

PUBLIC HEARING

President Arredondo called the public hearing to order at 5:35 p.m. to discuss an application to rezone permanent parcel number 02-01-003-195-021 located on Apple Avenue from R-3 Residential to B-2 General Business to allow for retail. (ZCA-1-2019).

CLERK GREER announced the notice of public hearing was published in the local newspaper and abutting property owners were notified of this hearing by mail, all in accordance with the state statutes.

The Lorain City Planning Commission met on January 2, 2019 and recommended approval of this application to Lorain City Council.

President Arredondo called Mr. Eric Emery, from Tuckerman Development to the mic for an overview of the project.

ERIC EMERY, TUCKERMAN DEVELOPMENT: We are looking to rezone that unaddressed parcel on Apple Avenue to be consistent with the front three lots, which are zoned B-2. Right now, that lot is zoned R-3 and it is where the back of the drive-thru was and all the paving and trash and fence. We are looking to rezone that to B-2 so it matches the front lots. Then we can come back and start the design review process for a proposed retail building.

COUNCILMEMBER FALLIS: Can you describe the area that will be rezoned from R-3 to B-2?

MR. EMERY: The lot is currently the back part of the existing fast food drive thru. It is the paved area, up to the fence and where they had their trash enclosure. We would like to rezone that whole area and turn it from asphalt to 20 feet of green space.

COUNCILMEMBER FALLIS: I like the concept of a buffer and obviously that property is currently zoned R-3 but really has been used as B-2 in usage for the last thirty plus years. So, I would be in favor of getting that zoning switched or rezoned to B-2 for your project.

COUNCILMEMBER MOON: I have a gentleman that lives at 2704 Apple Avenue and there is blue fence there. Do you know who that belongs too?

MR. EMERY: I do not.

COUNCILMEMBER MOON: It is falling down and he is concerned about a business coming there and that fence not being there. How do we handle this fence?

MR. EMERY: We can take it down and replace it.

COUNCILMEMBER MOON: Do you know what kind of business you will bring in?

MR. EMERY: It will be a dry goods retail use.

COUNCILMEMBER SPRINGOWSKI: For clarification, it is not a Dollar Store right?

MR. EMERY: Correct.

COUNCILMEMBER FALLIS: Can you identify whether this is a national chain or locally owned dry goods?

MR. EMERY: It is a national brand, a Fortune 500 company.

COUNCILMEMBER FLORES: Do you have any numbers on job creation or what the project will cost?

MR. EMERY: For permanent jobs? Once it is open and operational, it will be 8-10 or 8-12 new jobs. For the construction, I really don't know right now what that will be. I don't want to say something that I would not know.

COUNCILMEMBER FLORES: We welcome investment and job creation to our community and I hope this works out for you.

COUNCILMEMBER MOON: I hope you do bring in jobs; that whole area from Walgreens, Rite-Aid and the new gas station going in. It is very nice and they are bringing in jobs. I also have a barber shop across the street and Mr. Howard has his electric company and Our Space, which just hired one of my friends who has a food truck. I hope you are honest with us by bringing jobs in and that is my ward. I hope that we can stay in touch with each other. Thank you and I wish you much success.

COUNCILMEMBER FALLIS: I appreciate your investment in our city. I appreciate you bringing in jobs to Lorain, Ohio. My last question, when would you be able to let us know the brand name of the company?

MR. EMERY: If this rezoning passes, when we came in for the design review process – at that point.

COUNCILMEMBER HENLEY: I have one question, will this be a franchise?

MR. EMERY: No, it is not a franchise.

PRESIDENT ARREDONDO: He stated this was for dry goods retail.

MR. EMERY: That means they are not selling liquor, or beer, or it is not head shop or adult business, etc.

PRESIDENT ARREDONDO: There used to be a television show where people in the audience could guess what things were, is there such a big top secret? Is it that you have not signed a contract yet?

MR. EMERY: No, if we don't get the rezoning, we will have to move to some place else. That is the only reason.

PRESIDENT ARREDONDO: The show was called "I got a secret." Any comments from the public? No comments from the public, I will go back to Council.

COUNCILMEMBER SPRINGOWSKI: I wish to welcome them to Lorain. I think this is very positive for Ms. Moon's ward. I wish to see more businesses relocate or locate in that area to be of service to the residents. Thank you for investing in the city.

COUNCILMEMBER CARTER: I also wish to welcome you to Lorain and thank you for choosing Lorain to have your business.

COUNCILMEMBER FALLIS: I have voted in the past to not rezone property from residential to business. In this particular instance, I do not see where the changing of this would really impede the values of the residential homes in the neighborhoods. I am in favor of that and obviously the property has really been used for business for decades. Once again, those are my reasons for supporting this particular rezoning.

There being no further comments, the public hearing adjourned at 5:53 p.m.

---

**REGULAR MEETING** President Arredondo called the regular meeting to order at 6:06 p.m. Chaplain Angel Arroyo led Council in the Prayer and Pledge of Allegiance.

**ROLL CALL:**

PRESENT - 11 Messrs. Koziura, Fallis, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Faga, Thornsberry.

ABSENT - 0 None. (Councilman Arroyo left the Chamber prior to adjournment.)

**DISPOSITION OF MINUTES:**

Moved by Mr. Koziura, supported by Mrs. Springowski, to dispense with the reading of the minutes and accept them as written. The motion carried unanimously.

