REGULAR COUNCIL MEETING
MONDAY, FEBRUARY 5, 2024 – 7:00 PM
EXECUTIVE SESSION IMMEDIATELY FOLLOWING

CALL TO ORDER

President Jim Fodor called the Regular Council Meeting to order at 7:00 PM. City Council convened for a regular meeting in Council Chambers – Courtroom #1.

ROLL CALL FOR ATTENDANCE

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

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

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

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, Finance Director Bill Parkinson, Administrative Lieutenant Toby Burgett, Electric Superintendent Jeff McHugh, and Clerk of Council Samantha Danielson

APPROVE AGENDA AS SUBMITTED

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

Mr. Augustine moved to approve the agenda, seconded by Mrs. Shoop. 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 01.16.24

Mr. Fodor asked for a motion to approve the minutes from the Regular Meeting on January 16, 2024.

Mrs. Shoop moved to approve the minutes from the Regular Meeting on January 16, 2024, seconded by Mr. Augustine. All Council Members were in favor by answering "Aye". Motion carried. Minutes approved. It was clarified that Council Members, who were absent during that meeting being approved, can vote for the minutes if they deem the minutes to be accurate.

PUBLIC COMMENTS

Raymond Sternot, of Birchwood Lane, Painesville, addressed Council with the following concern: He had in previous years asked about a schedule for basic road maintenance and have yet to see one. He also doubts whether Council has seen such a "documented" plan for routine road maintenance unlike plans for road replacements/upgrades. Why and when might Council and Painesville residents get to see a plan of action? Do we have the money/funding and people to sustain the roads before they crumble? Even roads in Heisley Park are lacking routine maintenance and it is showing, in my opinion. If there is a plan, he asked it to be shared with the residents. Mr. Lewis was asked by Council to follow up with information at the next council meeting.

COMMITTEE REPORT: BZA, Special-Planning Commission, Economic Development

BZA

City Manager Doug Lewis gave a report on this committee which was held on January 18, 2024. The following items were discussed: An application has been submitted by Betty Raimey of 342 West Jackson Street to appeal the administrative decision to demolish the structure located at 563 Lawnview Avenue. By a vote of 4-0 the administrative decision to demolish the structure located at 563 Lawnview Avenue was upheld, and there were no further matters to come before them.

Special-Planning Commission

City Manager Doug Lewis gave a report on this committee which was held on January 23, 2024. The following items were discussed: Payne & Payne Builders and the City of Painesville have applied for a Conditional Use Permit for residential use in the Downtown Development (DD) District. The Conditional Use Permit is for the three existing parcels that will

be a part of Highland Park Development. The property is located in the DD District which requires a Conditional Use permit for residential use. By a vote of 4-0 the conditional use permit request was approved with the following stipulations: 1. Allowing Payne & Payne to proceed only with development of the first two lots in Phase 1 initially with the requirement to follow through with a final development plan by submitting a preliminary plat for the entire development for approval. 2. This approval of a Conditional Use Permit for residential use in the DD District on the subject properties is only for Payne and Payne Builders. The approval of a Conditional Use Permit for residential use in the DD District on the subject properties is not transferrable to another developer. 3. The proposed lots and dwellings in all phases shall be in compliance with the development standards within the recorded Covenants, Conditions and Restrictions for Highland Park, and applicable standards within Section 1117.01 (a) of the Unified Development Code. 4. The Development Agreement will be finalized prior to approval; and discussion of proposed text amendment for Agriculture Use and review of memo regarding text amendment for agriculture use and related Code sections. They will be bringing this back to the Commission at the next meeting.

Under the Conditional Use Permit, Council has 15 days to decide if they would like to request a public hearing on the subject. This matter was to be heard during the New Business section at tonight's meeting, but Council decided to move forward at this time.

Mr. Augustine made 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, seconded by Mr. Abney.

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

Economic Development Committee

Mr. Abney gave a report on this committee which was held on January 29, 2024. The following items were discussed: John F. Clair Award – The committee reviewed eight nominations for the John F. Clair Award. Discussion took place regarding the highly deserving candidates and possible alternative options for recognition. Painesville Credit Union was selected as this year's award recipient by a unanimous vote; Other Business – Mr. Lewis informed members about the TeamNEO NODE meeting and the positive comments made by panelists about projects happening in Painesville and why the City is attractive for new business. The event provided excellent promotional awareness of the City's development projects to over 60 attendees from the region; and there being no further business, the meeting adjourned.

