REGULAR COUNCIL MEETING
MONDAY, MAY 6, 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 Lori DiNallo, Paul Hach, Mario Rodriguez, Christine Shoop, and Jim Fodor were present. Derrick Abney was not able to attend. Nick Augustine arrived at 7:06 PM.

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

Mr. Hach moved to excuse Derrick Abney, seconded by Mrs. DiNallo. All Council Members were in favor by answering "Aye". Motion carried.

Other City Staff in attendance: City Manager Doug Lewis, Law Director Jim Lyons, Economic Development Director Susan Crotty, Director of Planning Sarah Sitterle, Police Chief Dan Waterman, Human Resource Director Kris Young, Finance Director Bill Parkinson, Public Service Director Jarod McCrone, 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. Hach. 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 04.15.24

Mr. Fodor asked for a motion to approve the minutes from the Regular Meeting on April 15, 2024.

Mrs. DiNallo moved to approve the minutes from the Regular Meeting on April 15, 2024, seconded by Mrs. Shoop. Mrs. DiNallo, Mr. Rodriguez, Mrs. Shoop, and Mr. Fodor were in favor by answering "Aye". Mr. Hach abstained. Motion carried. Minutes approved.

PUBLIC COMMENTS:

John Stewart, of Levan Drive, addressed Council about having to replace 17 sections of sidewalk and the cost of about $7,000.00. He explained that several sections do need repaired, however, several of them have minor damage. He has contacted the engineering department and is looking for a way to resolve the cost issue. City Manager Doug Lewis stated the City will look into this and work with Mr. Stewart.

Ray Sternot, of Birchwood Lane, addressed Council to thank Mr. Lewis and Mrs. Exum for meeting with the members of Heisley Park and the HOA about stormwater management in Painesville. He stated the meeting was informative and explained what they learned at the meeting. He had concerns about surrounding communities and their level of maintaining stormwater management in Lake County and addressing issues. Mr. Lewis stated the City will work with the HOA if there is a problem like the City has done in the past. Mr. Sternot would like the state and county Engineers and Commissioners to ensure that cities can work together on a comprehensive plan and oversight.

COMMITTEE REPORT: DPO, BZA

DPO

Mr. Augustine gave a report for this committee which was held on April 5, 2024. He reported on the following items: Executive Director's Report – Renee Fitzgerald-Palacio-discussed completing invoicing for all members. She is working on the Car Cruise sign up list reported to the board that every Car Cruise averaged about +$200 to the DPO. DPO splits the lawn care cost with the City of Painesville. They prepaid for the season to get a discount/best pricing. She is currently looking for Art in the Park sponsors. Food trucks, ice cream, food at the church, have all been set up. She would like to incorporate the Painesville Art Council for volunteers and assistance running the event. The organization sold over 375 tees for the eclipse, netting over $3,500. Renee confirmed they sold out of the t-shirts (440 sold). In April, there is a Heritage Ohio Board Meeting in Newark, NJ regarding revitalization training; Old Business:

They discussed 2024 Goals/Transformational strategy. It is uploaded online for the board to review; New Business: Motion made to create a new website in April 2024. Board discussed benefits of launching a new website would be having complete control over the website, new website is $600.00 per year, with the current website they have to pay per change, and they are currently over $700 (less than ¼ into the year). Lisa Lewins requested the board members to provide pictures for the new website; Committee Reports – Design – Ron Robertson – Car Cruise reported in the Exec Director's report, new brackets for baskets installed and is looking at basket prices. The previous year's basket prices are WAY UP and Ron is looking for new sellers and better prices. Economic Vitality – Erica Acheson-Dunay/Cyrus Massoudi – had last two business after hours. All after hours will be held at the Gage House until further notice; Organization –Lisa Lewins – Treasurer's Report – Lisa created a new, simplified version of the treasurer's report. This will be easier to read, review, and modify; Membership – Lisa is working on the Founders Day Breakfast. They are thinking of the third week of May and want to incorporate Harvey High School. She will follow up with the college regarding dates.

