REGULAR COUNCIL MEETING
Monday, June 7, 2021 – 7:30 PM
EXECUTIVE SESSION IMMEDIATELY FOLLOWING

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: Councilpersons Paul Hach and Lori DiNallo; City Manager Doug Lewis, Assistant City Manager Derek Feuerstein, and Clerk of Council Samantha Danielson, and the following in attendance by video conference: Councilpersons Christine Shoop, Tom Fitzgerald, Nick Augustine, Katie Jenkins, and Jim Fodor; Economic Development Director Cathy Bieterman, Recreation and Public Lands Director Michelle LaPuma, and Acting Law Director Joseph Hada.

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

Mrs. DiNallo 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 05.17.21

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

Public Comment: None

Committee Report:

BZA

Doug Lewis stated that the BZA was held on Thursday, May 20, 2021, and there was two items addressed. In Refusal 2363, Julianna Medeiros of 58 Frederic Street requested a variance to Section 1125.03 (a) (2) of the Painesville Unified Development Code. The applicant indicated that a garage would not fit given the required setbacks on the property and proposed to build a 12x10 shed in lieu of the required garage. This was approved by the BZA with stipulations that all exterior material be similar to the main dwelling, and the existing deteriorated garage will torn down and replaced with a shed. In Refusal 2364, Greg Pillar of 616 North St Clair Street requested a variance to Section 1119.04 (e) (1) of the Painesville Unified Development Code. The applicant proposed to build an accessary structure with an overall height of eighteen feet, which is two feet above the permitted height. This was approved by the BZA with the stipulations that the new garage could not be used for the commercial repair of vehicles, and that the stipulation be filed with the Recorder's Office.

Legislation:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO CREATE AND UTILIZE AN ECONOMIC DEVELOPMENT ELECTRIC INCENTIVE RATE WITHIN THE CITY OF PAINESVILLE, AND DECLARING AN EMERGENCY.
was given first read.

Cathy Bieterman stated the Economic Development Department, with the assistance of Painesville Municipal Electric, is proposing an Economic Development Incentive Rate (EDIR) program for electric to further economic development and new economic activity. This incentive rate would be applicable to our largest industrial electric customers, using more than 500,000 kwh per month or higher and having more than 100 full-time employees. They must also be adding new economic activity to the City, including new electric load and creating new jobs. If the company meets the eligibility requirements, the EDIR may apply to the companies increased electric load as a part of an attraction or expansion project. The Ordinance allows the City Manager to enter into written agreement with any eligible industrial customer of Painesville

Municipal Electric. Information on the EDIR for electric was presented to the Economic Development Committee of Council for their approval. The members agreed that it should move forward and recommended that it be presented to the City Council. The City already purchases new blocks of energy from AMP Ohio for new electric load that is not covered by our existing portfolio. Through this EDIR program, the City will use these blocks of energy to help companies reduce their electric costs. There will be no additional cost to the City of Painesville because the industrial customer will cover the cost of the new load through there electric bill. This EDIR is important to facilitating new economic activity within the City of Painesville's largest industry, as a result we ask that Council consider this Ordinance to help support efforts of site selection and expansion within the City's Economic Development Department. It is recommended that this Ordinance go three (3) readings.

Mr. Hach stated this would remain on first reading.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT AMENDING THE CITY'S STADIUM LEASE AGREEMENT WITH THE PAINESVILLE LOCAL SCHOOL DISTRICT BOARD OF EDUCATION SO AS TO PLACE FURTHER RESTRICTIONS ON THE USE OF THE STADIUM SOUND SYSTEM, AND DECLARING AN EMERGENCY.

was given second read.

Doug Lewis stated the City has received complaints from the adjacent residential neighborhood regarding various issues including the length of time the stadium sound system was being used prior to the start of an event. As a result, there should be an amendment to the current agreement to limit the length of time that the stadium sound system is used prior to an event. The amended to read as follows:

> Use of the stadium sound system shall only be permitted during the duration of sanctioned interscholastic sporting events, intercollegiate sporting events, and other events approved by the Board. The duration of an event begins forty-five (45) minutes before the start of the event (with the exception of sanctioned football games, which may begin ninety (90) minutes before the event) and concludes one-half (1/2) hour after the ending of the event, subject to the following: The Stadium Sound System shall operate only between the hours of 9:00 a.m. and 10:30 p.m. The use of the stadium sound system during practices is prohibited.

There is nothing to be purchase, and this legislation can go three readings.

Mr. Hach stated this would remain on second reading.

