REGULAR COUNCIL MEETING
MONDAY, APRIL 18, 2022 – 7:30 PM
EXECUTIVE SESSION IMMEDIATELY FOLLOWING

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, Paul Hach, and Christine Shoop; City Manager Doug Lewis, Assistant City Manager Derek Feuerstein, Law Director James Lyons, Electric Power Superintendent Jeff McHugh, City Engineer Leanne Exum, Finance Director Andy Unetic, Fire Chief Thomas Hummel, and Clerk of Council Samantha Danielson.

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

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

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

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

Mrs. Shoop asked for a motion to approve the meeting minutes as submitted for: Regular Meeting 04.04.22.

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

Public Comment: None

Committee Report:
Public Lands & Recreation Commission

Mr. Abney reported for this committee meeting which was held on April 12, 2022. He reported on the following items: The Recreation Department is actively seeking seasonal summer help. The City is looking for Camp Counselors and a Recreation Assistant, any assistance in finding staff is greatly appreciated; Rental activity at Morse Avenue Community Center has increased this year. The City has already had 11 residential rentals in the first three months of this year. Pre-Covid in 2019, there was a total of 10 residential for the year; Spring events include: Public Works Story Time on May 11th in Veteran's Park. Since there is a young age group attending our Story Time, safety topics will be highlighted. Public Works employees will read "construction" themed books. The event will include pedestrian safety topics such as traffic signals, how to stay safe while walking on the sidewalk, and how to cross the street safely. These topics will be taught by playing games and activities; A new event this year will be a Wiffle Ball Tournament on May 21st. Games will be played on a modified Wiffle Ball field in Kiwanis Recreation Park. There will a youth division with a minimum age of 10 and an adult division; Concerts in the Park start on June 15th of this year. Thanks to generous sponsorships from GD3 Ventures, Loreto Development, and R.W. Sidley. A wide variety of bands from rock 'n roll, Motown, R&B, Polka, a Queen Tribute Band, a Beatles Tribute Band and more will be offered. The meeting adjourned at 4:50 PM, and next meeting will be held on July 12, 2022.

Planning Commission

City Manager Doug Lewis reported for this meeting which was held on April 14, 2022. He reported on the following items: Organizational Meeting: Ms. Mary Hada was nominated to the position of Chair and Mr. Mark Wainwright was nominated to the position of Vice-Chair; New Business: Refusal:2382, Matt Riley of Ryan Homes, the City of Painesville has received an application from Matt Riley representing Ryan Homes seeking a waiver of the garage requirements. They are asking to be able to construct two car garages less than the required width on the homes that they construct within the City. A motion was made and seconded to grant a waiver of the garage size at a nominal 20' x 20' to Ryan Homes for construction of homes in Lexington Village #2. Then another motion and seconded to grant a waiver of the garage size at a nominal 20' x 20' to Ryan Homes for construction of homes in Kaim Subdivision; Administrative Report: The Downtown Development District Code Changes was reviewed and were approved.

They will be coming before the City Council at a future date, and 2022 Design Review Applications were reviewed.

Legislation:

AN ORDINANCE AMENDING CHAPTER 929 OF THE PAINESVILLE CODE OF 1998 RELATING TO ELECTRIC SERVICE AND RATES

was given third read.

Jeff McHugh was available for any questions from Council Members. There were no questions.

Mr. Foder stated there has been work sessions on this topic, the Electric Committee has been involved, and the legislation has had three readings. City Manager Doug Lewis confirmed this and summarized the proposing legislation. This would reduce the adder on the residential rates between in-town and out-of-town, modify the E6 Industrial Rate, combine Water Heating and Space Heating rates into the E1 Residential Rate, remove the consumption block rates on Industrial and Commercial users, and remove seasonality rates.

Mrs. DiNallo spoke about a resident who spoke on this matter at a previous Council Meeting on his concerns and that those concerns were addressed. Jeff McHugh explained more about the resident's situation and was in contact with him and hasn't received a response from the resident.

Mr. Hach moved to adopt, seconded by Mr. Fodor.

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

Mrs. Shoop asked to have a motion to postpone the third reading of the Rezoning Ordinance, Ordinance Number 2 of the agenda, to May 16, 2022.

Mr. Augustine moved to postpone the third reading of the Rezoning Ordinance to May 16, 2022, seconded by Mr. Fodor.

