REGULAR COUNCIL MEETING
MONDAY, OCTOBER 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 Nick Augustine, Derrick Abney, Lori DiNallo, Christine Shoop, and Jim Fodor were present. Paul Hach was not able to attend. Mario Rodriguez arrived at 7:33 PM.

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

Mr. Augustine moved to excuse Paul Hach, 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, City Engineer Leanne Exum, Police Administrative Lieutenant Toby Burgett, Human Resources Director Kris Young, Water Pollution Control Superintendent Kevin Aiken, and Clerk of Council Samantha Danielson.

APPROVE AGENDA AS SUBMITTED/AMENDED

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

Mr. Augustine moved to amend the agenda for additional executive session in accordance with ORC 121.22(8), seconded by Mrs. Shoop. All Council members were in favor by answering "Aye". Motion carried.

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

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

INVOCATION was given by Councilperson Jim Fodor.

PLEDGE OF ALLEGIANCE was recited.

MINUTES: Regular Meeting 10.07.24

Mr. Fodor asked for a motion to approve the minutes from the Regular Meeting on October 7, 2024.

Mrs. Shoop moved to approve the minutes from the Regular Meeting on October 7, 2024, seconded by Mrs. DiNallo. All Council members were in favor by answering "Aye". Motion carried. Minutes approved.

PUBLIC COMMENTS: None

COMMITTEE REPORT: BZA (2), DPO, Parks & Recreation Commission, Planning Commission

BZA (2)

Director of Planning Sarah Sitterle gave a report on this committee which was held on September 19, 2024. The following items were discussed: Location at 166 Main Street. An application was submitted by Clifford Babcock with Main Street Apartments LLC, requesting a variance from the required square footage permitted for an accessory dwelling unit one bedroom apartment according to R-2 multi-family district minimum floor area standards referenced in Section 1119.03 (e) and found in Section 1117.01 (a). The applicant is proposing to renovate his existing second floor 2-bedroom apartment, into 2, 1-bedroom apartments, located at 166 Main Street. The first apartment is proposed at 568 square feet rather than the required 850 square feet, resulting in a 282 square foot variance request. The second apartment is proposed at 560 square feet rather than the required 850 square feet resulting in a 290 square foot variance request. By a vote of 3-1 the variance request was approved to renovate the existing second floor 2-bedroom apartment, into 2, 1-bedroom apartments, with the proposed new square footage as indicated above.

The following item(s) were presented on October 17, 2024. The following items were presented: Location: 498 Fairlawn Avenue. An application has been submitted by Stonetrust Properties LLC requesting a variance to allow construction of a 1,170 square foot dwelling in lieu of the required 1,600 square feet per code. Section 1117.02 (b) allows for non-conforming

lots under Section 1121.03 to have reduced side yard setbacks. By a vote of 4-1 the variance request was approved to allow construction of a 1,170 square foot dwelling in lieu of the 1,600 square foot permitted per code; Location: 502 Fairlawn Avenue. An application has been submitted by Archer Properties LLC requesting a variance to allow construction of a 1,170 square foot dwelling in lieu of the required 1,600 square feet per code. Section 1117.02 (b) allows for non-conforming lots under Section 1121.03 to have reduced side yard setbacks. By a vote of 4-1 the variance request was approved to allow construction of a 1,170 square foot dwelling in lieu of the 1,600 square foot permitted per code; Location: 506 Fairlawn Avenue. An application has been submitted by Stonetrust Properties LLC requesting a variance to allow construction of a 1,170 square foot dwelling in lieu of the 1,600 square foot permitted per code. Section 1117.02 (b) allows for non-conforming lots under Section 1121.03 to have reduced side yard setbacks. By a vote of 4-1 the variance request was approved to allow construction of a 1,170 square foot dwelling in lieu of the 1,600 square foot permitted per code; Location: 512 Fairlawn Avenue. An application has been submitted by Archer Properties LLC requesting a variance to allow construction of a 1,170 square foot dwelling in lieu of the required 1,600 square feet per code. Section 1117.02 (b) allows for non-conforming lots under Section 1121.03 to have reduced side yard setbacks. By a vote of 4-1 the variance request was approved to allow construction of a 1,170 square foot dwelling in lieu of the 1,600 square foot permitted per code; Location: 520 Fairlawn Avenue. An application has been submitted by Stonetrust Properties LLC requesting a variance to allow construction of a 1,170 square foot dwelling in lieu of the required 1,600 square feet per code. Section 1117.02 (b) allows for non-conforming lots under Section 1121.03 to have reduced side yard setbacks. By a vote of 4-1 the variance request was approved to allow construction of a 1,170 square foot dwelling in lieu of the 1,600 square foot permitted per code; Location: 550 Fairlawn Avenue. An application has been submitted by Archer Properties LLC requesting a variance to allow construction of a 1,170 square foot dwelling in lieu of the 1,600 square feet per code. Section 1117.02 (b) allows for non-conforming lots under Section 1121.03 to have reduced side yard setbacks. By a vote of 4-1 the variance request was approved to allow construction of a 1,170 square foot dwelling in lieu of the 1,600 square foot permitted per code; Location: 133 Ridgelawn Avenue. An application has been submitted by 95753 LLC requesting a variance to allow construction of a 1,170 square foot dwelling in lieu of the required 1,600 square feet per code. Section 1117.02 (b) allows for non-conforming lots under Section 1121.03 to have reduced side yard setbacks. By a vote of 4-1 the variance request was approved to allow construction of a 1,170 square foot dwelling in lieu of the 1,600 square foot permitted per code.

