# REGULAR COUNCIL MEETING
# MONDAY, DECEMBER 18, 2023 – 7:30 PM
# EXECUTIVE SESSION IMMEDIATELY FOLLOWING
# PUBLIC HEARING – 8:00 PM

**CALL TO ORDER**

President Christine Shoop called the Regular Council Meeting to order at 7:31 PM. City Council convened for a regular meeting in Council Chambers – Courtroom #1.

**ROLL CALL FOR ATTENDANCE**

Councilpersons Derrick Abney, Nick Augustine, Jim Fodor, Paul Hach, Mario Rodriguez and Christine Shoop were present. Lori DiNallo arrived at 7:43 PM.

Other City Staff in attendance: City Manager Doug Lewis, Assistant City Manager Tony Zampedro, Law Director Jim Lyons, Economic Development Director Susan Crotty, Finance Director Bill Parkinson, Director of Planning Sarah Sitterle, Fire Chief Tom Hummel, Police Chief Dan Waterman, Administrative Lieutenant Toby Burgett, Water Superintendent Orin McMonigle, City Engineer Leanne Exum 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 Mr. Fodor. All Council Members were in favor by answering "Aye". Motion carried. Agenda approved.

**INVOCATION** was given by Councilperson Christine Shoop.

**PLEDGE OF ALLEGIANCE** was recited.

**MINUTES:** Regular Meeting 12.04.23

Mrs. Shoop asked for a motion to approve the minutes from the Regular Meeting on December 4, 2023.

Mr. Augustine moved to approve the minutes from the Regular Meeting on December 4, 2023, seconded by Mr. Fodor. All Council Members were in favor by answering "Aye". Motion carried. Minutes approved.

**SPECIAL PRESENTATION:** FBI Award

Police Chief Dan Waterman wanted to announce and recognize the officers who have completed the FBI-LEEDA Trilogy Award and their commitment to professional development and becoming the first agency in Lake County with the title. Spearheaded by Lt. Mike Slocum, Painesville Police Department, has partnered with Lake Erie College over the past six years to offer the program to area law enforcement with the courses focusing on three categories: supervisor leadership, command leadership and executive leadership.

**PUBLIC COMMENTS:** None

**COMMITTEE REPORT:** JEDD, Planning Commission, DPO

**JEDD**

Mrs. Shoop reported for this committee which was held on December 8, 2023. She reported on the following items: Board Member Business/Correspondence: Public Entities Pool of Ohio (PEP) Annual Election Ballot – made our Board selections and voted to have the administrator sent the Ballot to PEP; Department Reports: Finance – Revenue and Expense Worksheet: They are at 85% of the budgeted revenues – Expenses are in line STAR Ohio Investment Worksheet – They have made $3,288 on the $150,000 investment; and 2023 JEDD Budget Adjustment – VOTE Approved the budget adj. if the PEP premium is more; and 2024 JEDD Budget – VOTE – Approved; Economic Development Committee: Incentive Grant for IN9, Johnny's Auto Spa / Resolution 2023-04 – VOTE – Approved 4-0; Incentive Grant for IN9, Little Mountain Creamery/Resolution 2023-05 – VOTE Approved 4-0; Modification to Available Incentives – VOTE Approved 4-0; and Quail Hollow RFP – At the present time they are expecting 2 proposals. Due date 12-15-23; Old Business: JEDD Membership Recruitment – Charles Branch, Next Site Rep, joined the meeting via phone; NextSite Update – He attended the Central and So East Regional ICSC Conference for the JEDD and ICSC 2024 – May 19-21, 2024 – The registration cost has increase. JEDD will send 2 representatives to the Annual ICSC Convention in May 2024; New Business: Insurance Renewal – VOTE – To accept the insurance

premium up to $4K – Approved 4-0 and Administrator Contract/Resolution 2023-03 – VOTE – Approved 4-0; and 2024 Meeting Dates – March 8, 2024, June 14, 2024, September 13, 2024 and December 13, 2024

**Planning Commission**

Mrs. Sitterle reported for this committee which was held on December 14, 2023. She reported on the following items: The City of Painesville has received an application from LDA Architects, Inc on behalf of Vic Place, LLC for a Conditional Use Permit for residential use in the Downtown Development (DD) District at 100 South Park Place. The applicant wishes to convert 89,065 square feet of commercial space within the existing 195,477 square foot building to residential one-, two- and three-bedroom apartment units. By a vote of 5-0 the conditional use permit request was approved as requested with the following stipulations: Approval of the Conditional Use Permit for a mixed-use development in the Downtown Development District at 100 South Park Place is recommended with the following conditions: 1.) The mixed-use building will contain no more than 78 dwelling units in the following configurations; 58 1-Bedroom; 17 2-bedroom and 3 3-bedroom units; 2.) The entire first floor shall be commercial uses; 3.) A minimum of 22 units shall have usable balconies; 4.) A parking agreement between the City of Painesville and Vic Place shall executed prior to the issuance of a zoning permit; 5.) A Comprehensive Signage plan shall be submitted to the Planning Commission for review and approval; 6.) An agreement to transfer the ownership of the right-of-way areas on S. Park Place and Main Street be executed prior to the issuance of the zoning permit; and 7.) If the applicant does not commence construction by May 15, 2024 and complete the project within three years of commencement the approval of this permit it shall be null and void. Approval of the preliminary site plan and architectural design is recommended with the following stipulations: 1.) Final site plan substantially in compliance with the preliminary site plan shall be submitted to the Administration for approval; 2.) Final architectural drawings substantially in compliance with the architectural drawings submitted with the conditional use permit shall be submitted to the Administration for approval; 3.) Detailed landscape plan with final plant selection shall be submitted to the Administration for approval; 4.) The trash receptacle shall be constructed of the same material as the primary material on the building; and 5.) The parking requirement for the residential units shall be 1.27 per unit. The commercial parking requirement is waived. Administrative Report: Review and Extension Request for a Conditional Use Permit issued to Glenn Springs Holdings, Inc. for soil removal at Elm Street. Permit granted February 21, 2007; reviewed December 13, 2007; extensions granted December 2008, November 2009, December 2010, December 2011; October 2012; December 2013; December 2014; December 2015; December 2016; November 2017; December 2018, December 2019; December 2020; and December 2021 with the stipulations that were agreed upon for the original permit and that Condition #18 be invoked so that the applicant provides a progress report to the Planning Commission no later than the December 2025 Planning Commission meeting. By a vote of 5-0 the extension of the Conditional Use Permit request was approved for two years as requested.