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPLY FOR AND ACCEPT A PETSAFE BARK FOR YOUR PARK GRANT TO COMPLETE THE CITY DOG PARK, AND DECLARING AN EMERGENCY.

was given first read.

Michelle LaPuma stated this grant will help the City of Painesville to complete the Dog Park. The $25,000 grant will be used on the remaining work to be completed in the installation of a fence for the perimeter of the dog park, keyless fob entry way gate system and landscaping screening for the park. There is no cost to the City. It was recommended that the City approved this legislation as the grant applications are due June 30, 2021.

Mrs. DiNallo motioned to suspend, seconded by Mr. Augustine.

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

Mrs. DiNallo moved to adopt, seconded by Mr. Augustine.

On roll call Mrs. DiNallo, Mrs. Jenkins, Mr. Augustine, Mr. Fodor, Mrs. Shoop, Mr. Fitzgerald, and Mr. Hach answered "Yes". Motion carried. **RESOLUTION 23-21 is ADOPTED.**

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPLY FOR AND ACCEPT A T-MOBILE HOMETOWN GRANT TO COMPLETE THE CITY DOG PARK, AND DECLARING AN EMERGENCY.

was given first read.

Michelle LaPuma stated the City is eligible to submit a project for funding through the FY21' T-Mobile Hometown Grant. This grant will help the City of Painesville to complete the Dog Park. This grant is for $50,000. There is no cost to the City. It was recommended that the City approved this legislation as the grant applications are due June 30, 2021. This is a quarterly grant, so the City may be able to apply for another opportunity for the Community in the future.

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

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

Mrs. DiNallo moved to adopt, seconded by Mr. Augustine.

On roll call Mr. Augustine, Mr. Fodor, Mrs. Shoop, Mr. Fitzgerald, Mrs. DiNallo, Mrs. Jenkins, and Mr. Hach answered "Yes". Motion carried. **RESOLUTION 24-21 is ADOPTED.**

A RESOLUTION APPROVING THE CREATION OF THE AMERICAN RESCUE PLAN FUND FOR THE 2021 OPERATING BUDGET, AND DECLARING AN EMERGENCY.

was given first read.

Doug Lewis stated in order for the City to receive the funds from the government for the American Rescue Plan Act of 2021 for the Coronavirus relief funds, the City has to create a new fund to track City expenses that are related to American Rescue Plan Act of 2021 expenses. This new fund will be called: Fund 242 American Rescue Plan Fund. The City of Painesville will allocate the funds in accordance with the requirements of the ARPA of 2021. Proposed purchases will be presented to the Finance Committee for review and approval. The City will have to come back to Council at a later date for budget adjustments to this fund, and it was requested this be passed on the first reading.

Mrs. DiNallo motioned to suspend, seconded by Mr. Augustine.

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

Mrs. DiNallo moved to adopt, seconded by Mrs. Shoop.

On roll call Mrs. Shoop, Mr. Fitzgerald, Mrs. DiNallo, Mrs. Jenkins, Mr. Augustine, Mr. Fodor, and Mr. Hach answered "Yes". Motion carried. **RESOLUTION 25-21 is ADOPTED.**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT FUNDING PROVIDED BY THE AMERICAN RESCUE PLAN ACT OF 2021, AND DECLARING AN EMERGENCY.

was given first read.

Doug Lewis stated in order for the City to receive the funds from the government for the American Rescue Plan Act of 2021 for the Coronavirus relief funds, the City Council has to approve legislation to accept these monies. The City will have to come back to Council at a later date for budget adjustments to this fund, and, it was requested this be passed on the first reading.

Mrs. DiNallo motioned to suspend, seconded by Mrs. Shoop.

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

Mrs. DiNallo moved to adopt, seconded by Mrs. Jenkins.

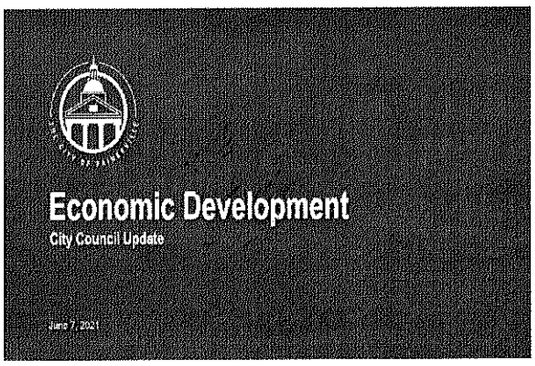
On roll call Mrs. DiNallo, Mrs. Jenkins, Mr. Augustine, Mr. Fodor, Mrs. Shoop, Mr. Fitzgerald, and Mr. Hach answered "Yes". Motion carried. **RESOLUTION 26-21 is ADOPTED.**