**CORRESPONDENCE AND/OR COMMUNICATIONS FROM THE MAYOR:**

a.) Mayor's reappointment of Alan Zgonc to serve as a member of the Lorain Port Authority for an additional four year term concluding on January 8, 2023. Moved by Mrs. Springowski, supported by Mr. Koziura, to concur. The motion carried unanimously.

b.) Mayor's reappointment of Jeffrey Zellers to serve as a member of the Lorain Port Authority for an additional four year term concluding on January 8, 2023. Moved by Mrs. Springowski, supported by Mr. Koziura, to concur. Moved by Mrs. Springowski, supported by Mr. Koziura, to concur. The motion carried unanimously.

REMARKS: PRESIDENT ARREDONDO: Welcome back Mr. Mayor and welcome to fatherhood.  
MAYOR RITENAUER: Thank you and it makes this job a lot less meaningful that is for sure. It is still meaningful but definitely not number one on the list anymore.

Thank you and I do appreciate everyone's well wishes either on Facebook, Twitter, text, letters, etc. The only thing I have tonight is the State of the City will be one week from this coming Thursday. It will be held across the street at the Antlers this year. I think the Chamber of Commerce has sent out emails. If you are interested in attending and have not gotten one, you can contact the County Chamber of Commerce or give my office a call. Again, my sincere thanks to everyone again for the well wishes.

**CORRESPONDENCE FROM DIRECTORS, BOARDS AND COMMISSIONS, ETC.:**

- a.) Auditor Shawver's submission of the City of Lorain's revised Credit Card Policy, per House Bill 312. Moved by Mr. Fallis, supported by Mrs. Springowski, to receive and file. The motion carried.

**CORRESPONDENCE FROM OTHER GOVERNMENTAL AGENCIES:**

- a.) Ohio Dept of Liquor Control's notification of a new C1 permit application for Family Dollar Store @ 1820 Broadway, Lorain, Ohio. Moved by Mr. Flores, supported by Mrs. Springowski, to authorize the clerk to notify the board that no objections have been received. The motion carried with Messrs. Arroyo and Moon. The motion carried.
- b.) Ohio Department of Liquor Control's notification of a D4 transfer permit application from Westlake Yacht Club @ 485 California Avenue, to the Westlake Yacht Club @ 108 Alabama Avenue. Moved by Mr. Flores, supported by Mrs. Springowski, to authorize the Clerk to notify the board that no complaints have been received.

REMARKS: SAFETY/SERVICE DIRECTOR GIVEN: We wish to advise Council that this matter is an agreement with the two yacht clubs attempting to team together and bring their liquor license to their facility. There currently is not a lease that has been finalized yet. We are having discussions with the Port Authority, the City, the Westlake Yacht Club as well as the other yacht club. We are not quite sure that any of this is allowable at this point in time; I am not sure that we should be telling the Ohio Division of Liquor Control what the motion was. I would recommend that we sit on this for two weeks to see if we can't figure out the legal aspects of it.

COUNCILMEMBER SPRINGOWSKI: In light of the information just provided, I would move that we table this matter until they have a verifiable lease in place and this situation worked out.

COUNCILMEMBER FLORES: I agree with the Safety/Service Director's comments and support Mrs. Springowski's motion. The motion carried unanimously.

**CORRESPONDENCE FROM THE GENERAL PUBLIC:**

- a.) Email correspondence received from John Spondike on February 12<sup>th</sup>. He is requesting an opportunity to address the body for a few moments on a flooding issue occurring in Camden Ridge behind Cornerstone Farms. Moved by Mr. Thornsberry, supported by Mrs. Springowski, to rise to a point of privilege and allow Mr. Spondike to address the body. The motion carried.

REMARKS: JOHN SPONDIKE, 4324 Santana Way, Camden Ridge Development, Lorain: Thank you for this time. We built our home in 2004 and have been there nearly 15 years. In May of last year after the development of Cornerstone had started, we took some videos and pictures and shared it with the community. There was an extensive amount of water that was draining properly yet it was draining north into the woods behind my home and flooding the properties to the north and south of me, including mine. We made this known to Mr. Thornsberry and some other members and when it happened about eleven days later, we received a letter from the developer that we had a structure on their property and they asked us to remove it and we did it within thirty days. They gave us two months and we did it within thirty days out of respect for the fact that the prior owner didn't mind that we had a little retaining wall there. We are compliant with their request. They later dug out a ditch; a little bigger than what was there. It did carry more water but it didn't solve the problem. Many months went by and the rains went by and more people came out to look at it, different folks from here and the builder and

then a ditch was created in the woods that carried water towards the far west side of the woods. That ditch is completely full of water from beginning to end. Just two weeks ago, I went back out into the woods with the heavy rains that we had, and all of these pictures and videos are on Google and I shared them with some city council members. You are all welcome to look at them. The water is running the way that it is supposed to, the ditches and the structure of where they are running the water cannot hold the amount of water that is flowing. That water is running north and right into their wetlands behind my home and then they are filling our back yards. After a few days, they are draining where they are supposed to. I don't have a problem with what the EPA or Army Corp of Engineers has done. The fact is that the structures that are there, the ditches and the way it is not able to hold the amount of water that is flowing behind our house. I would request that someone get out there to look at it and help us out so that way our back yards are into ruined. My landscaping and everything is running to the north and all flowing into my yard. The shed is sinking down into the ground, there was water back there as it was but now the amount of it, my structures are sinking, my neighbors are getting flooded and we have a retention area on the north end of Camden Ridge. It is a swamp is what it is. Everyone's yards, the street, it is all flowing in there. For the most part, we all have moist back yards but now we are all flooded. I would appreciate it, I enjoy my neighborhood and my neighbors and I have no intention on leaving the area but if just something could be done to help out with this water effort and move the water to the retention ponds away from Camden Ridge. Thank you very much for your time.

