

CITY OF PAINESVILLE
EXECUTIVE SESSION
MONDAY, DECEMBER 19, 2016 AT 7:05 pm
REGULAR COUNCIL MEETING
MONDAY, DECEMBER 19, 2016 - 7:30 pm

President Paul Hach called the Special Meeting to order at 7:05 pm. He asked for motion to convene to Executive Session. Mr. DeLeone motion to move into Executive Session in Accordance with the City's Charter Article II, Section 6, Item 1: (1) To consider appointment, employment, dismissal, discipline, promotion, demotion or compensation of an employee or official of the City, seconded by Mrs. Jenkins.

On roll call, Mrs. Jenkins, Mr. DeLeone, Mr. Fodor, Mrs. Shoop and Mr. Hach answered "Yes". Mr. Fitzgerald and Mrs. DiNallo were absent. Motion carried. Council moved to Courtroom #2.

At 7:30 pm, Council returned to Council Chambers in Courtroom #1. President Hach asked for a Motion to Adjourn from Executive Session and reconvene to regular meeting. Motion to Adjourn from Executive Session by Mr. DeLeone, seconded by Mrs. Jenkins.

On roll call, Mrs. Shoop, Mrs. Jenkins, Mr. DeLeone, Mr. Fodor and Mr. Hach answered with "Yes". Motion carried.

President Paul Hach called the regular meeting to order. City Council convened in a regular meeting in Council Chambers, with the following in attendance: Councilpersons Paul Hach, Christine Shoop, Katie Jenkins, Mike DeLeone, Jim Fodor; City Manager Monica Irelan; Law Director Assistant James Lyons; Police Chief Anthony Powalie; Assistant City Manager/Community Development Director Douglas Lewis, Fire Chief Mark Mlachak; Public Works Brian Belfiore; Electric Superintendent Jeff McHugh; Director of Finance Andy Unetic; Director of Recreation and Public Lands Michelle LaPuma; Superintendent of Water Pollution Control Randy Bruback; City Planner Lynn White, and Clerk of Council Valerie Vargo.

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

President Hach asked for a motion to approve the meeting minutes as submitted for the 12.5.16 Regular Meeting.

Motion by Mrs. Jenkins, seconded by Mr. Fodor to approve the meeting minutes as submitted.

All members present answered "Aye" to approve the minutes. Motion carried.

President 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.

Shirley Berends, 119 North Settlers Lane, was concerned about the PCA Power costs adjustment. Monica Irelan referred to the Power Cost Adjustment memo on the Painesville City website that explains the adjustment factor, the calculation itself and how it works in addition to what council should be looking for in the future. She explained the calculation and how the average over a twelve month period is the cost for the month. Mr. Hach and Ms. Irelan went on to say council is looking into having a workshop and presentation for the public in January about the cost of service study. Ms. Irelan explained the future plans of the plant would be wrapped into the cost of service. Mr. DeLeone went on to say there are about 200 people that have requested the spreadsheet that was discussed by council and at the town hall meeting be put online to be transparent and creating more access for the people. He believes the Council should do so. Mr. Fodor stated that this topic is one that needs further discussion and research for pricing, cost of operation and what the future holds for the power plant. The last 8 years has been all about green energy and who knows what the future will hold with the new administration. Part of the answer is short term in terms of the price and how it is figured out and the second part is long term and what we are going to do with the power plant in the future. Mr. DeLeone reiterated the costs should be made public so they can see what they are paying for.

Daniel Polar, 1978 Thornwood Lane in Heisley Park wanted to echo some of the comments regarding the electric. He said he has another home on the east side of Cleveland and the bill he gets from FirstEnergy for that home is very transparent, compares the pricing to other companies, view the charges from the last 12 months and more. He feels the bill he gets from the City of Painesville is not

transparent, not that they are hiding something, just not transparent enough. The bill he gets seems high for the utilities he has in his home.