DPO

Mr. Augustine gave a report on this committee which was held on September 25, 2024. The following items were discussed: Executive Director's Report – Renee Fitzgerald-Palacio-discussed and updated the board on the following items: The online raffle has raised $1,600 so far. The raffle ends; The car cruise is coming to an end. There were a lot of rain days, so the city allowed the car cruise to go on for an additional week. The car cruise raised well over $5,000 so far between T-shirt sales, 50/50 and sponsorships; On 10/28, there will be a lunch and learn with the chamber on how to reduce stress in the workplace. Sign up on the chamber's website; Currently working on bourbon event. She is connecting with LEC about the logistics (date, time, liquor permit, etc.). Working on the annual awards dinner. Leadership Lake County has started and things are going well so far! New Business: The DPO is looking to set up a trunk or tent at the city's 2024 trunk or treat; The DPO is working on preparing for the 2024 Shop and Stroll. They will no longer be located at the Gage House and is working with the city to coordinate where the DPO will be located; Working on calendar events for 2025:Wine and Chocolate Event will be February 8th, the Spring Raffle will be March 3rd to the 21st, the Farm to Table will be moved to June 25th from the usual July date, Art in the Park will be August 8th or 9th, the Fall Raffle will be September 8th -26th, Bourbon Tasting Event will be October 4th, and The Awards Dinner is TDB but looking to be towards the end of the year; and Important Upcoming Dates: October 24th is the DPO After Hours, November 7th is the Annual Awards Dinner, November 12th is the DPO Connect, November 20th is the Next Board Meeting, and November 21st is the Shop N Stroll. Meeting adjourned

Parks & Recreation Commission

Mrs. Shoop gave a report on this committee which was held on October 8, 2024. The following items were discussed: Justin Gollin discussed plans/preparations for our Annual Fall Fest which is this Saturday, October 12th. Our event is attended by over 1,000 families each year. We continue to add to our Hay Ride scenes, games and entertainers to keep the event fresh and interesting. We are extremely fortunate to receive the sponsorships we did this year and want to recognize: Painesville Dental, Mar-Bal Incorporated, PCIC, Sheetz, Knights of Columbus #947, and Lake County Employee Federal Credit Union. We are also grateful for our Volunteers: Lake Erie Science Department – Dr. Tedesco, Harvey Art Department, Harvey

Band, and Lake Erie College Women's Lacrosse; The remaining events for our 2024 Season are: Spirit of the Season – Friday November 22nd in Veteran's Park. Santa will arrive around 5:30 p.m. on our fire truck, annual tree lighting, Santa will available until 8:00 p.m. for children to visit, and cookie decorating and hot cocoa bar in the Huntington Bank building; Santa will be in the Veteran's Park weekend of December 6, 7 and 8 and December 13, 14, and 15; and Holiday Senior Luncheon – Wednesday, December 4 at Morse Avenue Community Ctr. Free to first 60 seniors that sign up and will be catered by Zappatelli's Pizza, Pasta and Parm. The committee received a resignation email from Traci Sullivan. Traci has served on the Commission since January 2018. She attended meetings regularly and helped at all our events. She will be missed. The committee will be reaching out to Wardell Link to see if he plans on renewing his commission which is expiring December 31, 202; meeting adjourned at 4:50 PM; and the next meeting January 14, 2025

