REGULAR COUNCIL MEETING
Monday, March 1, 2021 – 7:30 pm
PUBLIC HEARING – 8:00 pm
EXECUTIVE SESSION IMMEDIATELY FOLLOWING

President Paul Hach called the regular meeting to order at 7:31 PM. City Council convened for a regular meeting in the City Hall Conference Room, with the following in attendance in person: Councilperson Paul Hach; City Manager Doug Lewis, Law Director Joe Gurley, City Planner Lynn White, and Clerk of Council Samantha Danielson, and the following in attendance by video conference: Councilpersons Christine Shoop, Katie Jenkins, Nick Augustine, Jim Fodor, Tom Fitzgerald; City Engineer Leanne Exum, and Finance Director Andy Unetic.

On roll call for attendance, Mrs. Shoop, Mr. Fitzgerald, Mrs. Jenkins, Mr. Augustine, Mr. Fodor, and Mr. Hach were present. Mrs. DiNallo was not able to attend.

Mr. Hach asked for a motion to approve the agenda as submitted.

Mrs. Jenkins moved to approve the agenda, seconded by Mrs. Shoop.

On roll call, Mr. Fitzgerald, Mrs. Jenkins, Mr. Augustine, Mr. Fodor, Mrs. Shoop, and Mr. Hach were in favor. Motion carried.

Mr. Fodor gave the Invocation. The Pledge of Allegiance was recited.

President Hach asked for a motion to approve the meeting minutes as submitted for:

- Regular Meeting 02.16.21

Mrs. Shoop motioned to approve the minutes, seconded by Mr. Augustine.

On roll call, Mrs. Jenkins, Mr. Augustine, Mr. Fodor, Mrs. Shoop, Mr. Fitzgerald, and Mr. Hach were in favor by answering "Yes". Minutes accepted.

Mrs. Shoop made a motion to excuse Mrs. DiNallo from the Council Meeting, seconded by Mrs. Jenkins. All were in favor answered "Aye". Motion carried.

Public Comment: None

Committee Report: BZA

Lynn White stated the BZA met on February 18, 2021. The following items were addressed from the agenda: Approval of the Variance application for 327 Marion Avenue to allow for the reconstruction of a garage on an existing foundation which has a side yard setback of 4-feet in lieu of the 5-foot minimum required; Approval of the Variance application from Hallmark Excavating for the minimum square footage for a single family dwelling unit be reduced from 1,600 sf. to 1,400 sf. for the construction of 19-units off Community Lane; Tabled Item: Variance application for 81 Elevator Avenue for the addition of 218 sf. to an addition previously granted a variance on a pre-existing nonconforming structure. Due to the fact the applicant was not present at the meeting, this item will be heard at the next meeting on March 11, 2021.

Legislation:

AN ORDINANCE AMENDING CHAPTER 1353 "FLOOD DAMAGE PREVENTION" OF THE PAINESVILLE CODE OF 1998, AND DECLARING AN EMERGENCY.

was given third read.

Leanne Exum commented the proposed legislation is an update of the City's Flood Damage Regulations given by the Ohio Department of Natural Resources, on behalf of FEMA. She asked for this to be adopted because the updates of the maps will be enacted as of May 2021.

Mr. Fitzgerald motioned to adopt, seconded by Mrs. Jenkins.

On roll call, Mrs. Jenkins, Mr. Augustine, Mr. Fodor, Mrs. Shoop, Mr. Fitzgerald, and Mr. Hach answered "Yes". Motion carried. **ORDINANCE 05-21 is ADOPTED.**

AN ORDINANCE AMENDING THE DISTRICT MAP AND THE SETBACK MAP REFERRED TO IN SECTION 1113.03 OF THE PAINESVILLE CODE OF 1998 REZONING PERMANENT PARCEL NUMBERS 15-C-036-H-00-005-0, 15-C-036-H-00-032-0, 15-C-036-H-00-033-0, 15-C-036-H-00-034-0, 15-C-036-H-00-035-0, 15-C-036-H-00-036-0, and 35-A-001-0-00-010-0 LOCATED OFF SHAMROCK BOULEVARD AND JACKSON STREET FROM AN R-2; MULTI-FAMILY RESIDENTIAL TO A B-2; GENERAL BUSINESS DISTRICT.

was given second read.

Lynn White commented at the February 11, 2021 the Planning Commission will hold a Public Hearing for the proposed rezoning of approximately ±9.48-acres of land, consisting of seven (7) parcels of land. The request is to amend the Zoning Map and the zoning classification of the subject property from the existing R-2; Multifamily Residential District to the proposed B-2; General Business District. The property owner proposes to join this property with the adjacent lands currently zoned B-2; General Business District consisting of 21.72-acres creating a 30± acre parcel to marketing the property for a Business Park Development. Since the recommendation is an amendment to the Zoning Map and the zoning classification of property, this matter is required to be given three readings. The Public Hearing before City Council will occur on the third reading which has been set for 8:00 PM on Monday, March 15, 2021. Additionally the legal advertisement was sent to the News Herald for publication for Monday, February 15th in order to meet the 30-day notice requirement. This is the second reading and should go three reads to allow for public comments.

