: 1(Davis)
MOTION CARRIED

EMERGENCY:

AYE: 8
NAY: 2 (Lipian, Armstrong)
ABSENT: 1 (Davis)
MOTION CARRIED

PASSAGE:

AYE: 8
NAY: 2 (Lipian, Armstrong)
ABSENT: 1(Davis)
MOTION CARRIED

Law Dir Deery said the emergency failed, however, suspension and the ordinance itself passed.

Sponsored by:

- Finance:
- P. Tollett
- M. Siwierka
- B. Davis
- C. Schneider
- J. Cerra
- and
- Utilities:
- B. Davis
- V. Stewart III
- D. Mitchell
- K. Oswald

ORDINANCE NO. 2024-196

AN ORDINANCE AMENDING ORDINANCE NO. 2021-181, TO ESTABLISH THE RATES OF WATER CHARGED INSIDE AND OUTSIDE THE CITY OF ELYRIA FOR CALENDAR YEARS 2025, 2026 AND 2027, AND REPEALING ANY ORDINANCE IN CONTRADICTION THERETO, AND DECLARING AN EMERGENCY.

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

Mr. Lipian said he is confirming these water rate increases are 15% in 2025 and another 15% in 2026 and another in 2027, is that correct?

Mayor Brubaker said that is correct.

Mr. Lipian said he would like to make a motion to amend the initial motion by substituting 10% for the rate increase for each year and that motion was seconded by Mr. Armstrong.

Mr. Lipian said that Elyria has about 20% poverty rate, which is about 1 in 5 living in poverty. We have 32.9% poverty rate for children and 39.5% for children under 5. The Ohio average poverty rate is 13.4%, that puts Elyria in the top 10 cities in Ohio for poverty. This is concerning, given our size and the poverty rate. This 15% compound increase over 3 years will hurt the most vulnerable among us. He looked at other communities who have done this and he had a hard time finding any community that had done a 15% compound increase over 3 years. He did fine some communities who had a one-time 15% increase and that was the City of Canton. Elmhurst, IL did a 28% combined one time water plus, Perrysburg did a 10% compound rate to 24 to 26, El Paso, TX did an 8% one time water increase, San Jose, CA did an 11% one

time water increase, Chicago did a 9% one time increase.

These sources are on their City website. He couldn't find one city pier city equal to Elyria in Ohio and with our poverty rate.

He feels this water rate increase is overly aggressive and by reducing it to 10% which is still at the high level of any other municipality he could find, with the closest being Perrysburg which would be less than ours by 10% in our 3rd year. He knows Elyria has infrastructure needs we have to meet by 2028. But, he thinks we could reduce the percentage of aggression to this rate increase and maybe look at the 2030's for completion of some of this infrastructure. He worries that this increase is going to hurt the most vulnerable among us. He would like Council to consider this.

Mr. Oswald understands that there will be residents who will struggle, but the team has done a lot of work and they've looked at what is coming in and what the expenses are. They have to increase prices or we keep going into the hole. He struggles with making residents pay more money, but what do we do as a City when we can't pay our bills?

Mrs. Siwierka asked if we can get some gaging of what an average bill is going to be? She thought with just water and sewer was somewhere on either side of \$6 to \$8 increase per month and Sanitation is a separate flat \$5 increase. So the increase on bills would be somewhere between \$11 to \$13 per month?

Dir Pyanowski said, yes, that is his recollection as well and that was looking at an average of a 5 in the usage of the water.

Mrs. Siwierka said everyone should keep in mind of what the end of result is in the numbers.

President Stewart said there is a motion on the floor, should that be voted on?

Law Dir Deery said Council needs to address the motion that is currently before them, the motion to amend.

Mr. Cerra asked the Engineer what needs to be done in the next few years and how far back that could set us, by having a lessor amount of money?

Engineer Schneider said that is something they would have to plug into the model to really come up with a good answer. It would definitely set us back years.

Mr. Schneider asked about the Homestead Program and is it age restricted or income restricted?

Dir Pyanowski said residents who qualify thru homestead thru the County, that's how they qualify thru the City. And it's age related and disabled persons.

Mr. Lipian said that is in the higher bracket of the age range and doesn't benefit young families.

President Stewart asked for a vote on the amendment for a 10% increase for the next 3 years, a reduction from 15% to 10%.

Mr. Lipian said he would like to make a motion to amend the initial motion by substituting 10% for the rate increase for each year and that motion was seconded by Mr. Armstrong. Roll Call Vote is requested.

Callahan-Nay, Cerra-Nay, Armstrong-Aye, Oswald-Nay, Mitchell-Nay, Tollett-Nay, Lipian-Aye, Siwierka-Nay, Schneider-Nay, Stewart-Nay
Two Ayes and 8 Nays, the Amendment Failed

Mr. Tollett called for the question on the original motion which was seconded by Mitchell.
Roll Call vote on the suspension of the original motion....

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

SUSPENSION: Callahan-Aye, Cerra-Aye, Armstrong-Nay, Oswald-Aye, Mitchell-Aye, Tollett-Aye, Lipian-Nay, Siwierka-Aye, Schneider-Aye, Stewart-Aye
8 Ayes and 2 Nays, the Suspension Passed.