COUNCILMEMBER FLORES: Who is the developer?

MR. SPONDIKE: It is Cornerstone Farms.

COUNCILMEMBER FLORES: You corresponded with him on removal of the retaining wall?

MR. SPONDIKE: Last May, when we brought the attention that the water was running through our yards, then a few of us along the property who had structures on that property, we got these letters to remove whatever structure we had on their property.

COUNCILMEMBER FLORES: Has there been any other correspondence since this has transpired?

MR. SPONDIKE: Through mail, no there has not. There was a project manager in the woods behind my house that I went out and spoke with. He was simply looking around the area.

COUNCILMEMBER FLORES: How long has it been since the time you received the letter asking to remove the retaining wall to the present?

MR. SPONDIKE: Last May, I shared a few emails with .....I have not heard anything or spoken with anyone from the develop since then.

COUNCILMEMBER FLORES: Has your basement flooded?

MR. SPONDIKE: Fortunately no but I do have water coming up to my back porch. We all have walk out basements so my back yard is eight feet lower than Santana Way, the road. It is naturally going to go there but praise the Lord my basement is dry. The neighbors basements have flooded. I heard on Facebook and I don't know the numbers but there has been at least 2 – 3 that mentioned their basements have carried water. A gentleman here just told me his sump pump is running everything 30 – 45 seconds.

COUNCILMAN KOZIURA: I think this should be referred to the administration for them to work with engineering and look at this and solve it for this gentleman. I will yield to Mr. Given.

SAFETY/SERVICE DIRECTOR GIVEN: Engineering Dept. Dale Vandersommen is aware of the situation and he gave me a brief explanation of it this morning. He said he will be getting us more details on what is occurring there so we have some hard data to understand.

COUNCILMEMBER FALLIS: This is a situation that could be impacting someone's investment. I respectfully ask that this be a priority and you please move as quickly as you can to get answers for these folks.

PRESIDENT ARREDONDO: I wish to thank Mr. Spondike and Council for allowing him to speak and we will follow up with this.

**COMMITTEE REPORTS:** None

**LEGISLATION – FIRST READING:**

Resolution No. 3-19 a.) Introduced by Mr. Faga, a resolution authorizing the Director of Public Safety/Service to apply for, accept and enter into a contract on behalf of the City of Lorain for the construction of the Planned Active Transportation Plan/Safe Routes to School (SRTS).

Moved by Mr. Faga, supported by Mr. Thornsberry, to suspend the statutory three reading rule.

AYES - 11 Messrs. Fallis, Koziura, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Faga, Thornsberry.

NAYS - 0 None. The rule was suspended.

Moved by Mr. Faga, supported by Mr. Thornsberry, to pass the resolution.

REMARKS: COUNCILMAN FALLIS: Safety is job one in anything so I am really happy to see that we have an opportunity to get some grant money in our city to make it safer for the students and the community at large to walk our city in a safer manner. Great job to everyone who has worked on this project and hopefully we will get that money and get this project done. COUNCILMAN FLORES: I see our documentation is from December 2017. Is there a more recent update status? Are we in the application process now?

SAFETY/SERVICE DIRECTOR GIVEN: Engineering has been working on this, it is for the replacement of sidewalks which definitely impact the children walking to and from school. We have an application due date of March 5<sup>th</sup>. We need to pass this so we are able to get it in on time and hopefully gain the grant.

AYES - 11 Messrs. Fallis, Koziura, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Faga, Thornsberry.

NAYS - 0 None. The resolution passed.

Proposed Resolution b.) Introduced by Mr. Koziura, a resolution expressing the support of the Lorain City Council for the efforts of the Lorain City School Board to promote the interests of the students of the school system and to urge the Chief Executive Officer of the Lorain City Schools to work with the Lorain City School Board of Education.

REMARKS: COUNCILMAN KOZIURA: I wish to move to suspend the rules with comments. This is a resolution that I think needs to be passed by this body. We have had problems with the school system, we cannot deny that. This legislation that was devised by the Ohio Legislature was probably the worst piece of legislation I could ever recall and I spent twenty years in the Ohio Legislature. It was added on with no hearing, added onto a bill. Legislation of this magnitude – it is almost an embarrassment that this happened. This is a \_\_\_ that I believe that is gaining strength throughout the country and it is a plan to get rid of the public school system as we know it and turn it into a for profit – I really believe that, strongly. But in this case, I really encourage the CEO of the School System to meet with the Lorain City School Board on a regular occasion. I understand there may be a problem by himself coming to a say “public meeting” and sometimes being inundated with all kinds of remarks and innuendos and things like that, I do understand that. We sometimes have that problem here believe it or not. This is something that I believe is really important to us. I believe this gentleman needs to sit down with the school board. The school board also needs to sit down and work with him and solve this problem to be able to make this a better school system for all. Hopefully, the real problem in all of this situation is that hopefully the parents get involved. The parents are taking care and making sure their kids are getting an education because it all starts at home.