Mr. Hach stated this would remain on second reading.

A RESOLUTION APPROVING THE APPLICATION FOR RENEWAL OF THOMAS V. RAPINI AND DEBORAH TING FOR THE PLACEMENT OF FARMLAND, LOCATED ON ELM STREET AND OAK STREET IN THE CITY OF PAINESVILLE, IN AN AGRICULTURAL DISTRICT, AND DECLARING AN EMERGENCY.

Mr. Hach announced this would be heard during the Public Hearing at 8:00 pm.

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT, INCLUDING ANY AND ALL ENSUING CHANGE ORDERS, WITH THE LOWEST AND BEST BIDDER FOR THE ASPHALT RESURFACING OF NORTH STATE STREET, AND DECLARING AN EMERGENCY.

was given first read.

Leanne Exum stated North State Street has a pavement condition rating of 49.9 (poor condition). The City has received a grant from OPWC for $444,000.00, and the City's portion of the costs are $444,000.00 with a total project cost of $888,000.00. Currently, plans and specifications are being made to begin advertising for bids in May 2021.

Mr. Hach stated this would remain on first reading.

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPLY FOR AND ACCEPT FUNDING FOR A SCHOOL TRAVEL PLAN DEVELOPMENT AS PART OF THE SAFE ROUTES TO SCHOOL PROJECT FOR THE CITY OF PAINESVILLE, AND DECLARING AN EMERGENCY.

was given first read.

Leanne Exum stated the City has been asked by the Painesville City Local School District to do a connectivity study to see where there is a need to put in new sidewalks. The proposed legislation will enable the City to apply for funding to develop a school travel plan as part of the SRTS program. The grant will provide funding to hire an engineer to assist in identifying any areas of the City that are lacking in walking and/or biking connectivity to the various schools. The grant is due on Friday, and she requested this to be passed on first read.

Mrs. Jenkins motioned to suspend; seconded by Mr. Augustine.

On roll call, Mr. Fodor, Mrs. Shoop, Mr. Fitzgerald, Mrs. Jenkins, Mr. Augustine, and Mr. Hach answered "Yes". Motion carried.

Mr. Fitzgerald moved to adopt, seconded by Mrs. Jenkins.

On roll call, Mrs. Shoop, Mr. Fitzgerald, Mrs. Jenkins, Mr. Augustine, Mr. Fodor, and Mr. Hach answered "Yes". Motion carried. **RESOLUTION 09-21 is ADOPTED.**

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO COMMIT CITY FUNDS TO LAKE ERIE COLLEGE'S PAINESVILLE PROMISE PROGRAM, AND DECLARING AN EMERGENCY.

was given first read.

Doug Lewis stated the City of Painesville was approached by Lake Erie College to create a public-private partnership to help advance the mutual goals of the City of Painesville, Painesville City Local School District and Lake Erie College. The City of Painesville has long encouraged high school students residing in the City to further their formal education. The strategic partnership would allow these well-prepared students of modest means to be able to attend Lake Erie College for four years without paying any out of pocket costs and without taking a loan to pay their tuition and fees. The goal of the program is to increase the educational attainment in the City, and further grow the partnership between the City, the local schools, and Lake Erie College. This initiative could also serve as an incentive for students to remain in and serve their community. After discussion with the City Council, it was determined that the City of Painesville would commit City funds for 20 students up to $2,000 for each of the four (4) years as long as they meet the criteria established to participate in the program. The program will begin with the Fall 2021 academic year. After the first year, the City of Painesville, Lake Erie College and Painesville City Local School District will work together to obtain funding from outside sources (grants, foundation, sponsors) to substitute those funds being provided by the City of Painesville. In order to fund the Painesville Promise, Finance Director Andy Unetic is required to create a new fund, amend appropriations for 2021 and transfer funds. The legislation to follow this Resolution is for this purpose. Staff has worked with Lake Erie College to develop Standard Operating Procedures. The amount to be transferred to fund the Painesville Promise is $140,000. The funding will be transferred from the General Fund Reserve and a new fund will be created. The $140,000 is less than what is required due to the fact that some students will not meet future edibility requirement, transfers, etc. Staff is recommending three readings.

Mr. Foder responded that this was for tuition only, and students are responsible for books and materials. Doug Lewis verified this to be correct.

Mr. Hach stated this would remain on first reading.

A RESOLUTION APPROVING THE CREATION OF THE LAKE ERIE COLLEGE TUITION ASSISTANCE FUND AND THE ECONOMIC DEVELOPMENT FUND FOR THE 2021 OPERATING BUDGET, AND DECLARING AN EMERGENCY.

was given first read.

