



# **LORAIN CITY COUNCIL**

## **Regular Meeting Agenda**

### **Monday, September 15, 2025 @ 6:00 p.m.**

1. **OPENING OF COUNCIL:** Prayer and the Pledge of Allegiance.
2. **ROLL CALL:**
3. **DISPOSITION OF MINUTES: None.**
4. **CORRESPONDENCE AND/OR COMMUNICATIONS FROM THE MAYOR:**
  - a. Swearing in of newly appointed Lorain Police Chief Michael Failing.
5. **CORRESPONDENCE FROM DIRECTORS, BOARDS, COMMISSIONS, ETC.: None.**
6. **CORRESPONDENCE FROM OTHER GOVERNMENTAL AGENCIES:**
  - a. Correspondence received from the Ohio Division of Liquor Control advising of a New, D5 permit application for 180 Place LLC at 1804 E. 28th Street, Lorain, 44055. (6th Ward)
  - b. Correspondence received from the Ohio Division of Liquor Control advising of a New, D5, D6 permit application for 180 Place LLC at 1806 E. 28th Street, Lorain, 44055. (6th Ward)
7. **CORRESPONDENCE FROM THE GENERAL PUBLIC:**
  - a. Email correspondence received from Aaron Knapp, a request for oversight.
8. **PUBLIC COMMENTS:** (The sign-in sheet will be collected prior to commencement of the meeting) The two (2) minute per person limit and twenty (20) minute max will be observed.
9. **COMMITTEE REPORTS: None.**
10. **LEGISLATION - FIRST READING:**
  - a. \_\_\_\_ Reso. honoring and celebrating Skate World on their 50th Anniversary.
  - b. \_\_\_\_ Reso. declaring Sept. 15th - Oct. 15th as Hispanic Heritage Month.
  - c. \_\_\_\_ Reso. recognizing September as Suicide Prevention Awareness Month.
  - d. \_\_\_\_ Reso. commemorating Constitution Day and Constitution Week.
  - e. \_\_\_\_ Ord. amending Ord. 62-90 & Lorain Codified Ordinance Ch. 143- Lorain Port Authority, Section 143.05- Confirming Authority.
  - f. \_\_\_\_ Ord. amending Ord. 112-25 and entering into contract for services at the Water Purification Plant without formal bidding due to Ohio EPA recommendations.
  - g. \_\_\_\_ Ord. declaring that the submerged lands adjacent to 1253 E. Erie Ave. are not necessary or required for the construction, maintenance or operation under a waterfront plan of the City of Lorain.
  - h. \_\_\_\_ Ord. approving the proposed Preliminary Plan for the Silver Hills Development.
  - i. \_\_\_\_ Ord. auth the S/S Director to enter into settlement agreements with 8 opioid manufacturing companies and directing the Auditor to allocate said funds to the Opioid Settlement Fund.
  - j. \_\_\_\_ Ord. removing special assessments from real properties.
  - k. \_\_\_\_ Ord. assessing the cost of securing an unsafe/nuisance structure (former St. Joes site).
  - l. \_\_\_\_ Ord. auth the County Auditor to transfer the CRA Tax Abatement from Park Square Lorain Holdings, LLC, to GTX Properties, LLC.
  - m. \_\_\_\_ Ord. auth the County Auditor to transfer the CRA Tax Abatement from Bennington Investments, LLC, to 6150 Park Square, LLC.

- n. \_\_\_\_ Ord. amending Ord. 14-25 auth the S/S Director to modify agreement 25-016 with Terminal Ready Mix for the Longbrook/Yorktown Rd. rehab project.
- o. \_\_\_\_ Appropriation.
- 11. **LEGISLATION - SECOND READING:**
  - a. \_\_\_\_ Ord. amending Ord. 97-22 and Lorain Codified Ordinance Ch. 549, Section 549.11 "Sale or Discharge of Fireworks" and prohibiting the discharge, ignition and explosion of fireworks.
- 12. **LEGISLATION - THIRD READING: None.**
- 13. **COMMITTEE CALLS:**
  - Sept. 22nd @ 5:30pm - The Parks & Recreation Committee will meet for a 2025 Summer Recap & to discuss a proposed ordinance authorizing entering into a contract w/ Superlative Group regarding naming rights for Campana Parks & facilities within the park.
  - Sept. 29th @ 5:00pm- The Police, Fire & Legislative will discuss ordinances amending Chapter 509 to create Chapter 509.19 "Parent or Guardian Responsibility for Minors" & Chapter 549- Weapons and Explosives.
  - Oct. 13th - The Finance Committee will meet for a quarterly budget update.
- 14. **MISCELLANEOUS CONCERNS FROM COUNCIL:**
- 15. **EXECUTIVE SESSION**
- 16. **ADJOURNMENT.**
  - AN EXECUTIVE SESSION, BY PROPER MOTION, WILL BE HELD IN ACCORDANCE WITH ORC SECTION 121.22: G (3) TO CONFERENCE WITH THE PUBLIC BODY'S ATTORNEY REGARDING DISPUTES THAT ARE THE SUBJECT OF PENDING AND/OR IMMINENT COURT ACTION**



## CITY OF LORAIN

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### City Council Regular Meeting

**4. a.**

**Meeting Date:** 09/15/2025

**Submitted by:** Breanna Dull, Clerk of Council

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### PURPOSE AND BACKGROUND

### RECOMMENDATION TO COUNCIL:

We recommend to council

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### Form Review

Form Started By: Breanna Dull  
Final Approval Date: 09/09/2025

Started On: 09/09/2025 10:31 AM



## CITY OF LORAIN

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### City Council Regular Meeting

**6. a.**

**Meeting Date:** 09/15/2025

**Submitted by:** Breanna Dull, Clerk of Council

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### PURPOSE AND BACKGROUND

Correspondence received from the Ohio Division of Liquor Control advising of a New, D5 permit application for 180 Place LLC at 1804 E. 28th Street, Lorain, 44055. (6th Ward)

### RECOMMENDATION TO COUNCIL:

Authorize the Clerk to notify the board that no complaints have been received.

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### Attachments

Correspondence

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### Form Review

Form Started By: Breanna Dull  
Final Approval Date: 09/11/2025

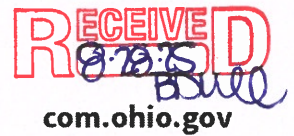
Started On: 08/28/2025 01:09 PM





Department of  
Commerce

Division of Liquor Control



com.ohio.gov

Mike DeWine, Governor Jim Tressel, Lt. Governor Sherry Maxfield, Director

NOTICE TO LEGISLATIVE AUTHORITY

TO

10004826-2 PERMIT NUMBER	NEW TYPE	180 Place LLC 1804 E. 28th Street Lorain, OH 44055 1804 E 28th Street Lorain OH 44055  Muni/Village/Twp: Lorain
ISSUE DATE		
6/25/2025 FILING DATE		
D-5 PERMIT CLASSES		
47088 TAX DISTRICT	OCT RECEIPT NO	

FROM 8/21/2025

PERMIT NUMBER	TYPE	
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT	RECEIPT NO	

MAILED

08/26/2025

RESPONSES MUST BE POSTMARKED NO LATER THAN

IMPORTANT NOTICE

09/25/2025

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL WHETHER OR NOT  
THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES: OCT NEW 10004826-2  
(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT THE HEARING  
BE HELD ☐ IN OUR COUNTY SEAT ☐ IN COLUMBUS

WE DO NOT REQUEST A HEARING ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) - ☐ Clerk of County Commissioner  
☐ Clerk of City Council  
☐ Township Fiscal Officer

(Date)

CLERK OF LORAIN CITY COUNCIL  
200 W ERIE AVE  
LORAIN OH 44052



## Department of Commerce

Division of Liquor Control

[com.ohio.gov](http://com.ohio.gov)

Mike DeWine, Governor   Jim Tressel, Lt. Governor   Sherry Maxfield, Director

Dear Local Legislative Authority Official:

Please find enclosed the legislative notice that is being sent to you regarding the applied for liquor permit as captioned on the notice. You **must**, within 30 days from the "mailed" date listed on the notice under the bar code:

- Notify the Division whether you object and want a hearing; or
- Ask for your one-time only, 30-day extension. o Any requests for a one-time, 30-day extension will be reviewed by the Division upon timely receipt. If granted, your additional 30-days runs from the expiration of the original 30-day period.

To be considered **timely**, your above response **MUST** be faxed, emailed, or mailed to the Division no later than the postmark deadline date stated on the form. To speed up processing times and reduce paper, the Division respectfully asks that you either fax or email your response. Please send your response to:

**FAX:** (614) 644 – 3166  
**EMAIL:** [Liquordocs@com.ohio.gov](mailto:Liquordocs@com.ohio.gov)  
**MAIL:** Ohio Division of Liquor Control  
Attn: Licensing Unit  
6606 Tussing Road  
PO Box 4005  
Reynoldsburg, Ohio 43068-9005

To find out who has disclosed an ownership interest in the permit application to us you can:

- Visit [com.ohio.gov/liquorinfo](http://com.ohio.gov/liquorinfo). Select the "Search who has disclosed an ownership interest" tab. Where asked, enter the permit number listed on the legislative notice; or
- Contact your police department or county sheriff (if you are a township fiscal officer or county clerk). We also sent them detailed ownership information to review for any criminal background issues involving the disclosed persons.

We have resources for you at [com.ohio.gov/govhelp](http://com.ohio.gov/govhelp). Never miss out on when renewal objections are due! Sign-up for our emails at [com.ohio.gov/stayinformed](http://com.ohio.gov/stayinformed).

Thank you in advance for your cooperation,

Division Licensing Section

(rev. 2.12.25)



## CITY OF LORAIN

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### City Council Regular Meeting

6. b.

**Meeting Date:** 09/15/2025

**Submitted by:** Maggie Partin, Deputy Clerk

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### PURPOSE AND BACKGROUND

Correspondence received from the Ohio Division of Liquor Control advising of a New, D5, D6 permit application for 180 Place LLC at 1806 E. 28th Street, Lorain, 44055. (6th Ward)

### RECOMMENDATION TO COUNCIL:

Authorize the Clerk to notify the Board that no complaints have been received.

We recommend to council

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### Attachments

Liq Control

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### Form Review

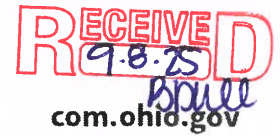
Form Started By: Maggie Partin  
Final Approval Date: 09/11/2025

Started On: 09/11/2025 01:48 PM



Department of  
Commerce

Division of Liquor Control



Mike DeWine, Governor Jim Tressel, Lt. Governor Sherry Maxfield, Director

NOTICE TO LEGISLATIVE AUTHORITY

TO

10004826-1 PERMIT NUMBER	NEW TYPE	180 Place LLC 1806 E. 28th Street Lorain, OH 44055 1806 E. 28th Street Lorain OH 44055  Muni/Village/Twp: Lorain
ISSUE DATE		
6/25/2025		
FILING DATE		
D-5 D-6		
PERMIT CLASSES		
47088 TAX DISTRICT	OCT	RECEIPT NO

FROM 8/29/2025

PERMIT NUMBER	TYPE	
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT	RECEIPT NO	

MAILED

09/05/2025

RESPONSES MUST BE POSTMARKED NO LATER THAN

10/06/2025

IMPORTANT NOTICE

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THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES: OCT NEW 10004826-1

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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BE HELD ☐ IN OUR COUNTY SEAT ☐ IN COLUMBUS

WE DO NOT REQUEST A HEARING ☐

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PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) - ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF LORAIN CITY COUNCIL  
200 W ERIE AVE  
LORAIN OH 44052



**Department of  
Commerce**

Division of Liquor Control

[com.ohio.gov](http://com.ohio.gov)

Mike DeWine, Governor   Jim Tressel, Lt. Governor   Sherry Maxfield, Director

Dear Local Legislative Authority Official:

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- Ask for your one-time only, 30-day extension. o Any requests for a one-time, 30-day extension will be reviewed by the Division upon timely receipt. If granted, your additional 30-days runs from the expiration of the original 30-day period.

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Thank you in advance for your cooperation,

Division Licensing Section

(rev. 2.12.25)



## CITY OF LORAIN

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### City Council Regular Meeting

**7. a.**

**Meeting Date:** 09/15/2025

**Submitted by:** Breanna Dull, Clerk of Council

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### PURPOSE AND BACKGROUND

Email correspondence received from Aaron Knapp, a request for oversight.

### RECOMMENDATION TO COUNCIL:

We recommend to council

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### Attachments

Email Correspondence

Letter to the Record

Formal Request

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### Form Review

Form Started By: Breanna Dull  
Final Approval Date: 09/12/2025

Started On: 09/12/2025 10:46 AM

## Dull, Breanna

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**From:** Aaron Knapp <a4xbeaverman@yahoo.com>  
**Sent:** Monday, September 8, 2025 1:43 PM  
**To:** City Council Mail Group; Anthony Nici; Arroyo, Angel; Dull, Breanna; LaVeck, Joseph; Riley, Patrick; Tony Cillo; Failing, Mike; Sheriff Jack Hall; Springowski, Mary  
**Cc:** Robert J. Gargas; Mike Mason; Garon Petty; Lorain Daily; Cleveland Scene; Noelle Williams; Bradley, Jack; Fox 8; Carrion, Rey; Brian Ames; Morris, Jacob; Mike Massie; State of Ohio  
**Subject:** Submission for Council Record and Agenda – Request for Oversight  
**Attachments:** LETTER TO THE RECORD.pdf; FORMAL REQUEST FOR AGENDA ITEM AND INVESTIGATION.pdf

**External sender** <a4xbeaverman@yahoo.com>

Make sure you trust this sender before taking any actions.

Dear Clerk Dull,

Please accept the attached documents for inclusion in the official record of the Lorain City Council and for placement on the next available council agenda:

1. **Letter to the Record** – to be read aloud in full and entered into the minutes.
2. **Formal Request for Agenda Item and Investigation** – seeking council oversight, evidence preservation, and referral for prosecutorial review.

These filings address ongoing retaliation and misuse of public office by Councilwoman Mary Springowski, including the unlawful forwarding of my private email to Tia Hilton without a records request, and her subsequent circulation of a September 6, 2025 email falsely characterizing my protected speech as a “threat.”

I request acknowledgment of receipt, confirmation that the Letter to the Record will be entered into the minutes, and confirmation that the Formal Request will be docketed for the next council meeting.

For transparency, I have copied all relevant parties, including Councilwoman Springowski, Councilman Arroyo, Asst. Law Director LaVeck, Law Director Riley, and the Sheriff’s Office (Legal Affairs).

Respectfully,

Aaron C. Knapp  
LSW, BSSW  
4220 Talbot Ln  
Lorain, OH 44055  
[a4xbeaverman@yahoo.com](mailto:a4xbeaverman@yahoo.com)  
Editor, *Lorain Politics Unplugged*



## **Failing, Mike**

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**From:** Springowski, Mary  
**Sent:** Saturday, September 6, 2025 2:02 PM  
**To:** Riley, Patrick; LaVeck, Joseph; Failing, Mike; Hall, Loraine Ritchey; lorainmary; Mike  
**Subject:** Fw: A video by Aaron Knapp.

As you can see by his own video, he now plans to confront me at 17.03 mark.

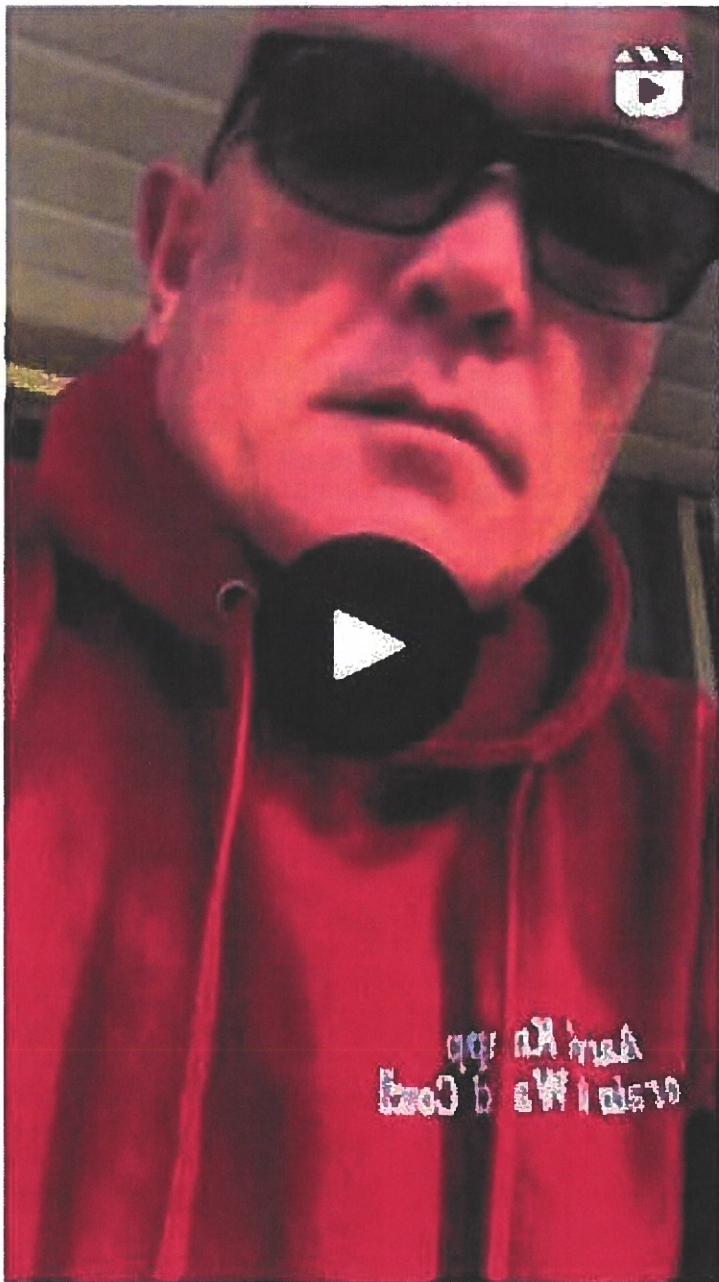
### **Get [Outlook for iOS](#)**

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**From:** Garon Petty <garonpetty@roadrunner.com>  
**Sent:** Saturday, September 6, 2025 1:31:09 PM  
**To:** Robert J Gargas <rjgargas@gmail.com>; City Council Mail Group  
Dicken <BDicken@chroniclet.com>; Criminal.Division@usdoj.gov <CrimDiv@usdoj.gov>; AGOCARES@ohioago.gov; Andrew Geronimo, JD <andrew.geronimo@florain.bank>; Mike Brosky <Mike.Brosky@florain.bank>; Michael Scherach <mjscherach.law@cityoflorain.org>; Mike Failing <Mike\_Failing@cityoflorain.org>; Morris, Jacob <Jacob\_Morris@cityoflorain.org>; Kathryn Kennedy <kathrynkennedy627@gmail.com>; Kokoski, Lori <Lori\_Kokoski@cityoflorain.org>; Kyle Gelenius <Kyle\_Gelenius@cityoflorain.org>; Elsebeth Baumgartner <baumgartner@cityoflorain.org>; a4xbeaverman@yahoo.com; Jackie Conrad <botanist62@hotmail.com>  
**Subject:** A video by Aaron Knapp.

**External sender <garonpetty@roadrunner.com>**  
Make sure you trust this sender before taking any actions.





Reel by Aaron Knapp  
[facebook.com](https://www.facebook.com/aaronknapp)

Riley, and the Sheriff's Office (Legal Affairs).

Respectfully,

Aaron C. Knapp  
LSW, BSSW  
4220 Talbot Ln  
Lorain, OH 44055  
[a4xbeaverman@yahoo.com](mailto:a4xbeaverman@yahoo.com)  
Editor, *Lorain Politics Unplugged*

**Aaron Christopher Knapp, BSSW, LSW**  
**NASW Member ID: 886836612**

NOTICE: THIS ELECTRONIC MESSAGE TRANSMISSION CONTAINS INFORMATION WHICH MAY BE CONFIDENTIAL OR PRIVILEGED. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL(S) OR ENTITY(IES) NAMED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, PLEASE BE AWARE THAT ANY DISCLOSURE, COPYING, DISTRIBUTION, OR USE OF THE CONTENTS OF THIS INFORMATION IS PROHIBITED. IF YOU HAVE RECEIVED THIS ELECTRONIC TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY THE SENDER AND DELETE THE COPY YOU RECEIVED.

# LETTER TO THE RECORD

**To Be Entered into the Minutes of Lorain City Council**

**Date:** September 8th, 2025

**From:**

Aaron C. Knapp, LSW, BSSW  
4220 Talbot Ln  
Lorain, Ohio 44055  
Email: [a4xbeaverman@yahoo.com](mailto:a4xbeaverman@yahoo.com)

**To:**

Lorain City Council  
Attn: Breanna Dull, Clerk of Council  
200 West Erie Avenue  
Lorain, OH 44052

**Re:** Response to September 6, 2025 Circulated Email – Request for Council Action

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Councilwoman Springowski, Councilman Arroyo, Law Director LaVeck, Prosecutor Riley, members of the Lorain County Sheriff's Office, and Clerk Dull,

On September 6, 2025, Councilwoman Springowski circulated an email alleging that in my video I “plan to confront her in public.” That message was forwarded to the Law Director, the Prosecutor's Office, the Sheriff's Office, and others. Because the email was distributed widely, I place this response in the public record and address each recipient directly.

As a constituent, my rights are guaranteed by **R.C. 121.22, the Ohio Open Meetings Act**, which ensures that the public may attend, observe, and participate in council proceedings, and by the **First Amendment to the United States Constitution**, which protects the right to petition government and engage in political speech. Attending meetings and addressing my representatives is not a threat; it is the essence of representative government.

Nothing in my video was threatening. I have never spoken to Councilwoman Springowski at a council meeting. To mischaracterize my video as a threat is to weaponize my speech against me. This is not an isolated incident. **Councilwoman Springowski participated in retaliatory tactics directed at me in the prior Hilton matter, where she forwarded my personal email directly to Tia Hilton outside of any public records request and without lawful redaction, despite Hilton having an active Civil Protection Order against me. That disclosure was improper and dangerous.**

**For the record, the video that Councilwoman Springowski now cites as proof of a “threat” was made in response to that misconduct. My statement that I would “confront” her was not a threat of violence or any unlawful act. It was a declaration that I intended to hold her publicly accountable through lawful civic means. The attempt to twist that statement into a criminal accusation is nothing more than an effort to criminalize protected speech. Courts have repeatedly held that such retaliation is unlawful. See *Norwell v. Cincinnati*, 414 U.S. 14 (1973); *City of Houston v. Hill*, 482 U.S. 451 (1987).**

**The current circulation of my video to prosecutorial and law enforcement offices follows the same retaliatory playbook. I now state for the record that these coordinated efforts constitute harassment and retaliation. Councilwoman Springowski is falsely reporting to law enforcement that I am threatening her, and enough is enough. Such false accusations not only chill my constitutional rights but also amount to defamation, as they falsely impute criminal conduct to me in communications with third parties.**

**Retaliation by public officials is unlawful. Under Ohio law, a public servant who, under color of office, knowingly deprives a person of rights protected by the Constitution or laws of Ohio may be guilty of a crime (see R.C. 2921.45, Interference with Civil Rights). In addition to criminal exposure, such conduct may give rise to civil liability under 42 U.S.C. § 1983 and Ohio tort law, including defamation. Because the conduct at issue here has already occurred, I demand that all relevant communications, records, and metadata be preserved immediately, that the Clerk of Council and Law Director notify the appropriate prosecutorial authority to review these actions, and that Council open a formal oversight inquiry without delay. Failure to preserve evidence or to refer this matter for review will itself be noted in any future legal or administrative filing.**

Councilman Arroyo, as my Ward representative, I remind you that I first asked you to represent me and take action when Councilwoman Springowski improperly forwarded my private email to Hilton without a records request and without redaction. You did not respond. I now renew that request in light of this new misconduct. You have a statutory duty under **R.C. 731.05** to act as legislator for the City of Lorain and under **R.C. 731.10** to exercise oversight of municipal officers and ensure that the business of council is conducted lawfully and openly. This duty is not ceremonial. It requires you to protect the public’s right to attend, observe, and speak at council meetings under **R.C. 121.22**, and to intervene when other public officials attempt to chill or suppress those rights.

**I now renew my demand that you place this matter on the council agenda for formal discussion and oversight. The forwarding of my video to law enforcement and prosecutors under the pretense that it constitutes a threat is not only a misuse of public office and resources but also a potential violation of R.C. 2921.45 (Interference with Civil Rights).**

**When a councilmember recasts peaceful civic engagement as a criminal threat and circulates that narrative to law enforcement, it undermines the very statutory guarantees you are duty-bound to uphold. The United States Supreme Court has made clear that such tactics violate the Constitution. In *Norwell v. City of Cincinnati*, 414 U.S. 14 (1973), the Court held that a citizen may not be punished merely for “non-provocatively voicing his objection” to government action.**

In **City of Houston v. Hill**, 482 U.S. 451 (1987), the Court struck down an ordinance criminalizing verbal challenges to police, emphasizing that the First Amendment protects “a significant amount of verbal criticism and challenge directed at police officers.” In **Nieves v. Bartlett**, 587 U.S. \_\_\_\_ (2019), the Court reaffirmed that retaliation against lawful expressive conduct—even when officials claim to perceive it as hostile—is impermissible.

Ohio courts have likewise recognized that the Open Meetings Act must be liberally construed in favor of openness and participation. In **State ex rel. White v. Cleveland**, 125 Ohio St.3d 526 (2010), the Ohio Supreme Court stressed that transparency and public participation are fundamental obligations of government. In **State ex rel. Fairfield Leader v. Ricketts**, 56 Ohio St.2d 97 (1978), the Court held that public officials may not conduct business in a manner that deters or excludes citizens. These rulings reinforce that the law presumes in favor of citizen participation—not suppression.

Your failure to investigate or respond compounds the problem. As my Ward representative, you are obligated to ensure that public resources are not weaponized against constituents and that council business is not conducted in a retaliatory or exclusionary manner. Allowing false accusations of threats to stand unchallenged violates both constitutional precedent and statutory duty under **R.C. 731.05, R.C. 731.10, and R.C. 121.22**.

I will continue to attend and participate in council meetings peacefully, lawfully, and within my constitutional rights. **Continued attempts to classify or prosecute my protected speech as criminal conduct will be treated as retaliatory actions. Such conduct will be documented and may give rise to claims under both Ohio and federal law.**

Let the record reflect that I expressly reserve all rights under **R.C. 149.43, the Ohio Public Records Act**, and under **42 U.S.C. § 1983**, the federal civil rights statute, to pursue remedies if my speech and participation are further mischaracterized or if public officials, acting under color of law, retaliate against me for exercising my rights.

Respectfully submitted,

Aaron C. Knapp  
LSW, BSSW  
Editor, *Lorain Politics Unplugged*

X  Aaron C. Knapp

**CC for Record:**

Councilwoman Mary Springowski  
Councilman Angel Arroyo  
Clerk of Council Breanna Dull  
Law Director Joseph LaVeck  
Prosecutor Patrick Riley  
Lorain County Sheriff's Office (Legal Affairs, Tony Nici)

**Legal Citations for Record:**

R.C. 121.22; R.C. 731.05; R.C. 731.10; R.C. 2921.45; R.C. 149.43; U.S. Const. Amend. I; 42 U.S.C. § 1983; *Norwell v. Cincinnati*, 414 U.S. 14 (1973); *City of Houston v. Hill*, 482 U.S. 451 (1987); *Nieves v. Bartlett*, 587 U.S. \_\_\_\_ (2019); *State ex rel. White v. Cleveland*, 125 Ohio St.3d 526 (2010); *State ex rel. Fairfield Leader v. Ricketts*, 56 Ohio St.2d 97 (1978)

# FORMAL REQUEST FOR AGENDA ITEM AND INVESTIGATION

## CITY OF LORAIN COUNCIL

### Submitted by:

Aaron C. Knapp, LSW, BSSW  
4220 Talbot Ln  
Lorain, Ohio 44055  
Email: [a4xbeaverman@yahoo.com](mailto:a4xbeaverman@yahoo.com)

**Date:** September 8th, 2025

**Re: Request for Council Oversight – Misuse of Public Office, Harassment, Retaliation, and Conflict of Interest**

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Pursuant to **R.C. 731.05** and **R.C. 731.10**, which vest legislative authority and oversight responsibility in council members, and **R.C. 121.22 (Ohio Open Meetings Act)**, which guarantees public participation and transparency, I respectfully request that Lorain City Council place on its next agenda a discussion and investigation into Councilwoman Mary Springowski's conduct.

The authority of city council members is not ceremonial. As the Ohio Supreme Court has held, municipal legislators are entrusted with both legislative and oversight duties to ensure that government operations are lawful, transparent, and protective of citizen rights. See *State ex rel. White v. Cleveland*, 125 Ohio St.3d 526 (2010). This duty includes preventing retaliation and misuse of public office against constituents.

**First**, Councilwoman Springowski previously forwarded my private email directly to Tia Hilton without a lawful public records request and without required redaction, despite Hilton having an active Civil Protection Order against me. Such conduct violated not only the **Ohio Public Records Act (R.C. 149.43)**, which prescribes procedures and exemptions for disclosure, but also **Lorain Codified Ordinance 109.02**, which incorporates state public records obligations into municipal practice.

**Second**, on September 6, 2025, Councilwoman Springowski circulated an email alleging that I “plan to confront her in public,” which she forwarded to the Law Director, the Prosecutor's Office, and the Sheriff's Office. This was an effort to recast my protected speech as a criminal threat, when in fact my statement was a declaration of intent to hold her publicly accountable through lawful civic means.

### **Legal Standards on “True Threats”**

It is essential for Council to recognize that my statement does not meet the constitutional definition of a true threat. The United States Supreme Court has long held that only *true threats* fall outside the First Amendment.

- In **Watts v. United States, 394 U.S. 705 (1969)**, the Court ruled that a citizen’s statement about “getting [the President] in my sights” was political hyperbole, not a threat, because context showed no serious intent to commit violence.
- In **Virginia v. Black, 538 U.S. 343 (2003)**, the Court defined a true threat as a statement where the speaker means to communicate a serious expression of intent to commit unlawful violence.
- In **Elonis v. United States, 575 U.S. 723 (2015)**, the Court overturned a conviction for alleged threats posted on Facebook because prosecutors failed to prove the defendant’s subjective intent that his words be taken as a threat.
- In **Counterman v. Colorado, 600 U.S. \_\_\_\_ (2023)**, the Court clarified that the First Amendment requires proof that the speaker acted with at least recklessness — consciously disregarding a substantial risk that their words would be taken as a threat.

Ohio courts follow the same principle. See **State v. Smith, 126 Ohio St.3d 108 (2010)** (context and intent are essential), and **State v. Hoffman, 57 Ohio St.2d 129 (1979)** (mere angry words do not constitute threats).

### **Context of My Statement**

For further clarity, my statement that I would “confront” a councilmember referred to the same kind of civic engagement I exercised when I confronted former Council President Joel Arredondo after a public meeting in City Hall. The City Council chamber and its adjoining lobby are the only true public forums where residents may directly address their representatives outside of the limited public comment period. Courts have long held that speech in such public forums receives the strongest First Amendment protection. See *Perry Educ. Ass’n v. Perry Local Educators’ Ass’n*, 460 U.S. 37 (1983); *United States v. Grace*, 461 U.S. 171 (1983).

When I used the word “confront,” I meant engaging a councilmember in this civic, nonviolent, and constitutionally protected manner. To treat such conduct as a “threat” is to criminalize ordinary constituent participation in its only available forum.

### **Retaliation and Liability**

These actions constitute harassment and retaliation. They implicate **R.C. 2921.45 (Interference with Civil Rights)**, which makes it a criminal offense for a public servant, under color of office, to knowingly deprive any person of rights secured by law. They further expose the City of Lorain to civil liability under **42 U.S.C. § 1983**, which provides a federal cause of action for retaliation against First Amendment activity. In addition, to the extent Councilwoman Springowski’s statements falsely impute criminal conduct to me, they amount to **defamation per se** under Ohio law.

Because retaliation has already occurred, I demand that:



1. **All related records, emails, texts, and metadata** be preserved immediately in compliance with both state law and **Lorain Codified Ordinance 109.01 (Records Commission)**, which requires the retention of public records.
2. **The Clerk of Council and the Law Director** notify the appropriate prosecutorial authority for criminal review of potential violations of **R.C. 2921.45** and related statutes.
3. **Lorain City Council exercise its oversight authority** under **R.C. 731.05** to hold a formal inquiry and ensure that the misuse of office, retaliation, and harassment of constituents does not continue.

#### **Duty to Recuse**

Because this matter involves Councilwoman Mary Springowski's own conduct, she has a clear conflict of interest and must not participate in any deliberations or votes concerning this request. Under **Ohio Ethics Law, R.C. 102.03(D) and (E)**, no public official may use or authorize the use of their office to secure an improper benefit for themselves or to influence matters where their personal conduct is under review. Further, **Lorain Codified Ordinance 159.01 et seq. (Ethics and Conduct)** prohibits councilmembers from participating in decisions in which they have a direct personal interest.

Accordingly, I demand that Councilwoman Springowski recuse herself entirely from any consideration of this matter and that her recusal be formally noted in the minutes.

Failure to preserve evidence, notify the proper prosecutorial authority, or ensure recusal will itself be noted in the public record and may be raised in future administrative, civil, or criminal proceedings.

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**Respectfully submitted,**

Aaron C. Knapp  
LSW, BSSW  
Editor, *Lorain Politics Unplugged*

X 

Aaron C Knapp LSW, BSSW

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#### **Disclosures**

I certify that the statements herein are true and accurate to the best of my knowledge and belief, based on contemporaneous records and publicly available information. If requested, I am willing to provide a sworn affidavit or notarized statement to the same effect.

I understand this submission is a public record under **R.C. 149.43**. Any personal identifiers included are provided knowingly for the purpose of official notice and government action. I request that any statutorily exempt information be handled consistent with applicable exemptions and redaction duties.