Planning Commission

Director of Planning Sarah Sitterle gave a report on this committee which was held on October 10, 2024. The following item was discussed: The City of Painesville has received a revised application from Grand River Walk LLC for a Conditional Use Permit. The applicant wishes to build a single mixed-use building consisting of 99,152 gross square feet. A portion of the ground floor will consist of 4,300 square feet of indoor restaurant space and 2,800 square feet of outdoor dining space. The remaining ground floor, and the 2nd through 4th floors of the building will be residential, with approximately 81,223 rentable square feet in 110 units and an additional 12,726 square feet of common area space. Of the 110 residential units, 10% will be dedicated to studio units (584 SF average), 80% to 1-bedrooms (711 SF average), and the remaining 10% will be dedicated to 2-bedroom units (1,111 SF average). Approximately 148 parking spaces will be designated for the residential units. There will be an additional 43 spaces for the restaurant component of the project, bringing the total number of parking spaces to 191. The property is located in the DD and B3 Districts which requires a Conditional Use permit for a mixed-use development and a parking lot. By a vote of 3-1 the Conditional Use Permit for mixed use in the DD District according to Section 1117.09 (a), and a Conditional Use Permit for a parking lot in the B-3 Central Business District according to Section 1113.06 (d) was approved with the following conditions: 1.) The mixed-use building will contain no more than 110 dwelling units in the following configurations: 10% Studios of not less than 550 square feet; 80% 1 Bedroom at an average of 729 Square feet; 10% 2bedroom units at an average of 1,037 square feet; 2.) 16% of the ground floor shall be commercial uses; 3.)A minimum of 90 units shall have usable balconies. Final drawings for the balconies are needed; 4.) Final concept plans, and final architectural plans required within 6 months of CUP deadline; 5.) An off-site parking agreement shall be submitted and approved by the city to bring the total number of parking spaces available to the development to 190 spaces; 6.) A Comprehensive Signage plan shall be submitted to the Planning Commission for review and approval; and 7.) If the applicant does not commence vertical construction within one year of the approval of this permit it shall be null and void. By a vote of 4-0 the revised Covenants, Conditions, and Restrictions provided they are substantially in compliance with the version the Planning Commission reviewed, was approved. By a vote of 4-0 the preliminary site plan and architectural design was approved with the following stipulations: 1.) Final site plan shall be submitted to the Administration for approval that includes the shifted walkway connection between 8 N. State and the project and includes the walkway connection to the Amphitheater; 2.) Final architectural drawings substantially in compliance with the architectural drawings submitted with the conditional use permit shall be submitted to the Administration for approval; 3.) Detailed landscape plan with final plant selection shall be submitted to the Administration for approval; 4.) The trash receptacle shall be constructed of the same material as the primary material on the building; 5.) The final site plan shall address any concerns of the City Engineer and Fire Division; 6.) The Planning Commission approves a waiver of the parking requirements for residential to 1.35 spaces per unit and a waiver of parking for the restaurant to 41 spaces from 61 spaces; and 7.) A final exterior lighting plan for the parking lot and building be submitted for Administration approval.

LEGISLATION:

ITEM #1 ORDINANCE

3rd 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, 2nd Reading 10.07.24)

President Jim Fodor spoke on this piece of legislation. He stated it had been a very long time since Council salary was looked at. Information was gathered on comparable pays within surrounding communities. Council asked for legislation to be 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. It will not go in effect until January 1, 2025, and per the ORC, council members will not realize the increase until the election of a new term. So the increase would be in 2026 because it is not an election year for council. Council also wanted this so to encourage community members to be on council, and the time requirements of council members is more than it used to be years ago. Council didn't look at a salary increase because it was believed to be deemed as not a good thing for a council member to increase their salary. The burden is on council to make the decision of the increase, and they wanted to gather information from surrounding communities.