BZA

Director of Planning Sarah Sitterle gave a report for this committee which was held on April 18, 2024. The following items were presented to the Board of Zoning Appeals for consideration: An application has been submitted by Lenell Johnson of 324 Bank Street requesting a variance to allow a three-season room to encroach the left side yard setback by 5' and to allow a new deck to encroach the left side yard setback by 6'. The required side yard setbacks per the UDC is 10' in the R-1 District. By a vote of 0-5 the variance request was denied to allow the applicant to construct a three-season room and new deck as stated above. *FINDING OF FACT: After hearing from the applicant that requested a variance for the side setbacks of the three-season porch and the deck because they encroached into the required 10-foot side setback, the Administration explained they were unable to support the variance due to construction of the three-season porch and deck encroaching into the 10' required setback. Additionally, the Administration was concerned about previous issues of work without permits at the subject property and failure to comply with the processes. The Board of Zoning Appeals deliberated and voted 0-5 to deny the variance request for the following reasons: the three-season porch and deck encroach into the 10-foot side setback by 5 and 6 feet, and the applicant created the setback encroachment himself due to not following the appropriate processes of submittal which are subject to review.* There is a concurrent case in court and the judge has asked for Mr. Johnson to come back on May 20th to confirm that these structures have been removed.

LEGISLATION:

ITEM #1 ORDINANCE

2nd Reading* – An Ordinance amending Section 167.071(B), of the Painesville Code of 1998 relating to the Classification and Compensation Plan, and declaring an emergency. *(1st Reading 04.15.24)

Human Resource Director Kris Young spoke on this piece of legislation. She stated the City's FOP/OLC Patrol Unit has agreed to contract terms with the union for a three-year deal. This deal includes wage increases effective April 1, 2024, of 5%; effective April 1, 2025, of 3%; and effective April 1, 2026, 3%. These increases mirror other Collective Bargaining Agreements settled this year. The Administration believes the terms and wage increases are fair and the City to be competitive in the region. This will allow the department to run effectively and professionally. This is the first time in the City's recent collective bargaining history the parties opted to discuss contract terms with an interest based bargaining approach. The result was a mutually satisfactory and swift conclusion to contract negotiations, and we commend the Union leadership on their good faith efforts to work together with management in this regard. The City believes the terms are fair and can afford them. The City is still in negotiation with other unions with similar, proposed wage increases, we believe it is in the City's best interest to waive the three readings of this legislation and respectfully ask Council to approve this legislation as an emergency to assist with the other union negotiations.

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

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

Mrs. DiNallo moved to adopt, seconded by Mrs. Shoop.

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

ORDINANCE 12-24 is ADOPTED.

ITEM #2 ORDINANCE

***1st Reading* – An Ordinance amending Section 1107, 1113.06(d), and Section 1115.32, of the Painesville Code of 1998, relating to Manufacturing, Extractive/Deposit Use, and declaring an emergency.**

Director of Planning Sarah Sitterle spoke on this piece of legislation. She stated the City is proposing to make the following proposed changes to the Painesville Unified Development Code. The changes are designed to address the concern that several parcels within the commercial and industrial districts are not currently buildable based on their topography. A summary of the changes are as follows:

1.) 1107.02 Definitions is amended as follows: (121) Manufacturing, Extractive is proposed to be amended to include the deposit of soil or other natural materials on a parcel. Currently it only addresses the removal of soil. This definition will now be manufacturing, extractive/deposit. Impacts from the deposit of soil can be as dramatic as the removal of soil can be:

1107.02 Definitions

(121) Manufacturing, extractive/deposit - Any mining, quarrying, excavating, processing, storing, separating, cleaning or marketing of any mineral natural resources, or the deposit of any mineral, soil or natural resource.

2.) 1113.06(d) Main Uses: This change adds Manufacturing, extractive/deposit as a conditional use in the B-2 General Business district and the M-1 Light Industrial district in addition to the M-2 Industrial district and references new standards in a new section 1115.32; and

3.) New Section 1115.32 Manufacturing, Extractive/Deposit; This section adds standards and conditions for the Planning Commission to use to evaluate if a conditional use permit for the removal or deposit of material is appropriate. The basis for expanding this conditional use to the commercial and light industrial districts is to create buildable or developable lots. It is not designed to permit the creation of borrow pits or similar conditions that could inhibit development in the future. The proposed standards are also designed to control the impacts that might occur to adjacent property owners. These criteria are in addition to criteria used to evaluate all conditional use permits which address noise, hours of operation traffic, etc.