City Manager Doug Lewis stated the Council members received notification of the conditional use permit and ask for the 15-day period to be waived. The question of rent ability and the rational of having 58 one bedrooms was clarified. The market for one bedroom is favorable for economic means for up and coming young professionals and senior citizens, and those who work from home and have walk ability access to downtown. Mrs. Sitterle was asked to follow up with more information.

Mrs. Shoop asked for a motion to waive the 15-day right to review the Conditional Use Permit so that the Conditional Use Permit is accepted, as approved, by the Planning Commission.

Mr. Abney so moved the motion, 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.

**DPO**

Mr. Augustine reported for this committee which was held on November 29, 2023. He reported on the following items: Executive Director's Report – Renee Fitzgerald-Palacio-discussed that the 2024 Heritage Ohio Meeting would be in Newark, NJ. She reviewed the 2023 Fall Accreditation which passed, the Awards Dinner, collaboration with Signature Health at Morley Library regarding violence prevention and there will be more information regarding these events at the upcoming DPO Connect. Renee reviewed the positive feedback from the Shop & Stroll. All of the feedback was positive except there were a few recommendations from merchants and participants suggesting the Shop & Stroll and the Tree Lighting be on the same day and possibly take place on a weekend. The group also discussed the positive impact that a

DORA would have on this and other events in the downtown area. Renee continues to work with Leadership Lake County to get Painesville Arts and Culture Council going and is looking for contributors to join in. The DPO was also invited to join the Homeless Task Force. Susan and Renee are working on a $50,000 main street placement grant. More details to follow; Committee Reports: Design – Ron Robertson – updated us on the poinsettia sale. Economic Vitality – Erica Acheson-Dunay/Cyrus Massoudi – discussed doing business visits and DPO after hours in 2024. Promotions – Mary Jo Miller – discussed the 2024 wine and chocolate walk. Currently meeting with LEC regarding the location of the event. Organization – Jackie Bruner – discussed monies needed before the end of the year. Looking for additional funds and volunteers for the organization. Will put together a team to talk to the county commissioners regarding possibly providing the organization with a match of the funds donated by the city. Treasurer's Report – shared the current financials. Membership – Jackie Bruner – invoices went out and are being returned, working on reaching out to new members; Old Business: Reviewed 2024 Sponsorship letter; New Business: 2024 Officers were elected: Charlie Johnson will be the President, Rob Robertson will be the Past President, Cyrus Massoudi will be the Vice President, Erica Acheson-Dunay will be the Secretary, and Lisa Lewins will be the Treasurer; and 2024 Budget was approved.

***PUBLIC HEARING***

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

Mr. Hach moved to adjourn from the Regular Meeting for the Public Hearing, 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 at 8:00 PM.

Mrs. Shoop asked for a motion to move into the Public Hearing.

Mr. Hach moved to move into the Public Hearing, 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 at 8:00 PM.

Director of Planning Sarah Sitterle presented information about this piece of legislation, Item #2 Ordinance, for rezoning of 160 S. St. Clair Street from a R-2, Multi-family Residential District to DD, Downtown Development District. She described the specifics of the property and its location in regards to surrounding land uses and zoning. The property is within the downtown residential district area, so the proposed use and incorporation into the downtown plan development would be considerate appropriate. The staff recommends the approval of this rezoning. She outlined the requirements for rezoning and stated it meets all the requirements and is considered appropriate. It is consistent with the Comprehensive Plan and Downtown Plan. She also presented information and explained the Covenants, Conditions, and Restrictions for Item #4 Resolution which are associated with this particular lot. She explained the changes and the importance of having it updated. See presentation slides.

Mrs. Shoop opened the Public Hearing up to public comments for Item #2 Ordinance. No one from the public spoke for or against this matter.

Mrs. Shoop asked for a motion to adjourn the Public Hearing.

Mr. Hach moved to adjourn the Public Hearing, seconded by Mrs. DiNallo.

On roll call, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Fodor, Mr. Hach, Mr. Rodriguez, and Mrs. Shoop answered "Yes". Motion carried at 8:08 PM.

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

Mr. Rodriguez moved to return to the Regular Meeting, 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 at 8:08 PM.

***REGULAR MEETING***

**LEGISLATION:**
**ITEM #1 ORDINANCE**
***3rd Reading* – An Ordinance to make appropriations for the current expenses and expenditures of the City of Painesville, State of Ohio for the fiscal year beginning January**

**1, 2024 and adopting the operating budget, and declaring an emergency.** ***(1st Reading 11.20.23, 2nd Reading 12.04.23)***

Finance Director Bill Parkinson presented and spoke on this piece of legislation. He gave an overview of the Departments' Capital Projects requests for the water, water pollution control, electric, storm water, engineering, fire, parks and recreation, police, and public works. He also gave a summary by funds and projects' details. See slide presentation. Mr. Lewis stated the City does pursue grants to help with funding of these projects.

Mr. Hach moved to adopt, 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 7-0.

**ORDINANCE 28-23 is ADOPTED.**

**ITEM #2 ORDINANCE (PUBLIC HEARING at 8:00)**
***3rd 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 Number 15-B-002-0-00-037-0, located at 160 S. St. Clair Street from R-2, Multi-Family District to DD, Downtown Development District.** ***(1st Reading 11.20.23, 2nd Reading 12.04.23)***

City Manager Doug Lewis stated this legislation was heard earlier at the Public Hearing. It is to redo or establish the district map and set back map or the parcel located at 160 S. Saint Clair Street.

