REGULAR COUNCIL MEETING
MONDAY, OCTOBER 7, 2024 – 7:00 PM
EXECUTIVE SESSION IMMEDIATELY FOLLOWING
PUBLIC HEARING – 7:15 PM

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 7:03 PM.

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

Mrs. Shoop moved to excuse Lori DiNallo, seconded by Mr. Rodriguez. 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, Police Administrative Lieutenant Toby Burgett, Finance Director Bill Parkinson, Water Superintendent Orin McMonigle, and Clerk of Council Samantha Danielson.

APPROVE AGENDA AS SUBMITTED

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

Mr. Rodriguez 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 09.16.24

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

Mrs. Shoop moved to approve the minutes from the Regular Meeting on September 16, 2024, seconded by Mr. Rodriguez. All Council members were in favor by answering "Aye". Motion carried. Minutes approved.

SPECIAL PRESENTATION: ADAMHS Board Renewal Levy

Kim Fraser, from the Lake County ADAMHS (Alcohol, Drug Addiction and Mental Health Services) Board, spoke on Issue 10 that will be on the November ballot. She stated Issue 10 is a 0.9 million renewal levy that supports the mental health and addition recovery services for Lake County. It has been the same millage since 1976. The ADAMHS is to plan, fund, monitor and evaluate the county's mental health and addiction recovery services. These services are delivered through a network of non-profit providers throughout the county. The ADAMHS Board provides the funding and the oversight so agencies can deliver the best mental health and addiction recovery services to our community. Issue 10 also supports in-home counseling for homebound seniors and specialized services for grandparents who are raising their grandchildren. It helps to save lives by providing suicide prevention training in school district in the county. It provides vital crisis services in the emergency departments. It funds specialized training for our first responders. Issue 10 supports the entire community. Every dollar will invest in proactive treatment and recovery services. The ADAMHS works for Painesville and throughout the county that is efficient, effective and accountable to the Lake County taxpayers. She asked residents to support Issue 10.

PUBLIC COMMENTS: None

COMMITTEE REPORT: None

LEGISLATION:

ITEM #1 ORDINANCE: PUBLIC HEARING ITEM

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 Parcels Number 15-D-001-0-00-030-0, 15-D-001-0-00-031-0, and 15-D-001-0-00-032-0, located at 178 First Street from R-2, Multi-Family District to B-2, General Business District, and declaring an emergency. (*1st Reading 09.03.2, 2nd Reading 09.16.24)

This was discussed during the Public Hearing.

ITEM #2 ORDINANCE

2nd Reading* – An Ordinance to approve and adopt the 2024A Codified Ordinances including new matter contained therein, and declaring an emergency. *(1st Reading 09.16.24)

Clerk of Council Samantha Danielson reported on this piece of legislation. She stated this legislation is to approve and adopt , to update the Codified Ordinances. It has been reviewed and approved by Department Heads and is ready to be added to the City Code. The legislation may go three reads.

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

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

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

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

ORDINANCE 30-24 is ADOPTED.

ITEM #3 ORDINANCE

2nd Reading* – An Ordinance amending Section 167.09 of the Painesville Code of 1998 relating to the Classification and Compensation Plan, and declaring an emergency. *(1st Reading 09.16.24)

President Jim Fodor spoke on this piece of legislation. He stated information was gathered on comparable pays within surrounding communities. Council asked for legislation to brought forth with a dollar figure: President's salary would increase from $8,000 to $11,800 and regular council's salary would increase from $7,000 to $10,000. The amount negotiated was based on the average of several local communities and the increase will commence on the election of a new term.

This will go to third read.

PUBLIC HEARING

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

Mrs. Shoop moved to adjourn the Regular Meeting for the Public Hearing, seconded by Mr. Augustine.

On roll call, Mr. Augustine, Mrs. DiNallo, Mr. Hach, Mr. Rodriguez, Mrs. Shoop, and Mr. Fodor answered "Yes". Motion carried at 7:15 PM.

Mr. Fodor asked for a motion to move into the Public Hearing.