Add Section 1115.32 MANUFACTURING EXTRACTIVE/DEPOSIT

In addition to the conditional use requirements set forth in section 1111.08, any extraction or deposit of mineral resources, including soil, shall comply with the following specific standards and conditions:

(a) Soil shall only be permitted to be extracted or deposited to create a buildable or developable parcel.

(b) No permit shall be issued unless a plan is submitted indicating how the property will be developed after the extraction or deposit of the natural resource.

(c) The plan shall indicate the grading on the adjacent properties and any potential impacts to those parcels.

(d) Parcels that are adjacent to either S-1, R-1, R1-60 or R-2 shall provide buffering and screening of the properties so zoned. The buffer shall be a minimum of 20 feet in depth and shall contain a plant material which is a minimum of 75% evergreen. Solid fencing and screening may be permitted by the Planning Commission as a buffer provided that a minimum of 20 feet of buffer is provided.

(e) The Applicant shall comply with the standards set forth in Chapter 1143 of the Painesville Code of Ordinances related to erosion and sediment control.

(f) The applicant shall comply with the requirements of the Ohio EPA and Lake County Soil and Water Conservation District and present evidence of such compliance.

(g) The applicant shall indicate that the extraction or deposit of soil will not hinder, impede or in any way impact the delivery of all utilities to the site or impact the public right of way.

The Commission shall make a finding that the removal or deposit of natural material will not have a negative impact on the adjacent property, the utilities or right of way and that the removal or deposit of the soil is necessary for the future developability or buildability of the site. The Commission may request information and the opinion of the City Engineer or other qualified professional in making this determination. The Commission may waive or modify any of the standards and conditions based on the specific circumstances of the site.

The proposed code change will address those circumstances while providing control to minimize the impacts to the adjacent properties, the environment and the future developability of the property. This legislation for changes to the Unified Development Code requires a public hearing

and can be passed with three readings. The public hearing must be advertised for 30 days prior to the meeting. The public hearing will be scheduled for the June 3, 2024 meeting. Discussion ensued about concerns with ground settling under foundations and the prevention of this. Mrs. Sitterle clarified the requirements and process. Other concerns about water drainage were brought forth. Mrs. Sitterle clarified the process for this. Mr. Lyons clarified that the City is not liable for negative impact because the City is not doing the project but setting the guidelines for the project. The project/developer could be responsible. It was clarified that this is for new construction and condition use permits would need to be obtained.

This will go to second read.

ITEM #3 ORDINANCE

***1st Reading* – An Ordinance amending appropriations and to authorize additional inter-fund transfers and advances the current expenses and other 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.**

Finance Director Bill Parkinson spoke on this piece of legislation. He explained the flowing budget adjustments:

