SPECIAL COUNCIL MEETING
Tuesday, July 6, 2021 – 4:30 PM
EXECUTIVE SESSION IMMEDIATELY FOLLOWING

President Paul Hach called the Special Council Meeting to order at 4:30 PM. City Council convened for a special meeting in the City Hall Conference Room, with the following in attendance in person: Councilpersons Christine Shoop, Jim Fodor, Tom Fitzgerald, Lori DiNallo, and Nick Augustine; City Manager Doug Lewis, Assistant City Manager Derek Feuerstein, Finance Director Andy Unetic, and Clerk of Council Samantha Danielson.

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

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

Mr. Fitzgerald moved to approve the agenda, seconded by Mr. Augustine. All were in favor by answering "Aye". Agenda approved.

Mrs. Shoop 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 06.21.21

Mrs. Shoop motioned to approve the minutes, seconded by Mr. Fitzgerald. Mrs. Shoop, Mr. Fitzgerald, and Mr. Fodor were in flavor by answering "Aye". Mr. Augustine and Mr. Hach abstained. Minutes accepted.

Public Comment: None

Committee Report: None

Legislation:

A RESOLUTION ADOPTING THE 2022 TAX BUDGET FOR THE CITY OF PAINESVILLE, OHIO, AND DECLARING AN EMERGENCY.
was given second read.

Andy Unetic stated this is an annual piece of legislation the Ohio Revised Code requires the City to pass by July 15, 2021. This is the property tax portion of revenues the City of Painesville will receive in 2022. The City expects the 2022 property tax revenues to be slightly reduced from 2021. The City projects to receive approximately $2.3 million in property tax revenues in 2022. The administration recommends this legislation gets approved at tonight's meeting.

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

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

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

On roll call Mr. Augustine, Mr. Fodor, Mrs. Shoop, Mr. Fitzgerald, Mrs. DiNallo, and Mr. Hach answered "Yes". Motion carried. **RESOLUTION 28-21 is ADOPTED.**

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 third read.

Doug Lewis 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 their electric bill. This is the third reading, and it is recommended that this ordinance be passed.

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

On roll call Mr. Fodor, Mrs. Shoop, Mr. Fitzgerald, Mrs. DiNallo, Mr. Augustine, and Mr. Hach answered "Yes". Motion carried. **ORDINANCE 15-21 is ADOPTED.**

AN ORDINANCE AMENDING SECTION 1115.25 (j) OF THE PAINESVILLE CODE OF 1998, RELATING TO FUNERAL HOME WITH CREMATORY FACILITY, AND DECLARING AN EMERGENCY.

was given second read.

Doug Lewis stated the Planning Commission and City Council recently enacted new regulations that would permit a crematory in a funeral home facility as a Conditional Use in an R-1 Zoning District. Staff reviewed Section 1115.25 (j) and proposed new language that would allow the applicant to move forward with the request for a Conditional Use to install a Crematory. The Planning Commission met on Thursday, June 10, 2021 and approved a language change from residential line to residential use. A Public Hearing is scheduled for July 19, 2021 at 8:00 PM.

Mr. Hach stated this would go to third read.

AN ORDINANCE AMENDING SECTION 167.07 AND 167.09 OF THE PAINESVILLE CODE OF 1998 RELATING TO THE CLASSIFICATION AND COMPENSATION PLAN, AND DECLARING AN EMERGENCY.

was given second read.

Doug Lewis stated each year the Classification and Compensation Plan must be updated to reflect the class for each employee as well as the salary for non-classified employees. The proposed legislation accomplishes a number of objectives: position of City Planner will assume the duties and responsibilities of the Community Development Director, and become the Community Development Director/City Planner and upgrades the classification grade from a 16 to a 22; the position of Assistant City Manager/Community Development Director will be changed to Assistant City Manager; this legislation removes positions that are no longer necessary such as Director of Municipal Infrastructure, Water Superintendent/Public Service Executive Director and Human Resources Supervisor; the position of Communication Coordinator is proposed to move from a classification grade 9 to a 10 which will result in a 5% increase and was budgeted in the 2021 budget; the legislation will update the salaries of the City Manager and Clerk of Court to reflect their actual salaries; the legislation will combine the various titles of Special Police Officers to a single title of Auxiliary Police Officer and increase the hourly rate; and increase the Part-Time Firefighter EMT and Paramedic hourly rates.

Mr. Fitzgerald moved to suspend, seconded by Mrs. Shoop.

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

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

On roll call Mr. Augustine, Mr. Fodor, Mrs. Shoop, Mr. Fitzgerald, Mrs. DiNallo, and Mr. Hach answered "Yes". Motion carried. **ORDINANCE 16-21 is ADOPTED.**

AN ORDINANCE AMENDING SECTION 167.071, OF THE PAINESVILLE CODE OF 1998 RELATING TO THE CLASSIFICATION AND COMPENSATION PLAN, AND DECLARING AN EMERGENCY.

was given second read.

