REGULAR COUNCIL MEETING
MONDAY, JUNE 5, 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, Lori DiNallo, Jim Fodor, Paul Hach, Mario Rodriguez and Christine Shoop were present. Nick Augustine arrived at 7:31 PM.

Other City Staff in attendance: City Manager Doug Lewis, Assistant City Manager Tony Zampedro, Law Director Jim Lyons, Economic Development Director Susan Crotty, Director of Planning Sarah Sitterle, Electric Superintendent Jeff McHugh, Fire Chief Tom Hummel, Police Administrative Lieutenant Toby Burgett, and Clerk of Council Samantha Danielson.

APPROVE AGENDA AS SUBMITTED

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

Mr. Fodor made a motion to approve the agenda as submitted, 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.

SPECIAL PRESENTATION: "Keep Painesville Beautiful" Poster Contest Winners

There was a special presentation for the winners of the 2023 "Keep Painesville Beautiful" Poster Contest. Second and third graders throughout the city were asked to create artwork that promoted anti-littering and keeping the city beautiful. All the entries were fantastic examples of taking care of the community. Proclamations and awards, along with their poster, were presented tonight. Best in Show and 1st Place Winner is Finnigan Taylor from Chestnut Elementary; 1st Place Winner is Gia An Nguyen from Maple Elementary, 1st Place Winner is Gisselle Gomez Lopez from Elm Elementary, and 1st Place Winner is Irene Molnar-Williams from Our Shepherd School. Congratulations to our 2023 "Keep Painesville Beautiful" Poster Contest Winners!"

MINUTES: Regular Meeting 05.15.23

Mrs. Shoop asked for a motion to approve the minutes from the Regular Meeting on May 15, 2023.

Mr. Fodor moved to approve the minutes from the Regular Meeting on May 15, 2023, seconded by Mrs. DiNallo. All Council Members were in favor by answering "Aye". Motion carried. Minutes approved.

PUBLIC COMMENTS: None

COMMITTEE REPORT: None

LEGISLATION:

ITEM #1 ORDINANCE

2nd Reading* – An Ordinance amending Chapter 1507 of the Codified Ordinances of the City of Painesville, Ohio, titled, "General Provisions", and declaring an emergency. *(1st Reading 05.15.23)

Fire Chief Tom Hummel spoke on this piece of legislation. He provided Council Members with additional information/handouts regarding electrical vehicle fires due to charging. He explained how fast and violent the fires can be. This legislation is being proposed for the concern of electrical vehicle fires and documents attached explain that fires are most common in charging, when batteries are damaged for whatever reason, often creates a fire. To have a fire of this magnitude inside a building, especially in a lower level, would be devastating due to the difficulty to put it out since it burns differently, more dangerous gases, burns much hotter and longer, than a normal fire. The reason for this legislation is to make sure the City does not have charging stations inside parking structures. Outside stations would be more manageable. Chief Hummel explained the City currently has an encapsulating foam to use on electrical fires. He

explained how a battery can cause fire damage and cause an explosion. Currently, there is no data on how many electrical vehicles there are in Painesville, but speculates there will be more in the future. There are recommendations in the NFPA to have a fire extinguisher at the charging station but the best way to minimize the hazard is to have charging stations outside.

This will go to third reading.

ITEM #2 ORDINANCE
2nd Reading* – 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 Numbers 15C-001-0-00-001-0 & 15C-001-0-00-026-0, located at 100 S. Park Place and 66 S. St. Clair Street, respectively, from B-3, Central Business District to DD, Downtown Development District, and declaring an emergency.** ***(1st Reading 05.15.23)

Director of Planning Sarah Sitterle spoke on this piece of legislation. She stated this legislation is for the redevelopment of the Victoria Place site and the rezoning is to facilitate that redevelopment. There are two parcels involved, one including the Victoria Place Building and the other is a City parking lot. There will be covenants that will apply to the development of the building but not the parking lot. There is a draft development agreement that has been prepared that will apply to the development. This Ordinance can go three readings. A Public Hearing has been scheduled for June 20, 2023. The apartments' floor plans are still at the concept stage and will be submitted after other processes have been completed.

This will go to third reading.

ITEM #3 ORDINANCE
2nd Reading* – An Ordinance declaring the improvement to certain parcels of real property within the city to be a public purpose and exempt from taxation pursuant to ORC Section 5709.41; providing for the collection and deposit of service payments; specifying the purposes for which those service payments may be expended; and authorizing school compensation payments.** ***(1st Reading 05.15.23)

City Manager Doug Lewis spoke on this piece of legislation. He stated this legislation is a revision of our prior TIF agreement with the schools. This would allow the developer to issue bonds for their project based on TIF revenues. They would be able to use the TIF revenues to pay off the bonds. This is the changed they requested and that is why it was necessary to modify the TIF agreement with the schools. The agreement must go through three readings with the final reading on June 20, 2023. The schools are hearing the amended modified school agreement on June 12, 2023, so it is necessary they pass it before Council does. This is for Victoria Place.

