REGULAR COUNCIL MEETING
WEDNESDAY, FEBRUARY 21, 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, Mario Rodriguez, Christine Shoop, and Jim Fodor were present.

Other City Staff in attendance: City Manager Doug Lewis, Law Director Jim Lyons, Economic Development Director Susan Crotty, Community Development Director Sarah Sitterle, Police Chief Dan Waterman, Administrative Lieutenant Toby Burgett, and Clerk of Council Samantha Danielson

APPROVE AGENDA AS SUBMITTED

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

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

INVOCATION was given by Councilperson Jim Fodor.

PLEDGE OF ALLEGIANCE was recited.

MINUTES: Regular Meeting 02.05.24

Mr. Fodor asked for a motion to approve the minutes from the Regular Meeting on February 5, 2024.

Mrs. DiNallo moved to approve the minutes from the Regular Meeting on February 5, 2024, seconded by Mr. Augustine. All Council Members were in favor by answering "Aye". Motion carried. Minutes approved.

SPECIAL PRESENTATIONS: John F. Clair Award and Police Officer Recognition

John F. Clair Award

Mr. Fodor, Mr. Augustine and Economic Development Director Susan Crotty announced and presented the 2024 John F. Clair Award winner. The family of John F. Clair also assisted with the presentation. Congratulations to the Painesville Credit Union for their continued commitment to and investment in the Painesville community. Lori Guzzi, CEO, and Lynne Kline, COO, accepted the award on behalf of the team and Board of Directors at Painesville Credit Union. This award is given to a Painesville City business who demonstrates the value of balancing business and community service, and shows a commitment to the growth of the Painesville community.

Police Officer Recognition

Police Chief Dan Waterman recognized several officers for their dedication to the City of Painesville. Lieutenant Mike DeCaro was presented the Honorable Service Award for 18.5 years as an active member of the Lake County S.W.A.T. team, rising from Team Member to Assistant Team Leader and ultimately achieving the position of Team Leader. During his years of service, Lt. DeCaro faced several serious situations, and his actions during those incidents showed tremendous restraint and brought great honor and respect to himself and the City of Painesville Police Department. Congratulations Lieutenant DeCaro! Letters of recognition were given to seven officers based on criminal operations that are organized by our Detective's Bureau. They have a tremendous impact on reducing violent crime in the City of Painesville, thereby continuing to improve the quality of life for Painesville residents. Lead by Detective Sergeant Matthew Tycast, Detective Vince Crews and Detective Brandon Smith, and working with them on these operations are officer volunteers including: Officer Dallas McCloud, Officer Cory Whitt, Officer Taylor Prugel and Officer Joseph Federico. Congratulations to all the officers!

PUBLIC COMMENTS: None

COMMITTEE REPORT: BZA

BZA

Community Development Director Sarah Sitterle gave a report on this committee which was held on February 15, 2024. The following items were discussed: An application has been

submitted by Rick Beamer of 111 Mathews Street requesting two variances to allow a 30' x 50' accessory structure on his property. The request is to allow for a fourth accessory structure along with allowing the structure to exceed the permitted square footage. By a vote of 3-0 the variance request was tabled to allow the applicant to submit a revised application as the proposed structure and condition of the property has changed since the initial application was submitted. There being no further matters, the meeting was adjourned.

LEGISLATION:
ITEM #1 ORDINANCE
2nd 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. (*1st Reading 02.05.24)

City Manager Doug Lewis spoke on this piece of legislation. He stated this legislation would convert taxable notes to tax-exempt bonds for the purchase of the CRE building. It was recommended to go three readings. An update was requested by Council.

This will go to third reading.

ITEM #2 ORDINANCE
***1st Reading* – An Ordinance to approve and adopt the 2024 Codified Ordinances including new matter contained therein, and declaring an emergency**.

Clerk of Council Samantha Danielson spoke on this piece of legislation. She stated the Codified Ordinances have been reviewed and approved by Department Heads and are ready to be added to the City Code. The City contracts with the American Legal Publishing Corporation to prepare and publish ordinances that have been revised, remodified, rearranged and consolidated, and any new matters which have been adopted. The cost associated with this is budgeted in Council's budget under the Code Service. It is being asked to be passed on first reading, so the City Code on our website can be updated with the current changes and information.

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

Mrs. Shoop moved to adopt, seconded by Mr. Rodriguez.
On roll call, Mr. Rodriguez, Mrs. Shoop, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Hach, and Mr. Fodor answered "Yes". Motion carried 7-0.
ORDINANCE 04-24 is ADOPTED.

