REGULAR COUNCIL MEETING
Monday, April 19, 2021 – 7:30 pm

President Paul Hach called the regular meeting to order at 7:30 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, Tom Fitzgerald, Lori DiNallo, Katie Jenkins, Nick Augustine, Jim Fodor; Assistant City Manager Derek Feuerstein, Code Enforcement Supervisor Lt. Larry Armstrong, Economic Development Director Cathy Bieterman, and Public Works Supervisor Ryan Tiedman.

On roll call for attendance, Mrs. Shoop, Mr. Fitzgerald, Mrs. DiNallo, Mrs. Jenkins, Mr. Augustine, Mr. Fodor, and Mr. Hach were present.

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

Mrs. Jenkins moved to approve the agenda, seconded by Mrs. Shoop. All were in favor by answering "Aye". Agenda approved.

Mr. Hach 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 04.05.21 and 04.12.21 Work Session

Mr. Augustine motioned to approve the minutes, seconded by Mrs. Shoop. All were in favor by answering "Aye". Mr. Fitzgerald abstained. Minutes accepted.

Public Comment: The following letter was read at the meeting.

March 29, 2021

Greetings to whom It may concern.

It has been brought to our attentions that your plans are to close Lynch Avenue, we are opposed to these plans. Reason being, we have been in talks for the past year with a representative from First Energy (Richard C. Wagner) about the possibility of using that particular property for parking.

The Temple of Pentecost has been there for 85 years and the parking has always been on the street. As the ministry is rapidly increasing we are finding it more difficult to find adequate parking on the street. On Sunday morning Lynch Avenue has been a place to park for parishioners.

The Temple of Pentecost is not just a place to meet on Sunday mornings, we have a Vison and a Mission.
Our Vision is to see people of all nation experiencing a personal relationship with Christ, growing to be more like Him, serving in this local body and be found doing kingdom work for all humanity.
Our Mission is to make the life changing wisdom of the Bible, understandable and accessible to all men, women, and children. This is Our Vision and Our Mission here at The Temple of Pentecost.

We not only feed the people spiritually, but also naturally. We have a functioning food pantry that feeds hundreds in the community weekly. In the winter time, because of the snow band being in effect, we are unable to feed the community on those days, we feel that a parking lot would best serve the community.

Sincerely,

Temple of Pentecost
Michael F. Jackson. Pastor/Founder

There was further discussion during the New Business session of the meeting.

Committee Report:

Planning Commission

Lynn White reported that Planning Commission met on April 8, 2021. The following items were discussed: ADMINISTRATIVE REPORT: There was an approval of the design of the new addition to the structure at 71 South State Street: Historic Preservation District – Certificate of Appropriateness Application – Design Review Board – Revision to Design (original design approved by Board on 08.08.2019) for the demolition of existing façade and construction of new addition, and the approval of the Final Plat for Kilroy Pointe (Lighthouse Pointe) Condominium Phase 16 for units 6 and 15 with the stipulation that the final grading of the two sites shall be completed and inspected for compliance with the City's Engineering and Storm Water regulations prior to occupancy of the units.

Parks and Recreation Commission

Mr. Augustine reported that the Parks and Recreation Commission met on April 13, 2021. Kevin Cindric, Recreation Supervisor, shared an update on State Guidelines for outdoor events. Some of the these restrictions have been eased: No more limits on capacity, still try to social distance, try to remain in your social "pod", and masks are required if social distancing cannot be maintained. Some upcoming events: Summer Camp begins June 1st - currently following guidelines from last year, camp will be down at Kiwanis Recreation Park and consist of three (3) groups, and children will participate in fishing, futsal, basketball, wiffle ball, and field trips will be brought to the campers; Farmers Market begins June 3rd; and Summer Concerts in the Park begin June 9th. In the works for late Summer/ early Fall: Movie Night in the Park on August 28th, and Chili Cook Off in Veterans Park on September 25th. A sponsorship from Lubrizol to cover the cost of the blow up screen for the Movie Night and for the Chili Cook Off was received, and a college football game will be playing during the Chili Cook Off. The next meeting will be Tuesday, July 13th.

Legislation:

AN ORDINANCE AMENDING SECTION 1111.08 OF THE PAINESVILLE CODE OF 1998, RELATING TO MODIFICATIONS OF CONDITIONAL USE PERMITS and DECLARING AN EMERGENCY.

was given second read.

Lynn White stated this is a Conditional Use Permits, a new subsection (i) has been created to address modifications of a conditional use permit. The UDC language provided guidance for continuations, limitations, and revocations of conditional use permits, however it was not clear how to handle a modification. The language included allows a modification to be approved by the Administrator as long as it does not alter the essential character of the area for which it was granted. All other modifications are treated like a new conditional use permit and must go through the Planning Commission/City Council process for approval.

