REGULAR COUNCIL MEETING
Monday, December 20, 2021 – 7:30 PM
EXECUTIVE SESSION IMMEDIATELY FOLLOWING

President Paul Hach called the Regular Council Meeting to order at 7:30 PM. City Council convened for a regular meeting in Council Chambers, with the following in attendance: Councilpersons Paul Hach, Christine Shoop, Lori DiNallo, Katie Jenkins, Nick Augustine, and Jim Fodor; City Manager Doug Lewis, Assistant City Manager Derek Feuerstein, Law Director Joe Gurley, Finance Director Andy Unetic, and Clerk of Council Samantha Danielson.

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

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

Mrs. DiNallo made a motion to approve the agenda, seconded by Mrs. Jenkins.

On roll call, Mrs. DiNallo, Mrs. Jenkins, Mr. Augustine, Mr. Fodor, Mrs. Shoop, and Mr. Hach were all in favor by answering "Yes". Agenda approved.

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

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

Mr. Hach asked for a motion to approve the meeting minutes as submitted for: Regular Meeting 12.06.21.

Mrs. DiNallo motioned to approve the minutes, seconded by Mrs. Shoop.

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

Public Comment: None

Committee Report:
Planning Commission

City Manager Doug Lewis reported for the Planning Commission which was held on December 10, 2021. The City received an application from Renew Partners, LLC on behalf of Painesville Tower, LLC for a Conditional Use Permit. The applicant was proposing to convert the building located at 30 South Park Place (the former Chase Bank Building) into dormitories for the students of Lake Erie College. The property is located in the B-3 Central Business District. Section 1113.06 lists dormitories in the B-3 District as a Conditional Use and section 1115.27 establishes the guidelines for their review. The Conditional Use Permit (Refusal No. 2372) for a Dormitory in the B-3 District at 30 S. Park Place was approved with stipulations; The City received an application from Bruce Adams on behalf of Signature Health for a Conditional Use Permit. The applicant was proposing to establish a Comprehensive Sign Plan for their site located at 54 S. State Street. The property is located in the B-3 Central Business District. Section 1127.12 of the Unified Development Code permits the establishment of a Comprehensive Sign Plan for a site that possesses unique characteristics to warrant sign regulations that are different than those established by the Code and are integral to the design of the structure. The Conditional Use Permit (Refusal No. 2373) establishing a Comprehensive Sign Plan for Signature Health 54 S. State Street and 53 S. St. Clair was approved with stipulations; The City received an application from Michael Horford of Marous Brothers on behalf of Charles Johnson of Johnson Funeral Home for a modification to a previously issued Conditional Use Permit. The applicant was proposing to modify the proposed plan which will house the crematory by reducing the side setback from the 62 feet approved to 50 feet. Section 1113.06 lists crematories in the R-1 District as a Conditional Use and section 1115.25 (j) requires a 100 foot setback from the property line of a residential use unless the Planning Commission determines a lesser setback is acceptable. At the August 12, 2021 the Planning Commission established a 62 foot setback from the east residential property line. The Conditional Use Permit Refusal Number 2374 was approved with the modification; Encore

Estates at Heisley Park Final Platt Phase 3B - 14 lots was approved with stipulations; Review and Extension Request for a Conditional Use Permit (Refusal No. 2111) issued to Glenn Springs Holdings, Inc. (previously Lakeview Bluffs LLC and Tierra Solutions, Inc) for soil removal at Elm Street was approved to renew the Conditional Use Permit (Refusal No. 2111) to Glenn Springs Holdings, Inc. for two years with stipulations.

JEDD

Mrs. Shoop reported for the JEDD Board which was held on December 10, 2021. The following items were discussed: Christine Shoop was appointed to the JEDD Board as the City of Painesville Representative; **Finance**: Revenues increased more than 2021 budget, a budget adjustment was approved for 2021 budget, and an increase was approved for 2022 JEDD budget; **JEDD Membership Recruitment**: There are three new proposed JEDD businesses, Sheetz, a medical facility for Dr. Mohseni, and Ordinance Technology Service, which are interested to join the Concord Township-City of Painesville Joint Economic Development District; **ICSC December 2021 Recap:** Charles Branch, NextSite Representative, believes that the December meeting is good and the May ICSC Convention is anticipating to be back to a full conference. Three or four JEDD members will attend; **Website Analytics Update:** Website updates will be annual; **Resolutions:** Several resolutions, Steven Douglas Corp. and Endless Discovery Holdings, were passed as well as the insurance renewal passed and the administrator contract for 2021-2023 passed with a fee adjustment, and the selection of Officers for 2022 - 2023, Chris Galloway remains as Chairman, Doug Lewis remains as Vice-Chairman, Morgan McIntosh remains as Treasurer, and Ray Sines is the Secretary; and **Meeting Dates for 2022:** Meeting dates were scheduled for March 11th, June 10th, September 9, and December 9th.