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

On roll call, Mrs. Shoop, Mr. Abney, Mr. Augustine, Mrs. DiNallo, and Mr. Fodor answered "Yes". Motion carried 5-0.

ORDINANCE 35-24 is ADOPTED.

ITEM #2 ORDINANCE

2nd 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.** ***(1st Reading 10.07.24)

Director of Planning Sarah Sitterle spoke on this piece of legislation. She stated this going to update Section 1113.06(d) Main Uses and create a new Section 1115.33 Location of Medical Marijuana Dispensaries 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 facility needs to be licensed by the State of Ohio and abide by the ORC which these regulations were drafted. The public hearing will be scheduled for the November 4, 2024 meeting.

This will go to third read.

ITEM #3 ORDINANCE

2nd 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.** ***(1st Reading 10.07.24)

Director of Planning Sarah Sitterle spoke on this piece of legislation. She stated this also revises Section 1113.06(d) Main Uses and creates a New Section 1115.34 (new) Location of Adult Use Cannabis (Marijuana) Dispensaries, Testing Labs, and Cultivation and Processing Facilities: 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. There are location requirements and licensing requirements of the State of Ohio based on the ORC. The public hearing will be scheduled for the November 4, 2024 meeting.

This will go to third read.

ITEM #4 ORDINANCE

2nd 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.** ***(1st Reading 10.07.24)

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. The City currently has three. If an existing store wanted to change locations, then the distance requirements must be followed. The public hearing will be scheduled for the November 4, 2024 meeting. Small Box Store is typically around or less than 15,000 square feet.

This will go to third read.

ITEM #5 ORDINANCE

2nd 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. *(1st Reading 10.07.24)

Director of Planning Sarah Sitterle spoke on this piece of legislation. She stated this would update 1113.06(d) 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 existing stores would be grandfathered. 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. The public hearing will be scheduled for the November 4, 2024 meeting.

This will go to third read.

ITEM #6 ORDINANCE

***1st Reading* – An Ordinance amending Ordinance 909.01 – Repair of Sidewalk; Notice to Owner and amending Property Maintenance Ordinances 1349.231 – Sidewalks and 1349.27 – Notice of Violation, and declaring an emergency.**

City Engineer Leanne Exum spoke on this piece of legislation. She stated this legislation is to update the ordinance for sidewalks specifically the criteria for citing violations of sidewalk. It also changed how the city will serve residents; instead of two letters, the city will send one certified letter only. It was recommended by a BZA member to make the change to the ordinance. The language changes, in the legislations, are as follows: For the purpose of Chapter 909 of the City Ordinances, a sidewalk is not in good repair and free from obstruction or nuisance and shall be replaced when any of the following conditions apply:

A. A difference of elevation between two slabs at a formed or random joint or crack exceeds one-half inch;
B. Where a portion of the sidewalk is missing;
C. Where a horizontal gap exceeds one-half inch;
D. Where a slab has pitted, spalled, scaled or deteriorated twenty-five percent (25%) or more of its surface;
E. Where a slab has disintegrated or shattered;
F. Where a slab rocks or moves under the weight of a pedestrian; or
G. Where diagonal, transverse and longitudinal cracks interconnect forming a series of polygons resembling an alligator skin.

Mrs. Exum stated these are the current criteria they use in the City Engineer's Office, as a policy, but now they will be codified. The engineering department will look at each slab with property owners and make recommendations in regards to repair options.

This will go to second read.

Mr. Rodriguez arrived to the meeting at 7:33 PM.

ITEM #7 RESOLUTION

2nd 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. *(1st Reading 10.07.24)

Heidi Fyffe, from the Painesville Local Schools, spoke on this piece of legislation. She stated the schools have a partnership with the city with this construction program which would

help the students, their future, and community. She outlined the many aspects of the program, which is funded through a grant, stating these are students who want to join the work force when they graduate from high school, and want to make this program successful. The Painesville City Schools and School Board was thanked for their partnership with the City, and the importance of that partnership that is highly valued. Concerns were brought forth about the industrial zoning of that property and not generating property tax dollars and/or income tax dollars, and the property should be sold if the City is not going to use it. Additional concerns were expressed about the school's investment and then having to leave the building after the contract is up that could cause tension between the city and school. Concerns about the students intermixing with City work activities in the area were brought forth and may be complicated. Ms. Fyffe clarified that the programs does not expect to stay at that location forever. The school has looked at several locations but this location on Chester Street best suited their needs and the number of students enrolled. It is about the experience the students will receive and the upgrade would improve the building to sale in the future. Mr. Lewis stated this would connect the students with local developers as qualified employees.