Doug Lewis stated the City's OE union contract expired on March 31, 2021. The City has been negotiating with OE for a new contract and has agreed to contract terms with OE for a 3-year deal with the following wage increases: effective April 1, 2021, 3%; effective April 1, 2022, 3%; and effective April 1, 2023, 2.5%. These increases will be retroactive to April 1, 2021. The City's IAFF union contract expired on December 31, 2020. The City has been negotiating with IAFF for a new contract and has agreed to contract terms with IAFF for a 3-year deal with the following wage increases: effective January 1, 2021, 3%; effective January 1, 2022, 3%; and effective January 1, 2023, 2.5%. These increases will be retroactive to January 1, 2021. It was asked to waive the three reads and pass this tonight.

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

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

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

On roll call Mrs. Shoop, Mr. Fitzgerald, Mrs. DiNallo, Mr. Augustine, Mr. Fodor, and Mr. Hach answered "Yes". Motion carried. **ORDINANCE 17-21 is ADOPTED.**

AN ORDINANCE TO AUTHORIZE THE PROVISION OF A REAL PROPERTY TAX ABATEMENT FOR A PROJECT LOCATED AT 250 CHESTER STREET WITHIN THE COMMUNITY REINVESTMENT AREA NUMBER 5 FOR THE PURPOSE OF ENCOURAGING THE CREATION OF NEW JOBS WITHIN THE CITY AND AUTHORIZING THE EXECUTION OF THE RELATED COMMUNITY REINVESTMENT AREA AGREEMENT, AND DECLARING AN EMERGENCY.

was given second read.

Doug Lewis stated Cathy Bieterman has been working with Avery Dennison and Painesville City Local Schools District on creating a Community Reinvestment Area (CRA) for the expansion of Avery Denison. There are agreements of both parties as to the CRA. The company plans to construct a 32,000 sq. ft. expansion onto their current building on Chester Street. This expansion will help them to continue to grow their performance tapes division and secure the future growth of the company here in the City of Painesville. This project is a $32 million investment in their Painesville operations and will result in 33 new employees and a payroll of just over $2 million. As a part of a Revenue and Compensation Agreement that is in place with the Painesville City Local Schools (PCLS) under City Council Resolution 22-19, we will be providing the PCLS with a 20% cost share of income tax on new payroll. It will be paid to the schools annually for a term of 10 years. This cost share is to off-set the schools revenue as a result of approving this Community Reinvestment Area Tax Abatement. The Economic Development Office is asking that this legislation be passed on 2nd reading on July 6, 2021 to allow the tax credit approvals to be in place prior to the start of construction. This will enable the company to finalize this expansion project, move forward with construction, and bring new jobs and employment opportunities to the City of Painesville.

Mr. Augustine moved to suspend, seconded by Mrs. Shoop.

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

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

On roll call Mrs. DiNallo, Mr. Augustine, Mr. Fodor, Mrs. Shoop, Mr. Fitzgerald, and Mr. Hach answered "Yes". Motion carried. **ORDINANCE 18-21 is ADOPTED.**

AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN PARCELS IN THE AREA OF 250 CHESTER STREET IN THE CITY TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION PURSUANT TO ORC 5709.40(B); PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS AND SPECIFYING THE PURPOSES FOR WHICH THOSE SERVICE PAYMENTS MAY BE EXPENDED; APPROVING A SCHOOL COMPENSATION AGREEMENT; AND AUTHORIZING SCHOOL COMPENSATION PAYMENTS.

was given second read.

Derek Feuerstein stated this legislation would allow for creation of a 40B Tax Increment Financing (TIF) District in the area of 250 South State Street for the expansion of Avery Dennison. The defined area is shown in the map. Use of the TIF Funds is restricted to public infrastructure improvements that benefit the TIF District.

A question was brought forth about residential properties in the area. Doug Lewis explained that TIFs can be used for a variety of ways such as infrastructures and purchasing homes and demolitions. A question about property taxes was asked. Derek Feuerstein and Doug Lewis stated that those taxes will continue to pay property tax as normal; but any new improvements of the property will go into the TIF District.

Mr. Hach stated this would go to third reading.

AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN PARCELS IN THE RICHMOND STREET AREA OF THE CITY TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION PURSUANT TO ORC 5709.40(B); PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS AND SPECIFYING THE PURPOSES FOR WHICH THOSE SERVICE PAYMENTS MAY BE EXPENDED; APPROVING A SCHOOL COMPENSATION AGREEMENT; AND AUTHORIZING SCHOOL COMPENSATION PAYMENTS.

was given second read.

Derek Feuerstein stated this legislation would allow for the creation of a 40B Tax Increment Financing (TIF) District in the Richmond Street Area. This is the same concept as the previous piece of legislation. Currently, there is no project in place, but this allows for future planning.

Mr. Hach stated this would go to third reading.

AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN PARCELS IN THE DOWNTOWN AREA OF THE CITY TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION PURSUANT TO ORC 5709.40(B); PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS AND SPECIFYING THE PURPOSES FOR WHICH THOSE SERVICE PAYMENTS MAY BE EXPENDED; APPROVING A SCHOOL COMPENSATION AGREEMENT; AND AUTHORIZING SCHOOL COMPENSATION PAYMENTS.

was given second read.