This filing constitutes a formal request that the City of Lorain, the Clerk of Council, the Law Director, the Prosecutor's Office, and the Lorain County Sheriff's Office preserve all documents, emails, texts, messages, voicemails, body-worn or in-car video, meeting recordings, and related metadata relevant to the matters described herein, pending review and resolution.

Please acknowledge receipt of this filing and confirm placement on the next available council agenda for discussion and oversight. If additional formatting or a separate cover sheet is required, please advise immediately.

Nothing in this submission waives any right or remedy available to me under Ohio or federal law, including but not limited to **R.C. 149.43, R.C. 2921.45, and 42 U.S.C. § 1983**, nor any claim for defamation or other torts arising from false statements imputing criminal conduct.

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CC – Delivered via Email

Councilwoman Mary Springowski – [mary\\_springowski@cityoflorain.org](mailto:mary_springowski@cityoflorain.org)

Councilman Angel Arroyo – [Angel\\_arroyo@cityoflorain.org](mailto:Angel_arroyo@cityoflorain.org)

Clerk of Council Breanna Dull – [breanna\\_dull@cityoflorain.org](mailto:breanna_dull@cityoflorain.org)

Asst Law Director Joseph LaVeck – [joseph\\_laveck@cityoflorain.org](mailto:joseph_laveck@cityoflorain.org)

Law Director Patrick Riley – [patrick\\_riley@cityoflorain.org](mailto:patrick_riley@cityoflorain.org)

Lorain County Sheriff's Office (Legal Affairs, Tony Nici) – [tnici@loraincountysheriff.com](mailto:tnici@loraincountysheriff.com)



## CITY OF LORAIN

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### City Council Regular Meeting

10. a.

**Meeting Date:** 09/15/2025

**Submitted by:** Maggie Partin, Deputy Clerk

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#### **AGENDA ITEM DESCRIPTION OR LEGISLATION TITLE**

#### **A RESOLUTION HONORING AND CELEBRATING SKATE WORLD ON THEIR 50TH ANNIVERSARY IN THE CITY OF LORAIN.**

#### **PURPOSE AND BACKGROUND:**

**WHEREAS,** Skate World first opened its doors to the public in October 1975, transforming a former roadside motel into a one-of-a-kind roller-skating destination that has served as a cornerstone of recreation and family entertainment for five decades; and

**WHEREAS,** Skate World quickly became a beloved fixture in the Lorain community, offering public skating sessions, birthday parties, school fundraisers, and skating lessons, and evolving with the times through live organ performances, disco-era DJ nights, and modern music skates; and

**WHEREAS,** the facility has continually adapted to meet community needs—hosting themed events, speed skating clubs, Retro Nights, and even welcoming displaced skating groups such as the Brookpark Skate Club following a fire in their home rink in 2018; and

**WHEREAS,** Skate World has been guided by dedicated ownership and staff who have maintained the unique charm and nostalgic appeal of the facility while making necessary improvements, including renovations to its exterior in 2015 and 2018, and continuing to foster a welcoming, family-friendly environment; and

**WHEREAS,** Skate World celebrates its 50th skating season in the fall of 2025 with a Golden Jubilee Reunion & Retro Night planned for Sunday, September 28, 2025, inviting past and present skaters, families, and friends to celebrate five decades of memories and community connection.

#### **RECOMMENDATION TO COUNCIL:**

Lorain City Council consider

#### **Admin Only (descrip. for agenda)**

\_\_\_\_ Reso. honoring and celebrating Skate World on their 50th Anniversary.

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#### **Attachments**

Resolution

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## Form Review

Form Started By: Maggie Partin  
Final Approval Date: 08/28/2025

Started On: 08/28/2025 11:04 AM

VOTE ON PASSAGE					
	AYE	NAY		AYE	NAY
Springowski			Nutt		
Dimacchia			Moon		
DuVall			Arroyo		
Henley			Spellacy		
Kempton			Thornsberry		
Carter			Arredondo		

Resolution No. \_\_\_\_\_

**A RESOLUTION HONORING AND  
CELEBRATING SKATE WORLD ON  
THEIR 50<sup>TH</sup> ANNIVERSARY IN THE  
CITY OF LORAIN.**

- WHEREAS,** Skate World first opened its doors to the public in October 1975, transforming a former roadside motel into a one-of-a-kind roller-skating destination that has served as a cornerstone of recreation and family entertainment for five decades; and
- WHEREAS,** Skate World quickly became a beloved fixture in the Lorain community, offering public skating sessions, birthday parties, school fundraisers, and skating lessons, and evolving with the times through live organ performances, disco-era DJ nights, and modern music skates; and
- WHEREAS,** the facility has continually adapted to meet community needs—hosting themed events, speed skating clubs, Retro Nights, and even welcoming displaced skating groups such as the Brookpark Skate Club following a fire in their home rink in 2018; and
- WHEREAS,** Skate World has been guided by dedicated ownership and staff who have maintained the unique charm and nostalgic appeal of the facility while making necessary improvements, including renovations to its exterior in 2015 and 2018, and continuing to foster a welcoming, family-friendly environment; and
- WHEREAS,** Skate World celebrates its 50th skating season in the fall of 2025 with a Golden Jubilee Reunion & Retro Night planned for Sunday, September 28, 2025, inviting past and present skaters, families, and friends to celebrate five decades of memories and community connection.

***NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LORAIN, STATE OF OHIO***

**Section I.** That Lorain City Council, on behalf of all residents in the City of Lorain, proudly recognizes and congratulates Skate World on its 50th Anniversary as a treasured institution in our community, and honors its commitment to providing safe, joyful, and enduring experiences to generations of Lorain residents and encourages all to join in commemorating this milestone and supporting Skate World’s ongoing mission to keep Lorain rolling for generations to come.

**Section II.** Councilwoman Mary Springowski, along with all of Lorain City Council, directs a certified copy of this Resolution be presented to Skate World, to serve as a memento of our appreciation.

**Section III.** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 ORC.

**Section IV.** That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2025

Attest: \_\_\_\_\_  
CLERK OF COUNCIL

\_\_\_\_\_  
PRESIDENT OF COUNCIL  
\_\_\_\_\_  
MAYOR



## CITY OF LORAIN

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### City Council Regular Meeting

10. b.

**Meeting Date:** 09/15/2025

**Submitted by:** Maggie Partin, Deputy Clerk

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### **AGENDA ITEM DESCRIPTION OR LEGISLATION TITLE**

**A RESOLUTION DECLARING SEPT. 15<sup>TH</sup> – OCT. 15<sup>TH</sup> AS HISPANIC HERITAGE MONTH IN THE CITY OF LORAIN.**

### **PURPOSE AND BACKGROUND:**

**WHEREAS,** the City of Lorain is proud to be home to a strong and vibrant Hispanic and Latino community, whose presence and contributions have shaped the city's identity for generations; and

**WHEREAS,** Hispanic Heritage Month, observed from September 15 through October 15, provides an opportunity to recognize and celebrate the cultural traditions, family values, entrepreneurial spirit, and civic contributions of Lorain's Hispanic and Latino residents; and

**WHEREAS,** Hispanic and Latino families began settling in Lorain to work in the steel mills, railroads, and shipping industries, playing a vital role in the growth of our local economy and building the foundation of neighborhoods and communities that remain strong to this day; and

**WHEREAS,** Lorain's annual International Festival and Parade, as well as events hosted by local organizations, highlight the rich traditions and enduring contributions of Hispanic residents and foster a spirit of unity and pride in our city; and

**WHEREAS,** this observance serves not only as a time to honor the past, but also to encourage future generations to learn from and carry forward the rich traditions, values, and contributions of the Hispanic and Latino communities.

### **RECOMMENDATION TO COUNCIL:**

Lorain City Council consider

### **Admin Only (descrip. for agenda)**

\_\_\_\_ Reso. declaring Sept. 15th - Oct. 15th as Hispanic Heritage Month.

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### **Attachments**

Resolution

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### **Form Review**

Form Started By: Maggie Partin  
Final Approval Date: 09/10/2025

Started On: 09/10/2025 03:12 PM

VOTE ON PASSAGE					
	AYE	NAY		AYE	NAY
Springowski			Nutt		
Dimacchia			Moon		
DuVall			Arroyo		
Henley			Spellacy		
Kempton			Thornsberry		
Carter			Arredondo		

Resolution No. \_\_\_\_\_

**A RESOLUTION DECLARING SEPT. 15<sup>TH</sup> –  
OCT. 15<sup>TH</sup> AS HISPANIC HERITAGE  
MONTH IN THE CITY OF LORAIN.**

- WHEREAS,** the City of Lorain is proud to be home to a strong and vibrant Hispanic and Latino community, whose presence and contributions have shaped the city's identity for generations; and
- WHEREAS,** Hispanic Heritage Month, observed from September 15 through October 15, provides an opportunity to recognize and celebrate the cultural traditions, family values, entrepreneurial spirit, and civic contributions of Lorain's Hispanic and Latino residents; and
- WHEREAS,** Hispanic and Latino families began settling in Lorain to work in the steel mills, railroads, and shipping industries, playing a vital role in the growth of our local economy and building the foundation of neighborhoods and communities that remain strong to this day; and
- WHEREAS,** Lorain's annual International Festival and Parade, as well as events hosted by local organizations, highlight the rich traditions and enduring contributions of Hispanic residents and foster a spirit of unity and pride in our city; and
- WHEREAS,** this observance serves not only as a time to honor the past, but also to encourage future generations to learn from and carry forward the rich traditions, values, and contributions of the Hispanic and Latino communities.

***NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LORAIN, STATE OF OHIO***

**Section 1.** That Lorain City Council, on behalf of all residents in the City of Lorain, proudly honors September 15<sup>th</sup> through October 15<sup>th</sup> as **Hispanic Heritage Month** in the City of Lorain, Ohio.

**Section 2.** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 ORC.

**Section 3.** That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2025

Attest: \_\_\_\_\_  
CLERK OF COUNCIL

\_\_\_\_\_  
PRESIDENT OF COUNCIL  
\_\_\_\_\_  
MAYOR





## CITY OF LORAIN

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### City Council Regular Meeting

10. c.

**Meeting Date:** 09/15/2025

**Submitted by:** Maggie Partin, Deputy Clerk

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### **AGENDA ITEM DESCRIPTION OR LEGISLATION TITLE**

#### **A RESOLUTION RECOGNIZING SEPTEMBER AS SUICIDE PREVENTION AWARENESS MONTH IN THE CITY OF LORAIN.**

#### **PURPOSE AND BACKGROUND:**

**WHEREAS,** suicide is a serious public health issue that affects individuals and families across all communities, and in 2023 alone, more than 49,300 Americans lost their lives to suicide, equating to one death every eleven minutes; and

**WHEREAS,** suicide is now the second leading cause of death for individuals ages 10 to 24, a devastating trend that deeply impacts our youth, schools, families, and neighborhoods—including right here in Lorain; and

**WHEREAS,** contributing factors such as firearm access, bullying, poverty, social isolation, and untreated mental health conditions continue to drive suicide rates higher each year; and

**WHEREAS,** the City of Lorain is not immune to these challenges. We have lost friends, neighbors, classmates, and loved ones—each life a valuable member of our community whose absence is deeply felt; and

**WHEREAS,** stigma surrounding mental health often prevents people from seeking help, and raising awareness is a critical step in preventing future tragedies. It is essential that we equip residents with the knowledge, resources, and support they need to protect their mental health and the well-being of others; and

**WHEREAS,** by recognizing Suicide Prevention Awareness Month, the City of Lorain affirms its commitment to increasing awareness, reducing stigma, and supporting prevention efforts that can lead to healing and resilience for individuals and families across our city.

#### **RECOMMENDATION TO COUNCIL:**

Lorain City Council consider

#### **Admin Only (descrip. for agenda)**

\_\_\_\_ Reso. recognizing September as Suicide Prevention Awareness Month.

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### **Attachments**

Resolution

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### **Form Review**

VOTE ON PASSAGE					
	AYE	NAY		AYE	NAY
Springowski			Nutt		
Dimacchia			Moon		
DuVall			Arroyo		
Henley			Spellacy		
Kempton			Thornsberry		
Carter			Arredondo		

Resolution No. \_\_\_\_\_  
**A RESOLUTION RECOGNIZING  
SEPTEMBER AS SUICIDE PREVENTION  
AWARENESS MONTH IN THE CITY OF  
LORAIN.**

- WHEREAS,** suicide is a serious public health issue that affects individuals and families across all communities, and in 2023 alone, more than 49,300 Americans lost their lives to suicide, equating to one death every eleven minutes; and
- WHEREAS,** suicide is now the second leading cause of death for individuals ages 10 to 24, a devastating trend that deeply impacts our youth, schools, families, and neighborhoods—including right here in Lorain; and
- WHEREAS,** contributing factors such as firearm access, bullying, poverty, social isolation, and untreated mental health conditions continue to drive suicide rates higher each year; and
- WHEREAS,** the City of Lorain is not immune to these challenges. We have lost friends, neighbors, classmates, and loved ones—each life a valuable member of our community whose absence is deeply felt; and
- WHEREAS,** stigma surrounding mental health often prevents people from seeking help, and raising awareness is a critical step in preventing future tragedies. It is essential that we equip residents with the knowledge, resources, and support they need to protect their mental health and the well-being of others; and
- WHEREAS,** by recognizing Suicide Prevention Awareness Month, the City of Lorain affirms its commitment to increasing awareness, reducing stigma, and supporting prevention efforts that can lead to healing and resilience for individuals and families across our city.

***NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LORAIN, STATE OF OHIO***

**Section 1.** That Lorain City Council, on behalf of all residents in the City of Lorain, recognizes September as **Suicide Prevention Awareness Month** in the City of Lorain, Ohio and stands with survivors of suicide loss, mental health advocates, and all those working tirelessly to ensure that every life is valued, and that no one in Lorain faces their struggles alone.

**Section 2.** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 ORC.

**Section 3.** That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2025

Attest: \_\_\_\_\_  
CLERK OF COUNCIL

\_\_\_\_\_  
PRESIDENT OF COUNCIL  
  
\_\_\_\_\_  
MAYOR



## CITY OF LORAIN

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### City Council Regular Meeting

10. d.

**Meeting Date:** 09/15/2025

**Submitted by:** Maggie Partin, Deputy Clerk

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### **AGENDA ITEM DESCRIPTION OR LEGISLATION TITLE**

A RESOLUTION COMMEMORATING CONSTITUTION DAY AND CONSTITUTION WEEK IN THE CITY OF LORAIN, OHIO

### **PURPOSE AND BACKGROUND:**

**WHEREAS**, on September 17, 1787, the delegates to the Constitutional Convention in Philadelphia signed the Constitution of the United States, establishing the framework for our federal government and guaranteeing the fundamental rights and liberties that form the foundation of our democratic society; and

**WHEREAS**, each year, the United States observes Constitution Day on September 17, and Constitution Week from September 17 through 23, to recognize the enduring importance of this historic document and to encourage greater understanding of our rights and civic responsibilities as Americans; and

**WHEREAS**, the City of Lorain is proud of its diverse population, rich cultural heritage, and deep-rooted belief in democracy and community engagement, principles that echo the spirit of the U.S. Constitution; and

**WHEREAS**, Lorain's public schools, libraries, veterans organizations, historical societies, and civic groups provide opportunities for residents to reflect on the importance of constitutional governance and the rights it ensures for all Americans; and

**WHEREAS**, recognizing Constitution Day and Constitution Week is an opportunity to reaffirm our commitment to the values enshrined in the Constitution, and to honor the generations of Americans, including many from Lorain, who have defended those values through military and civil service.

### **RECOMMENDATION TO COUNCIL:**

Lorain City Council consider

### **Admin Only (descrip. for agenda)**

\_\_\_\_ Reso. commemorating Constitution Day and Constitution Week.

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### **Attachments**

Resolution

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### **Form Review**

Form Started By: Maggie Partin  
Final Approval Date: 09/10/2025

Started On: 09/10/2025 03:20 PM

VOTE ON PASSAGE					
	AYE	NAY		AYE	NAY
Springowski			Nutt		
Dimacchia			Moon		
DuVall			Arroyo		
Henley			Spellacy		
Kempton			Thornsberry		
Carter			Arredondo		

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION COMMEMORATING  
CONSTITUTION DAY AND CONSTITUTION  
WEEK IN THE CITY OF LORAIN, OHIO**

**WHEREAS**, on September 17, 1787, the delegates to the Constitutional Convention in Philadelphia signed the Constitution of the United States, establishing the framework for our federal government and guaranteeing the fundamental rights and liberties that form the foundation of our democratic society; and

**WHEREAS**, each year, the United States observes Constitution Day on September 17, and Constitution Week from September 17 through 23, to recognize the enduring importance of this historic document and to encourage greater understanding of our rights and civic responsibilities as Americans; and

**WHEREAS**, the City of Lorain is proud of its diverse population, rich cultural heritage, and deep-rooted belief in democracy and community engagement, principles that echo the spirit of the U.S. Constitution; and

**WHEREAS**, Lorain's public schools, libraries, veterans organizations, historical societies, and civic groups provide opportunities for residents to reflect on the importance of constitutional governance and the rights it ensures for all Americans; and

**WHEREAS**, recognizing Constitution Day and Constitution Week is an opportunity to reaffirm our commitment to the values enshrined in the Constitution, and to honor the generations of Americans, including many from Lorain, who have defended those values through military and civil service.

***NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LORAIN, STATE OF OHIO:***

**SECTION I.** That Lorain City Council, on behalf of all the residents of the City of Lorain, hereby recognizes September 17<sup>th</sup> as Constitution Day and September 17<sup>th</sup> through 23<sup>rd</sup> as Constitution Week.

**SECTION II.** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in open meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, all in compliance with legal requirements, including O.R.C. Section 121.22.

**SECTION III.** That this resolution shall take effect and be in force at the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2025

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_, CLERK

\_\_\_\_\_  
MAYOR



## CITY OF LORAIN

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### City Council Regular Meeting

10. e.

**Meeting Date:** 09/15/2025

**Submitted by:** Breanna Dull, Clerk of Council

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#### **AGENDA ITEM DESCRIPTION OR LEGISLATION TITLE**

**AN ORDINANCE AMENDING ORDINANCE 62-90 AND LORAIN CODIFIED ORDINANCE CHAPTER 143- LORAIN PORT AUTHORITY, SECTION 143.05- CONFIRMING AUTHORITY.**

#### **PURPOSE AND BACKGROUND:**

City Council finds it necessary amend Lorain Codified Ordinance Chapter 143- Lorain Port Authority, Section 143.05- Confirming Authority **to read:**

Council hereby implements its prerogative provided by Ohio R.C. 4582.201(B) and authorizes the Lorain Port Authority to operate pursuant to Ohio R.C. 4582.21 through 4582.59, subject to the following limitations:

- (a) The Lorain Port Authority shall submit for the review of Council the annual budget for the operations and administration of the Lorain Port Authority.
- (b) The Lorain Port Authority shall submit to Council a mid-year budget and financial update.
- (c) The Lorain Port Authority shall inform Council of proposed annual or contractual expenditures exceeding seventy-five thousand dollars (\$75,000) for informational purposes only.

#### **RECOMMENDATION TO COUNCIL:**

Lorain City Council consider for passage.

#### **Admin Only (descrip. for agenda)**

\_\_\_\_\_ Ord. amending Ord. 62-90 & Lorain Codified Ordinance Ch. 143- Lorain Port Authority, Section 143.05- Confirming Authority.

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#### **Attachments**

Ordinance

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#### **Form Review**

##### **Inbox**

P. Riley

Form Started By: Breanna Dull

Final Approval Date: 09/11/2025

##### **Reviewed By**

Michele Beko

##### **Date**

09/11/2025 10:30 AM

Started On: 09/10/2025 02:26 PM

VOTE ON PASSAGE					
	AYE	NAY		AYE	NAY
Springowski			Nutt		
Dimacchia			Moon		
DuVall			Arroyo		
Henley			Spellacy		
Kempton			Thornsberry		
Carter			Arredondo		



**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE 62-90 AND  
LORAIN CODIFIED ORDINANCE CHAPTER 143-  
LORAIN PORT AUTHORITY, SECTION 143.05-  
CONFIRMING AUTHORITY.**

WHEREAS, City Council finds it necessary amend Lorain Codified Ordinance Chapter 143- Lorain Port Authority, Section 143.05- Confirming Authority.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LORAIN, OHIO:

**SECTION I.** Ordinance 62-90 and Lorain Codified Ordinances Chapter 143.05- Confirming Authority currently reads as follows:

Council hereby implements its prerogative provided by Ohio R.C. 4582.201 (B) and authorizes the Lorain Port Authority to operate pursuant to Ohio R.C. 4582.21 through 4582.59, subject to the following limitations:

- (a) The Lorain Port Authority shall submit for the review of Council the annual budget for the operations and administration of the Lorain Port Authority.
- (b) The Lorain Port Authority shall submit for the review of Council the annual budget for the proceeds of all levies and all other sources of revenue, including but not limited to the five-year, one-mill Lorain Port Authority Levy.
- (c) The Lorain Port Authority shall continue to submit monthly financial statements, as approved by the Board of Directors, for Council perusal.
- (d) The Lorain Port Authority shall submit to Council all proposed annual or contractual expenditures exceeding twenty-five thousand dollars (\$25,000). The legislative authority shall review said submittals within two weeks of receipt of same. In the event the legislative authority determines such expenditure or expenditures warrant(s) public debate, then in such event, the matter will be referred to the appropriate committee of Council as expeditiously as possible. The recommendation of said committee, assuming adoption by the legislative authority, shall be submitted to the Lorain Port Authority as a nonbinding recommendation. The Lorain Port Authority is urged to consider the recommendation of the legislative authority; however, as statutorily provided, the final determination with respect to said expenditure or expenditures shall be within the control of the Lorain Port Authority.
- (e) Prior to the adoption of, amendment to, or modification of, any development plan, lease of property or Official Plan as defined in Ohio R.C. 4582.32, the Lorain Port Authority shall submit the proposed plan, lease or Official Plan, or amendment or modification thereto, to Council which shall review same within two weeks from receipt. In the event the legislative authority determines said plan, (including the Official Plan) or lease, or amendment or modification thereto, warrants public debate, then in such event, the matter will be referred to the appropriate committee of Council as expeditiously as possible. The recommendation of said committee, assuming

adoption by the legislative authority, shall be submitted to the Lorain Port Authority as a nonbinding recommendation. The Lorain Port Authority is urged to consider the recommendation of the legislative authority; however, as statutorily provided, the final determination with respect to said plan, including the Official Plan or lease, or amendment or modification thereto, shall be within the control of the Lorain Port Authority.

(f) The Lorain Port Authority shall secure the approval of the legislative authority by ordinance or resolution prior to the adoption of any rezoning proposals or zoning changes.

**And shall hereby be amended to read as follows:**

Council hereby implements its prerogative provided by Ohio R.C. 4582.201(B) and authorizes the Lorain Port Authority to operate pursuant to Ohio R.C. 4582.21 through 4582.59, subject to the following limitations:

(a) The Lorain Port Authority shall submit for the review of Council the annual budget for the operations and administration of the Lorain Port Authority.

(b) The Lorain Port Authority shall submit to Council a mid-year budget and financial update.

(c) The Lorain Port Authority shall inform Council of proposed annual or contractual expenditures exceeding seventy-five thousand dollars (\$75,000) for informational purposes only.

**SECTION II:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of all its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION III:** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

**PASSED:** \_\_\_\_\_, 2025

**ATTEST:** \_\_\_\_\_, CLERK

\_\_\_\_\_  
**PRESIDENT OF COUNCIL**

**APPROVED:** \_\_\_\_\_, 2025

\_\_\_\_\_  
**MAYOR**



## CITY OF LORAIN

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### City Council Regular Meeting

10. f.

**Meeting Date:** 09/15/2025

**Submitted by:** Joe Carbonaro, Utilities Director

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#### **AGENDA ITEM DESCRIPTION OR LEGISLATION TITLE:**

**AN ORDINANCE AMENDING ORDINANCE 112-25 AND ENTERING INTO CONTRACT FOR SERVICES AT THE WATER PURIFICATION PLANT WITHOUT FORMAL BIDDING DUE TO OHIO EPA RECOMMENDATIONS, AND DECLARING AN EMERGENCY.**

#### **PURPOSE AND BACKGROUND:**

**WHEREAS**, the Water Purification Plant requires the immediate and emergency rehabilitation of the two (2) wash water tanks to maintain proper backwash operations; and

**WHEREAS**, on August 21<sup>st</sup>, 2025 the Ohio EPA made their annual survey of the Water Purification Plant and is recommending the immediate repair to rehabilitate the wash water tanks as they have progressed to be in need of critical repair; and

**WHEREAS**, the Water Purification Plant needs to continue to provide clean, healthy, and safe drinking water to a population of approximately 67,000; and

**WHEREAS**, the Utilities Department Administration has determined that these improvements are necessary to maintain water production operations in accordance with federal and state regulations.

#### **RECOMMENDATION TO COUNCIL:**

Passage

#### **Admin Only**

\_\_\_\_ Ord. amending Ord. 112-25 and entering into contract for services at the Water Purification Plant without formal bidding due to Ohio EPA recommendations.

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#### **Fiscal Impact**

<b><u>Funds Available in Current Year Budget (Y/N):</u></b>	Y
<b><u>Estimated Total Expenditure:</u></b>	120000
<b><u>List of Funding Source and/or Account Number:</u></b>	Budget
<b><u>Estimate of Incoming Revenue (fees, grants, etc.):</u></b>	
<b><u>Financing Requirements (Bonds, Loans, Lease, etc.):</u></b>	

---

#### **Attachments**

## Form Review

**Inbox**

Carrion  
Mayor Bradley  
JKoziura  
Harper  
P. Riley

Form Started By: Joe Carbonaro  
Final Approval Date: 09/12/2025

**Reviewed By**

Rey Carrion  
Jack Bradley  
Maggie Partin  
Anita Harper  
Michele Beko

**Date**

09/12/2025 09:37 AM  
09/12/2025 09:39 AM  
09/12/2025 09:55 AM  
09/12/2025 09:56 AM  
09/12/2025 10:36 AM  
Started On: 09/08/2025 02:41 PM

VOTE ON PASSAGE					
	AYE	NAY		AYE	NAY
Springowski			Nutt		
Dimacchia			Moon		
DuVall			Arroyo		
Henley			Spellacy		
Kempton			Thornsberry		
Carter			Arredondo		

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE 112-25 AND ENTERING INTO CONTRACT FOR SERVICES AT THE WATER PURIFICATION PLANT WITHOUT FORMAL BIDDING DUE TO OHIO EPA RECOMMENDATIONS, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Water Purification Plant requires the immediate and emergency rehabilitation of the two (2) wash water tanks to maintain proper backwash operations; and

**WHEREAS**, on August 21<sup>st</sup>, 2025 the Ohio EPA made their annual survey of the Water Purification Plant and is recommending the immediate repair to rehabilitate the wash water tanks as they have progressed to be in need of critical repair; and

**WHEREAS**, the Water Purification Plant needs to continue to provide clean, healthy, and safe drinking water to a population of approximately 67,000; and

**WHEREAS**, the Utilities Department Administration has determined that these improvements are necessary to maintain water production operations in accordance with federal and state regulations.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LORAIN, STATE OF OHIO:**

**SECTION I** That the Director of Public Service of the City of Lorain, State of Ohio, be and is hereby authorized in the name of the City of Lorain to enter into contract for work at the Water Purification Plant without formal bidding & advertising per ORC 735.051.

**SECTION II** That the cost of said work shall not exceed \$120,000 and be paid for by funds from the following Water Works Fund GL Account:

6020.P602.6440.6700.1500 – Purification Operations – Facility Improvement

**SECTION III** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

**SECTION IV** That this ordinance is hereby declared to be an emergency, the nature of which is the immediate need to commence work on the wash water tanks at the Water Purification Plant. Therefore, this Ordinance shall take immediately upon its passage and approval by the Mayor, providing it receives the statutory requirements for passage; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**PASSED:** \_\_\_\_\_, 2025

**ATTEST:** \_\_\_\_\_ **CLERK**

\_\_\_\_\_  
**PRESIDENT OF COUNCIL**

**APPROVED:** \_\_\_\_\_, 2025

\_\_\_\_\_  
**MAYOR**



## CITY OF LORAIN

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### City Council Regular Meeting

10. g.

Meeting Date: 09/15/2025

Submitted by: Kathryn Golden

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#### AGENDA ITEM DESCRIPTION OR LEGISLATION TITLE

AN ORDINANCE DECLARING THAT THE SUBMERGED LANDS ADJACENT TO 1253 E ERIE AVENUE, LORAIN, OH 44052, ARE NOT NECESSARY OR REQUIRED FOR THE CONSTRUCTION, MAINTENANCE, OR OPERATION BY THE CITY OF LORAIN OF BREAKWATERS, PIERS, DOCKS, WHARVES, BULKHEADS, CONNECTING WAYS, WATER TERMINAL FACILITIES, AND IMPROVEMENTS AND MARGINAL HIGHWAYS IN AID OF NAVIGATION AND WATER COMMERCE AND THAT THE LAND USES SPECIFIED IN ITS APPLICATION COMPLY WITH REGULATION OF PERMISSIBLE LAND USE UNDER A WATERFRONT PLAN OF THE CITY OF LORAIN.

#### PURPOSE AND BACKGROUND

Construction of a new armor stone revetment is planned to protect the existing upland property at 1253 E Erie Avenue, Lorain, OH 44052, from deterioration and erosion. A temporary shore structure permit was applied for the initial construction of the shore structure improvements with the Office of Coastal Management of the Ohio Department of Natural Resources (ODNR) on August 12, 2025. Upon the expiration of a temporary shore structure permit, a permanent shore structure permit and submerged lands lease permit application is required by ODNR. The ODNR shore structure permit and submerged lands lease permit application requires that a municipal corporation "has enacted an ordinance or resolution find and determining that such part of the territory, described by metes and bounds or by an alternate description referenced to the applicant's upland property description that is considered adequate by the director, is not necessary or required for the construction, maintenance, or operation by the municipal corporation, county, or port authority of breakwaters, piers, docks, wharves, bulkheads, connecting ways, water terminal facilities, and improvements and marginal highways in aid of navigation and water commerce and that the land uses specified in the application comply with regulation of permissible land use under a waterfront plan of the local authority," per Ohio Revised Code §1506.11 (B).

#### RECOMMENDATION TO COUNCIL:

Consideration and passage.

#### Admin Only

\_\_\_\_ Ord. declaring that the submerged lands adjacent to 1253 E. Erie Ave. are not necessary or required for the construction, maintenance or operation under a waterfront plan of the City of Lorain.

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#### Attachments

Ordinance

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Form Review

Inbox

Carrion  
Mayor Bradley  
P. Riley  
Form Started By: Kathryn Golden  
Final Approval Date: 09/11/2025

Reviewed By

Rey Carrion  
Jack Bradley  
Michele Beko

Date

08/28/2025 02:59 PM  
08/28/2025 03:04 PM  
09/11/2025 10:30 AM  
Started On: 08/28/2025 02:45 PM

VOTE ON PASSAGE					
	AYE	NAY		AYE	NAY
Springowski			Nutt		
Dimacchia			Moon		
DuVall			Arroyo		
Henley			Spellacy		
Kempton			Thornsberry		
Carter			Arredondo		

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE DECLARING THAT THE SUBMERGED LANDS ADJACENT TO 1253 E ERIE AVENUE, LORAIN, OH 44052, ARE NOT NECESSARY OR REQUIRED FOR THE CONSTRUCTION, MAINTENANCE, OR OPERATION BY THE CITY OF LORAIN OF BREAKWATERS, PIERS, DOCKS, WHARVES, BULKHEADS, CONNECTING WAYS, WATER TERMINAL FACILITIES, AND IMPROVEMENTS AND MARGINAL HIGHWAYS IN AID OF NAVIGATION AND WATER COMMERCE AND THAT THE LAND USES SPECIFIED IN ITS APPLICATION COMPLY WITH REGULATION OF PERMISSIBLE LAND USE UNDER A WATERFRONT PLAN OF THE CITY OF LORAIN.**

**WHEREAS**, construction of a new armor stone revetment is planned to protect the existing upland property at 1253 E Erie Avenue, Lorain, OH 44052, from deterioration and erosion; and

**WHEREAS**, a temporary shore structure permit was applied for the initial construction of the shore structure improvements with the Office of Coastal Management of the Ohio Department of Natural Resources (ODNR) on August 12, 2025; and,

**WHEREAS**, upon the expiration of a temporary shore structure permit, a permanent shore structure permit and submerged lands lease permit application is required by ODNR; and,

**WHEREAS**, the ODNR shore structure permit and submerged lands lease permit application requires that a municipal corporation “has enacted an ordinance or resolution find and determining that such part of the territory, described by metes and bounds or by an alternate description referenced to the applicant's upland property description that is considered adequate by the director, is not necessary or required for the construction, maintenance, or operation by the municipal corporation, county, or port authority of breakwaters, piers, docks, wharves, bulkheads, connecting ways, water terminal facilities, and improvements and marginal highways in aid of navigation and water commerce and that the land uses specified in the application comply with regulation of permissible land use under a waterfront plan of the local authority,” per Ohio Revised Code §1506.11 (B).

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LORAIN, STATE OF OHIO:**

**SECTION I** That the submerged lands associated with the adjacent property at 1253 E Erie Ave and Lake Erie are not necessary or required for the construction, maintenance, or operation by the city of Lorain of breakwaters, piers, docks, wharves, bulkheads, connecting ways, water terminal facilities, and improvements and marginal highways in aid of navigation and water commerce and that the land uses specified in the application comply with regulation of permissible land use under a waterfront plan of the City of Lorain.

**SECTION II** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.



**SECTION III** That this Ordinance shall, after passage by Council and approval by the Mayor, take effect, and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2025

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_, CLERK

\_\_\_\_\_  
MAYOR

APPROVED: \_\_\_\_\_, 2025



## CITY OF LORAIN

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### City Council Regular Meeting

10. h.