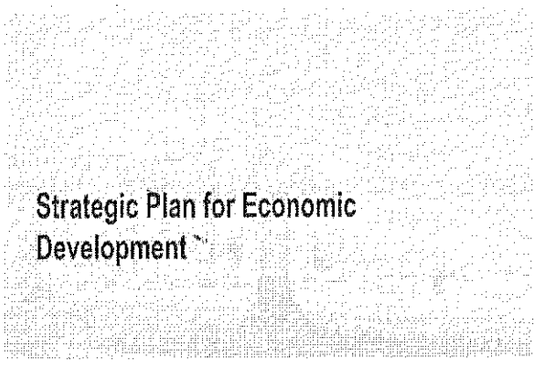
Unfinished business: None

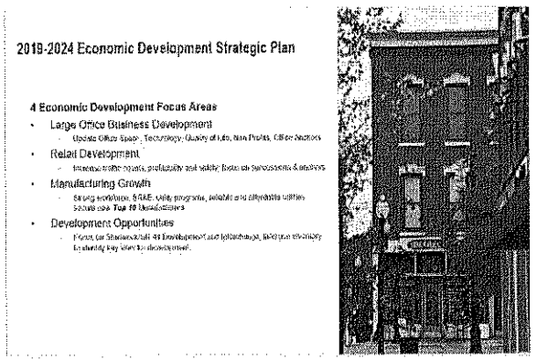
New Business: None

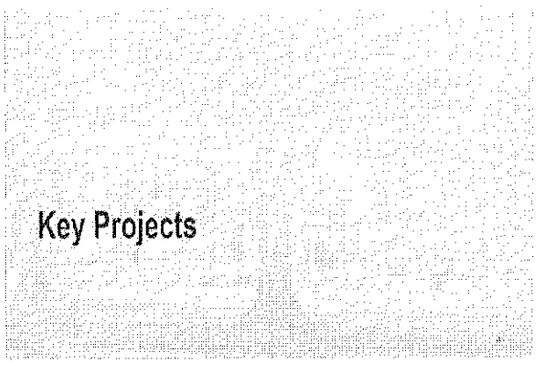
Departmental Presentations: Economic Development

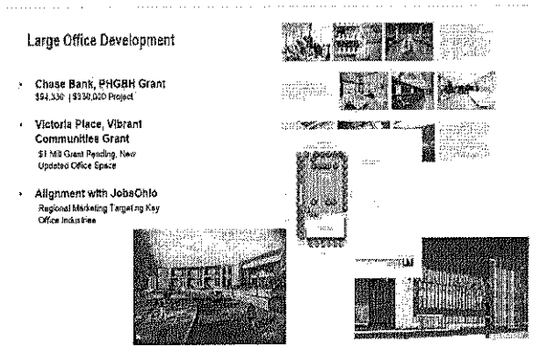
Cathy Bieterman gave a presentation and was available to answer questions of the Council Members. See presentation slides below.