Mr. Sternot, 346 Birchwood Lane, would like to follow up on some of this previous requests for information for the PCA costs. He is requesting the PCA data that goes into making the monthly bill, the spreadsheet and 25 year old cost study to be made public on the website. The spreadsheet is available to be viewed at the plant, it should be made available for the public to view. In addition Mr. Sternot would like the documentation relative to the road cutting by contractors any and all information, hand outs and internal process for review. This request is 90 days old. Mr. Sternot would like to know the status of getting a citizen on the Utility Board. Mr. Hach notified him that now that there is a new City Manager, they will be working on these issues. Councilwoman Jenkins commented that there have attempts in the past to form a Utility Board and there has been little to no interest from citizens to be on it. Mr. Sternot commented that is the past, what is Council going to do to make the citizens feel like they are being heard? Mr. DeLeone commented that he would like to put the PCA issues on for new business to be discussed at the next council meeting.

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.

ORDINANCE 19-16 TO MAKE APPROPRIATIONS FOR THE CURRENT EXPENSES AND EXPENDITURES OF THE CITY OF PAINESVILLE, STATE OF OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2017 AND ADOPTING THE OPERATING BUDGET, AND DELARING AN EMERGENCY.

was given third reading.

Andy Unetic, Director of Finance was available for any questions Council had.

Mr. DeLeone moved to adopt, Mrs. Shoop seconded.

Roll call Mrs. Jenkins, Mr. DeLeone, Mr. Fodor, Mrs. Shoop and Mr. Hach answered "Yes". Motion carried. **ORDINANCE 19-16** adopted.

Mr. Hach notified the Council since there were not six Council members present they cannot suspend the rules so the next ordinance would have to go onto a third reading.

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,600,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS TO PAY COSTS OF REPLACING A WATER FILTER AT THE CITY'S WATER PLANT; REHABILITATING AND IMPROVING THE CHESTNUT STREET WATER STORAGE TANK; 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; 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; REPLACING SANITARY SEWER LINERS IN MENTOR AVENUE, JACKSON STREET AND AT SELECT RAILROAD CROSSING LOCATIONS; 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.

Andy Unetic, Director of Finance explained the Ordinance is for the issuance of \$1,600,000 in notes. While the City is paying down the notes by \$650,000 the money is for projects that have already been completed. This Ordinance does not have to be approved by the end of the year, it can go three readings.

AN ORDINANCE TO MAKE AMENDED APPROPRIATIONS AND TO AUTHORIZE ADDITIONAL INTER-FUND TRANSFERS AND ADVANCES FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF PAINESVILLE, STATE OF OHIO DURING THE FISCAL YEAR BEGINNING JANUARY 1, 2016, AND AMENDING THE ORIGINAL APPROPRIATIONS FOR THE 2016 OPERATING BUDGET, AND DECLARING AN EMERGENCY.

was given first reading.

Andy Unetic, Director of Finance explained this Ordinance is for the budget adjustments that have to be made every year to be in compliance with the Ohio Revised Code. Some funds need to be increased for decreased depending on what is going on. This budget adjustment has a net adjustment of reducing the last approved budget that was approved in October 2016 by almost \$4,700,000. The reason for the large increase is because Water Intake Program. \$8,200,000 was budgeted for the Water Intake Program in 2016 and there were some hang ups with the EPA and other issues so construction for that project has not started yet. So the budget will have to be reduced on the water construction program by \$8,200,000. The general fund needs to be increased by \$2,200,000. This is to transfer money out to pay forward next year's capital and debt. It is being offset with the income tax revenues. Another big change is to increase to electric revenue fund by \$2,200,000 to transfer out money at the end of the year to pay forward the debt for next year. This Ordinance needs to be approved by the end of the year.

Mrs. Jenkins indicated a special meeting will have to be scheduled to approve.

Mrs. Shoop indicated other Council members would not be back by the end of the year. That they will have to have two special meetings by the end of the year.

AN ORDINANCE TO AUTHORIZE ADDITIONAL INTER-FUND TRANSFERS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF PAINESVILLE, STATE OF OHIO DURING THE FISCAL YEAR BEGINNING JANUARY 1, 2016, AND DECLARING AN EMERGENCY.

was given first reading.