Mrs. Shoop moved to move into the Public Hearing, seconded by Mr. Rodriguez.

On roll call, Mr. Augustine, Mrs. DiNallo, Mr. Hach, Mr. Rodriguez, Mrs. Shoop, and Mr. Fodor answered "Yes". Motion carried at 7:15 PM.

The public hearing was for Item #1 Ordinance - An Ordinance amending the District Map and the Setback Map referred to in Section 1113.03 of the Painesville Code of 1998 rezoning Permanent Parcels Number 15-D-001-0-00-030-0, 15-D-001-0-00-031-0, and 15-D-001-0-00-032-0, located at 178 First Street from R-2, Multi-Family District to B-2, General Business District. Director of Planning Sarah Sitterle presented information about this matter. She stated this is for rezoning from R-2 to B-2 for three parcels at 178 First Street. The owners intend to open a golf cart repair shop. This property has been vacant and on the market for a long time. Planning Commission approved the recommended rezoning with 8 deed restrictions, which include the following: *1.) No outdoor storage is permitted; 2) No sales allowed – Retail sales of parts ok; 3.) Vehicles with trailers must be able to pull into the facility and turn around to unload from trailers on site. First Street cannot be utilized for unloading golf carts; 4.) A vinyl fence should be installed to provide visual screening of all sides of the property visible from the street and adjacent residential properties; 5.) Provide evergreen screening and an earth berm on parcel (15D0010000320) for a buffer between the commercial and residential uses on the adjacent parcels to the northeast on Jefferson Street; 6.) No storage of inoperable vehicles unless being repaired; 7.) Parking on site must be inside the fenced area and according to the required number of spaces for vehicle repair in Section 1125.04 of the Unified Development Code; and 8.) Combine the two parcels that contain the existing building (15D0010000300 and 15D0010000310) with a lot combination plat and legal description recorded with the County Auditor.* The deed restrictions have not been filed, but are prepared and ready for the applicant to sign.

Mr. Fodor opened the Public Hearing up to public comments.

Phillip Harford, one of the owners of 178 First Street, spoke for this matter. He thanked Council for the opportunity and stated the purpose of purchasing the building is for a golf cart repair facility. After starting construction, they were notified about residential zoning on the property. The owners filed for change in regard to deed restrictions. They wanted things in order before investing a lot of money stating that is why they waited. They anticipate having 7 to 10 employees. It was clarified the owners are comfortable and believe unloading and outside storage will not be an issue.

No one from the public spoke against this matter.

Mr. Fodor asked for a motion to close the Public Hearing.

Mrs. DiNallo moved to close the Public Hearing, seconded by Mrs. Shoop.
On roll call, Mr. Augustine, Mrs. DiNallo, Mr. Hach, Mr. Rodriguez, Mrs. Shoop, and Mr. Fodor answered "Yes". Motion carried at 7:21 PM.

Mrs. Shoop motioned to return to the Regular Meeting, seconded by Mr. Augustine.
On roll call, Mr. Augustine, Mrs. DiNallo, Mr. Hach, Mr. Rodriguez, Mrs. Shoop, and Mr. Fodor answered "Yes". Motion carried at 7:21 PM.

REGULAR MEETING

ITEM #1 ORDINANCE
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 Parcels Number 15-D-001-0-00-030-0, 15-D-001-0-00-031-0, and 15-D-001-0-00-032-0, located at 178 First Street from R-2, Multi-Family District to B-2, General Business District, and declaring an emergency. (*1st Reading 09.03.2, 2nd Reading 09.16.24)

Clarification was given that only two lots were being rezoned according to the legislation but deed restrictions are on all three lots. Discussion ensued about the deed restriction in place before passing legislation, being passed as an emergency or not, and giving the applicant time to put the deed restrictions on. It was clarified by Mrs. Sitterle that deed restrictions are ready to sign. Mr. Hartford explained that he would be able to sign the deed restrictions the next day and the deed restrictions were on hold until the legislation went three readings and was passed. Mr. Lewis explained that it was recommended by the Planning Commission and discussed with the owner that the owner wait and file the deed restrictions until the legislation passed because the owner didn't know if the rezoning was going to be approved or not. The applicant has been very cooperative with everything the city has asked him to do, and that was how the process was explained to him at the Planning Commission meeting.

