REGULAR COUNCIL MEETING
MONDAY, MARCH 6, 2023 – 7:30 PM
EXECUTIVE SESSION IMMEDIATELY FOLLOWING

CALL TO ORDER

President Christine Shoop 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 and Christine Shoop were present.

Other City Staff in attendance: City Manager Doug Lewis, Law Director Jim Lyons, Assistant City Manager Tony Zampedro, City Engineer Leanne Exum, Fire Chief Tom Hummel, Electric Superintendent Jeff McHugh, Finance Director Bill Parkinson, Police Administrative Lieutenant Toby Burgett, Economic Development Director Susan Crotty, Water Pollution Control Superintendent Kevin Aiken, and Clerk of Council Samantha Danielson.

APPROVE AGENDA AS SUBMITTED

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

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

INVOCATION was given by Councilperson Nick Augustine.

PLEDGE OF ALLEGIANCE was recited.

MINUTES: Special Meeting – Executive Session 02.21.23 and Regular Meeting 02.21.23

Mrs. Shoop asked for a motion to approve the minutes for the Special Meeting – Executive Session for February 21, 2023 and Regular Meeting for February 21, 2023.

Mrs. DiNallo moved to approve the minutes for the Special Meeting – Executive Session for February 21, 2023 and Regular Meeting for February 21, 2023, seconded by Mr. Hach.

Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Fodor, Mr. Hach, and Mr. Rodriguez were in favor by answering "Aye". Mrs. Shoop abstained from both. Motion carried. Minutes accepted.

SPECIAL PRESENTATION: Senator Cirino Legislative Update

Senator Cirino thanked Council for the opportunity to speak at tonight's meeting. The Senator was delighted that Painesville is part of the 18th District and continued to describe how the district has changed since the 2000 Census. Lake County, which is 2/3 of the senate district from a population stand point, is now entirely in his district. He shared the names of the committees he serves on which gives him the visibility to see what is going on and to properly represent his constituents. He wants Northeast Ohio, in regards of involvement, engagements, and project funding to get its fair share and his continued support. During the 134th General Assembly, a number of tax issues, educational, capital and general fund projects, and economic development incentives and activities in regards to workforce issues and availability were discussed. Currently, the transportation budget, the general fund budget, educational funding related to K-12 and higher education and workforce development will be discussed during the 135th General Assembly and needs to be passed by June. He spoke about a bill in regards to major reforms for state funded higher education that he will introduce. The Senator outlined the Governor's Proposed Budget timeline and will be looking for requests from Painesville for projects to be funded and the process of selection. He mentioned House Bill 1, which will negatively affect and creates a disadvantage to local government and states he is looking out for Painesville's best interest. Mr. Hach brought forth a concern about electrical transmission and cost issues. Senator Cirino stated Ohio does not currently have an energy policy but would like to work on a policy to address concerns.

PUBLIC COMMENTS: None

COMMITTEE REPORT: Finance Committee

Mr. Fodor reported for this committee which was held on March 2, 2023. He reported on the following items: Discussion ensued about the close-out of 2022 which is in the black; the projections of 2023; an update on ARPA funds was given and how they were being spent; discussed the amount of debt the City has currently, which is not huge due to the City pays as it goes on projects and low interest rates on loans; Finance Department is restructuring to be more effective and efficient; and the FEMA S.A.F.E.R. Grant was discussed and supported by the committee.

LEGISLATION:

ITEM #1 ORDINANCE

***1st Reading* – An Ordinance amending Section 167.07, of the Painesville Code of 1998 relating to the Classification and Compensation Plan, and declaring an emergency.**

City Manager Doug Lewis spoke on this piece of legislation. He stated this was a position budgeted in 2023 as apposition of SCADA Maintenance Worker in the Electric Division. This will be a shred position with the Water Pollution Control Plant. After the addition is approved, the City will move forward with the posting and filling of the position. This can go three readings.

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

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

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

On roll call, Mr. Fodor, Mr. Hach, Mr. Rodriguez, Mr. Abney, Mr. Augustine, Mrs. DiNallo, and Mrs. Shoop answered "Yes". Motion carried 7-0.

ORDINANCE 05-23 is ADOPTED.