LEGISLATION:

ITEM #1 ORDINANCE

***1st Reading* – An Ordinance providing for the issuance and sale of bonds in the maximum principal amount of $3,500,000 to pay costs of the acquisition of real estate in the city to be improved and used for municipal purposes, and declaring an emergency.**

Finance Director Bill Parkinson spoke on this piece of legislation. He stated this legislation is to refinance the CRE Notes. The CRE note was taken out for the purchase of the property. It was a short-term taxable note. The City would like to turn this into a tax exempt bond. He explained what a short-term note is, and that it is more difficult to sell a taxable note and cost more in the percent rate. He explained the interest, the cost of issuance, and other fees. It was recommended that the City do the following to (1) refinance the note into a long-term bond, (2) convert the note from taxable to tax exempt, saving the City significant interest costs, and (3) establish a tentative refinancing schedule. Under the current schedule, the bonds would be issued in May 2024.

This will go to second reading.

ITEM #2 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.**

Electric Supervisor Jeff McHugh spoke on this piece of legislation. He stated this is a clean-up of re-organization of personnel at the plant. It has been included in the 2024 budget.

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

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

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

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

ORDINANCE 03-24 is ADOPTED.

ITEM #3 RESOLUTION

***1st Reading* – A Resolution designating Dollar Bank as a public depository of the City of Painesville's active and interim deposits, and declaring an emergency.**

Finance Director Bill Parkinson spoke on this piece of legislation. He stated he was asking for Council's consideration to switch primary banks. The City currently uses Chase Bank as its primary bank for all its operational needs and savings account. He would like to move the active deposits and interim deposits to Dollar Bank. He reached out to PNC Bank, Key Bank, Dollar Bank, First National Bank, and Huntington Bank and requested a quote on the City's banking services. Upon reviewing the quotes, not only did Dollar Bank save the City significant fee costs, but it also offered much higher interest earnings on active deposits. This will result in an estimated net savings (gross interest earnings less bank fees) of $47,601 per month, or $571,212 annually. It was being asked to be passed on first reading due to the complicated process to switch over, and it will have minimal cost to the city regarding employee time and supplies. The City's current investment arrangements with STAR Ohio, Meeder, Huntington Bank, and Hilltop Securities would remain unchanged.

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

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

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

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

RESOLUTION 06-24 is ADOPTED.

ITEM #4 RESOLUTION

***1st Reading* – A Resolution approving the creation of special revenue funds, and declaring an emergency.**

Finance Director Bill Parkinson spoke on this piece of legislation. He stated this is procedural for the finance department. It is to streamline and be more efficient, when the city receives local, state, or federal grants instead of establishing a fund for every single grant (local, state or federal), the Finance Office will track all local grants (via a unique project number) through the 279 fund, all state grants (via a unique project number) through the 289 fund, and all federal grants (via a unique project number) through the 299 fund. This will allow the Finance Office to track grant reimbursements and expenses more effectively using the finance software system. This also establishes the TIF funds and projects.

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

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

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

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

RESOLUTION 07-24 is ADOPTED.

ITEM #5 RESOLUTION

***1st Reading* – A Resolution authorizing and directing the City Manager to advertise for bids and to enter into contracts with the lowest and best bidders for furnishing materials, supplies and services to various departments/divisions of the City of Painesville, and declaring an emergency.**

City Manager Doug Lewis spoke on this piece of legislation. He stated this is the annual item of legislation that authorizes the bidding of various services or supplies that are necessary for the daily operation of the city government or our utilities. Generally, items such as: chemicals; materials for the electric, water, sewer, or street operations; insurance; fuel;

uniforms; and janitorial services, are some of the items identified in this legislation. These items are bid out throughout the year as may be needed instead of coming back to council for every single item. Each department has already budgeted for these expenses in their 2024 budget. It was requested this to be passed on the first reading.

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

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

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

On roll call, Mr. Augustine, Mr. Hach, Mrs. Shoop, and Mr. Abney answered "Yes". Mrs. DiNallo and Mr. Fodor answered "No". Motion not carried 4-2.