Andy Unetic, Director of Finance explained all the transfers that this Ordinance is referring to were included in the last Ordinance. The state auditors like them to be approved individually by Council. They are planning to transfer out \$2,300,000 of the General Fund. \$600,000 is to the street maintenance and repair fund for future paving and repairing next year. \$700,000 is going into the Capital Improvement fund, \$710,000 is going into the Capital Equipment Reserve fund, and \$150,000 is going to the Parking Garage Fund. All of these are to pay for future capital projects that are in the 2017 budget and to pay for some 2016 expenses. The electric revenue is requesting to transfer out just over \$1,400,000 to the Electric Construction Fund for future projects in 2017.

Mrs. Shoop asked to be refreshed on the Parking Garage Fund.

Mr. Unetic explained the Parking Garage Fund is for the demolition of the parking garage. This was the General Fund's portion to pay for the demolition of the parking garage.

Mr. DeLeone asked if this is the end of the year clean up that happens at the end of every year. Mr. Unetic responded yes this is the end of the year clean up and it has to be approved by the end of the year.

Mr. Hach responded this will remain on first reading.

AN ORDINANCE AMENDING THE DISTRICT MAP AND THE SETBACK MAP REFERRED TO IN SECTION 1127.02 OF THE PAINESVILLE CODE OF 1998 REZONING PERMANENT PARCEL 15-D-021-B-00-040-0 LOCATED BETWEEN RICHMOND STREET AND SKINNER AVENUE FROM B-2 GENERAL BUSINESS DISTRICT/S-1 SPECIAL DISTRICT TO AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT.

was given first reading.

Lynn White, City Planner gave a short presentation about the rezoning of a parcel from a S-1/B-2 to and R-1 single family to allow a development of a 16 unit single family cluster development. Builder, owner of the land, has submitted a concept plan. It is scheduled for a public hearing at the January meeting. There would be a maximum density of 16 units if an R-1, if it was kept as an S-1, it would only allow for 10 units. The Commission recommended rezoning it.

Mrs. Jenkins asked what the frontage would be. Mrs. White responded by stating the frontage would be 75 feet as a R-1, regular subdivision. However, the applicant wants to use a cluster development which allows him to have a 75 foot frontage. A five acre minimum is necessary to do the cluster development as an S-1 or R-1.

Mr. DeLeone asked what the frontage would be. Mrs. White stated that it varies between the parcels that the owner has a different configuration. The parcels range in size.

A RESOLUTION SUPPORTING THE CITY OF PAINESVILLE'S APPLICATION TO THE NORTHEAST OHIO AREA WIDE COORDINATING AGENCY (NOACA) FOR THE TRANSPORTATION FOR LIVABLE COMMUNITIES INITIATIVE (TLCO) PLANNING GRANT PROGRAM AND DECLARING AN EMERGENCY.

was given first reading.

Doug Lewis gave a short presentation on the resolution. He stated that staff was notified of a NOACA has a couple grant applications that were available. One was for city planning and one was for implementation. Something that the City has been looking at for a number of years was a way to distinguish between county buildings and city buildings in the downtown Painesville area. An application was filled out strictly a planning application. It is planned to hire a consulting firm to assist in developing a plan then apply for the implementation grant next year, which requires a higher local match it needs to be budgeted. The request would for \$51,200 in grant money and the local match is \$6,000 which is available through the Economic Development department. It is required the grant be approved prior to the grant money is granted. If it is not approved, the application will be withdrawn.

Mr. DeLeone asked when approval is necessary. Mr. Lewis answered that if two additional meetings were going to be held anyways, it should be included.

Mr. Hach stated this will stay on first reading.

A RESOLUTION RECOGNIZING EASTERN LAKE COUNTY CHAMBER OF COMMERCE 2017 CITIZEN OF THE YEAR JEANETTE CRISLIP.

was given first reading.

Mr. Hach stated this will stay on first reading.

A RESOLUTION RECOGNIZING EASTERN LAKE COUNTY CHAMBER OF COMMERCE 2017 BUSINESS OF THE YEAR MARTIN'S NURSERY.

was given first reading.

Mr. Hach stated this will stay on first reading.

