

EXECUTIVE SESSION  
MONDAY, JANUARY 5, 2015 – 6:30 PM

REGULAR COUNCIL MEETING  
MONDAY, JANUARY 5, 2015 - 7:30 PM

President Paul Hach called the regular meeting to order in Council Chambers at 6:30 pm for the purposes of an Executive Session to discuss the JEDD appointment with the following in attendance: Paul Hach, Lori DiNallo, Katie Jenkins, Jim Fodor, Andrew Flock, Tom Fitzgerald and Mike DeLeone. A Motion to move into Executive Session was made by Mrs. DiNallo, seconded by Mr. DeLeone. All members answered “yes”. Motion carried. City Council moved to Courtroom #2.

At 7:33 pm, Council returned to Courtroom #1 and a Motion to Adjourn from Executive Session was made by Mr. DeLeone, seconded by Mr. Fodor. All members answered “yes”. Motion carried.

At 7:34 pm, President Hach called the regular meeting to order in Courtroom #1, requested visitors please turn off their cell phones and other electronic devices. Councilman Mike DeLeone gave the invocation. The Pledge of Allegiance was recited.

City Council convened in a regular meeting in Council Chambers, with the following in attendance: Paul Hach, Lori DiNallo, Katie Jenkins, Jim Fodor, Andrew Flock, Tom Fitzgerald, Mike DeLeone, City Manager Anthony Carson, Law Director Joseph Gurley, Assistant City Manager Doug Lewis, Police Chief Anthony Powalie, Fire Chief Mark Mlachak, Finance Director Andy Unetic, Water Superintendent George Ginnis, Public Services Director Brian Belfiore, Water Pollution Control Plant Superintendent Randy Bruback; Electric Superintendent Jeff McHugh, City Planner Lynn White, City Engineer Leanne Exum, Economic Development Director Cathy Bieterman, and Clerk of Council Tara Diehl.

A Motion was made by Mrs. DiNallo, seconded by Mr. DeLeone to approve minutes for December 15, 2015 as amended for a typo per Mrs. Jenkins request. All members answered “yes”. Motion carried.

Mr. Hach stated we will now be recognizing visitors and if there was anyone in the audience who wished to speak to please raise their hands and wait to be called upon. Once called upon, he requested Visitors please use the podium, clearly state their name and address into the microphone, and limit comments to 3 minutes. Any dialogue must be conducted through him as President of Council, although comments or questions can be addressed to Council, the Administration, or both.

Mr. Arthur Shamakian gave an update on the Steele Mansion and the success of hosting their first wedding at the mansion.

Mr. Mark Suedkamp of 79 Orchard Grove discussed a simple four step approach to pavement management. (*See Attachment #1*)

Moving on to Legislation, President Hach asked if there was anyone who wished to speak on the items of legislation on the agenda this evening. One person wished to speak on Item #1.

**ORDINANCE NO. 1-15: AN ORDINANCE AMENDING SECTION 937.57(A) OF THE  
CODE OF ORDINANCES RELATING TO SEWER RATES**

was given third reading.

Mr Carson referred to the Slide shown on the projector Sewer rate scenario comparisons. (*Attachment #2*). Scenario A&B are essentially the same, except Scenario B waits a year and reflect a 0% increase for 2015, 8% for 2016, 7% for 2017, 7% for 2018, and 6.5% for 2019. This legislation incorporates Option B Sewer Rate increases.

Mr. Flock stated he proposed Scenario C to lessen the financial burden on the residents of Painesville.

Mr. Unetic and Mr. Carson discussed the difference between the three Scenarios and explained to Mrs. Jenkins that Scenario C does work, it just takes a longer time to get where we need to be. Mr. DeLeone wanted to know how much Scenario C takes us over the amount we need. Mr. Unetic explained all three Scenarios are basically the same and essentially collect the same amount of money, it is the amount of time it takes to get us there and whether we collect the money at a higher rate faster, or a lower rate over a longer period of time. The money is not being compounded. Mrs. DiNallo questioned the previous rate increases and Mr. Unetic and Mr. Bruback explained from 2008 – 2013 there was a rate increase every year of 4 or 5%, we did not have a rate increase in 2014.