This will go to third reading.

ITEM #4 ORDINANCE
2nd Reading* – An Ordinance declaring the improvement to certain parcels of real property within the city to be a public purpose and exempt from taxation pursuant to ORC Section 5709.41; providing for the collection and deposit of service payments; specifying the purposes for which those service payments may be expended; and authorizing school compensation payments.** ***(1st Reading 05.15.23)

City Manager Doug Lewis spoke on this piece of legislation. He stated this is like the last piece of legislation except it is for Grand River Walk, LLC. This would only change the agreement would be to use the TIF funds to pay off the bonds. The actual percentages that are provided to the schools and to the City are exactly the same as the prior agreement; no change to the distribution. Mr. Lewis will provide the funding/payment distribution and schedule to the Council Members.

This will go to third reading.

ITEM #5 RESOLUTION

Mrs. Shoop asked for a motion to remove Item #5 Resolution from the table.

Mr. Fodor motioned to remove Item #5 Resolution from the table, seconded by Mr. Abney. All Council Members were in favor by answering "Aye". Motion carried.

Mrs. Shoop asked for a motion to remove Item #5 Resolution from the agenda.

Mr. Fodor motioned to remove Item #5 Resolution from the agenda and replace it with Item #6 Resolution, seconded by Mrs. DiNallo. All Council Members were in favor by answering "Aye". Motion carried.

ITEM #5 RESOLUTION REMOVED
A Resolution declaring the amount of taxes that may be raised by a levy at the maximum rate authorized by law without a vote of the electors to be insufficient, and declaring the necessity to renew a 2.5 mill levy tax in excess of the ten (10) mill limitation for the purpose of hiring new officers, police capital expenses, police operating expenses, and police wages and benefits used directly in the operation of a police department for the City of Painesville, and declaring an emergency.

This item was removed from the agenda due to the City not having the valuation certified from the Lake County Auditor's office and was replaced with the next piece of legislation Item #6 Resolution.

ITEM #6 RESOLUTION
***1st Reading* – A Resolution declaring the amount of taxes that may be raised by levy at the maximum rate authorized by law without a vote of the electors to be insufficient, and declaring the necessity to renew a 2.50 mill tax in excess of the ten (10) mill limitation for the purpose of hiring new officers, police capital expenses, police operating expenses, and police wages and benefits used directly in the operation of a police department, pursuant to Sections 5705.03 and 5705.19 of the Revised Code, and declaring an emergency.**

City Manager Doug Lewis spoke on this piece of legislation. He stated It has been determined that it is necessary to renew, for five years, an existing 2.5 mill tax levy outside of the ten-mill limitation in excess of such limitation for the purpose of hiring new officers, police capital expenses, police operating expenses, and police wages and benefits used directly in the operation of a police department. The first piece of legislation required the City to certify the amount with the Lake County Auditor. The Safety Committee first recommended that the City put a 2.5 mill Police Levy on the ballot in 2019. The City is requesting the renewal of a 2.5 mill levy on the November 7, 2023 ballot. This piece of legislation, if approved, will place the Police Levy on the ballot so that the electorate can vote on it. It is the intension to submit the question of the renewal of that levy to its electors at an election on November 7, 2023. If approved, that tax will be levied upon the entire territory of the City for five years, commencing in tax year 2024, for first collection in calendar year 2025. The 2.5 mill levy currently generates approximately $626,000 annually (up from $608,000 in 2019) and will cost a person that owns a $100,000 house $73.00 (down from $87.50 in 2019) a year. Should the levy fail, this money would have to be paid out of the general fund which would be difficult. This legislation can go three readings before we have to submit it to the Lake County Board of Elections to be placed on the ballot. Since the last meeting, we received certification from the Lake County Auditor's Office. There was confusion about regarding the number of readings and deadline to submit this to the Board of Elections, but it was clarified, and Council decided to pass it on first reading.

Mrs. DiNallo moved to suspend, seconded by Mr. Abney.
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 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 35-23 is ADOPTED

ITEM #7 RESOLUTION
***1st Reading* – A Resolution adopting the 2024 Tax Budget for the City of Painesville, Ohio, and declaring an emergency.**

City Manager Doug Lewis spoke on this piece of legislation. He stated this is an annual piece of legislation the Ohio Revised Code requires the City to have a public tax budget hearing and to pass the 2024 tax budget by July 20, 2023. This is the property tax portion of revenues the City will receive in 2023. This shows the County that the City needs the property taxes. The City

projects to receive approximately $2.5 million in property tax revenues in 2024. This legislation needs go to three readings. A public tax budget hearing has been scheduled for Monday, July 17, 2023.