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

AN ORDINANCE AMENDING THE DISTRICT MAP AND THE SETBACK MAP REFERRED TO IN SECTION 1113.03 OF THE PAINESVILLE CODE OF 1998 REZONING PERMANENT PARCEL NUMBER 15-B-015-0-00-042-0 OFF BANK STREET FROM AN M-1 LIGHT INDUSTRIAL TO A R-2; MULTI-FAMILY DISTRICT

The reading of this Ordinance has been postponed until May 16, 2022.

A RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED AND RESTATED AGREEMENT WITH CONCORD TOWNSHIP, THE STEVEN DOUGLAS CORP., AND ENDLESS DISCOVERY HOLDINGS, LLC, TO ESTABLISH IN PART THE IMPOSITION OF A DEFINED INCOME TAX AND RATE TO BE ASSESSED FOR CERTAIN REAL PROPERTY WITHIN THE CONCORD TOWNSHIP-CITY OF PAINESVILLE JOINT ECONOMIC DEVELOPMENT DISTRICT (JEDD), AND DECLARING AN EMERGENCY

was given first read.

City Manager Doug Lewis read a memorandum from Rita McMann, the JEDD Administrator. The Steven Douglas Corp. and Endless Holdings LLC entered in to an agreement with the City of Painesville, Concord Township and the Concord-Painesville JEDD to acquire a 10-acre parcel of property on Discovery Lane. The parcel is a portion of the property that is included in a legal dispute with Concord Real Estate Investment over JEDD participation. The agreement executed in December of 2021 set forth the terms by which the Steven Douglas Corp would acquire the property through the Endless Holdings LLC and become a participating JEDD member. Subsequent to the execution of the agreement the Steven Douglas Corp. found that the

10-acre parcel they acquired would not meet their long-term expansion needs. They acquired an additional 9.56 acres of adjacent land and combined the lots into one parcel. As a result, the original agreement needs to be amended to reflect the ownership of a 19.56-acre parcel. The only change to the content of the agreement is in the fifth "Whereas" under Recitals and Background Information which reflects the new acreage and permanent parcel number. All other aspects of the agreement remain the same. At their April 6, 2022 meeting, the Concord Township Trustees passed Resolution No. 2022-10 approving the Amended and Restated Settlement Agreement. The JEDD Board has scheduled a Special Board Meeting for April 29, 2022 to vote on the revise agreement.

He explained legislation was passed in December that approved the agreement for 10 acres. This will allow the City to collect income tax at a rate of 1.75% which is the full amount to be assessed for any and all employees working within the Development Property of the JEDD and an income tax rate imposed for the net business profits of 1%, a reduced rate, for any businesses operating within the Development Property. The term is 20 years and then the full rates will be imposed. It is being recommended to be passed tonight because of the meeting scheduled on April 29th.

Mr. Augustine moved to suspend, seconded by Mr. Hach.

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

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

On roll call, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Fodor, Mr. Hach, and Mrs. Shoop, answered "Yes". Motion carried. **RESOLUTION 24-22 is ADOPTED.**

A RESOLUTION DECLARING IT NECESSARY TO RENEW A 1.47 MILL LEVY TAX IN EXCESS OF THE TEN (10) MILL LIMITATION AND REQUESTING LAKE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A FIRE LEVY AND DECLARING AN EMERGENCY

was given first read.

Andy Unetic stated 2023 is the last year the City will be receiving levy monies for the Fire Levy and it's the administration's desire to put this on the November 2022 ballot for renewal. There are two pieces of legislation required to put a levy on a ballot. This is the first piece, and it goes to the County Auditors where it certifies the amount the City would receive from the levy. It is being asked to be approved tonight, and the second piece of legislation would be presented at a future Council Meeting which would go three reads.

City Manager Doug Lewis asked to amend a date in the legislation from 2016 to 2017.

Mrs. Shoop asked for a motion to amend the year from 2016 to 2017.

Mrs. DiNallo motioned to amend the year from 2016 to 2017, seconded by Mr. Augustine.

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

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

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

Mr. Hach moved to adopt, seconded by Mr. Augustine.

On roll call, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Fodor, Mr. Hach, and Mrs. Shoop, answered "Yes". Motion carried. **RESOLUTION 25-22 is ADOPTED.**

A RESOLUTION DECLARING IT NECESSARY TO RENEW AN EXISTING TWO AND HALF (2.5) MILL TAX LEVY IN EXCESS OF THE TEN (10) MILL

LIMITATION AND REQUESTING LAKE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THE ROAD/STREET LEVY, AND DECLARING AN EMERGENCY

was given first read.

Andy Unetic stated this was just like the previous piece of legislation, except it is for the roads. 2023 is the last year the City will be receiving levy monies for the Road Levy, and tt is being asked to be approved tonight, and the second piece of legislation would be presented at a future Council Meeting which would go three reads.