- The City is requesting to adjust the budget by $90,000 for legal services to be rendered by Mansour Gavin. The cost will be distributed to the following funds: General, Water, Sewer and Electric.
- The City is requesting to adjust the budget by $70,000 to move Tyler Munis hardware and software support from the County IT department to Tyler Munis. The cost will be distributed to the following funds: General, Water, Sewer and Electric.
- The City is requesting to adjust the budget by $7,500 for the appraisal of the Gibbs Properties. The cost will be distributed to the following funds: General, Water, Sewer and Electric.
- The City is requesting to adjust the budget by $4,000 for renovations to be made at the Community Development department. The cost will be distributed to the following funds: General, Water, Sewer and Electric.
- The City is requesting to adjust the budget by $23,310 for salaries and wages. The cost will be distributed to the following funds: General, Water, Sewer and Electric.
- The City is requesting to adjust the budget by $28,000 for salaries and wages for the addition of a permanent part-time fiscal clerk II for the Human Resources department. The cost will be distributed to the following funds: General, Water, Sewer and Electric.
- The City is requesting to adjust the budget by $25,000 for salaries and wages for the addition of a permanent fiscal clerk I front desk position for the Utility Billing department. The cost will be distributed to the following funds: Water, Sewer and Electric.
- The City is requesting to adjust the Capital Improvement Fund (424) by $250,000 for the acquisition of Piper property (PPN 15-B-018-0-00-018-0) on E. Erie St., and for the acquisition of the Gaghan property (PPN 15-B-002-0-00-039-0) on the southwest corner of E. Washington St. and St. Clair St.
- The City is requesting to adjust the General Fund (101) by $10,000 for improvements and repairs to City Hall.
- The City is requesting to adjust the Deposit Trust Fund (601) expenditure budget by $2,140 for the State of the City Address at the Steele Mansion. The City is also requesting to adjust the Deposit Trust Fund (601) revenue budget by $2,140 to account for the event receipts. This will result in a $0 net effect on the fund.
- The City is requesting to adjust the Capital Equipment Fund (430) budget by $158,000 to replace two servers at the Police Department, to replace two servers that support City Hall operations, and to replace a 17-year-old network switch located at City Hall
- The City is requesting to adjust the Municipal Court Capital Equipment Fund (415) budget by $26,000 to account for higher siding replacement project costs.
- The City is requesting to adjust the Economic Development Special Revenue Fund (241) budget by $18,000 for additional assistance for city related economic development activities.
- The City is requesting to adjust the Shamrock TIF Fund (231) budget by $30,000 for engineering inspection services for the Shamrock waterline project.
- The City is requesting to adjust the State Grant Fund (289) budget by $48,804 for powered stair chairs; the City is also requesting that the revenue for the State Grant Fund (289) be adjusted by $36,602 to account for the Bureau of Workers' Compensation (BWC) grant proceeds, and by an additional $12,200 for a transfer from the Fire Improvement Levy Fund

(236) to the State Grant Fund (289) to account for the City's share of this capital equipment project as required by BWC grant covenants.

- The City is requesting to adjust the Fire Levy Fund (220) budget by $5,852 for improvements related to the 2007 Fire Engine maintenance and repair. The City is also requesting to adjust the Fire Levy Fund (220) revenue budget by $5,851 to account for the sale of the 1997 Pierce Fire Truck. This will result in a $1 net effect on the fund.
- The City is requesting to adjust the General Fund (101) budget by $12,443 for geese control services at Rec Park.
- The City is requesting to adjust the General Fund (101) budget by $1,528 to account for a plaque at Marine Park. The City is also requesting to adjust the General Fund (101) revenue budget by $1,528 to account for the donation the City received to purchase this plaque. This will result in a $0 net effect on the fund.
- The City is requesting to adjust the Water Construction Fund (712) by $164,800 to account for the CRE note refinancing from a short-term taxable note to a long-term tax-exempt note.
- The City is requesting to adjust the Sewer Construction Fund (722) by $4,000 to account for the higher than expected cost to purchase a new truck.
- The City is requesting to adjust the Sewer Construction Fund (722) by $60,000 to account for a major repair needed for the plant's dump truck. The dollars needed to replace this truck was significantly cost prohibitive, and the repair would enable the City to greatly extend the useful life of the truck.
- The City is requesting to adjust the Road Improvement Levy Fund (237) by $185,000 to account for the higher than expected cost related to the repair and maintenance of various roads throughout the City.
- The City is requesting to adjust the CDBG Fund (955) budget by $150,000 to account for costs related to the sidewalk bulk replacement program. The City is also requesting the CDBG Fund (955) revenue budget be increased by $150,000 to account for the revenue received by residents who are 100% responsible for their respective sidewalk repairs. This will result in a $0 net effect on the fund.
- The City is requesting to adjust the Federal Grant Fund (299) budget by $435,000 to account for costs related to the Streetscape Phase I Project. The City is also requesting the Federal Grant Fund (299) revenue budget be increased by $435,000 to account for the County ARPA funding being received by the City. This will result in a $0 net effect on the fund.
- The City is requesting to adjust the Federal Grant Fund (299) budget by $500,000 to account for costs related to the Streetscape Phase I Project. The City is also requesting the Federal Grant Fund (299) revenue budget be increased by $500,000 to account for the federal appropriation being received by the City. This will result in a $0 net effect on the fund.
- The City is requesting to adjust the Federal Grant Fund (299) budget by $1,000,000 to account for costs related to the State Route 44 Interchange Project The City is also requesting the Federal Grant Fund (299) revenue budget be increased by $1,000,000 to account for the federal appropriation being received by the City. This will result in a $0 net effect on the fund.
- The City is requesting to adjust the Capital Improvement Fund (424) budget by $100,000 for professional services related to inspections conducted by the QCI Group for the Streetscape project.