**A RESOLUTION RECOGNIZING EASTERN LAKE COUNTY
CHAMBER OF COMMERCE 2017 HERITAGE AWARD
PROJECT HOPE FOR THE HOMELESS.**

was given first reading.

Mr. Hach stated this will stay on first reading.

There was no **Presentation of City Council.**

Under **New Business** President Hach asked if Mr. Fodor had any new business. Mr. Fodor informed Council over the past couple weeks interviews have been held for the Board of Zoning Appeals and Planning Commission appointments. Nick Augustine has been recommended for the Board of Zoning Appeals.

Mr. DeLeone moved to approve the recommendation of Nick Augustine for the Board of Zoning Appeals, Mrs. Jenkins seconded.

All members present responded in favor "Aye". Motion carried.

Mr. Fodor indicated that the Planning Commission appointments are Kevin Soster and Ray Sternoff.

Mr. DeLeone moved to approve the recommendation, Mrs. Jenkins seconded.

All members present responded in favor "Aye". Motion carried

Under **Administrative Reports** Manager Monica Irelan pointed out that the Finance Director Andy Unetic received the award from the Government Finance Officers Association for excellence in financial reporting. She continued that it is not appropriate to shovel your snow into your neighbor's yard or onto the opposite side of the road. If someone does not remove their snow and the city is required to remove it there will be a fee. Snow is not to be put in the street. Any questions can be referred to the Community Development Department 440-392-5931. The cost of service memo on the electric is now available online that can answer a lot of questions. Ms. Irelan would like to do a presentation on that topic at a later date.

Under **Clerk's Correspondences** Mrs. Vargo stated the next regular Council meeting will be held on Tuesday, January 3, 2017 at 7:30 pm. In observance of the New Year's holiday City offices will be closed Monday, January 2, 2017. City offices will also be closed Friday, December 23, 2016 and Monday, December 26, 2016. The Winter Carnival and Chili Cook-off is January 21, 2017 at First Congregational from 1-4pm. Now that winter is upon us, citizens are reminded that when snow accumulation reaches 2 inches or more on a City street, the snow emergency parking ban automatically goes into effect. Pride articles deadline is Friday, January 6, 2016 for the February 2017 edition.

Closing Comments.

Mrs. Shoop wished everyone a happy holiday season.

Mrs. Shoop moved to excuse Lori DiNallo and Tom Fitzgerald from the meeting. Mr. DeLeone seconded. All members responded in support by responding "Aye".

Mr. DeLeone formally requested that the Utilities Commission be put on as new business. He stated they need at least 5 applications to choose people for the board. He asked that people work with Council as they were down a couple players and it was difficult to get things done. He continued by saying the Council is just custodians of the public's records and if they want them, they should be able to have it and that the spreadsheet be posted online.

Mr. Fodor said it makes it very dangerous to have people or kids walking on the street because the sidewalks are blocked with snow. It is against city regulations to block the sidewalks. Please make sure you are clearing the snow from your sidewalks. Also check on the elderly during this cold season. In the 2017 budget there are monies for strategic planning and Mr. Fodor stated he would be willing to take the lead to get a few quotes for a facilitator to walk the City through that process.

Mrs. Jenkins responded by stating that is a job to be taken on by the administration, Mr. DeLeone agreed.

Mrs. Jenkins welcomed Valerie Vargo as the new Clerk of Council and she is part time. She welcomed Monica Irelan as well and thanked everyone that applied to be on the Board of Zoning Appeals and the Planning Commission.

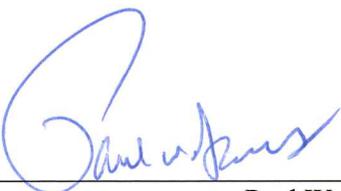
President Hach gave his condolences to Mrs. Lori DiNallo for the passing of her husband over the weekend. The funeral arrangements are online and in the News Herald. Mr. Hach went onto wish everyone a Merry Christmas.

Mr. Hach asked for a Motion to Adjourn. Motion to Adjourn by Mr. DeLeone, seconded Mrs. Shoop. All Council members responded "Aye" in favor.

Meeting was adjourned at 8:46 p.m.



Valerie Vargo
Clerk of Council



Paul W. Hach II
President of Council