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

On roll call, Mr. Rodriguez, Mrs. Shoop, Mr. Abney, Mr. Augustine, Mrs. DiNallo, 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, and Mr. Fodor answered "Yes". Mrs. DiNallo answered "No". Motion carried 5-1.

RESOLUTION 53-24 is ADOPTED.

ITEM #8 RESOLUTION

***1st Reading* – A Resolution authorizing the City Manager of the City of Painesville to apply for and accept funding through the Ohio Department of Natural Resources Land and Conservation Fund Program for the Skatepark Project at Morse Avenue Community Center, and declaring an emergency.**

City Manager Doug Lewis spoke on this piece of legislation. He stated the city has been working with local groups that are interested in creating a skate park within the city. Initially, they looked at the skate park at Rec Park but do to the fact it is in the flood plain, an alternative location which would be Morse Avenue Community Center. The City was made aware of the opportunity to apply for a grant through the Ohio Department of Natural Resources (ODNR). The ODNR administers financial assistance for public recreation through the federal Land and Water Conservation Fund (LWCF) Program. McCaulley and Associates will be preparing the application for the grant request in the amount of $237,500 to fill the funding gap in order to construct Phase I of the Painesville Skatepark at Morse Avenue Community Center. This is a very competitive grant, and the City has already an outstanding grant to construct the Amphitheater. This will be an additional grant through the same grant funding for the skate park. Recently, PCIC, the Painesville Skateboard Association and interested residents met with Grindline Skateparks, Inc. at Morley Library to discuss preliminary plans for the development of the skatepark that will result in conceptual drawings. If we receive the funding, it will provide $237,500 or 50% of the amount needed to complete Phase I of the Painesville Skate Park. Below is a copy of the proposed budget. The City of Painesville's portion for Phase # 1 would be approximately $122,448. The Painesville Skateboard Association and PCIC are also working to raise funds for the project.

$122,448 - City funds
$ 60,000 - Local Grassroots Funding (PCIC and PSA)
$ 55,052 – ODNR Natureworks Round 30 (requested)
$237,500 - Total Match Contribution
$237,500 - Land and Water Conservation Fund (requested grant dollars)
$475,000 - Phase 1 Total Costs

The City of Painesville will continue to seek grant funding to lower the amount of match that the City has to provide. There will be two total phases. This item can go 2 readings in order to be submitted prior to the November 15, 2024 deadline.

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

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

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

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

RESOLUTION 54-24 is ADOPTED.

ITEM #9 RESOLUTION
***1st Reading* – A Resolution authorizing and directing the City Manager to issue payment to non-union employees holding special licensure or certification not required for their position, but beneficial to City operations, and declaring an emergency.**

Human Resources Director Kris Young spoke on this piece of legislation. She stated this resolution addresses special payments for non-union employees. The City administration is recommending annual stipends for non-union employees who hold special licensure or certification that, while not mandatory for their positions, is essential for the effective operations and continual improvement of our city. A few examples of these payments are Ohio EPA Operator Licenses for our Water and Wastewater Departments, playground safety certification, Notary and FEMA Public Information Officer Certification. These stipends will be comparable to payments already provided to union employees for similar qualifications and will encourage professional development among all city employees. Administration anticipates not only enhanced employee morale and engagement but also improved operational capabilities that will benefit the City by having a skilled and motivated workforce dedicated to providing better and/or additional services to the residents of Painesville. City Administration believes these increases are fair and the City can afford them. This legislation can go three (3) readings. A requirement will be that the individual holding the professional certificate and/or license will be utilized and the City Manager would determine on how many employees will receive payment for certain licenses. Not all licenses/certifications would be paid out. The City Manager will determine if special payments are warranted based on the need of the City. This approach will streamline the decision-making process and ensure that special payments are aligned with departmental needs and financial considerations. Concerns about numbers in the legislations, and "gray areas" and possible discriminations were about forth. It was clarified this is to approve a policy for the City Manager's authorization.