Andy Unetic stated this is for the creation of two new funds, one for the Lake Erie College Tuition that Doug Lewis previously mentioned, and the other one for an Economic Development funds. These can't be approved until the Lake Erie College ones are approved, so this will go through reads.

Mr. Hach stated this would remain on first reading.

AN ORDINANCE AMENDING APPROPRIATIONS FOR THE CURRENT EXPENSES AND EXPENDITURES OF THE CITY OF PAINESVILLE, STATE OF OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2021 AND ADOPTING THE OPERATING BUDGET, AND DECLARING AN EMERGENCY.

was given first read.

Andy Unetic stated these also will go through three reads. The one is to increase the general fund reserve on by $190,000 to transfer money out to the Lake Erie College Tuition fund and then transfer out it extra 50,000 for the Economic Development fund.

Mr. Fodor asked for an overview of the Economic Development fund. Doug Lewis responded that the Economic Development Fund is to assist businesses in the City.

Mr. Hach stated this would remain on first reading.

AN ORDINANCE TO AUTHORIZE ADDITIONAL INTER-FUND TRANSFERS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF PAINESVILLE, STATE OF OHIO DURING THE FISCAL YEAR BEGINNING JANUARY 1, 2021, AND DECLARING AN EMERGENCY.

was given first read.

Andy Unetic stated, in a previous piece of legislation of the 2021 budget adjustment, there was increase to the budgets to transfer money out, but State Auditor's Office requires these transfers are in a separate piece of legislation. $140,000 will be taken out the General Fund Reserve to pay for the Lake Erie College Tuition Program and $50,000 will be taken out of the General Fund Reserve to pay for the Economic Development Incentive Program. This can through three reads.

Mr. Hach stated this would remain on first reading.

Unfinished business: None

New Business:

Lynch Avenue Closure and Removal

Doug Lewis commented the staff is recommending closing Lynch Avenue for safety and financial reasons. Lynch Avenue will be removed and replace with grass. The Public Works Department would take about 2 weeks to remove approximately 3 to 4 inches of materials, haul in dirt, level, and then seed the area. The cost may just be the cost of the seed.

There was discussion about letting the residents, in that area know of the plan, and a suggestion that signs be posted. There was discussion of the possible usage of the property.

Mr. Hach asked for a motion to open the Public Hearing.

Mrs. Shoop motioned to move in to the Public Hearing, seconded by Mr. Augustine.

On roll call, Mr. Fodor, Mrs. Shoop, Mr. Fitzgerald, Mrs. Jenkins, Mr. Augustine, and Mr. Hach answered "Yes". Motion carried at 8:04 pm for the Public Hearing.

A RESOLUTION APPROVING THE APPLICATION FOR RENEWAL OF THOMAS V. RAPINI AND DEBORAH TING FOR THE PLACEMENT OF FARMLAND, LOCATED ON ELM STREET AND OAK STREET IN THE CITY OF PAINESVILLE, IN AN AGRICULTURAL DISTRICT, AND DECLARING AN EMERGENCY.

Lynn White stated this is the third reading. The property owned by Thomas Rapini is to be placed in an agricultural district for purposes of property tax valuation. The property is located on the north side of Oak Street and on the south west side of Elm Street north of Route 2. A map is included in your packet indicating the property locations. The Agricultural designation must be renewed every five years. As required by the Ohio Revised Code, a public hearing on this application is scheduled for 8:00 PM on Monday, March 1, 2021. The designation may be awarded to property that is used for agricultural production for the last three years. Mr. Rapini uses the property to grow various trees which he sells. The total acreage must exceed 10 acres and continue to be used for agricultural purposes. A total of 17.6 acres is involved in this request is the same as the request approved ten years ago. This is the third renewal request. There are no immediate plans for development in the area.

Mr. Hach asked for Public Comments regarding the subject matter. None were submitted.

Thomas V. Rapini was present virtually via Zoom. He stated Debra Ting was not supposed to be on it, and needed to be corrected. He also asked, with the City's consent, this be approved for agricultural purposes.

Mr. Hach asked for a motion to close the public hearing.

Mrs. Shoop motioned to close the public hearing, seconded by Mr. Fitzgerald. All were in favor by answering "Aye". Motion carried.

Mrs. Shoop motioned to move back to the Regular Council Meeting, seconded by Mr. Augustine. All were in favor by answering "Aye". Motion carried.

A RESOLUTION APPROVING THE APPLICATION FOR RENEWAL OF THOMAS V. RAPINI ~~AND DEBORAH TING~~ FOR THE PLACEMENT OF FARMLAND, LOCATED ON ELM STREET AND OAK STREET IN THE CITY OF PAINESVILLE, IN AN AGRICULTURAL DISTRICT, AND DECLARING AN EMERGENCY.