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 31-24 is ADOPTED.

ITEM #4 ORDINANCE
***1st Reading* – An Ordinance amending Section 1113.06(d), and Section 1115.33, of the Painesville Code of 1998, relating to Location of Medical Marijuana Dispensary and Cultivation and Processing Facilities, and declaring an emergency.**

Director of Planning Sarah Sitterle spoke on this piece of legislation. She stated this is to create a code for the medical marijuana dispensary and cultivation and processing facilities. A summary of the changes is as follows: 1113.06(d) Main Uses: This change adds Medical Marijuana Dispensaries as a conditional use in the B-2 General Business District, and cultivation facilities and processing facilities as conditional uses in the M-1 and M-2 Districts and references new standards in a new section 1115.33; and New Section 1115.33 (new) Location of Medical Marijuana Dispensaries and Cultivation and Processing Facilities: This section adds standards and conditions for the Planning Commission to use to evaluate a conditional use permit request for a medical marijuana dispensary, cultivation facility, and processing facility. The conditions in Section 1115.33 restrict the location of facilities to one mile apart from each other. There is also the limitation on locating these facilities more than 500 feet from a "prohibited facility", which includes a school, church, public library, public playground, or public park in the city. Applicants must meet all licensing requirements of the State of Ohio and must demonstrate compliance when submitting a conditional use permit application for a new facility. 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 addresses noise, hours of operation traffic, etc. 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 November 4, 2024 meeting.

This will go to second read.

ITEM #5 ORDINANCE

***1st Reading* – An Ordinance amending Section 1113.06(d), and Section 1115.34, of the Painesville Code of 1998, relating to Location of Adult Use Cannabis (Marijuana) Cultivation Facilities, Dispensaries, Processing Facilities, and Testing Labs, and declaring an emergency.**

Director of Planning Sarah Sitterle spoke on this piece of legislation. She stated this is based on the new law for Adult Use Cannabis (Marijuana) cultivation facilities, dispensaries, processing facilities, and testing labs according to ORC. The City is proposing to make the following proposed changes to the Painesville Unified Development Code. The changes are designed to address the desire to include adult use cannabis (marijuana) dispensaries, testing labs, cultivation, and processing facilities, and to set standards and conditions for the conditional use. The basis for expanding these conditional uses is to allow for the establishment of local regulations to address changes to the Ohio State Code (ORC) for adult use cannabis (marijuana). A summary of the changes are as follows: 1113.06(d) Main Uses: This change adds Adult Use Cannabis (Marijuana) Dispensaries as a conditional use in the B-2 General Business district, and cultivation facilities and processing facilities, and testing labs as conditional uses in the M-1 and M-2 Districts and references new standards in a new section 1115.34; and New Section 1115.34 (new) Location of Adult Use Cannabis (Marijuana) Dispensaries, Testing Labs, and Cultivation and Processing Facilities: This section adds standards and conditions for the Planning Commission to use to evaluate a conditional use permit request for an adult use cannabis (marijuana) dispensary, testing lab, cultivation facility, and processing facility. The conditions in Section 1115.34 restrict the location of facilities to one mile apart from each other. There is also the limitation on locating these facilities more than 500 feet from a "prohibited facility", which includes a school, church, public library, public playground, or public park in the city. Applicants must meet all licensing requirements of the State of Ohio and must demonstrate compliance when submitting a conditional use permit application for a new facility. 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 addresses noise, hours of operation traffic, etc. This legislation for changes to the Unified Development Code requires a public hearing and can be passed on the third reading. The public hearing must be advertised for 30 days prior to the meeting. The public hearing will be scheduled for the November 4, 2024 meeting.

This will go to second read.

