REGULAR COUNCIL MEETING
MONDAY, FEBRUARY 7, 2022 – 7:30 PM

President Christine Shoop 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 Derrick Abney, Nick Augustine, Lori DiNallo, Jim Fodor, Katie Jenkins, and Christine Shoop; City Manager Doug Lewis, Assistant City Manager Derek Feuerstein, Assistant Law Director James Lyons, City Engineering Robert Vargo, Recreation and Public Lands Director Michelle LaPuma, Administrative Lieutenant Toby Burgett, and Clerk of Council Samantha Danielson.

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

Mrs. Shoop asked for a motion to excuse Mr. Hach from the meeting.

Mr. Augustine moved to excuse Mr. Hach, seconded by Mrs. Jenkins. All Council Members were in favor by answering "Aye". Motion carried.

Mrs. Shoop asked for a motion to approve the agenda as submitted.

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

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

Mrs. Shoop asked for a motion to approve the meeting minutes as submitted for: Special Meeting 01.13.22.

Mrs. Jenkins moved to approve the minutes, seconded by Mrs. DiNallo.

Mr. Abney, Mrs. DiNallo, Mr. Fodor, Mrs. Jenkins, and Mrs. Shoop were all in favor by answering "Aye". Minutes accepted. Mr. Augustine abstained for the Special Meeting minutes.

Mrs. Shoop asked for a motion to approve the meeting minutes as submitted for: Regular Meeting 01.18.22.

Mr. Augustine moved to approve the minutes, seconded by Mrs. DiNallo. All Council Members were in favor by answering "Aye". Minutes accepted.

Public Comment: None

Committee Report:
BZA

City Manager Doug Lewis reported for this committee which was held on January 20, 2022. An application was submitted by Branislav and Seniha Jajcanin requesting a variance of fence height to Section 1119.05 (b)(1) B of the Painesville Unified Development Code to allow placement of a fence along and adjacent to Roberta Drive. This was approved and the applicants were given options with stipulations. There was an administrative appeal for 141 E. Jackson. The appeal for the demolition of an unsafe structure was tabled and postponed until February's meeting.

Economic Development Committee

This meeting was cancelled, on Thursday, February 3, 2022 due to inclement weather conditions.

Legislation:

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

was given first read.

City Manager commented the City is proposing to create the position of ***Senior Engineer – SCADA/IT*** and ***Electric Mechanic/Welder II*** in the Electric Department. Both

positions were budgeted in 2022. In order to advertise and hire for these positions, the City has to add their position to Section 167.07 of Painesville Codified Ordinances. There is no additional cost associated with their addition to the Ordinance. The staff is recommending that the positions be approved, and this legislation can go three readings.

This will go to second read.

A RESOLUTION AUTHORIZING THE CITY OF PAINESVILLE, OHIO, TO PROCEED WITH THE DEMOLITION OF AN UNSAFE STRUCTURE AT 550 FAIRLAWN AVENUE, IN THE CITY OF PAINESVILLE, LAKE COUNTY, OHIO, AND TO REQEUST THE ASSISTANCE AND COOPERATION OF THE LAKE COUNTY REUTILIZATION CORPORATION IN EFFECTING THE SAME, AND DECLARING AN EMERGENCY.

was given second read.

Assistant City Manager Derek Feuerstein gave an update on this property. The demolition order is still being advertised in the newspaper and a 10-day repair and remove letter was sent to all identified parties with a deadline of February 7th to reply and February 17th is the final date to abate any violations. No responses have been received to date.

Mrs. DiNallo commented the City Administration has been asked to get various information on the residential properties from the Land Bank which they currently own in the city. Doug Lewis stated he has been in contact and requested the information from Executive Director John Rodgers.

This will go to third read.

A RESOLUTION AUTHORIZING THE CITY OF PAINESVILLE, OHIO, TO PROCEED WITH THE DEMOLITION OF AN UNSAFE STRUCTURE AT 249 EAST PROSPECT STREET, IN THE CITY OF PAINESVILLE, LAKE COUNTY, OHIO, AND TO REQEUST THE ASSISTANCE AND COOPERATION OF THE LAKE COUNTY REUTILIZATION CORPORATION IN EFFECTING THE SAME, AND DECLARING AN EMERGENCY.

was given second read.