Mr. Hach stated this would remain on second reading.

AN ORDINANCE AMENDING SECTION 1113.06 (d) OF THE PAINESVILLE CODE OF 1998, RELATING TO MAIN USE CATEGORIES and DECLARING AN EMERGENCY.

was given second read.

Lynn White stated several changes are included: **a**. Agricultural Uses were mistakenly removed from the Code during the adoption of the UDC. This text amendment places this use into the appropriate category and allows agriculture, not less than five (5) acres to be permitted in the S-1 and R-1 Districts. There is one instance of a property owner who currently uses acreage for agricultural purposes and has expressed a desire to continue this use; **b**. Funeral Home, with crematory facility is added as a conditional use in the S-1, R-1, and B-1 Districts; and **c**. Recording Studio is added as a conditional use in the B-2 District.

Mr. Hach stated this would remain on second reading.

AN ORDINANCE ENACTING SECTION 1115.25 OF THE PAINESVILLE CODE OF 1998, RELATING TO FUNERAL HOME WITH CREMATORY FACILITY and DECLARING AN EMERGENCY.

was given second read.

Lynn White stated Funeral Home with Crematory Facility - New language created which applies to the specific use and the regulations noted shall be satisfied in order to obtain approval for a conditional use for this type of facility.

Mr. Hach stated this would remain on second reading.

AN ORDINANCE ENACTING SECTION 1115.26 OF THE PAINESVILLE CODE OF 1998, RELATING TO RECORDING STUDIOS and DECLARING AN EMERGENCY.

was given second read.

Lynn White stated Recording Studio - New language created which applies to the specific use and the regulations noted shall be satisfied in order to obtain approval for a conditional use for this type of facility.

Mr. Hach stated this would remain on second reading.

AN ORDINANCE AMENDING SECTION 1119.02 OF THE PAINESVILLE CODE OF 1998, RELATING TO INCIDENTAL RETAIL SALES and DECLARING AN EMERGENCY.

was given second read.

Lynn White stated Addition of Incidental Retail Sales to be permitted as an accessory use in the B-1, B-2, B-3, and DD Districts.

Mr. Hach stated this would remain on second reading.

Lynn White commented that due to the fact this is a text amendment, this matter should be given three readings, and a Public Hearing for the amendments is scheduled for Monday, May 3, 2021 at 8:00 PM.

AN ORDINANCE TO APPROVE AND ADOPT THE 2021 CODIFIED ORDINANCES INCLUDING NEW MATTER CONTAINED THEREIN, AND DECLARING AN EMERGENCY.

was given first read.

Samantha Danielson stated these are the Codified Ordinances which have been reviewed and approved by the Department Heads and are ready to be added to the Charter.

Mr. Hach stated this would remain on first reading.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN EXCLUSIVE MARKETING AGREEMENT WITH GLOBAL REAL ESTATE ADVISORS, INC. FOR THE SALE OF LAND IN RENAISSANCE BUSINESS PARK, AND DECLARING AN EMERGENCY.

was given first read.

Doug Lewis stated the City of Painesville currently owns two parcels of property that totals 11.646 acres of land in the Renaissance Business Park west of Newell Street. The parcel north of Renaissance Parkway totals 5.844 acres. This is the main parcel being recommended be listed with Neil Sawicki of Global Real Estate Advisors. There are only about 3.5 acres that can be developed because there are approximately 2.3 acres of wetlands. The parcel to the south of Renaissance Parkway totals 5.802 acres and Mar Bal Corporation currently has a pending option to purchase the property if they move forward with their plans to expand. Should Mar-Bal choose not to exercise their option, the City would like the authority to list this parcel along with the other. Again, the 5.802 parcel will not be listed until we determine whether or not Mal Bal Corporation decides excise their pending option to purchase the property. There are no upfront costs. A commission of 10% will be deducted from the sale of the property. There are no additional marketing charges. The plan is to list the property at $43,000 per acre. Prior property along Renaissance Parkway has sold for approximately $30,000 - $33,000 per area. It is recommended listing the property at this amount to be flexible with offers. The more jobs the

company brings the lower offer we can accept. Sale of the land will need to be approved by City Council through legislation.

Mr. Hach stated this would remain on first reading.