ITEM #6 ORDINANCE

***1st Reading* – An Ordinance amending Section 1113.06(d), and Section 1115.35, of the Painesville Code of 1998, relating to Small Box Discount Stores, and declaring an emergency.**

Director of Planning Sarah Sitterle spoke on this piece of legislation. She stated to amend 1113.06 under uses and create a new section 1115.35 for Small Box Discount Store. A summary of the changes are as follows: 1113.06(d) Main Uses: This change adds Small Box Discount Store as a permitted use in the B-2 General Business district and references new standards in a new section 1115.35; and New Section 1115.35 Small Box Discount Store: This section adds standards and conditions to evaluate if a location for a new small box discount store is appropriate. The code states that no more than one store within a circumference of 1 mile of each other is permitted. The code allows for existing small box discount stores to be grandfathered. If an existing store wanted to change locations, then the distance requirements must be followed. Small box discount stores would be subject to meet the standards of any applicable design review district and also the design elements from Section 1117.10, appearance standards for nonresidential uses in the B-1 and B-2 Districts. 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 November 4, 2024 meeting.

This will go to second read.

ITEM #7 ORDINANCE

***1st reading* – An Ordinance amending Section 1113.06(d), and Section 1115.36, of the Painesville Code of 1998, relating to Vape/E-cigarette Stores, and declaring an emergency.**

Director of Planning Sarah Sitterle spoke on this piece of legislation. She stated this also amends 1113.06 and creates a new section 1115.36 for Vape/E-cigarettes stores. A summary of the changes are as follows: 1113.06(d) Main Uses: This change adds Vape/E-Cigarette Store as a conditional use in the B-2 General Business District and references new standards in a new section 1115.36; and New Section 1115.36 (new) Vape/E-Cigarette Store: This section adds standards and conditions for the Planning Commission to use to evaluate if a conditional use permit for a vape/e-cigarette store. The standards and conditions control the location, limit the amount of sales of vape/e-cigarette products to no more than 20% of product sales, limit the business to locating within an existing plaza mall or multi-tenant building, have limited hours of operation as determined by the Planning Commission, no flashing or electronic lights to advertise vape/e-cigarette products, and adherence to the design standards of any applicable design review district and design elements from Section 1117.10. These criteria are in addition to criteria used to evaluate all conditional use permits which addresses noise, hours of operation traffic, etc. 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 November 4, 2024 meeting. Discussion ensued about product restriction, not to create stand-alone vape stores, how it is going to monitored, and how a store is set-up for retail.

This will go to second read.

ITEM #8 ORDINANCE

***1st Reading* – An Ordinance to vacate Turney Court containing approximately 0.07 acres, and declaring an emergency.**

Director of Planning Sarah Sitterle spoke on this piece of legislation. She stated it is a right-of-way for Turney Court. It has served as a gravel driveway for residents on N. St. Clair Street. It was created in 1927 and has never been improved. The purpose of this request is to combine it with the adjacent parcel for the new Public Safety Center. There is a six-inch sanitary sewer line that once served Burger King and is no longer in service and can remain there according to the engineering department. The property is being donated to the County since the property on both sides is zoned to the county. An easement will be maintained by the City on the property. It was asked to be passed tonight due the County's urgency to more forward with their project.

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

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

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

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

ORDINANCE 32-24 is ADOPTED.

ITEM #9 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 stated this piece of legislation is for the Wet Well Project at Rec Park. The City is requesting to adjust the Sewer Construction Fund budget by $469,649 to account. This is backed and secured by OWDA loan which the City has obtained. As the project progresses, the City submits its documentation to OWDA, and they reimburse the City. The approximate annual payment is $16,171 and the interest rate is 2.78% to the state. It was being asked to be passed tonight so to proceed with the adjustment.

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

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

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

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

ORDINANCE 33-24 is ADOPTED.