COUNCILMEMBER KOZIURA: I move for suspension of the statutory three reading rule.

COUNCILMEMBER FALLIS: I am not sure if this is the appropriate time or not but I would like to make a motion to put this on the table and I will explain why.

PRESIDENT ARREDONDO: Will you second Mr. Koziura’s motion?

COUNCILMEMBER FALLIS: No, I have another motion.

COUNCILMEMBER THORNSBERRY: I will second Mr. Koziura's motion.

REMARKS: COUNCILMEMBER THORNSBERRY: I enthusiastically second this motion. I am looking at the resolution now. If I felt like this legislation was written in a way that it was blaming one party or the other, I would not support it. I do not feel like this ordinance does that. In Section 1, it states "That the CEO of Lorain City Schools and the members of Lorain City School Board immediately cease all acts of public disharmony and engage in the work of educating the students for Lorain City Schools," This does not place the blame on anybody. This is us telling them to grow up and start acting like adults and let's do what is best for our kids. This is also our chance, as City Council, to back what our Mayor is trying to do also in his role in this whole situation, which is to get all these guys together and put all the egos aside and start doing what is best for kids. As a public school teacher, I have very, very strong feelings about HB 70 but that is neither here nor there. I think we have to look at the ordinance before us and as soon as we can get everyone working together, I think we can definitely improve the experience for our kids. That is why I support this.

PRESIDENT ARREDONDO: We have a motion with a proper second. Please vote.

AYES - 8 Messrs. Koziura, Henley, Flores, Argenti, Moon, Arroyo, Faga, Thornsberry.

NAYS - 3 Messrs. Fallis, Springowski, Carter. The rule was not suspended and the resolution moved to a Second Reading. *(This item was reconsidered under Miscellaneous Concerns and passed, see item (f)).*

Ordinance No. 20-19 c.) Introduced by Mrs. Springowski, an ordinance adopting the recommendation of the Lorain City Planning Commission to approve the request for the reclassification of the parcel of real property located on the west side of Apple Avenue, approximately 150 feet north of W. 28<sup>th</sup> Street and assigned permanent parcel # 02-01-003-195-021 by the Lorain County Auditor as described in Exhibit A, attached hereto, from R-3 Residential to B-2 General Business.

Moved by Mrs. Springowski, supported by Mr. Fallis, to suspend the statutory three reading rule.

AYES - 11 Messrs. Fallis, Koziura, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Faga, Thornsberry.

NAYS - 0 None. The rule was suspended.

Moved by Mrs. Springowski, supported by Mr. Fallis, to pass the ordinance.

AYES - 11 Messrs. Fallis, Koziura, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Faga, Thornsberry.

NAYS - 0 None. The ordinance passed.

Ordinance No. 21-19 d.) Introduced by Mr. Koziura, an ordinance authorizing the Mayor and Lorain City Council to waive any and all fees required by the City of Lorain Codified Ordinances associated with the construction and/or remodel of various city-owned properties in the City of Lorain.

Moved by Mr. Koziura, supported by Mrs. Springowski, to suspend the statutory three reading rule.

AYES - 11 Messrs. Fallis, Koziura, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Faga, Thornsberry.

NAYS - 0 None. The rule was suspended.

REMARKS: COUNCILMEMBER FLORES: Do we have a total cost of those fees?

SAFETY/SERVICE DIRECTOR GIVEN: I do not have that in front of me at this point in time. Please realize that the city will be paying the fees to our self. We will be charging the fire department for a building fee and then the city will be issuing the check to itself to pay said fee.

Moved by Mr. Koziura, supported by Mrs. Springowski, to pass the ordinance.

AYES - 11 Messrs. Fallis, Koziura, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Faga, Thornsberry.

NAYS - 0 None. The ordinance passed.

Ordinance No. 22-19 e.) Introduced by Mr. Faga, an ordinance authorizing the Safety/Service Director to enter into a contract with the lowest, best and most responsive bidder for roadway rehabilitation for E. 34<sup>th</sup>, Livingston and 10<sup>th</sup> Streets, being funded by Community Development Block Grant funds within the City of Lorain.

Moved by Mr. Faga, supported by Mrs. Springowski, in Section 1, to delete "E. 34<sup>th</sup> Street between E. 41<sup>st</sup> to Homewood and insert "***E. 34<sup>th</sup> Street between Clifton to Dallas.***" The motion to amend carried unanimously.

Moved by Mr. Faga, supported by Mrs. Springowski, to pass the ordinance as amended.

AYES - 11 Messrs. Fallis, Koziura, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Faga, Thornsberry.

NAYS - 0 None. The rule was suspended.

Moved by Mr. Faga, supported by Mrs. Springowski, to pass the ordinance as amended.

AYES - 11 Messrs. Fallis, Koziura, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Faga, Thornsberry.

NAYS - 0 None. The ordinance passed.

**LEGISLATION SECOND READING:** *(none)*

**LEGISLATION – THIRD READING:**

Ordinance No. 23-19 a.) Introduced by Mr. Argenti & Mrs. Springowski, an ordinance changing the name of "All Pro Athletic Avenue" to "Silver Maple Way" in the City of Lorain, Ohio.

