REGULAR COUNCIL MEETING
MONDAY, OCTOBER 2, 2023 – 7:30 PM

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: Assistant City Manager Tony Zampedro, Law Director Jim Lyons, Economic Development Director Susan Crotty, Finance Director Bill Parkinson, City Engineer Leanne Exum, Police Chief Dan Waterman, and Clerk of Council Samantha Danielson.

APPROVE AGENDA AS SUBMITTED

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

Mr. Hach 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 Lori DiNallo.

PLEDGE OF ALLEGIANCE was recited.

MINUTES: Regular Meeting 09.18.23

Mrs. Shoop asked for a motion to approve the minutes from the Regular Meeting on September 18, 2023.

Mr. Hach moved to approve the minutes from the Regular Meeting on September 18, 2023, seconded by Mrs. DiNallo.

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

PUBLIC COMMENTS:

Traci Federer, of Cherrywood Lane, addressed Council with concerns about speeding and stop signs posted in Encore Estates development. She was hit last year while riding her scooter and asked for something to be done in the development in regards to stop speeding.

Cory Moehring, of Cherrywood Lane, addressed Council with concerns about speeding and stop signs posted in Encore Estates development. He is part of HOA Board and expressed his concerns about speeding and safety for children. He asked if some type of survey could be done to get a stop sign posted. He took videos of the area and suggested having some type of separation for the long stretch of road. Assistant City Manager stated the City has commissioned a speed study and police have been active in the neighborhood.

Kevin Moore, of Fairlawn Ave., addressed Council with concerns regarding the demolition of an unsafe house on 550 Fairlawn Ave. and was wondering why actions have not been taken to tear it down. It was explained to Mr. Moore by the Assistant City Manager and Law Director on the process and procedures, clarification of the emergency language, and other legal aspects regarding this property. The City is aware of the issues and situation, and the frustration. An agreement with the current property owner is being pursued and a follow-up will be made.

COMMITTEE REPORT: 2023 AMP Conference

Mr. Hach reported for this conference which was held on September 25-27, 2023 in Washington D.C. The conference covered issues regarding regulations and mandates pertaining to the electric plant which may shut down the plant in 2035, issues tied into the American Bonds and taxes associated with the bonds, issues and concerns with private power lines and poles and the federal government's regulations with installing equipment. Other subjects discussed at the conference pertained to new technology and renewal energy, and cyber security. The City of Painesville received a safety award. The conference also covered other Ohio issues regarding electricity, and operation and maintenance of the power plants.

LEGISLATION:
ITEM #1 ORDINANCE
3rd Reading* – An Ordinance amending Chapter 909 "Sidewalks" of the Painesville Code of 1998, and declaring an emergency.** ***(1st Reading 09.05.23, 2nd Reading 09.18.23)

City Engineer Leanne Exum spoke on this piece of legislation. She explained this is an update of the sidewalk code to give more opportunities for the residents to speak to the City about the sidewalk program and procedure.

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 18-23 is ADOPTED.

ITEM #2 ORDINANCE
3rd Reading* – An Ordinance amending Section 107.03 of the Painesville Code of 1998 relating to Meeting Dates of Council, and declaring an emergency. (*1st Reading 09.05.23, 2nd Reading 09.18.23)

President Shoop clarified that when this legislation is passed it will go into effect on October 16, 2023. Concerns were brought forth about informing the residents on the change of the start time from 7:30 PM to 7:00 PM and if the City was not ready to move forward. After some discussion, Council decided to amend the legislation upon advice of the Law Director to put in an effective date.

Mr. Hach motioned to amend the legislation to add an effective date as of January 1, 2024 and to keep it as an emergency, 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.

Mrs. DiNallo moved to adopt, seconded by Mr. Hach.
On roll call, Mr. Hach, Mr. Rodriguez, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Fodor, and Mrs. Shoop answered "Yes". Motion carried 7-0.
ORDINANCE 19-23 is ADOPTED.

ITEM #3 ORDINANCE
3rd reading* – An Ordinance amending Ordinance 929.06 – Applicable Riders, and declaring an emergency.** ***(1st Reading 09.05.23, 2nd Reading 09.18.23)

Finance Director Bill Parkinson spoke on this piece of legislation. He stated there have been no changes since the last meeting. Mrs. DiNallo commented, after doing her own research regarding this matter, the rationale for the discount made sense.

Mr. Augustine 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.
ORDINANCE 20-23 is ADOPTED.

ITEM #4 RESOLUTION
2nd Reading* – A Resolution approving the establishment of Painesville Community Entertainment District 1, and declaring an emergency.** ***(1st Reading 09.18.23)

Economic Development Director Susan Crotty spoke on this piece of legislation. She stated this resolution is to establish a CED which would increase the number of available D5 type liquor permits in the downtown to help with our restaurants and entertainment venue attraction. This needs to go for three readings due to notification requirements and a public hearing scheduled for October 16, 2023 at 7:15 PM. Ms. Crotty explained its location.