It was requested to consider this resolution be passed as an emergency measure to allow the various departments to continue their respective on-going operations.

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

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

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

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

ORDINANCE 13-24 is ADOPTED.

ITEM #4 ORDINANCE

***1st Reading* – An Ordinance to authorize additional inter-fund transfers and cash advances of funds for current expenses and other expenditures of the City of Painesville, State of Ohio during the fiscal year beginning January 1, 2024, and declaring an emergency.**

Finance Director Bill Parkinson spoke on this piece of legislation. He explained the following advances and transfers:

- The City is requesting to transfer $5,000 from the General Fund (101) salaries and wages budget to the General Fund (101) purchased services budget for additional education and training for the Police Department.
- The City is requesting to transfer $5,000 from the Electric Construction Fund (732) to the Electric Fund (730) for new computers. The City is no longer requiring that computer purchases be incorporated into capital project planning as computers are basically "supplies" needed for the daily operations of the City.
- The City is requesting to adjust the Electric Fund (730) budget by $65,000 for a consulting contract with GPD Group.
- The City is requesting to transfer $45,000 from the Electric Construction Fund (732) to the Electric Fund (730) for a Rate Review Study. The funds set aside within Fund 732 for the #5 Boiler Enclosure are no longer needed and the department is requesting the funds be used instead for the rate study.
- The City is requesting to transfer $60,000 from the Electric Construction Fund (732) to the Electric Fund (730) for routine equipment maintenance needs. The funds set aside within Fund 732 for the FSS work for the #5 Boiler are no longer needed and the department is requesting the funds be used instead for the equipment maintenance needs.
- The City is requesting to transfer $60,000 from the Electric Construction Fund (732) to the Electric Fund (730) for routine equipment maintenance needs. The funds set aside within Fund 732 for the FSS work for the #5 Boiler are no longer needed and the department is requesting the funds be used instead for the equipment maintenance needs.
- The City is requesting to transfer $120,000 from the Electric Construction Fund (732) to the Electric Fund (730) for routine equipment maintenance needs. The funds set aside within Fund 732 for the feed pump repair work for the #5 Boiler are no longer needed and the department is requesting the funds be used instead for the equipment maintenance needs.
- The City is requesting to transfer $45,000 from the Electric Construction Fund (732) to the Electric Fund (730) for routine equipment maintenance needs. The funds set aside within Fund 732 to replace conduit at the Battery Building are no longer needed and the department is requesting the funds be used instead for the equipment maintenance needs.
- The City is requesting to transfer $25,500 from the Electric Construction Fund (732) to the Electric Fund (730) for professional services needs. The funds set aside within Fund 732 to repair the Boiler Refractor are no longer needed and the department is requesting the funds be used instead for professional service needs.
- The City is requesting to transfer $100,000 from the Sewer Construction Fund (722) to the Sewer Fund (720). The $100,000 is related to repairs and supplies needed to ensure the continued operation of the plant. Prior administration in Finance required that these expenses be accounted for under a capital budget. Since these expenses are needed to ensure the efficient operation of the plant, the current administration of Finance would prefer that these expenses be accounting for in the operating budget of the plant instead of as capital expenses.
- The City is requesting to advance from the General Fund to the Federal Grant Fund (299) $935,000 so that the Streetscape Phase I Project can continue to move forward. When the County remits to the City the $435,000 in ARPA funding, and when the City receives the $500,000 in Federal Appropriations, the advances will be returned to the General Fund.
- The City is requesting to advance from the General Fund to the Federal Grant Fund (299) $1,000,000 so that the State Route 44 Interchange Project can continue to move forward. When the Federal Appropriation is received by the City, the advance will be returned to the General Fund.