ITEM #10 ORDINANCE

***1st Reading* – An Ordinance to authorize the provision of a Real Property Tax Abatement for a project located at 70 Richmond Street within the Community Reinvestment Area #5 for the purpose of encouraging the creation of new jobs within the city and authorizing the execution of the related Community Reinvestment Area Agreement, and declaring an emergency.**

Economic Development Director Susan Crotty spoke on this piece of legislation. She stated the legislation is to authorize the provision of a real property tax abatement for property located at 70 Richmond Street. This property is located within CRA #5, which is a post-1994 CRA, having different regulations than pre-1994. An agreement is required to be approved by Council before the incentive can go in effect. The developer is Peter Patel is undertaking a project to redevelop an existing 1,920± square foot building at 70 Richmond Street (former Northwest Bank) into a Wingstop restaurant. This building has long been vacant, and the proposed restaurant is expected to be popular with local residents and the student residents in the downtown. This project is expected to result in the creation of approximately twenty-one jobs with an associated $435,000 in payroll within six months after completion of the project. The developer is prepared to move forward quickly on the redevelopment of the building, but the project depends on the proposed CRA incentive. Since this project is in post-1994 CRA #5, and agreement is required to be approved by Council before construction can begin. Additionally, the Painesville City Local School District and the Auburn Career Center must be notified two weeks prior to consideration by Council since the request is for a tax exemption of 75% of the value of the improvements. The appropriate notices were delivered on September 19th. The Agreement outlines the terms of the 75%, 10-year Community Reinvestment Area (CRA) property tax abatement on the value of the improvements and the application is attached. It was being asked to be passed tonight in order to allow the City Manager to enter into the development agreement so that the developer can meet construction deadlines and bring employment opportunities and desired commercial development to the City.

Mr. Hach 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 Mr. Augustine.

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

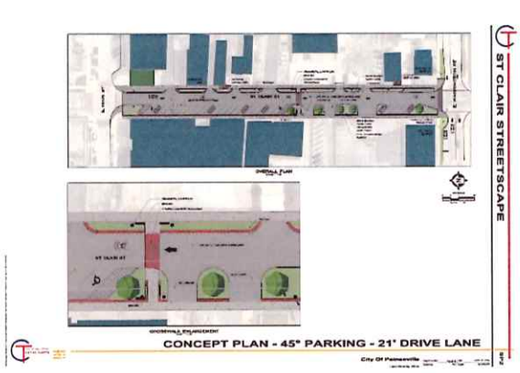
ORDINANCE 34-24 is ADOPTED.

ITEM #11 RESOLUTION

2nd Reading* – A Resolution authorizing and directing the City Manager to submit an application and enter into an agreement with the Northeast Ohio Areawide Coordinating Agency for Transportation for Livable Communities Initiative Planning Grant application for South St. Clair Street streetscape and safety improvements, and declaring an emergency. *(1st Reading 09.16.24)

City Manager Doug Lewis spoke on this piece of legislation. He stated the City of Painesville has previously applied for NOACA implementation funding and was successful in receiving funding for key projects downtown through the Transportation and Livable Communities Grant (TLCI). This grant is a federal funding opportunity for planning and implementation of intermodal transportation improvements on South St. Clair Street extending within the area of Washington Street and Main Street. This TLCI grant would provide for a project that would integrate transportation and land use planning, increase transportation options, promote livability and advance the goals of the City's Downtown Plan and NOACA's Strategic Plan.





Previous TLCI implementation grants we have been awarded have paid for streetscape improvements on Main Street, South Park Place, and North Park Place. Concerns have been raised about making a portion of S. St. Clair Street a one-way from Washington Street to Main Street. This would allow for additional parking along the street and a bike lane as well as streetscape improvements. This is important due to the need for parking in this area for businesses. The estimated overall cost of the project is approximately $1.4 million dollars. The City will be asking for $425,000 from NOACA. The grant will be available in 2026 and may need to be done in phases – depending on the amount awarded from NOACA and other funding sources the City is able to obtain and identify. As a part of this legislation, there is a 20% match requirement ($85,000) which will be paid for using the General Fund, funding from the Electric Capital Fund and funding from the Stormwater Capital Fund. The total amount required between design, engineering and construction is approximately $1.4 million. The City has contacted local businesses for letters of support in making the modification. The grant application for the TLCI Implementation Grant is due on October 9th, therefore it is being asked to be passed tonight. It was suggested that the City starts the project be modifying the parking spaces and one-way now since it will be two years before receiving the funding and major construction begins. Concerns about the effect on businesses and accessibility during construction were brought forth for consideration and support the City's local business.