**Meeting Date:** 09/15/2025

**Submitted by:** Evelisse Atkinson, Planning & Zoning Administrator

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### AGENDA ITEM DESCRIPTION OR LEGISLATION TITLE

An ordinance requesting approval for the Silver Hills preliminary development plan

### PURPOSE AND BACKGROUND

Planning Commission has recommended approval of the Silver Hills preliminary development plan

### RECOMMENDATION TO COUNCIL:

Consider for passage

### Admin Only

\_\_\_\_ Ord. approving the proposed Preliminary Plan for the Silver Hills Development.

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### Attachments

Ordinance - Silver Hills  
Silver Hills Preliminary Plan

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### Form Review

#### Inbox

M. Kuszniir  
Carrion  
Mayor Bradley  
P. Riley  
Form Started By: Evelisse Atkinson  
Final Approval Date: 09/12/2025

#### Reviewed By

Matt Kuszniir  
Rey Carrion  
Jack Bradley  
Michele Beko

#### Date

09/10/2025 02:38 PM  
09/12/2025 09:37 AM  
09/12/2025 09:38 AM  
09/12/2025 10:36 AM  
Started On: 09/10/2025 09:35 AM

VOTE ON PASSAGE					
	AYE	NAY		AYE	NAY
Springowski			Nutt		
Dimacchia			Moon		
DuVall			Arroyo		
Henley			Spellacy		
Kempton			Thornsberry		
Carter			Arredondo		

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING THE PROPOSED  
PRELIMINARY PLAN FOR THE SILVER HILLS  
DEVELOPMENT IN THE CITY OF LORAIN, OHIO

WHEREAS, the Lorain City Planning Commission, at their meeting of September 3, 2025, reviewed and recommended that the proposed Preliminary Plan for the Silver Hills development located 5430 West Erie Avenue, Lorain, be approved; and,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LORAIN, STATE OF OHIO:

SECTION I. That Lorain City Council hereby approves the proposed Preliminary Plan for the Silver Hills development as recommended by the Lorain Planning Commission, a copy of said plan being attached hereto and marked Exhibit A and fully incorporated herein.

SECTION II. That Lorain City Council hereby directs the Building Inspector to issue building permits only in accordance with this proposed Preliminary Plan.

SECTION III. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION IV. Except as otherwise provided herein, this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2025

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_, CLERK

APPROVED: \_\_\_\_\_, 2025

\_\_\_\_\_  
MAYOR

September 3, 2025

Honorable Members of Council  
City Hall- First Floor  
200 West Erie Avenue  
Lorain, OH 44052

**P.D.P 02-2024 Update and revision regarding the Preliminary Development Plan for Silver Hills, a multi-family development, located at, 5430 W Erie Ave.**

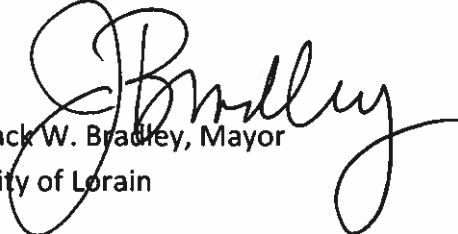
Honorable Members of Council:

The Lorain Planning Commission met in regular session on September 3, 2025, and considered the above referred to item.

After due consideration, it was regularly moved and supported to recommend approval, to Lorain City Council.

**Motion Carried:   5   Ayes   0   Nays**

Very truly yours,

  
Jack W. Bradley, Mayor  
City of Lorain

cc: Safety/Service Director  
Law Department  
Engineering Department  
Clerk of Council  
File

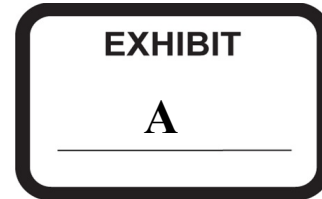


**SILVER HILLS DEVELOPMENT, INC.**

72 Wychwood Drive  
Moreland Hills, Ohio 44022  
Attention: Seth Mendelsohn  
Email: [sm@silverhillsre.com](mailto:sm@silverhillsre.com)

June 25, 2025

City of Lorain  
Building, Housing, & Planning  
200 West Erie Ave., 5<sup>th</sup> Floor  
Lorain, OH 44052  
Attention: Evelisse Atkinson,  
Planning & Zoning Administrator



*Re: Silver Hills – Lorain File No. 14754-007*

Dear Members of the Planning and Zoning Boards,

On behalf of Silver Hills, we respectfully submit updated plans for our proposed development that was previously approved by your board.

We have summarized below the key changes made since the prior approval, along with the rationale behind the revised design.

**Summary of Revisions:**

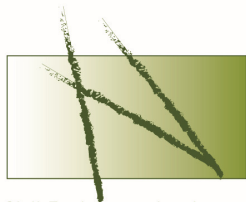
- **Increased Unit Count:** The total unit count has been increased from 150 to 172 units. The updated plan remains within the allowable zoning density of 173 units and does not require a variance for this change.
- **Building Typology and Layout:** Several three-story garden-style apartment buildings have been reconfigured as a mix of two- and three-story townhouse-style buildings. This change has resulted in an increase in the total number of buildings from seven to eleven and necessitated adjustments to the drive aisles and overall site layout.
- **Corner Parcel Use:** The previously proposed retail building and its associated parking area at the corner of Kolbe Road have been removed. This area is now designated for residential buildings in order to better integrate with the surrounding development and support the increase in unit count.

- **Height Reduction:** The height of the tallest three-story building has been reduced, lowering the height variance requested from 11.83 feet to 9.42 feet.
- **Parking Modifications:** Parking counts have been revised to support the additional units. The updated plan provides 262 spaces, resulting in a variance request of 125 spaces from the required 387.

We believe these revisions enhance both the functionality and overall character of the development and are consistent with the feedback given so far by city staff. Accordingly, we respectfully request the opportunity to present the updated plan directly to City Council for preliminary review. Upon City Council approval, we will return to the Planning and Zoning Boards for final consideration.

Sincerely,

SILVER HILLS DEVELOPMENT, INC.  
an Ohio corporation



**NEFF**  
& ASSOCIATES

Civil Engineers + Landscape Architects + Planners + Surveyors

Code Section 4.03 – Max Height of Building

Code Required	35 Feet
Provided	44.42 Feet
Variance Requested	9.42 Feet

Reason for Variance: A 9.42 foot height variance is being requested to increase the height of the building in order to increase the lake views and allow for unique luxury product along the lakefront.

Code Section 14.04(B) – Minimum Parking Stall Size

Code Required	9 ft x 20 ft
Provided	9 ft x 18 ft
Variance Requested	2 ft parking stall length

Reason for Variance: A 2 foot variance is being requested as allowed for head in parking with landscape or buffer for vehicle overhang.

Code Section 14.03-1 – Minimum Parking Stall Count

Code Required	387 Spaces
Provided	262 Spaces
Variance Requested	125 Spaces

Reason for Variance: A 125 parking space variance is being requested to allow for the maximum amenity and green space in the development.

Code Section - Minimum unit size

Code Required	750 SF
Provided	726 SF
Variance Requested	24SF

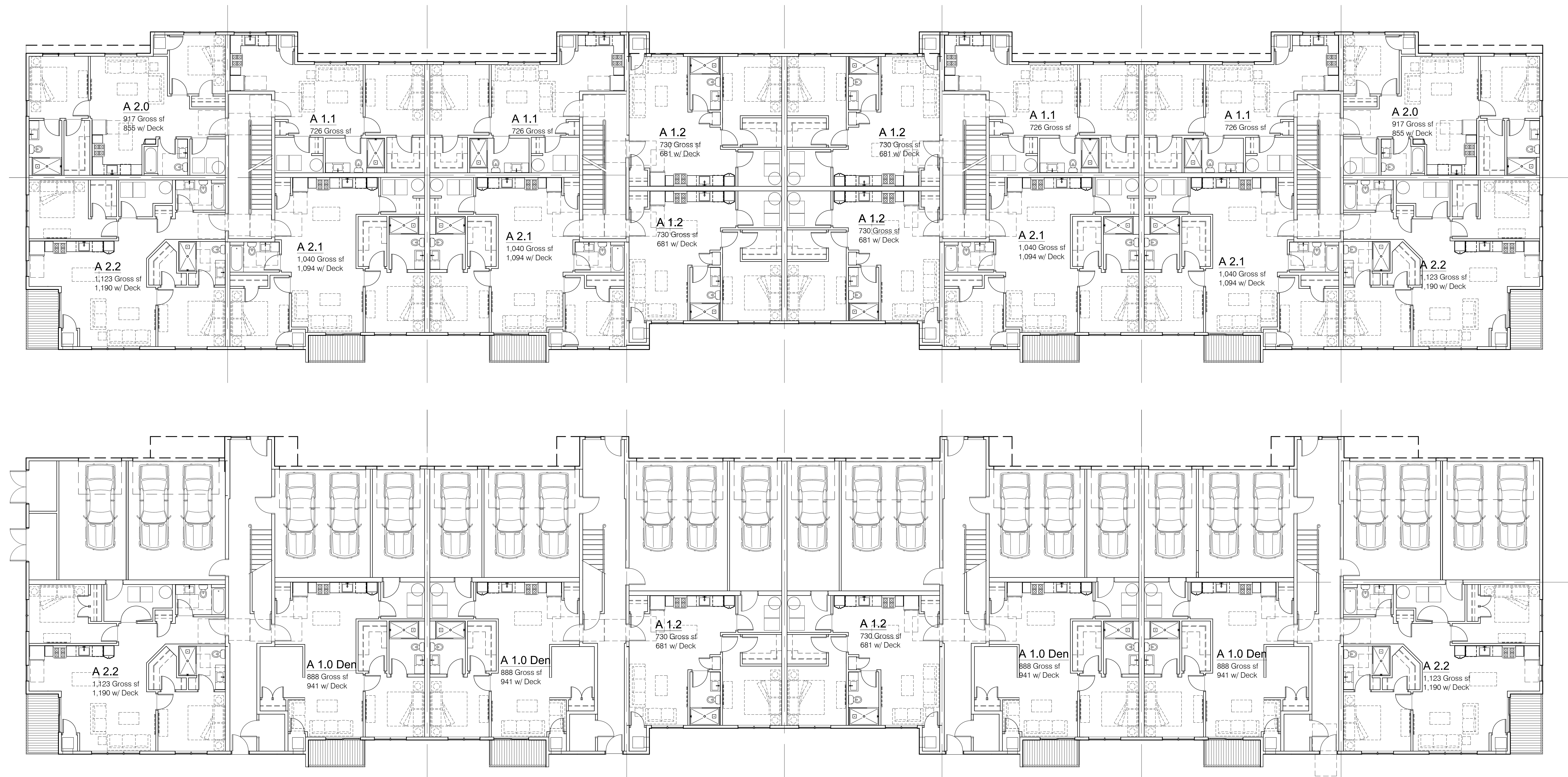
Reason for Variance: Variance is being requested to reduce 25% of units below 750sf to match Developer and market preferences.



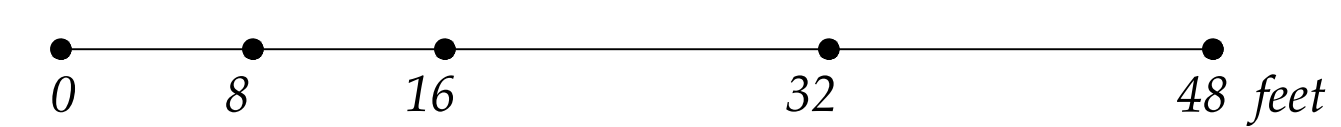


Site Plan

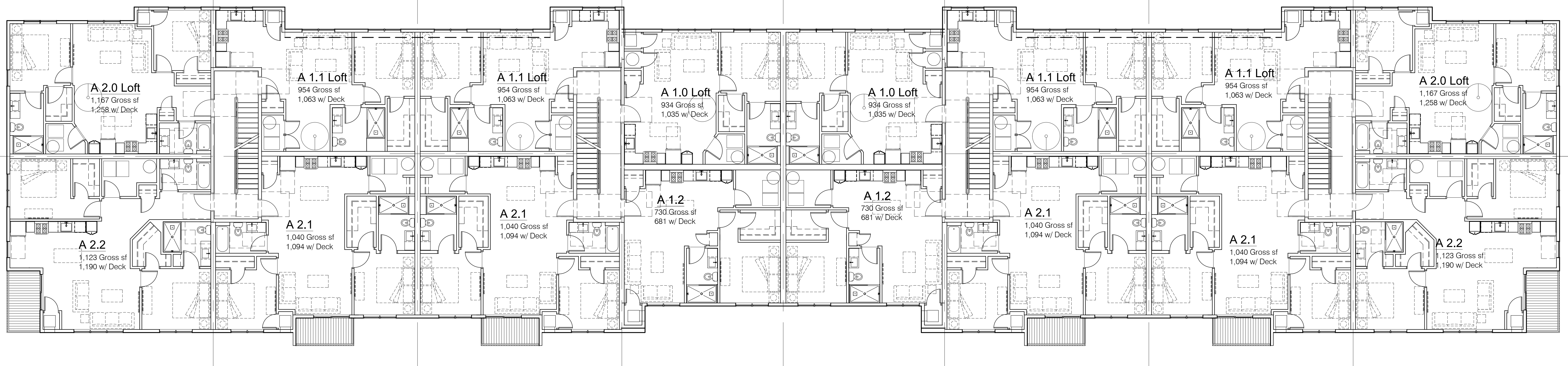
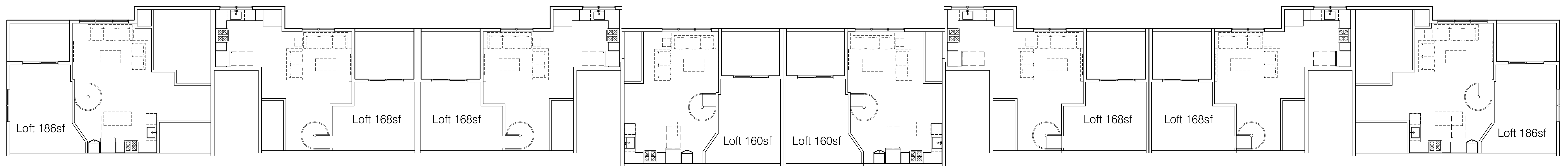




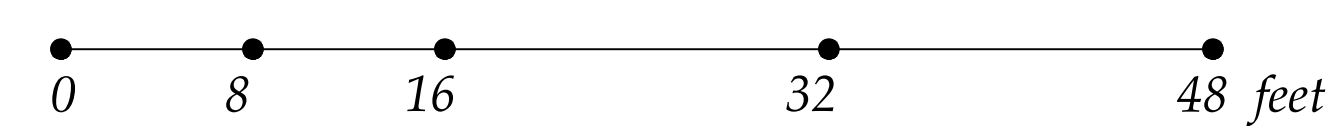
Building One and Two



*Silver Hills at Lorain*



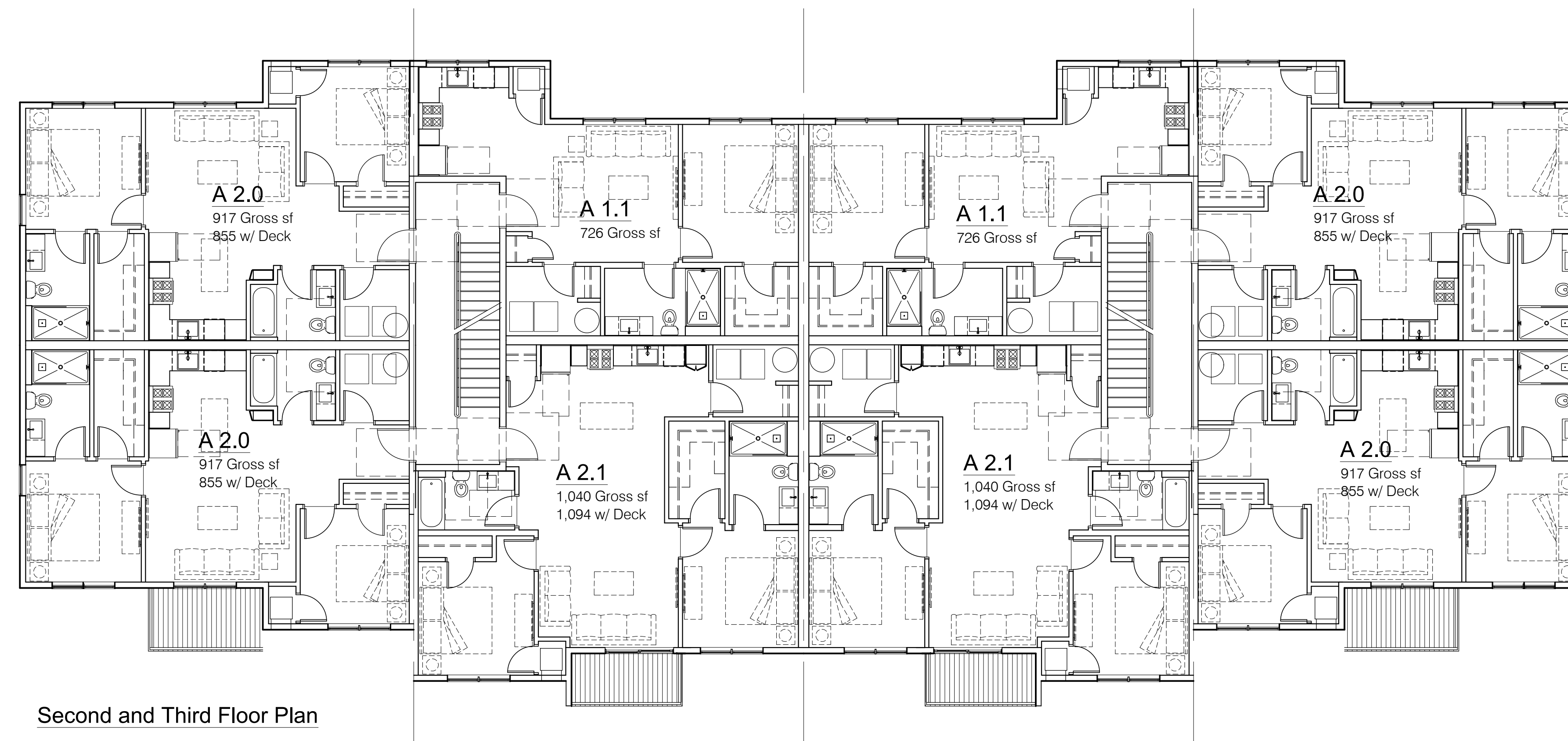
Building One and Two



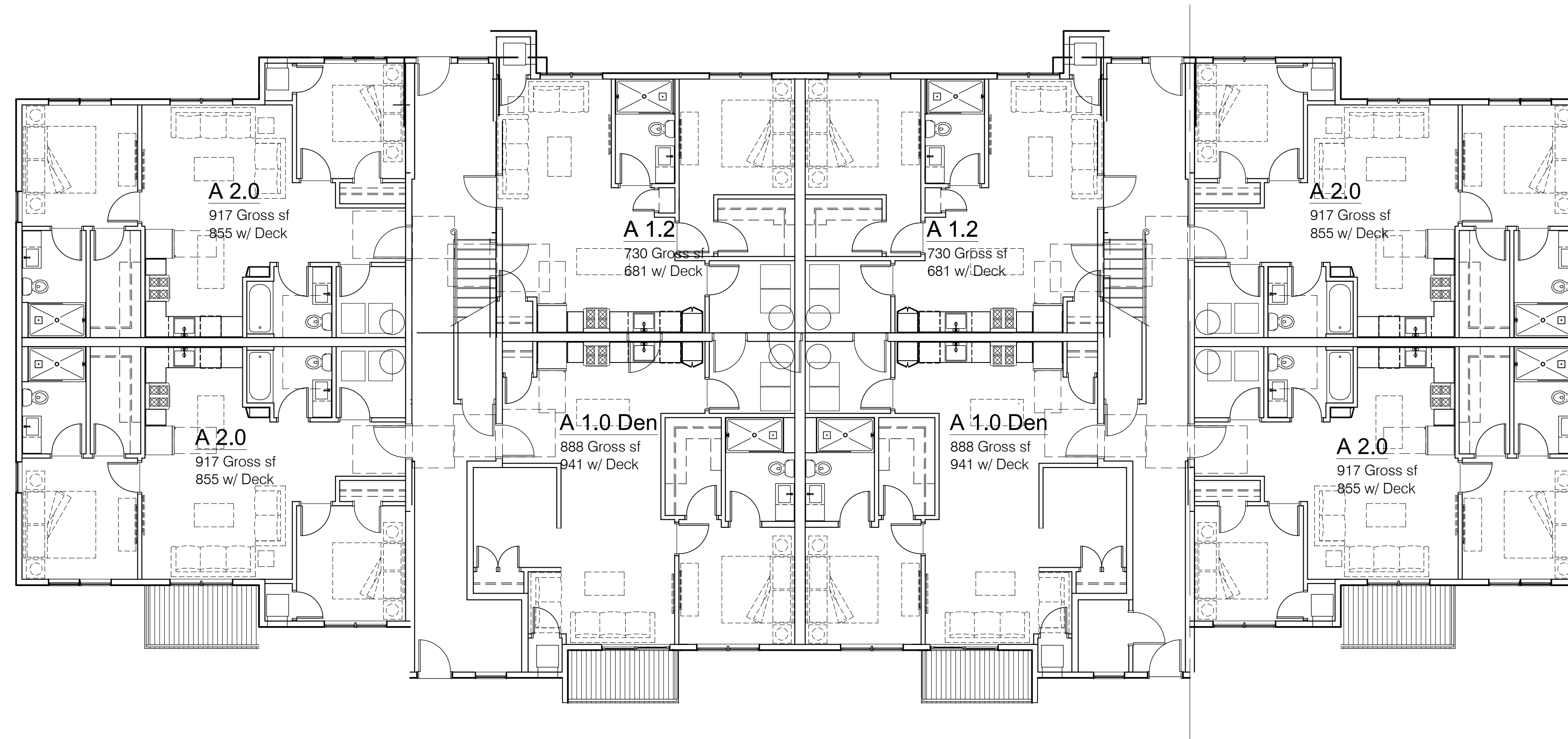






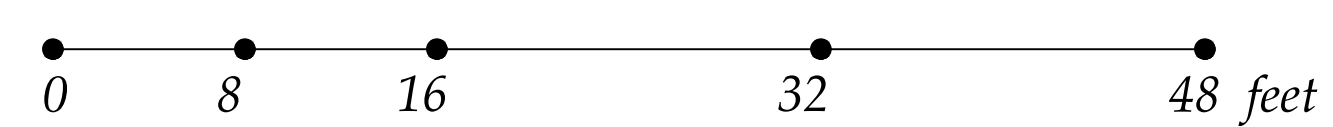


Second and Third Floor Plan



First Floor Plan

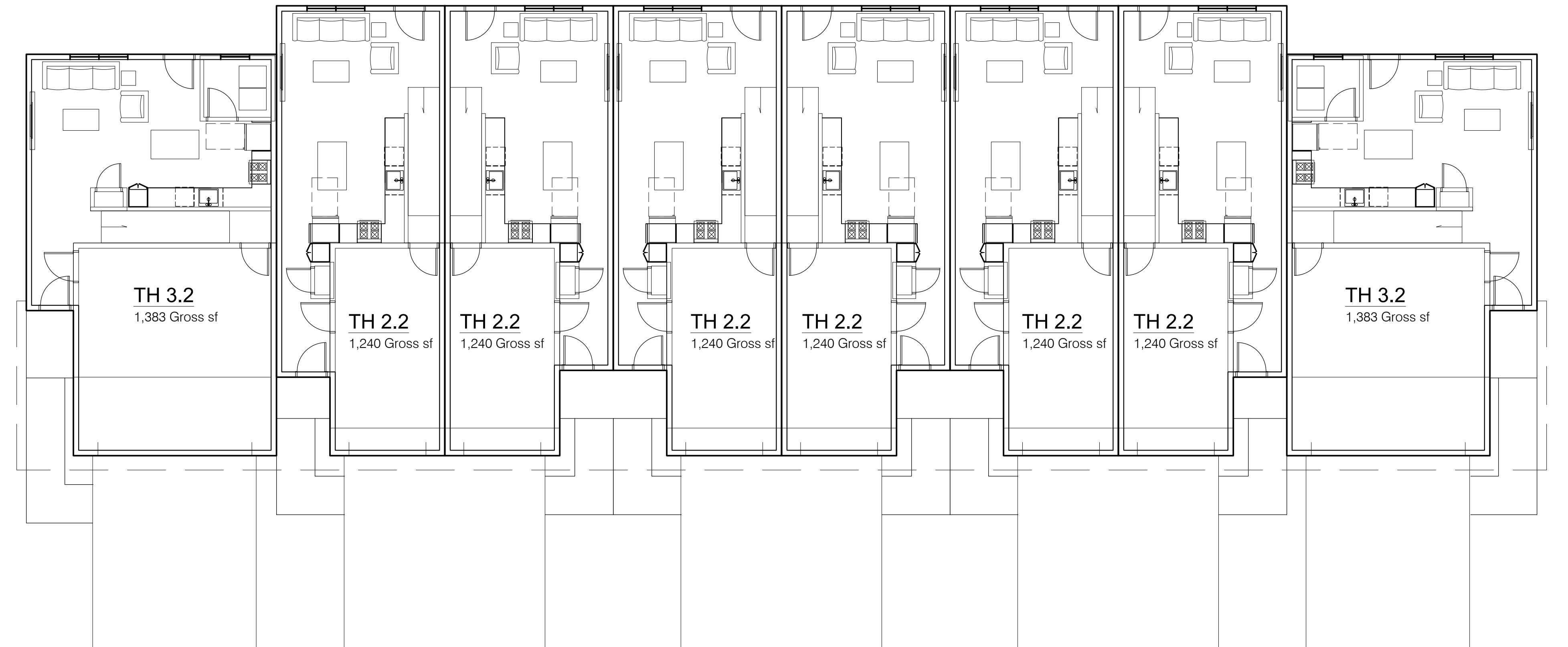
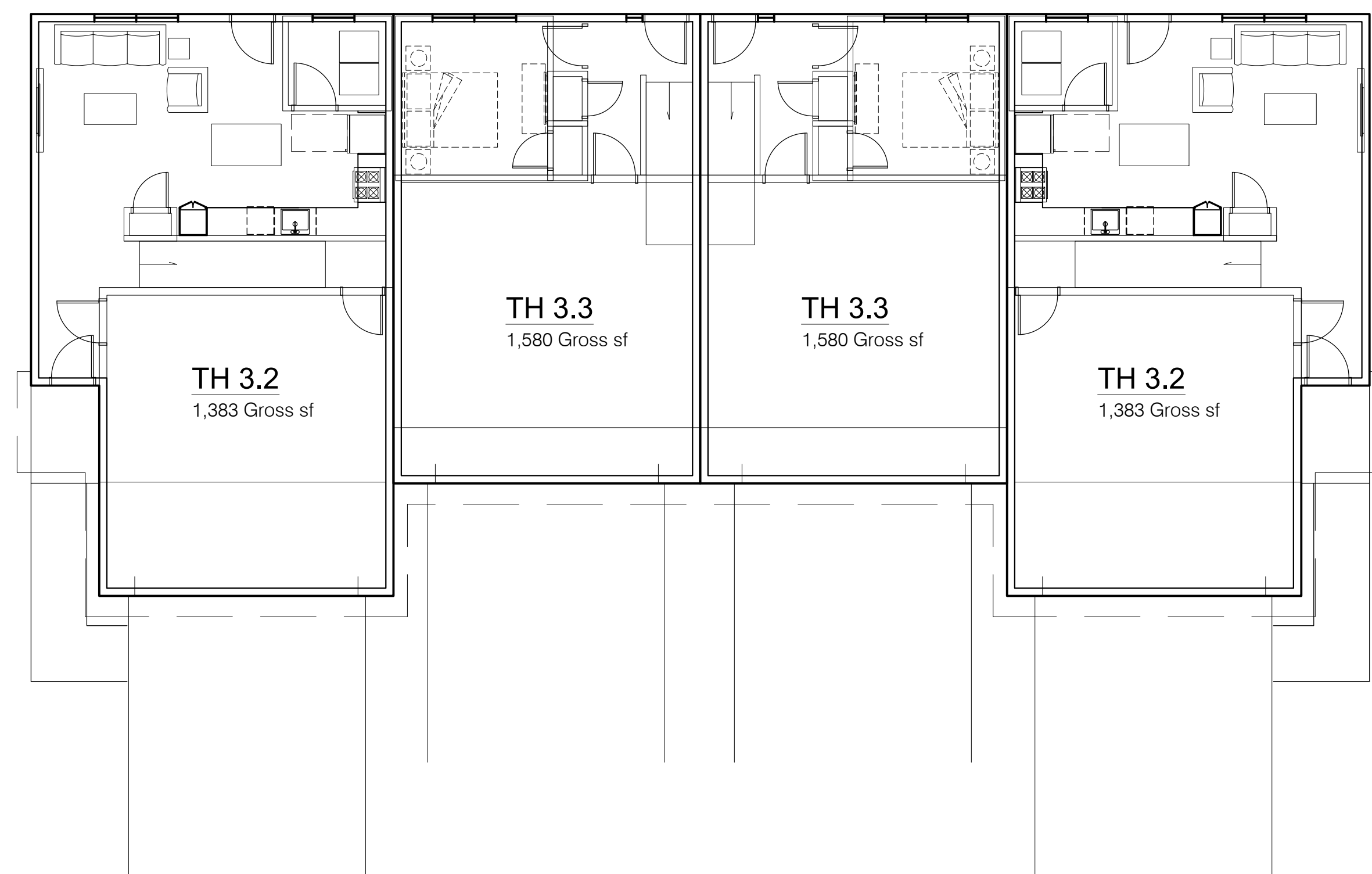
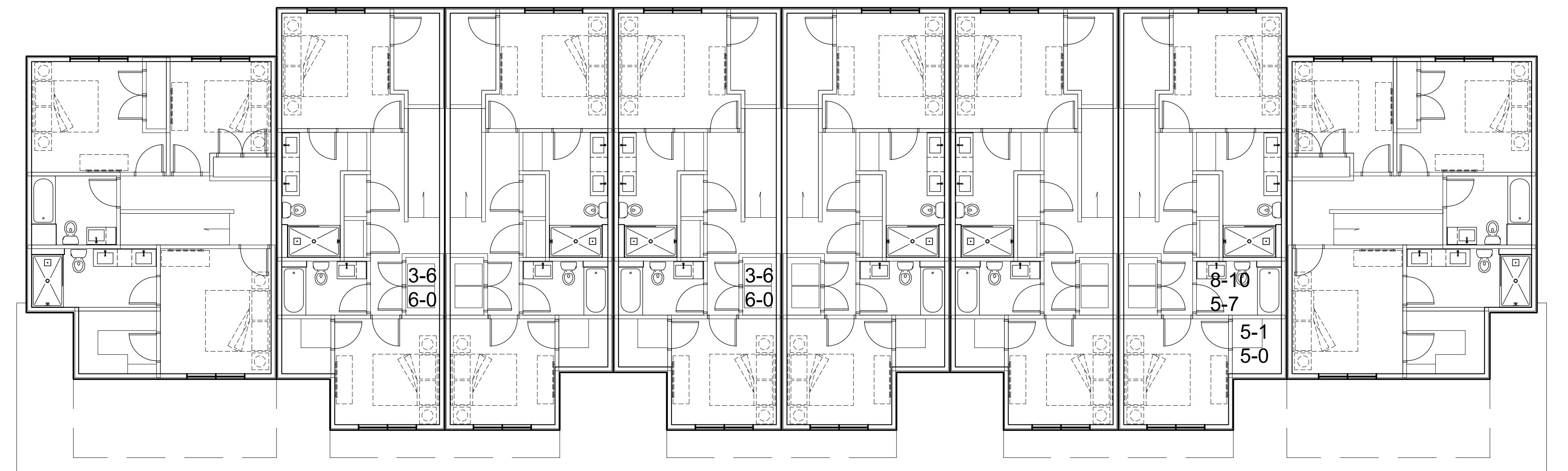
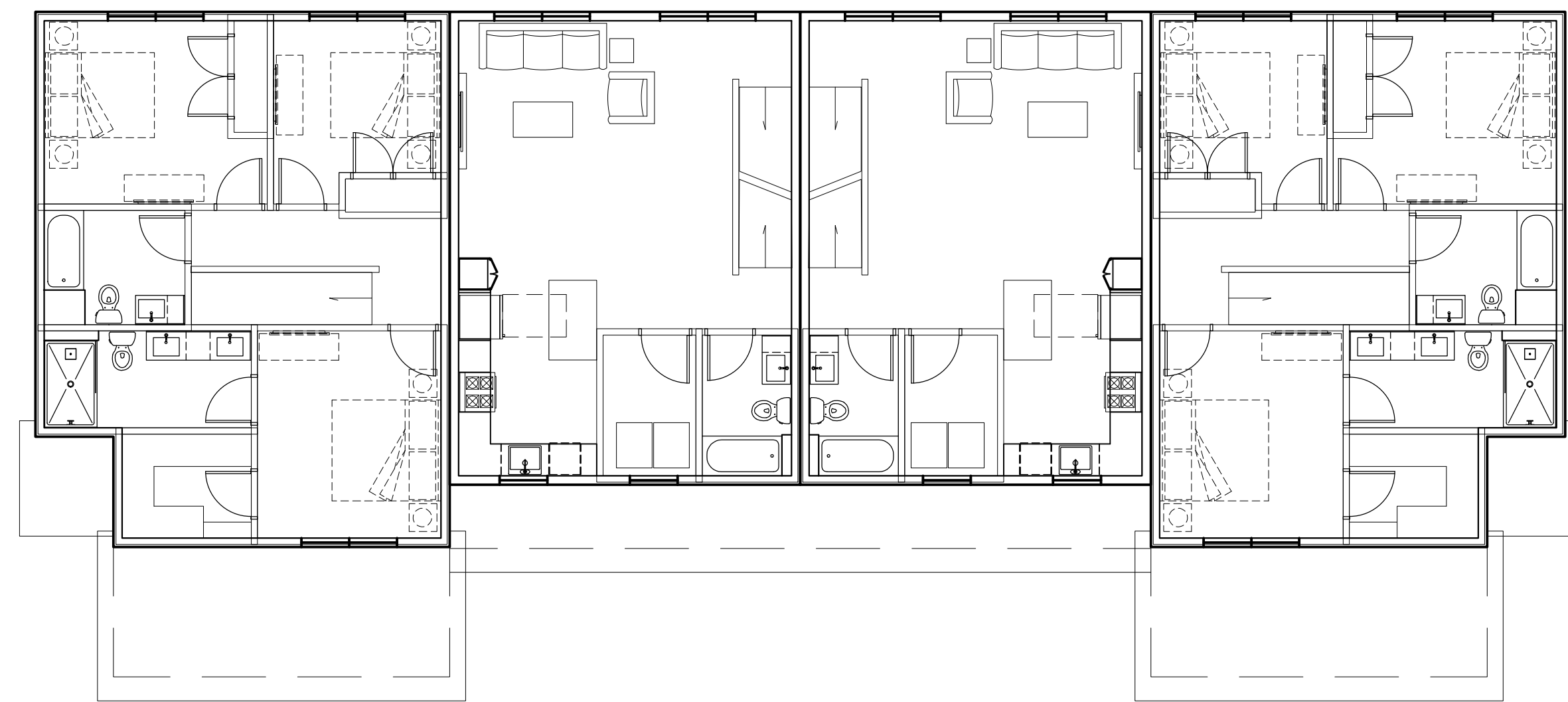
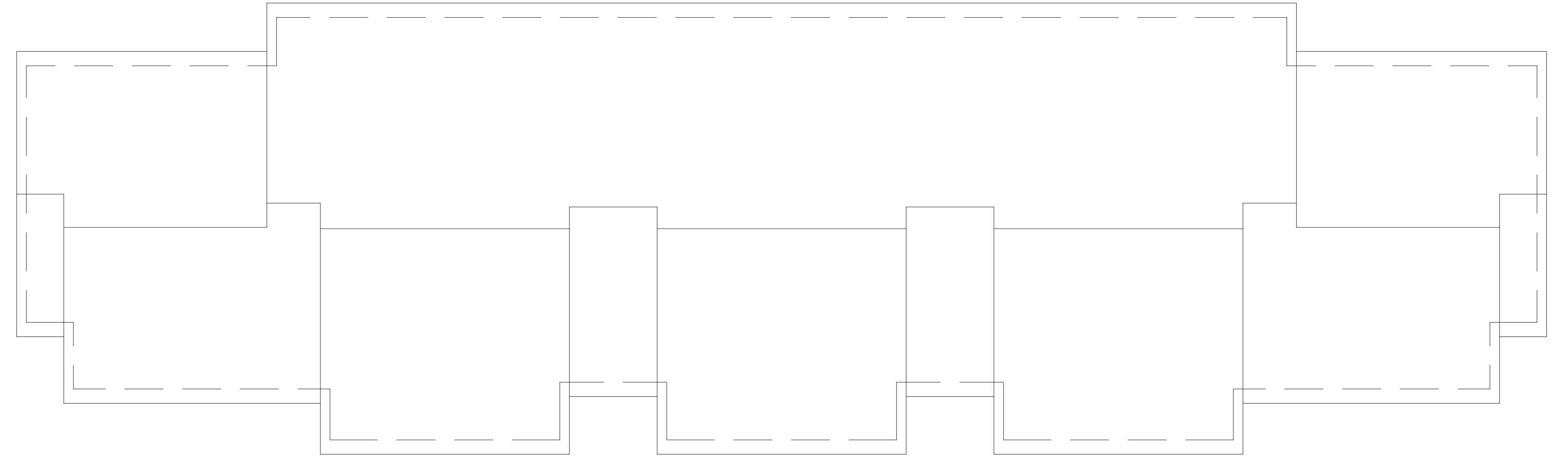
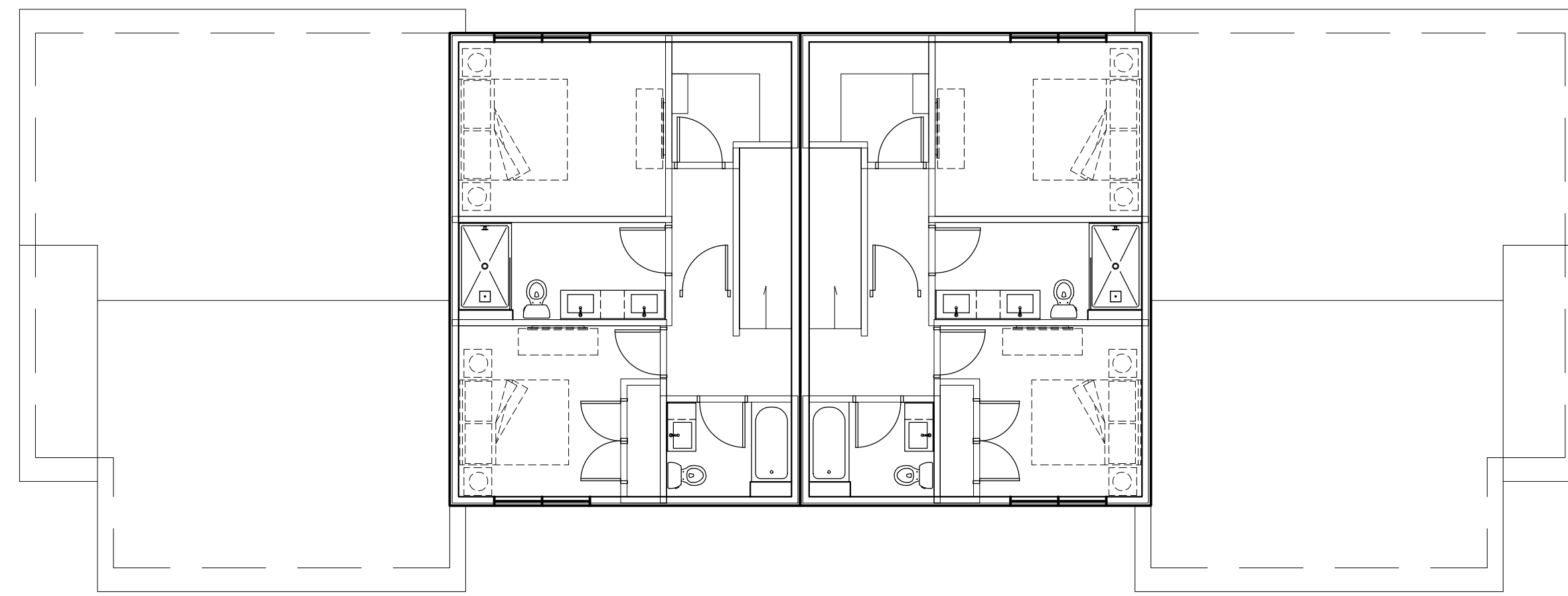
## Building Three and Four











