

CITY OF PAINESVILLE
REGULAR COUNCIL MEETING
MONDAY, DECEMBER 5, 2016 - 7:30 pm
PUBLIC HEARING
MONDAY, DECEMBER 5, 2016-8:00 pm
EXECUTIVE SESSION
MONDAY, DECEMBER 5, 2016 AT 8:17 pm

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, Lori DiNallo, Christine Shoop, Tom Fitzgerald, Katie Jenkins, Mike DeLeone, Jim Fodor; Interim City Manager Doug Lewis; Law Director Joseph Gurley; Police Chief Anthony Powalie; Electric Superintendent Jeff McHugh; City Engineer Leanne Exum; Economic Development Director Cathy Bieterman; 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 Acting Clerk of Council Tina Pomfrey.

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

President Hach asked for a motion to approve the meeting minutes as submitted for:

- 11.17.16 Special Budget Meeting;
- 11.21.16 Regular Meeting.

Motion by Mr. Fitzgerald, 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.

Mr. Cimaglio, 477 Owego Street, stated that he read an article in the News Herald newspaper concerning the Budget Hearing and the city would be operating with \$2.6 million less and the \$600,000 increase in taxes. He wanted an explanation for the reductions. He continued by requesting an explanation for what sort of Capital Improvements would be included in the \$14 million set aside for them. Andy Unetic responded by explaining the reductions and stated there would be a presentation later in the meeting regarding Capital Improvements.

Mr. Sternot, 346 Birchwood Drive, stated that he would like to take this moment to thank Christine Shoop and Mike DeLeone for holding a Town Hall meeting on the electric power. The other disappointment people had was that other council members were not in attendance. Several resident issues seemed apparent: bills they were getting, underlying rate structure, and communications and transparency concerns such the rate. The bills were directly related to the weather. There is a verbal process the city has in place to optimize the electricity used. If there is still concern after following through the process get a meter check for \$10.00. Regarding transparency, citizens want to see the PCA factor and the elements that go into the PCA factor on the website. There is also concern about the PCA rate factor because the rate factor study was done over 25 years ago. They would like a new study and to know if citizens will have input into the study. Mr. Sternot wanted to know what the city is doing to lower the PCA. At the Town Hall meeting Councilpersons DeLeone and Shoop stated they are getting out of outdated contracts. Mr. Sternot would like a Utility Board that includes citizens. 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.

Moving on to Legislation, President Hach indicated Items 1, 2 and 3 will be read after the Public Hearing at 8:00 pm. 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.

**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, 2017 AND ADOPTING THE OPERATING BUDGET, AND DELARING AN EMERGENCY.

was given second reading.

Andy Unetic, Director of Finance gave a brief presentation (*See attached*) and explained the legislation incorporates the 2017 Budget as presented at the Budget Hearing Work session. This legislation recommends \$73,037,072 budget expenditure for FY 2017 across all funds. This budget amount represents a 2.6% decrease from the 2016 original budget. Total revenues across all funds are estimated at \$70,400,688 or a 4% decrease. The decrease in both expenditures and revenues is driven by spending less on capital projects in 2017 and receiving less in bond proceeds. This budget includes several significant capital projects which represent over \$14.6 million of the \$73 million budget. For 2017, the City is budgeting to spend almost \$2 million on paving roads, which is an increase of \$1 million from 2016. Also included in the 2017 capital projects is \$8.4 million for the continuation of the construction of the water intake project that was originally approved by Council in the 2016 budget.

Out of the major funds, the General, Sewer, and Electric Funds have a balanced budget. The SCM&R, Water, and Stormwater Funds will need to use carryover to balance their budget. Council was given the detailed 2017 budget, along with an analysis of the budget, in late October 2016. The administration gave the 2017 budget presentation to Council on November 17, 2017.

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 first reading.

Andy Unetic, Director of Finance explained the City is paying down the notes by \$650,000. There are no new note issuances as part of this issuance. The City is paying off capital projects that were already completed. This legislation can go three readings.

ORDINANCE 18-16 AMENDING SECTION 167.071, 167.09, 167.11, AND 167.12 OF THE PAINESVILLE CODE OF 1998 RELATING TO THE

CLASSIFICATION OF COMPENSATION PLAN, AND DECLARING AN EMERGENCY.

was given first reading.

Andy Unetic, Director of Finance explained the legislation amends the rate for: the new City Manager; the new Clerk of Council, which will now be a part-time employee; and establishes the rate for the School Resource Officer who will be working at Heritage Middle School. The Painesville Schools will be paying for the majority of the SRO's expenses. This legislation has to be approved at tonight's Council meeting.

Motion made by Tom Fitzgerald, seconded by Katie Jenkins to suspend the rule requiring the legislation to be read on three different days.

Roll call Tom Fitzgerald, Lori DiNallo, Katie Jenkins, Mike DeLeone, Jim Fodor, Christine Shoop and Paul Hach answered "Yes".

Motion made by Mike DeLeone, seconded by Katie Jenkins that **ORDINANCE 18-16** be adopted.

On roll call, Tom Fitzgerald, Lori DiNallo, Katie Jenkins, Mike DeLeone, Jim Fodor, Christine Shoop and Paul Hach answered "Yes". Motion carried. **ORDINANCE NO. 18-16** adopted.