This will go to second read.

ITEM #10 RESOLUTION
***1st Reading* – A Resolution authorizing and directing the City Manager to apply for and accept funding from the Ohio Lake Erie Commission, for the purpose of replacing asphalt parking areas at the City amphitheater site with permeable pavers, and declaring an emergency.**

City Manager Doug Lewis spoke on this piece of legislation. He stated the Ohio Lake Erie Commission, administers financial assistance to initiate partnerships to address coastal resilience with an emphasis within underserved communities in Ohio's Lake Erie coastal counties. The grant allows for up to an award of $150,000.00 with no local match. As the City builds out its Amphitheater facility it was anticipated that the repaving of the asphalt parking surface, an impermeable surface, would be necessary. This grant opportunity allows the City an opportunity to consider a permeable paver installation for this parking area, which aside from being more aesthetic in appearance, will also enhance good stormwater management practices along the Grand River. It is being asked that this resolution be passed on first reading, due to the timing of the grant process.

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

Mr. Rodrigez moved to adopt, seconded by Mrs. Shoop.
On roll call, Mr. Abney, Mr. Augustine, Mrs. DiNallo, Mr. Rodriguez, Mrs. Shoop, and Mr. Fodor answered "Yes". Motion carried 6-0.
RESOLUTION 55-24 is ADOPTED.

ITEM #11 RESOLUTION
***1st Reading* – A Resolution authorizing and directing the City Manager to enter into a new or amended development agreement with Grand River Walk, LLC for the purposes of development at 257 East Main Street, and declaring an emergency.**

John Sines, of Marous Brothers, addressed council for approval of the legislation. Discussion ensued about parking agreement, more time to review the agreement and changes, time constraints. Mr. Sines clarified the timeline, progress, and the cost/finance to the project. Marous Brothers are bound to their CUP requirements. This is a development agreement and their legal obligations and requirements between the City and the Developers. This agreement

does hinge on their financing. The changes to the project have been made aware of to the public during a Planning Commission meeting, a special meeting/session, and was published in the newspaper. Mr. Lewis stated this is a revision or amendment to the development with the main change to the building of the residential mixed-use and retail/restaurant portion, the number of stories decreased, no parking garage, walkway provision, defines the number of residential units on the first floor, and the timeline to spend $1,000,000 by June 1st. They will be utilizing some of the Brownfield Grant by June 1st and used for site improvement. This is also connected the Vic Place Project. Discussion ensued about the grant funding, its use, and moving forward with the project.

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

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

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

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

RESOLUTION 56-24 is ADOPTED.

Mr. Sines thanked Council and stated they are not a "fly by night" developers. The City is getting Marous Brothers building locally with local vendors, management service managing the building for the next 30 years, and dealing with him for the next few years. Everyone will be happy as the project progresses.

ITEM #12 RESOLUTION

***1st Reading* – A Resolution authorizing and directing the City Manager to enter into an agreement with the Board of the Lake County Commissioners requesting the services of the Building Department and the Building Inspector of Lake County, Ohio and declaring an emergency.**

City Manager Doug Lewis spoke on this piece of legislation. He stated on December 2, 2019 the City of Painesville entered into an agreement with Lake County Commissioners to provide services of the Building Inspector of Lake County, Ohio to approve plans, drawings, specifications and data, to issue electrical, HVAC, plumbing and construction permits and conduct all inspections for any and all residential and commercial buildings, structures and units, constructed or re-constructed within the City. Recently, the Lake County Commissioners Office has requested that the City of Painesville renew the Agreement to provide these services in Painesville. The agreement modifications are as follows: The City would receive priority treatment on specific projects, and the contract is a renewal of the prior contract that was automatically renewed unless it was terminated by one of the parties. Since providing the services, it has gone well. If there have been coordination issues, both parties have met to address any concerns. There is no cost to the City of Painesville as Lake County Building Department charges the builder/developer a fee to review and approve building plans and conduct building inspections. As stated above, in addition to resolving our issue of being able to hire building inspectors with the required licenses, it has saved the City of Painesville in excess of $250,000 per year. Originally, we entered into the Agreement because we were not able to fine a Chief Building Official as required by the Ohio Revised Code and it was costing the City well in excess of $250,000 to hire a part-time building inspector and two additional inspectors (with plumbing, electrical, and general building licenses) to provide inspections services. Since that time, Lake County Building Department has been providing these services. Approval of the ordinance allows the City to enter into an agreement with the Lake County Commissioners to provide the requested services of the Lake County Building Inspector. This item can go three readings.