Town House One, Two and Three

Town House Five and Six



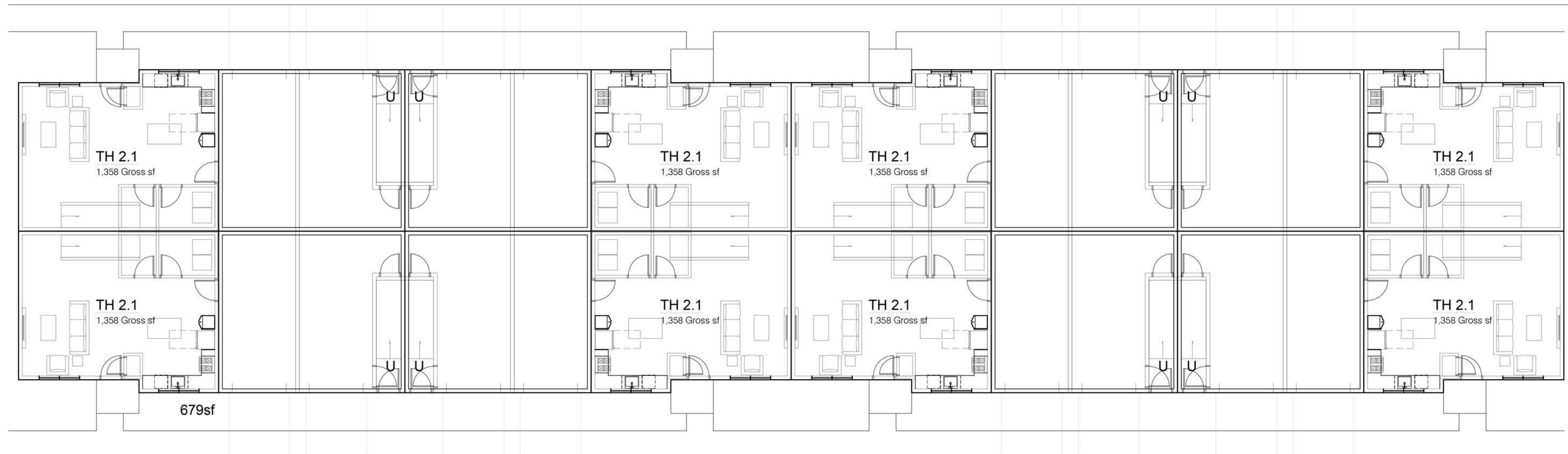
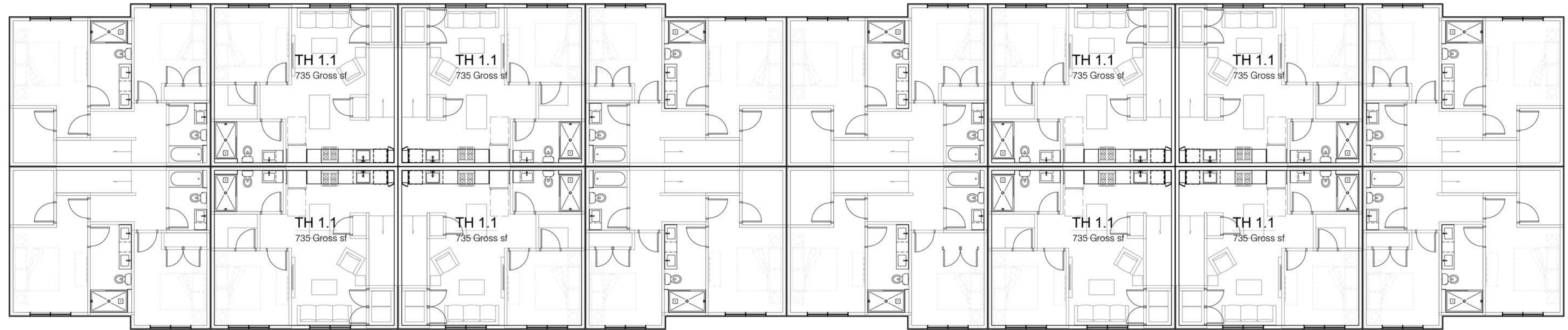


Town House One, Two and Three



Town House Five and Six

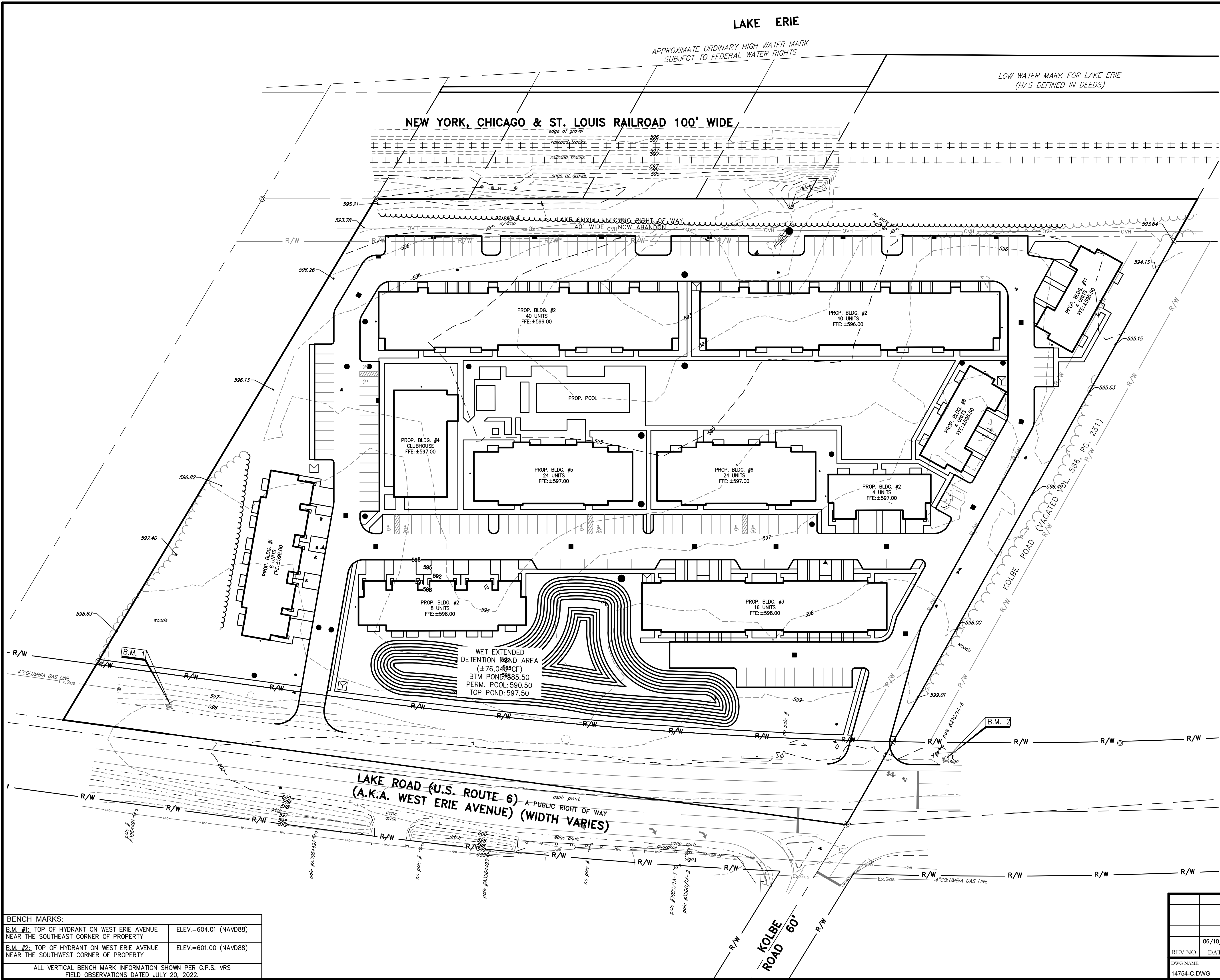




Town House Building Four



N:\LAND DEVELOPMENT\PM\1\15TH Silver Hills - Lorain\AutoCAD\UTP\AC.dwg, C3.0, 1/4/2025, 4:55:54 PM



BENCH MARKS:	
B.M. #1: TOP OF HYDRANT ON WEST ERIE AVENUE NEAR THE SOUTHEAST CORNER OF PROPERTY	ELEV.=604.01 (NAVD88)
B.M. #2: TOP OF HYDRANT ON WEST ERIE AVENUE NEAR THE SOUTHWEST CORNER OF PROPERTY	ELEV.=601.00 (NAVD88)
ALL VERTICAL BENCH MARK INFORMATION SHOWN PER G.P.S. VRS FIELD OBSERVATIONS DATED JULY 20, 2022.	

REV NO	DATE	DESCRIPTION
06/10/25		PLANNING SUBMITTAL
DWG NAME	DRAWN BY	CHKD BY
14754-C.DWG	KMK	JMP
		JOB NO
		14754

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40'  
20'  
0'  
SCALE  
1 INCH = 40 FEET  
24 x 36  
SHEETS ONLY

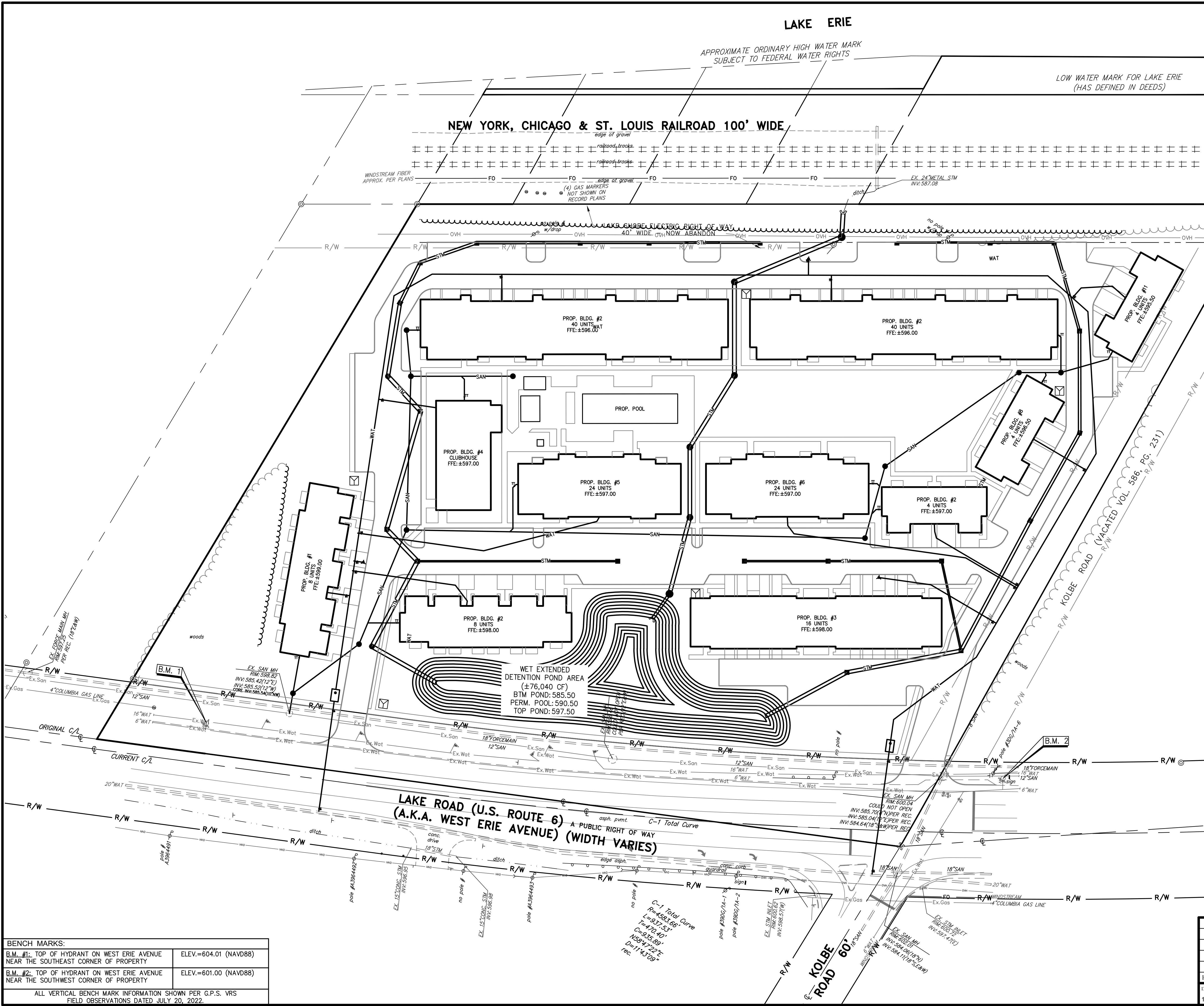
SHEET NO.  
C3.0

SILVER HILLS-LORAIN - 5430 WEST ERIE AVENUE  
OVERALL SITE GRADING PLAN  
CITY OF LORAIN, COUNTY OF LORAIN, STATE OF OHIO

**NEFF**  
& ASSOCIATES  
Civil Engineers • Landscaping Architects • Planners • Surveyors  
6405 N. Linn Road, Suite 100, Columbus, OH 43230  
Tel: 614.884.3100 | Fax: 614.884.3104  
www.neff-assoc.com



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BENCH MARKS:	
B.M. #1: TOP OF HYDRANT ON WEST ERIE AVENUE NEAR THE SOUTHEAST CORNER OF PROPERTY	ELEV.=604.01 (NAVD88)
B.M. #2: TOP OF HYDRANT ON WEST ERIE AVENUE NEAR THE SOUTHWEST CORNER OF PROPERTY	ELEV.=601.00 (NAVD88)
ALL VERTICAL BENCH MARK INFORMATION SHOWN PER G.P.S. VRS FIELD OBSERVATIONS DATED JULY 20, 2022.	

REV NO	DATE	DESCRIPTION
06/10/25		PLANNING SUBMITTAL
DWG NAME		
14754-C.DWG	DRAWN BY	CHKD BY
	KMK	JMP
		JOB NO
		14754

OHIO  
Utilities Protection  
SERVICE  
Call Before You Dig  
1-800-362-2764  
B219300549-00B  
Also call: OGPUPS @ 1-800-925-0988  
(Ohio Oil & Gas Underground  
Protection Service)  
-- or dial 8-1-1 --

80'  
40'  
20'  
0'  
SCALE  
1 INCH = 40 FEET  
24 x 36  
SHEETS ONLY

NORTH

SILVER HILLS-LORAIN - 5430 WEST ERIE AVENUE  
OVERALL SITE UTILITY PLAN  
CITY OF LORAIN, COUNTY OF LORAIN, STATE OF OHIO

STATE OF OHIO  
JEFFREY M. PLAUTZ  
E-71328  
REGISTERED PROFESSIONAL ENGINEER

NEFF & ASSOCIATES  
Civil Engineers • Landscape Architects • Planners • Surveyors  
6045 E. 440th St., Suite 100, Independence, OH 44131  
Tel: 440.884.3104 Fax: 440.884.3104  
www.neff-assoc.com

SHEET NO.  
C4.0

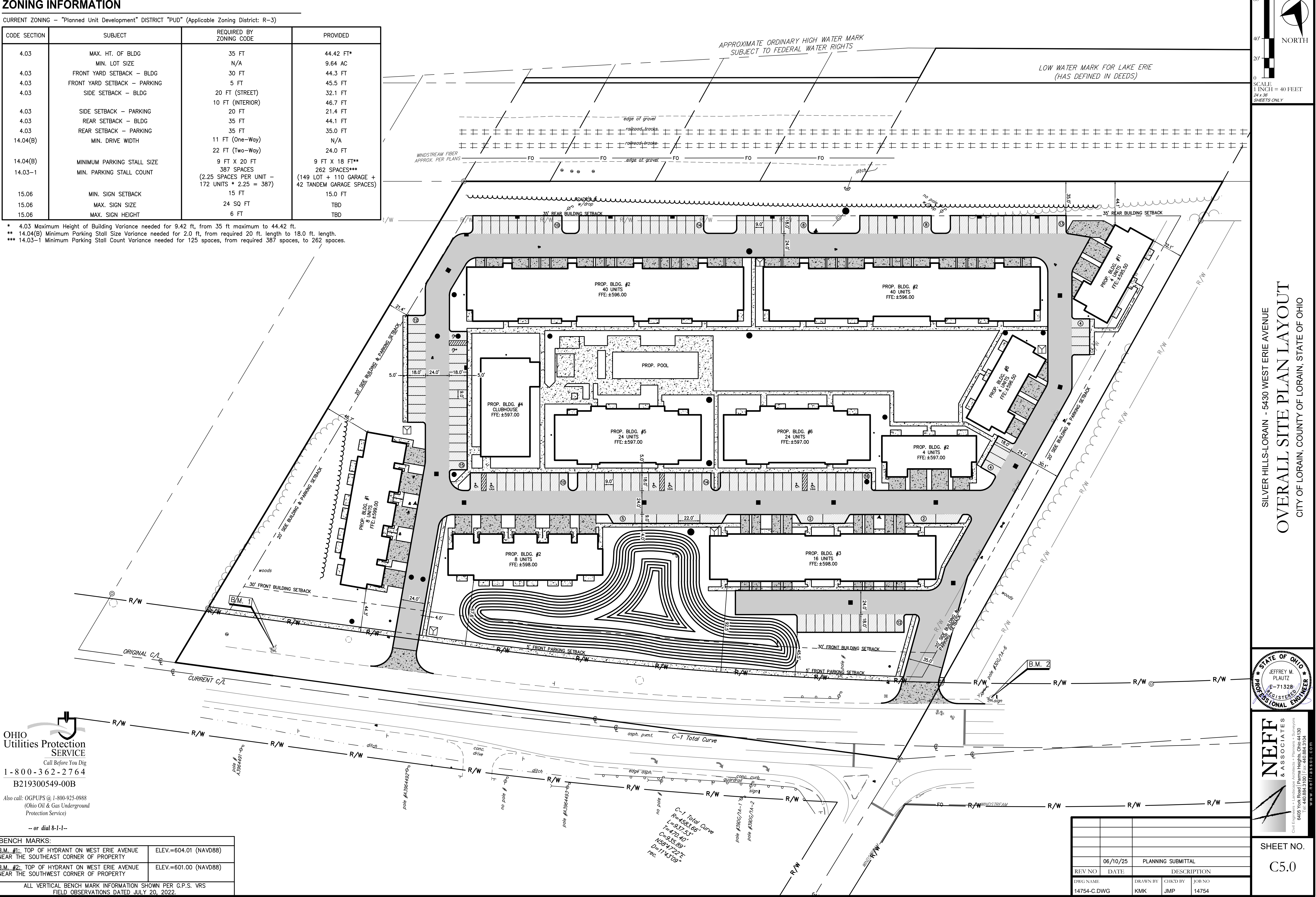


ZONING INFORMATION

CURRENT ZONING - "Planned Unit Development" DISTRICT "PUD" (Applicable Zoning District: R-3)

CODE SECTION	SUBJECT	REQUIRED BY ZONING CODE	PROVIDED
4.03	MAX. HT. OF BLDG	35 FT	44.42 FT*
	MIN. LOT SIZE	N/A	9.64 AC
4.03	FRONT YARD SETBACK - BLDG	30 FT	44.3 FT
4.03	FRONT YARD SETBACK - PARKING	5 FT	45.5 FT
4.03	SIDE SETBACK - BLDG	20 FT (STREET)	32.1 FT
		10 FT (INTERIOR)	46.7 FT
4.03	SIDE SETBACK - PARKING	20 FT	21.4 FT
4.03	REAR SETBACK - BLDG	35 FT	44.1 FT
4.03	REAR SETBACK - PARKING	35 FT	35.0 FT
14.04(B)	MIN. DRIVE WIDTH	11 FT (One-Way)	N/A
		22 FT (Two-Way)	24.0 FT
14.04(B)	MINIMUM PARKING STALL SIZE	9 FT X 20 FT	9 FT X 18 FT**
14.03-1	MIN. PARKING STALL COUNT	387 SPACES (2.25 SPACES PER UNIT - 172 UNITS * 2.25 = 387)	262 SPACES*** (149 LOT + 110 GARAGE + 42 TANDEM GARAGE SPACES)
15.06	MIN. SIGN SETBACK	15 FT	15.0 FT
15.06	MAX. SIGN SIZE	24 SQ FT	TBD
15.06	MAX. SIGN HEIGHT	6 FT	TBD

\* 4.03 Maximum Height of Building Variance needed for 9.42 ft, from 35 ft maximum to 44.42 ft.  
\*\* 14.04(B) Minimum Parking Stall Size Variance needed for 2.0 ft, from required 20 ft. length to 18.0 ft. length.  
\*\*\* 14.03-1 Minimum Parking Stall Count Variance needed for 125 spaces, from required 387 spaces, to 262 spaces.



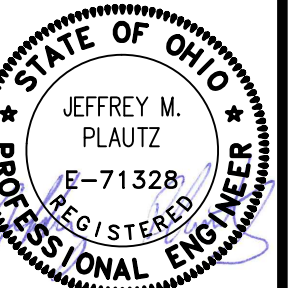
OHIO  
Utilities Protection  
SERVICE  
Call Before You Dig  
1-800-362-2764  
B219300549-00B

Also call: OGPUPS @ 1-800-925-0988  
(Ohio Oil & Gas Underground  
Protection Service)

-- or dial 8-1-1 --

BENCH MARKS:	
B.M. #1: TOP OF HYDRANT ON WEST ERIE AVENUE NEAR THE SOUTHEAST CORNER OF PROPERTY	ELEV.=604.01 (NAVD88)
B.M. #2: TOP OF HYDRANT ON WEST ERIE AVENUE NEAR THE SOUTHWEST CORNER OF PROPERTY	ELEV.=601.00 (NAVD88)
ALL VERTICAL BENCH MARK INFORMATION SHOWN PER G.P.S. VRS FIELD OBSERVATIONS DATED JULY 20, 2022.	

SILVER HILLS-LORAIN - 5430 WEST ERIE AVENUE  
OVERALL SITE PLAN LAYOUT  
CITY OF LORAIN, COUNTY OF LORAIN, STATE OF OHIO

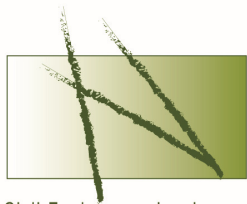


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& ASSOCIATES  
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6045 N. 440th St., Suite 100, Lincoln, NE 68504  
Tel: 402.884.3100 Fax: 402.884.3104  
www.neff-assoc.com

SHEET NO.  
C5.0

REV NO	DATE	DESCRIPTION
06/10/25		PLANNING SUBMITTAL
DWG NAME	DRAWN BY	CHKD BY
14754-C.DWG	KMK	JMP
		JOB NO
		14754





**NEFF**  
& ASSOCIATES

Civil Engineers + Landscape Architects + Planners + Surveyors

Updated 06/09/2025

Parcel #0203001102002  
HUH YOO SOOK & HUH JUNG  
W ERIE AVE LORAIN, OH 44053  
Mailing address  
3346 N HIDDEN VALLEY  
POINT LECANTO, FL 34461954

Parcel #0203001105001  
AKSHARVINAY LLC  
5375 W ERIE AVE  
LORAIN, OH 44053

Parcel #0203001103047 and 0203001103001  
LORAIN CITY OF  
W ERIE AVE LORAIN, OH 44053  
Mailing Address  
200 WEST ERIE AV  
LORAIN, OH 44052

Parcel #0203001103048  
MERCY HEALTH REGIONAL MEDICAL CENTER LLC  
W ERIE AVE LORAIN, OH 44053  
Mailing Address  
C/O TAX  
CINCINNATI, OH 45237

Parcel #0203001101003  
SELENT DAVID & SELENT ANN MARIE  
5520 W ERIE AVE  
LORAIN, OH 44053



## CITY OF LORAIN

---

### City Council Regular Meeting

10. i.

**Meeting Date:** 09/15/2025

**Submitted by:** Michele Beko, Law Office Admin

---

#### AGENDA ITEM DESCRIPTION OR LEGISLATION TITLE

AN ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO SETTLEMENT AGREEMENTS WITH EIGHT OPIOID MANUFACTURING COMPANIES ND DIRECTING THE CITY AUDITOR TO ALLOCATE SAID FUNDS TO THE OPIOID SETTLEMENT FUND AND DECLARING EMERGENCY

#### PURPOSE AND BACKGROUND

ALLOW THE SAFETY/SERVICE TO ENTER INTO AGREEMENTS TO SECURE FUNDS DUE THE CITY OF LORAIN IN THE OPIOID SETTLEMENT

#### RECOMMENDATION TO COUNCIL:

CONSIDERATION FOR PASSAGE

#### Admin Only

\_\_\_\_ Ord. auth the S/S Director to enter into settlement agreements with 8 opioid manufacturing companies and directing the Auditor to allocate said funds to the Opioid Settlement Fund.

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#### Attachments

ORDINANCE  
EXHIBIT "A"

---

#### Form Review

##### Inbox

P. Riley

Mayor Bradley

P. Riley

Form Started By: Michele Beko

Final Approval Date: 09/11/2025

##### Reviewed By

Michele Beko

Jack Bradley

Michele Beko

##### Date

09/11/2025 10:29 AM

09/11/2025 12:28 PM

09/11/2025 02:06 PM

Started On: 09/10/2025 02:38 PM

VOTE ON PASSAGE					
	AYE	NAY		AYE	NAY
Springowski			Nutt		
Dimacchia			Moon		
DuVall			Arroyo		
Henley			Spellacy		
Kempton			Thornsberry		
Carter			Arredondo		

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING THE SAFETY/SEVICE DIRECTOR TO ENTER INTO SETTLEMENT AGREEMENTS WITH EIGHT OPIOID MANUFACTURING COMPANIES AND DIRECTING THE CITY AUDITOR TO ALLOCATE SAID FUNDS TO THE OPIOID SETTLEMENT FUND AND DECLARING AN EMERGENCY**

**WHEREAS**, The City of Lorain has engaged Napoli Shkolnik, PLLC to represent the City of Lorain in a multi-district litigation lawsuit against various participants in the Opioid drug industry; and,

**WHEREAS**, on the behalf of claimants, including the City of Lorain, eight settlement agreements have been reached with eight opioid manufacturing companies, namely, Alvogen, Inc., Amneal Pharmaceuticals, Inc., Apotex Inc., Hikma Pharmaceuticals USA Inc., Indivior Inc., Mylan Pharmaceuticals Inc., Sun Pharmaceutical Industries, Inc., and Zydus Pharmaceuticals (USA), Inc; and,

**WHEREAS**, Napoli Shkolnik, PLLC recommends that the City of Lorain enter into the eight settlement agreements by executing the Combined Participation and Release Form, a copy of which is marked Exhibit A, attached hereto and made a part hereof (hereinafter, “Combined Settlement”); and,

**WHEREAS**, The City of Lorian shall receive a *pro rata* share of the proceeds from the Combined Settlement (“Settlement Proceeds”); and,

**WHEREAS**, The City of Lorain has determined that opioid litigation settlement funds shall be primarily used for remediation of individuals effected by opioids in the Lorain Municipal Court, Drug Recovery Docket; and,

**WHEREAS**, the settlement agreements require that the Settlement Proceeds be used for opioid remediation.

**NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LORAIN, STATE OF OHIO:**

**SECTION I.** That the Safety/Service Director of the City of Lorain is hereby authorized to enter into the Combined Settlement with Alvogen, Inc., Amneal Pharmaceuticals, Inc., Apotex Inc., Hikma Pharmaceuticals USA Inc., Indivior Inc., Mylan Pharmaceuticals Inc., Sun Pharmaceutical Industries, Inc., and Zydus Pharmaceuticals (USA), Inc. by executing the Combined Participation and Release Form marked Exhibit A, attached hereto and made a part hereof. The terms of the eight settlement agreements with the above-identified eight opioid manufacturers can be found at: <https://nationalopioidsettlement.com/additional-settlements/>.