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.

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 50-24 is ADOPTED.

ITEM #12 RESOLUTION

***1st Reading* – A Resolution authorizing and directing the City Manager to enter into a Cooperative Commercial Lease Agreement with Painesville City Local Schools for partial use of the front building located at 348 Chester Street, and declaring an emergency.**

Superintendent of Painesville City Local Schools Josh Englehart spoke on this piece of legislation. He stated the legislation is a draft of a lease agreement between the city and the school district for space on Chester Street for which the city currently does not use. The school district is seeking additional space for its construction technologies program which is one of several vocational programs that the school provides to students. It is in its third year with increasing enrollment. It is a valuable and engaging program for the students. With the increase in enrollment, the current location cannot accommodate the intensive activities involved in the class. Instead of turning away students, the school looked for a large space within the city limits and accessible. The agreement explicitly states the city will not incur any cost and the district is responsible for all utilities and improvement costs. The city's benefit is that the city does not have to support the cost of a space that is essentially sitting vacant, and the city will benefit from the improvements that the district will make to the space in order to use it. This would benefit the whole community. The district would like to move forward with this as soon as possible. He strongly advocated to expedite the process in terms of making a decision on the agreement, and would appreciate it. Discussion ensued about concerns about the space accommodating more students were brought forth but this space would allow for that. Other areas that would need to be addressed are supervision and safety. Several Council Members expressed their appreciation with the partnership between the city and school district and how it benefits the community. It was clarified that the lease would be for a year with an automatic renewal in the agreement. If the city does not send a termination letter prior to it, it will be for two years and then renewed. Responsibilities for paying for utilities were brought forth and the city will work with the school district to determine a fee that fits a usage at that site. A question about other uses for the building was brought up and the facility plan. The city is in the process of hiring consultants to make a final recommendation on how to utilize the buildings better and will be brought before Council. The building potentially was going to be sold. Concerns that this situation is going to cost the city were expressed.

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

On roll call, Mr. Hach, Mr. Rodriguez, Mrs. Shoop, Mr. Augustine, and Mr. Fodor answered "Yes". Mrs. DiNallo answered "No". Motion failed.

This will go to second read.

ITEM #13 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 chlorine room foundation, structural, and storage tanks, and declaring an emergency.**

Water Superintendent Orin McMonigle spoke on this piece of legislation. He stated this is for the DOD Grant for the facility improvements to pay for the foundation, structure, and storage tanks. It will need to be advertised for bidding and awarded before December 31st.

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

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

Mrs. Shoop 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.

RESOLUTION 51-24 is ADOPTED.

ITEM #14 RESOLUTION

***1st Reading* – A Resolution authorizing and directing the City Manager to apply for and accept an OCJS Ohio Violent Crimes Grant, and declaring an emergency.**

Police Administrative Lieutenant Toby Burgett spoke on this piece of legislation. He stated this grant is in the amount of $145,624.77 from the Office of Criminal Justice Services. It is for an expansion of the Painesville intersection crime camera system and would be used to buy cameras, fiber optics cables, power boxes, data server, related equipment and installation cost. The grant is to a specific vendor. The grant award is unmatched funds for reimbursement to purchase and install the equipment. It was being asked to be passed tonight to start the process as soon as possible and meet the grant deadlines. This is in addition to the levy monies which would add additional cameras.

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

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

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

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

RESOLUTION 52-24 is ADOPTED.

UNFINISHED BUSINESS: None

NEW BUSINESS: Lodging Tax

Assistant City Manager Tony Zampedro spoke on this topic. He stated the city does not have a hotel lodging tax as a source of revenue. In 1967, municipalities, townships, villages, and counties were allowed to enact a 3% tax rate without regard to any other taxes that may have been imposed. The proposal would be to enact a 3% tax. Similar communities with similar 3% tax rates have ranged from $62,000 to $84,000 a year. The revenue from the tax can be relegated to a specific purpose deemed by Council for example to arts and entertainment. Administration has been asked to bring forth more information and data on the effect this tax will have on existing businesses inside the city.