Mr. Augustine 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 29-23 is ADOPTED.**

**ITEM #3 ORDINANCE**
***1st Reading* – An Ordinance amending various sections of Chapter 192 in order to update the City income taxes ordinances so that they are in compliance with Ohio House Bill 33, and declaring an emergency.**

Finance Director Bill Parkinson spoke on this piece of legislation. He explained there were changes to Ohio House Bill 33 and this legislation would bring the current ordinance up to date. With respect to municipalities, the new law: Does not change the income tax rate the City applies to its municipal income tax taxpayers; Reduces fees and penalties for those who are late in filing a municipal income tax return; Extends the due date for filing municipal net profits tax returns from October 15th to November 15th; Exempts individuals under the age of 18 from filing a municipal income tax return; Net profit allocations are specified and sets the extension due dates for net profit filings; and Changes the penalty section for a late filing for a return to $25.00 with a cap of $150.00. It does not change the penalties or interest for not paying the tax if not paid on time. Municipalities are required under Ohio House Bill 33 to update their respective income taxes codes to be in compliance with Chapter 718 of the Ohio Revised Code. Ohio House Bill 33 goes into effect January 1, 2024. Mr. Lyons further explained the tax law changes and recommended it to be passed.

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

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.

**ORDINANCE 30-23 is ADOPTED.**

**ITEM #4 RESOLUTION**
***3rd Reading* – A Resolution approving the amended Declaration of Covenants, Conditions and Restrictions for the former Hospital Site known as Permanent Parcels 15-B-002-0-00-002-0, and 15-B-002-0-00-005-0, and 160 S. St. Clair Street known as Permanent Parcel 15-B-002-0-00-037-0 and authorizing and directing the City Manager to record said amended Declaration of Covenants, Conditions and Restrictions as a deed restrictions on the property, and declaring an emergency.** ***(1st Reading 11.20.23, 2nd Reading 12.04.23)***

Director of Planning Sarah Sitterle spoke on this piece of legislation. She stated this is the final reading to amend the covenants, conditions and restrictions for the former hospital site. This is High Point Development with Payne and Payne project. Additional information on the covenants, conditions and restrictions were explained during the public hearing.

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

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 68-23 is ADOPTED.**

**ITEM #5 RESOLUTION**

***2nd Reading* – A Resolution authorizing the transfer of property located on East South Street to Payne and Payne Homes, Inc. and authorizing the City Manager to sign the contract with Payne and Payne and to sign a limited warranty deed to them, and declaring an emergency.** ***(1st Reading 12.04.23)***

City Manager Doug Lewis spoke on this piece of legislation. He stated this legislation would transfer two parcels to Payne and Payne for the development of single-family residential housing on that site. The two lots would be infill lots along East South Street. It is anticipated they will continue the development throughout the Hospital Site. This item can go three readings.

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

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. Rodriguez.

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 69-23 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 filter repairs and replacement, and declaring an emergency.**

City Manager Doug Lewis spoke on this piece of legislation. Mr. Lewis stated this legislation would allow the City to bid out the repairs to the underdrains and media for filter No. 2. It is estimated bid of $265,000. The cost associated with this project has been budgeted in the 2024 Water Division Capital budget under the water fund. Approval of this resolution to advertise for bids and enter into a contract with the lowest and best bidder is being asked. It can go three readings; however, approving it tonight will allow the City to bid the project out in January or early February.

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

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

Mr. Augustine 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 70-23 is ADOPTED.**

**ITEM #7 RESOLUTION**

***1st Reading* – A Resolution authorizing and directing the City Manager to apply for and accept funding from the Ohio State Fire Marshal's Office Equipment Grant, for the purpose of purchasing portable radios, batteries and chargers, and declaring an emergency.**

Fire Chief Tom Hummel spoke on this piece of legislation. He stated the Ohio State Fire Marshal's Office offers and equipment grant every year for the purposes of purchasing necessary equipment for fire service. This grant will provide $15,000 to purchase a portable radio, 48 replacement batteries for current radios and a number of new charges for the batteries with no required match. Any other funding will come from the Five-Year Fire Levy account. No

financing is required and was asked to be passed on first reading due to the timing of the grant process.

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

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

Mr. Augustine 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 71-23 is ADOPTED.**

**ITEM #8 RESOLUTION**

***1st Reading* – A Resolution authorizing and directing the City Manager to enter into an agreement with the Ohio Department of Transportation (ODOT) for the asphalt resurfacing of Liberty Street from SR84 to Washington Street, and declaring an emergency.**

City Engineer Leanne Exum spoke on this piece of legislation. She stated this allows the City to work with ODOT. This project will be administered by the Ohio Department of Transportation. The City is doing this in conjunction with Lake County Engineer. The City's portion of the costs is $406,136.33 and Lake County's portion of the costs is $118,153.67 with a total project cost of $1,338,120.00. The City received a grant from NOACA for $813,830.00. It has been budgeted in the 2024 engineering budget.

Mrs. DiNallo moved to suspend, 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.

Mr. Augustine 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 72-23 is ADOPTED.**

**ITEM #9 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 this is for the City to line 2,511 feet of sanitary sewer and 544 feet of storm sewer on Liberty Street. This project will go out to bid with an updated engineer's estimate of $550,000.00. The cost associated with this project are accounted for in the Sanitary and Stormwater Capital budget under the Sanitary Fund in the amount of $370,000.00 for the lining of the sanitary sewer and $180,000.00 for the lining of the storm sewer. This can go three reads.

Mrs. DiNallo moved to suspend, 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.

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

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 73-23 is ADOPTED.**

**ITEM #10 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, and declaring an emergency.**

City Engineer Leanne Exum spoke on this piece of legislation. She stated in 2023 the City did bid out Reed Avenue and it came back too high. There was no award. The City did go

for a grant with the CDBG and was awarded $100,000.00. The City wanted to go back out to bid for Reed Avenue with an updated engineer's estimate of $743,000.00. The cost associated with this project are accounted for in the Engineering Capital budget under the road levy fund $321,560.00. This project is funded by two grants $321,560.00 from OPWC and $100,000.00 CDBG. This can go three reading.