It was requested to consider this resolution be passed as an emergency measure to allow the various departments to continue their respective on-going operations.

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

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

ORDINANCE 14-24 is ADOPTED.

ITEM #5 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.**

Human Resource Director Kris Young spoke on this piece of legislation. She stated this item addresses two positions listed in 167.07 of the Code of Ordinances. The Department of Human Resources currently manages all payroll-related tasks. However, these responsibilities will be transferred to the Finance Department in 2024. This transition requires the creation of the position title Fiscal Clerk III-Payroll so that the duties and responsibilities of the position can be carved out of the current Fiscal Clerk III-Human Resources position. This is a change to the position title only, not a change in grade or current rate of pay. Further, the Director of Finance will now have the added responsibility of managing City infrastructure. With the included reclass to 27, there shall be an additional increase in annual salary of approximately $25,000. This shall be paid for serving as the Infrastructure Director to make sure capital projects are completed. The creation of the Fiscal Clerk III-Payroll has no impact on the 2024 budget. The reclass of the Director of Finance is an increase of approximately $23,310 (approximately $4,662 to the general fund) to the 2024 budget. This legislation can go through the process of three readings. However, the Administration requested Council to consider waiving the three readings so that the transition of payroll from Human Resources to Finance and the additional duties for the Finance Director can occur. The impact of this and hiring a part-time person will help with their workload. Concerns about how infrastructure projects have been handled and completed in the past were clarified that the City Manager was the one who made sure projects were completed and now it will be the Finance Director' s role.

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

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

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

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

ORDINANCE 15-24 is ADOPTED.

ITEM #6 ORDINANCE

***1st Reading* – An Ordinance amending Section 167.071 (C) & (F), of the Painesville Code of 1998 relating to the Classification and Compensation Plan, and declaring an emergency.**

Human Resource Director Kris Young spoke on this piece of legislation. She stated this piece of legislation covers the FOP promoted and the International Brotherhood of Electrical Worker Units. The City of members of both units have agreed to the terms for the April 2024 to March 2027 collective bargaining agreements and the terms include wage increases of 5% effective April 1, 2024, 3% effective April 1, 2025, and 3% effective April 1, 2026 and other incentives. Both units believe and the City believe these agreements are fair and will allow the corresponding departments to continue to run effectively and professionally. This is the first time in the City's recent collective bargaining history the parties opted to discuss contract terms with an interest based bargaining approach. The result was a mutually satisfactory and swift conclusion to contract negotiations, and we commend the Union leadership on their good faith efforts to work together with management in this regard. The Administration believes the terms and wage increases are fair and the City can afford them. The City is still in negotiation with other unions with similar, proposed wage increases, we believe it is in the City's best interest to waive the three readings of this legislation and asked Council to approve this legislation as an emergency to assist with the other union negotiations.

Mrs. Shoop moved to suspend, seconded by Mrs. DiNallo.

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

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

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

ORDINANCE 16-24 is ADOPTED.

ITEM #7 ORDINANCE

***1st Reading* – An Ordinance amending Section 167.071, of the Painesville Code of 1998 relating to the Classification and Compensation Plan, and declaring an emergency.**

Human Resource Director Kris Young noticed an error in the title section number which needed to be amended. She stated it should be section 167.09 not 167.071.

Mrs. Shoop motioned to amend the title and change Section 167.071 to Section 167.09 of the Painesville Code of 1998 relating to the Classification and Compensation Plan, and declaring an emergency, seconded by Mr. Augustine.