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: On September 30th, Avery Dennison Painesville held a Ribbon Cutting for new building. In addition, they provided tours of the building and explained the process; Payne & Payne will be holding a Ribbon Cutting and open house on Thursday, October 24th at 11:00 a.m. for the first single family residential home they built off East South Street on the former Lake East Hospital Property. The Development will be called Highland Park. City Council and the public are invited to see this new addition to the community. This is the first of many that Payne & Payne plans on developing on this site; The Local Tavern of Chester Street closed last Friday, October 4, 2024. No more additional information is available, but will try to work with the owner to identify a restaurant to occupy the building; The Red Creek Interceptor Project has been awarded and work began this week. Serverino Construction will be constructing the sanitary sewer line from the Sidley Property off

Casement Avenue to the Painesville Waste Water Treatment Plant. Construction is estimated to take approximately 8-12 months to complete; Phases 2 and 3 of the South Park Place Safety and Streetscape Project are complete. He thanked Executive Director Grace Gallucci of NOACA, our Lake County Commissioners (John Hamercheck, John Plecnik and Rich Regovich) for their generosity in providing ARPA and also CDBG funding, and US Senator Sherrod Brown and US Representative David Joyce for providing federal funding for the project. The City will be planning a Ribbon Cutting for Phase 2 and 3 in the near future and will update City Council as soon as date is set. He thanked Leanne Exum and her staff for overseeing this amazing project. The owner of MMM…Yummy! received zoning approval for outdoor tables and chairs, and this is what the City hoped for in designing the project; The final phase, Phase I, is expected to be completed by November 15, 2024. He also thanked PERK Construction because they have been great to work with; Painesville Fall Fest will be Saturday, October 12th from 3:00 p.m. to 6:00 p.m. in Rec Park; Fall Clean Up Day will be Saturday, October 19 from 8:30 a.m. to 10:00 a.m. in Painesville Square; Trick or Treat will city wide on Thursday, October 31st from 6 p.m. to 8 p.m.; and HOLA will be hosting a Day of the Dead celebration event on Saturday, November 6th from 6 p.m.to 8 p.m.

CORRESPONDENCE: Clerk of Council

The next regular Council meeting will be held on Monday, October 21st at 7:00 PM; and the Community Observation Partnership Program meeting will be Wednesday, October 9th for Ward 2, 3, & 4C in the Morley Library basement.

CLOSING COMMENTS: Members of Council

Mr. Hach had no comments at this time.

Mr. Rodriguez thanked everyone who attended and watched tonight's meeting. He gave a shout-out the football team for the exciting game.

Mrs. DiNallo reminded people on the press release on the swings at S. State Street Park and appreciated the cooperative effort between Lake County Health District and the Recreation Department, and thanked Michelle LaPuma and all those involved in the process. She reminded residents the purpose of the park is to be a walk-up park for the community and encouraged families to use it. She offered her condolences to Bishop Mirabel in the lost of his wife. She appreciated the update from Chief Waterman on the Harmon Avenue.

Mr. Augustine had no comments at this time.

Mrs. Shoop reminded residents about Fall Fest on Saturday and to come early, and to volunteer for Fall Clean-up.

Mr. Fodor "dittoed" all the comments said by the Council Members.

EXECUTIVE SESSION

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

Mr. Augustine motioned to move into 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. DiNallo.

All Council Members were in favor by answering "Aye". Motion carried to move into the Executive Session at 8:58 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 9:36 PM.

ADJOURNMENT

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

Mrs. Shoop moved to adjourn the Regular Meeting, seconded by Mr. Rodriguez. All Council Members were in favor by answering "Aye". Motion carried to adjourn the Regular Meeting at 9:37 PM.

Meeting adjourned at 9:37 PM.

Samantha Danielson
Clerk of Council

Jim Fodor
President of Council