Mr. DeLeone stated we are required to review the rates yearly and why can't we review the rate increases yearly. Mr. Carson stated he does not want to mislead Council into thinking in 5 years we are not going to come back and ask for more of an increase. Our bond continues for many more years, the fund is on-going, the ten years does give some stability to the fund and the ability to pay the bond for at least the next ten years.

Mr. Angelo Cimaglio of 477 Owego Street questioned how our sanitary sewer rates are set. He stated he checked with the County and they charge a quarterly flat rate. He also asked how this rate increase affects the commercial users here in Painesville and why we also do not have a flat fee. The 3% increase makes more sense. Mr. Bruback stated that Mr. Cimaglio was incorrect about the County rates and explained that their flat rate is a *minimum*, they do the same thing we do and base it off their water rate. If a person goes over the minimum, they are billed for the additional water.

Mr. Hach asked for direction from Council. Discussion continued amongst the Council members on amending the legislation and the options of yearly review with the budget process, and the Legislation Section "C"'s where the City Manager can request a review at any time; the 3% will be locked in for 10 years, regardless of the review, the legislation will have to be amended or voted on each year, unless a change was needed in the percentages.

Motion by Mr. Flock seconded by Mr. Fodor that ORDINANCE NO. 1-15 be amended to reflect the 3% for ten years "Scenario C" with a yearly review.

On roll call, Mr. Fodor, Mr. Flock, Mr. DeLeone, and Mr. Hach answered, "yes". Mr. Fitzgerald, Mrs. DiNallo, and Mrs. Jenkins answered "no". Motion carried 4-3. ORDINANCE NO. 1-15 amended to reflect "Scenario C" with a yearly review.

Motion by Mr. Flock seconded by Mr. DeLeone that ORDINANCE NO. 1-15 be adopted as amended to reflect "Scenario C" with a yearly review.

On roll call, Mr. Flock, Mr. DeLeone, Mr. Fodor, and Mr. Hach answered, "yes". Mr. Fitzgerald, Mrs. DiNallo, and Mrs. Jenkins answered "no". Motion carried 4-3. ORDINANCE NO. 1-15 adopted as amended to reflect "Scenario C" with a yearly review.

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$2,860,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS TO PAY COSTS OF REPLACING A WATER FILTER AT THE CITY'S WATER PLANT; IMPROVING ARGONNE DRIVE; REHABILITATING AND IMPROVING THE CHESTNUT STREET WATER STORAGE TANK; RESURFACING PORTIONS OF CERTAIN CITY STREETS TO BE APPROVED BY CITY COUNCIL, TOGETHER WITH ALL WORK INCIDENTAL THERETO; REPLACING A WATER LINE IN ELM STREET, TOGETHER WITH ALL APPURTENANCES THERETO; IMPROVING THE CITY'S STORM WATER MANAGEMENT SYSTEM BY CONSTRUCTING AND INSTALLING STORM SEWER LINES, DETENTION BASINS AND INLET BASINS, TOGETHER WITH ALL APPURTENANCES THERETO; RESURFACING PORTIONS OF NELSON STREET, EAST MAIN STREET AND CERTAIN CITY STREETS TO BE APPROVED BY CITY COUNCIL, TOGETHER WITH ALL WORK INCIDENTAL THERETO; ACQUIRING A DUMP TRUCK WITH SNOW PLOW, TOGETHER WITH NECESSARY APPURTENANCES THERETO; ACQUIRING A TECHNICAL RESCUE VEHICLE, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND IMPROVING THE CITY'S STORM WATER MANAGEMENT SYSTEM BY CONSTRUCTING AND INSTALLING STORM SEWER LINES, DETENTION BASINS, INLET BASINS AND RELATED IMPROVEMENTS, INCLUDING THE NORTH AVENUE STORM WATER PROJECT AND THE CITY'S 2010 STORM WATER IMPROVEMENT PROGRAM, TOGETHER WITH ALL APPURTENANCES THERETO; IMPROVING THE CITY'S SEWERAGE SYSTEM BY CONSTRUCTING AN INTERCEPTOR SEWER TO SERVE THE 178 ANNEXED ACRES AND CONSTRUCTING A SEPTAGE RECEIVING STATION AT THE WATER POLLUTION CONTROL PLANT; REPLACING SANITARY SEWER LINERS IN MENTOR AVENUE, JACKSON STREET AND AT SELECT RAILROAD CROSSING LOCATIONS; REPLACING HYPO-CHLORINATION GENERATION EQUIPMENT AT THE CITY'S WASTEWATER TREATMENT PLANT; RELOCATING WATER MAINS ALONG STATE ROUTE 86 AND AUBURN ROAD, TOGETHER WITH ANY NECESSARY APPURTENANCES THERETO; IMPROVING THE MUNICIPAL WATER SYSTEM BY CONSTRUCTING EROSION CONTROL IMPROVEMENTS AT THE WATER TREATMENT PLANT, AN ELEVATED STORAGE TANK, A BOOSTER STATION AND WATER MAINS AND OTHER WATER TREATMENT PLANT AND DISTRIBUTION SYSTEM IMPROVEMENTS; IMPROVING THE MUNICIPAL WATER SYSTEM BY CONSTRUCTING AND INSTALLING NEW WATER LINES AND OTHER DISTRIBUTION SYSTEM IMPROVEMENTS TOGETHER WITH THE