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

***1st Reading* – An Ordinance amending Section 167.09, of the Painesville Code of 1998 relating to the Classification and Compensation Plan, and declaring an emergency.**

Human Resource Director Kris Young spoke on this piece of legislation. She stated this piece of legislation is found under the volunteer positions for the auxiliary police officer. The City has struggled finding individuals to fill the part-time Auxiliary Police Officer positions. This position is important in the operation of the Painesville Police Department. The officers assist, as needed, in such duties as city hall security, parking enforcement, community outreach/events, traffic control, parades, city event security, prisoner transports, arraignments, other duties as needed and assigned. One of the many barriers to hiring qualified individuals is the ability of the City to remain competitive with the Painesville Municipal Court part-time bailiff wage which is $25.00 per hour. Current rates of pay for an Auxiliary Officer are $19.00 at entrance, $20.00 after one year and finally $22.00 after three years. The proposed slight increase to the current rates will have a minimal impact on the 2024 budget. The employees work as needed and offer gap fill in for our full-time staff. Staff is recommending that the increase be approved. This legislation can go three readings, however until approved, the Painesville Police Department will continue to struggle in attracting and retaining qualified individuals. It was requested to waive the three readings.

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

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

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

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

ORDINANCE 17-24 is ADOPTED.

ITEM #8 RESOLUTION

2nd Reading* – A Resolution authorizing the City of Painesville, Ohio, to proceed with the demolition of an unsafe structure located at 563 Lawnview, 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. *(1st Reading 04.15.24)

City Manager Doug Lewis spoke on this piece of legislation. He stated this legislation would allow the City to demolish 563 Lawnview. The City has spoken to the owner and came to an agreement that the property owner will tear down the home. At this time, the structure still exists on the property. It is being asked to go three reads to give the homeowner the opportunity to tear down the structure. If it is not demolished by the next meeting, the City will work with the land bank to demolish the property.

This will go to third read.

ITEM #9 RESOLUTION

***1st Reading* – A Resolution authorizing and directing the City Manager to enter into a contract with the Ohio Department of Transportation for the purchase of sodium chloride, and declaring an emergency.**

Public Service Director Jarod McCrone spoke on this piece of legislation. He stated this is an annual legislation allowing the City to enter into a contract with ODOT in order to bulk purchase and save on our road salt. The City is currently under this contract and will be up soon. The City has salt remaining from last year, so will be not need as much. It was being asked to pass so to move forward with the contract.

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

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

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

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

RESOLUTION 23-24 is ADOPTED.

ITEM #10 RESOLUTION

***1st Reading* – A Resolution authorizing and directing the City Manager to apply for and accept funding from the Ohio Department of Development through the All Ohio Future Fund Program, for the purpose of funding necessary infrastructure projects for economic development, and declaring an emergency.**

Economic Development Director Susan Crotty spoke on this piece of legislation. She stated the legislation is to authorize the Administration to apply for funding to the All Ohio Future Fund (AOFF) program which is a new program that was established in the operating budget by the state legislature to fund infrastructure projects that will enhance the development of property throughout the state. The fund is for $750 million dollars. The City is looking at applying to this for the interchange project on State Route 44. The City is looking into other grant resources to help with the cost. It was being asked that this legislation be passed to approve the application for and acceptance of funding for through the AOFF as proposed. Passing the legislation by emergency is recommended to ensure timely submission.

Mrs. DiNallo moved to suspend, seconded by Mrs. Shoop.

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

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

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

RESOLUTION 24-24 is ADOPTED.

ITEM #11 RESOLUTION

***1st Reading* – A Resolution recognizing the responsibility of the City of Painesville to Affirmatively Further Fair Housing, and declaring an emergency.**

City Manager Doug Lewis spoke on this piece of legislation. He stated the City of Painesville will be submitting a grant application for the FY '24 Community Development Block Grant (CDBG) Funding. In order to make the application for CDBG funding through the Lake County Planning & Community Development Department, the City of Painesville must pass a resolution stating that we will work to further fair housing efforts in the City of Painesville. The City currently works with Lake County and the Fair Housing Resource Center to assist in meeting these obligations. This is the same resolution that is passed annually. There is no cost to the City. It is recommended that the City Council approve this legislation. The grant application deadline is May 17, 2024 and is being asked to pass this Resolution on first reading.

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

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

RESOLUTION 25-24 is ADOPTED.

