

REGULAR COUNCIL MEETING
MONDAY, NOVEMBER 16, 2015 - 7:30 PM
EXECUTIVE SESSION IMMEDIATELY FOLLOWING

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

President Hach requested visitors please turn off their cell phones and other electronic devices. Councilman Jim Fodor gave the invocation. The Pledge of Allegiance was recited.

Motion by Mrs. Jenkins, seconded by Mrs. DiNallo to approve the meeting minutes for September 8th, November 2nd, and November 9, 2015 as submitted. All members answered "Yes". Motion carried.

Mr. Hach stated we will now recognize Visitors and to please raise your hand if you wish to speak. When called upon, please use the podium, clearly state your name and address into the microphone, and limit your comments to 3 minutes." Any dialogue must be conducted through me as President of Council, although your comments or questions can be addressed to Council, the Administration, or both. Seven people wished to speak.

Mr. Fred Pollutro of 161 N. State Street expressed his concerns regarding the road conditions at Hillside Drive and 240 Main Street. Mr. Fodor and Mrs. Jenkins discussed the repairs and the one-way street issues. Mr. Pollutro would like to see the original City plans completed for that area.

Ms. Karen McCloud of the Extended Housing Wellness Center also expressed her concerns regarding Hillside Drive and how the one-way street is a safety concern, needs to be a two way street, there's no stop sign, would like to see it extended into Latimore Street, and benefit economic development.

Mr. Angelo Cimaglio of 477 Owego Street handed the Clerk of Council a copy of an email (*See Attachment #1*) regarding Heritage School's SRO. He expressed his opinion on the new Painesville Magazine, how the City should annex the 6 blocks of downtown and form its own City, the cost of all the new holiday decorations and the streetscape not involving the rest of the City.

Mr. Richard Tibbets of 190 Liberty Street expressed his opinion on Hillside Drive and the Vacant Property Ordinance.

Ms. Randy Turner of Tropical Village Apartments expressed her opinion on the Vacant Property Ordinance. She stated she already provides all tenant information and provided the Clerk of Council with a copy of the City's form she's been using for year. (*See Attachment #2*)

Bob the Barber, owner of One Cut Above Barber Shop expressed his opinion on the Vacant Property Ordinance and how it would affect his property at 231 Marion Avenue.

Mr. Ray Sternot of 346 Birchwood Lane read from his email he sent to Council. (*See Attachment #3*)

Moving on to Legislation, President Hach stated if visitors wish to comment on Legislation, they must request to do so at this time. Those making such requests will then be called upon after the reading. Any dialogue must be conducted through him as President of Council, although your comments or questions can be addressed to Council, the Administration, or both. When called upon, please use the podium, remember to clearly state your name and address into the microphone, and limit your comments to 3 minutes. One person wished to speak on Item #1 and #3.

**ORDINANCE NO. 26-15: ORDINANCE AMENDING SECTION 1375.07 – EXEMPTIONS
OF THE PAINESVILLE CODE OF 1998, AND DECLARING AN EMERGENCY**

was given third reading.

Mr. Lewis previously explained the Lake County Land Reutilization Corporation (LCLRC) has been very active in the City of Painesville and has worked with the City to demolish sixteen (16) properties to date with four (4) more scheduled to be demolished late this year or early next year. In addition, LCLRC contributed \$254,774 to the demolition of the hotel. They are also working with WRDC to rehabilitate properties in the City,

specifically 668 North St. Clair Street. Executive Director John Rogers has asked the City consider exempting LCLRC from vacant property registration and fees. Staff is recommending approval of legislation that would exempt any building or structure that is acquired by the LCLRC from vacant property registration and fees. We are requesting that it be passed on first reading in order allow the utilities to be turned on to facilitate the rehabilitation of the property listed above.

Discussion ensued between Councilwoman DiNallo and Jenkins and Councilman DeLeone regarding availability of exemptions.

Mr. Angelo Cimaglio of 477 Owego Street asked if Council can re-do the whole Ordinance.

Mr. DeLeone stated negotiations are done when properties are being purchased and this amendment should be adopted.

Motion by Mrs. DiNallo seconded by Mrs. Jenkins to TABLE the legislation.

On roll call, Mr. Fitzgerald, Mrs. DiNallo, Mrs. Jenkins, answered "Yes"; Mr. Flock, Mr. DeLeone, Mr. Fodor and Mr. Hach answered "No". Motion FAILED.

Motion by Mr. DeLeone seconded by Mr. Flock that ORDINANCE NO. 36-15 be adopted.

On roll call, Mr. Fitzgerald, Mr. DeLeone, Mr. Flock, Mr. Fodor, and Mr. Hach answered "Yes". Mrs. DiNallo and Mrs. Jenkins answered "No". Motion CARRIED. ORDINANCE NO. 26-15 adopted.

