REGULAR COUNCIL MEETING
TUESDAY, FEBRUARY 21, 2023 – 7:30 PM
EXECUTIVE SESSION IMMEDIATELY FOLLOWING

CALL TO ORDER

Vice President Jim Fodor called the Regular Council Meeting to order at 7:30 PM. City Council convened for a regular meeting in Council Chambers – Courtroom #1.

ROLL CALL FOR ATTENDANCE

Councilpersons Derrick Abney, Nick Augustine, Lori DiNallo, Jim Fodor, Paul Hach Mario Rodriguez were present. Christine Shoop was not able to attend.

Mr. Fodor asked for a motion to excuse Mrs. Shoop from tonight's Council Meeting.

Mrs. DiNallo moved to excuse Mrs. Shoop, seconded by Mr. Rodriguez. All Council Members were in favor by answering "Aye". Motion carried.

Other City Staff in attendance: City Manager Doug Lewis, Law Director Jim Lyons, Assistant City Manager Tony Zampedro, Economic Development Director Susan Crotty, Police Lieutenant Toby Burgett, Fire Chief Tom Hummel, Finance Director Bill Parkinson, Recreation & Public Lands Director Michelle LaPuma and Acting Clerk of Council Helen Petersburg.

APPROVE AGENDA AS SUBMITTED

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

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

INVOCATION was given by Councilperson Mario Rodriguez.

PLEDGE OF ALLEGIANCE was recited.

MINUTES: Regular Meeting 02.6.23

Mr. Fodor asked for a motion to approve the minutes for the Regular Meeting on February 6, 2023.

Mrs. DiNallo moved to approve the minutes for the Regular Meeting on February 6, 2023, seconded by Mr. Augustine.

All Council Members were in favor by answering "Aye". Motion carried. Minutes accepted.

SPECIAL PRESENTATION: John F. Clair Award

Mr. Fodor and Economic Development Director Susan Crotty announced the 2023 John F. Clair Award winner. The family of John F. Clair also assisted with the presentation. Congratulations to Bella Donna Salon and Spa. This award is given to a Painesville City business who demonstrates the value of balancing business and community. Mary Jo Miller, owner of Bella Donna Salon and Spa, was this year's award recipient for her continued commitment and investment in the Painesville community and the City of Painesville for over 37 years. Mr. Fodor also presented Mary Jo Miller with a Proclamation from the City commending her leadership and vision for local business and the Downtown Painesville Organization and thanked her for her service to the community.

PUBLIC COMMENTS:

There were no public comments.

COMMITTEE REPORT: Charter Review Committee

Assistant City Manager Tony Zampedro gave the committee report. Stating the first organizational meeting took place last week to discuss the process which will be similar to what happened in 2013. Jan Clair was selected as Chairperson along with Kevin Bogdanski as Vice Chair. The Charter Review Committee decided to meet once a month beginning on March 15, 2023 and then the 2nd Monday of every month. The Charter will be broken down into sections for review and discuss at each monthly meeting. Mr. Zampedro went on to mention the

Committee set up deadlines for suggestions from residents, employees, Council member, etc. Submissions should be sent in writing to the Clerk of Council two weeks in advance of each monthly meeting. Additionally, the Committee will accept public comments at the meetings, speakers are requested to submit a 2-week written request to speak at the meetings.

LEGISLATION:
ITEM #1 ORDINANCE
***1st Reading* - An Ordinance amending appropriations and to authorize additional inter-fund transfers for the current expenses and expenditures of the City of Painesville, State of Ohio for the fiscal year beginning January 1, 2023 and adopting the operating budget, and declaring an emergency.**

Finance Director Bill Parkinson spoke on this piece of legislation.

Mr. Parkinson stated the City if requesting a number of budget adjustments for various funds including a request for Police radios, Capitol Equipment Fund for traffic signal upgrades and CDBG block grant.

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

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

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

On roll call, Mr. Hach, Mr. Rodriguez, Mr. Abney, Mr. Augustine, Mrs. DiNallo and Mr. Fodor answered "Yes". Motion carried 6-0.
ORDINANCE 03-23 is ADOPTED.

ITEM #2 ORDINANCE
***1st Reading* – 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, 2023, and declaring an emergency.**

Finance Director Bill Parkinson spoke on this piece of legislation.

Mr. Parkinson stated this Ordinance is an inter-fund transfer between Electric funds for the purpose of boiler repairs at the Electric Plant.

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

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

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

On roll call, Mr. Rodriguez, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Hach and Mr. Fodor answered "Yes". Motion carried 6-0.
ORDINANCE 04-23 is ADOPTED.

ITEM #3 RESOLUTION
***1st Reading* – A Resolution authorizing and directing the City Manager to enter into a contract for the purchase of vacant land within the City of Painesville from Yates Land Holdings, LLC, and declaring an emergency.**

City Manager Doug Lewis spoke on this piece of legislation.

Mr. Lewis stated the City of Painesville was approached by Yates Land Holdings, LLC to determine if we would like to purchase approximately 1.96 acres of vacant land. The land contains approximately 375 feet of frontage along Shamrock Boulevard and is part of Permanent Parcel No. 35A0010000131.