ITEM #12 RESOLUTION

***1st Reading* – A Resolution authorizing and directing the City Manager to apply for and accept funding from Lake County FY'2024 Community Block Grant Program for various projects as listed below in priority order, and declaring an emergency.**

City Manager Doug Lewis spoke on this piece of legislation. He stated the City of Painesville is eligible to submit projects for funding through the FY'24 Community Development Block Grant (CDBG) Program. Each year, the City determines priorities and

submit projects and request CDBG Funding through the Lake County Planning & Community Development Department. In order to submit the applications, the City of Painesville must pass a resolution stating that the City Manager has permission to apply for and accept the funds. This year, staff met, and it was determined that we will submit two applications. The first priority application is for $100,000 for updating the City of Painesville's 2006 Comprehensive Plan. Additional funding may be needed. The second priority application is for the Disadvantaged Sidewalk Program in the amount of $50,000.00. This is a continuation of a previous program and will assist qualifying LMI residents within our community to make improvements to their properties by providing grant funding to replace sidewalks. There is no cost to the City other than staff time to coordinate and manage the program. For the update of the 2006 Comprehensive Plan, this would allow us to hire a consultant and move forward in 2023 should we receive an award. Then, the City would budget $50,000 in 2024 as our local match. The total cost to update the 2006 Comprehensive Plan is approximately $150,000 and will take approximately 14-16 months to complete. There will be a significant amount of time required by staff. It is recommended that the City Council approve this legislation. The grant application deadline is May 17, 2024. With this application deadline, it is being asked to pass this Resolution on first reading.

Mrs. DiNallo moved to suspend, seconded by Mrs. Shoop.

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

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

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

RESOLUTION 26-24 is ADOPTED.

UNFINISHED BUSINESS: None

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 reported on the following items: The City is performing a study to see whether a left-turn signal is justified on Richmond Street and West Prospect Street at the request of the Painesville Post Office. The result is that the sign is not justified, and the will go over the report and explain the report with the post office; Letters for grass violation have been sent with the revisions of information regarding grass length maintenance requirements. Discussion ensued about "rank vegetation" definition and the earliness of starting the inspection process for grass violation in April. After receiving additional information from the Administration and Code Enforcing, this will be brought before Council at the next meeting; and he thanked Mrs. Young and Mr. Zampedro for the role in the union negotiations.

CORRESPONDENCE: Clerk of Council

The next regular Council meeting will be held on Monday, May 20th at 7:00 PM; Story Time with Public Works will be Wednesday, May 8th at the Painesville Gazebo; Spring Clean Up Day is Saturday, May 11th from 8:30 a.m. to 10:30 a.m. Register on our website; DPO Founder's Day Breakfast is Thursday, May 16th at 8:00 a.m. at Lake Erie College Learning Commons; Painesville Seniors Picnic is being held at the Main Pavilion in Kiwanis Recreation Park on Thursday, May 16th from 11:00 to 1:00 PM. This is a free event, but participants must register by May 10th. Call the Parks and Rec Dept.; and Painesville's famous Car Cruise is every Friday on the Square starting May 17th through September 20th.

CLOSING COMMENTS: Members of Council

Mr. Rodriguez thanked those who attended tonight's meeting and watched at home and commented how well the Cinco de Mayo Celebration went and the attendance of residents. He highlighted an upcoming event, a cook-off, at Harvey High School' cafeteria on Wednesday 5 to 8 PM.

Mr. Hach had no comments at this time.

Mr. Augustine also thanked Mrs. Young and Mr. Zampedro with their role in the union negotiations.

Mrs. DiNallo had no comments at this time.
Mrs. Shoop had no comments at this time.
Mr. Fodor thanked all who attended tonight's meeting and presented.

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, 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, and IN ACCORDANCE WITH ARTICLE II, Section 6(3) To discuss pending or potential litigation involving the City, seconded by Mrs. Shoop. All Council Members were in favor by answering "Aye". Motion carried to move into the Executive Session at 8:34 PM.

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

Mrs. Shoop moved to adjourn the Executive Session, seconded by Mr. Hach. All Council Members were in favor by answering "Aye". Motion carried to adjourn the Executive Session at 9:15 PM.

ADJOURNMENT

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

Mrs. DiNallo 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 9:16 PM.

Meeting adjourned at 9:16 PM.

Samantha Danielson
Clerk of Council

Jim Fodor
President of Council