ORDINANCE: AN ORDINANCE AMENDING SECTION 191 OF THE PAINESVILLE CODE OF 1998 RELATING TO INCOME TAX, AND DECLARING AN EMERGENCY

was given second reading.

Mr. Unetic re-explained House Bill 5, which deals with income tax collections, was adopted by the Ohio House and Senate at the end of 2014 and goes into effect January 1, 2016. In order for the City to be in compliance with HB5, the City has to amend the City Code dealing with income taxes and it has to be approved no later than December 7, 2015. If this ordinance is not approved then the City will be in violation of HB5 and it can negatively affect the City's income tax collections. Also with this are two attachments that explain some of the differences with this ordinance and why the City should also include the part about the landlords in this ordinance as well.

Mr. Unetic also explained to Mr. Flock that RITA does not have the man power to send someone here to hold a seminar.

Mr. Fodor questioned the legality of landlords giving out social security numbers of their tenants.

Mr. Flock asked if residents have questions, can they send them in to be forwards to Mr. Unetic and RITA. Mr. Unetic stated Yes.

Mrs. DiNallo asked for Mr. Gurley to provide his legal opinion. Mr. Gurley stated he will prepare a memorandum but there is no prohibition.

Mr. DeLeone discussed 100% compliance.

Mrs. Jenkins asked about imposing a penalty. Mr. Unetic stated the fee is a RITA fee, not our penalty.

Visitor, Mr. Tibbets, who did not provide his address, asked why the City is adopting this is we already have the information through our utilities department.

Ms. Randy Turner of Tropical Village Apartments asked if the "Who" will include everyone.

The Ordinance was left on second reading.

ORDINANCE: AN ORDINANCE TO MAKE APPROPRIATIONS FOR THE CURRENT EXPENSES AND EXPENDITURES OF THE CITY OF PAINESVILLE, STATE OF OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2016 AND ADOPTING THE OPERATING BUDGET, AND DECLARING AN EMERGENCY

was given first reading.

Mr. Carson referred to Mr. Unetic who explained this legislation incorporates the 2016 Budget as presented at the Budget Hearing Worksession on November 12th. This item can go three readings.

Mr. Angelo Cimaglio of 477 Owego Street stated he was at the Budget Hearing and questioned the Council and electric budgets. Mr. Unetic explained it is based on 20%.

Under Unfinished Business were two items: Prairie State Power Plant and Sidewalk Replacement Program. Neither Mr. Flock nor Mrs. DiNallo had any further information to provide.

There was no presentation to Council.

Mr. Gurley did not have an Administrative Report.

Mr. Carson referred to Mr. McHugh for regarding the power surge and outage. Mr. McHugh stated they are trying to recreate the event in a controlled environment so the problem can be addressed.

Under Clerk of Council Correspondences, Ms. Diehl stated the next regular Council meeting will be held on Monday, December 7, 2015 at 7:30 pm; Fall Leaf pickup continues through December 4, 2015; DPO's Holiday Open House is Tuesday, November 17, 2015 from 4:30 – 8:00 pm at participating downtown businesses. Tree Lighting ceremony will be at 5:00 pm; Painesville Police Dept. "Stuff the Bus Event" with the Sub Zero Mission is Saturday November 21, 2015 from 11am – 2pm; Spirit of the Season Parade and events are Saturday December 5, 2015 from 12-4 in Veteran's Park; and a reminder as the weather gets colder and snow begins to fly, the City's Snow Parking Ban goes into effect when the snow accumulation amounts exceed 2 inches.

Closing Comments.

Mr. DeLeone informed residents he will be hosting a Town Hall meeting on February 8, 2016 where Chief Powalio will be speaking on "Speeding".

Mr. Fodor reminded residents that the vacant property legislation was originally put in place in 2011.

Mr. Flock would like the City to be more transparent when it comes to someone wanting to buy a house within the City. Mr. Lewis stated he will send Council all the current information his department provides to new residents and/or landlords.

Mr. Fitzgerald did not have any comments.

Mrs. Jenkins reminded resident that the location of the SubZero Mission's "Stuff the Bus" event has been changed to 1760 N. Ridge Road, Painesville due to another event conflict happening at the Safety Forces building. She would also like to see an appeals process created for the Vacant Property registration, or a point of sale inspection.

Mrs. DiNallo stated the vacant property issue is a nationwide crisis in need of an accountability factor. She also stated she will be travelling to LaFayette, LA and has set up a meeting with their Council to discuss "Project Front Yard".

Mr. Hach congratulated Mr. Unetic on winning the CAFR Award.