Unfinished business: None

New Business:

Confirm Appointment of Assistant City Manager, Derek Feuerstein

Doug Lewis advised City Council that he had chosen Derek Feuerstein to fill the position of Assistant City Manager. Mr. Feuerstein has 9 years of public sector experience, all of which have been in administration. He has worked for the cities of Lorain, Rittman and Elyria. He is also an Adjunct Professor for Lorain County Community College and holds a PHR (Professional in Human Resources) Certification. Doug Lewis asked City Council for concurrence Mr. Derek Feuerstein for the position of Assistant City Manager in the instance that he may be required to fill a Department Head position should it be vacated in the future. This is required by Article II, Section 3 of the City of Painesville Charter. Doug Lewis respectfully requested City Council's confirmation.

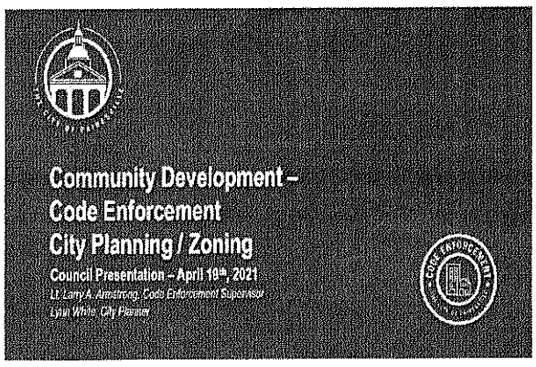
All of City Council Members were in favor by answering "Yes".

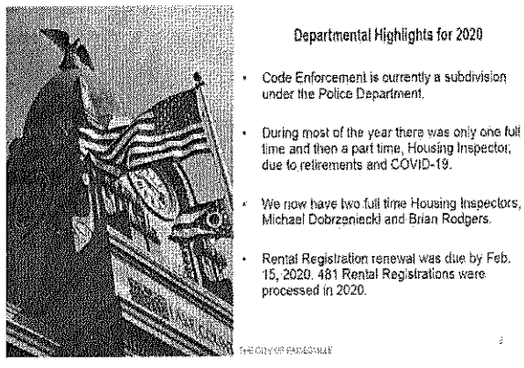
Lynch Avenue

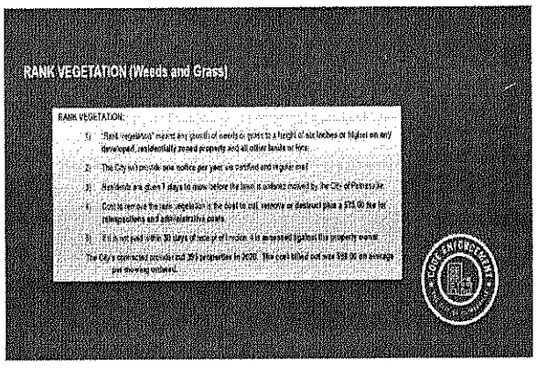
After a considerable time of discussion between Council Members, City Administration, and Department Staff, over cost, timeline, maintenance, and responsibilities, Doug Lewis was given an understanding of the direction on how to proceed with this issue. The road will be closed on April 26th as previously discussed, and left intact until Pastor Michael Jackson of the Temple of the Pentecost and First Energy has a further discussion and information.

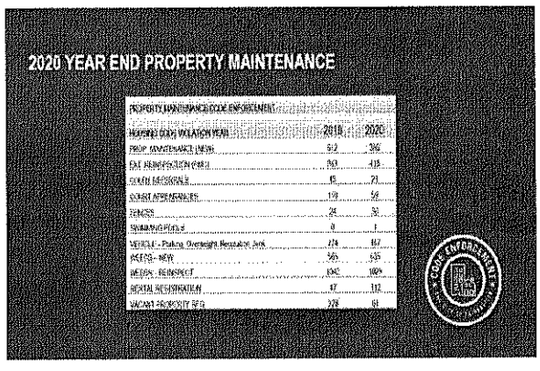
Departmental Presentations: Community Development

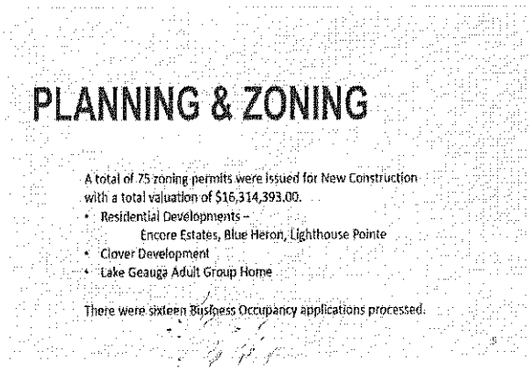
Lt. Larry Armstrong and Lynn White gave a presentation for the Community Development.