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

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

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

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

RESOLUTION 57-24 is ADOPTED.

UNFINISHED BUSINESS: Lodging Tax

This topic was moved to the next council meeting since Mr. Zampedro was not able to attend tonight's meeting and was going to report on this.

NEW BUSINESS: Commercial Vehicle Parking

Police Administrative Lieutenant Toby Burgett had no additional information but just wanted to make Council aware. However, data could be gathered if Council so wishes. This topic may be revisited.

DEPARTMENTAL PRESENTATIONS: WPCP

Water Pollution Control Superintendent Kevin Aiken gave a presentation on the Water Pollution Control Plant. He presented the following: He presented the WPCP Organization Chart and introduced the personnel and their classification and qualifications; outlined their community evolvement and their award; and discussed the WPCP capital projects. See slide presentation.

ADMINISTRATIVE REPORTS: Law Director and City Manager

Law Director Jim Lyons had no report at this time.

City Manager Doug Lewis commented on how incredible Fall Fest was this year. He thanked everyone who participated and sponsored the event.

CORRESPONDENCE: Clerk of Council

The next regular Council meeting will be held on Monday, November 4th at 7:00 PM; Trick-or-Treating will be Thursday, October 31st from 6:00 – 8:00 PM; and HOLA will be having a Day of the Dead event on Saturday, November 2nd from 6:00 – 8:00 PM. Ticket information is available on their website.

CLOSING COMMENTS: Members of Council

Mr. Rodriguez mirrored Mr. Lewis' comment about how awesome Fall Fest and the displays. He thanked everyone who attended and watched tonight's meeting.

Mr. Augustine had no comments at this time.

Mrs. Shoop stated they gave away 41,000 pieces of candy at the Fall Fest.

Mr. Fodor recognized Lt. Toby Burgett for being the recipient of the Lake County NAACP 2024 Robert H. Fountain Award from the NAACP on October 19th for providing Public Safety and Public Services to the Community, and the importance of engagement with the city. He thanked Lt. Burgett for his contributions to the city.

Mrs. DiNallo appreciated Mr. Fodor's comments and thought the council meeting went well tonight and that Council members work well together.

Mr. Abney had no comments at this time.

EXECUTIVE SESSION

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

Mr. Augustine motioned to move into 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; and in accordance with ORC. 121.22(8) To consider confidential information related to marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance in accordance with section 3735.67 of the Revised Code, seconded by Mrs. Shoop.

All Council Members were in favor by answering "Aye". Motion carried to move into the Executive Session at 8:47 PM.

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

Mrs. Shoop moved to adjourn the Executive Session, seconded by Mr. Augustine. All Council Members were in favor by answering "Aye". Motion carried to adjourn the Executive Session at 9:46 PM.

ADJOURNMENT

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

Mrs. Shoop moved to adjourn the Regular Meeting, seconded by Mr. Abney. All Council Members were in favor by answering "Aye". Motion carried to adjourn the Regular Meeting at 9:47 PM.

Meeting adjourned at 9:47 PM.