**SECTION II.** That the Auditor of the City of Lorain shall deposit the Settlement Proceeds in account number B100.4700.1150.

**SECTION III.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberation of this Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all requirements, including Ohio Revised Code §121.22.

**SECTION IV.** That this ordinance shall be declared an emergency, the nature of which is to enter into the Combined Settlement with the above-identified eight opioid manufacturers to satisfy the timeliness requirement of the settlement agreements, and this Ordinance shall be in force from and after the earliest period allowed by law.

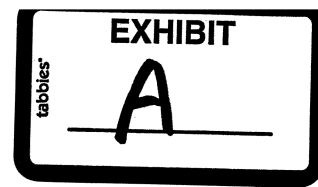
PASSED: \_\_\_\_\_, 2025

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_, CLERK

\_\_\_\_\_  
MAYOR

APPROVED: \_\_\_\_\_, 2025



## EXHIBIT K

### Secondary Manufacturers' Combined Subdivision Participation and Release Form ("Combined Participation Form")

Governmental Entity: Lorain city	State: OH
Authorized Official:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above ("*Governmental Entity*"), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to each of the settlements which are listed in paragraph 1 below (each a "Secondary Manufacturer's Settlement" and collectively, "the Secondary Manufacturers' Settlements"), and acting through the undersigned authorized official, hereby elects to participate in each of the Secondary Manufacturers' Settlements, release all Released Claims against all Released Entities in each of the Secondary Manufacturers' Settlements, and agrees as follows.

1. The Participating Entity hereby elects to participate in each of the following Secondary Manufacturers' Settlements as a Participating Entity:
  - a. Settlement Agreement for Alvogen, Inc. dated April 4, 2025.
  - b. Settlement Agreement for Apotex Corp. dated April 4, 2025.
  - c. Settlement Agreement for Amneal Pharmaceuticals LLC dated April 4, 2025.
  - d. Settlement Agreement for Hikma Pharmaceuticals USA Inc. dated April 4, 2025.
  - e. Settlement Agreement for Indivior Inc. dated April 4, 2025.
  - f. Settlement Agreement for Viatrix Inc. ("Mylan") dated April 4, 2025.
  - g. Settlement Agreement for Sun Pharmaceutical Industries, Inc. dated April 4, 2025.
  - h. Settlement Agreement for Zydus Pharmaceuticals (USA) Inc. dated April 4, 2025.
  
2. The Governmental Entity is aware of and has reviewed each of the Secondary Manufacturers' Settlements, understands that all capitalized terms not defined in this Combined Participation Form have the meanings defined in each of the Secondary Manufacturers' Settlements, and agrees that by executing this Combined Participation Form, the Governmental Entity elects to participate in each of the Secondary Manufacturers' Settlements and become a Participating Subdivision as provided in each of the Secondary Manufacturers' Settlements.
  
3. The Governmental Entity shall promptly, and in any event no later than 14 days after the Reference Date and prior to the filing of the Consent Judgment, dismiss with prejudice any Released Claims that it has filed against any Released Entity in each of the Secondary Manufacturers' Settlements. With respect to any Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity



authorizes the Plaintiffs' Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal with Prejudice for each of the manufacturers listed in paragraph 1 above substantially in the form found at <https://nationalopioidsettlement.com/additional-settlements/>.

4. The Governmental Entity agrees to the terms of each of the Secondary Manufacturers' Settlements pertaining to Participating Subdivisions as defined therein.
5. By agreeing to the terms of each of the Secondary Manufacturers' Settlements and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
6. The Governmental Entity agrees to use any monies it receives through each of the Secondary Manufacturers' Settlements solely for the purposes provided therein.
7. The Governmental Entity submits to the jurisdiction of the court and agrees to follow the process for resolving any disputes related to each Secondary Manufacturer's Settlement as described in each of the Secondary Manufacturers' Settlements.<sup>1</sup>
8. The Governmental Entity has the right to enforce each of the Secondary Manufacturers' Settlements as provided therein.
9. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in each of the Secondary Manufacturers' Settlements, including without limitation all provisions related to release of any claims,<sup>2</sup> and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in his or her official capacity whether elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in each of the Secondary Manufacturers' Settlements in any forum whatsoever. The releases provided for in each of the Secondary Manufacturers' Settlements are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities in each of the Secondary Manufacturers' Settlements the broadest possible bar against any liability relating in any way to Released

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<sup>1</sup> See Settlement Agreement for Alvogen, Inc. Section VII.F.2; Settlement Agreement for Apotex Corp. Section VII.F.2; Settlement Agreement for Amneal Pharmaceuticals LLC Section VII.F.2; Settlement Agreement for Hikma Pharmaceuticals USA Inc. Section VII.F.2; Settlement Agreement for Indivior Section VI.F.2; Settlement Agreement for Mylan Section VI.F.2; Settlement Agreement for Sun Pharmaceutical Industries, Inc. Section VII.F.2; Settlement Agreement for Zydus Pharmaceuticals (USA) Inc. Section VII.F.2.

<sup>2</sup> See Settlement Agreement for Alvogen, Inc. Section XI; Settlement Agreement for Amneal Pharmaceuticals LLC Section X; Settlement Agreement for Apotex Corp. Section XI; Settlement Agreement for Hikma Pharmaceuticals USA Inc. Section XI; Settlement Agreement for Indivior Section X; Settlement Agreement for Mylan Section X; Settlement Agreement for Sun Pharmaceutical Industries, Inc. Section XI; Settlement Agreement for Zydus Pharmaceuticals (USA) Inc. Section XI.



Claims and extend to the full extent of the power of the Governmental Entity to release claims. Each of the Secondary Manufacturers' Settlements shall be a complete bar to any Released Claim against that manufacturer's Released Entities.

10. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in each of the Secondary Manufacturers' Settlements.
11. In connection with the releases provided for in each of the Secondary Manufacturers' Settlements, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

**General Release; extent.** A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims in each of the Secondary Manufacturers' Settlements, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in each of the Secondary Manufacturers' Settlements.

12. The Governmental Entity understands and acknowledges that each of the Secondary Manufacturers' Settlements is an independent agreement with its own terms and conditions. Nothing herein is intended to modify in any way the terms of any of the Secondary Manufacturers' Settlements, to which Governmental Entity hereby agrees, aside from the exceptions in paragraph 13 below. To the extent this Combined Participation Form is interpreted differently from any of the Secondary Manufacturers' Settlements in any respect, the individual Secondary Manufacturer's Settlement controls.
13. For the avoidance of doubt, in the event that some but not all of the Secondary Manufacturers' Settlements proceed past their respective Reference Dates, all releases and other commitments or obligations shall become void **only as to** those Secondary Manufacturers' Settlements that fail to proceed past their Reference Dates. All releases and other commitments or obligations (including those contained in this Combined Participation Form) shall remain in full effect as to each Secondary Manufacturer's Settlement that proceeds past its Reference Date, and this Combined Participation Form need not be modified, returned, or destroyed as long as any Secondary Manufacturer's Settlement proceeds past its Reference Date.



I have all necessary power and authorization to execute this Combined Participation Form on behalf of the Governmental Entity.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_





## CITY OF LORAIN

---

### City Council Regular Meeting

10. j.

**Meeting Date:** 09/15/2025

**Submitted by:** Carmencita McHugh, Office Manager

---

### AGENDA ITEM DESCRIPTION OR LEGISLATION TITLE

AN ORDINANCE REMOVING SPECIAL ASSESSMENTS FROM REAL PROPERTY LOCATED WITHIN THE CITY OF LORAIN AND DECLARING AN EMERGENCY

### PURPOSE AND BACKGROUND

REQUESTING THE REMOVAL OF THE RECORDED NUISANCE ASSESSMENT ON PROPERTIES THAT WERE IMPROPERLY RECORDED AND ASSESSED IN ERROR.

### RECOMMENDATION TO COUNCIL:

REQUEST FOR APPROVAL

### Admin Only

\_\_\_\_ Ord. removing special assessments from real properties.

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### Attachments

Ordinance

---

### Form Review

#### Inbox

M. Kuszniir  
McHugh (Originator)  
M. Kuszniir  
Carrion  
Mayor Bradley  
P. Riley  
Form Started By: Carmencita McHugh  
Final Approval Date: 09/12/2025

#### Reviewed By

Carmencita McHugh  
Carmencita McHugh  
Matt Kuszniir  
Rey Carrion  
Jack Bradley  
Michele Beko

#### Date

09/10/2025 12:58 PM  
09/10/2025 01:40 PM  
09/10/2025 02:58 PM  
09/12/2025 09:37 AM  
09/12/2025 09:39 AM  
09/12/2025 10:36 AM  
Started On: 08/28/2025 02:37 PM

VOTE ON PASSAGE					
	AYE	NAY		AYE	NAY
Springowski			Nutt		
Dimacchia			Moon		
DuVall			Arroyo		
Henley			Spellacy		
Kempton			Thornsberry		
Carter			Arredondo		

**ORDINANCE NO: \_\_\_\_\_**

**AN ORDINANCE REMOVING SPECIAL ASSESSMENTS FROM  
REAL PROPERTIES LOCATED WITHIN THE CITY OF  
LORAIN AND DECLARING AN EMERGENCY**

**WHEREAS**, the properties listed in Exhibit A, attached hereto and incorporated herein, were erroneously assessed for the cost of abating nuisances by cutting noxious weeds during the 2024 calendar year, as outlined in the Ordinance referenced in Exhibit A; and

**WHEREAS**, the property owners listed in Exhibit A, submitted payment for the weed cutting services but the payments were improperly recorded, resulting in the properties being assessed in error.

**WHEREAS**, the Building Department has requested the removal of the recorded nuisance assessment.

**WHEREAS**, the properties, referenced in Exhibit A, were mistakenly assessed in the amount noted per the recorded Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LORAIN,  
STATE OF OHIO:**

**SECTION I.** The Council of the City of Lorain hereby removes the Special Assessment from the real property, referenced in Exhibit A.

**SECTION II.** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements, including section 121.22 of the Ohio Revised Code.

**SECTION III.** That this Ordinance is hereby declared to be an emergency, the nature of which is the removal of the Special Assessment from the property prior to the commencement of collection of the Special Assessments, and to render services to protect the health, safety, and welfare of the City of Lorain and its citizens. Therefore, this Ordinance shall take effect immediately upon its passage and approval by the Mayor providing it meets the statutory requirements for passage, otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2025

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

Attest: \_\_\_\_\_

Approved: \_\_\_\_\_, 2025

\_\_\_\_\_  
Mayor



EXHIBIT A

PPN	ADDRESS	OWNER	DTE CUT	INV #	COST	ORD
0201006114045	1113 W 7 <sup>th</sup> St	Pennymac Loan Srvs LLC	5/21/24	247	\$300.00	47-25
0300055115010	V/L Randall St	Urban Awakening LLC	5/14/24	177	#318.00	184-24



## CITY OF LORAIN

---

### City Council Regular Meeting

10. k.

Meeting Date: 09/15/2025

Submitted by: Andrea Smith

---

### AGENDA ITEM DESCRIPTION OR LEGISLATION TITLE

#### AN ORDINANCE ASSESSING THE COST OF SECURING AN UNSAFE/NUISANCE STRUCTURE AND DECLARING AN EMERGENCY

### PURPOSE AND BACKGROUND

**WHEREAS**, the attached unsafe structure was secured to protect the health and public safety of the City of Lorain and its citizens; and

**WHEREAS**, the need exists to assess the property for the cost and fees associated with the securing of the building at 1859 Reid Avenue (Parcel No. 02-01-003-155-030) by covering all doors and window openings before it is transferred or sold Sheriff's Sale.

### RECOMMENDATION TO COUNCIL:

Ordinance- Consider for passage

### Admin Only

\_\_\_ Ord. assessing the cost of securing an unsafe/nuisance structure (former St. Joes site).

---

### Attachments

Ordinance

Exhibit A

Quote

---

### Form Review

#### Inbox

M. Kuszniir  
Andrea Smith (Originator)  
M. Kuszniir  
Carrion  
Mayor Bradley  
P. Riley  
Form Started By: Andrea Smith  
Final Approval Date: 09/12/2025

#### Reviewed By

Matt Kuszniir  
Andrea Smith  
Matt Kuszniir  
Rey Carrion  
Jack Bradley  
Michele Beko

#### Date

09/08/2025 11:07 AM  
09/10/2025 02:44 PM  
09/10/2025 02:46 PM  
09/12/2025 09:37 AM  
09/12/2025 09:39 AM  
09/12/2025 10:36 AM  
Started On: 08/27/2025 09:39 AM

VOTE ON PASSAGE					
	AYE	NAY		AYE	NAY
Springowski			Nutt		
Dimacchia			Moon		
DuVall			Arroyo		
Henley			Spellacy		
Kempton			Thornsberry		
Carter			Arredondo		

**ORDINANCE NO:** \_\_\_\_\_

**AN ORDINANCE ASSESSING THE COST OF SECURING AN  
UNSAFE/NUISANCE STRUCTURE AND DECLARING AN  
EMERGENCY**

**WHEREAS**, the attached unsafe structure was secured to protect the health and public safety of the City of Lorain and its citizens; and

**WHEREAS**, the need exists to assess the property for the cost and fees associated with the securing of the building at 1859 Reid Avenue (Parcel No. 02-01-003-155-030) by covering all doors and window openings before it is transferred or sold Sheriff's Sale.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LORAIN,  
STATE OF OHIO:**

**SECTION I.** The Council of the City of Lorain finds that the Director of Public Safety/Service has abated unsafe conditions after notifying the owners of the property on which said unsafe conditions occurred, and has reported the cost of such abatement for the attached all in the manner provided by law as follows per Exhibit A, attached hereto and incorporated herein as if fully rewritten.

**SECTION II.** The amounts shown are hereby assessed upon the properties shown and such assessments shall be certified for collection upon the current calendar collection year duplicate in the same manner as general taxes.

**SECTION III.** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION IV.** That this Ordinance is hereby declared to be an emergency, the of the emergency being the immediate need to provide for normal operating and capital expenditure to assess the property before it is sold at a Sheriff's Sale, and in order to render services to protect the health, safety, and welfare of the City of Lorain and its citizens. Therefore, this Ordinance shall take effect immediately upon its passage and approval by the Mayor providing it meets the statutory requirements for passage, otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2025

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_, CLERK

\_\_\_\_\_  
MAYOR

APPROVED: \_\_\_\_\_, 2025

No.	Owner	Address	Parcel	Amount
1	Tran An Hoai	1859 Reid Ave	02-01-003-155-030	\$ 4,950.00

LORAIN, OH 44052

## Job Invoice

WORK ORDERED	TOTAL LABOR		
DATE ORDERED	TOTAL MATERIALS		
DATE COMPLETED	TOTAL MISCELLANEOUS		
CUSTOMER	SUBTOTAL		
APPROVAL SIGNATURE _____	TAX		
AUTHORIZED SIGNATURE _____	GRAND TOTAL	\$4,950	00

A-2817-3817 / T-3866



## CITY OF LORAIN

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### City Council Regular Meeting

10. I.

Meeting Date: 09/15/2025

Submitted by: Andrea Smith

---

#### AGENDA ITEM DESCRIPTION OR LEGISLATION TITLE

**AN ORDINANCE AUTHORIZING THE LORAIN COUNTY AUDITOR TO TRANSFER THE COMMUNITY REINVESTMENT AREA TAX ABATEMENT FROM PARK SQUARE LORAIN HOLDINGS, LLC, TO GTX PROPERTIES, LLC, AND DECLARING AN EMERGENCY**

#### PURPOSE AND BACKGROUND

**WHEREAS**, Park Square Lorain Holdings, LLC entered into an agreement for tax abatement for a commercial development project effective January 1, 2019;

**WHEREAS**, On September 30, 2024, Park Square Holdings, LLC, transferred ownership of 6145 Park Square Dr., Suite 3, Parcel No. 05-00-020-702-012 to GTX Properties, LLC; and,

**WHEREAS**, pursuant to Community Reinvestment Area Agreement, Section 17, this agreement is not transferable or assignable without the express, written approval of the City, hereto attached as Exhibit A, and incorporated herein by reference.

#### RECOMMENDATION TO COUNCIL:

Ordinance- Consider for passage

#### Admin Only

\_\_\_ Ord. auth the County Auditor to transfer the CRA Tax Abatement from Park Square Lorain Holdings, LLC, to GTX Properties, LLC.

---

#### Attachments

Ordinance

Exhibit A

Agreement

---

#### Form Review

##### Inbox

M. Kuszniir  
Andrea Smith (Originator)  
M. Kuszniir  
Carrion  
Andrea Smith (Originator)

##### Reviewed By

Andrea Smith  
Andrea Smith  
Matt Kuszniir  
Andrea Smith  
Andrea Smith

##### Date

09/08/2025 08:34 AM  
09/08/2025 08:37 AM  
09/10/2025 02:37 PM  
09/11/2025 04:05 PM  
09/11/2025 04:10 PM

M. Kuszniir  
Carrion  
Mayor Bradley  
P. Riley  
Form Started By: Andrea Smith  
Final Approval Date: 09/12/2025

Matt Kuszniir  
Rey Carrion  
Jack Bradley  
Michele Beko

09/12/2025 08:47 AM  
09/12/2025 09:37 AM  
09/12/2025 09:39 AM  
09/12/2025 10:36 AM  
Started On: 08/27/2025 02:48 PM

VOTE ON PASSAGE					
	AYE	NAY		AYE	NAY
Springowski			Nutt		
Dimacchia			Moon		
DuVall			Arroyo		
Henley			Spellacy		
Kempton			Thornsberry		
Carter			Arredondo		



**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE LORAIN COUNTY  
AUDITOR TO TRANSFER THE COMMUNITY REINVESTMENT  
AREA TAX ABATEMENT FROM PARK SQUARE LORAIN  
HOLDINGS, LLC, TO GTX PROPERTIES, LLC, AND  
DECLARING AN EMERGENCY**

**WHEREAS**, Park Square Lorain Holdings, LLC entered into an agreement for tax abatement for a commercial development project effective January 1, 2019;

**WHEREAS**, On September 30, 2024, Park Square Holdings, LLC, transferred ownership of 6145 Park Square Dr., Suite 3, Parcel No. 05-00-020-702-012 to GTX Properties, LLC; and,

**WHEREAS**, pursuant to Community Reinvestment Area Agreement, Section 18, this agreement is not transferable or assignable without the express, written approval of the City, hereto attached as Exhibit A, and incorporated herein by reference.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LORAIN,  
COUNTY OF LORAIN, STATE OF OHIO:**

**SECTION 1:** That the Lorain County Auditor's Office has informed the City of Lorain that ownership of Parcel No. 05-00-020-702-012 has transferred to GTX Properties, LLC.

**SECTION 2:** That the City of Lorain desires to allow the Lorain County Auditor's Office to transfer the Community Reinvestment Area Tax Abatement to GTX Properties, LLC.

**SECTION 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements including Sections 121.22 of the Ohio Revised Code.

**SECTION 4:** That this ordinance is hereby declared to be an emergency measure, the nature which is the need to consent to the transfer of the Community Reinvestment Area tax abatement by October 1, 2025, to prevent the removal of the abatement. Therefore this ordinance shall take effect immediately upon its passage and approval by the Mayor providing that it meets the statutory requirements for passage otherwise it shall take effect and be in force from and after the earliest period allow by law.

PASSED: \_\_\_\_\_, 2024

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_, CLERK

\_\_\_\_\_  
MAYOR

APPROVED: \_\_\_\_\_, 2025



# City of Lorain

## COMMUNITY REINVESTMENT AREA (CRA) TAX EXEMPTION PROGRAM APPLICATION (To be filed with the appropriate Housing Officer)

Received on

Received by:

1. LendUS, LLC 440-988-2900  
Name(s) of Real Property Owner Phone Number
2. 6145 Park Square Dr., #3, Lorain, OH 44053 myacoboazz1@aemc.cc  
Address of Subject Property Email Address
3. Exemption Sought For: ☒ New Structure ☐ Remodeling Cost of Remodel \$ \_\_\_\_\_
4. Date of Project Completion: 9/17/04
5. Does this project involve a structure of historical or architectural significance? ☐ Yes ☒ No  
If yes, attach written certification of such by the designating agency or authorized agent.

Additional information required by the State of Ohio by any applicant requesting an incentive for a public entity in Ohio:

Does the applicant owe...

- a. Any delinquent taxes to the State of Ohio or a political subdivision of the State? ☐ Yes ☒ No
- b. Any monies to the State or a state agency for the administration or enforcement of any environmental laws of the State? ☐ Yes ☒ No
- c. Any other monies to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not? ☐ Yes ☒ No
- d. If yes to any of the above, please provide details of each instance including but not limited to the location, amounts and/or case identification numbers (add additional sheets if necessary).

Submission of this application expressly authorizes the City of Lorain, Ohio to contact the Ohio Environmental Protection Agency to confirm statements contained within this application including the above items a, b, c, and d and to review applicable confidential records. As part of this application, the business may also be required to directly request from the Ohio Department of Taxation to release specific tax records to the local jurisdictions considering the incentive request.

The applicant affirmatively covenants that the information contained in and submitted with this application is complete and correct and is aware of the O.R.C. Sections 9.66 (C) (1) and 2921.13 (D) (1) penalties for falsification which could result in the forfeiture of all current and future economic development assistance benefits as well as a fine of not more than \$1,000.00 and/or a term of imprisonment of not more than six (6) months.

**\*\*Application must be turned in prior to December 14<sup>th</sup> for the application to be considered for this year\*\***

Applicant agrees to supply additional information upon request. The applicant believes that the information contained in and submitted with this application is complete and correct. Applicant acknowledges receipt copy of application.

Certificate of Occupancy must be attached with application. This may be obtained at Lorain City Hall, 5<sup>th</sup> floor, Department of Building, Housing & Planning – Building Division.

MAA 727  
Signature(s) of applicant(s)

4/26/19  
Date

\*\*\*\*\*FOR OFFICIAL USE ONLY\*\*\*\*\*

1. Legal Description of Property Location; Parcel Number: 0500020702012
2. Number of Community Reinvestment Area:    CRA 1 & 2    CRA 3    CRA 4    CRA 5
3.    JUDGEMENT ENTRY ISSUED BY Judge Mark A. Betleski in Robert Griffin, et al v. Lorain County Auditor, et al
4. Verification of Construction  
Residential:    New Structure    Remodeling (cost \$   ) Year Built:     
Commercial:    New Structure    Remodeling (cost \$   ) Year Built: 2004
5. Project meets requirements for an exemption under ORC 3735.67    A    B    C
6. Project involves structure of historical or architectural significance:    Yes    No  
If Yes, written certification of appropriateness of the remodeling has been submitted by the designating agency or authorized agent:    Yes    No
7. Exemption Period/Percent  
   9 (nine) years @ 100%

I certify that the project described herein was reviewed to determine eligibility for the CRA Program in the City of Lorain with the following determination:

   Eligible  
   Ineligible

(Reason:   )

1126-19  
Date

Kelli Glenn  
Signature of Housing Officer

# COMMUNITY REINVESTMENT AREA AGREEMENT

## For Commercial/Industrial Property

(Ohio Revised Code Section 3735)

This Agreement made and entered into by and between the City of Lorain, Ohio, an Ohio municipal corporation, with its main offices located at 200 West Erie Avenue, Lorain, Ohio 44052 ("City"), and Matthew J. Lendus, LLC

Lorain, Ohio, with offices located at 645 Park Square #3, ("Property Owner")

WITNESSETH;

WHEREAS, the City has encouraged the development of real property and acquisition of personal property located in the area designated as Community Reinvestment Area No. 4; and

WHEREAS, the Property Owner is desirous of constructing within Community Reinvestment Area No. 4. The subject property is located in the area commonly known as the "Project Site" and is further described as Permanent Parcel Number 05000207; and

WHEREAS, Judge Mark A. Betleski has issued a Judgment Entry in the case of *State ex rel Robert and Patricia Griffin, et al v. Mark R. Stewart, et al, Lorain County Court of Common Pleas Case No. 10CV168689* ordering that certain property addresses are eligible for abatement pursuant to the City of Lorain CRA Program; and

WHEREAS, the Property Owner has submitted a proposed Agreement Application (hereinafter referred to as "Application" and attached as Exhibit "A") to the City of Lorain Housing Officer; and

WHEREAS, the City Housing Officer has investigated the application of Property Owner and has recommended the same to the City on the basis that the Property Owner is qualified by financial responsibility and business experience to accomplish the proposed project ("Project") in said Community Reinvestment Area and improve the economic climate of the City of Lorain; and

WHEREAS, the parties hereto desire to set forth their Agreement with respect to matters hereinafter contained.

Client	Address	Taxes 2018	Sq. Ft.
American Eagle Mortgage	6145 Park Square Drive, Ste 3, Lorain, Ohio 44053	\$23,344.16	8246
	Total Annual Tax Liability	\$23,344.16	
[REDACTED] nents	[REDACTED] 6155 Park Square Drive, Lorain, Ohio 44053	\$31,774.46	[REDACTED] 7,190
	Total Annual Tax Liability	\$31,774.46	
[REDACTED]	6155 Park Square Dr, Ste 1, Lorain, Ohio 44053	\$9,216.64	4811
[REDACTED]	6155 Park Square Dr, Ste 2, Lorain, Ohio 44053	\$3,266.42	1705
[REDACTED] Development IV	6155 Park Square Dr, Ste 4, Lorain, Ohio 44053	\$4,063.10	2121
[REDACTED] Development IV	6155 Park Square Dr, Ste 5, Lorain, Ohio 44053	\$2,674.08	1396
[REDACTED] Development IV	6155 Park Square Dr, Ste 6, Lorain, Ohio 44053	\$3,005.52	1569
[REDACTED] Development IV	6155 Park Square Dr, Ste 7, Lorain, Ohio 44053	\$605.12	316
[REDACTED] Development IV	6155 Park Square Dr, Ste 8, Lorain, Ohio 44053	\$4,536.26	2090
[REDACTED] Development IV	6155 Park Square Dr, Ste 9, Lorain, Ohio 44053	\$1,394.50	728
[REDACTED] Development IV	6155 Park Square Dr, Ste 10, Lorain, Ohio 44053	\$1,448.02	756
[REDACTED] Development IV	6145 Park Square Dr, Ste 1, Lorain, Ohio 44053	\$8,184.60	3292
[REDACTED] Development IV	6145 Park Square Dr, Ste 5, Lorain, Ohio 44053	\$1,907.80	996
	Total Annual Tax Liability	\$40,902.06	
[REDACTED]	6050 Park Square Drive, Lorain, Ohio 44053	\$19,700.70	7272
	Total Annual Tax Liability	\$19,700.70	

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

Section 1. Property Owner shall construct on currently vacant land located in CRA 4, and identified as Permanent Parcel Number 05 000 20702013 within the City of Lorain, State of Ohio. Said construction shall be consistent with the plans submitted to the City for Planning Commission approval previously obtained and shall be constructed to the specifications submitted or to be submitted to the Building Department for the purposes of obtaining permits. The Department of Building, Housing & Planning, on behalf of the Housing Officer, will be allowed to inspect as to the quality of materials and workmanship of the project. Said inspections by the Department of Building, Housing & Planning shall not be nor are intended to be inspections to building code and said inspections by the Department of Building, Housing & Planning do not replace the inspections required of the Property Owner by the Building Department and other City Departments as may be necessary to obtain a Certificate of Occupancy. The Project shall involve a total investment by the Property Owner of approximately \$\_\_\_\_\_ for building construction and site improvements at the Project Site. No abatement shall be granted for the appraised value of the existing land identified as Permanent Parcel Number 05 000 20702013. The Project shall begin on or before \_\_\_\_\_ with all acquisition, construction and installation completed by, \_\_\_\_\_ or at such a later date as may be extended by the City in writing.

Section 2. Construction work involved in the Project must involve a good faith effort by the Property Owner to hire local (Lorain County) construction workers at an equitable wage. The Property Owner is also encouraged to utilize local vendors and suppliers when feasible.

Section 3. The Property Owner shall permit the City of Lorain through the Department of Building, Housing & Planning to inspect the Project during its construction to ensure that the Project conforms with the plans and specifications approved by the City of Lorain's Building Department.

Section 4. Property Owner shall provide to the City of Lorain Tax Incentive Review Council, the Community Reinvestment Area Housing Council, and the Building, Housing & Planning Department any information reasonably required by the Council to evaluate the Property Owner's compliance with the Agreement, including any records that may be reasonably requested by the Council or its designated representatives(s).

Section 5. Subject to compliance by the Property Owner in all material respects with its obligations under this Agreement, the City hereby grants to Property Owner a one hundred percent (100%) tax exemption for construction of new structures for a maximum period of nine (9) years. No real property tax exemption for the Project shall commence after 2027 nor extend beyond 2027. The tax exemption commences for the tax year following the calendar year in which the Housing Officer certifies the exemption application to the Lorain County Auditor.

Section 6. It is the responsibility of the Property Owner to file an application for exemption with the Housing Officer as a condition precedent to receipt of the tax exemption granted under this Agreement.

Section 7. Property Owner hereby agrees to pay an application fee equal to one per cent (1%) of the cumulative annual tax savings on the property, however, the minimum amount shall be no less than \$7,500.00 and the maximum amount shall not exceed \$37,500.00. The fee is to be paid to the City of Lorain Department of Building, Housing & Planning by check made payable to the City of Lorain — CRA Program. This fee shall be deposited in a special fund created for the continued operation of the City's CRA Program and costs associated with it, as well as Council-authorized costs and projects associated with the City of Lorain's economic development, long range land use planning, and other activities that provide for an increase in the economic opportunities for the citizens of Lorain.

Section 8. Property Owner shall pay such real and tangible personal property taxes as are not exempted under this Agreement and are charged against such property and shall file all tax reports and returns as required by law. If Property Owner fails to pay such taxes or file such returns, all incentive granted under this Agreement are rescinded beginning with the year for which such unpaid taxes are charged or such reports or returns are required to be filed and thereafter.

Section 9. The City shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve and maintain exemptions from taxation granted under this Agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions. Such acts may include annual exterior inspections, interior inspections with ten (10) day written notice delivered to the Property Owner via certified mail or hand delivery, reviews of public records to ensure payment of property taxes and other actions as may be necessary to determine that the property is being maintained in a manner consistent with the public purpose of granting the CRA tax exemption.

Section 10. If for any reason the City revokes the CRA designation of the zone, entitlement to the benefits granted under this Agreement shall continue for the number of years specified under this Agreement, unless Property Owner materially fails to fulfill its obligations under this Agreement.

Section 11. The Property Owner shall maintain the Project in accordance with all applicable State and City Building, Health, and Safety Codes. The Housing Officer shall make annual exterior inspections of the Project to ensure that it is properly maintained. In addition, the City of Lorain reserves the right with a ten (10) day written notice to conduct an interior inspection. The Property Owner shall allow the Housing Officer, or designee, entry on to the property and within any structures on the property without limitation to conduct an inspection to ensure compliance with this Agreement. Said notice shall be delivered by either certified mail return receipt, or in the alternative delivered by hand by a representative of the City. If the Housing Officer finds that the structures within the Project have not been properly maintained or repaired due to the neglect of the Property

Owner, the Housing Officer may revoke the exemption at any time after the first year of exemption. If the Housing Officer suspects that there are violations of the City's Property Maintenance Code, the Housing Officer will forward a written complaint to the Chief Building Official of the City. The Chief Building Official will inspect, or cause to inspect the property for property maintenance code violations, or other code violations that fall within the oversight of the Chief Building Official. The Property Owner shall allow the Housing Officer, or designee, entry onto the property and within any structures on the property without limitation to conduct an inspection to ensure compliance with this agreement. If any violations are found to exist, the Property Owner will be notified and have ninety (90) calendar days from the date the letter is mailed. The Property Owner may request that the Housing Officer allow additional time to correct the violations for just cause. If the violations are not corrected in the time allotted then the Housing Officer shall determine that the Property Owner is in violation of this Agreement and can reduce or eliminate the benefits that this Agreement bestows on the Property Owner. In the event that the Housing Officer determines that the Property Owner is in violation of the agreement, then the Housing Officer shall notify the Lorain County Auditor and the Property Owner that the tax exemption is reduced or that the exemption no longer applies. The Housing Officer shall also send a report of the reduction or the revocation to the Community Reinvestment Area Housing Council containing a statement of the findings as to the lack of maintenance and repair of the property. If such an event would occur there is no refund of the fees paid for the CRA exemption.

Section 12. If the Property Owner materially fails to fulfill its obligations under this Agreement or if the City determines that the certification as to delinquent taxes required by this Agreement is fraudulent the City may terminate or modify the exemptions from taxation granted under this Agreement. If such an event would occur there is no refund of the fees paid for the CRA exemption.

Section 13. Property Owner hereby certifies that, at the time this Agreement is executed, it does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which it is liable under Chapters 5727, 5733, 5735, 5739, 5741, 5743, 5747, or 5753 of the Revised Code, or, if such delinquent taxes are owed, that Property Owner is currently paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S. C.A. 101, et seq., or such petition has been filed against Property Owner. For the purpose of the certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Revised Code governing payment of those taxes.