Mrs. DiNallo moved to suspend, 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.

Mr. Rodriguez moved to adopt, 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 7-0.

**RESOLUTION 74-23 is ADOPTED.**

**ITEM #11 RESOLUTION**

***1st Reading* – A Resolution authorizing and directing the City Manager to apply for and accept funding from the Ohio Department of Natural Resources, Division of Forestry, for the purpose of purchasing and installing street trees along the City's public right of way, and declaring an emergency.**

Assistant City Manager Tony Zampedro spoke on this piece of legislation. He stated this was brought to the City's attention. This grant is through the ODNR, the Ohio Division of Forestry and in conjunction with the USDA Forest Service. It is offering a grant award of $50,000.00 for emerging urban tree re-forestry program. The City wants to apply for the grant to buy a number of trees and for the service to plant them. There is no match. If the City is successful and establish a program, subsequent grant cycles could be much larger. The City wants to put appropriate trees in our right of way and possibility plant in residents' yards. The Engineering Department, Electric Department, and Lake County Soil and Water will be working together on this project. It was asked to be passed tonight because of deadline of the grant process. A presentation will be presented at a future council meeting.

Mr. Augustine moved to suspend, 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.

Mr. Rodriguez 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 75-23 is ADOPTED.**

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:** None

**DEPARTMENTAL PRESENTATIONS:** None

**ADMINISTRATIVE REPORTS:** Law Director and City Manager

Law Director Jim Lyons wished everyone a Merry Christmas.

City Manager Doug Lewis spoke on the following items: He congratulated the police department on the Trilogy Award and commented the City of Painesville has a very good police department and continues to train; The City is currently working with a fiber provider, Lit Fiber, and the possibility of stringing fiber throughout the city and is exploring additional options; The City submitted an application for the State Capital Funding for a skate park located at Recreation Park, and is working PCIC and the Painesville Skateboard Association to raise funding for the skate park project; He thanked Council and Department Heads for the work everyone has done over the past year and looks forward to seeing the changes in the City of Painesville within the upcoming years; and he wished everyone a happy holiday.

**CORRESPONDENCE:** Clerk of Council

The next regular Council Meeting will be held on Tuesday, January 2nd at 7:00 PM, and City Offices will be closed on Monday, December 25th and Tuesday, December 26th, and Monday, January 1st.

**CLOSING COMMENTS:** Members of Council

Mr. Fodor reminded residents about the snow ban when there is two inches of snow. He mentioned council meetings start at 7:00 pm starting the first of the year. He continued to say that Council interacts with a variety of groups in the community and commented about attending the school's board meeting; Mr. Abney and he attended Wreaths Across America; He's glad to see the leadership development because it is important for the City to continue to participate in professional development and wished great things in 2024.

Mr. Abney wished everyone a Merry Christmas and Happy New Year. He reiterated about Wreaths Across America and thanked the cemeteries and departments, VFW, those who attended, and the Daughters of American Revolution.

Mr. Hach commented about the changes in his life and is excited to be on council for four more years. He wished everyone a nice holiday.

Mrs. DiNallo commented on the Wreaths Across America event and how nice it was and grateful for all those who attended. She also agreed there are many exciting things happening in Painesville and thanked Mr. Lewis for his leadership of moving the City forward. She wished everyone a safe holiday and expressed thankfulness for the opportunity to serve on council.

Mr. Augustine congratulated PCIC for the lighting contest and thanked the participants and winners. He congratulated the police department for receiving the FBI award. He thanked the City for the privilege to work with everyone and being part of the things happening in the City. He looks forward to 2024 and wished everyone low bids, high grants, and happy holidays.

Mr. Rodriguez thanked everyone who attended and watched tonight's meeting, and wished everyone a happy holiday.

Mrs. Shoop congratulated the police chief for the FBI award and commented how wonderful it was seeing the police officers who received the award. She thanked the residents for re-electing her for another four years and looks forward to serving the community. She wished everyone a Merry Christmas and Happy New Year as well as the other holidays celebrated during this time of the year. She thanked Mr. Lewis for the wonderful job he does for the City, as well as Mr. Lyons.

**EXECUTIVE SESSION**

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

Mr. Fodor motioned to move into the 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; IN ACCORDANCE WITH ARTICLE II, 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; IN ACCORDANCE WITH ARTICLE II, Section 6(4) To prepare for, conduct or review negotiations or bargaining sessions with municipal employees concerning their compensation, or other terms of employment; and IN ACCORDANCE WITH ARTICLE II, Section 6(6) To discuss details of security arrangements, seconded by Mr. Augustine.

All Council Members were in favor by answering "Aye". Motion carried to move into the Executive Session at 8:58 PM.

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

Mr. Hach moved 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 10:16 PM.

**ADJOURNMENT**

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

Mrs. DiNallo moved to adjourn the Regular Meeting, seconded by Mr. Hach. All Council Members were in favor by answering "Aye". Motion carried to adjourn the Regular Meeting at 10:16 PM.

Meeting adjourned at 10:16 PM.