Legislation:

AN ORDINANCE TO MAKE APPROPRIATIONS FOR THE CURRENT EXPENSES AND EXPENDITURES OF THE CITY OF PAINESVILLE, STATE OF OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2022 AND ADOPTING THE OPERATING BUDGET, AND DECLARING AN EMERGENCY.

was given third read.

Finance Director Andy Unetic asked if there were any questions on the budget. There were no questions from the Council Members.

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

On roll call, Mr. Augustine, Mr. Fodor, Mrs. Shoop, Mrs. DiNallo, Mrs. Jenkins, and Mr. Hach answered "Yes". Motion carried. **ORDINANCE 35-21 is ADOPTED.**

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

was given first read.

Finance Director Andy Unetic stated this is an annual piece of legislation that is passed at the end of each year. The legislation is for the 2021 budget adjustments so the City is in compliance with the Ohio Revised Code and the City's Financial Policies. This legislation increases 2021 line items that were over budget and it decreases 2021 line items that were under budget. These adjustments to the 2021 budget will result in a net decrease of $3,342,952 to the 2021 total budget. It was recommended that the 3 readings are waived so this legislation would pass tonight, and the City is in compliance with the Ohio Revised Code.

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

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

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

On roll call, Mrs. Shoop, Mrs. DiNallo, Mrs. Jenkins, Mr. Augustine, Mr. Fodor, and Mr. Hach answered "Yes". Motion carried. **ORDINANCE 36-21 is ADOPTED.**

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.

Finance Director Andy Unetic stated this is an annual piece of legislation for year-end transfers. These transfers fund the City's capital projects for 2022. It was recommended this be approved by December 31, 2021.

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

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

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

On roll call, Mrs. Jenkins, Mr. Augustine, Mr. Fodor, Mrs. Shoop, Mrs. DiNallo, and Mr. Hach answered "Yes". Motion carried. **ORDINANCE 37-21 is ADOPTED.**

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

was given first read.

Clerk of Council Samantha Danielson stated this is an ordinance to adopt and approve the 2021-A Codified Ordinances. They have been reviewed and approved by Department Head and are ready to be added to the Charter. This legislation may go three reads.

Mr. Hach stated this would go to second read.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECT AN OPT-OUT NATURAL GAS AGGREGATION PROGRAM PURSUANT TO SECTION 4929.26, OHIO REVISED CODE, DIRECTING THE COUNTY BOARD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS, AND DECLARING AN EMERGENCY.

was given first read.

Assistant City Manager Derek Feuerstein stated this is legislation to place ballot language, which Council requested, on the ballot in May. This can go three readings.

Mr. Hach stated this would go to second read.

Unfinished Business: None

New Business: None

Departmental Presentations: None

Administrative Reports:

Law Director Joe Gurley had nothing to report at this time.

City Manager Doug Lewis had nothing to report at this time.

Clerk's Correspondences:

The next regular Council meeting will be held on Monday, January 3rd at 7:30 PM.; and Cities Offices will be closed on Friday, December 24th, Monday, December 27th and Friday, December 31st for the Holidays.

Closing Comments:

Mr. Fodor wished everyone a happy holiday, stay safe and enjoy the moment.

Mrs. Jenkins had no comments at this time.

Mrs. DiNallo wished everyone happy holidays and to stay safe, and do what you need to do to stay healthy. She also commented that Painesville has grown in population and new housing stock and congratulated the administration and staff on managing to continue to move forward as the city grows.

Mrs. Shoop thanked the New Connecticut Chapter of the Daughters of American Revolution for their Wreaths Across America held on Saturday. It was very moving and wonderful with all the amazing volunteers and wreaths placed on all the Veterans' graves. She also wished everyone a happy holiday.

Mr. Augustine had no comments at this time.

Mr. Hach thanked the three Scouts who received their Eagle Scout Honors on Saturday at the First Church of Congregational and wished everyone a happy holiday.

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

Mr. Shoop motioned to go in to ***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; ***EXECUTIVE SESSION BEING HELD IN ACCORDANCE WITH ARTCLE II, Section 6(2)*** To consider the purchase or lease of property for public purposes if premature disclosure of information would be adverse to the public interest.; Seconded by Mr. Augustine.

On roll call, Mrs. Shoop, Mrs. DiNallo, Mrs. Jenkins, Mr. Augustine, Mr. Fodor, and Mr. Hach were all in favor by answering "Yes". Motion carried to move into Executive Session at 7:52 PM.

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

On roll call, Mrs. Shoop, Mrs. DiNallo, Mrs. Jenkins, Mr. Augustine, Mr. Fodor, and Mr. Hach were all in favor by answering "Yes". Meeting adjourned at 8:32 PM.

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

On roll call, Mrs. Shoop, Mrs. DiNallo, Mrs. Jenkins, Mr. Augustine, Mr. Fodor, and Mr. Hach were all in favor by answering "Yes". Meeting adjourned at 8:34 PM.

Samantha Danielson
Samantha Danielson
Clerk of Council

Christine Shoop
Christine Shoop
President of Council

THIS PAGE IS INTENTIONALLY LEFT BLANK