Section 14. Property Owner affirmatively covenants that it does not owe: (a) any delinquent taxes to the State of Ohio or a political subdivision of the State; (b) any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State; and (c) any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.



Section 15. Property Owner affirmatively covenants that it has made no false statements to the State or local political subdivision in the process of obtaining approval for Community Reinvestment Area incentives. If any representative of Property Owner has knowingly made a false statement to the State or local political subdivision to obtain Community Reinvestment Area incentives, Property Owner shall be required to immediately return all benefits received under the Community Reinvestment Area Agreement pursuant to ORC Section 9.66(C)(2) and shall be ineligible for any future economic development assistance from the State, any state agency or a political subdivision pursuant to ORC Section 9.66(C)(1). Any person who provides a false statement to secure economic development assistance may be guilty of falsification, a misdemeanor of the first degree, pursuant to ORC 2921.13(D)(1), which is punishable by a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

Section 16. Neither the City nor Property Owner shall be considered in default of its obligations hereunder in the event of delay in performance of such obligations due to causes beyond its control without its fault or negligence, including but not restricted to acts of God, acts of the Federal or State government, acts of the other party, fires, floods, strikes, freight embargoes or unusually severe weather; it being the purpose and intent of this provision that in the event of the occurrence of any such delay, the time for performance of the obligations by the parties hereto shall be extended for the period of the delay.

Section 17. Any notices, statements, acknowledgments, consents, approvals, certificates or requests on behalf of either party shall be made in writing and addressed as follows:

**AS TO THE CITY OF LORAIN:**

Department of Building, Housing & Planning  
Attention: Housing Officer  
200 West Erie Avenue  
City Hall -- 5<sup>th</sup> floor  
Lorain, Ohio 44052

**AS TO PROPERTY OWNER:**

Lend US, LLC - Attn Legal  
3240 Stone Valley Road, West  
Alamo, CA 94507

or to such other contact or address as may be specified by such notice from time to time in writing.

Section 18. This Agreement is transferable or assignable only with the express, written approval of the City of Lorain. Said transfer shall be effectuated through the

execution of an Assignment and Assumption Agreement between the City of Lorain and the Assignee wherein the Assignee acknowledges his/her acceptance of all terms and conditions that are contained in this Agreement. Property Owner, to effectuate the transfer and assignment of this Agreement and its benefits, particularly the tax exemption, agrees to pay a fee of \$200.00 and have the City perform a full code inspection of the property. The fee shall be payable prior to the inspection. This requirement is in effect only for the term of this Agreement and is necessary to maintain the benefits of this Agreement.

Section 19. Exemptions from taxation granted under this Agreement shall be revoked if it is determined that Owner, any successor to that person, or any related member (as those terms are defined in division (E) of section 3735.671 of the Ohio Revised Code) has violated the prohibition against entering into this Agreement under division (E) of section 3735.671 or section 5709.62 or 5709.63 of the Ohio Revised Code prior to the time prescribed by that division or either of those sections and may require the repayment of the amount of taxes that would have been payable had the property not been exempted from taxation under this Agreement."

IN WITNESS WHEREOF, The City of Lorain, Ohio by its Housing Officer has caused this instrument to be executed this 26 day of November, 2019.

The City of Lorain, Ohio

By: Kellie Glenn  
Housing Officer

\_\_\_\_\_  
Witness

Property Owner - LandUS, LLC  
By: [Signature]  
Title: EVP

[Signature]  
Witness

Approved as to Form:  
[Signature] (12/1/19)  
Lorain Law Department



# CITY OF LORAIN

## Department of Building, Housing & Planning

Kellie Glenn  
Director

Richard Kilmar  
Chief Building Official

Jack W. Bradley  
Mayor

January 21, 2020

Mr. Paul Nishanian  
Chief Deputy Auditor  
Lorain County Auditor's Office  
226 Middle Avenue  
Elyria, OH 44035

RECEIVED  
2020 JAN 21 P 2:41  
LORAIN COUNTY  
AUDITOR

RE: Tax Abatement for LendUS, LLC

Dear Mr. Nishanian:

Per our phone conversation today, the correct parcel number for the tax abatement of LendUS, LLC is 05-00-020-702-012.

Please let me know if you need any additional information.

Thank you.

Sincerely,

Kellie Glenn  
Director/Housing Officer  
City of Lorain  
Building, Housing & Planning Dept.  
200 West Erie Avenue/5<sup>th</sup> Floor  
Lorain, OH 44052  
(440) 204-2087  
Kellie\_Glenn@cityoflorain.org

200 West Erie Avenue – 5<sup>th</sup> Floor, Lorain, Ohio 44052  
Building Division: 440-204-2045  
Housing & Planning Division: 440-204-2020  
[www.cityoflorain.org](http://www.cityoflorain.org)

## **ASSIGNMENT AND ASSUMPTION AGREEMENT**

This ASSIGNMENT AND ASSUMPTION AGREEMENT (the “Agreement”) is made and entered into by and between the City of Lorain, Ohio, an Ohio municipal corporation, with its main offices located at 200 West Erie Avenue, Lorain, Ohio 44052 (the “City”), and GTX Properties, LLC (the “Assignee/Successor”).

### **WITNESSETH:**

**WHEREAS**, the parcel of real property commonly known as 6145 Park Square Drive, Suite 3, Lorain Ohio and assigned Permanent Parcel No. 05-00-020-702-012 (the “Subject Property”) is located within a designated Community Reinvestment Area; and

**WHEREAS**, the value of the structure constructed upon the Subject Property was determined to be exempt from the payment of real estate taxes pursuant to a Community Reinvestment Area (CRA) Tax Exemption Application submitted to the City by Park Square Lorain Holdings LLC, on or about May 6, 2019; and

**WHEREAS**, the City and Park Square Lorain Holdings LLC, on or about November 26, 2019, entered into a Community Reinvestment Area Agreement (the “CRA Agreement”) concerning the Subject Property, a copy of the CRA Agreement is attached hereto, marked as Exhibit A, and incorporated herein by reference; and

**WHEREAS**, the terms of CRA Agreement provides for the payment of an annual administrative fee (the “CRA Fee”) to the City no later than the 1<sup>st</sup> day of November of each year from Park Square Lorain Holdings LLC fee amount equal to one per cent (1%) of the cumulative annual tax savings on the property, however, the minimum amount shall be no less than \$7,500 and the maximum amount shall not exceed \$37,500 together with other requirements, including the provision of information to the Tax Incentive Review Council, inspections of the Project and the payment of other required taxes; and

**WHEREAS**, the Park Square Lorain Holdings LLC thereafter transferred the subject real property to GTX Properties, LLC on or about September 30, 2024; and

**WHEREAS**, GTX Properties, LLC, as the current owners of the subject real property, desire to assume the obligations of Park Square Lorain Holdings LLC to the City of Lorain pursuant to the CRA Agreement concerning the Subject Property; and

**NOW, THEREFORE**, in consideration of the circumstances described above, the covenants contained in the CRA Agreement, and the benefit to be derived by the parties from the execution hereof, the parties hereto agree as follows:

1. Park Square Lorain Holdings LLC hereby agrees to assign all of its rights and obligations pursuant to the CRA Agreement to GTX Properties, LLC; and

2. GTX Properties, LLC hereby agrees to assume all of the SELLER's rights and obligations in accordance with the provisions of the CRA Agreement, including but not limited to, the payment of the annual CRA Fee as set forth in the CRA Agreement. Including any unpaid portion of such CRA Fee.

**IN WITNESS WHEREOF**, the parties have caused this Agreement to be executed by their duly authorized representatives to be effective as of this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**The City of Lorain, Ohio**

By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**Assignees/Successors**

\_\_\_\_\_  
GTX Properties, LLC

Approved as to form:

\_\_\_\_\_  
Patrick D. Riley  
Law Director



## CITY OF LORAIN

---

### City Council Regular Meeting

10. m.

Meeting Date: 09/15/2025

Submitted by: Andrea Smith

---

#### AGENDA ITEM DESCRIPTION OR LEGISLATION TITLE

**AN ORDINANCE AUTHORIZING THE LORAIN COUNTY AUDITOR TO TRANSFER THE COMMUNITY REINVESTMENT AREA TAX ABATEMENT FROM BENNINGTON INVESTMENTS, LLC, TO 6150 PARK SQUARE, LLC, AND DECLARING AN EMERGENCY**

#### PURPOSE AND BACKGROUND

**WHEREAS**, Bennington Investments, LLC entered into an agreement for tax abatement for a commercial development project effective January 1, 2019;

**WHEREAS**, On July 15, 2024, Bennington Investments, LLC, transferred ownership of 6150 Park Square Dr., Suite A and B, Parcel No. 05-00-020-000-070 to 6150 Park Square LLC; and,

**WHEREAS**, pursuant to Community Reinvestment Area Agreement, Section 17, this agreement is not transferable or assignable without the express, written approval of the City, hereto attached as Exhibit A, and incorporated herein by reference.

#### RECOMMENDATION TO COUNCIL:

Ordinance- Consider for passage

#### Admin Only

\_\_\_\_ Ord. auth the County Auditor to transfer the CRA Tax Abatement from Bennington Investments, LLC, to 6150 Park Square, LLC.

---

#### Attachments

Ordinance  
Agreement  
Exhibit A

---

#### Form Review

##### Inbox

M. Kuszniir  
Andrea Smith (Originator)  
M. Kuszniir  
Carrior  
Andrea Smith (Originator)

##### Reviewed By

Andrea Smith  
Andrea Smith  
Matt Kuszniir  
Andrea Smith  
Andrea Smith

##### Date

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Springowski			Nutt		
Dimacchia			Moon		
DuVall			Arroyo		
Henley			Spellacy		
Kempton			Thornsberry		
Carter			Arredondo		

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE LORAIN COUNTY  
AUDITOR TO TRANSFER THE COMMUNITY REINVESTMENT  
AREA TAX ABATEMENT FROM BENNINGTON  
INVESTMENTS, LLC, TO 6150 PARK SQUARE, LLC, AND  
DECLARING AN EMERGENCY**

**WHEREAS**, Bennington Investments, LLC entered into an agreement for tax abatement for a commercial development project effective January 1, 2019;

**WHEREAS**, On July 15, 2024, Bennington Investments, LLC, transferred ownership of 6150 Park Square Dr., Suite A and B, Parcel No. 05-00-020-000-070 to 6150 Park Square LLC; and,

**WHEREAS**, pursuant to Community Reinvestment Area Agreement, Section 17, this agreement is not transferable or assignable without the express, written approval of the City, hereto attached as Exhibit A, and incorporated herein by reference.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LORAIN,  
COUNTY OF LORAIN, STATE OF OHIO:**

**SECTION 1:** That the Lorain County Auditor's Office has informed the City of Lorain that ownership of Parcel No. 05-00-020-000-070 has transferred to 6150 Park Square, LLC.

**SECTION 2:** That the City of Lorain desires to allow the Lorain County Auditor's Office to transfer the Community Reinvestment Area Tax Abatement to 6150 Park Square, LLC.

**SECTION 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements including Sections 121.22 of the Ohio Revised Code.

**SECTION 4:** That this ordinance is hereby declared to be an emergency measure, the nature which is the need to consent to the transfer of the Community Reinvestment Area tax abatement by October 1, 2025, to prevent the removal of the abatement. Therefore this ordinance shall take effect immediately upon its passage and approval by the Mayor providing that it meets the statutory requirements for passage otherwise it shall take effect and be in force from and after the earliest period allow by law.

PASSED: \_\_\_\_\_, 2024

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_, CLERK

\_\_\_\_\_  
MAYOR

APPROVED: \_\_\_\_\_, 2025



## **ASSIGNMENT AND ASSUMPTION AGREEMENT**

This ASSIGNMENT AND ASSUMPTION AGREEMENT (the “Agreement”) is made and entered into by and between the City of Lorain, Ohio, an Ohio municipal corporation, with its main offices located at 200 West Erie Avenue, Lorain, Ohio 44052 (the “City”), and 6150 Park Square LLC (the “Assignee/Successor”).

### **WITNESSETH:**

**WHEREAS**, the parcel of real property commonly known as 6150 Park Square Drive, Suite A and B, Lorain Ohio and assigned Permanent Parcel No. 05-00-020-000-070 (the “Subject Property”) is located within a designated Community Reinvestment Area; and

**WHEREAS**, the value of the structure constructed upon the Subject Property was determined to be exempt from the payment of real estate taxes pursuant to a Community Reinvestment Area (CRA) Tax Exemption Application submitted to the City by Bennington Investments LLC, on or about July 16, 2019; and

**WHEREAS**, the City and Bennington Investments LLC, on or about October 17, 2019, entered into a Community Reinvestment Area Agreement (the “CRA Agreement”) concerning the Subject Property, a copy of the CRA Agreement is attached hereto, marked as Exhibit A, and incorporated herein by reference; and

**WHEREAS**, the terms of CRA Agreement provides for the payment of an annual administrative fee (the “CRA Fee”) to the City no later than the 1<sup>st</sup> day of November of each year from Bennington Investments LLC fee amount equal to one-half one per cent (.5%) of the cumulative annual tax savings on the property, however, the minimum amount shall be no less than \$7,500 (i.e., \$500 per year for 9 years and the maximum amount shall not exceed \$37,500 (i.e., \$2,500 per year for nine years) together with other requirements, including the provision of information to the Tax Incentive Review Council, inspections of the Project and the payment of other required taxes; and

**WHEREAS**, the Bennington Investments LLC thereafter transferred the subject real property to 6150 Park Square LLC on or about July 15, 2024; and

**WHEREAS**, Bennington Investments LLC, as the current owners of the subject real property, desire to assume the obligations of 6150 Park Square LLC to the City of Lorain pursuant to the CRA Agreement concerning the Subject Property; and

**NOW, THEREFORE**, in consideration of the circumstances described above, the covenants contained in the CRA Agreement, and the benefit to be derived by the parties from the execution hereof, the parties hereto agree as follows:

1. Bennington Investments LLC hereby agrees to assign all of its rights and obligations pursuant to the CRA Agreement to 6150 Park Square LLC; and

2. 6150 Park Square LLC hereby agrees to assume all of the SELLER's rights and obligations in accordance with the provisions of the CRA Agreement, including but not limited to, the payment of the annual CRA Fee as set forth in the CRA Agreement. Including any unpaid portion of such CRA Fee.

**IN WITNESS WHEREOF**, the parties have caused this Agreement to be executed by their duly authorized representatives to be effective as of this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**The City of Lorain, Ohio**

By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**Assignees/Successors**

\_\_\_\_\_  
6150 Park Square LLC

Approved as to form:

\_\_\_\_\_  
Patrick D. Riley  
Law Director



# City of Lorain

## COMMUNITY REINVESTMENT AREA (CRA) TAX EXEMPTION PROGRAM APPLICATION (To be filed with the appropriate Housing Officer)

Received on:

9-16-2019

Received by:

1. Bennington Investments, LLC (440) 396-0825  
Name(s) of Real Property Owner Phone Number
2. 6150 Park Square Drive TOSTER.V.B.V@lora.gov  
Address of Subject Property Email Address
3. Exemption Sought For: ☒ New Structure ☐ Remodeling Cost of Remodel \$ \_\_\_\_\_
4. Date of Project Completion: OCTOBER 2021
5. Does this project involve a structure of historical or architectural significance? Yes ☐ No ☒  
If yes, attach written certification of such by the designating agency or authorized agent.
- Additional information required by the State of Ohio by any applicant requesting an incentive for a public entity in Ohio:  
Does the applicant owe...  
a. Any delinquent taxes to the State of Ohio or a political subdivision of the State? Yes ☐ No ☒  
b. Any monies to the State or a state agency for the administration or enforcement of any environmental laws of the State? Yes ☐ No ☒  
c. Any other monies to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not? Yes ☐ No ☒  
d. If yes to any of the above, please provide details of each instance including but not limited to the location, amounts and/or case identification numbers (add additional sheets if necessary).


Submission of this application expressly authorizes the City of Lorain, Ohio to contact the Ohio Environmental Protection Agency to confirm statements contained within this application including the above items a, b, c, and d and to review applicable confidential records. As part of this application, the business may also be required to directly request from the Ohio Department of Taxation to release specific tax records to the local jurisdictions considering the incentive request.

The applicant affirmatively covenants that the information contained in and submitted with this application is complete and correct and is aware of the O.R.C. Sections 9.66 (C) (1) and 2921.13 (D) (1) penalties for falsification which could result in the forfeiture of all current and future economic development assistance benefits as well as a fine of not more than \$1,000.00 and/or a term of imprisonment of not more than six (6) months.

**\*\*Application must be turned in prior to December 14<sup>th</sup> for the application to be considered for this year\*\***

Kellie Glenn  
Signature of Housing Officer

**COMMUNITY REINVESTMENT AREA AGREEMENT**  
**For Commercial/Industrial Property (Ohio Revised Code Section 3735)**

 This Agreement made and entered into by and between the City of Lorain, Ohio, an Ohio municipal corporation, with its main offices located at 200 West Erie Avenue, Lorain, Ohio 44052 (hereinafter "City"), and Bennington Investments, LLC with offices located at 6150 Park Square Drive, Lorain, Ohio, 44053 (hereinafter "Property Owner") WITNESSETH;

WHEREAS, the City has encouraged the development of real property and the acquisition of personal property located in the area designated as Community Reinvestment Area No. 4; and

WHEREAS, Property Owner is desirous of constructing, or has constructed, a commercial office building within the Community Reinvestment Area No. 4. The subject property is located in the area commonly known as the 6150 Park Square Drive (hereinafter "Project Site") and is further described as Lorain County, Ohio permanent parcel number 05-00-020-000-070; and

WHEREAS, the City Council of the City of Lorain, Ohio by Ordinance 178-89 adopted December 19, 1989 designated the area as an "Community Reinvestment Area" pursuant Chapter 3735 of the Ohio Revised Code ("R.C."); and

WHEREAS, Property Owner has submitted a proposed agreement application (hereinafter referred to as "Application" and attached as Exhibit "A") to the City of Lorain Housing Officer; and

WHEREAS, the City Housing Officer has investigated the application of Property Owner and has recommended the same to the City on the basis that the Property Owner is qualified by financial responsibility and business experience to accomplish the proposed project (hereinafter "Project") in said Community Reinvestment Area and improve the economic climate of the City of Lorain; and

WHEREAS, this agreement has been remitted to City Council's Committee on Tax Incentives (the "Committee") on \_\_\_\_\_ in accordance with Ordinance No. 178-89 and 53-06; and

WHEREAS, the parties hereto desire to set forth their agreement with respect to matters hereinafter contained;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

Section 1: Property Owner shall construct, or has constructed, one or more buildings on vacant land located in CRA #4, and identified as permanent parcel number 05-00-020-000-070 within the City of Lorain, State of Ohio. Such construction is or will be consistent with the plans submitted to the City for planning commission approval and has been or shall be constructed to the specifications submitted or to be submitted to the Building Department for the purposes of obtaining permits.

The Project involved a total investment by the Property Owner of approximately \$1,285,000, for building construction and site improvements at the Project Site. No abatement shall be granted for the appraised value of the existing land identified as permanent parcel number 05-00-020-000-070.

The Project was completed on August 17, 2004 as evidenced by the Certificate of Occupancy dated August 19, 2004.

Section 2: The Property Owner shall permit the City of Lorain through the Department of Community Development to inspect the Project, upon reasonable prior notice during normal business hours, to ensure that the Project conforms with the plans and specifications approved by the City of Lorain's Building Department. The inspections by the Department of Community Development are not intended to be inspections to determine compliance with the building code and such inspections by the Community Development Department do not replace the inspections required of the Property Owner by the Building Department and other City Departments that are or were necessary to obtain a certificate of occupancy.

Section 3: Property Owner shall provide to the City of Lorain Tax Incentive Review Council, the Community Reinvestment Area Housing Council, and the Community Development Department any information reasonably required by the Council to evaluate the Property Owner's compliance with the Agreement, including any records that may be reasonably requested by the Council or its designated representatives(s).

Section 4: Subject to compliance by the Property Owner in all material respects with its obligations under this Agreement the City hereby grants to Property Owner a one hundred percent (100%) tax exemption for structures and improvements for a maximum period of fifteen (15) years from the date the exemption commences pursuant to the terms of this Agreement.

The tax exemption commences for the tax year following the calendar year in which the Housing Officer certifies the exemption application to the Lorain County Auditor.

Section 5: It is the responsibility of the Property Owner to file an application for exemption with the Housing Officer as a condition precedent to receipt of the tax exemption granted under this Agreement.

Section 6: Property Owner hereby agrees to pay an application fee equal to one-half of one per cent (.5%) of the cumulative annual tax savings on the property; however, the minimum amount shall be no less than \$7,500.00 (i.e., \$500.00 per year for 15 years) and the maximum amount shall not exceed \$37,500.00 (i.e., \$2,500.00 per year for 15 years). The fee is to be paid to the City of Lorain Department of Community Development by check made payable to the City of Lorain - CRA Program. The fee can be paid in one lump sum with a 10% discount or in annual installments payable on or before the first day of November of each year.

This fee shall be deposited in a special fund created for the continued operation of the City's

CRA program and costs associated with it, as well as Council-authorized costs and projects associated with the City of Lorain's economic development, long range land use planning, and other activities that provide for an increase in the economic opportunities for the citizens of Lorain.

Section 7: Property Owner shall pay such real and tangible personal property taxes as are not exempted under this Agreement and as are charged against such property and shall file all tax reports and returns as required by law. If Property Owner fails to pay such taxes or file such returns, all incentives granted under this Agreement are rescinded beginning with the year for which such unpaid taxes are charged or such reports or returns are required to be filed and continuing thereafter.

Section 8: The City shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain exemptions from taxation granted under this Agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions. Such acts may include annual exterior inspections, interior inspections with 10 day written notice delivered to the Property Owner via certified mail or hand delivery, reviews of public records to ensure payment of property taxes and other actions as may be necessary to determine that the property is being maintained in a manner consistent with the public purpose of granting the CRA tax exemption.

Section 9: If for any reason the City revokes the CRA designation of the zone, entitlement to the benefits granted under this Agreement shall continue for the number of years specified under this Agreement, unless Property Owner materially fails to fulfill its obligations under this Agreement.

Section 10: The Property Owner shall maintain the Project in accordance with all applicable State and City Building, Health, and Safety Codes. The Housing Officer shall make annual exterior inspections of the Project to ensure that it is properly maintained. In addition, the City of Lorain reserves the right with a ten day written notice to conduct an interior inspection of the Project during normal business hours. The Property Owner shall allow the Housing Officer, or designee, entry on to the property and within any structures on the property to conduct an inspection to ensure compliance with this Agreement. Any such notice shall be delivered by either certified mail return receipt, or in the alternative delivered by hand to the Property Owner by a representative of the City.

If the Housing Officer finds that the structures within the Project have not been properly maintained or repaired due to the neglect of the Property Owner, the Housing Officer may revoke the exemption at any time after the first year of exemption. If the Housing Officer suspects that there are violations of the City's Property Maintenance Code, the Housing Officer will forward a written complaint to the Chief Building Official of the City. The Chief Building Official will inspect, or cause the inspection of the property for property maintenance code violations or other code violations that fall within the oversight of the Chief Building Official. The Property Owner shall allow the Housing Officer, or designee, entry

onto the property and within any structures on the property without limitation to conduct an inspection to ensure compliance with this Agreement. If any violations are found to exist, the Property Owner will be notified and have 90 calendar days from the date the letter is mailed to completely correct the violations. The Property Owner may request that the Housing Officer allow additional time to correct the violations for just cause. If the violations are not corrected in the time allotted then the Housing Officer shall determine that the Property Owner is in violation of this Agreement and can reduce or eliminate the benefits that this Agreement bestows on the Property Owner.

In the event that the Housing Officer determines that the Property Owner is in violation of the agreement, then the Housing Officer shall notify the Lorain County Auditor and the Property Owner that the tax exemption is reduced or that the exemption no longer applies. The Housing Officer shall also send a report of the reduction or the revocation to the Community Reinvestment Area Housing Council containing a statement of the findings as to the lack of maintenance and repair of the property. If such an event would occur there is no refund of the fees paid for the CRA exemption.

Section 11: If the Property Owner materially fails to fulfill its obligations under this Agreement or if the City determines that the certification as to delinquent taxes required by this Agreement is fraudulent the City may terminate or modify the exemptions from taxation granted under this agreement. If such an event would occur there is no refund of the fees paid for the CRA exemption.

Section 12: Property Owner hereby certifies that, at the time this Agreement is executed, it does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which it is liable under Chapters 5727, 5733, 5735, 5739, 5741, 5743, 5747, or 5753 of the Revised Code, or, if such delinquent taxes are owed, that Property Owner is currently paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C.A. 101, et seq., or such petition has been filed against Property Owner. For the purpose of the certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Revised Code governing payment of those taxes.

Section 13: Property Owner affirmatively represents and warrants that it does not owe: (a) any delinquent taxes to the State of Ohio or a political subdivision of the State; (b) any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State; and (c) any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.

Section 14: Property Owner affirmatively represents and warrants that it has made no false statements to the State or local political subdivision in the process of obtaining approval for Community Reinvestment Area incentives. If any representative of Property Owner has knowingly made a false statement to the State or local political subdivision to obtain the Community Reinvestment Area incentives, Property Owner shall be required to immediately



return all benefits received under the Community Reinvestment Area Agreement pursuant to ORC Section 9.66(C)(2) and shall be ineligible for any future economic development assistance from the State, any state agency or a political subdivision pursuant to ORC Section 9.66(C)(1). Any person who provides a false statement to secure economic development assistance may be guilty of falsification, a misdemeanor of the first degree, pursuant to ORC 2921.13(D)(1), which is punishable by a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

Section 15: Neither the City nor Property Owner shall be considered in default of its obligations hereunder in the event of delay in performance of such obligations due to causes beyond its control without its fault or negligence, including but not restricted to acts of God, acts of the Federal or State government, acts of the other party, fires, floods, strikes, freight embargoes or unusually severe weather; it being the purpose and intent of this provision that in the event of the occurrence of any such delay, the time for performance of the obligations by the parties hereto shall be extended for the period of the delay.

Section 16: Any notices, statements, acknowledgments, consents, approvals, certificates or requests on behalf of either party shall be made in writing and addressed as follows:

AS TO THE CITY OF LORAIN:  
Department of Community Development  
Attention: Housing Officer  
200 West Erie Avenue  
Lorain, Ohio 44052

With copy to:  
Department of Community Development  
Attention: Director  
200 West Erie Avenue  
Lorain, Ohio 44052

AS TO PROPERTY OWNER:

or to such other contact or address as may be specified by such notice from time to time in writing.

Section 17: This Agreement is transferable or assignable only with the express, written approval of the City of Lorain. Any such transfer shall be effectuated through the execution of an Assignment and Assumption Agreement (attached as Exhibit "B") between the City of Lorain and the Assignee wherein the Assignee acknowledges his/her acceptance of all terms and conditions that are contained in this Agreement. Property Owner, to effectuate the transfer and assignment of this agreement and its benefits, particularly the tax exemption, agrees to pay a fee of \$200.00 and have the City perform a full code inspection of the property. The fee shall be payable prior to the inspection. This requirement is in effect only for the term of this Agreement and is necessary to maintain the benefits of this Agreement.

Section 18. Exemptions from taxation granted under this Agreement shall be revoked if it is determined that the Property Owner, any successor to that person, or any related member (as those terms are defined in division (E) of section 3735.671 of the Ohio Revised Code) has violated the prohibition against entering into this Agreement under division (E) of section 3735.671 or section 5709.62 or 5709.63 of the Ohio Revised Code prior to the time prescribed by that division or either of those sections and may require the repayment of the amount of taxes

that would have been payable had the property not been exempted from taxation under this agreement.

Section 19. The exemption of real property taxes on improvements to the Property Owner provided for in this Agreement is subject to the following:

- a. Approval by the Lorain City Administration
- b. Approval by the Housing Officer
- c. Written Recommendation of the City Council Committee on Tax Incentives

Section 20. Continuation of the exemption of real property taxes on improvements to the Property Owner provided for in this Agreement is subject to the review and approval at the annual meeting of the Community Reinvestment Area Housing Council.

Section 21. The Property Owner agrees to save harmless the City of Lorain, Ohio, its employees, and agents, from any third party action that would result in the termination of the exemption of real property taxes on improvements of Owner's property.

[Balance of page intentionally left blank.]

IN WITNESS WHEREOF, The City of Ohio, Ohio by Kellie Glenn, its Housing Officer  
pursuant to Ordinance No. 34-10, and Bennington Investments, ~~Inc~~ <sup>LLC</sup> by Thomas <sup>jaw</sup>  
J. Oster and Evelyn R. Oster, both Managing Members, have caused this instrument to be <sub>ERO</sub>  
executed this \_\_\_\_\_ day of \_\_\_\_\_, 2006. 2019

The City of Lorain, Ohio

\_\_\_\_\_  
Witness By: Kellie Glenn  
\_\_\_\_\_, Housing Officer

Kristen Nobile  
Witness By: Thomas J. Oster, Manager  
Bennington Investments, ~~Inc~~ <sup>LLC</sup> <sub>ERO</sub>  
Thomas J. Oster, Managing Member

Kristen Nobile  
Witness By: Evelyn R. Oster, Manager  
Evelyn R. Oster, Managing Member

Approved as to form:

Patricia D. Piley (10/17/19)  
Law Director



## CITY OF LORAIN

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### City Council Regular Meeting

10. n.

**Meeting Date:** 09/15/2025

**Submitted by:** Kathryn Golden

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#### **AGENDA ITEM DESCRIPTION OR LEGISLATION TITLE:**

AN ORDINANCE AMENDING ORDINANCE 014-25 AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO MODIFY AGREEMENT 25-016 WITH TERMINAL READY MIX, FOR THE LONGBROOK/YORKTOWN ROAD REHABILITATION PROJECT AND DECLARING AN EMERGENCY

#### **PURPOSE AND BACKGROUND:**

As authorized by Ordinance 014-25, the City of Lorain entered into Agreement 25-016 with Terminal Ready Mix, the Lowest and Best Bidder, for the Longbrook/Yorktown Road Rehabilitation Project. Longbrook Road requires additional work to stabilize previously unknown soil conditions. It has been determined that the subgrade can be stabilized for an additional \$100,000. as the work has been caused by ground water issues, the General Sewer Fund may be used to cover these costs.

#### **RECOMMENDATION TO COUNCIL:**

Consideration and passage

#### **Admin Only**

\_\_\_\_ Ord. amending Ord. 14-25 auth the S/S Director to modify agreement 25-016 with Terminal Ready Mix for the Longbrook/Yorktown Rd. rehab project.

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#### **Fiscal Impact**

**Funds Available in Current Year Budget (Y/N):** Y  
**Estimated Total Expenditure:** \$100,000  
**List of Funding Source and/or Account Number:** Fund 4030 as directed by Auditor  
**Estimate of Incoming Revenue (fees, grants, etc.):**  
**Financing Requirements (Bonds, Loans, Lease, etc.):**

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#### **Attachments**

Ordinance

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#### **Form Review**

**Inbox**  
Carrion

**Reviewed By**  
Kathryn Golden

**Date**  
09/11/2025 01:48 PM

K. Golden (Originator)  
Carrion  
Mayor Bradley  
Harper  
P. Riley  
Form Started By: Kathryn Golden  
Final Approval Date: 09/12/2025

Kathryn Golden  
Rey Carrion  
Jack Bradley  
Anita Harper  
Michele Beko

09/11/2025 01:49 PM  
09/12/2025 09:37 AM  
09/12/2025 09:38 AM  
09/12/2025 09:56 AM  
09/12/2025 10:36 AM  
Started On: 09/11/2025 12:30 PM

VOTE ON PASSAGE					
	AYE	NAY		AYE	NAY
Springowski			Nutt		
Dimacchia			Moon		
DuVall			Arroyo		
Henley			Spellacy		
Kempton			Thornsberry		
Carter			Arredondo		

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING ORDINANCE 014-25  
AUTHORIZING THE SAFETY/SERVICE DIRECTOR  
TO MODIFY AGREEMENT 25-016 WITH TERMINAL  
READY MIX FOR THE LONGBROOK/YORKTOWN  
ROAD REHABILITATION PROJECT AND  
DECLARING AN EMERGENCY

WHEREAS, as authorized by Ordinance 014-25, the City of Lorain entered into Agreement 25-016 with Terminal Ready Mix, the Lowest and Best Bidder, for the Longbrook/Yorktown Road Rehabilitation Project; and

WHEREAS, Longbrook Road requires additional work to stabilize previously unknown soil conditions; and

WHEREAS, it has been determined that the subgrade can be stabilized for an additional \$100,000; and,

WHEREAS, it is the opinion of the City Engineer's Office that the road rehabilitation project has encountered ground water issues stopping the work and therefore the General Sewer Fund may be used to cover the remediation of the ground water issues.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LORAIN, STATE OF OHIO:

SECTION I. That the Safety/Service Director is hereby authorized to enter into an addendum to Agreement 25-016 for the Longbrook/Yorktown Road Rehabilitation Project to increase the scope of the work and to pay an amount not to exceed \$100,000 for said additional work.

SECTION II. That funding for the project may be increased by an amount not to exceed \$100,000; the increase of cost shall be paid from Fund 4030, General Sewer. The total project cost shall not exceed \$1,132,997.70.

SECTION III. The City Auditor shall allocate the additional funds as deemed proper.

SECTION IV. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, and in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

SECTION V. That this ordinance is hereby declared to be an emergency, the nature of the emergency being the timely execution of the project for the safety and welfare of the

citizens of Lorain. Therefore, this ordinance shall take effect immediately upon its passage and approval by the mayor providing it meets the statutory requirements for passage, otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2025

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_, CLERK

\_\_\_\_\_  
MAYOR

APPROVED: \_\_\_\_\_, 2025



## CITY OF LORAIN

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### City Council Regular Meeting

10. o.