Mr. Augustine motioned to remove Debra Ting from the Resolution, seconded by Mrs. Jenkins.

On roll call, Mrs. Jenkins, Mr. Augustine, Mr. Fodor, Mrs. Shoop, Mr. Fitzgerald, and Mr. Hach answered "Yes". Motion carried.

Mrs. Shoop motioned to adopt, seconded by Mr. Fitzgerald.

On roll call, Mr. Fodor, Mrs. Shoop, Mr. Fitzgerald, Mrs. Jenkins, Mr. Augustine, and Mr. Hach answered "Yes". Motion carried. **RESOLUTION 10-21 is ADOPTED.**

Departmental Presentations: None

Administrative Reports:

Joe Gurley had nothing to report at this time.

Doug Lewis introduced the new Administrative Secretary, Helen Petersburg, to the Council Members and to the public. The COVID Response Team met and determined that it would be best to remain closed for another week. We have tentatively scheduled March 8, 2021 to open City Facilities to the public. The opening of City Hall does not apply to City Council Meetings. The Magnolia Drive light pollution project is scheduled for Thursday, March 4 at 4:00 p.m. on Magnolia Drive. Wastewater Superintendent, Kevin Aiken, passed his Class IV Wastewater Treatment Operator License. This is equivalent to completing a thesis in the field of Wastewater Treatment. The Painesville Finance Department, under the direction of Finance Director Andy Unetic, was awarded the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association. This is the highest form of recognition in the area of governmental accounting and financial reporting. The City of Painesville is working with the Lake County General Health District (LCGHD), the NAACP, HOLA and Lake Health to offer a drive thru vaccination clinic at the Storrs Street Facility on Saturday, March 13, 2021 for residents 65 and older. LCGHD confirmed we would be able to offer a clinic and anticipates there will be approximately 1,000 doses for Painesville residents. Fire Chief Hummel is working with LCGHD on organizing the event. We will provide additional information as it becomes available. "We the People Day" is scheduled for Wednesday, April 27, 2021 at 5:30 p.m. Spring Break Camp in a Box Sign Ups are available; reserve your box by March 8 by calling the Recreation Office. The cost is $20. One box per child for ages 5 -12. Delivery of the boxes will be March 15th -19th. Bunny Drive-Thru Sign Ups; parents must register before the event. Registration deadline is March 22nd. Free for Painesville kids ages 0-10. This will be held on Saturday, March 27th from 10:00 to 12:00 pm at Recreation Park.

Clerk's Correspondences

The next regular Council meeting will be held on Monday, March 15th at 7:30 PM.

Closing Comments:

Mr. Fodor wanted to remind people that April 1 is when Republic starts picking up yard waste, and we need to have containers or bags. He congratulated Andy Unetic and Kevin Aiken for their accomplishments. He reminded everyone to continue to stay six feet apart, wash our hands and wear a mask still.

Mrs. Jenkins had no comments at this time.

Mr. Augustine wanted to "ditto" everything the Mr. Fodor stated. He welcomed Helen, and congratulated Andy and Kevin.

Mrs. Shoop also congratulated everyone and welcomed Helen.
Mr. Fitzgerald also congratulated Andy and Kevin, and welcomed Helen.
Mr. Hach had no comments at this time.

Mr. Hach asked for a motion to move into Executive Session.

Mrs. Shoop motioned to move into ***EXECUTIVE SESSION BEING HELD IN ACCORDANCE WITH ARTCLE II, Section 6(1)*** To consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of an employee or official of the City, and ***EXECUTIVE SESSION BEING HELD IN ACCORDANCE WITH ORC. 121.22(8)*** To consider confidential information related to marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance in accordance with section 3735.67 of the Revised Code; seconded by Mr. Augustine.

On roll call for attendance, Mrs. Shoop, Mr. Fitzgerald, Mrs. Jenkins, Mr. Augustine, Mr. Fodor, and Mr. Hach were all in favor by answering "Yes". Motion carried.

Meeting adjourned at 8:21 pm.

Mr. Fodor moved to adjourn from executive session, seconded by Mrs. Jenkins.

On roll call, Mrs. Shoop, Mr. Fitzgerald, Mrs. Jenkins, Mr. Augustine, Mr. Fodor, and Mr. Hach answered "Yes". Motion carried at 9:04 pm.

Mrs. Shoop moved to adjourn the regular meeting, seconded by Mrs. Jenkins.

On roll call, Mrs. Shoop, Mr. Fitzgerald, Mrs. Jenkins, Mr. Augustine, Mr. Fodor, and Mr. Hach were all in favor by answering "Aye". Meeting adjourned at 9:05 pm.

Samantha Danielson
Clerk of Council

Paul W. Hach II
President of Council