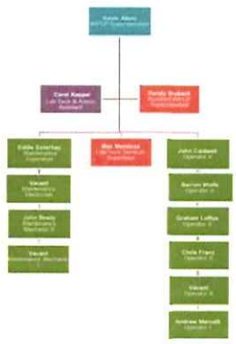
Samantha Danielson
Clerk of Council

Jim Fodor
President of Council

Empowering Our Team: Celebrating Staff Contributions and Achievements

Water Pollution Control Plant

WPCP Org. Chart

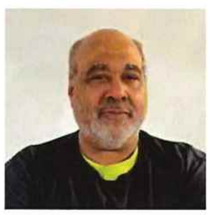


Meet Our Crew: The Heart of Our Success



John Caldwell

- Original hire date 02/19/1991.
- Operator 1
- Promoted to Operator 2 on 3/2/1997.
- Retire/ Rehire 3/1/2022 as Operator 2.
- Class I Wastewater Certification



Randy Bruback

- Original hire date 2/25/2002.
- WPCP Superintendent.
- Promoted to Director of Infrastructure on 2/6/2017.
- Retire/ Rehire 3/1/2020 as Assistant Superintendent.
- Class IV Wastewater Certification



Carol Kappel

- Original hire date 2/23/2004.
- Secretary 1- part time.
- Reclass to fulltime secretary on 5/9/2005.
- Promoted to Lab Tech 1 on 12/21/2015.
- Reclass to Lab Tech 1/ Executive Secretary on 1/1/2017.
- Promoted to Lab Tech 2/ Exec Secretary on 5/1/2017.



Kevin Aiken

- Original hire date 9/10/2007.
- Operator 1.
- Resigned on 1/9/2015.
- Rehired on 7/20/2015 as Assistant WPCP Superintendent.
- Promoted to WPCP Superintendent on 1/1/2018.
- Class IV Wastewater Certification



Max Mendoza

- Original hire date 2/16/2016.
- Operator 1.
- Promoted to Industrial Pretreatment Coordinator on 6/12/2017.
- Promoted to Laboratory/ Technical Services Supervisor on 1/8/2023.
- Back Up Operator of Record.
- Class III Wastewater Certification



Edward Esterhay

- Original hire date 12/10/2018.
- Treatment Plant Mechanic 1.
- Promoted to Treatment Plant Maintenance Supervisor on 6/26/2023.
- Class II Wastewater Certification



Barron Wolfe

- Original hire date 12/22/2014.
- Maintenance Worker 1 for Parks and Cemeteries.
- Hired as Operator 1 at WPCP on 6/12/2017.
- Promoted to Operator 2 on 11/2/2020.
- Class I Wastewater Certification



Graham Loftus

- Original hire date 1/27/2021.
- Operator 2.
- Undergoing training as back up Lab Tech.
- Class III Wastewater Certification



Chris Franz

- Original hire date 2/8/2021.
- Operator 1.
- Promoted to Operator 2 on 12/01/2023.
- Undergoing training as Lab Tech.
- Class II Wastewater Certification



John Brady

- Original hire date 7/26/2021.
- Maintenance Worker 2 for Parks and Cemeteries.
- Hired as Treatment Plant Mechanic 1 for WPCP on 10/24/2022.
- Promoted to Treatment Plant Mechanic 2 on 10/29/2023.
- Class I Wastewater Certification



Andrew Marcelli

- Original hire date 1/27/2022.
- Operator 1.
- Worked as a seasonal for Parks and Cemeteries for several years before being hired full time in WPCP.



Guadalupe Becerra

- Original hire date 1/3/2024.
- Treatment Plant Mechanic 1.



Community Engagement







Capital Projects

Digester Cover

- Union Industrial to start in early 2025.
- Upgrades necessary to meet regulatory compliance.
- Upgrades will enhance digestion process.
- Lower operational costs and improved resource recovery.



Blower Upgrade

New Blower Benefits

- Improved Efficiency
- Increased Capacity
- Enhanced Performance.
- Reduced Maintenance Costs.
- Reliability and Durability.
- Noise Reduction.
- Advanced Features:



Installed in 1978

Local Limits Study

- Compliance with Regulatory Standards
  - Ensures discharge of pollutants meets EPA requirements.
- Protection of Water Quality
  - Safeguards local waterways from harmful contaminants.
- Response to Local Conditions
  - Adjusts limits based on specific regional environmental factors.

EnviroScience
Excellence In Any Environment

Aeration Diffuser Upgrade

- The original design featured stone coarse air diffusers.
- In 2009, these were upgraded to rubber fine air diffusers. However, the retrofit from stone to rubber presented several challenges.
- New tube style
  - Much smaller footprint.
  - More efficient.
  - Easier to clean under when taking a tank out of service.



THANK YOU

DATE AND LOCATION