NECESSARY APPURTENANCES THERETO; AND EXTENDING SANITARY SEWER LINES AND CONSTRUCTING A PUMP STATION TO SERVICE THE SHAMROCK BOULEVARD AREA OF THE CITY, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

was given second reading.

Mr. Carson and Mr. Unetic explained this is the second reading of this Ordinance and asked if Council had any questions.

Mr. Flock and Mr. DeLeone asked this be left on second reading.

Mr. Hach stated this will stay on second reading.

**RESOLUTION 1-15: A RESOLUTION RECOGNIZING PAINESVILLE AREA CHAMBER OF COMMERCE 2015 CITIZENS OF THE YEAR – TOM & LIBBY HILL**

was given first reading.

Mr. Carson referred to Ms. Diehl who explained that every year Council recognizes the Painesville Area Chamber of Commerce's Citizen, Business and Non-Profit of the Year by adopting Resolutions, having the Clerk certify and frame each Resolution which is presented later in the month at the Chamber's Award Banquet Ceremony. Each year Council sponsor's a table and attends the banquet which is being held on January 29<sup>th</sup> at LaMalfa. Ms. Diehl asked that Council adopt all three Resolution this evening to allow time for printing, certification, and framing prior to the banquet.

Motion by Mr. DeLeone seconded by Mr. Fodor to suspend the rule requiring the legislation to be read on three different days.

On roll call, Mr. Fitzgerald, Mrs. DiNallo, Mrs. Jenkins, Mr. DeLeone, Mr. Fodor, Mr. Flock, and Mr. Hach answered "yes". Motion carried.

Motion by Mr. DeLeone seconded by Mr. Fodor that RESOLUTION NO. 1-15 be adopted.

On roll call, Mrs. DiNallo, Mrs. Jenkins, Mr. DeLeone, Mr. Fodor, Mr. Flock, Mr. Fitzgerald, and Mr. Hach answered "yes". Motion carried. RESOLUTION NO. 1-15 adopted.

**RESOLUTION 2-15: A RESOLUTION RECOGNIZING PAINESVILLE AREA CHAMBER OF COMMERCE 2015 BUSINESS OF THE YEAR – THE OURPET'S COMPANY**

was given first reading.

Motion by Mr. Fodor seconded by Mr. Fitzgerald to suspend the rule requiring the legislation to be read on three different days.

On roll call, Mrs. Jenkins, Mr. DeLeone, Mr. Fodor, Mr. Flock, Mr. Fitzgerald, Mrs. DiNallo, and Mr. Hach answered "yes". Motion carried.

Motion by Mr. DeLeone seconded by Mr. Fitzgerald that RESOLUTION NO. 2-15 be adopted.

On roll call, Mr. DeLeone, Mr. Fodor, Mr. Flock, Mr. Fitzgerald, Mrs. DiNallo, Mrs. Jenkins, and Mr. Hach answered "yes". Motion carried. RESOLUTION NO. 2-15 adopted.