This will go to third read.

ITEM #5 RESOLUTION
***1st Reading* – A Resolution authorizing and directing the City Manager to cooperate with the Ohio Department of Transportation (ODOT) for the asphalt resurfacing of Liberty Street in the City of Painesville, and declaring an emergency.**

City Engineer Leanne Exum spoke on this piece of legislation. She stated the City received a grant from NOACA to resurface Liberty Street from the south side of Washington Street to Route 84. The City is working in conjunction with the county to go all the way to Route 84. This legislation is being asked to be passed at tonight's meeting.

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. Augustine moved to adopt, 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 7-0.
RESOLUTION 56-23 is ADOPTED.

ITEM #6 RESOLUTION
***1st Reading* – A Resolution authorizing and directing the City Manager to apply for and accept funding from Lake County FY 2023 Community Block Grant Program for the reconstruction of Reed Avenue, and declaring an emergency.**

City Engineer Leanne Exum spoke on this piece of legislation. She stated Reed Ave. is in a disadvantaged area and is therefore eligible for some CDBG funding for transportation and infrastructures. The City is applying for this grant to assist with the increase cost of construction of Reed Ave. This legislation is being asked to be passed at tonight's meeting.

Mr. Hach 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 Mrs. DiNallo.
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 57-23 is ADOPTED.

ITEM #7 RESOLUTION
***1st Reading* – A Resolution authorizing a City policy to allow the expenditure of public funds for the benefit of employees and volunteers and others as described in the policy, and declaring an emergency.**

Finance Director Bill Parkinson spoke on this piece of legislation. He stated this is a draft of a policy that requires Council's review and consideration. The Ohio Attorney General and the Auditor of State require that a public body adopt a policy and within that policy declare as proper public purpose, the expenditure of public funds for employee amenities. Absent of a policy, the expenditure of public funds would not be viewed as serving a proper public purpose. A policy needs to be in place in the event that public funds are expended for employee amenities, then those expenditures are covered and viewed as a proper purpose. This legislation can go three reads. Mrs. DiNallo asked if Council Members could be provide the same, as long as it is for an act of council and not for individual campaign purposes. Mr. Lyons commented he assumes that council appropriates the money and would pass a resolution or a motion stating to direct the Administration to host a luncheon for the people that Council wants to recognize that it would be fine. All of the Council Members would have to vote to direct the administration to set up the event. Comments about budget/cost were brought forth, and Mr. Parkinson will bring back more information regarding that matter.

This will go to second read.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

DEPARTMENTAL PRESENTATIONS: None

ADMINISTRATIVE REPORTS: Law Director and City Manager

Law Director Jim Lyons commented about how interesting it was that the City is receiving federal funds to repave Liberty Street.

Assistant City Manager Tony Zampedro commented on the Fall Fest. He reminded Council and residents that it is Saturday, October 7th at Rec Park from 3:00 to 6:00 PM with the following entertainment events: headless horseman, hayride, trunk or treat, performance by the Fairport Dance Academy, spooky magic show, pumpkin painting, carnival games, DJ, food trucks and kettle corn.

CORRESPONDENCE: Clerk of Council

The next regular Council meeting will be held on Monday, October 16th at 7:30 PM. There is a Public Hearing at 7:15 PM for the Community Entertainment District; Fall Clean-Up Day will be Saturday, October 14th from 8:30-10:00 AM. Volunteers are needed. Please see our City's website to register; and Trick or Treating is on Tuesday, October 31st from 6:00-8:00 PM.

CLOSING COMMENTS: Members of Council

Mr. Fodor commented on Painesville City School "Right to Read" meeting which highlighted that reading is essential to a person's success in life. People can volunteer to work with the schools. Information is available on their website. He further comments about making a difference in an organization is to make connections and establishing relationships and being "present".

Mr. Abney thanked everyone who attended tonight's meeting and those who attended the "Meet Your Candidates" night in September. He informed the members of our community that another "Meet Your Candidates" night is Tuesday, October 24th from 6:30 – 8:00 PM at Harvey High School's auditorium.

Mr. Hach stated he appreciates having the funding for the Reed Project that has been on-going for many years, and for everyone to have a safe drive home.

Mrs. DiNallo encouraged residents to attend and dress warm for the Fall Fest.

Mr. Augustine had no comments at this time.

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

Mrs. Shoop commented about how fun it is to volunteer for the Fall Clean-up event, and encouraged residents to participate to make a difference. She also encouraged residents to attend the Fall Fest.

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

Mr. Hach moved to adjourn the Regular Meeting, seconded by Mr. Rodriguez. All Council Members were in favor by answering "Aye". Motion carried to adjourn the Regular Meeting at 8:35 PM.

Meeting adjourned at 8:35 PM.

Samantha Danielson
Clerk of Council

Christine Shoop
President of Council