ITEM #2 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 2023 Asphalt Resurfacing of Various Roads Project, and declaring an emergency.**

City Engineer Leanne Exum spoke on this piece of legislation. She stated this legislation is for the paving of Bank Street, Elm Street and North St. Clair Street. It was being asked to be passed at tonight's meeting. Mr. Fodor commented on the information about the history of the roads which was found on the CM Report.

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

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

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

On roll call, Mr. Hach, Mr. Rodriguez, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Fodor, and Mrs. Shoop answered "Yes". Motion carried 7-0.

RESOLUTION 17-23 is ADOPTED.

ITEM #3 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 Rehabilitation of Sanitary and Storm Sewers on Liberty Street, and declaring an emergency.**

City Engineer Leanne Exum spoke on this piece of legislation. She stated that Liberty Street is scheduled to be paved in 2024. The City televised the sanitary and storm sewers to see the conditions which are in poor condition. The City will come back for more funds next year because the City can only repair from the tracks south this year with the monies that has been budgeted. Repairs need go to Route 84 and paving will be a joint effort with the county.

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

On roll call, Mr. Rodriguez, 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. Rodriguez, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Fodor, Mr. Hach, and Mrs. Shoop answered "Yes". Motion carried 7-0.

RESOLUTION 18-23 is ADOPTED.

ITEM #4 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 Reconstruction of Reed Avenue Project, and declaring an emergency.**

City Engineer Leanne Exum spoke on this piece of legislation. She stated Reed Avenue was suppose to be resurface last year but due to budget constraints and inflation the City was not able to complete. Reed Avenue will be resurfaced this year using OPWC funding. The roadway will be reconstructed and work will include the installation of a new storm sewer, curbs, cement stabilization and asphalt pavement. Mrs. DiNallo expressed a concern about the bid coming in higher than expected. Mrs. Exum stated the prices were inflated so they will be close to the estimate.

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

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

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

On roll call, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Fodor, Mr. Hach, Mr. Rodriguez, and Mrs. Shoop answered "Yes". Motion carried 7-0.

RESOLUTION 19-23 is ADOPTED.

ITEM #5 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 Sidewalk Replacement at 475 Railroad Street, and declaring an emergency.**

City Engineer Leanne Exum spoke on this piece of legislation. She stated the City applied CDBG funding along with the Railroad Museum to construct their sidewalk. This legislation is for the City to move forward and bid the project out. The project will not be funded by the City. It will be funded by CDBG and the Painesville Railroad Museum.

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

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

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

On roll call, Mr. Augustine, Mrs. DiNallo, Mr. Fodor, Mr. Hach, Mr. Rodriguez, Mr. Abney, and Mrs. Shoop answered "Yes". Motion carried 7-0.

RESOLUTION 20-23 is ADOPTED.

ITEM #6 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 Streetscape Improvements Project, and declaring an emergency.**

City Engineer Leanne Exum spoke on this piece of legislation. She stated this is for the streetscape project from the Chase Building to Victoria Place. Mrs. DiNallo asked about the design changes. Mrs. Exum stated the City is doing the same kind of elements found on Main Street and by the county building. They will be similar to the streetscape projects that the City has completed.

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

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

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

On roll call, Mrs. DiNallo, Mr. Fodor, Mr. Hach, Mr. Rodriguez, Mr. Abney, Mr. Augustine, and Mrs. Shoop answered "Yes". Motion carried 7-0.

RESOLUTION 21-23 is ADOPTED.

ITEM #7 RESOLUTION

***1st Reading* – A Resolution authorizing and directing the City Manager to apply for and accept funding from the FEMA S.A.F.E.R. Grant, for the purpose of hiring additional fire personnel, and declaring an emergency.**