Moved by Mr. Argenti, supported by Mrs. Springowski, to pass the ordinance.

AYES - 11 Messrs. Fallis, Koziura, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Faga, Thornsberry.

NAYS - 0 None. The ordinance passed.

Ordinance No. 24-19 b.) Introduced by Mr. Koziura, an ordinance authorizing and approving a fourth amendment to the Development Agreement by and among the City of Lorain, Ohio and Spitzer Great Lakes Ltd. and Zaremba Black River Development and declaring an emergency.

Moved by Mr. Koziura, supported by Mrs. Springowski, to pass the ordinance.

AYES - 11 Messrs. Fallis, Koziura, Springowski, Henley, Flores, Carter, Argenti, Moon, Arroyo, Faga, Thornsberry.

NAYS - 0 None. The ordinance passed.

**COMMITTEE CALLS:** A Finance/Claims & All Council Committee has been scheduled for Monday, January 25, 2019 @ 6 p.m. to discuss the final numbers for 2018 and carryovers.

A Public Hearing has been scheduled for Monday, March 18, 2019 @ 6 p.m. to discuss an application to the codified ordinances to allow for mini storage facilities in B-2 and B-3 districts as conditional uses.

**MISCELLANEOUS CONCERNS FROM COUNCIL:**

REMARKS: COUNCILMAN FLORES: At 518 W. 18<sup>th</sup> Street, our Korean War Veteran Mr. Tyler – may he rest in peace. The contents of that property have been on display in the front yard for quite some time. What is the status of that property? Have you been able to locate and cite the property owner? It has been a very long time and I am concerned. There is a collapsed garage on top of a vehicle, the couch and junk and debris on the front lawn. I have been reporting this for quite awhile.

SAFETY/SERVICE DIRECTOR GIVEN: I will send you an email tomorrow with the details.

COUNCILMAN FLORES: There is a pothole on Lorain City Property in back of the Palace between 637 and 651 Broadway. We received some information regarding that huge pothole there. I would like to see that addressed and rectified.

COUNCILMEMBER SPRINGOWSKI: Do we have an update on the Eagles Building? I wish to commend the city for getting out there so quickly. We had a Democratic Women's Meeting that night and the street department personnel were very gracious making sure some of the older ladies had close places to park.

SAFETY/SERVICE DIRECTOR GIVEN: The Palace Board finally received written correspondence from their structural engineer. I forwarded a hard copy to the fire marshal and our CBO. There has been discussion and the report states that there are no structural integrity issues with the building but there will be some sort of need for the short-term until the current or future owners are rehabbing the building. They will have to do some sort of structural netting at the top to ensure something does not continue to happen and water were to get behind it and cause a brick or piece of façade to fall. It is being reviewed this week and we hopefully will have a clear course of action going forward. We plan to keep the sidewalk and alley closed until further notice.

PRESIDENT ARREDONDO: I was a little dismayed tonight because we did not discuss the legislation regarding the School Board with Council. Over the weekend, I received a call from Mr. Hardy, the CEO. I spoke with him face to face at the Difference Makers Awards and he asked me about this legislation. I told him basically what Mr. Koziura stated and other comments by Mr. Thornsberry that this is nonsense what is going on. We know it is not a good situation; these are the cards that we were dealt but I have never seen any type of communication when someone does not come to the table. The Mayor went publically last week at the meeting, he went there asking him to come to the table. This is not high school or junior high; this is your talking to the future of Lorain City Schools. The business community is only as good as our school system. We keep talking over the years about economic development and bringing in businesses. You can look at any charter or any successful community, the first thing they look at is the kind of schools do you have for my workforce, my students. Eighteen months is a long time this gentleman has been here and there is no way, shape or form that we should have to accept this. We are adults and when he spurned the Mayor who is the CEO of this city, by saying "thanks for the invite but no,". I told him point blank on Friday, face to face to get to the table. Once again, just to let you know where I stand, where the Mayor stands, I know where a lot of council members stand – other than those who did not support it tonight. We will be discussing this again; we have to get this resolved because we hear – "It's for the kids..." I am not sure if you know this but there have been eight (8) teachers this year that have left their jobs because of what we call back in the day, a nervous breakdown. They could not take it anymore. That is not to say that other who have maybe not gotten to that point but there is a lot of stress. As Mr. Koziura stated, it was the worst bill that was ever passed. That is over and done with and we must deal with it now so just keep that in mind.

LAW DIRECTOR RILEY: Just for information sake, Mallory Santiago and I will begin our responsibilities this Tuesday evening. In a manner of speaking, the city is devoting resources to the school board and to the issues that are relevant there. She and I will be commencing our responsibilities there on Tuesday night, we have been invited to the board meeting and expect to be asked to be at the table and provide legal services as we are required.