The land could not be used by Yates Land Holdings (Seller) to build additional apartment units because of the density requirement. As such, when the City of Painesville purchases the property, the Board of Zoning Appeals will be asked to provide a variance to the Seller to continue to operate the apartment complex to allow the Seller to rebuild the apartment complex that is located on the land that remains in permanent parcel number 35-A-001-0-00-013-0 and to allow the Seller to rebuild the apartment complex with the same number of apartment units if for any reason the Seller elects to do so, provided that any new buildings would have to meet the zoning setbacks that are in place for the existing buildings. This transaction is also conditioned on the Painesville City Planning Commission approving the "Lot Split" for this transaction.

Mr. Lewis went on to say the City of Painesville offered and Yates Land Holdings accepted $100,000 for the purchase of the property. The City budgeted the $100,000 to purchase the property in the 2023 CIP Budget. Prior to purchasing, the City of Painesville had an appraisal of the property conducted which came in above the amount provided.

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

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

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

On roll call, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Hach, Mr. Rodriguez, and Mr. Fodor answered "Yes". Motion carried 6-0.

RESOLUTION 11-23 is ADOPTED.

ITEM #4 RESOLUTION

***1st Reading* – A Resolution authorizing and directing the City Manager to enter into a contract for the purchase of land within the City of Painesville from Liberty Painesville, LLC, and declaring an emergency.**

City Manager Doug Lewis spoke on this piece of legislation.

Mr. Lewis stated the City of Painesville approached representatives from CRM about purchasing permanent parcel #: 15C0010000170 owned by Liberty Painesville, LLC. The property is located off of Washington Street and consists of approximately 10 parking spaces. The City of Painesville is interested in purchasing the property because it will allow Renew Partners, in cooperation with the City of Painesville, to construct a promenade to connect the former Lake East Hospital Site to Veteran's Park in the heart of Downtown Painesville. The promenade was recognized as important feature of the Painesville Downtown Master Plan.

After months of negotiations, CRM has agreed to sell the property for $50,000 with a condition that they will have the right to plow snow from Permanent Parcel Nos. 15-C-001-0-00-018-0 and 15-C-001-0-00-019-0 onto the Property during the time that the City of Painesville owns Parcel No. 15-C-001-0-00-017-0. ("Snow Plowing Right'). As we have done previously, the Public Service Department will then remove the mounds of snow on this property as time permits.

The City of Painesville budgeted $125,000 in the 2023 CIP Budget to purchase the property and construct a portion of the promenade. Prior to purchasing, the City of Painesville had an appraisal of the property conducted and the opinion of cost was $40,000.

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

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

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

On roll call, Mr. Augustine, Mrs. DiNallo, Mr. Hach, Mr. Rodriguez, Mr. Abney and Mr. Fodor answered "Yes". Motion carried 6-0.

RESOLUTION 12-23 is ADOPTED.

ITEM #5 RESOLUTION

***1st Reading* – A Resolution authorizing the City Manager to enter into an agreement with Heritage Ohio, Inc, an Ohio non-profit corporation ("Heritage Ohio"), for participation in the Ohio Main Street Program, and declaring an emergency.**

City Manager Doug Lewis spoke on this piece of legislation.

Mr. Lewis stated The City of Painesville has been very supportive of Heritage Ohio, the Downtown Painesville Organization and the Ohio Main Street Program. It is important to have a thriving downtown and to be have an accredited Ohio Main Street Program. The City of Painesville has been a member of Heritage Ohio since the Downtown Painesville Organization began in 2011. Membership helps the City and the Downtown Painesville Organization maintain our accreditation as an Ohio Main Street Program. Membership provides a variety of benefits and this is the reason we are recommending renewal of our membership until such a time that the City determines it would like to terminate its membership. The annual cost to renew membership is $500.

Mr. Lewis noted that this item is budgeted under memberships in the Economic Development Director's budget.

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

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

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

On roll call, Mrs. DiNallo, Mr. Hach, Mr. Rodriguez, Mr. Abney, Mr. Augustine and Mr. Fodor answered "Yes". Motion carried 6-0.

RESOLUTION 13-23 is ADOPTED.

ITEM #6 RESOLUTION

***1st Reading* – A Resolution authorizing and directing the City Manager to apply for a State Homeland Security Grant and accept the award and advertise and enter into a contract, including any and all ensuing change orders, with the lowest and best bidder for portable police radios, and declaring an emergency.**

Police Lieutenant Toby Burgett spoke on this piece of legislation.

Lt. Burgett stated the majority of their police radios were purchased in 2010, many of which are at their life-cycle and unable to be upgraded. $61,000 was budgeted in Capital Funds for 2023 and they also received grant funds in the amount of $55,000 towards the purchase.

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

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

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

On roll call, Mr. Hach, Mr. Rodriguez, Mr. Abney, Mr. Augustine, Mrs. DiNallo and Mr. Fodor answered "Yes". Motion carried 6-0.

RESOLUTION 14-23 is ADOPTED.

ITEM #7 RESOLUTION

***1st Reading* – 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 purchase of equipment and the installation of a Splash Park at Kiwanis Recreation Park, and declaring an emergency.**

Recreation & Public Lands Director Michelle LaPuma spoke on this piece of legislation.