ITEM #3 RESOLUTION
2nd 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. (*1st Reading 02.05.24)

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 at tonight's meeting because it is holding up various departments from ordering necessary materials to do their jobs.

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

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

RESOLUTION 08-24 is ADOPTED.

ITEM #4 RESOLUTION
***1st Reading* – A Resolution authorizing the City of Painesville, Ohio, to proceed with the demolition of an unsafe structure located at 172 Second Street, in the City of Painesville, Lake County, Ohio, and to request the assistance and cooperation of the Lake County Land Reutilization Corporation in effecting the same, and declaring an emergency.**

Community Development Director Sarah Sitterle spoke on this piece of legislation. She stated this is a resolution for 172 Second Street and was identified as part of the City of Painesville Community Development Department's demolition program in cooperation with the Lake County Reutilization Corporation. It has been vacant since 2018. This property has gone through the process including notification to the property owner to inspect the property which the City did not hear from and did obtain an administrative search warrant to enter the property. The Lake County Building Official and Lake County General Health District Environmental Supervisor both issued condemnation notices for this property. It has been advertised in the News Herald for seven weeks and is now being presented before Council for approval. Except for the title search and advertising, the expenses to abate and demolish the structure listed above will be paid for by the LCLRC. Mrs. Sitterle provided pictures of the structure. It was being asked to be passed at tonight's meeting so to move forward with the land bank for demolition. It was clarified that the vacancy fees have been tracked in the Community Development Department and will transfer with the property. The individual who purchased the property will do their due diligence to look into the fees that are owed on the property. Typically, the property will go into foreclosure with the county, then the land bank will take the property and fees will be waived.

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

Mr. Hach moved to adopt, seconded by Mrs. Shoop.
On roll call, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Hach, Mr. Rodriguez, Mrs. Shoop, and Mr. Fodor answered "Yes". Motion carried 7-0.
RESOLUTION 09-24 is ADOPTED.

ITEM #5 RESOLUTION
***1st Reading* – A Resolution authorizing and directing the City Manager to bid and award a contract for the installation of James Hardie Fiber Cement Board on the Municipal Court Building at 7 Richmond Street to the lowest and best bidder, and declaring an emergency.**

City Manager Doug Lewis spoke on this piece of legislation. He stated Judge Malchesky approached Michelle LaPuma, Director of Public Lands and Recreation, with the desire to improve the exterior appearance of the Municipal Court Building. The Judge wanted to do more than paint the building. He asked Ms. LaPuma to look at a variety of options. After evaluating those options and looking to maintain the historical nature of the building. The City decided to move forward with the James Hardie Fiber Cement Board because it is historically and architecturally accurate and will not alter the integrity of this historical building. This Resolution is to request bids and award a contract for the installation of James Hardie Fiber Cement Board. Judge Malchesky asked that we move forward as soon as possible. The Administration is recommending approval of this Resolution on first reading. Council approved the funding as part of our 2024 Capital Budget funds from the Municipal Court Budget and funds from the Building and Lands to complete this project. Discussion ensued about the intention and cost of the product originally approved. It will need to go through the bidding process. Law Director Mr. Lyons clarified the language of the piece of legislation and the process of accepting a bid and signing a contract and funding requirements. It was suggested to get funding/estimate update associated with the project.

This will go to second reading.

ITEM #6 RESOLUTION
***1st Reading* – A Resolution authorizing and directing the City Manager to cooperate with the Ohio Department of Transportation (ODOT) for the resurfacing of SR-44 from SR-84 to SR-2 in the City of Painesville, and declaring an emergency.**

City Manager Doug Lewis spoke on this piece of legislation. He stated the state has determined that SR-44 needs to be resurfaced from SR-84 to SR-2. The project will be administered by the Ohio Department of Transportation. The State shall assume and bear 100% of all the costs of the improvement and oversee the project. Approval of the Resolution is needed to cooperate with the Ohio Department of Transportation (ODOT) for the resurfacing of SR-44 from SR-84 to SR-2. ODOT has requested that this be passed on the first read. It was clarified, in the contract, the City would be responsible for certain costs if we need to acquire right away and some other things. Since it is just resurfacing, those costs are very unlikely to come up. If there is an incidental cost, it is possible that the city could incur a charge but not likely. It was being asked to pass tonight.

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

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

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

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

RESOLUTION 10-24 is ADOPTED.