**RESOLUTION 3-15: A RESOLUTION RECOGNIZING PAINESVILLE AREA CHAMBER OF COMMERCE 2015 NON-PROFIT OF THE YEAR – KIDNEY FOUNDATION OF OHIO LAKE COUNTY CHAPTER**

was given first reading.

Motion by Mr. Fodor seconded by Mr. Fitzgerald to suspend the rule requiring the legislation to be read on three different days.

On roll call, Mr. DeLeone, Mr. Fodor, Mr. Flock, Mr. Fitzgerald, Mrs. DiNallo, Mrs. Jenkins, and Mr. Hach answered "yes". Motion carried.

Motion by Mr. DeLeone seconded by Mr. Fodor that RESOLUTION NO. 3-15 be adopted.

On roll call, Mr. Fodor, Mr. Flock, Mr. Fitzgerald, Mrs. DiNallo, Mrs. Jenkins, Mr. DeLeone, and Mr. Hach answered "yes". Motion carried. RESOLUTION NO. 3-15 adopted.

At our last meeting, Councilman DeLeone's requested Council consider removing the Tabled Legislation from the Agenda (Items #6 & #7 on 1.5.15's Agenda). Mr. DeLeone would like to discuss each tabled item one at a time. He made a Motion to remove Item #6 from the Agenda, the tabled Ordinance. Clerk of Council Ms. Diehl stated the Council member who tabled the item needs to make the Motion to remove the item from being tabled. Mrs. Jenkins would like the Ordinance to remain on the Agenda until we receive an update from the Economic Development Committee and leave it tabled until the next meeting.

**ORDINANCE - Tabled:** Amending 1375.02 of the Painesville Code of 1998 Relating to Vacant Property/Building Registration (*1<sup>st</sup> Reading 12.16.13; 2<sup>nd</sup> Reading 1.6.14; 3<sup>rd</sup> Reading 1.21.14*)

Tabled Ordinance remains tabled.

Mrs. DiNallo asked Chief Mlachak when the next Fire COG meeting will be taking place. He stated the meeting is next week and they have applied for a grant to help pay for the truck. In his opinion, this resolution can be removed and brought back at a later time. Mrs. DiNallo asked the Clerk to explain the process of removing a tabled item from the Agenda.

Ms. Diehl fully explained the process for removing a tabled item from the Agenda. The Council member who tabled the item needs to make the Motion to remove the item from being tabled. She explained that the title of this resolution has been wrong for over a year and would need to be amended either way. Removing a tabled item doesn't mean it cannot be revisited later, a piece of newly rewritten legislation would have to be submitted since this resolution has gone through 3 readings already. A Motion to remove the item would need to be made by the Council member who originally tabled the item, then it would need to be seconded. A roll call would then be performed for removal and no action taken on the item. Mr. Gurley stated the Clerk was correct and clarified that the resolution would then die for lack of Motion to adopt, or die for lack of a second of the Motion.

**RESOLUTION - Tabled:** Authorizing the City Manager to Enter into an Agreement with East and Lake County Council of Governments for the Joint Purchase of an Air/ Rescue Truck (*1<sup>st</sup> Reading 2.3.14; 2<sup>nd</sup> Reading 2.18.14; 3<sup>rd</sup> Reading 3.3.14*)

Motion by Mrs. DiNallo, seconded by Mr. DeLeone to remove the Tabled resolution from the agenda.

On roll call, Mr. Flock, Mr. Fitzgerald, Mrs. DiNallo, Mrs. Jenkins, Mr. DeLeone, Mr. Fodor, and Mr. Hach answered "yes". Motion carried.

There was no Motion to adopt made. Resolution dies for lack of Motion.

Under old business, there were two items: Prairie State Power Plant and Buffering of railroads and limited access highways.

Mr. Flock had no comment this evening.

Mr. Lewis stated he had only one email which was dealt with regarding buffering of railroads and limited access highways.

There was no Unfinished Business.

Under New Business were three items: Strategic Planning during 2015, professional development and attending conferences and Historic District Preservation – Railroad/Depot Street.