This will go to second reading.

ITEM #8 RESOLUTION
***1st Reading* – A Resolution authorizing and directing the City Manager to apply for and accept an OCJS Ohio Law Enforcement Recruitment Grant, and declaring an emergency.**

Police Administrative Lieutenant Toby Burgett spoke on this piece of legislation. He stated the Police Department applied for a law enforcement intern recruitment grant for $10,415.00 to expand their intern program and reach out of colleges to find some local interns. They were award the $10,415.00 in unmatched funds for reimbursement. It was requested to pass tonight to apply and accept the grant.

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

Mr. Augustine moved to adopt, 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 7-0.
RESOLUTION 36-23 is ADOPTED

UNFINISHED BUSINESS: None

NEW BUSINESS: None

DEPARTMENTAL PRESENTATIONS: Electric
A presentation was given by Electric Superintendent Jeff McHugh. He highlighted information about Electric Distribution and Electric Plant. He further discussed the various ongoing projects. See attached slides of presentation. Questions about the broiler and AMI meters was brought forth. Mr. McHugh explained the broiler was fixed to the point that the insurance company approved the preliminary run, and about 90% of residential AMI meters have been deployed. Concerns about residents who still have 60 amp A-based meters was brought up. Mr. McHugh explained that he will be asking for Council's direction when residents will be required to change those meters out. It was clarified that certified electricians are listed on the website.

ADMINISTRATIVE REPORTS: Law Director and City Manager
Law Director Jim Lyons had no comments at this time.
City Manager Doug Lewis commented on the following items: He and Susan Crotty, Economic Development Director, attended the ICSC, with others members from the JEDD, for the purpose of recruiting retail businesses into the City of Painesville. There were a number of meeting scheduled and some of the people/vendor stated that the City of Painesville was their type of market they were looking for. He had not heard that in the past, so he will be sending them information and following up with them on this and hopes to be working with them to identify specific locations; the City received a litter grant, for Clean-up Day, for $7,280.00 and legislation will be brought forth to Council to be approved; Zapatelli's Custard and Mustard is moving forward with sidewalks and parking lot being installed, at the 5-Point area; the City will be improving the entry way into the City, so sidewalks will be installed and trees will be planted; the Ford sidewalk issue was confirmed that it was not in compliance but it was recommended to correct the unevenness by grinding it down; Heisley Park concerned were addressed. Administration, City Engineer, HOA representatives and the developers met and came to an agreement and will be moving forward to resolve the issues; and Burger King property maintenance has been abated, and the property owner has been notified as well as the realtor about maintaining the property.

CORRESPONDENCE: Clerk of Council
The next regular Council meeting will be held on Tuesday, June 20th at 7:30 PM; Car Cruise Friday from 5:00 to 8:00 PM at the Square. This will be every Friday until September 15th; Painesville Farmers Market is from 12:00 – 4:00 PM in the Square. This will be every Thursday until September 21st; Lake County PRIDE Day will be Saturday, June 10th from 11:00

AM – 5:00 PM at the Lake County History Center; Charter Review Committee Meeting will be held on Monday, June 12th at 6:00 PM in Courtroom #1 to review Articles 13-14 of the City Charter; Concerts in the Park will start on Wednesday, June 14th from 6:00 – 8:00 PM in the Painesville Square. This will be every Wednesday until August 9th; 2nd Annual Juneteenth Celebration will be Saturday, June 17th 11:00 AM – 4:00 PM in the Painesville Square, and Monday, June 19th Administrative City Offices closed for Juneteenth.

CLOSING COMMENTS: Members of Council

Mr. Fodor thanked the Park and Public Lands for how nice the cemeteries looked for the Memorial Day event. He reminded residents about the 3 readings of legislation and how Council likes items to go 3 reads so information is available to residents unless there is something critical to be passed. He stated he attended the Sunshine Law Training on May 16, 2023.

Mr. Abney thanked the residents who attended tonight's meeting and those who attended and participated in the Memorial Day event.

Mr. Hach stated he will not be at the next council meeting because he will be attending an electrical conference.

Mrs. DiNallo congratulated the award winners and thanked the families for bringing them to tonight's meeting. She stated she appreciated all the informative updates and extended her condolences to George Machuta's family, friends and the electrical department.

Mr. Augustine had no comments at this time.