Fire Chief Hummel spoke on this piece of legislation. Chief Hummel stated the Fire Department has been operating with 8-person shifts since 2008, when shift manning was reduced through attrition, due to devastating financial impacts sustained by the City. Since that time, response volume has almost doubled, with no increases in Fire Department staffing. This has caused a work load increase on available firefighters that is becoming difficult to sustain. Firefighters have been asked to work excessive overtime to maintain a 6-person minimum staffing level as a result of injuries and increased use of sick leave in the Fire Department. Additionally, day-to-day work, training and Public Education have suffered due to the lack of staffing. The Federal Emergency Management Agency (FEMA) offers a grant program for cities to take advantage of where we can add staff at no cost. All costs for salary and benefits are covered at 100% for the 3 years of the performance period which includes all step and contract salary increases and medic bonuses. The City will be responsible for any overtime costs, uniform and equipment under this grant. These costs will come out of the 5-year Fire Levy. The goal is to maintain a 7-person duty shift daily without a significant impacting the overtime budget. This would also provide more staff for firefighting and EMS operations. After the 3 year performance period, the City can reapply for the grant if available. If not, the City will be responsible for funding those positions. Mr. Fodor expressed this is definitely needed due to the City's population increase and additional funding will need to sought to insure the safety of our residents and personnel. Chief Hummel spoke on the response time and handling emergencies more efficiently.

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

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

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

On roll call, Mr. Fodor, Mr. Hach, Mr. Rodriguez, Mr. Abney, Mr. Augustine, Mrs. DiNallo, and Mrs. Shoop answered "Yes". Motion carried 7-0.

RESOLUTION 22-23 is ADOPTED.

ITEM #8 RESOLUTION

***1st Reading* – A Resolution authorizing and directing the City Manager to apply for and to accept funding through the State of Ohio's Safe Routes to School Infrastructure Program to install a sidewalk along Elm Street, and declaring an emergency.**

Engineer Leanne Exum spoke on this piece of legislation. She stated the City completed the Safe Route to School plan with ODOT last year and applied for our first Safe Route to School Grant for sidewalks on Elm Street from Lighthouse Pointe Drive to the elementary. This legislation is to install sidewalks on Elm Street from Lighthouse Pointe to North State Street. The application would be completed once the legislation is adopted and submitted to them.

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

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

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

On roll call, Mr. Hach, Mr. Rodriguez, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Fodor, and Mrs. Shoop answered "Yes". Motion carried 7-0.

RESOLUTION 23-23 is ADOPTED.

ITEM #9 RESOLUTION

***1st Reading* – A Resolution authorizing and directing the City Manager to enter into a lease agreement with Grand Rock Co., Inc., for the purpose of business retention and expansion, and declaring an emergency.**

John Polz, of Grand Rock Co., asked to speak on this piece of legislation. He stated Grand Rock is looking to expand and due to COVID shutdowns it was not possible. Since then they acquired a machine to expand their footprint and would bring in more jobs, they are looking for a space to store their raw material. They currently have an offsite storage facility, but it is not adequate in size. The proposed space the City Manager has offered allows them to store their raw material and to expand their footprint. For the duration of the lease, they would be able to look for other property to build an additional building or add onto their facility for production. It is a temporary situation.

City Manager stated Grand Rock was working with the former Economic Director for a period time trying to locate space. This now coincided with the City buying the CRE Building. This is a short term lease situation, which will generate revenue for the City to pay for costs of maintaining the building while it is being evaluated for the feasibility of future uses. It is the Cities recommendation to bring this piece of legislation forward and enter into a lease at a rate of $2,500/month which includes the cost of utilities with Grand Rock. It was asked to be passed at tonight's meeting to move forward.

Mrs. DiNallo asked about access to the building. It was clarified that they would have limited access to the building. An insurance issue was brought forth and it was clarified that it was in the lease agreement.

Law Director Mr. Lyons clarified the specific location of building on the property as per the agreement. Discussion ensued about the use of the building, protection of City property and the type of material being stored in the building by Grand Rock. Mr. Polz clarified the material is various sizes of raw tubing. Mr. Polz agreed he would not have any objections to add language to the lease to limit what is being stored in the building. Mr. Polz also added that only three employees will have access to this building, and agreed to add language to the agreement to identify those individuals. These items or language can be incorporated into the lease agreement by the Administration, and a motion to amend the language would need to be made. Administration agreed to the changes per the Law Director's advice. The language of the motion to be incorporate into the agreement was that materials stored would be bundles of tubing and three designated Grand Rock employees would have access to the building.

Mrs. DiNallo made a motion to amend based on the advice of the Law Director and the agreement of the Administration and Grand Rock, seconded by Mr. Augustine.

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

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

On roll call, Mr. Rodriguez, 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. Hach.

On roll call, Mr. Rodriguez, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Fodor, Mr. Hach, and Mrs. Shoop answered "Yes". Motion carried 7-0.