Samantha Danielson
Clerk of Council

Christine Shoop
President of Council

# CAPITAL PROJECTS

FISCAL YEAR 2024

MONDAY, DECEMBER 18, 2023

## WATER FUND



WATER – CAPITAL REQUESTS

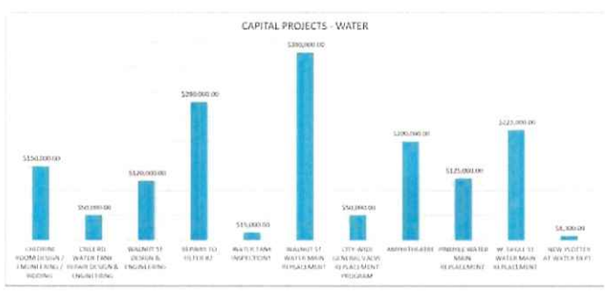
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| | CAPITAL PROJECTS - WATER |
|---|---|
| CHLORINE ROOM DESIGN / ENGINEERING / BIDDING | $ 150,000.00 |
| CRILE RD. WATER TANK REPAIR DESIGN & ENGINEERING | $ 50,000.00 |
| WALNUT ST. DESIGN & ENGINEERING | $ 120,000.00 |
| REPAIRS TO FILTER #2 | $ 280,000.00 |
| WATER TANK INSPECTIONS | $ 15,000.00 |
| WALNUT ST. WATER MAIN REPLACEMENT | $ 380,000.00 |
| CITY-WIDE GENERAL VALVE REPLACEMENT PROGRAM | $ 50,000.00 |
| AMPHITHEATRE | $ 200,000.00 |
| PINEHILL WATER MAIN REPLACEMENT | $ 125,000.00 |
| W. EAGLE ST. WATER MAIN REPLACEMENT | $ 223,000.00 |
| NEW PLOTTER AT WATER DEPT. | $ 8,300.00 |



WATER – CAPITAL REQUESTS

Page 27






## WATER POLLUTION CONTROL



WATER POLLUTION CONTROL – CAPITAL REQUESTS

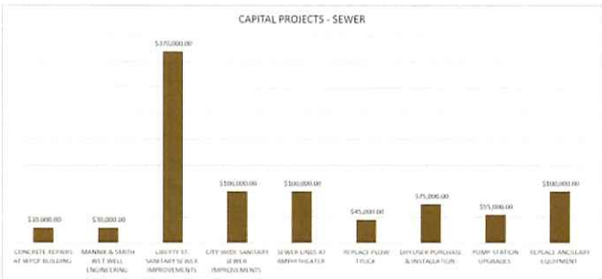
Page 29

| | CAPITAL PROJECTS - SEWER |
|---|---|
| CONCRETE REPAIRS AT WPCP BUILDING | $ 30,000.00 |
| MANNIK & SMITH WET WELL ENGINEERING | $ 30,000.00 |
| LIBERTY ST. SANITARY SEWER IMPROVEMENTS | $ 370,000.00 |
| CITY-WIDE SANITARY SEWER IMPROVEMENTS | $ 100,000.00 |
| SEWER LINES AT AMPHITHEATER | $ 100,000.00 |
| REPLACE PLOW TRUCK | $ 45,000.00 |
| DIFFUSER PURCHASE & INSTALLATION | $ 75,000.00 |
| PUMP STATION UPGRADES | $ 55,000.00 |
| REPLACE ANCILLARY EQUIPMENT | $ 100,000.00 |



WATER POLLUTION CONTROL – CAPITAL REQUESTS

Page 29






## ELECTRIC



ELECTRIC – CAPITAL REQUESTS

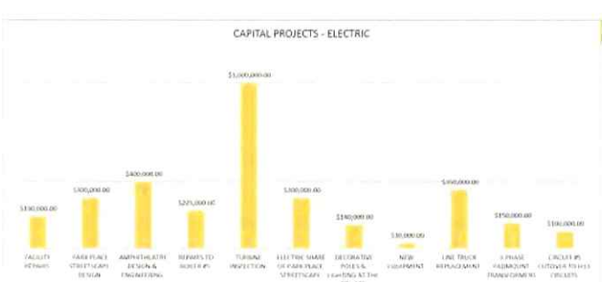
Page 31

| | CAPITAL PROJECTS - ELECTRIC |
|---|---|
| FACILITY REPAIRS | $ 190,000.00 |
| PARK PLACE STREETSCAPE DESIGN | $ 300,000.00 |
| AMPHITHEATRE DESIGN & ENGINEERING | $ 400,000.00 |
| REPAIRS TO BOILER #5 | $ 225,000.00 |
| TURBINE INSPECTION | $ 1,000,000.00 |
| ELECTRIC SHARE OF PARK PLACE STREETSCAPE | $ 300,000.00 |
| DECORATIVE POLES & LIGHTING AT THE SQUARE | $ 140,000.00 |
| NEW EQUIPMENT | $ 30,000.00 |
| LINE TRUCK REPLACEMENT | $ 350,000.00 |
| 3-PHASE PADMOUNT TRANSFORMERS | $ 150,000.00 |
| CIRCUIT #5 CUTOVER TO H13 CIRCUITS | $ 100,000.00 |



ELECTRIC – CAPITAL REQUESTS

Page 31



# STORM WATER



Page 32

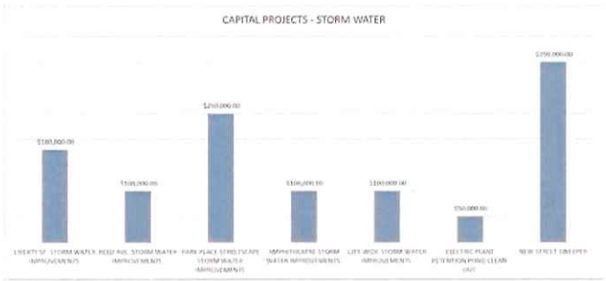
STORM WATER – CAPITAL REQUESTS

| | CAPITAL PROJECTS - STORM WATER |
|---|---|
| LIBERTY ST. STORM WATER IMPROVEMENTS | $ 180,000.00 |
| REED AVE. STORM WATER IMPROVEMENTS | $ 100,000.00 |
| PARK PLACE STREETSCAPE STORM WATER IMPROVEMENTS | $ 250,000.00 |
| AMPHITHEATRE STORM WATER IMPROVEMENTS | $ 100,000.00 |
| CITY-WIDE STORM WATER IMPROVEMENTS | $ 100,000.00 |
| ELECTRIC PLANT RETENTION POND CLEAN OUT | $ 50,000.00 |
| NEW STREET SWEEPER | $ 350,000.00 |



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STORM WATER – CAPITAL REQUESTS