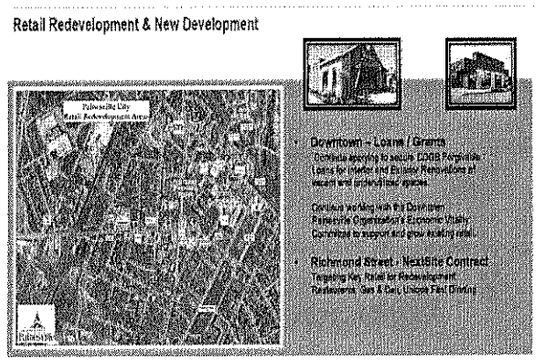


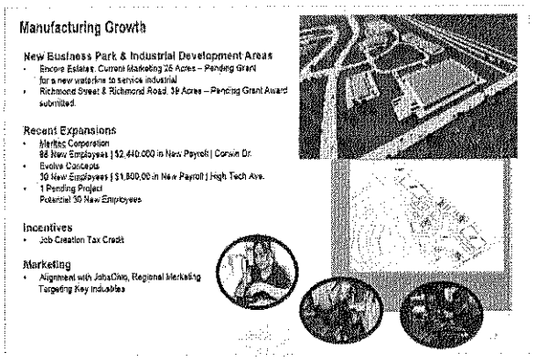


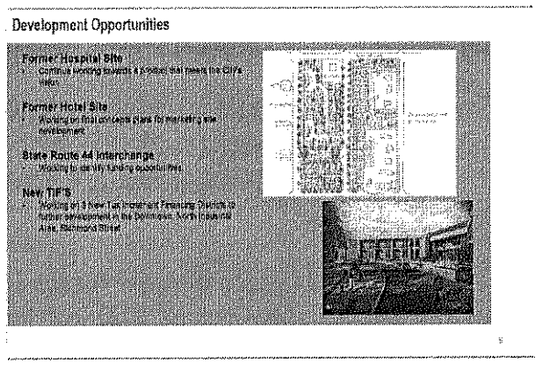


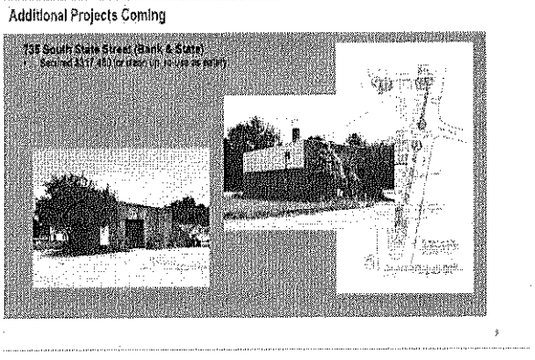














Administrative Reports:

Joseph Hada, Acting Law Director, had nothing to report at this time.

Doug Lewis reported on the following topics:

Earmarks Requests: U.S. Senator Sherrod Brown informed the City of Painesville that he would be accepting earmarks. Doug Lewis provided applications submitted to Congressman Joyce's Office to Assistant City Manager Derek Feuerstein. Derek Feuerstein briefly explained what was being submitted to Senator Brown's Office by Wednesday, June 9th.
TIF: Currently working on 3 TIF District. Legislation will be brought to Council at the next meeting.
CDBG Grants: Applications were prepared and submitted to Lake County Community Development Department.
Electric Vehicle Charging Stations: Reviewed and signed grant application for the two electric vehicle charging stations that will be installed at St. Clair Street Parking Lot.

Clerk's Correspondences

The next regular Council meeting will be held on Monday, June 21th at 7:30 PM; Concerts in the Park is Wednesday, June 9th from 6:00 – 8:00 PM at the Painesville Square and will be held every Wednesday through August 4th; Farmers Market is Thursday, June 10th from noon – 4:00 PM at the Painesville Square going through September 23rd; Car Cruise Friday is June 11th 5:00 – 9:00 PM at the Painesville Square and going through September 24th; and Farm and Flea will be held Sunday, June 13th from 10:00 AM to 4:00 PM at the JFS parking lot off Main Street.

Closing Comments:

Mr. Fodor expressed about the usage of legislation language "declaring an emergency" and for residents to be aware of the 6 inch height of grass.

Mrs. Shoop congratulated the Recreation Department with all of the events for the City.

Mrs. Jenkins had no comments at this time.

Mr. Fitzgerald had no comments at this time.

Mr. Augustine had no comments at this time.

Mrs. DiNallo wanted to remind residents they can attend the City Council Meeting in person, and how she enjoyed seeing residents enjoying the events.

Mr. Hach had no comments at this time.

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

Mrs. Shoop motioned to go in to ***EXECUTIVE SESSION BEING HELD IN ACCORDANCE WITH ARTCLE II, Section 6(4)*** To prepare for, conduct or review negotiations or bargaining sessions with municipal employees concerning their compensation, or other terms of employment. Seconded by Mr. Fitzgerald.

All were in favor by answering "Aye". Motion carried to move into Executive Session at 8:20 PM.

Mrs. DiNallo moved to adjourn the Executive Session, seconded by Mrs. Shoop.

On roll call, Mrs. Shoop, Mr. Fitzgerald, Mrs. DiNallo, Mrs. Jenkins, Mr. Augustine, Mr. Fodor, and Mr. Hach were all in favor by answering "Aye". Meeting adjourned at 8:49 PM.

Mrs. Shoop motioned to authorize the City Manager to enter into a contract with IAFF bargaining unit as presented; second by Mr. Fitzgerald. All were in favor by answering "Aye". Motion carried.

Mrs. Shoop motioned to authorize the City Manager to enter into a contract with OE bargaining unit as presented; second by Mrs. Jenkins. All were in favor by answering "Aye". Motion carried.

Mrs. Shoop moved to adjourn the Regular Meeting, seconded by Mrs. Jenkins.

On roll call, Mrs. Shoop, Mr. Fitzgerald, Mrs. DiNallo, Mrs. Jenkins, Mr. Augustine, Mr. Fodor, and Mr. Hach were all in favor by answering "Aye". Meeting adjourned at 8:53 PM.

Samantha Danielson
Clerk of Council

Christine Shoop
Vice President of Council