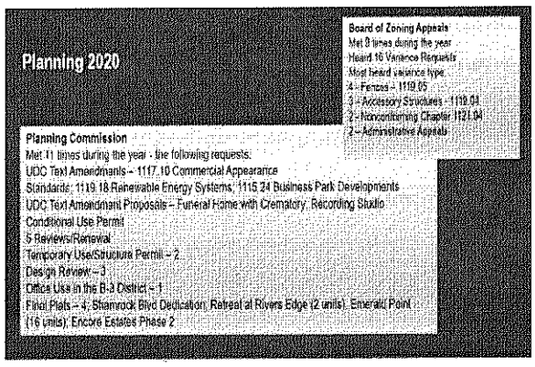


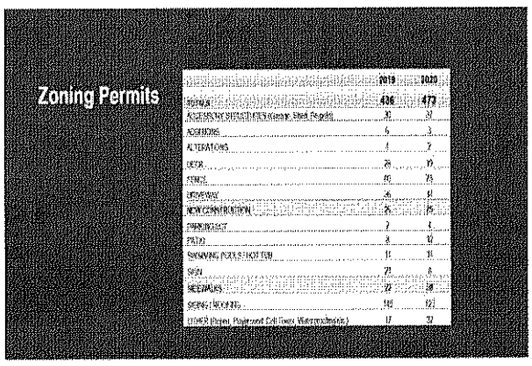


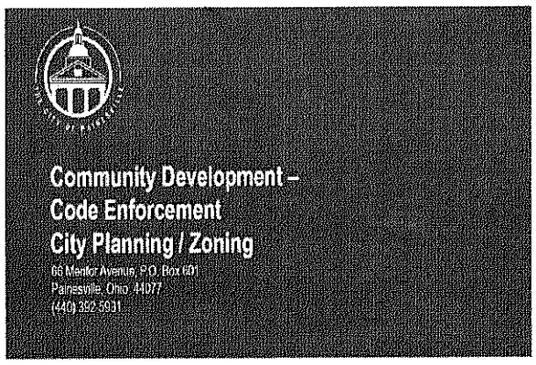












Questions and concerns from Council Members were answered by Lt. Larry Armstrong and Lynn White.

Administrative Reports:

Joe Gurley had nothing to report at this time.

Doug Lewis reported the following:

Earmarks Requests: The submittals were due on Monday, April 12, 2021. The following projects were submitted for project funding on Monday. (1) Grand River/Bank Street Streambank and Shoreline Erosion Protection Project; (2) Shamrock/Brookstone Waterline Extension and Capacity Project; (3) Painesville Water Pollution Control Plant Capacity and Efficiency Improvements; (4) Painesville Police Citywide Intersection Camera Safety Project.

Citizen's Public Safety Committee: The Committee will be meeting on Wednesday, April 21, 2021 at 4:00 p.m. in person and on Zoom.

Fire Department: Kyle Friebertshauser was sworn in as the newest full-time firefighter/paramedic on Thursday, April 15th.

Infrastructure: Carbon Feed Building - a request for an extension was submitted since Union Industrial Contractors is having difficulty getting the required equipment due to Covid.

Parks and Recreation: Recreation Department is in the process of hiring camp counselors, and is preparing for Painesville Kids Olympic event which is scheduled for May 22, 2021.

Clerk's Correspondences

The next regular Council meeting will be held on Monday, May 3rd at 7:30 PM; Electronics Collection on April 24, 2021 from 8 AM to 2:00 PM at 1301 Mentor Ave. See the Lake County Department of Utilities website for more information; and "We the People Day" will be on April 27th from 5:30 – 6:30 PM.

Closing Comments:

Mrs. DiNallo welcomed Derek Feuerstein, and commented on Council's discussion tonight.

Mr. Fitzgerald welcomed Derek Feuerstein.

Mr. Fodor commented to look through the Speaking of Painesville: Spring Issue that just came out to the residents, and welcomed Derek Feuerstein.

Mr. Augustine welcomed Derek Feuerstein.

Mrs. Shoop welcomed Derek Feuerstein.

Mrs. Jenkins welcomed Derek Feuerstein, Firefighter Friebertshauser, and Police Officers Bucyrus Palo and Taylor Prugel.

Mr. Hach had no comments at this time.

Mr. Hach asked for a motion to adjourn the Regular Council Meeting.

Mr. Augustine moved to adjourn, seconded by Mrs. Jenkins. All were in favor by answering "Aye". Motion carried at 8:56 pm.

Samantha Danielson
Samantha Danielson
Clerk of Council

Paul W. Hach, II
President of Council