**Meeting Date:** 09/15/2025

**Submitted by:** Dawn Walther

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#### **AGENDA ITEM DESCRIPTION OR LEGISLATION TITLE**

**AN ORDINANCE APPROPRIATING FUNDS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF LORAIN, STATE OF OHIO AS PASSED BY ORDINANCE #35-25 BEGINNING JANUARY 1, 2025, AND ENDING DECEMBER 31, 2025 AND DECLARING AN EMERGENCY.**

#### **PURPOSE AND BACKGROUND:**

Appropriation for permanent budget.

#### **RECOMMENDATION TO COUNCIL:**

Lorain City Council to consider for passage.

#### **Admin Only**

\_\_\_\_ Appropriation.

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#### **Fiscal Impact**

**Funds Available In Current Year Budget (Y/N):** Y  
**Estimate of Total Expenditure:** 115,340  
**List of Funding Source and/or Account Number:** Various  
**Estimate of Incoming Revenue (fees, grants, etc.):**  
**Financing Requirements (Bonds, Loans, Lease, etc.):**

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#### **Attachments**

Appropriation Attachment  
Appropriation Attachment  
Appropriation Attachment  
Appropriation Attachment

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#### **Form Review**

**Inbox**  
JKoziura

**Reviewed By**  
Maggie Partin

**Date**  
09/10/2025 03:02 PM



Harper Anita Harper  
P. Riley Michele Beko  
Harper Anita Harper  
Form Started By: Dawn Walther  
Final Approval Date: 09/11/2025

09/11/2025 08:58 AM  
09/11/2025 11:58 AM  
09/11/2025 02:16 PM  
Started On: 09/10/2025 02:30 PM

VOTE ON PASSAGE					
	AYE	NAY		AYE	NAY
Springowski			Nutt		
Dimacchia			Moon		
DuVall			Arroyo		
Henley			Spellacy		
Kempton			Thornsberry		
Carter			Arredondo		

**AN ORDINANCE APPROPRIATING FUNDS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF LORAIN, STATE OF OHIO AS PASSED BY ORDINANCE #35-25 BEGINNING JANUARY 1, 2025, AND ENDING DECEMBER 31, 2025 AND DECLARING AN EMERGENCY.**

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LORAIN, STATE OF OHIO:

SECTION I. That the following amount be appropriated from the following funds to provide for the current expenses and other expenditures in the City of Lorain, State of Ohio, beginning January 1, 2025, and ending December 31, 2025:

<b>General Fund</b>	
Fund Balance	\$ 65,340
<b>Capital Improvements Fund</b>	
Transfer In-General Sewer Fund	\$ 100,000
<b>General Sewer Fund</b>	
Fund Balance	\$ 150,000

SECTION II. That the following amounts be appropriated to the following funds:

<b>General Fund</b>	
Police Dept. – Personal Services	\$ 57,840
Building Dept. – Contractual Services	\$ 7,500
<b>Capital Improvements Fund</b>	
Contractual Services-City Improvements	
Longbrook/Yorktown Road Rehab	\$100,000
<b>General Sewer Fund</b>	
Street Improvements	\$ 50,000
Transfer Out-Capital Improvements Fund	\$ 100,000

SECTION III. That this Ordinance is passed by virtue of the provisions of Section 5705.40 Ohio Revised Code, all provisions of which have been complied with.

SECTION IV. That it is found and determined that all formal actions relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

SECTION V. This ordinance is hereby declared to be an emergency, the nature of which is the immediate need to provide funding to meet contractual obligations. Therefore, this Ordinance shall take effect immediately upon its passage and approval by the Mayor, provided it receives the statutory requirements for passage, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2025

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

ATTEST: \_\_\_\_\_, 2025  
Clerk of Council

\_\_\_\_\_  
Mayor

APPROVED: \_\_\_\_\_, 2025

## Harper, Anita

---

**From:** Golden, Kathryn  
**Sent:** Monday, September 8, 2025 2:21 PM  
**To:** Harper, Anita  
**Cc:** Vandersommen, Dale  
**Subject:** Fund Balance Appropriation - 4030

Good afternoon Anita,

Please appropriate \$50,000 from 4030 Fund Balance to 4030.C403.6700.2500 to be used for storm sewer concrete repair work.

**Kate Golden, CPMSM, CFM** | Storm Water Manager | City of Lorain Engineering Department  
200 West Erie Avenue, Lorain, OH 44052 | p. 440.204.2059

Source:

General Sewer Fund  
Fund Balance \$50,000

Use:

General Sewer Fund  
Street Improvements \$50,000

*[Signature]*

**Harper, Anita**

---

**From:** Gelenius, Kyle  
**Sent:** Friday, August 29, 2025 11:08 AM  
**To:** Carrion, Rey; Harper, Anita  
**Cc:** Failing, Mike; Mathewson, A.J.; Soto, Rick; Hernandez, Steve; Zakrajsek, Kelly  
**Subject:** Additional Appropriations Request - Parking Enforcement Unit

Director & Anita,

Earlier this year, City Council had directed the Administration and the PD to employ a Parking Enforcement unit consisting of Auxiliary Police personnel to address parking/quality of life issues throughout the City; however, additional funding was not appropriated to fund that mission. Accordingly, based on the current budget performance report and unit spending, additional funding is needed in the Auxiliary Unit funds if the unit is to continue with those operations through the end of the year.

After discussions with the Administration and the Auditor's Office, Chief Failing is requesting the following appropriations:

**General Fund – Fund Balance (1010.XXXX)** → *\$2.3m. available*

**Hours/Wages – Auxiliary Police Salary (1010.S400.6100.1501)**

\$50,100.00

**PERS (1010.S400.6100.2100)**

\$7,014.00

**MEDICARE**

**Medicaid (1010.S400.6100.1600)**

\$726.00

Please contact the Chief's Office if you have any questions.

V/R,

Lt. KJG

**Lt. Kyle Gelenius, MSCJ**

**Staff Lieutenant | Reconstructionist**

**Office of the Chief of Police**

**P:** 440.204.2315 | **E:** Kyle\_Gelenius@cityoflorain.org

*Source:*  
*General Fund*  
*Fund Balance \$57,840*

*Use:*  
*General Fund*  
*Police Dept. - Personal Services*  
*\$57,840*

*AgH*

## Harper, Anita

**From:** Davey, Robyn  
**Sent:** Tuesday, September 9, 2025 10:01 AM  
**To:** Harper, Anita  
**Cc:** Kuszniir, Matt; Atkinson, Evelisse  
**Subject:** FW: Granicus Short Term Rentals  
**Attachments:** Granicus\_Lorain\_2025-07-10.pdf; OH\_Lorain OH\_Q-464151\_2025JUL10.pdf



Hi Anita –

Can you add the following to the next appropriation request:

SOURCE: Cash Balance - \$7,500 *General Fund Fund Balance*  
USE: ✓ General Fund – Building – Contractual Services - \$7,500

*1010.5900.6300.1500*

This is for the services in the attached documents.

Thanks!

### Robyn Davey | Comptroller

City of Lorain – Building, Housing & Planning | 200 West Erie Avenue – 5<sup>th</sup> Floor | Lorain, OH 44052  
440.204.2020 (Main) 440.204.2062 (Direct)

[Robyn\\_Davey@cityoflorain.org](mailto:Robyn_Davey@cityoflorain.org) | [www.cityoflorain.org](http://www.cityoflorain.org)

---

**From:** Kuszniir, Matt <Matt\_Kuszniir@cityoflorain.org>  
**Sent:** Tuesday, September 9, 2025 9:57 AM  
**To:** Davey, Robyn <Robyn\_Davey@Cityoflorain.org>  
**Cc:** Atkinson, Evelisse <Evelisse\_Atkinson@cityoflorain.org>  
**Subject:** FW: Granicus Short Term Rentals

Robyn,

Can you request a \$7,500 appropriation to Building Contractual Services to pay for the services described in the attachments?

Thanks,  
Matt



### Matt Kuszniir

Director, Department of Building, Housing & Planning

Phone 440-204-2083 Office 440-204-2020

Email [matt\\_kuszniir@cityoflorain.org](mailto:matt_kuszniir@cityoflorain.org)

200 W. Erie Ave., 5<sup>th</sup> Floor, Lorain, OH 44052



GRANICUS

govService

# Host Compliance

---

Lorain

Jordan Mercer  
July 2025

# Monitoring Short-Term Rentals (STRs) presents both widely known and underappreciated challenges



Getting **visibility** into STR data is **nearly impossible**



**Manual processes** weigh on my team and **drain our budget**



Our **internal alignment** is ineffective and **suffers**



So much of my **time is wasted** on **finding more room in the budget**

 **<10%**

Of STR owners voluntarily get registered and pay all of their taxes

 **20-30%**

Issues with STRs growing at an alarming rate year over year



# The Short-Term Rental Market is Exploding

*Many communities are struggling to define and enforce regulations that preserve community character and keep communities safe while ensuring revenue collection.*



**15x**

the # of short-term  
rental listings since  
2011



**27**

global markets  
have seen home  
rentals outperform  
hotels in the last  
year



**100s**

of different  
platforms make it  
nearly impossible  
to manually track  
STR property  
listings



**239%**

Increase in STR  
related party  
complaints in the  
last year

# Without compliance, local government knows STRs bring significant challenges

>> Lost economic opportunities

>> Diminished neighborhood character

>> Impact on housing affordability

>> Wasted time and money



## The Case that Short-Term Rentals Actually Make Our Neighborhoods Stronger

Kara Wilson · September 25, 2019

News | Technology

## Tech challenges (and coronavirus) were the focus for rental managers in 2020

By Linda Fox | December 22, 2020



The New York Times

## Airbnb Fights Its 'Party House Problem'

Noise. Damages. Safety questions. Airbnb is racing to address the risks posed by partying guests before it goes public.

Forbes

Dec 2, 2020, 11:20am EST | 511 views

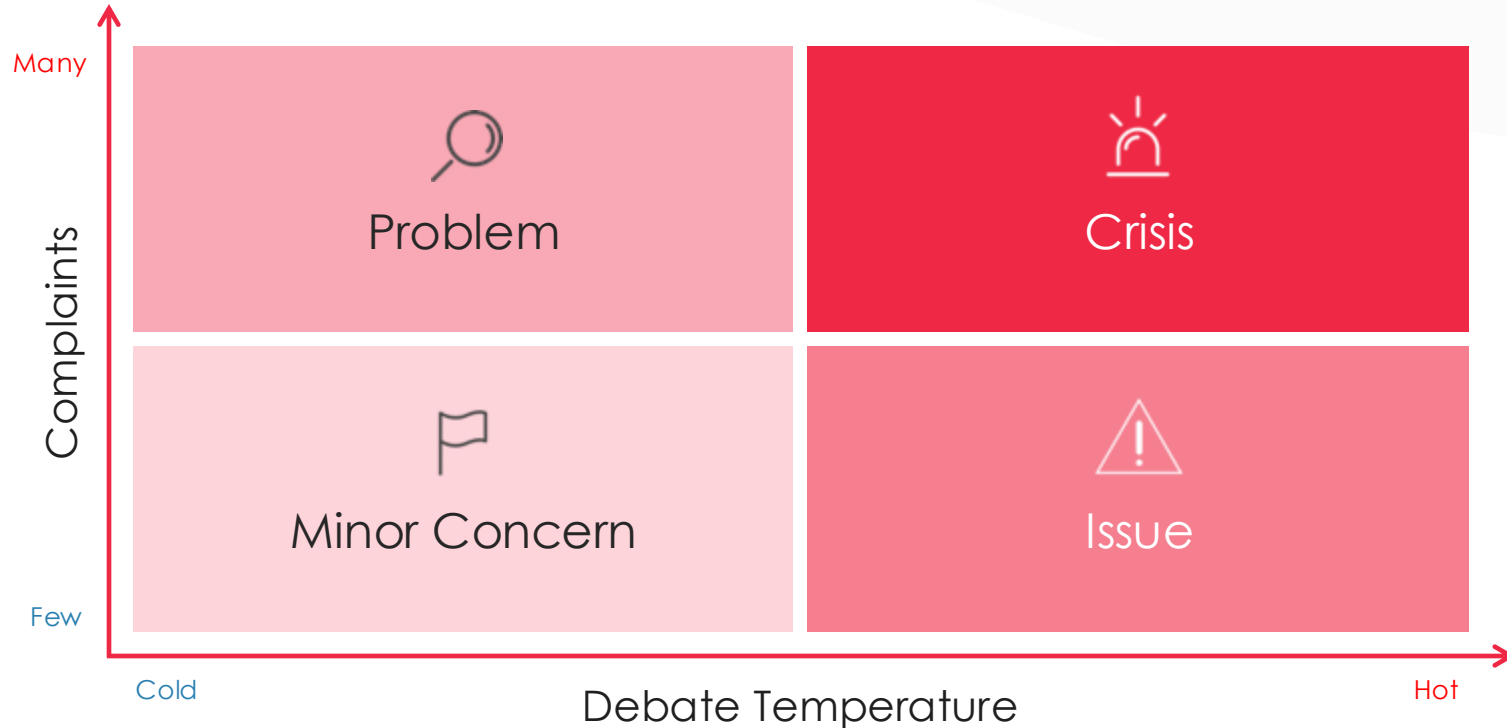
## The Growth And Challenges Of Vacation Rentals In The Age Of Covid



## What Are Your Top Priorities?

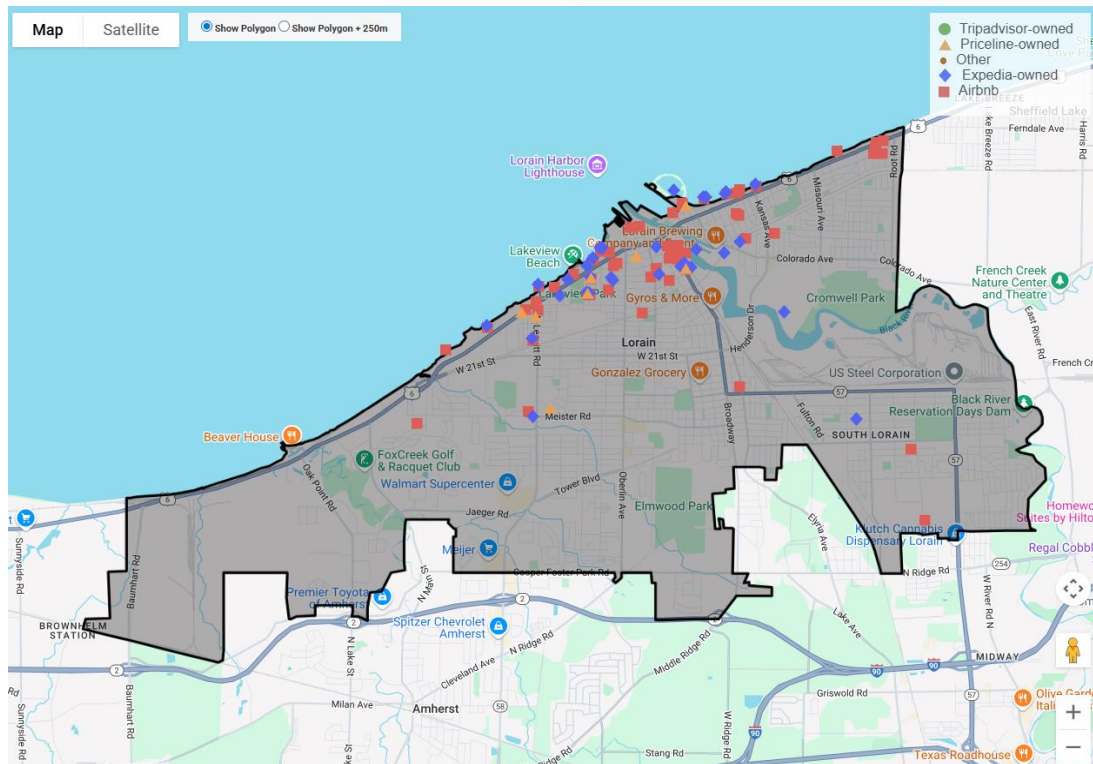
- Reduce noise, parking, traffic and trash-problems
- Eliminate party houses
- Reduce STR impact on neighborhood character
- Ensure building safety
- Improve responsiveness to neighbor complaints
- Stem STR impact on affordable housing availability
- Improve permit and tax compliance to increase tax revenue
- Ensure a level playing field between law abiding traditional lodging providers and illegal STRs
- Reduce tension between short-term rental property owners and their neighbors
- Make citizens aware that STR problems are taken seriously

# How big of a challenge are short-term rentals in Lorain?



...and in Lorain we have identified 103 listings, representing 94 unique rental units\*

Short-term rentals in Lorain as of July 2025



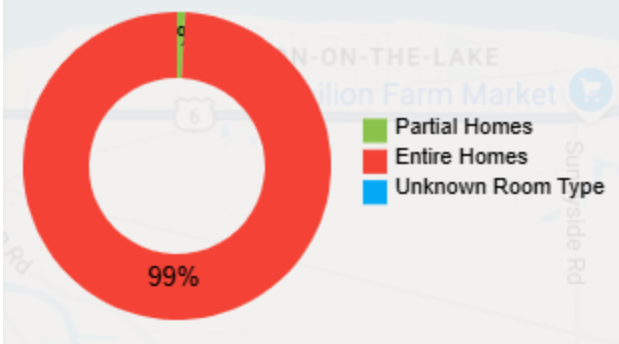
\* Granicus Host Compliance's pricing is based on the count of listings and rental units that would need to be analyzed and monitored for compliance. In terms of listings, this number is 117 as we will expand our search area by several hundred yards beyond the borders of Lorain to capture all relevant listings. Source: Granicus Host Compliance Proprietary Data

# Lorain STR Market Details

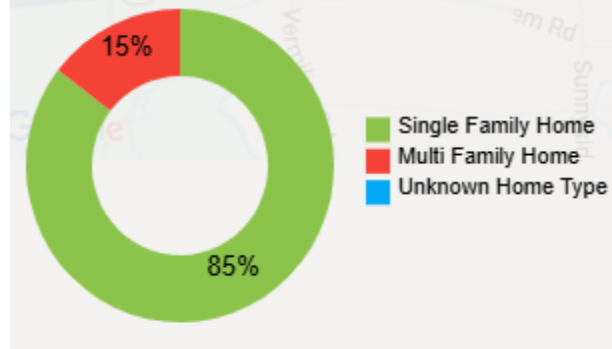
Median Nightly Rate  
(USD)

**\$197**

Unit Types



Listing Types



# True Compliance Requires a Holistic Approach

Identifying STRs alone isn't enough. You need to...

## Understand the market

Understand the size and scope of short-term rentals in your community



## Identify revenue loss

Ensure your community has identified every opportunity for revenue capture, creating an even playing field for all types of providers and residents



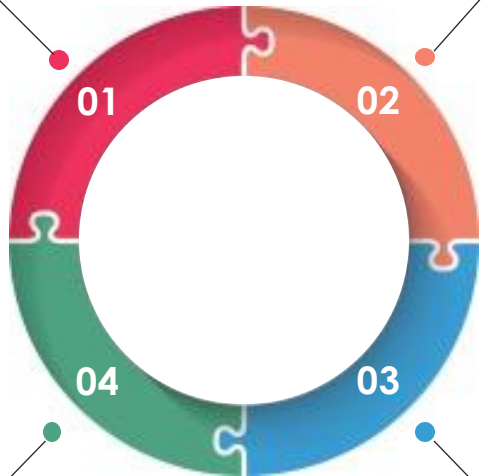
## Automate and save

Support greater staff efficiency with impactful tools and process automation to help implement and enforce fair regulations



## Protect the community

Ensure all lodging providers meet health and safety standards; develop short- and long-term plans to create, grow, or revitalize a community or area



**Subscriber Network**  
A network of 250M citizen subscribers



### **govAccess**

Transactional websites designed for today's citizen



### **govService**

Online citizen self-service solutions and process automation



### **govMeetings**

Meeting agendas, video, and boards management



### **govDelivery**

Targeted email, text, and social media communications



### **govRecords**

Paperless records management

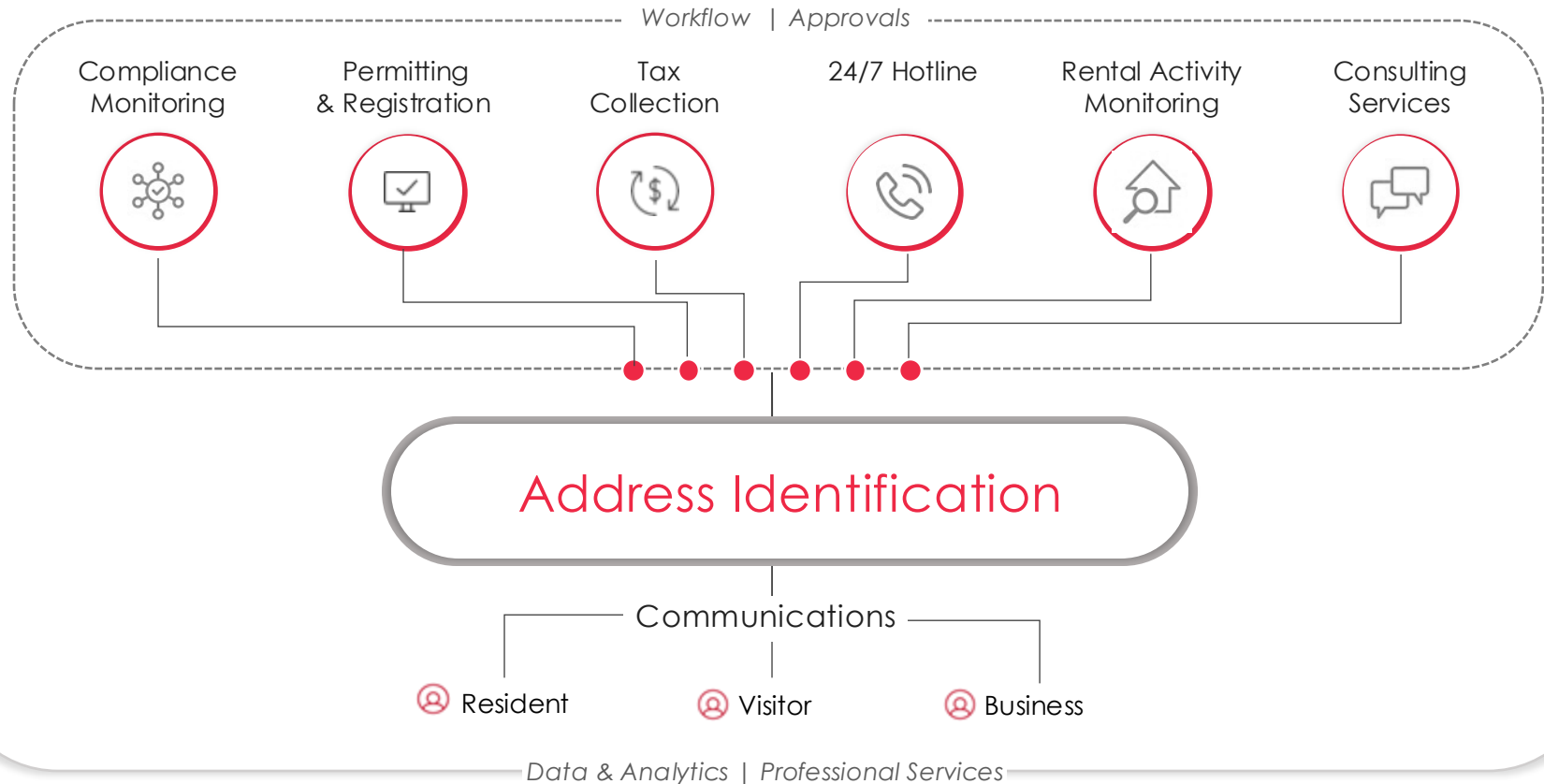


## **Granicus Experience Group**

A strategic team of experts delivering managed services



# govService **Host Compliance**



**Address Identification** technology and processes make it possible to easily monitor the STR market and find the addresses and owners of all identifiable STRs

1

## Scan

We scan the world's 60+ largest STR websites for all listings

2

## Extract

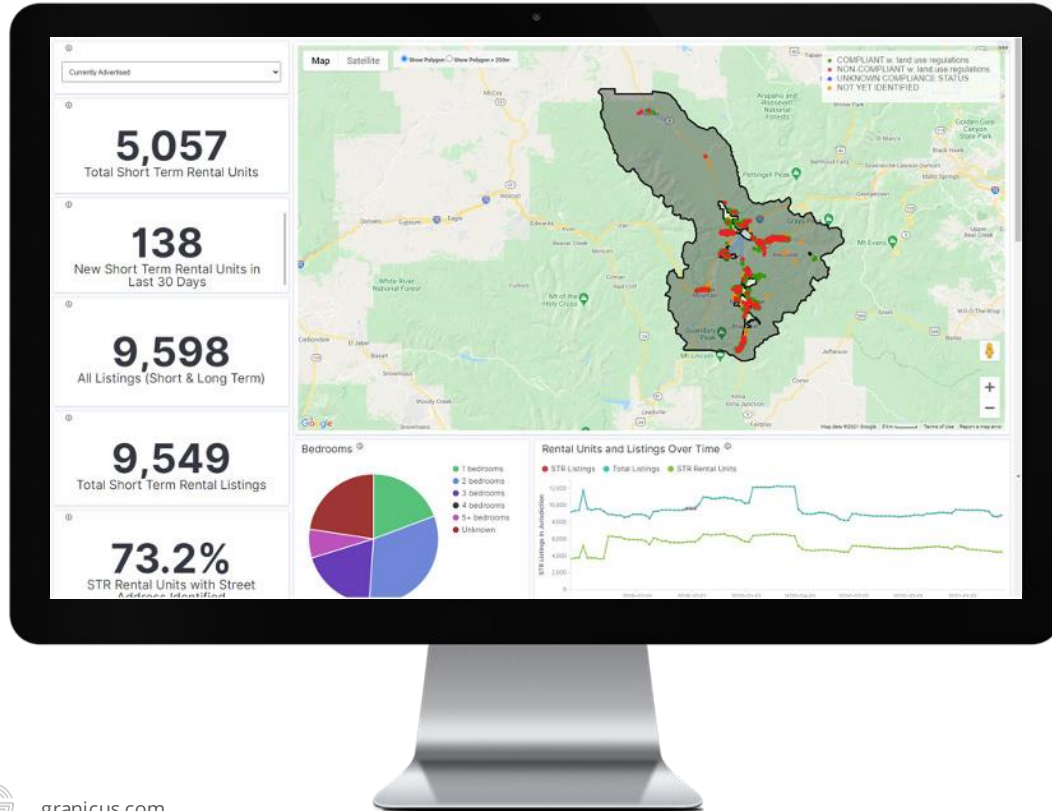
We identify each listing and extract as much information as possible to allow our AI models to narrow down the list of possible address/owner matches

3

## Combine

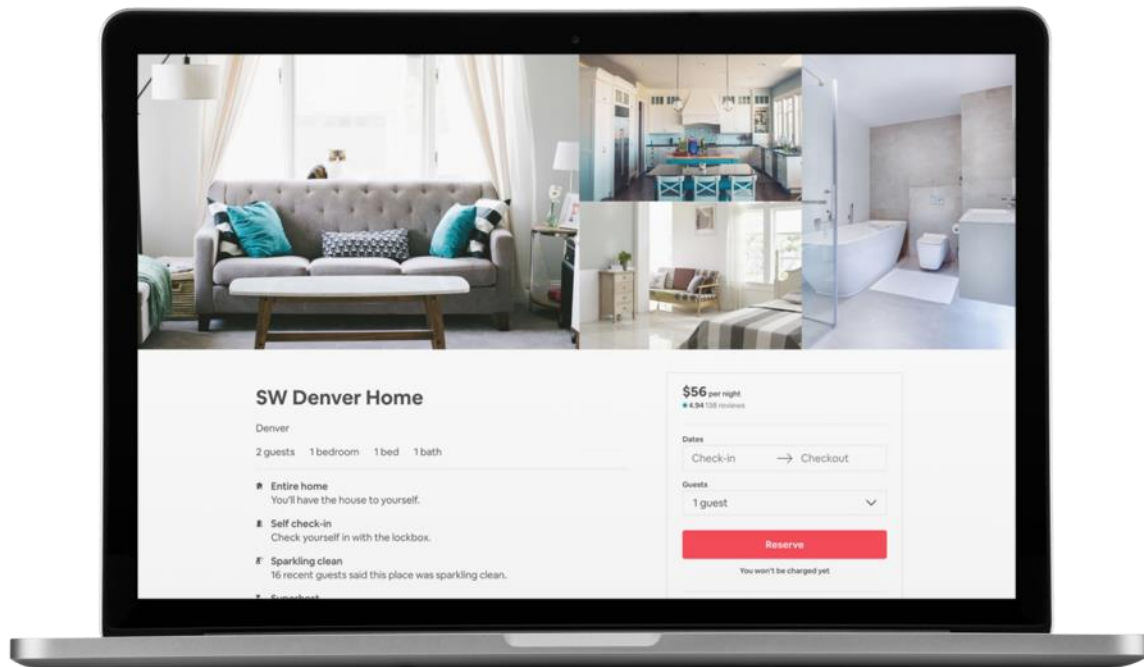
We combine AI and human analysts to identify the exact addresses and owner information for each identifiable STR

**Address Identification** monitors the STR market and finds the addresses and owners of all identifiable STRs



The data and screenshots are made available to authorized users in an easy-to-use online dashboard and records management system and easily exported in Excel/CSV format

# Use software to **automate the systematic capture of listing screenshots**



Full Screen



Listing status, metadata and full-screen screenshots are time stamped and made available in real time on the **rental unit record**

**GRANICUS**  
Real Estate

Rental Unit Record


9750 Ryan Gulch Rd  
Boulder, CO 80499, USA

Active  
Identified  
Compliant


PRINT SEND A LETTER

Listing(s) Information

VIDEO - [View on YouTube](#) AR - [View on AR](#)



Rental Unit Information



Identified Address  
9750 Ryan Gulch Rd, Boulder, CO 80499, USA

Identified Unit Number  
101

Identified Latitude, Longitude  
40.0141, -105.2701

Matched Details

**Listing Details**

Listing URL <https://www.airbnb.com/rooms/45098760>

Listing Status Active

Host Compliance Listing ID [air45098760](#)

Listing Title Cooper Slopeside 2 Story Penthouse, 4 Beds 10 Beds

Property type Condominium

Room type Entire home/apt

Listing Info Last Captured Mar 17, 2021

Screenshot Last Captured Mar 17, 2021

Price \$350/night

Cleaning Fee \$150

**Information Provided on Listing**

Contact Name Pott

Latitude, Longitude [air45098760](#)

Minimum Stay (# of Nights) 3


Max Sleeping Capacity (# of People) 10

Max Number of People per Bedroom 2.5

Number of Reviews 7

Last Documented Stay 03/2021

**Listing Screenshot History** [View Latest Listing Screenshot](#)



**Timeline of Activity**  
View the series of events and documentation pertaining to this property

- 1 Documented Stay March, 2021
- 3 Documented stays February, 2021
- Listing [air45098760](#) Reposted February 19th, 2021
- Listing [air45098760](#) Removed February 10th, 2021
- 2 Documented stays January, 2021
- Listing [air45098760](#) Reposted January 6th, 2021
- Listing [air45098760](#) Removed January 2nd, 2021
- 1 Documented stay December, 2020
- Listing [air45098760](#) Identified September 26th, 2020
- Listing [air45098760](#) First Crawled August 27th, 2020
- Listing [air45098760](#) First Activity August 27th, 2020

# Provide documented evidence of every address match to support all of Lorain's enforcement efforts




## Example of Searchable Evidence

✓ Matched Details




Analyst: IXMU

**Explanation**  
The exterior shown in the listing photo has all of the identical features to the one shown on the assessor website. The property is hosted by [redacted] and [redacted], which matches the two owners listed by the assessor.

**Listing Photos**      **Matching 3rd Party Sources**

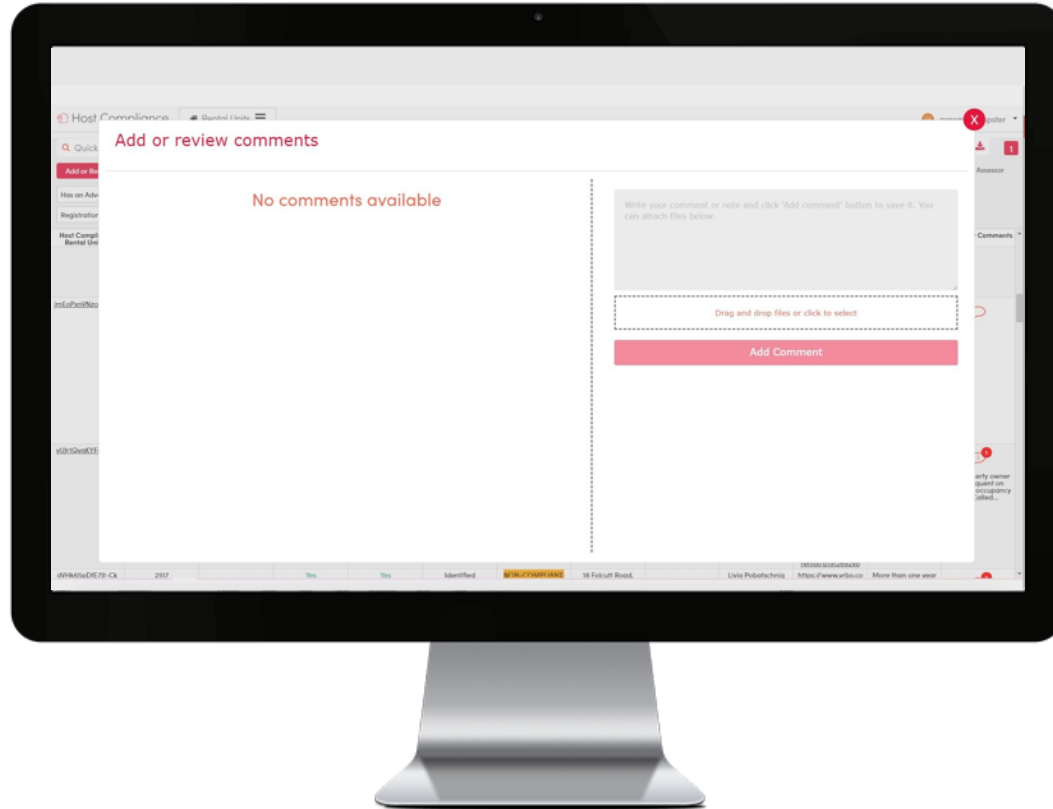


Same exterior.