SUSPENSION:	EMERGENCY:	PASSAGE:
AYE: 8	AYE: 8	AYE: 8
NAY: 2 (Lipian, Armstrong)	NAY: 2 (Lipian, Armstrong)	NAY: 2 (Lipian, Armstrong)
ABSENT: 1(Davis)	ABSENT: 1 (Davis)	ABSENT: 1(Davis)
MOTION CARRIED	MOTION CARRIED	MOTION CARRIED

Law Dir Deery said the emergency failed, however, suspension and the ordinance itself passed.

No Committee Sponsorship

ORDINANCE NO. 2024-197

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH BRIAN K. BALSER CO., LPA TO REPRESENT THE CITY OF ELYRIA AGAINST COMPANIES CONCERNING THEIR ALLEGED MANIPULATION OF THE MARKET FOR INSULIN AND INSULIN-ANALOG DIABETES MEDICATIONS, AND DECLARING AN EMERGENCY.

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

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

14. ORDINANCES- SECOND READING:

Sponsored by: ORDINANCE NO. 2024-xxxx
Finance: AN ORDINANCE AMENDING SECTION 1131.02, CODIFIED
V. Stewart, III ORDINANCES OF THE CITY OF ELYRIA, OHIO, KNOWN AS THE
M. Lotko, III ZONING ORDINANCE, TO REZONE CERTAIN REAL PROPERTY
L. Tanner LOCATED AT BRUNSWICK DRIVE AND WEST RIDGE ROAD,
M. Madison ELYRIA, FROM B-N BUSINESS-NEIGHBORHOOD DISTRICT TO R-
J. Baird MD RESIDENTIAL-MEDIUM DENSITY DISTRICT, AND
DECLARING AN EMERGENCY.

President Stewart declared this Second Reading has been held.
Public Hearing is scheduled for January 6th, 2025 at 7:00 P.M.

Sponsored by: ORDINANCE NO. 2024-xxxx
Community AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT
Development: PURSUANT TO CHAPTER 1135 OF THE CODIFIED ORDINANCES
T. Callahan OF THE CITY OF ELYRIA, OHIO, TO RIDGE WATER LTD. FOR A
M. Jessie CLUSTER HOME DEVELOPMENT, AT REAL PROPERTY
J. Cerra LOCATED AT BRUNSWICK DRIVE AND WEST RIDGE ROAD,
M. Madison ELYRIA OHIO.

President Stewart declared this Second Reading has been held.
Public Hearing is scheduled for January 6th, 2025 at 7:00 P.M.

15. ORDINANCES--THIRD READING: None

16. COMMITTEE CALLS:

Community Development:
Monday 12/16/2024, Immediately following Council Meeting, All Referred Items
with Law Dir, SSD, Engineer, Building Official
(Council Chambers and Streamed Live)

Council/ Strategic Planning:
Monday 1/6/2025 at 7:00 P.M. and Following Full Council, All Referred Items
with Mayor, SSD, Finance Dir, Law Dir
(Council Chambers and Streamed Live)

17. MISCELLANEOUS AND UNFINISHED BUSINESS:

Mr. Armstrong wanted to send his gratitude out to everyone who has help guide him on his freshman year on Council and Happy Holidays to everyone.

Mr. Tollett said he wanted to take the high road on this regarding Mr. Lipian’s comments to the Law Department. During the course of the year, our Finance Dir puts out line items regarding the budget that are presented and approved by Council. Mr. Tollett would volunteer to work with Mr. Lipian so he knows how Municipal budgeting works so he can understand that Law Dir has a budget that she can work with which has been approved.

Mr. Lipian thanked Mr. Tollett and said he would like to extend his help to The Law Dir and President of Council to understand a definition of professionalism that includes not interrupting people when they have the floor.

Mrs. Mitchell said there is legislation that was laid before everyone this evening. She will make a motion to pass this legislation under suspension of rules and declare an emergency without the benefit of a committee report.

Clerk Lotko read the proposed Legislation:

No Committee Sponsorship

ORDINANCE NO. 2024-198

AN ORDINANCE AMENDING SECTION 165.07 (D) (1) OF THE CODIFIED ORDINANCES OF THE CITY OF ELYRIA, EFFECTIVE JANUARY 1, 2025, AND DECLARING AN EMERGENCY.

Mitchell moved, Siwierka seconded to pass this ordinance on its first reading under suspension of rules and declaring an emergency without the benefit of a committee report.

SUSPENSION:

AYE: 10

NAY: 0

ABSENT: 1(Davis)

MOTION CARRIED

EMERGENCY:

AYE: 10

NAY: 0

ABSENT: 1 (Davis)

MOTION CARRIED

PASSAGE:

AYE: 10

NAY: 0

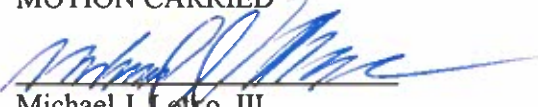
ABSENT: 1(Davis)

MOTION CARRIED

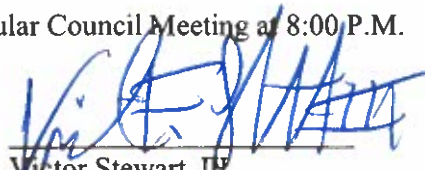
18. ADJOURNMENT:

Mitchell moved, Cerra seconded to adjourn the Regular Council Meeting at 8:00 P.M.

MOTION CARRIED



Michael J. Lotko, III
Clerk of Council



Victor Stewart, III
President of Council