RESOLUTION 24-23 is ADOPTED.

ITEM #10 RESOLUTION

***1st Reading* – A Resolution strongly urging Ohio Governor Michael DeWine and the members of the Ohio General Assembly to restore the Local Government Funds to pre-recession levels, and declaring an emergency.**

City Manager Doug Lewis spoke on this piece of legislation. He stated the Local Government Fund ("LGF") was a major source of funding prior to 2011 when Governor Kasich's Administration reduced the allocation by 50%, from 3.68% of General Revenue Funds to its current level of 1.66% of General Revenue Funds. In addition, the Ohio General Assemblies have repeatedly decreased funding and revenue sharing in recent years in addition to significantly reducing the LGF, including eliminating the Estate Tax and phasing out the Tangible Personal Property Tax. Those reductions have resulted in an assault on local governments, making it increasingly difficult for local governments to provide basic services to rebuild infrastructure (specifically roads) and to fund public safety services without necessary levies. The reductions in LGF have resulted in over $1.8 million in funding to the General Fund

of the City of Painesville to pay for basic services. As a result, we are asking Governor DeWine and our Elected Officials in Columbus to reinvest in local governments and fully restore the LGF. The City of Painesville would benefit from an increase in the General Fund, allowing us to pave roadways and bolster our public safety services properly to protect the residents of Painesville. As cities do well, so will the State of Ohio. No funding is required. It was recommended this legislation is approved on first reading so we can send a letter with the attached Resolution to Governor DeWine, Senator Jerry Cirino and Representative Jamie Callender requesting that LGF be restored.

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

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

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

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

RESOLUTION 25-23 is ADOPTED.

ITEM #11 RESOLUTION

***1st Reading* – A Resolution authorizing and directing the City Manager to enter into and execute a Real Estate Purchase Option Agreement with the Board of Directors of the Lake County Port Authority for a certain parcel of land located in the City of Painesville, and declaring an emergency.**

City Manager Doug Lewis spoke on this piece of legislation. He stated over the past year and a half, the City of Painesville has been working with Grand River Walk to build a mixed use development on the former Hotel site. It appears both parties have completed their due diligence and met the responsibilities outlined in the Development Agreement executed on July 1, 2022. As such, the City of Painesville is required to acquire the land "while engaged in urban development" to provide incentives under the 41 TIF. Since we already own the property, it is necessary to transfer the property to the Lake County Port Authority and then acquire it from them. In other words, to meet the Ohio Revised Code requirement, we are "required to acquire the land while engaged in urban development". Thus, we must transfer the land to the Lake Port Authority and then they will transfer it back to the City of Painesville for one dollar ($1.00). The Resolution authorizes the City Manager to enter into a Real Estate Purchase Option Agreement with the Board of Directors of the Lake Port Authority in order to meet the requirement described above. We will be transferring the property to the Lake Port Authority and any addition to the purchase price, there will be title work and legal fees. We do not expect these fees to be more than $5,000 and will be paid at the closing. In order to meet the T-MUD requirements that the property be transferred to Grand River Walk, LLC with 60 days of the award, staff recommends this legislation is approved on first reading. The actual deadline is March 24, 2023. This will provide staff time to complete the transaction to transfer the property to Grand River Walk, LLC. This will set the baseline for the property at the Lake County Auditor's site.

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

On roll call, Mr. Augustine, Mrs. DiNallo, Mr. Fodor, Mr. Hach, Mr. Rodriguez, 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. Rodriguez, Mr. Abney, and Mrs. Shoop answered "Yes". Motion carried 7-0.

RESOLUTION 26-23 is ADOPTED.

ITEM #12 RESOLUTION

***1st Reading* – A Resolution authorizing the City Manager to sign the Warranty Deed to transfer the property at 257 East Main Street to Grand River Walk, LLC pursuant to the terms of the Development Agreement that was entered into between the City and Grand River Walk, LLC on July 1, 2022, and declaring an emergency.**

City Manager Doug Lewis spoke on this piece of legislation. He stated on July 1, 2022 signed a Development Agreement for the City owned property located at 257 E. Main Street. The City Council approved the terms and conditions of this Development Agreement by way of