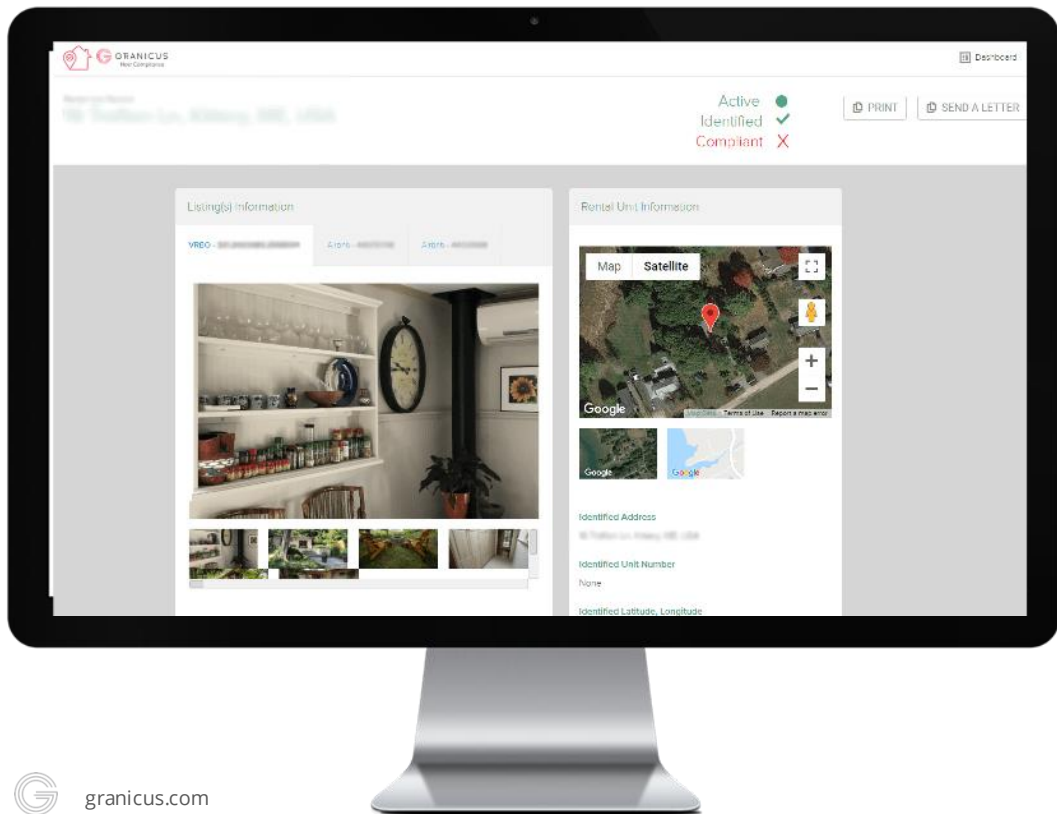


[redacted] and [redacted] mentioned as hosts, they are owners of property.

**Easily track the status** of individual rentals and create case notes on the unit's record



**Compliance Monitoring** allows you to stay in control and save time by sending your enforcement letters with the click of a button



 **SEND A LETTER**

< Back | **Select Letter Template**



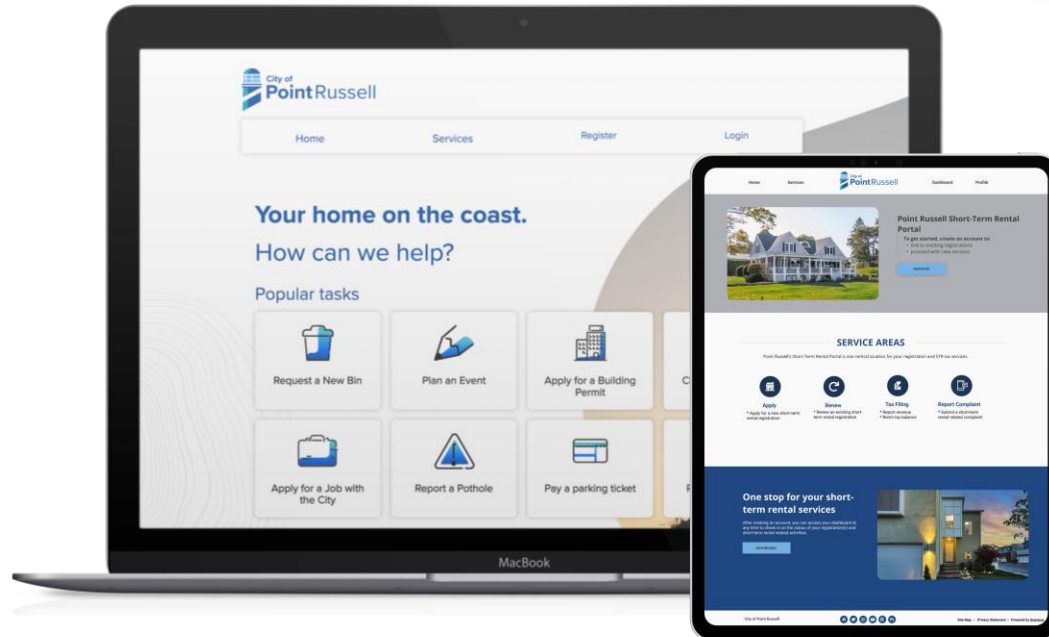


# Increase your outreach effectiveness and efficiency by automatically adding evidence to communications



# Mobile Permitting & Registration

Simplify Lorain's permitting, license or registration processes and significantly reduce the administrative costs on the back-end



# Tax Collection

Simplify Lorain's tax collection process and significantly reduce the administrative costs on the back-end

City of Point Russell

Home Dashboard Services My Requests My Account

Report & Remit Short-Term Rental Sales Tax Form

Welcome Your Details Manual Terms

Manual

Year	Month	Total Gross Receipts	Exemption Amount
2022	January	\$8175.00	\$300.00
2022	February	\$5445.00	\$200.00
Total:			

Total Amount Due  
\$ 1410.40

Amount Due  
40

CANCEL

# Tax Collection

Simplify Lorain's tax collection process and significantly reduce the administrative costs on the back-end

Please enter the taxable receipts for listing 1/2: <https://www.airbnb.com/rooms/XXXXXXXXX>.  
If you have had \$0 taxable receipts for a given quarter, please enter \$0.

Taxable receipts INCLUDE, but are not limited to, nightly rents, weekly rents, standard cleaning fees, pet fees, internet charges, late check-out fees, extra person fees, and resort fees. Taxable receipts EXCLUDE refundable deposits and any additional items included in a special package rate, such as ski passes, or other recreational activity or additional service subject to sales tax.

<b>January 2019 to March 2019</b>	
<small>Taxable receipts e.g. \$2000</small>	<small>No. of nights occupied e.g. 42</small>
\$2,000	30
<b>April 2019 to June 2019</b>	
<small>Taxable receipts e.g. \$2000</small>	<small>No. of nights occupied e.g. 22</small>
\$1,000	15
<b>July 2019 to September 2019</b>	
<small>Taxable receipts e.g. \$2000</small>	<small>No. of nights occupied e.g. 22</small>
\$3,000	45
<b>October 2019 to December 2019</b>	
<small>Taxable receipts e.g. \$2000</small>	<small>No. of nights occupied e.g. 22</small>
\$10,000	200

**24/7 Hotline** makes it easy for neighbors to report, substantiate and resolve non-emergency STR incidents in real-time

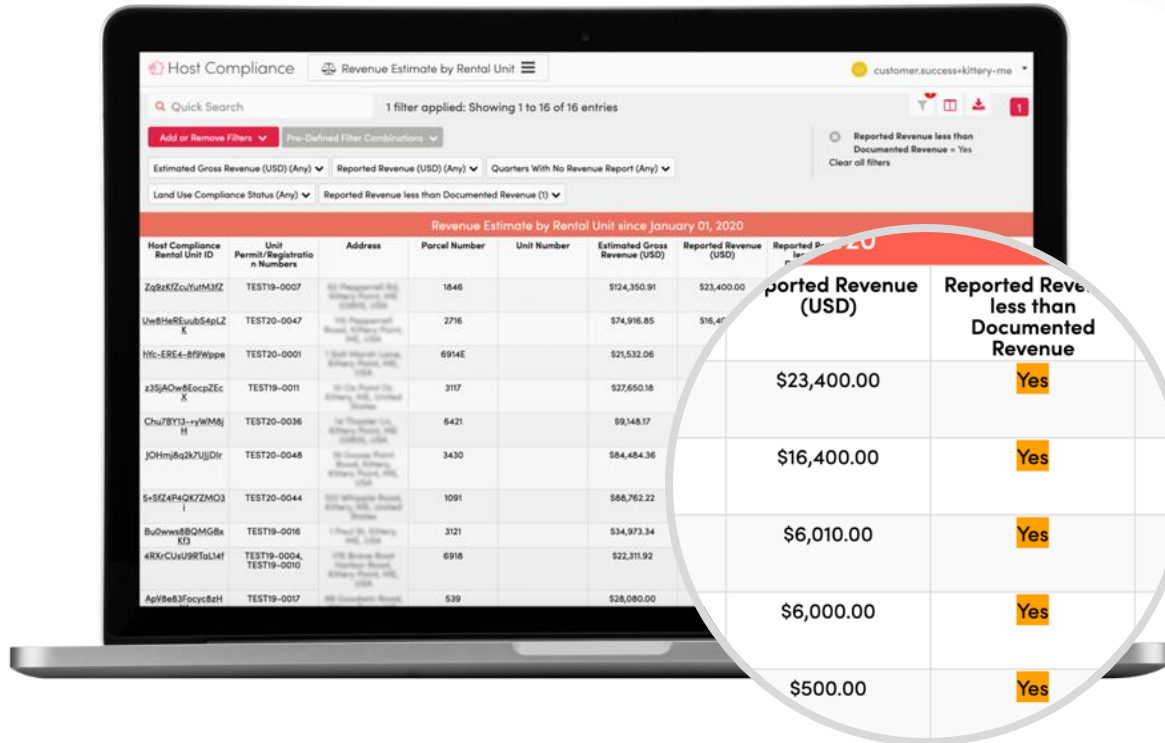


**Get detailed reports and dashboards** to track all short-term rental related complaints in real-time





**Rental Activity Monitoring** automates the selection of audit candidates to maximize the impact of audit efforts

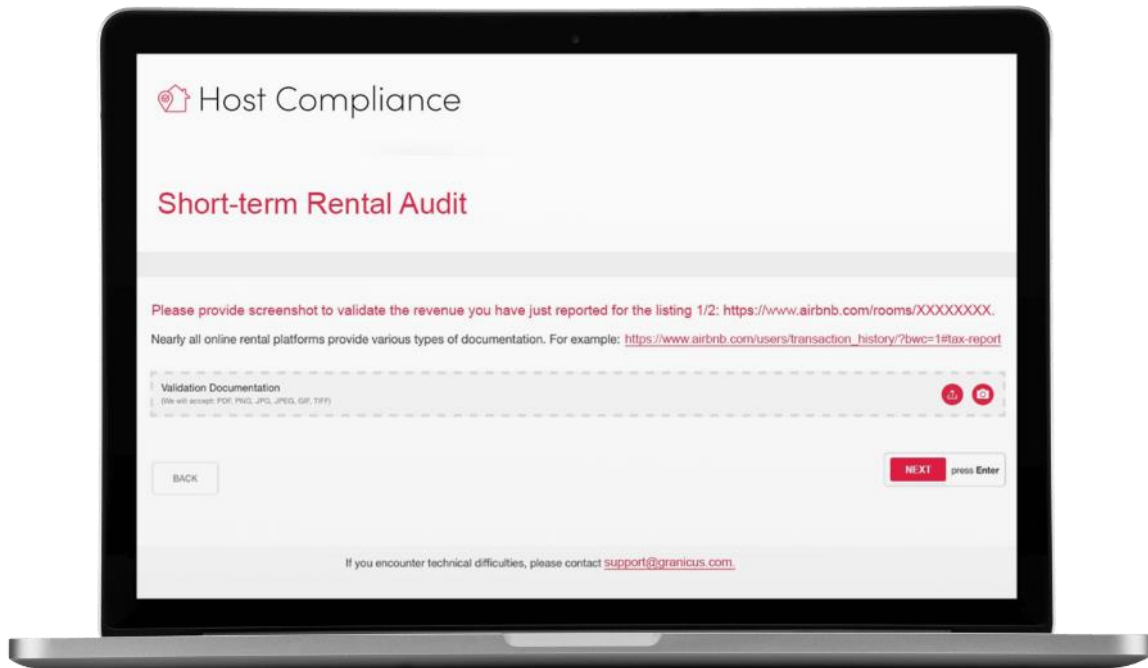


The screenshot shows the Host Compliance software interface. At the top, there's a header with the logo and a navigation menu. Below that, a search bar and filter options are visible. The main content area displays a table titled "Revenue Estimate by Rental Unit since January 01, 2020". The table has columns for Host Compliance Rental Unit ID, Unit Permit/Registration Numbers, Address, Parcel Number, Unit Number, Estimated Gross Revenue (USD), Reported Revenue (USD), and Reported Revenue less than Documented Revenue. A magnifying glass is positioned over the last two columns, highlighting the "Reported Revenue (USD)" and "Reported Revenue less than Documented Revenue" columns.

Host Compliance Rental Unit ID	Unit Permit/Registration Numbers	Address	Parcel Number	Unit Number	Estimated Gross Revenue (USD)	Reported Revenue (USD)	Reported Revenue less than Documented Revenue
Zq9xKZcuYutM3JZ	TEST19-0007	60 Pleasant St, Boston, MA, United States	1846		\$124,350.91	\$23,400.00	Yes
Uw8He8Eub854pLZ	TEST20-0047	10 Pleasant St, Boston, MA, United States	2716		\$74,916.85	\$16,400.00	Yes
Hy-ERE4-B9fWpge	TEST20-0001	101 North St, Boston, MA, United States	6914E		\$21,532.06		
x35A0w8EocpZEc	TEST19-0011	101 North St, Boston, MA, United States	3117		\$27,650.18		
Chu7BT13-ryWMBj	TEST20-0036	101 North St, Boston, MA, United States	6421		\$9,148.17		
JOHm38q2k7UjDlr	TEST20-0048	101 North St, Boston, MA, United States	3430		\$84,484.36		
5-sfZ4P4OK7ZMO3	TEST20-0044	101 North St, Boston, MA, United States	1091		\$88,762.22		
Bu0wn88QMG8xK3	TEST19-0016	101 North St, Boston, MA, United States	3121		\$34,973.34	\$6,010.00	Yes
4RXxCUH9RTol14f	TEST19-0004, TEST19-0010	101 North St, Boston, MA, United States	6918		\$22,311.92		
ApV9e83focys8zH	TEST19-0017	101 North St, Boston, MA, United States	539		\$28,080.00	\$6,000.00	Yes
						\$500.00	Yes

Identifying tax fraud and occupancy/rental frequency violations by STR listings for signs of rental activity

# Streamline the audit process by **requesting all backup information through simple, interactive online forms**



Host Compliance

## Short-term Rental Audit

Please provide screenshot to validate the revenue you have just reported for the listing 1/2: <https://www.airbnb.com/rooms/XXXXXXXXX>.

Nearly all online rental platforms provide various types of documentation. For example: [https://www.airbnb.com/users/transaction\\_history?bwc=1#tax-report](https://www.airbnb.com/users/transaction_history?bwc=1#tax-report)

Validation Documentation

(We will accept: PDF, PNG, JPG, JPEG, GIF, TIFF)

BACKNEXT press Enter

If you encounter technical difficulties, please contact [support@granicus.com](mailto:support@granicus.com)

Hosts can easily **upload** STR revenue statements to verify rental activity

The background of the slide features a collage of various hand-drawn sketches and sticky notes. Visible elements include a pie chart labeled 'MARKET SHARE' with a '30%' segment, a '2 YEAR' timeline, a 'DESIGN' section with a 'WEB' icon, 'DIGITAL MEDIA' and 'INNOVATION' labels, a 'PRODUCT SERVICE QUALITY' box, a 'TEAMWORK' diagram with three figures, a 'TIME LINE' with a clock icon, and a 'DIGITAL CONTENTS ?' note. A white speech bubble icon is positioned above the main title.

# Consulting Services

## Short-Term Rental regulation creation, updates, and guidance from planning experts

- ✓ Experience with hundreds of communities including 1) access to proprietary regulations data that is the most trusted by government and 2) support on hundreds of regulations.
- ✓ Custom public outreach strategy and messaging framing.
- ✓ Complete draft of a custom short-term rental ordinance.
- ✓ Compliance monitoring and enforcement plan for staff and legal counsel to refine and adopt.

# How can you make sure **all voices are heard** while considering short-term rental regulations?



## Neighborhoods

- Organized neighborhood groups (including HOAs, etc.)
- Individual homeowners
- Renters
- Housing advocacy groups



## Government

- Code Enforcement
- Planning & Zoning
- Public Safety
- Assessor



## Lodging

- Existing STR host groups
- Individual STR hosts
- Realtors
- Current lodging providers
- Tourism Board

# With **Bang The Table** community engagement in Lorain just got easier



Choose the right mix of online feedback tools for your community engagement objectives



Foster meaningful connections and build trust with your community



Deliver a seamless, closed-loop communication experiences for your citizens



Reach targeted audiences and use data to measure effectiveness

# Why Government Leaders Choose Granicus

Trusted by thousands of government agencies at all levels



## Secure

### Security-First

*FedRAMP authorized; Tier III, DOD-approved data centers; Private vs. Public cloud.*



## Simplified

### One Platform

*Streamline digital services by consolidating to a single platform vs. multiple vendors and applications.*



## Supported

### 1 Team, 24/7

*Around-the-clock support and training for your entire team; three types of support available – technical, success, adoption.*



## Innovation Leader

### First-to-Market Technology

*\$20M Invested Annually in R&D, Foremost innovator of government SaaS technology, with 5 first-to-market solutions.*



# In the broader Great Lakes we are already serving 59 forward-thinking local government agencies

- Lake Bluff, IL
- Egg Harbor, WI
- Fenton (Charter Township), MI
- Peoria, IL
- Appleton, WI
- Chippewa County WI
- Hudson, WI
- Milwaukee, WI
- Marathon County WI
- Sawyer County WI
- Grass Lake Township, MI
- Suttons Bay Village, MI
- Elk Rapids, MI
- South Haven, MI
- Boyne City, MI

- East Jordan, MI
- Petoskey, MI
- Holland, MI
- Ferrysburg, MI
- Frankfort, MI
- Huron, OH
- Akron, OH
- Saugatuck, MI
- Traverse City, MI
- New Buffalo, MI
- Kohler, WI
- Williams Bay, WI
- Carmel, IN
- Eau Claire, WI
- Madison, WI

- Elmwood, MI
- Yankee Springs, MI
- Evangeline, MI
- Eveline, MI
- Bingham, MI
- Cleveland, MI
- Casco, MI
- Park, MI
- Roscommon, MI
- Rome, WI

## Modular pricing tailored to Lorain's short-term rental needs



### Address Identification

Automated monitoring of 70+ STR websites and online dashboard with complete address information and screenshots of all identifiable short-term rentals.



### Compliance Monitoring

Ongoing monitoring of STRs for zoning and permit compliance coupled with systematic outreach to illegal short-term rental operators.



### Mobile Permitting

Online forms and back-end systems to streamline the registration process and capture required documentation, signatures and payments electronically.



### Tax Collection

Make tax reporting and collection easy for hosts and staff to submit and review online.



### 24/7 Hotline

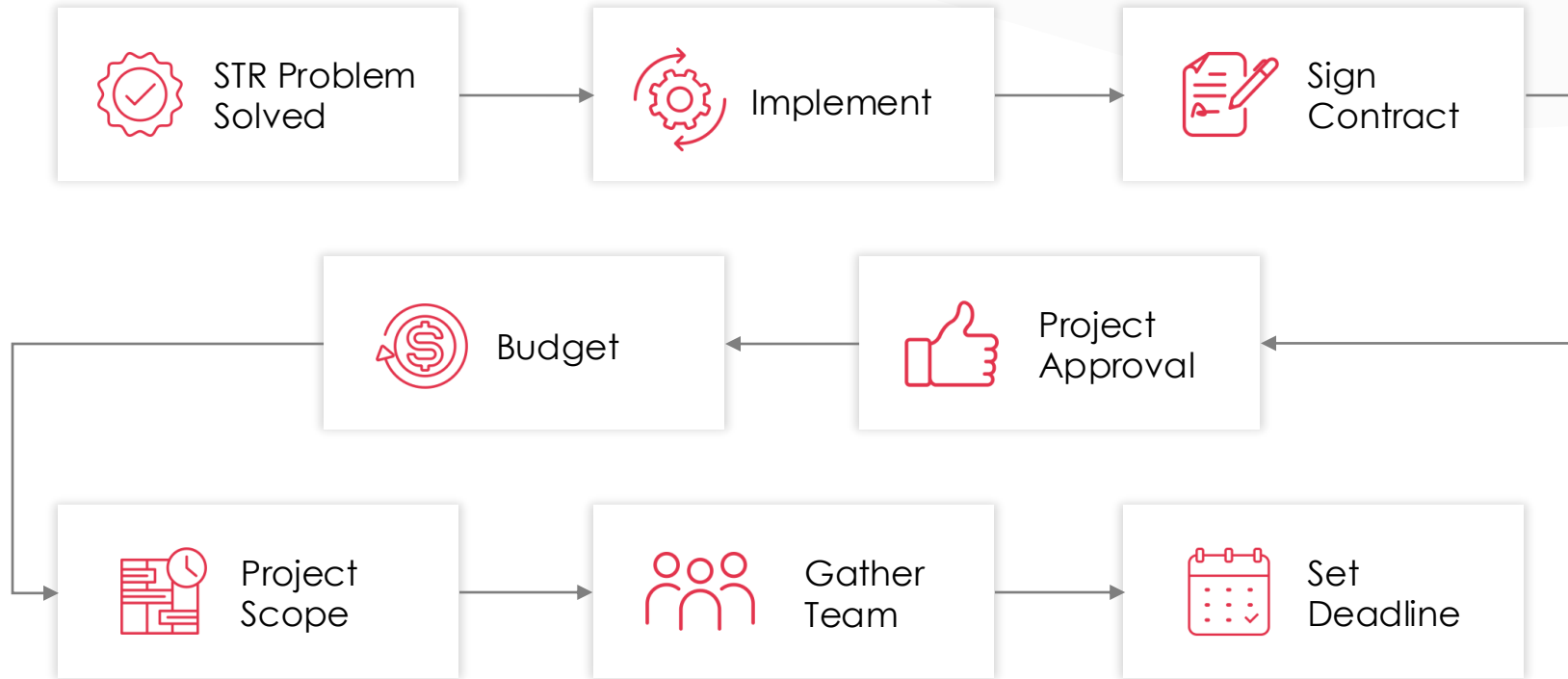
Make it easy for neighbors to report, prove, and resolve non-emergency short-term rental related problems in real-time, any day, at any hour.



### Rental Activity Monitoring

Estimate occupancy or rental revenue for each property and identify audit candidates who are under-reporting on taxes or exceeding occupancy regulations.

# Working backwards to a solution to address Lorain's STR challenges





# Next Steps

## I. Send Meeting Summary & Presentation

## II. Schedule All Team Value Meeting

*Participant: Administration, Finance, Planning, Code Enforcement, Elected Officials*

## III. Confirm Performance Goals & Metrics

*Participant: Administration, Finance, Planning, Code Enforcement, Elected Officials*

- a) Return on Investment Experienced by Peer Governments
- b) Alignment on Success Metrics/KPIs

## IV. Develop Joint Action Plan for addressing Lorain's needs

*Participant: Administration, Finance, Planning, Code Enforcement, Elected Officials*

- a) Set appropriate expectations
- b) Efficiently utilize staff time
- c) Address requirements, fit, and value
- d) Optimize time to completion while ensuring highest quality

## Contact Info

Please feel free to contact us anytime if you have any questions about short-term rental compliance and how to best address the associated monitoring and enforcement challenges.

Jordan Mercer

[jordan.mercer@granicus.com](mailto:jordan.mercer@granicus.com)



## Granicus Proposal for Lorain, OH

### ORDER DETAILS

**Prepared By:** Jordan Mercer  
**Phone:**  
**Email:** jordan.mercer@granicus.com  
**Order #:** Q-464151  
**Prepared On:** 10 Jul 2025  
**Expires On:** 08 Sep 2025

### ORDER TERMS

**Currency:** USD  
**Payment Terms:** Net 30 (Payments for subscriptions are due at the beginning of the period of performance.)  
**Period of Performance:** The term of the Agreement will commence on the date this document is signed and will continue for 12 months.



## PRICING SUMMARY

The pricing and terms within this Proposal are specific to the products and volumes contained within this Proposal.

One-Time Fees			
Solution	Billing Frequency	Quantity/Unit	One-Time Fee
Address Identification - Setup and Configuration	Up Front	1 Each	\$0.00
Address Identification - Online Training	Up Front	1 Each	\$0.00
SUBTOTAL:			\$0.00

New Subscription Fees			
Solution	Billing Frequency	Quantity/Unit	Annual Fee
Address Identification	Annual	1 Each	\$7,500.00
SUBTOTAL:			\$7,500.00

## PRODUCT DESCRIPTIONS

Solution	Description
Address Identification	Our state-of-the-art software provides ongoing monitoring of short-term rental platforms including major platforms such as Airbnb, VRBO, Booking.com, and FlipKey. We continually review and update our software to align with the evolving state of the platforms to provide a comprehensive dataset. Our machine learning will deduplicate all known Listings into unique Rental Units, where our identification team will provide owner contact information for further enforcement. This product includes: - Ongoing monitoring of all listings in your jurisdiction - Updating listing activity and details on a regular basis - Screenshot activity of every active listing - Deduplication of listings into unique Rental Units - Activity dashboard and map to monitor trends and breakdown of compliance.
Address Identification - Setup and Configuration	Setup and configuration of the platform to facilitate the systematic identification of the addresses and owner's contact information for short-term rentals located in a specific local government's jurisdiction.  <i>Note: The implementation timeline for Client is dependent on Granicus' receipt of all data from Client required to complete the services, including assessor data and registration files, in the format agreed upon by the parties prior to project kick-off. Any fees associated with the collection or receipt of required data will be borne by Client.</i>
Address Identification - Online Training	Virtual training session with a Granicus professional services trainer.

## TERMS & CONDITIONS

- This quote, and all products and services delivered hereunder are governed by the terms located at <https://granicus.com/legal/licensing>, including any product-specific terms included therein (the "License Agreement"). If your organization and Granicus has entered into a separate agreement or is utilizing a contract vehicle for this transaction, the terms of the License Agreement are incorporated into such separate agreement or contract vehicle by reference, with any directly conflicting terms and conditions being resolved in favor of the separate agreement or contract vehicle to the extent applicable.
- If submitting a Purchase Order, please include the following language: The pricing, terms and conditions of quote Q-464151 dated 10 Jul 2025 are incorporated into this Purchase Order by reference and shall take precedence over any terms and conditions included in this Purchase Order.
- This quote is exclusive of applicable state, local, and federal taxes, which, if any, will be included in the invoice. It is the responsibility of Lorain, OH to provide applicable exemption certificate(s).
- Any lapse in payment may result in suspension of service and will require the payment of a setup fee to reinstate the subscription.

## BILLING INFORMATION

<b>Billing Contact:</b>		<b>Purchase Order Required?</b>	[   ] - No [   ] - Yes
<b>Billing Address:</b>		<b>PO Number:</b> <i>If PO required</i>	
<b>Billing Email:</b>		<b>Billing Phone:</b>	

**If submitting a Purchase Order, please include the following language:**

*The pricing, terms, and conditions of quote Q-464151 dated 10 Jul 2025 are incorporated into this Purchase Order by reference and shall take precedence over any terms and conditions included in this Purchase Order.*

## AGREEMENT AND ACCEPTANCE

By signing this document, the undersigned certifies they have authority to enter the agreement. The undersigned also understands the services and terms.

Lorain, OH	
<b>Signature:</b>	
<b>Name:</b>	
<b>Title:</b>	
<b>Date:</b>	



## CITY OF LORAIN

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### City Council Regular Meeting

11. a.

**Meeting Date:** 09/15/2025

**Submitted by:** Breanna Dull, Clerk of Council

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#### **AGENDA ITEM DESCRIPTION OR LEGISLATION TITLE**

**AN ORDINANCE AMENDING ORDINANCE 97-22 AND LORAIN CODIFIED ORDINANCE CHAPTER 549: WEAPONS AND EXPLOSIVES, SECTION 549.11 "SALE OR DISCHARGE OF FIREWORKS" AND PROHIBITING THE DISCHARGE, IGNITION AND EXPLOSION OF FIREWORKS WITHIN THE CITY OF LORAIN AND DECLARING AN EMERGENCY**

#### **PURPOSE AND BACKGROUND:**

The City Council of the City of Lorain finds it necessary to protect the public health, safety, and welfare of its residents from the dangers and disturbances associated with the discharge of fireworks. Ohio Revised Code Section 3743.45 permits municipalities to restrict or prohibit the use of consumer fireworks. The City of Lorain previously permitted the discharge of fireworks on limited holidays including New Year's Eve, New Year's Day, Cinco de Mayo, Juneteenth, and the Fourth of July. The City Council now finds it in the best interest of the residents to prohibit the discharge of fireworks on all days within the corporate limits of the City of Lorain.

#### **RECOMMENDATION TO COUNCIL:**

Lorain City Council consider for passage.

#### **Admin Only (descrip. for agenda)**

\_\_\_\_ Ord. amending Ord. 97-22 and Lorain Codified Ordinance Ch. 549, Section 549.11 "Sale or Discharge of Fireworks" and prohibiting the discharge, ignition and explosion of fireworks.

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#### **Attachments**

Ordinance

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#### **Form Review**

##### **Inbox**

P. Riley

Form Started By: Breanna Dull

Final Approval Date: 09/03/2025

##### **Reviewed By**

Michele Beko

##### **Date**

08/26/2025 09:19 AM

Started On: 08/20/2025 09:10 AM

VOTE ON PASSAGE					
	AYE	NAY		AYE	NAY
Springowski			Nutt		
Dimacchia			Moon		
DuVall			Arroyo		
Henley			Spellacy		
Kempton			Thornsberry		
Carter			Arredondo		



Ordinance No. \_\_\_\_\_

**AN ORDINANCE AMENDING ORDINANCE 97-22 AND  
LORAIN CODIFIED ORDINANCE CHAPTER 549:  
WEAPONS AND EXPLOSIVES, SECTION 549.11 “SALE OR  
DISCHARGE OF FIREWORKS” AND PROHIBITING THE  
DISCHARGE, IGNITION AND EXPLOSION OF  
FIREWORKS WITHIN THE CITY OF LORAIN AND  
DECLARING AN EMERGENCY**

WHEREAS, the City Council of the City of Lorain finds it necessary to protect the public health, safety, and welfare of its residents from the dangers and disturbances associated with the discharge of fireworks; and

WHEREAS, Ohio Revised Code Section 3743.45 permits municipalities to restrict or prohibit the use of consumer fireworks; and

WHEREAS, the City of Lorain previously permitted the discharge of fireworks on limited holidays including New Year’s Eve, New Year’s Day, Cinco de Mayo, Juneteenth, and the Fourth of July; and

WHEREAS, the City Council now finds it in the best interest of the residents to prohibit the discharge of fireworks on all days within the corporate limits of the City of Lorain.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LORAIN, OHIO:

Section I. Lorain City Ordinance 97-22 and Lorain Codified Ordinance 549.11(c) & 549.11(d)  
SALE OR DISCHARGE OF FIREWORKS **currently read as follows:**

- (c) “Except as provided in subsection (d) below, Section 3743.80 of the Ohio Revised Code, and for licensed exhibitors of fireworks authorized to conduct a fireworks exhibition pursuant to Sections 3743.50 to 3743.55 of the Ohio Revised Code, no person shall discharge, ignite or explode any fireworks in this jurisdiction”
- (d) “Owner, occupant, or person in control of any property shall be permitted to discharge, ignite or explode fireworks on said property during the specified holidays and times: Cinco de Mayo (the 5<sup>th</sup> of May) until 11:00PM, Juneteenth (the 19<sup>th</sup> of June) until 11:00PM, Independence Day (the 4<sup>th</sup> of July) until 11:00PM and New Year’s Eve (the 31<sup>st</sup> of December) until 1:00AM the 1<sup>st</sup> of January of the following year pursuant to Ohio R.C. 3743.45”

Section II. Lorain City Ordinance 97-22 and Lorain Codified Ordinance 549.11(c) & 549.11(d) SALE OR DISCHARGE OF FIREWORKS are hereby amended to read as follows:

- (c) “Except as provided in Section 3743.80 of the Ohio Revised Code, and for licensed exhibitors of fireworks authorized to conduct a fireworks exhibition pursuant to Sections 3743.50 to 3743.55 of the Ohio Revised Code, no person shall discharge, ignite or explode any fireworks in this jurisdiction”
- (d) “Owner, occupant, or person in control of any property shall not be permitted to discharge, ignite or explode fireworks on said property.”

Section III. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the City of Lorain and its residents, and shall take effect immediately upon passage and approval by the Mayor.

PASSED: \_\_\_\_\_, 2025

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

\_\_\_\_\_  
MAYOR

APPROVED: \_\_\_\_\_, 2025