Mr. Fodor stated the first 2 new business items go hand in hand. He referred to the Comprehensive Plan created in 2008 which is a 12-15 year plan. He referred to all that is on Council's plate and would like some guidance in better leadership, team building, directing Administration, as well as effectively communicating with each other and Administration. Council should increase their skills with professional development just as we expect the employees to. He passed out a system improvement model for Council to start looking at.

Mr. DeLeone referred to a previous worksession on this topic. The consensus was to not go in this direction. Has opinions of Council members changed?

Mr. Fodor stated we need to validate the need for improvement as no one is perfect, we settle for excellence.

Mr. Hach asked for more specific examples based on page one of the handout. Mr. Fodor was only looking to stir up conversation. He can research how governments have saved money using this approach.

Mr. DeLeone stated the City Manager would have to adopt the same systems improvement model that Council would.

Mrs. Jenkins referred to the worksession that as a Council they could benefit from professional development, not looking at it from the City's perspective, and will we benefit from training – do we need to do a better job as individual Council members. The answer is almost always “yes”.

Mrs. DiNallo referred to attending the swearing in of the new Judges and Judge Maureen O'Connor's speech referred to how local elected leaders are the direct connection to the residents and government and challenged everyone to recite their Oaths with humility. Mrs. DiNallo agrees with Mrs. Jenkins and Mr. Fodor that Council should be constantly working to improve their effectiveness for the benefit of the residents. It needs to be directly related to leadership and government. She also agrees with Mr. DeLeone in that we rely on the City Manager for a systems approach. We need to figure out the resources where we can educate ourselves from.

Mr. DeLeone would like another worksession with specific goals for moving forward for Council training.

Mr. Fodor would like Council to do some homework first and discuss at the next meeting on the 20th regarding leadership development.

Mrs. DiNallo would like to know what the budget is for Council training. Everyone's situation is unique in working full time or one of us being retired.

Mr. Fodor stated Council doesn't all have to go to the same training.

Ms. Diehl discussed getting Council informational links to Clerks organizational classes, training and seminars; Mr. Carson discussed Council's attending the Ohio Municipal League's Annual Conference for elected officials; Mrs. Jenkins recommended Case Western Reserve's Weatherhead School of Management programs.

Mr. Unetic stated there is \$5,000 in Council's budget for training and seminars.

Ms. Diehl stated she and Mr. Lewis received emails and newsletters from the Ohio Municipal League and she forwards them all to Council upon receipt. They contain information on meetings, training, seminars and conferences.

Mr. Hach stated that the Historic District Preservation – Railroad/Depot Street discussion will be postponed until January 20<sup>th</sup>'s presentation by City Planner Lynn White.

Mr. Hach asked that a meeting of the Economic Development Committee be scheduled

There was no Presentation to Council.

Mr. Gurley and Mr. Carson did not have administrative reports.

Under Clerk of Council Correspondences, Ms. Diehl stated the next Regular Council Meeting will be held on Tuesday, January 20, 2015 at 7:30 pm; Downtown Painesville Organization's Founder's Day Breakfast is CHANGED to Saturday, February 21, 2015 from 8-11am at Lake Erie College Dining Hall. Cost is \$20.00 and reservations are required. Contact the DPO to RSVP; there will be a Special Council Meeting for purposes of an Executive Session to discuss Personnel on Monday, January 12, 2015; City Offices Closed Monday, January 19, 2015 in observation of Martin Luther King Day; and Parks and Recreation's Chili Cook-Off and Winter Carnival is Saturday, January 24, 2015 from 1-4 pm in Veteran's Park and the Senior Center. \$10 fee to enter a Chili. \$1.00 donation allows you to vote for your favorite!

Closing Comments.

Mr. DeLeone wished everyone a Happy New Year full of hope.

Mr. Fodor reiterated Mr. DeLeone's comments.

Mr. Flock and Mrs. Jenkins did not have any comments.

Mr. Fitzgerald jokingly clarified that he is not really “retired”.

Mrs. DiNallo jokingly rebutted Mr. Fitzgerald stating “working while travelling isn’t always working”. She thanked the resident for coming out and thanked Mr. Bruback for answering all our questions this evening.