Resolution No. 38-22. The terms of the Development Agreement required the Developer to provide a Proforma and 30-year tax analysis pertaining to the Project to the City's third party independent financial consultant for review. The third-party financial consultant reviewed the risk with the City Manager, Assistant City Manager, Law Director, Economic Development Director and Planning Consultant. Based on the consultation and report of the third party independent financial consultant which is attached to the legislation as Exhibit A, the City Manager recommends that this project should move forward and the City should issue its deed to the Developer. Staff has also reviewed the Development Agreement and determined that Grand River Walk, LLC has met most of the terms of the agreement. Remaining terms will be completed shortly. In fact, Grand River Walk will be applying for their conditional use permit at the April 13th, 2023 Planning Commission Meeting. The developer has also submitted a letter of commitment to build the project along with a project timeline. The Development Agreement requires a property reversion clause in order for Council to approve the transfer of the Property and the Warranty Deed from the City to the Developer contains the Reversionary Clause. In light of the remaining items to be completed by both parties, Council and the City Administration have conducted their due diligence on this Project. As such, the Administration recommends that the Project go forward and the City transfer the deed to Grand River Walk, LLC as is provided for in the Development Agreement with the Reversionary Clause that is set forth within both the Development Agreement and the Deed. The City of Painesville will be transferring parcel at 257 Main Street to Grand River Walk, LLC. The Lake County Auditor's Office values the land at $64,030. Mr. Lewis continued to say the Developer contacted regarding the Reversionary Clause asking to extend it to 24 months or as long as TMUD funding is available. Additional language was added to paragraph one, last sentence, under the Reversionary Clause "or if both parties agree" to the Warranty Deed. Law Director Mr. Lyons gave his legal advice on the matter.

Mr. Augustine motioned to amend the paragraph to reflect the language change where both parties agree, seconded by Mr. Rodriguez.

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

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

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

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

On roll call, Mrs. DiNallo, Mr. Fodor, Mr. Hach, Mr. Rodriguez, Mr. Abney, Mr. Augustine, and Mrs. Shoop answered "Yes". Motion carried 7-0.

RESOLUTION 27-23 is ADOPTED.

ITEM #13 RESOLUTION

***1st Reading* – A Resolution authorizing the City Manager to sign the necessary documents to allow the City to participate in the Teva, Allergan, CVS, Walmart, and Walgreens Opioid Settlements, and declaring an emergency.**

City Manager Doug Lewis spoke on this piece of legislation. He stated the City of Painesville is a participant in the OneOhio lawsuit against Janssen and Johnson & Johnson for their alleged involvement in the opioid epidemic that severely impacted the State of Ohio and the City of Painesville. Numerous municipalities and other political subdivisions within the State of Ohio are also participants in the lawsuit. The City has signed a Memorandum of Understanding with the Ohio Attorney General that allows the City to participate in settlements that are reached with various entities that are and were in the opioid distribution business that has been the subject of extensive litigation throughout the Country. Monetary settlements have been reached with Teva, Allergan, CVS, Walmart, and Walgreens and these settlements will provide money to the City that can be used for programs related to opioid use and to mitigate the effects of opioid use. In order to participate in these settlements, the City must sign the necessary documents to "opt-in" to these settlements and it is the opinion of the Administration that the City should opt-in to these settlements. In the Janssen and Johnson & Johnson settlement the City will receive $38,000 over nine years. The recommendation is to approve the Resolution on first reading.

Law Director Mr. Lyons stated that the City is not formally part of the lawsuit, instead the Ohio Attorney General urged communities to join the Attorney General's Office to reach a global settlement. If the City did not do this, then the City would have to file a lawsuit in order to participate in any money from the five defendants. A formal resolution is needed.

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

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

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

On roll call, Mr. Fodor, Mr. Hach, Mr. Rodriguez, Mr. Abney, Mr. Augustine, Mrs. DiNallo, and Mrs. Shoop answered "Yes". Motion carried 7-0.

RESOLUTION 28-23 is ADOPTED.

UNFINISHED BUSINESS: The appointment of Water Superintendent was voted on after the Executive Session.

NEW BUSINESS: Police Levy and Strategic Plan

Police Levy

Mr. Fodor spoke on this matter stating the Police Levy is being looked at to be placed on the ballot this November. In order to do so, the City will need to take the necessary steps and start the process. Lt. Burgett provided Council with information about the General Fund if the levy did not pass. It was clarified that the Police Levy is a renewal and Council Members agreed for City Manager Lewis to proceed and move forward with it.