# ENGINEERING



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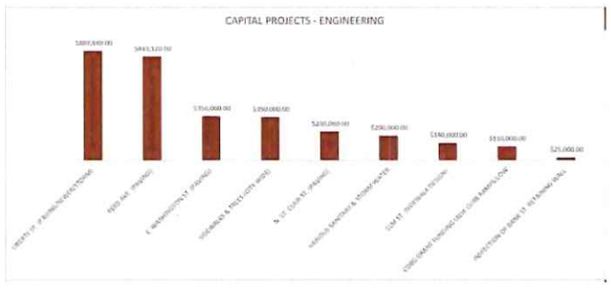
ENGINEERING – CAPITAL REQUESTS

| | CAPITAL PROJECTS - ENGINEERING |
|---|---|
| LIBERTY ST. (PAVING/SEWER/STORM) | $ 889,840.00 |
| REED AVE. (PAVING) | $ 843,120.00 |
| E. WASHINGTON ST. (PAVING) | $ 356,000.00 |
| SIDEWALKS & TREES (CITY-WIDE) | $ 350,000.00 |
| N. ST. CLAIR ST. (PAVING) | $ 230,060.00 |
| VARIOUS SANITARY & STORM WATER IMPROVEMENTS | $ 200,000.00 |
| ELM ST. (SIDEWALK DESIGN) | $ 140,000.00 |
| CDBG GRANT FUNDING (ADA CURB RAMPS/LOW INCOME) | $ 110,000.00 |
| INSPECTION OF BANK ST. RETAINING WALL | $ 25,000.00 |



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ENGINEERING – CAPITAL REQUESTS






# FIRE



Page 73

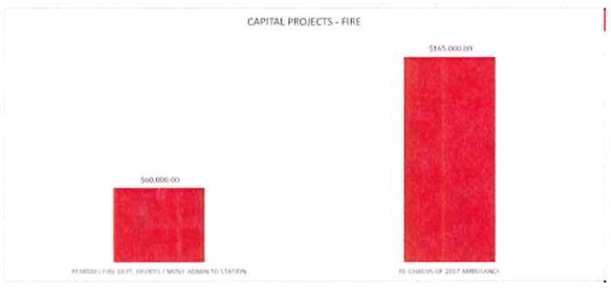
FIRE – CAPITAL REQUESTS

| | CAPITAL PROJECTS - FIRE |
|---|---|
| REMODEL FIRE DEPT. OFFICES / MOVE ADMIN TO STATION | $ 60,000.00 |
| RE-CHASSIS OF 2017 AMBULANCE | $ 165,000.00 |



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FIRE – CAPITAL REQUESTS






# PARKS & REC

## PARKS AND REC – CAPITAL REQUESTS

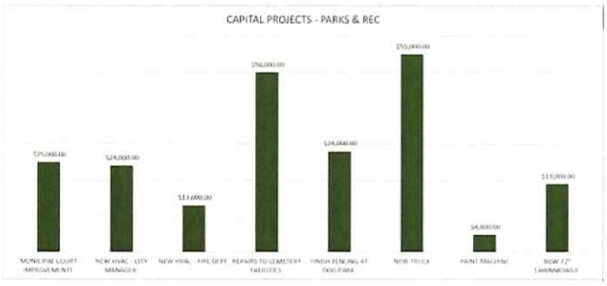
Page 82

| | CAPITAL PROJECTS - PARKS & REC |
|---|---|
| MUNICIPAL COURT IMPROVEMENTS | $ 25,000.00 |
| NEW HVAC - CITY MANAGER | $ 24,000.00 |
| NEW HVAC - FIRE DEPT. | $ 13,000.00 |
| REPAIRS TO CEMETERY FACILITIES | $ 50,000.00 |
| FINISH FENCING AT DOG PARK | $ 28,000.00 |
| NEW TRUCK | $ 55,000.00 |
| PAINT MACHINE | $ 4,800.00 |
| NEW 72" LAWNMOWER | $ 19,000.00 |



## PARKS AND REC – CAPITAL REQUESTS

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# POLICE



## POLICE – CAPITAL REQUESTS

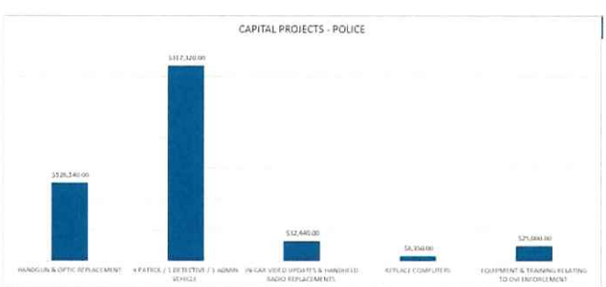
Page 65

| | CAPITAL PROJECTS - POLICE |
|---|---|
| HANDGUN & OPTIC REPLACEMENT | $ 126,140.00 |
| 4 PATROL / 1 DETECTIVE / 1 ADMIN VEHICLE | $ 317,320.00 |
| IN-CAR VIDEO UPDATES & HANDHELD RADIO REPLACEMENTS | $ 32,440.00 |
| REPLACE COMPUTERS | $ 8,350.00 |
| EQUIPMENT & TRAINING RELATING TO OVI ENFORCEMENT | $ 25,000.00 |



## POLICE – CAPITAL REQUESTS

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# PUBLIC WORKS



## PUBLIC WORKS – CAPITAL REQUESTS

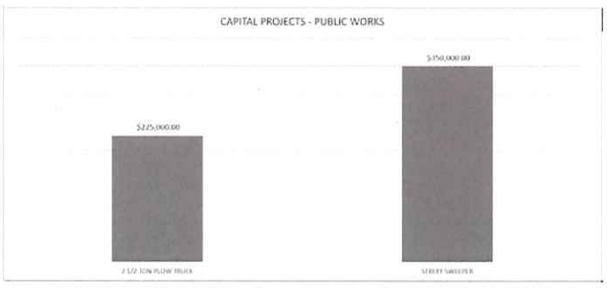
Page 78

| | CAPITAL PROJECTS - PUBLIC WORKS |
|---|---|
| 2 1/2 TON PLOW TRUCK | $ 225,000.00 |
| STREET SWEEPER | $ 350,000.00 |