Ms. LaPuma requested permission to go out for bids for equipment and installation of a Splash Park. The City received some grants fund for this project and the City budgeted funds in the 2023 budget.

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

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

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

On roll call, Mr. Rodriguez, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Hach and Mr. Fodor answered "Yes". Motion carried 6-0.

RESOLUTION 15-23 is ADOPTED.

ITEM #8 RESOLUTION

***1st Reading* – 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 construction of the Shamrock/Brookstone water line extension and appurtenances thereto, and declaring an emergency.**

City Manager Doug Lewis spoke on this piece of legislation.

Mr. Lewis stated the City of Painesville identified the need to install a 12-inch water line from Renaissance Parkway underneath SR44 to Shamrock Boulevard. The project will provide redundancy and improved water quality to the residents west of SR 44. In addition, it will enable the City of Painesville to provide water to new industrial customers along Shamrock Boulevard and 200+ acres owned by the City of Mentor along Brookstone Boulevard.

The City of Painesville applied for a federal earmark for the project. At that time, the engineer's estimate was $715,000. We submitted an application for federal funding to

Representative David Joyce and Senator Sherrod Brown and were awarded $570,000. Since that time, the project cost increased due to materials and labor.

Mannik & Smith has completed the engineering and design as well as preparing all bid documents. We are working on acquiring necessary easements needed for the installation of the water line. The estimated cost of the project is $896,289. Mr. Lewis added this legislation will allow us to bid and award the project.

Mr. Lewis noted that the City has a federal earmark in the amount of $570,000 that was budgeted for the improvement in the 2023 CIP Budget. We also allocated $341,501 from the Shamrock Business Center TIF Fund to complete the project.

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

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

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

On roll call, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Hach, Mr. Rodriguez, and Mr. Fodor answered "Yes". Motion carried 6-0.

RESOLUTION 16-23 is ADOPTED.

UNFINISHED BUSINESS: None

NEW BUSINESS: Appointment of Water Superintendent

Mrs. DiNallo made a motion to table the appointment of Water Superintendent, seconded by Mr. Hach.

All Council Members were in favor by answering "Aye". Motion carried.

DEPARTMENTAL PRESENTATIONS: None

ADMINISTRATIVE REPORTS: Law Director and City Manager

Law Director Jim Lyons had no comments at this time.

City Manager Doug Lewis reported that there was a demolition meeting today for the Sheetz project. They should begin demolition on the buildings starting March 3, 2023 at Stage and Richmond Street. Mr. Lewis also mentioned the OML league put out an agenda guide, which we requested additional copies to hand out to Council members, which may provide good talking points when some member of City Council meet with State representatives and legislative staff.

CORRESPONDENCE: Clerk of Council

The next regular Council meeting will be held on Monday, March 6th at 7:30 PM. Black History Program at Lake County History Center will be held on Saturday, February 25th from 5:00 to 7:30 PM. The deadline to submit charter proposal changes to the Clerk of Council for Article 1 – 3 and 10 is Wednesday, March 1st.

CLOSING COMMENTS: Members of Council

Mr. Abney had no comments at this time.

Mr. Hach stated congratulations to Bella Donna on their award.

Mrs. DiNallo also congratulated Bella Donna stating it was an honor to participate in the award ceremony. Mrs. DiNallo advised Council her daughter is due to have her baby soon and that she may not be in attendance at the next Council meeting.

Mr. Augustine stated congratulations to Mary Jo and Bella Donna on the award. He also wanted to mention what a great resource of information the Speaking of Painesville newsletter provides to the community.

Mr. Rodriguez thanked people for attending the meeting either in person or virtually. He also congratulated Mary Jo on her award today. Mr. Rodriguez went on to mention that he recently attended the Lake County Choir festival which was an amazing show with multiple cities participating.

Mr. Fodor mentioned that Council's Strategic Plan was from 2018 so this may be a topic of discussion as to how Council would like to move forward to try and bring the Plan up to date. He also mentioned that he too received the Speaking of Painesville newsletter and agreed that there is a plethora of information included in it.

Mr. Fodor asked for a motion to move into the Executive Session.

Mr. Augustine motioned to move into an Executive Session BEING HELD IN ACCORDANCE WITH ARTICLE II, Section 6(1) To consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of an employee or official of the City, and 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, and seconded by Mrs. DiNallo.

All Council Members were in favor by answering "Aye". Motion carried to move into Executive Session at 8:17 PM.

Mr. Hach moved to adjourn the Executive Session, seconded by Mr. Abney.
On roll call, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Hach, Mr. Rodriguez, and Mr. Fodor were all in favor by answering "Yes". Motion carried at 9:21 PM.

Mr. Hach moved to adjourn the Regular Meeting, seconded by Mr. Augustine.
On roll call, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Hach, Mr. Rodriguez, and Mr. Fodor were all in favor by answering "Yes". Motion carried at 9:21 PM.

Meeting adjourned at 9:22 PM.

Helen Petersburg
Acting Clerk of Council

Jim Fodor
Vice President of Council