This will go to second reading.

UNFINISHED BUSINESS: Strategic Plan

President Fodor held a discussion and gave an overview about the Council's Strategic Plan including the Council's goals and objectives, the mission statement, and core values. Discussion ensued about the proposed language contained in the document, who is responsible, the action steps, time frame, needed resources and the evaluation/measure of success. The Council Members were asked to provide feedback, recommendations, and/or additional input to Mr. Fodor by the next council meeting. Mr. Lewis commented that these objectives in the documents are done on a regular basis. The City has already put together a five-year capital plan and consultants may need to be hired for other requests. This is a "work-in progress" document and has not been finalized. Once a consensus of the council is reached, it will go through the formal adoption process by the Council Members and take public comments into consideration to reach a finalized document.

NEW BUSINESS: 15 Day Conditional Use Permit

This matter was dealt with during the Committee Reports portion of the meeting.

DEPARTMENTAL PRESENTATIONS: None

ADMINISTRATIVE REPORTS: Law Director and City Manager

Law Director Jim Lyons had no report at this time.

City Manager Doug Lewis reported on the following items: He gave several updates for some programs and services. Sidewalk Program – the City has been working with property owners who have been non-compliant. There were 32 property owners who were cited in the court. Since the court date, there are 11 residents who are not in compliance. The City's goal is to obtain compliance for replacement of their sidewalks and will work with the residents, and residents interested in participating in the Bulk Price Program should contact the City for more information; Becoming a Better Me – a flyer was passed out in the schools, grades 6th through 12th, to provide a variety of activities on Tuesday, Wednesday, and Thursday from 2:30 – 6:30 PM at the Morse Avenue Center; Elizabeth Boulevard will be closed on Friday, February 7th from 9 AM to Noon for street light repairs; the City will be working with Harvey High School and Riverside High School for a career-based partnership. Meetings on Tuesday, with students, and department heads, will take place to make students aware of additional careers that are available especially for those not going to college; and there has been an increase to the city's cemetery rates that goes into effect in March.

CORRESPONDENCE: Clerk of Council

The next regular Council meeting will be held on Tuesday, February 20th at 7:00 PM; City Office will be closed on Monday, February 19th for Presidents' Day; Painesville Lions Club will be hosting a skate party on Wednesday, Feb. 7th from 6:00 to 8:00 PM at City Skate Center. All proceeds raised will help fund the 2024 Painesville Safety Town Pilot Program; and DPO Vine and Chocolate Event will be on Saturday, February 10th at Lake Erie College from 1:00 to 4:00 PM.

CLOSING COMMENTS: Members of Council

Mr. Abney had no comments at this time.

Mr. Hach had no comments at this time.

Mrs. DiNallo made a comment about the resourcefulness and appreciation of the Administration team that has been on finding support for funding and grants, and making residents aware of responsibilities for sidewalk requirements and funding options.

Mr. Augustine welcomed Mr. Sternot and thanked Mr. Parkinson for doing a good job and making Council aware the various ways the City can save substantial amounts of money.

Mrs. Shoop had no comments at this time.

Mr. Fodor had no comments at this time.

EXECUTIVE SESSION

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

Mr. Augustine motioned to move into the EXECUTIVE SESSION BEING HELD IN ACCORDANCE WITH ARTICLE II, Section 6(3) To discuss pending or potential litigation involving the City, seconded by Mrs. Shoop.

On roll call, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Hach, Mrs. Shoop, and Mr. Fodor answered "Yes". Motion carried to move into the Executive Session at 8:22 PM.

Mr. Fodor asked for a motion to adjourn the Executive Session.

Mr. Hach moved to adjourn the Executive Session, seconded by Mr. Abney. All Council Members were in favor by answering "Aye". Motion carried to adjourn the Executive Session at 9:22 PM.

ADJOURNMENT

Mr. Fodor asked for a motion to adjourn the Regular Meeting.

Mr. Hach moved to adjourn the Regular Meeting, seconded by Mr. Augustine. All Council Members were in favor by answering "Aye". Motion carried to adjourn the Regular Meeting at 9:22 PM.

Meeting adjourned at 9:22 PM.

Samantha Danielson
Clerk of Council

Jim Fodor
President of Council