Assistant City Manager Derek Feuerstein gave an update on this property. The demolition order is still being advertised in the newspaper and a 10-day repair and remove letter was sent to all identified parties with a deadline of February 7th to reply and February 17th is the final date to abate any violations. No responses have been received to date.

This will go to third read.

A RESOLUTION AUTHORIZING THE CITY OF PAINESVILLE, OHIO, TO PROCEED WITH THE DEMOLITION OF AN UNSAFE STRUCTURE AT 339 WILLOW DRIVE, IN THE CITY OF PAINESVILLE, LAKE COUNTY, OHIO, AND TO REQEUST THE ASSISTANCE AND COOPERATION OF THE LAKE COUNTY REUTILIZATION CORPORATION IN EFFECTING THE SAME, AND DECLARING AN EMERGENCY.

was given first read.

Assistant City Manager Derek Feuerstein stated this is at the beginning of the process. A title search has been requested, and a public advertising will be conducted. There has been no response to any of the 2021 property maintenance violations, and a 10-day letter will be sent to all identified parties once the title search is complete.

This will go to second read.

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ADVERTISE AND TO ENTER INTO A CONTRACT, INCLUDING ANY AND ALL ENSUING CHANGE ORDERS, WITH THE LOWEST AND BEST BIDDER FOR A COMPUTER RECORD MANAGEMENT SYSTEM, AND DECLARING AN EMERGENCY.

was given first read.

Lt. Toby Burgett stated the Painesville Police Department current records management system is outdated, and they need to bid out for a new records management system which is compliant with NIBRS, an electronic national criminal reporting database. Police Departments that are not NIBRS compliant can be kept from obtaining both state and federal funding. The cost associated with this project has been budgeted, and it was asked to be passed on first reading.

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

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

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

On roll call, Mr. Augustine, Mrs. DiNallo, Mr. Fodor, Mrs. Jenkins, Mr. Abney, and Mrs. Shoop, answered "Yes". Motion carried. **RESOLUTION 05-22 is ADOPTED.**

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 2022 SIDEWALK IMPROVEMENT PROGRAM, AND DECLARING AN EMERGENCY.
was given first read.

Robert Vargo stated this is a continuation of the Painesville City Sidewalk Program, and the City will be moving on to the northern portion of the Ward 3 repairing all city responsible sidewalks.

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

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

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

On roll call, Mrs. DiNallo, Mr. Fodor, Mrs. Jenkins, Mr. Abney, Mr. Augustine, and Mrs. Shoop, answered "Yes". Motion carried. **RESOLUTION 06-22 is ADOPTED.**

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 REHABILITATION OF VARIOUS SANITARY AND STORM SEWERS, AND DECLARING AN EMERGENCY.
was given first read.

Robert Vargo stated repairs to several areas of sanitary and storm sewers are needed prior to paving Chestnut Street and Newell Street. The project has been budgeted for an estimate of $250,000 to make the necessary repairs. It was asked to be passed on first read.

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

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

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

On roll call, Mr. Fodor, Mrs. Jenkins, Mr. Abney, Mr. Augustine, Mrs. DiNallo, and Mrs. Shoop, answered "Yes". Motion carried. **RESOLUTION 07-22 is ADOPTED.**

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 RECONSTRUCTION OF REED AVENUE, AND DECLARING AN EMERGENCY.
was given first read.

Robert Vargo stated Reed Avenue was last resurfaced in 1980 and has a PCR rating of 50.7 (poor condition) from Lexington Avenue to Newell Street. The roadway will be reconstructed and work will include the installation of a new storm sewer, curbs, cement stabilization, and asphalt pavement.

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

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

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

On roll call, Mrs. Jenkins, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Fodor, and Mrs. Shoop, answered "Yes". Motion carried. **RESOLUTION 08-22 is ADOPTED.**

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPLY FOR AND ACCEPT FUNDING THROUGH THE FY2023-2024 CAPITAL BILL COMMUNITY PROJECTS PROGRAM TO INSTALL A SPLASH PAD AT KIWANIS RECREATION PARK, AND DECLARING AN EMERGENCY.
was given first read.

Michelle LaPuma stated the City wishes to apply for State funding being offered through the FY 2023-2024 Capital Bill Community Projects Program. It is requesting $175,000 of the $275,000 required for the project. The City will be responsible for $100,000 in funding and/or in-kind services to complete this project if this request is awarded. This Resolution is authorizing staff to apply for and accept the grant funding. The project will have to be bid out if funding is received. It can remain on the agenda for three readings as the deadline for submission is March 18, 2022. Questions brought forth from several Council Members about the location, parking, the upkeep and winterizing cost were answered.