At 9:00 p.m., hearing no further business, President Hach asked for a motion to convene to Executive Session. Mrs. Jenkins made a Motion to Adjourn to Executive Session in accordance with the City's Charter Article II, Section 6, Item 1 and 5: (1) To consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of an employee or official of the city, and (5) To discuss matters required to be kept confidential by Federal or State laws, seconded by Mrs. DiNallo.

On roll call, Mr. Flock answered "No", Mrs. DiNallo, Mrs. Jenkins, Mr. DeLeone, Mr. Fodor, Mr. Fitzgerald, Mr. and Mr. Hach answered "Yes". Motion carried.

At 9:50 pm, President Hach asked for a Motion to Adjourn from Executive Session and reconvene the Regular meeting. Motion to Adjourn from Executive Session by Mr. DeLeone, seconded by Mrs. Jenkins.

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

Motion to Adjourn made by Mr. DeLeone seconded by Mr. Fodor. All members answered “yes”. Motion carried. The meeting was adjourned at 9:51 p.m.

Tara Diehl
Clerk of Council

Paul W. Hach II
President of Council



From: DeAngelis, Missy
Sent: Friday, October 30, 2015 1:37 PM
To: AA-Heritage All Staff
Subject: SRO and student removals

The police officer should not be the first point of contact for a student removal from a classroom. We usually have Officer Soto, but we can have anyone. Although we appreciate his and their presence, they are not trained as SRO's.

If a student needs to be removed from class, an contact the office who will send a staff member or an administrator. It is the administrator's call if an SRO should intervene.

If you have any questions regarding this, please see me individually.

Missy DeAngelis

Principal, Heritage Middle School
Infinite Campus System Administrator, PCLS
Office: 440.392.5251

OUR WORK:

*Goal 1 - Improve achievement of all students, regardless of their starting point.
Goal 2 - Increase our graduation rate.*

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UTILITIES OFFICE – DEPARTMENT OF FINANCE
LANDLORD RENTAL PROPERTY INFORMATION FORM

ALL INFO TO BE COMPLETED BY LANDLORD EXCEPT TENANT SIGNATURE!

(UTILITIES OFFICE WILL NOT ACCEPT FORM IF NOT FILLED OUT BY THE LANDLORD IN ENTIRETY)

PROPERTY ADDRESS: _____

TENANT NAME(S): _____

(PLEASE LIST ALL TENANTS AGES 18 AND OVER)

SOCIAL SECURITY NO: _____

SERVICE START DATE: _____

TENANT SIGNATURE: _____ DATE: _____

(TO BE SIGNED IN FRONT OF UTILITIES OFFICE CLERK)

LANDLORD NAME: _____

LANDLORD ADDRESS: _____ PHONE NO: _____



251 W. Walnut Ave. #101
Painesville, Ohio 44077

LANDLORD SIGNATURE: _____ DATE: _____

(MUST BE SIGNED BY LL TO VERIFY LEASE & VALIDITY OF INFO ABOVE)

**ADDITIONAL INFO: AS OF 8/1/08 DEPOSITS REQUIRED: WATER/SEWER: \$75.00 ELECTRIC: \$100.00(ALL ELEC HOMES-CALL OFFICE)
A VALID PICTURE ID IS REQUIRED IN ORDER TO PROCESS THE INFORMATION. PLEASE CONTACT UTILITIES OFFICE WITH QUESTIONS
AT 440-392-5797.**



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Comments to Council 11/16/15

Ray Sternot
346 Birchwood Ln.
Painesville, Ohio 44077

As I stated in my letter to Council on November 7, 2015, you should have all seen and read my November 4, 2015 that was e-mailed to Mr. Carson requesting information about the recent power outage that affected many residents in Heisley Park and how it might be avoided in the future. I sent that letter because I wanted to follow up with all of you as the leaders of the community. My concern is this: The power event resulted in the dispatching of 2 city fire trucks; an ambulance; a support car; and, another firetruck from Painesville Township. It appears that many home breakers were tripped; there was smoke in at least one house; and, it appears, that an entire circuit panel was fried based on the data that I've heard. It wasn't an isolated event! As such, I view my questions to the administration as pertaining to Painesville resident safety and in need of a clear response.

Mr. McHugh has said that he would provide information for residents. But, I want to know about what steps the city is taking so this event might not happen in the future. What about power line protection settings for breakers and fuses for any needed adjustments or changes for all areas in the city? Do we have a well defined process for review?

On another note, I attended the budget meeting the other day. Did I hear correctly that we spend about \$60,000 on the downtown Painesville garage a year and only get revenue of about \$15,000 per year? In other words did I hear we lose \$45,000 a year on this garage and it is in need of major repairs? My question is how long do we wait and spend more money until we determine it should be demolished and the land used for other purposes?

Ray Sternot