COUNCILMEMBER SPRINGOWSKI: In response to this, I was one of those people that voted against us passing this resolution. There was a letter written that stated - recently, the Lorain School Board passed a resolution expressing no confidence in the School District Appointed Chief Executive Officer David Hardy. If the issue of the school status was not so serious, their actions would be considered as funny. This action also raises some questions. Who is in charge of the Lorain Schools when they were placed in academic distress? Why were the schools placed in academic distress? Why has it taken over two years, at the time this letter was written, for the board to research the law which was passed in 2015 that allowed the state to place the schools in academic distress? When the voters in the Lorain School District were disenfranchised, why did the board, by their inactions, fail to protect the voters, the taxpayers? Surely this law, HB 70, could have been challenged as unconstitutional at that time. As stated previously, the citizens were disenfranchised by HB

70. I always thought that being on the school board was meant to do more than merely convey its status upon members of the board. Now it comes to a point in time where we are being asked to politicize this. I don't care if we all get in our cars and drive to the state and address this at the state level. I support the Mayor and if this resolution had been commending the Mayor for trying to mediate this custody battle of our schools, I would have absolutely supported it because I do support the Mayor in this but I will not support this tit for tat between the school board and the CEO. They are both acting like children. We all need to get the state people involved in this and have them come up and have Hardy tell them no. At that point, we cannot be dragged into it because we cannot do anything with this if he is not meeting with us. He has said to me three times already, "I will get with you and we will have a meeting and sit down and talk" and he has failed to follow through. I am a little tired of his antics as well but I am also tired of the antics of the school board. Why did our schools get into this position in the first place? If we want to discuss that rhetoric right now, I am very willing to sit down and listen to this because there is enough blame to go along. Who gets held hostage in the meantime? It is the children and the teachers. I am not going to take the side of school board and I am not going to take the side of the CEO but I will take the side of the teachers and the kids.

COUNCILMEMBER ARROYO: I was basically going to say the same thing. I think this is silly. I don't understand why we don't have a resolution going after the Mannings – I am not going to throw Joe Miller under the boat because he has only been in there for a few weeks but this is a state issue. I don't agree with what Mrs. Springowski stated about Mr. Hardy because me and him have had an open relationship since he has been in. I do not agree with him not meeting with the teachers or the kids, I think it is ridiculous. I also think it is ridiculous the media mayhem that is coming to the schools over the past school year. I literally spent at least two and a half months in the school day for day speaking with kids, seeing the kids and talking with the kids and classes and I have not seen the chaos that at the time the School Board President, Mr. Dimacchia, was talking about. I am not saying it was not happening because there was some stuff happening but I think this is starting to get out of control. We are basically just throwing something out there when we should be throwing it at our state legislatures because this is their responsibility and a state issue and we need to stand behind our state legislator and continue to push them to do what they have to do in defending our people and our kids. At the same time, we have to be able to defend our students and our teachers. I support what they said by keeping it out of the media because our school is not as out of control as what the media puts us out there to be. I am not saying there are no issues but Hardy needs to stand up and meet with our children and the school board needs to continue to go beyond Mr. Ballard and walk with him. I know that since he has been in, he has been meeting with Hardy and so they need to continue to follow their leadership that they have and we need to be able to work together.

COUNCILMEMBER MOON: I am in that school system working. We are so busy fighting with each other that we are forgetting about the students. I had one student; she is a slicer and commits suicide. When we have literacy nights at the school, I never see any of them there. We are talking and talking but we need to get in there and volunteer. When I hear "it starts at home" there are some perfect kids out there and let me tell you there is a mother and a father and those kids can act up. It is not always the parents and every parent is not raising a child, I have great grandmothers and grandmothers and children raising their little sisters and brothers, etc. Instead of us arguing amongst each other, get into the school, go and read to those kids. My second grade teacher has trouble with thirty kids in a room, get out in the community and start doing things. Be a doer and not a talker.

COUNCILMEMBER ARGENTI: I wholeheartedly support the resolution we had tonight and all of our efforts to quell this whole situation but one thing to keep in mind regarding Mr. Hardy is that he has not and he will not meet with whoever because, quite simply, he does not have to. He was sent here from Columbus and he reports to Columbus and he does not report to anyone here. That is really the bottom line. We need to pursue this thing legislatively, through our state representatives, the Governor, a public relations push and things of that nature to get HB 70 taken off the books. It has to be done legislatively because he has no skin in the game as far as meeting with us and he won't.

PRESIDENT ARREDONDO: That is obvious because he does not even live in the community.

COUNCILMEMBER CARTER: I would like to say to the Mayor that I do support you and I support a portion of the resolution. I support harmony but there are a lot of unanswered questions regarding this House bill. That is why I wanted to table it. I wanted it tabled because there are questions that need to be answered. I want to know when Tony Richardson is going to be replaced. Why not wait until that person replaces him and then we have the commission go to the board. Ultimately, it really does not belong here but if it does, I need you to explain why it belongs here at this Council when it is really a school board issue and it is a big issue. Help me understand.

COUNCILMEMBER FLORES: As a Councilmember, I support the resolution and the efforts of the Lorain City Schools to promote the interests of the school district and the students. As Mrs. Carter stated, we have some missing personnel, not everyone is there at the table. Do they plan to replace Mr. Richardson? Maybe when and if they replace Mr. Richardson that we can come back and have that discussion that we are talking about. I do support the resolution and we just need to make sure all the pieces of the component with the Distress Committee and those missing members are there at the table as well.