Strategic Plan

Mr. Fodor spoke on this matter stating that the Council's Strategic Plan was from 2018-2022 and needs to be revisited. Council Members are to contact Mr. Fodor for further discussion with how Council would like to proceed in refurbishing the Strategic Plan.

DEPARTMENTAL PRESENTATIONS: Water Pollution Control Plant

A presentation was given by Water Pollution Control Superintendent Kevin Aiken. He gave a brief overview of the plant, public engagements with NESOWEA and Channel 5 News, improvements within the plant, and future projects. Mr. Rodriguez commented positively about a recent tour he took of the plant. Mr. Rodriguez asked where residents could dispose of old medications. It was clarified by Chief Hummel to take old medications to the Sheriff's Department. See attached slides of presentation.

ADMINISTRATIVE REPORTS: Law Director and City Manager

Law Director Jim Lyons had not comments at this time.

City Manager Doug Lewis commented on the following items: Reliability First will be conducting a Painesville Community Appraisal of the Electric Response and Reliability. A number of employees took part to evaluate our response and reliability to potential emergencies; State of the City is Thursday, March 9th at 8:00 AM; We the People Day will be held on April 3rd at 5:30 p.m. in Courtroom #1; Sheetz has started their demolition; Job Openings: There are a number of open positions with the City of Painesville and interested parties can go to https://www.painesville.com/employment; Light Bulb Give-Away: Joughin's and Painesville Furniture have agreed to participate in the give-away. The program starts around April 22, 2023 for Earth Day and there will be a variety of different lightbulbs, but all 60 Watt LED. The cost will be $1 per light bulb, and they can get one each month until we run out. More information will be available on the City's website; Lake County Board of Elections informed the City that the new ward maps have been updated and letters were sent to our residents. The majority of them will continue to vote in the same location. Residents having questions should contact the Lake County Board of Elections; Grants and Federal Earmark: Staff have been working on grants and federal earmark requests; Fairport Water Vault and Bids will be moving forward with their project; and Water Distribution is making improvement to building at Chester Street and heating has been installed.

CORRESPONDENCE: Clerk of Council

The next regular Council meeting will be held on Monday, March 20th at 7:30 PM; and Charter Review Committee Meeting will be held on Wednesday, March 15th at 6:00 PM to review Articles 1-3 and 10 of the City Charter.

CLOSING COMMENTS: Members of Council

Mr. Fodor had no comments at this time.

Mr. Abney had no comments at this time.

Mr. Hach had no comments at this time.

Mrs. DiNallo thanked Senator Cirino for the legislative updates, and appreciates the need to address the workforce issues that impact the community and economic development. She thanked Mr. Lewis for working well with the other elected officials, and has received positive comments about him. She also appreciates the progress the City is making on the roads, and thanked Leanne Exum for her investment and keeping Council informed. She stated "God Bless" our firefighters and staff, and she was glad to help with passing the legislation.

Mr. Augustine commented about the thirteen pieces of legislation which passed tonight and clarified the language "declaring an emergency" which helps in moving things forward in the City. He thanked the Administration for putting things together and for Council reviewing and keeping things moving forward.

Mr. Rodriguez thanks all who attended tonight's meeting and watched at home.

Mrs. Shoop thanked Chief Hummel and the firefighters who attended tonight's meeting and commented how marvelous it was they attended to show support.

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

Mr. Fodor motioned to move into 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 seconded by Mr. Hach.

All Council Members were in favor by answering "Aye". Motion carried to move into Executive Session at 9:20 PM.

Mr. Hach made a motion to adjourn the Executive Session, seconded by Mrs. DiNallo. All Council Members were in favor by answering "Aye". Motion carried to adjourn the Executive Session at 10:24 PM.

Mr. Hach made a motion to convene the Regular Meeting, seconded by Mr. Augustine. All Council Members were in favor by answering "Aye". Motion carried to convene the Regular Meeting at 10:25 PM.

UNFINISHED BUSINESS: Appointment of Water Superintendent

Administration was recommending the appointment of Orin McMonigle to fill the position of Water Superintendent. Mr. Lewis, therefore, submitted for Council's concurrence Orin McMonigle for the position of Water Superintendent as required by Article II, Section 3 of the City of Painesville Charter. Mr. Lewis respectfully request City Council's confirmation.