## PUBLIC WORKS – CAPITAL REQUESTS

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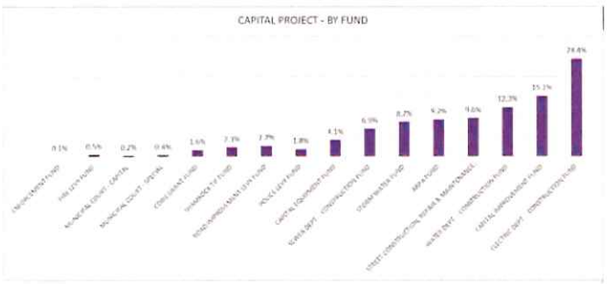

# SUMMARY by FUND



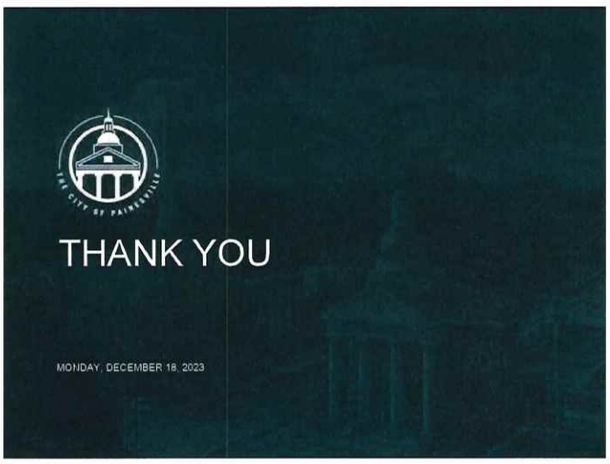
## CAPITAL REQUESTS

| | CAPITAL PROJECT - BY FUND |
|---|---|
| ENFORCEMENT FUND | $ 38,400.00 |
| FIRE LEVY FUND | $ 122,000.00 |
| MUNICIPAL COURT - CAPITAL | $ 60,000.00 |
| MUNICIPAL COURT - SPECIAL | $ 100,000.00 |
| CDBG GRANT FUND | $ 420,000.00 |
| SHAMROCK TIF FUND | $ 600,000.00 |
| ROAD IMPROVEMENT LEVY FUND | $ 693,120.00 |
| POLICE LEVY FUND | $ 472,640.00 |
| CAPITAL EQUIPMENT FUND | $ 1,077,160.00 |
| SEWER DEPT. - CONSTRUCTION FUND | $ 1,810,000.00 |
| STORM WATER FUND | $ 2,260,000.00 |
| ARPA FUND | $ 2,408,800.00 |
| STREET CONSTRUCTION, REPAIR & MAINTENANCE FUND | $ 2,494,920.00 |
| WATER DEPT. - CONSTRUCTION FUND | $ 3,202,600.00 |
| CAPITAL IMPROVEMENT FUND | $ 3,944,000.00 |
| ELECTRIC DEPT. - CONSTRUCTION FUND | $ 6,320,000.00 |

CAPITAL REQUESTS

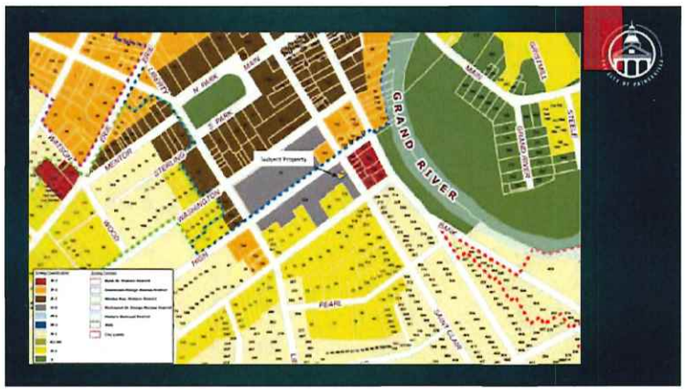




# City of Painesville City Council

DECEMBER 18, 2023

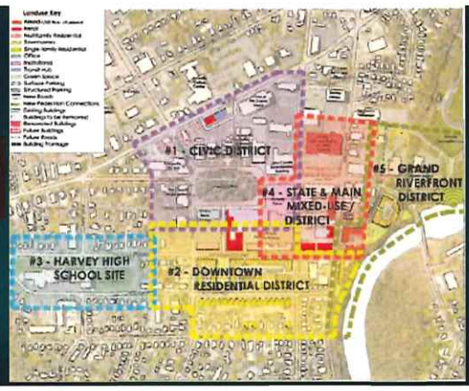



REZONING : 98-23

**Applicant:** Lake County Land Reutilization Corporation and City of Painesville
**Owner:** Lake County Land Reutilization Corporation
**Location:** 160 S. St. Clair (15-B-002-0-00-037-0)
**District:** R-2 Multi-Family Residential to DD Downtown Development
**Acres:** .0716 acres

The Lake County Land Reutilization Corporation and the City of Painesville have submitted an application to rezone 0.716 acres of property in Downtown Painesville from R-2 Multi-family Residential to DD Downtown Development District. The property owner and City wish to rezone to the DD Downtown Development District for future inclusion in a proposed development adjacent to the property.