COUNCILMEMBER HENLEY: I support the resolution. Saying that though, I think it is a shame that it had to come to this. There is no city that will ever thrive with a poor school system. I have been in the housing industry for many, many years. The first question as Mr. President stated, that people have is what the school system is like. Right now, we don't have a good answer for that so we need to continue to work together. No city will ever thrive with a system like this. You can't bully your way to success and I understand that Mr. Hardy was appointed by the state but it takes a concerted effort. I disagree; Dr. Hardy is accountable to more than the state. He is accountable to every child in the school system and the school board is accountable to every child in the school system. I think they all need to check their egos at the door, get it together, sit down and start acting like the adults that they are and role models to these kids. They need to act like adults and like the leaders that they should be. Thank you.

COUNCILMEMBER FALLIS: My position on this and I agree with my fellow councilmember's comments. I think all parties involved just need to stop speaking words that create division and start speaking words that build bridges to get our school district where it needs to go. In essence, I support the resolution but I don't support it at this time and I would like to say why. Typically, in a business environment you will have the CEO, the President and they typically work with the board chair and set an agenda. Right now, the Academic Distress Commission does not have a board chair. So, my thought on it is that to get that position filled, Hardy can work with that Academic Distress Commission Chairman. Hopefully, there will be a different dynamic where the school board can work with the Academic Distress Commission and Dr. Hardy to make some significant progress. I think that doing this right now is not the right time. I would say that once that position is filled, the Academic Distress Commission Chair, we should bring this resolution back and vote at that time. I hear you but I think things need to get in place before we put that forward. Thank you.

MAYOR RITENAUER: Definitely some interesting comments tonight. It is really not my style to enumerate publically every issue that I have with what is going on so I am not going to do that. If you have noticed, in the past year and a half, I have not gone to the newspapers and taken shots at Mr. Hardy at all. I think HB 70, as Mr. Koziura stated is a deeply flawed bill. At its root, it is designed not to work. How do you run a school district with zero local control, with zero local participation? You do not. Look at Youngstown and I will tell you that East Cleveland, they will be next. What you have going on is Dayton is approaching falling under 70, Columbus in two to three years, Lima, Akron potentially and any really big school district – this thing is structured so that every urban school district eventually is going to fall into it. It is untenable and the state is not going to be able to run all of these school districts. Mr. Argenti's point – legislatively, for me it is all of the above. We have to think legislatively at the state level as well but in looking at this in totality, we have to also think locally. Mr. Hardy is accountable to the Academic Distress Commission,

the problem there though is that three of the five people on that commission are appointed by the state superintendent who is appointed by the state school board who half of them are appointed by the Governor so at least there is some accountability there. My point is, the CEO is appointed by an appointed board whose majority is appointed by another appointed official. Too many appointments and not enough direct responsibility to an electorate. I think that is a real problem regardless of which side of this you are on. Whether it is the school board or Hardy or maybe you don't even have a side; the issue is accountability and where is it? I can say right now, resolution or not, if nothing changes, this school district is on a path to destruction. It is just the way it is. If a renewal levy does not go on the ballot...take a look at the five year forecast from the school district and see where those cuts are coming from – the personnel budget. How are they going to be able to pay teachers to teach if they do not get this much needed renewal levy? On the flip side, the question becomes, “how can I be confident about a renewal levy when we are not even getting the information that we have requested time and time again?” That is why I requested a meeting of all people, I still think there is time for Mr. Hardy to do the right thing and I am hopeful that he does do the right thing. One thing that aggravated me and still does is the fact that the three appointments from the state are from the state superintendent. The school board gets an appointee which is Mr. Cawthon, I have an appointee which is Ms. Conibear. There are five members of the commission, they all should be rated equal, and they all have equal responsibility. But when the Mayor's appointee and I don't care whether I am the mayor or somebody else is, when the Mayor's appointee is told she comes from a place lacking purity, she is not basically continuing with the mantra and the viewpoint that I want her to and personally attacks her for requesting information that should be readily available – I got a real problem with that and all of you should as well. In one way or another, you voted in the mayoral election, which is this community's seat, the one seat that has some kind of accountability to it. What I am saying is that resolution or not, we all need to be very concerned about what is going on. I will end with this, some of the comments about what is happening in the schools, what is being dramatized by the media, I am in communication daily with people involved in this situation as well as our police department. I will say that in my discussion with the Chief of Police, there are some concerning things going on that we are going to need to address. This is not a situation where everything is as the media portrays or things are just wonderful. Usually the truth is in-between. What I am saying is that what is happening, the videos that you are seeing in our schools are serious and as your Mayor, the police department is taking them very seriously and will continue to do so. With that, again we visit it or don't revisit it, I am going to continue to push for the joint meeting, I think it is important. Mr. Hardy has my contact information and I hope he eventually does do the right thing.

COUNCILMEMBER KOZIURA: I thank you Mayor, the city's perception is out there and we battle that enough. The schools are the number one perception that affects our future growth. For anybody to think that there will be a difference that anybody that replaces Mr. Richardson will make a difference. Until we can do something about that legislation... and Joe Miller is not going to be able to do anything. Nothing to personally reflect anything about his capabilities because I think 63 to 30 something in the House and the Senate is even worse. I once again say this resolution, Section 1, the CEO of Lorain City School and the members of the City Schools Board of Education immediately cease all acts of public disharmony....both of them. It does not say Mr. Hardy and it didn't say the board. It is about time they engage in the work of educating the students of Lorain City Schools in an open and cooperative spirit as the resolution states. What makes more sense than that? This is not a political resolution, this is not an accusation of any party, this merely states that as city fathers we have to look at the schools and the responsibilities and the reception for this community to grow and become the city we hope to be. I hope that we relook at this in two weeks and pass it.