Mrs. Shoop asked for a motion to appoint Orin McMonigle as Water Superintendent.

Mr. Fodor made a motion to appoint Orin McMonigle as Water Superintendent, seconded by Mr. Augustine.

On roll call, Mr. Augustine, Mrs. DiNallo, Mr. Fodor, Mr. Hach, and Mrs. Shoop answered "Yes". Mr. Rodriguez and Mr. Abney answered "No". Motion carried.

Mr. Hach made a motion to adjourn the Regular Meeting, seconded by Mrs. DiNallo. All Council Members were in favor by answering "Aye". Motion carried to adjourn the Regular Meeting at 10:26 PM.

Meeting adjourned at 10:26 PM.

Samantha Danielson
Clerk of Council

Christine Shoop
President of Council

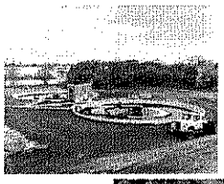


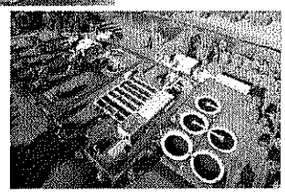
Water Pollution Control Plant

Overview

-The Painesville WPCP is an activated sludge type treatment facility designed for an average daily flow of 6 MGD.

The WPCP has 13 employees and is staffed 365 days a year. Each operator is required to have a minimum of a Class I wastewater license approved by the Ohio EPA.



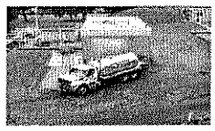


Where does it come from?

-Sewage moves from residences toward the wastewater plant primarily by gravity flow through sewer lines.
-8 lift stations pump sewage from lower lying areas to gravity interceptors.
-6 Significant Industrial Users (SIU) also discharge waste to the WPCP.
-Septage trucks can discharge with permit as well.



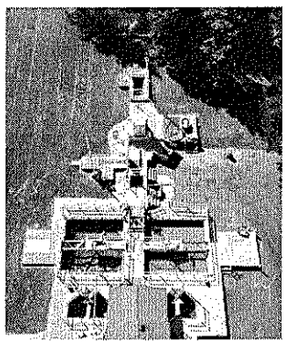
Lubrizol
PCC Airfoils, LLC
CINTAS
READY FOR THE WORKDAY



Preliminary Treatment

-The bar screen removes large objects such as rags and plastic from the wastewater which protects pumps and equipment throught the process.

-Solids such as gravel, sand, or even coffee grounds settle out in the grit chambers which reduces wear on pumps and other equipment throught the plant.

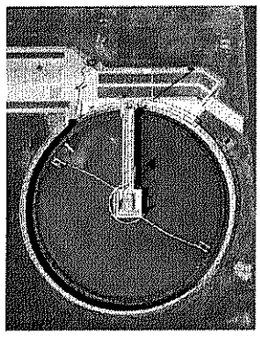


Primary Treatment

-Wastewater flow is slowed down and heavier organic material settles to the bottom by gravity.

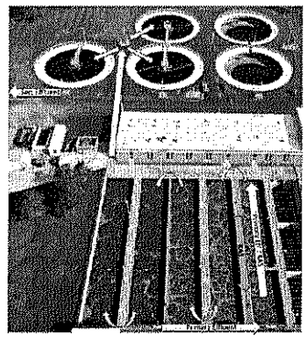
-The material that settles is called sludge or biosolids.

- Primary clarifier #3 components scheduled to be replaced by end of 2021.



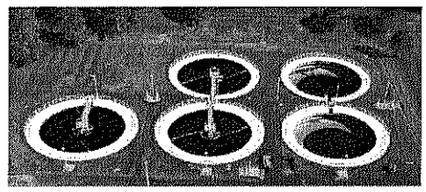
Activated Sludge Treatment

-The activated sludge process uses microorganisms that feed on organic contaminants in wastewater.



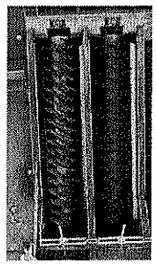
Secondary Treatment

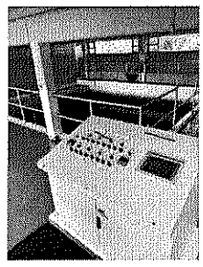
-From the aeration tanks water flows to the final clarifiers for further removal of sludge.