Derek Feuerstein stated this legislation would allow for the creation of a 40B Tax Increment Financing (TIF) District in the Downtown Area. This is the same concept as the previous piece of legislation. Currently, there is no project in place, but this allows for future planning.

A question was brought forth about the hospital property area. Doug Lewis stated it does not include the hospital site because of development category. Currently, there are projects planned for Downtown Area that are considering to move forward.

Mr. Hach stated this would go to third reading.

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPLY FOR AND ACCEPT A GRANT THROUGH THE JOBS OHIO

INCLUSIVE PROJECT PLANNING PROGRAM, AND DECLARING AN EMERGENCY.

was given first read.

Doug Lewis stated that Cathy Bieterman has been working with the property owner of Richmond Street and Richmond Road to obtain grant funding through Jobs Ohio for the Inclusive Project Planning Program grant. This will allow the City to get the site certified through Jobs Ohio so they would begin marketing the property. This 39-acre property located at the intersection of Richmond Street and Richmond Road is zoned B-2 and qualifies for the Business Park zoning designation. If awarded, the City will enter into contract with an engineering firm to complete the necessary work to qualify it as site ready under the Jobs Ohio Program. The City has requested $20,000 to assist with development of a site plan and to certify the site for Jobs Ohio. As a part of this legislation, there is a 50% match requirement which will be paid for either through the Economic Development Incentive Fund or using ARPA funding. This legislation can go three readings.

Mr. Hach stated this would go to second reading.

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ADVERTSIE FOR BIDS AND TO ENTER INTO A CONTRACT, INCLUDING ANY AND ALL ENSUING CHANGE ORDERS, WITH THE LOWEST AND BEST BIDDER FOR THE REMOVAL AND ENVIRONMENTAL CLEAN UP OF SOILS AT THE PROPERTY AT 735 SOUTH STATE STREET, AND DECLARING AN EMERGENCY.

was given first read.

Derek Feuerstein stated this is legislation for permission to advertise and enter into a contract. This legislation will enable the City to go out to bid and award the clean-up and removal of environmental issues pertaining to the soils on the property at 735 South State Street. This project will go out to bid with bid specifications that are prepared by our Environmental Consultant Partners Environmental. This legislation can go two readings, and we would request that it be passed at the July 19, 2021 City Council Meeting.

Questions were brought forth about risks and/or concerns of contaminates and additional funding if needed. Doug Lewis stated there is additional funding available if needed, and there will be no impact to residents in the surrounding area.

Mr. Hach stated this would go to second reading.

Unfinished Business: None

New Business: None

Departmental Presentations: None

Administrative Reports:

Joe Gurley was not available at the meeting.

Doug Lewis commented on the following items: Congressman Joyce's Office notified the City that the House Appropriations Committee approved the FY 2022 appropriations bill that includes $570,000 for the Shamrock/Brookstone Project. It still needs to pass the Senate Appropriations Committee; the City will have a booth at Party in the Park Lite on Saturday, July 17th; the 2020 Audit has been concluded by the State Auditors. The Finance Department will be receiving the Auditor of State Award with Distinction for the 10th consecutive year; the City was successful in receiving a $65,000 grant through CDBG through Lake County Commissioners to address streetscape improvements and turn vacant storefronts into retail ready spaces; Planning Commission Meeting will be held on Thursday, July 8th; Water line replacement and road resurfacing on Sterling Avenue, from Wood Street to Liberty Street, is expected to take place Friday, July 9 through Saturday, July 31: the Carbon Building Project has been completed, and the only thing left is to actually feed carbon into it, which will be completed this week. This will complete the project and bring the City into compliance with the EPA; and Futsal Court Grand Opening in Kiwanis Recreation Park was successful, and it has been busy since then.

Clerk's Correspondences:

The next Regular Council Meeting will be held on Monday, July 19th at 7:30 PM, and a Public Hearing at 8:00 PM.

Closing Comments:

Mr. Fodor had no comments at this time.

Mr. Fitzgerald had no comments at this time.

Mrs. DiNallo congratulated Parks and Recreation for the Futsal Court Grand Opening, and she encouraged residents to attend the Party in the Park.

Mrs. Shoop had no comments at this time.

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

Mr. Hach congratulated Andy Unetic for receiving the Auditor of State Award.

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(1)*** To consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of an employee or official of the City; Seconded by Mr. Augustine.

All were all in favor by answering "Aye". Motion carried to move into Executive Session at 5:02 PM.

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

On roll call, Mrs. Shoop, Mr. Fitzgerald, Mrs. DiNallo, Mr. Augustine, Mr. Fodor, and Mr. Hach were all in favor by answering "Aye". Meeting adjourned at 5:41 PM.

Mr. Augustine moved to adjourn the Special Meeting, seconded by Mrs. Shoop.

On roll call, Mrs. Shoop, Mr. Fitzgerald, Mrs. DiNallo, Mr. Augustine, Mr. Fodor, and Mr. Hach were all in favor by answering "Aye". Meeting adjourned at 5:41 PM.

Samantha Danielson
Clerk of Council

Paul W. Hach II
President of Council