Mr. Hach wished everyone a Happy New Year and looks forward to new change. He challenged Council to enter the Chili Cook-Off and asked for a Motion to Adjourn.

Motion to Adjourn made by Mrs. DiNallo seconded by Mr. DeLeone. All members answered “yes”. Motion carried. The meeting was adjourned at 8:34 p.m.

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Tara Diehl  
Clerk of Council

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Paul W. Hach II  
President of Council

# ATTACHMENT #1

## A Simple Four Step Approach to Pavement Management:

1. Start with a good base and drainage:

The base is the foundation for the driving surface. Many of the streets in Painesville are layers of built-up chip seal or thin overlays over little to no base. Traffic and loads have increased over time resulting in faster degradation regardless of traditional maintenance efforts. Few streets were constructed with underdrains; underdrains are especially important where there are clayey soils.

2. Put asphalt over clayey soils, concrete over sandy soils:

Clayey soils don't drain well after being tamped and tend to move when wet and subjected to traffic loads. Asphalt can be rolled by traffic to conform to some degree. Sand drains well after being tamped and stays put and can support a concrete slab when wet. This is a successful old school approach but should be applied in light of modern materials, methods, equipment and knowledge. Most of Painesville's streets are not freeways and adopting freeway rehabilitation standards could result in unnecessary expense.

3. Keep the base dry.

This is done by preserving the pavement. Preservation processes include filling pot holes, crack filling and sealing, slurry seals and chip seals, spot repairs, and minimizing exposure to utility cuts. In Painesville should include adding underdrains where appropriate.

4. Keep good roads good.

Pavements are one of most expensive investments of local government and studies show that the traditional method of repairing the worst roads first is a very expensive way to manage a road system. Preservation is more cost effective than delaying repairs and reconstruction.

## ATTACHMENT #2

### City of Painesville Sewer Rate Increase Scenarios

	<u>Scenario A</u>	<u>Scenario B</u>	<u>Scenario C</u>
2015 Projected Rate Increase	5.00%	0.00%	3.00%
2016 Projected Rate Increase	5.00%	8.00%	3.00%
2017 Projected Rate Increase	5.00%	7.00%	3.00%
2018 Projected Rate Increase	5.00%	7.00%	3.00%
2019 Projected Rate Increase	4.00%	6.50%	3.00%
2020 Projected Rate Increase	0.00%	0.00%	3.00%
2021 Projected Rate Increase	0.00%	0.00%	3.00%
2022 Projected Rate Increase	0.00%	0.00%	3.00%
2023 Projected Rate Increase	0.00%	0.00%	3.00%
2024 Projected Rate Increase	0.00%	0.00%	3.00%
<b>Total Projected Rate Increase</b>	<b>24.00%</b>	<b>28.50%</b>	<b>30.00%</b>
Current Monthly Bill for Users at Minimum	\$17.60	\$17.60	\$17.60
Monthly Bill Increase For Users at Minimum - 2015	\$0.88	\$0.00	\$0.53
Monthly Bill Increase For Users at Minimum - 2016	\$0.92	\$1.41	\$0.54
Monthly Bill Increase For Users at Minimum - 2017	\$0.97	\$1.33	\$0.56
Monthly Bill Increase For Users at Minimum - 2018	\$1.02	\$1.42	\$0.58
Monthly Bill Increase For Users at Minimum - 2019	\$0.86	\$1.42	\$0.59
Monthly Bill Increase For Users at Minimum - 2020	\$0.00	\$0.00	\$0.61
Monthly Bill Increase For Users at Minimum - 2021	\$0.00	\$0.00	\$0.63
Monthly Bill Increase For Users at Minimum - 2022	\$0.00	\$0.00	\$0.65
Monthly Bill Increase For Users at Minimum - 2023	\$0.00	\$0.00	\$0.67
Monthly Bill Increase For Users at Minimum - 2024	\$0.00	\$0.00	\$0.69
<b>Total Projected Monthly Increase</b>	<b>\$4.65</b>	<b>\$5.58</b>	<b>\$6.05</b>