This will go to second read.

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPLY FOR AND ACCEPT FUNDING THROUGH THE FY2023-2024 CAPITAL BILL COMMUNITY PROJECTS PROGRAM TO PURCHASE AND CONSTRUCT AN AMPHITHEATHER AND CREATE AN ENTERTAINMENT DISTRICT AT KIWANIS RECREATION PARK, AND DECLARING AN EMERGENCY.
was given first read.

City Manager Doug Lewis stated the legislation is to request funds for an amphitheater at Kiwanis Recreations Park on the former Lake County General Health District property. The City is working with a developer to develop a mixed-use development. The approximate cost would be $1.32 million. The City is requesting $750,000 in State Capital Funding, and additional $650,000 in ARPA funding has been set aside. The City has met with State Senator Jerry Cirino, Representative Dan Troy, and Senator Kenny Yuko to inform them of the project and ask for their support. This item can go three reads as the deadline for submission is March 18, 2022, and the City is working with the grant consultant on the grant application.

This will go to second read.

Unfinished Business: Fireworks

City Manager Doug Lewis stated a survey was completed with surrounding municipalities regarding the usage of fireworks since House Bill 172 has been signed that will expand the use of fireworks in Ohio, and information and suggestions from Police Chief Waterman and Fire Chief Hummel on this matter were also included. Chief Waterman suggested that a certain time period should be established if the city allows residents to light off fireworks, and Fire Chief Hummel feels the current ordinance should be followed. Lt. Toby

Burgett also spoke on this matter addressing how police respond to these calls and the process of being cited of the violation. Currently, none of the other municipalities have changed their requirements with regards to allow fireworks even though the new law will allow any person authorized to possess consumer grade fireworks to discharge them on their property or on another's property with permission on specific holidays, but the City can put limits to the days and establish regulations. Cities still have the ability to make those determinations. The question of enforcing the ordinance was brought forth and the difficulty of enforcing was discussed. The Council Members decided that the Safety Committee should look into this issue further to determine further action.

New Business: None

Departmental Presentations: None

Administrative Reports:

Assistant Law Director James Lyons had nothing to report at this time.

City Manager Doug Lewis reported on the following items: Republic has rescheduled days to make sure garbage and recycling is getting picked-up. Information has been sent to residents if they are on the call list, and information has been posted on the website and a few HOAs have been notified as well. He welcomed Officer Ian Parkomaki who was sworn in on Friday. He thanked Public Works and Parks and Recreation Departments for their excellent job of removing the snow.

Clerk's Correspondences:

The next Regular Council Meeting will be held on Tuesday, February 22nd at 7:30 PM, and City Offices will be closed on Monday, February 21st for Presidents' Day.

Closing Comments:

Mr. Fodor expressed concerns about the snow removal of sidewalks. Michelle LaPuma answered that school routes are cleared first and then others afterward. She explained it has been difficult on the sidewalk plows due to the heavy snow accumulation and trash being caught in the attachment. He also asked for residents to keep fire hydrants cleared and help other residents with snow removal.

Mrs. Jenkins thanked Park and Rec staff for their diligence of getting the snow removed.

Mrs. DiNallo asked residents to walk on the side of the street where the sidewalks are plowed and not on the street because of the danger of being hit. She cautioned residents to be careful pulling out places where snow mounds are high, and she thanked the residents for being patient with trash pick-up and remember to put the trash into bags to help cut down on trash flying around. She thanked Republic for getting a schedule together and for Doug Lewis getting information out to the community.

Mr. Abney thanked the various departments working during this time. He encouraged residents to check on their neighbors and elderly, and to help in the community.

Mr. Augustine had no comments at this time.

Mrs. Shoop cautioned residents about children playing on the large snow mounds and being aware of this when driving.

Mrs. Shoop asked for a motion to adjourn the Regular Meeting.

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

On roll call, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Fodor, Mrs. Jenkins, and Mrs. Shoop, were all in favor by answering "Yes". Motion carried.

Meeting adjourned at 8:28 PM.

Samantha Danielson
Clerk of Council

Christine Shoop
President of Council