COUNCILMEMBER FAGA: Before I second that, I don't want to wait two weeks. I would like to ask whoever was in opposition to please bring this back to the floor so we can

discuss it openly again. As others have stated, and I think I heard almost every council member here say they support the resolution or they support the Mayor. This is from the Mayor, we are just asking the school board and the CEO to please sit down and start to work together for the better good of the community and the students and the teachers.

**RECONSIDERATION:** Moved by Mrs. Springowski, supported by Mr. Argenti, to reconsider item 9- b, the resolution promoting the interests of the students and the school system and urging the CEO and school board members to work together, which was sent to a Second Reading.

AYES - 10 Messrs. Fallis, Koziura, Springowksi, Henley, Flores, Carter, Argenti, Moon, Faga, Thornsberry.  
ABSENT - 1 Mr. Arroyo. (Mr. Arroyo left the meeting at approx. 6:48 p.m.)  
NAYS - 0 None. The motion to reconsider carried unanimously and Clerk Greer reread the caption.

**LEGISLATION – FIRST READING:**

Resolution No. 4-19 b.) Introduced by Mr. Koziura, a resolution expressing the support of Lorain City Council for the efforts of the Lorain City School Board to promote the interests of the students of the school system and to urge the Chief Executive Officer of the Lorain City Schools to work with the Lorain City School Board of Education.

Moved by Mr. Koziura, supported by Mr. Argenti, to suspend the statutory three reading rule.

AYES - 10 Messrs. Fallis, Koziura, Springowski, Henley, Flores, Carter, Argenti, Moon, Faga, Thornsberry.  
ABSENT: 1 Mr. Arroyo.  
NAYS - 0 None. The rule was suspended.

**REMARKS:** COUNCILMEMBER CARTER: I just want to make it clear because I feel like I have a lot of stake in this as I have a child who attends Lorain City Schools. I want harmony, I want everyone to sit at the table and discuss this even though I know it is not going to happen because Hardy does not have to come to the table. I support harmony but I know he is not coming. I support our Mayor and what he is trying to do in bringing some unity to this area so that we can eliminate this negative press. If you can please come back and let me know when Tony Richardson’s position is to be filled, I would like to know that.

COUNCILMEMBER SPRINGOWKSI: I would ask the Mayor to please forward this information to the state superintendent. He needs to realize what is going on because he is the state superintendent and a copy of this should also be sent to Governor DeWine. He is responsible for many appointments and he needs to realize they are not working. He is still answerable to the residents of this City and the State. I ask that all of that correspondence be forwarded immediately.

MAYOR RITENAUR: Whether it is Governor DeWine or whether it is the state superintendent, I have spoke to any number of members of the administration as well as the state superintendent and our legislators and other state-wide elected officials. This is something that we are working on locally as well as at the state level. To Mrs. Carter, just because as a leader you can does not mean you should. Just because you might not need formal authority does not mean that informal authority or support from the Mayor of this City or the Chief of Police, the business community, etc. to put a levy on the ballot is not necessary. So, the idea that he doesn’t need us; I fully understand that but he does need us. He doesn’t need the school board but he does need the school board and this why again, just because you can doesn’t mean you should. Just because you can keep them out of every discussion doesn’t mean that you should not. Because you can keep them out of every discussion does not mean that you should because guess what, at some point you will need them to support you. That type of collaboration and harmony has to start somewhere.

COUNCILMEMBER MOON: Who is the young “Save the Village” group? Because they are running me down every place I go these young ladies. Who are they and where do they come from? They are very bitter women and when we go to meetings, they really stir up things. They chase me down every place I go. Can someone please tell me who that organization is and where they come from? I need to know.

**PUBLIC HEARING/**

**REGULAR MEETING\*LORAIN CITY COUNCIL\*COUNCIL CHAMBER\*LORAIN, OH \* FEBRUARY 18, 2019**

MAYOR RITENAUER: It is a parent group. On social media, my email – look I have people from all corners of the state tagging me on things about what is going on with this and worrying about who is next. To Councilman Koziura’s point, I think the saving grace in all of this is that 70 will start hitting Republican areas of the state and that is going to start to turn some heads I believe.

COUNCILMEMBER MOON: What they are doing is making this into a black and white thing, this group of women. I was out eating lunch and they were so negative. Someone needs to pull them to the side and talk to them because they are really making it into a black and white situation and I have had enough of them. I almost went to jail the other day on them.

Moved by Mr. Koziura, supported by Mr. Argenti, to pass the resolution.

AYES - 10

Messrs. Fallis, Koziura, Springowski, Henley, Flores, Carter, Argenti, Moon, Faga, Thornsberry.

ABSENT - 1

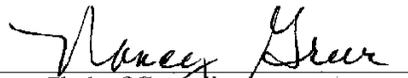
Mr. Arroyo.

NAYS - 0

None. The resolution passed.

**ADJOURNMENT:**

Moved by Mr. Koziura, supported by Mrs. Springowski, to adjourn. The motion carried and the meeting adjourned at 7:15 p.m.

  
Clerk of Council

\_\_\_\_\_  
President of Council

Approved On: March 4, 2019