City Manager Doug Lewis asked to amend a date in the legislation from 2016 to 2017.

Mrs. Shoop asked for a motion to amend the year from 2016 to 2017.

Mrs. DiNallo motioned to amend the year from 2016 to 2017, seconded by Mr. Hach.

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

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

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

Mr. Hach moved to adopt, seconded by Mr. Augustine.

On roll call, Mr. Augustine, Mrs. DiNallo, Mr. Fodor, Mr. Hach, Mr. Abney, and Mrs. Shoop, answered "Yes". Motion carried. **RESOLUTION 26-22 is ADOPTED.**

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO SUBMIT AND ACCEPT FUNDING THROUGH THE 2023 CONGRESSIONALLY DIRECTED SPENDING APPROPRIATIONS REQUESTS FOR THE PAINESVILLE DOWNTOWN ECONOMIC DEVELOPMENT TRANSFORMATION PROJECT, AND DECLARING AN EMERGENCY.

was given first read.

City Manager Doug Lewis stated in 2021, the U.S. Congress voted to allow the U.S. House and U.S. Senate Members to submit requests for Community Project Funding through the Congressionally Directed Spending Appropriations. This funding allows entities throughout the country to submit projects for funding. The City of Painesville is submitting a request to the Honorable Congressman David Joyce and the Honorable Senator Sherrod Brown for the Painesville Downtown Economic Development Transformation Project. The Painesville Downtown Economic Development Transformation Project will allow the City to dramatically improve the downtown area. As part of the project, the requested funding will go towards the following: Downtown Streetscape Improvements along South Park Place, Main Street, Mill Street and Latimore Street; fund restrooms and other items the City may not be able to receive funding through our State Capital Funding and utilities improvements along Main Street. The City is requesting $3,070,000 to assist with the overall $6.2 million total investment for the Painesville Downtown Economic Development Transformation Project. If funded, this request will enable the City to complete a number of projects at one time, rather than phasing them in over the years. Some of the local match has been budgeted with regards to the Capital Improvement Program. The City was informed of the opportunity to submit the request for Community Project Funding on April 1, 2022. In order to submit the resolution showing that City Council supports the request, it is being requested be passed as an emergency on 1st reading.

Mr. Hach moved to suspend, seconded by Mr. Augustine.

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

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

On roll call, Mrs. DiNallo, Mr. Fodor, Mr. Hach, Mr. Abney, Mr. Augustine, and Mrs. Shoop, answered "Yes". Motion carried. **RESOLUTION 27-22 is ADOPTED.**

Unfinished Business: None

New Business: None

Departmental Presentations:

A presentation was given by City Engineer Leanne Exum and was available to answer any questions from Council Members. Questions about Skinner, Orchard Grove, and Oak Street were asked. See attached slides.

Administrative Reports:

Law Director Jim Lyons spoke on the procedure of who can make a motion in regards to a piece of legislation being tabled and taken off the table according to Robert's Rule.

City Manager Doug Lewis reported on the following items: Earmark request has been completed and legislation will be submitted; Signature Health's grand opening on Monday, May 2nd at 11:00 and and ribbon cutting will be at 11:30 AM, HOLA Community Center's grand opening will be on May 5th at 4:00 PM; Story Time Public Works on Wednesday, May 11th from 6-7:00 PM in the Painesville Square; Spring Clean-Up Day is on Saturday, May 14th. Volunteers are needed. Information is the Painesville's website; and Spring Block Party & Car Cruise Kick Off is Friday, May 20th in the Painesville Square.

Clerk's Correspondences:

The next Regular Council Meeting will be held on Monday, May 2nd at 7:30 PM

Closing Comments:

Mr. Fodor commented on the Lake County Ohio NAACP quarterly publication and the information to read, and he explained why he says "present" during attendance and the considered effort to be present both physically and mentally for Council Meetings.

Mrs. DiNallo had no comments at this time.

Mr. Hach had no comments at this time.

Mr. Augustine commented about speaking with residents about the reasons and causes of the sidewalk conditions and tree removal, and future plans to replace the trees. He also thanked Leanne Exum for helping with a resident's concern about water issues on her street. He also commented on how great the Easter Egg Hunt event was.

Mr. Abney reminded residents to apply for the various city jobs on the city's website at www.painesville.com for the full descriptions of all the job postings, or to pick up an application at City Hall. He also commented on looking for businesses and different group to be part of the commemorative ceremony on June 18th, Juneteenth. In April, he will be holding a Town Hall meeting at Morris Avenue Community Center on April 28th with the following topic of "what's new and upcoming in Painesville and community development" from 6 to 8 PM.