Mr. Rodriguez thanked those who attended and watched tonight's meeting.

Mrs. Shoop commented on how great the Farmer's Market was on its opening day, and thanked the Assistant City Manager for getting the grass cut from under the First Energy high tension wires. She congratulated the "Keep Painesville Beautiful" poster contest winners and how proud they were of themselves.

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

Mr. Fodor motioned to move into our 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; Section 6(2) To consider the purchase or lease of property for public purposes if premature disclosure of information would be adverse to the public interest; Section 6(3) To discuss pending or potential litigation involving the City; Section 6(6) To discuss details of security arrangements; and 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, seconded by Mr. Augustine.

All Council Members were in favor by answering "Aye". Motion carried to move into the Executive Session at 8:38 PM.

Mrs. Shoop asked for motion to adjourn the Executive Session.

Mr. Fodor moved to adjourn the Executive Session, seconded by Mr. Rodriguez. All Council Members were in favor by answering "Aye". Motion carried to adjourn the Executive Session at 9:50 PM.

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

Mrs. DiNallo moved to adjourn the Regular Meeting, seconded by Mr. Fodor. All Council Members were in favor by answering "Aye". Motion carried to adjourn the Regular Meeting at 9:51 PM.

Meeting adjourned at 9:51 PM.

Samantha Danielson
Samantha Danielson
Clerk of Council

Christine Shoop
Christine Shoop
President of Council

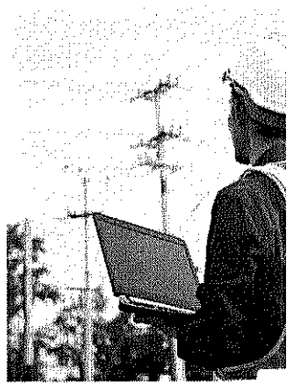
Painesville Electric Department

THE CHECK-IN, THE CHECK-OUT, THE CHECK-UP

June 2023

ODOT PROJECT FOR SR20

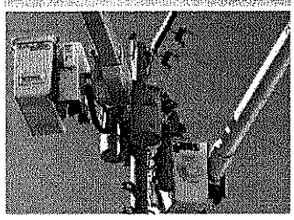
- We are pricing and ordering material
- Plans are being finalized and prepared for work to be bid
- Timeline for us is to finish by the end of 2024
- Engineering has been a struggle with changes and costs



ELECTRIC DISTRIBUTION

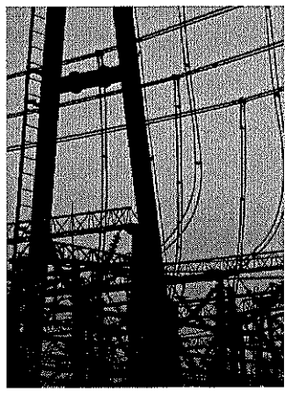
- We have two working crews, a service truck, a tree crew, and a metering tech
- We are up to six first class linemen (journeymen) with a second class almost ready for promotion
- In the pipeline, three apprentices and a groundworker
- We have our own training program tied with the newly certified AMP program





ON THE HORIZON

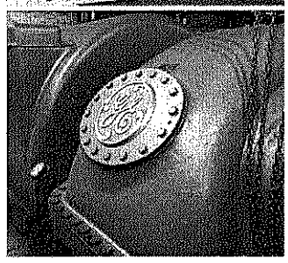
- Looking to add the last of the older Plant Circuits, #2 and #4 to the Prospect Substation's new equipment. Looking to finish in early September
- Looking to extend our Richmond Sub, Circuit H10 to cover the western side of the city adding Heisley Park, Encore Estates and the Clover Building as well as parts of W Jackson Street



ELECTRIC PLANT

- We are seeking a SCADA tech to assist us in our IT, AMI and SCADA programs
- We are looking for another electrician
- We are continuing work to keep Plant in the peaking season
- We are looking for ways to bring alternative power sources to our portfolio; solar, battery, and diesel
- We were awarded the APPA Safety Award of Excellence for 2022, Third Place
- We mourn the passing of our friend and colleague, George Machuta





FINISH ON A GOOD NOTE

- ODOT SR2 Bridge Project – we have the reimbursement check in our hands!



PROJECTS

THANK YOU

June 2023

ONGOING PROJECTS

- **Sheetz Station** – ready to go, waiting to work with general contractor on setting new transformer
- **LEC Dorms** – ready with wire installed, waiting to set and connect new transformer on or around October 2023
- **Grand River Walk** – working on clearing/moving our poles and lights to make way for new development
- **Downtown Streetscape** – plans reviewed with new lights ad conduit to be put in place
- **Erie Street Bridge** – ready to go