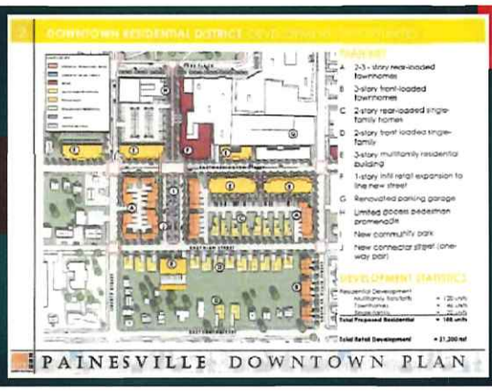
Organization Plan Map from the Painesville Downtown Plan




Property ownership and current land use




Downtown Residential District from the Painesville Downtown Plan




ZONING : 98-23

**Applicant:** Lake County Land Reutilization Corporation and City of Painesville
**Owner:** Lake County Land Reutilization Corporation
**Location:** 160 S. St. Clair (15-B-002-0-00-037-0)
**District:** R-2 Multi-family Residential to DD Downtown Development District
**Acres:** .0716

### Surrounding Land Use

| | |
|---|---|
| **North Side** | Vacant property owned by the City of Painesville |
| **South Side** | Vacant property owned by the City of Painesville |
| **East Side** | Residential Property |
| **West Side** | Vacant property owned by the City of Painesville |

### Surrounding Zoning

| | |
|---|---|
| **North Side** | DD, Downtown Development |
| **South Side** | R-2 Multi-family Residential and DD, Downtown Development |
| **East Side** | B-1, Business/Residential |
| **West Side** | DD, Downtown Development |

REZONING : 98-23

**Applicant:** Lake County Land Reutilization Corporation and City of Painesville
**Owner:** Lake County Land Reutilization Corporation
**Location:** 160 S. St. Clair (15-B-002-0-00-037-0)
**District:** R-2 Multi-family Residential District to DD Downtown Development District
**Acres:** .0716

### ▸ REQUIREMENTS FOR A REZONING

(1) The proposed rezoning is consistent with the Comprehensive Plan, other adopted city plans, and the stated purposes of this code.
(2) The proposed rezoning is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions.
(3) The proposed rezoning will promote the public health, safety, and general welfare.
(4) The proposed rezoning is consistent with the stated purpose of the proposed zoning district.
(5) The proposed rezoning will result efficient, logical and orderly development.
(6) The proposed rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated.
(7) The proposed rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject parcel.

**REZONING : 98-23 and Refusal 2416 - Revised Concept Plan and Covenants for former Hospital Site**

**Applicant:** Lake County Land Reutilization Corporation/City of Painesville, and Payne and Payne Builders
**Owner:** City of Painesville
**Location:** 160 S. St. Clair (15-B-002-0-00-037-0) and 154 S. St. Clair(15-B-002-0-00-005-0) and E. High Street (15-B-002-0-00-002-0)
**District:** R-2 Multi-family Residential to DD Downtown Development District, DD Downtown Development District
**Acres:** 7.7 acres total, .0716 acres for 160 S. St. Clair

# ▶Covenants and Restrictions

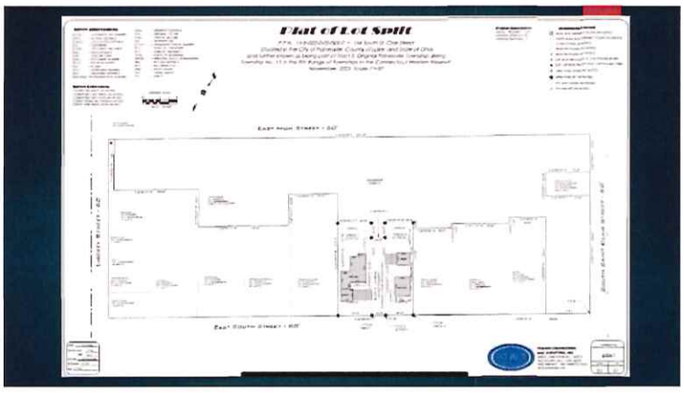
REZONING : 98-23 and Refusal 2416 - Revised Concept Plan and Covenants for former Hospital Site
Applicant: Lake County Land Reutilization Corporation/City of Painesville, and Payne and Payne Builders
Owner: City of Painesville
Location: 160 S. St. Clair (15-B-002-0-00-037-0) and 154 S. St. Clair(15-B-002-0-00-005-0) and E. High Street (15-B-002-0-00-002-0)
District: R-2 Multi-family Residential to DD Downtown Development District, DD Downtown Development District
Acres: 7.7 acres total, .0716 acres for 160 S. St. Clair

- Associated Development Controls for the Project and Next Steps
  - Covenants, Conditions and Restrictions – To be reviewed by the Planning Commission for determination of development compliance
  - Concept plan
- Next Steps
  - Rezoning and Covenants, Conditions and Restrictions to be reviewed by City Council
    - Upon Approval and Recording of the revised Covenants, Conditions and Restrictions, approval of the lot split for the two infill lots on E. South Street.
  - Development Agreement – To be approved by City Council
  - Conditional Use Permit Application and preliminary plat




# Recommendations

- The staff recommends the approval of the rezoning and the Covenants, Conditions and Restrictions for the following reasons:
  - The Downtown Master Plan recommends this area to be a combination of residential uses and the proposed rezoning to the Downtown Development District will allow the property to be included in the proposed Highland Park development, which cannot occur in the current R-2 Multi-family District.
  - The rezoning will allow an under-utilized, non-conforming lot to be included into a more vibrant residential use that should enhance the surrounding area.
  - Staff is of the opinion that rezoning to the DD, Downtown Development District, with the proposed Covenants, Conditions and Restrictions, to allow this development would achieve all of the direct objectives of the Downtown Master Plan.
  - This rezoning would also be reasonable and in accordance with the purpose and intent of the Unified Development Code and the Comprehensive Plan.
  - Staff recommends approval of the requested rezoning to DD, Downtown Development District with the proposed Covenants, Conditions and Restrictions.




- Covenants and Restrictions

The changes to the Covenants and Restrictions are found in the following sections:

- 1.6 The proposed new name is Highland Park
- 3.1 Permitted Uses includes Single family and Townhouses
- 3.5 includes a provision that above ground utilities may be permitted based on the development plan
- 4.2 Includes the same above ground provision as section 3.5
- Article V now indicates that the existing standards in Section 5.1 to 5.16 are for the commercial and mixed use development.
- 5.17 is added to establish the development standards for single family and townhomes
- Article VI now indicates that the existing standards in Section 6.1 to 6.4 are for the commercial and mixed use development.
- 6.5 references Exhibit B which sets forth the approval process for single family and townhome development
- 7.20 references Exhibit C which sets forth the Architectural and Landscape design standards for single family and townhomes.