Tertiary Filters

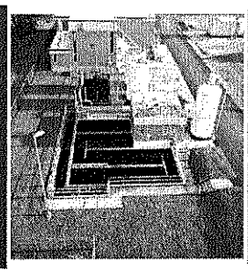
-Tertiary filters remove additional suspended solids and a further reduction of the biochemical oxygen demand (BOD).

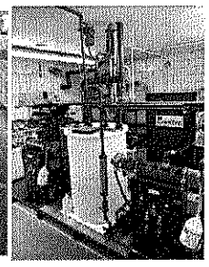




Disinfection

- The WPCP produces its own Sodium Hypochlorite (chlorine) which we use for disinfection.





Public Engagement

NESOWEA

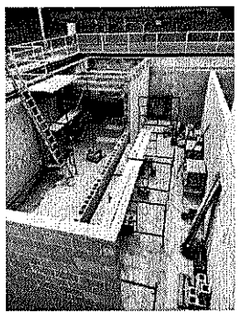
-Hosted the Fall Section Meeting and Plant Tour in September 2022.

- Close to 200 OWEA members attended and toured the facility.



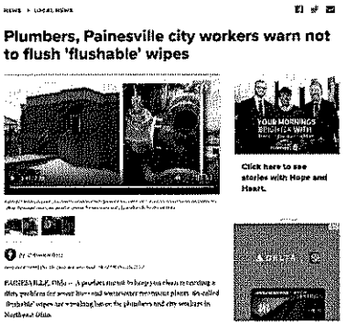
Chlorine Contact Chamber

- Originally installed in the 1970's plant upgrade.
- Used to give chlorine time to disinfect plant effluent water before being discharged to the Grand River.
- Walls were falling over.
- Paid with 2022 capital money



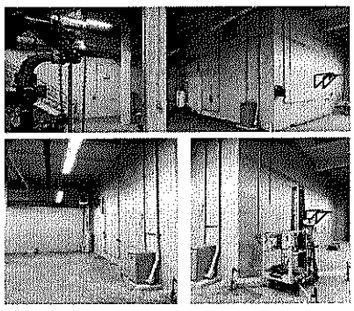
Channel 5 News

- Channel 5 News contacted City of Painesville WPCP to do a segment on "flushable wipes".
- WPCP used the interview time to warn public not to flush "flushable wipes" down the toilet.



Painting

- Was originally painted in the 1970's plant upgrade.
- All work performed by plant staff when time permits.
- Improves appearance of facility.
- Have also done work in the Tertiary Building.



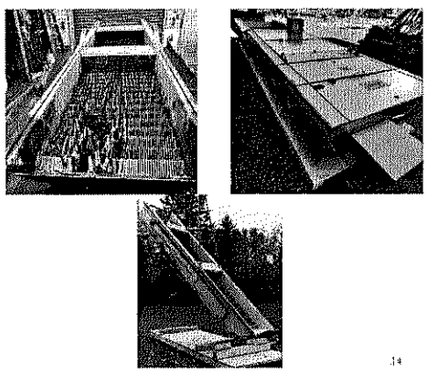
Improvements

Future Projects

- Anaerobic Digester / Recreation Park wet well expansion.
- NPDES permit renewal with the Ohio EPA.
- Replace diffusers in #1 aeration basin.
- Elevator cylinder replacement (currently out of service).
- Merge SCADA with Electric Plant. (savings to both facilities)
- Replace Media in the tertiary filter beds.
- Install permanent generators at pump stations throughout the City

Step Screen Replacement

- Originally installed in 2006.
- Ran virtually trouble free for 16 years.
- Replacement took almost 8-months.
- All work was performed by WPCP staff with help from the Electric Distribution tree crew.



THANK YOU

Questions?

Diffuser Upgrade

- Original design was stone coarse air diffusers.
- Upgraded in 2009 to rubber fine air diffusers.
- Upgrade was problematic because it was a retrofit from stone diffusers to the rubber replacements.
- New tube style
  - Much smaller footprint.
  - More efficient.
  - Easier to clean under when taking a tank out of service.