Mrs. Shoop also commented on the Easter Egg Hunt event and what a wonderful event it was and the residents turn-out in spite of the weather conditions. She thanked the Parks and Recreation Department and PCIC. She also spoke on a proclamation recognizing Painesville's Credit Union celebrating their 80 years of business in Painesville.

Mrs. Shoop asked for a motion to move into the Executive Session.

Mr. Augustine 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 Mrs. DiNallo.

On roll call, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Fodor, Mr. Hach, and Mrs. Shoop, were all in favor by answering "Yes". Motion carried to move into Executive Session at 8:21 PM.

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

On roll call, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Fodor, Mr. Hach, and Mrs. Shoop, were all in favor by answering "Yes". Motion carried at 9:26 PM.

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

On roll call, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Fodor, Mr. Hach, and Mrs. Shoop, were all in favor by answering "Yes". Motion carried at 9:27 PM.

Meeting adjourned at 9:27 PM.

Samantha Danielson
Clerk of Council

Christine Shoop
President of Council

Capital Projects

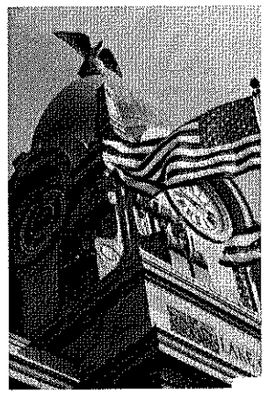
Engineering Department Presentation

April 18, 2022

2026 Capital Projects

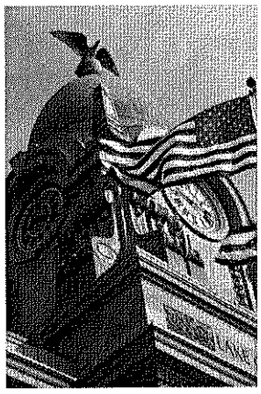
- Latimore/Mill Reconstruction
- Lincoln Boulevard
- Harmon Avenue
- Sanford Street Design
- Sidewalk Program

*Roads may change due to funding availability and/or grant application awards.



2022 Capital Projects

- Chestnut Street
- Newell Street
- Sterling Avenue
- Paige Place
- Nottingham Place
- Stonehaven Drive
- Elm Street
- North St. Clair Street
- Chester Street Design
- Reed Avenue
- Sidewalk Program



2027 Capital Projects

- Sanford Street Reconstruction
- Tiber Drive
- Chatfield Drive
- Hayer Drive
- Sanford Street Design
- Sidewalk Program

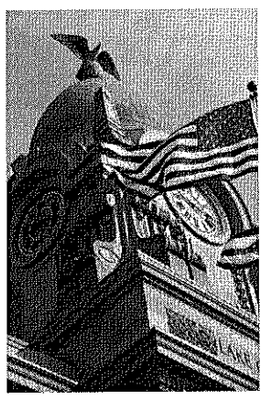
*Roads may change due to funding availability and/or grant application awards.



2023 Capital Projects

- Traffic Signal Upgrade Project
- Park Place Streetscape
- Bank Street
- Chester Street
- North St. Clair Street
- West Eagle Street Design
- Liberty Street Design
- Magnolia Design
- Sidewalk Program

*Roads may change due to funding availability and/or grant application awards.



Stormwater Projects

2024 Capital Projects

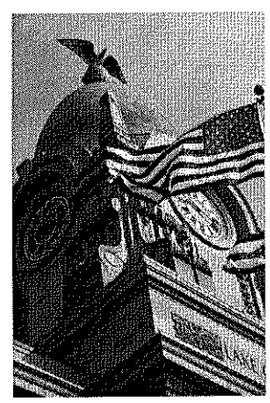
- Liberty Street
- West Eagle Street Reconstruction
- Magnolia Drive
- Marshall Drive
- Sidewalk Program

*Roads may change due to funding availability and/or grant application awards.



Bank Street Retaining Wall

- The project will open bids in May with the construction to start in July.
- The projected cost of construction is anticipated to be $3,326,000. The Army Corps of Engineer share of costs is projected to be $2,210,650 and the City costs are projected to be $1,115,350.



2025 Capital Projects

- North St. Clair Street
- Fairlawn Avenue
- Latimore/Mill Design
- Washington Street "Complete Street"
- Sidewalk Program

*Roads may change due to funding availability and/or grant application awards.



Questions?
THANK YOU