ITEM #7 RESOLUTION

***1st Reading* – A Resolution authorizing and directing the City Manager to accept grant funding from NOACA and partner with them for the purchase and installation of EV Charging Stations to be located in Painesville, and declaring an emergency.**

City Manager Doug Lewis spoke on this piece of legislation. He stated NOACA applied for and was awarded $15 million dollars in funding for a Charging and Fueling Infrastructure (CFI) grant from the Federal Highway Administration in the amount of $15 million to install electric vehicle chargers at more than 70 locations throughout Northeast Ohio. The City of Painesville was selected for installation of two (2) Level 2 Ports and two (2) Fast Charger Ports. The project represents a partnership between the City of Painesville and NOACA. The grant identifies that the charging stations will be installed at City Hall. However, due to the shortage of parking, we will be working with NOACA to identify an alternative location that is open to the public. Staff were recently made aware of this opportunity and no funding was budgeted in 2024. It would be necessary to budget the local match of 20% of the overall cost. The estimated cost is $223,000 and the local match would be approximately $44,600. The funding would be allocated out of the Electric budget. The City Manager has talked with the Finance Director, Bill Parkinson, and it would require a budget adjustment. Funding is available within the Electric budget to finance the costs. There is no purchase required. The engineering, installation and purchase of the EV Charging Station is included in the grant funding. The City Manager talked with the Electric Superintendent Jeff McHugh and our staff installed the existing EV Charging Station consisting of two (2) Level 2 Ports installed in the municipal parking lot. The City will be working with NOACA to install the two new charging stations. This legislation can go two readings if the City Council prefers. However, the agreement must be signed and returned to NOACA by March 15, 2024. A copy of the agreement was included with the legislation. Discussion ensued about the location of the charging station and the benefit and advantage of having it in the municipal parking lot; and for public use, length of time for charging, and the need to have charging stations; how the owner is billed; concerns that the electric budget is the correct place for the cost and funding it and the concern of cost being passed on the customers; and in the future, the city will charge individuals who use the electric chargers and it will go back to the electric department; and questions were about the proper place for the money to come from the electric or from somewhere else and information on the manufacture of the charging stations and locators of charging stations was brought forth. It was clarified, the city can and have registered the stations.

This will go to second reading.

UNFINISHED BUSINESS: Strategic Plan

President Fodor gave an update of the changes regarding the language contained in the document since the last council meeting. The next steps in the process would be to present legislation to go three readings so the community has an opportunity to view it and make comments. Discussion ensued about some of the verbiage used in the document regarding economic development and concerns that residents may misunderstand the intent, establishing baselines, time frames, and evaluation/ measure of success should be flexible and determined by

the individual departments. Discussion ensued about the 3 to 5 year improvement plans and how they can be efficient and effective. This plan is a "living document" and changes can be amended. Council decided to make language changes and bring forth legislation to the next meeting.

NEW BUSINESS: None

DEPARTMENTAL PRESENTATIONS: None

ADMINISTRATIVE REPORTS: Law Director and City Manager

Law Director Jim Lyons had no report at this time.

City Manager Doug Lewis had no report at this time.

CORRESPONDENCE: Clerk of Council

The next regular Council meeting will be held on Monday, March 4th at 7:00 PM.

CLOSING COMMENTS: Members of Council

Mr. Abney had no comments at this time.

Mr. Hach had no comments at this time.

Mrs. DiNallo congratulated Painesville Credit Union and the officers and detectives. She loved to see the comradery.

Mr. Rodriguez thanked and congratulated everyone who attended tonight to celebrate the police officers and the John F. Clair Award. He thanked everyone watching at home.

Mr. Augustine had no comments at this time.

Mrs. Shoop congratulated the officers and the Painesville Credit Union. She later asked for an update on the goose dropping issue. Mr. Lewis gave a brief update explaining that staff has met with ODNR and several companies to address the problem. Upon recommendation, the best method to address the geese was determined and explained the cost and length of time, two to three years, for the process. Discussion ensued about funding and determined it would come out of the general fund and need to have a budget adjustment.

Mr. Fodor informed residents as to why we were having a council meeting tonight instead of on Tuesday due to several council members and other members of the community attended Mentor's council meeting to encourage them to work with the City of Painesville in developing the property Brookstone Boulevard area. There is a concern about that area and its development, and hopes to come to a positive agreement between Painesville and Mentor.

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(1) To consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of an employee or official of the City, and 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, Mr. Rodriguez, Mrs. Shoop, and Mr. Fodor answered "Yes". Motion carried to move into the Executive Session at 8:40 PM.

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

Mrs. Shoop 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 9:27 PM.

ADJOURNMENT

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

Mrs. Shoop 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 9:28 PM.

Meeting adjourned at 9:28 PM.

Samantha Danielson
Clerk of Council

Jim Fodor
President of Council