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

Under **New Business** President Hach asked for a Motion to accept Christine Shoop as the new JEDD member for Concord for a four year term.

Motion made by Mike DeLeone, second by Jim Foder.

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

Under **Administrative Reports** Interim City Manager Doug Lewis shared that the asphalt plant has closed and the City will now be using cold patch to fill potholes from here on out. Requested anyone who sees a pothole to notify the City. Council was notified that the City website will be revamped over the next couple months to create a website that is more user friendly for the public. In addition, with the new City Manager beginning there will be a meet and greet held at the Local Tavern Fish Bar from 4-6PM on December 15, 2016. This past weekend Spirit of the Season was held by the Parks and Recreation Department and they did an excellent job. Santa will be visiting his house on the square from time to time, the hours are posted on the house.

Under **Clerk's Correspondences** Ms. Pomfrey stated the next regular Council meeting will be held on Monday, December 19, 2016 at 7:30 pm. The City of Painesville in cooperation with the Painesville Community Improvement Corporation is hosting Santa on the Square on Fridays, Saturdays and Sundays through December 18th. Santa will be present in Veteran's Park on Fridays from 6:00 to 8:00 pm, Saturdays 10:00 am to noon and 1:00 pm to 3:00 pm and Sundays from noon to 3:00 pm. The Painesville City Improvement Corporation is hosting the Holiday Lighting Contest on Monday, December 12, 2016. Remember to keep your lights on from 6:00 pm to 8:00 pm! 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. Also please be courteous to the City snowplows that are busy clearing the City streets. Your cooperation is greatly appreciated!

Mike DeLeone moved to recess until 8:00 PM, seconded by Tom Fodor.

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

At 8:00 PM President Paul Hach opened the Public Hearing regarding a proposed amendment to the District map and Setback Map.

Motion by Mrs. Jenkins, seconded by Mrs. Shoop to remove the tabled ordinance from the table.

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

ORDINANCE 17-16 AMENDING THE DISTRICT MAP AND THE SETBACK MAP REFERRED TO IN SECTION 1127.02 OF THE PAINESVILLE CODIFIED ORDINANCES REZONING CERTAIN LANDS IN THE CITY OF

PAINESVILLE FROM M-2 INDUSTRIAL DISTRICT TO B-2 GENERAL BUSINESS DISTRICT and DECLARING AN EMERGENCY.

was read.

Ms. White gave a brief presentation explaining that it was recommended that parcel number 15-A-013-0-00-038-0 located on the north side of Canfield Drive, south of the CSX Railroad be rezoned from M-2 Industrial to B-2 General Business District.

There was no one to speak in favor or against this modification.

Mr. Hach closed the Public Hearing. Motion by Mr. DeLeone to adopt Ordinance 17-16, seconded by Tom Fodor.

On roll call, Mrs. Jenkins, Mr. DeLeone, Mr. Fodor, Mrs. Shoop, Mr. Fitzgerald, Mrs. DiNallo and Mr. Hach answered "Yes". **ORDINANCE 17-16** was adopted.

Mr. Hach closed the General Meeting and returned to the Public Hearing.

Mr. Hach moved onto the next item, a resolution accepting a petition to be included in the JEDD filed by IP Vista Springs Concord Propco LLC.

Interim City Manager Douglas Lewis gave a brief presentation explaining that the IP Vista Springs Concord Propco LLC, the owner of 0.82 acres of property located at 7930 Auburn Road, Concord Township, has petitioned to be included in the JEDD.

Mr. Fitzgerald asked what the time table is for the project to be completed on the property.

Mr. Lewis said they do not have a time table at this time.

Mrs. Jenkins commented that this will most likely be one of many requests to come to be included in the JEDD.

There was no one to speak in favor or against this modification.

Mr. Hach closed the Public Hearing.

RESOLUTION 30-16 ACCEPTING THE PETITION OF LANDOWNER SEEKING TO BE INCLUDED IN THE CONCORD TOWNSHIP-CITY OF PAINESVILLE JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT (JEDD) FILED BY PETITIONER IP VISTA SPRINGS CONCORD PROPCO LLC, (PPN:08-A-020-A-00-011-0) FILED ON OCTOBER 20, 2016, AND DECLARING AN EMERGENCY.

was given third reading.

Motion by Mr. DeLeone to adopt Resolution 30-16, seconded by Mrs. Jenkins.

On roll, Mrs. Jenkins, Mr. DeLeone, Mr. Fodor, Mrs. Shoop, Mr. Fitzgerald, Mrs. DiNallo and Mr. Hach answered "Yes". **RESOLUTION 30-16** was adopted.

Mr. Hach moved onto the next item, a resolution accepting a petition to be included in the JEDD filed by Concord Township Trustees.

Interim City Manager Douglas Lewis gave a brief presentation explaining that the Concord Township Trustees, has petitioned to be included in the JEDD. (*See attached*)

There was no one to speak in favor or against this modification.

Mr. Hach closed the Public Meeting and returned to the General Meeting.

RESOLUTION 31-16 ACCEPTING THE PETITION OF LANDOWNER SEEKING TO BE INCLUDED IN THE CONCORD TOWNSHIP-CITY OF PAINESVILLE JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT (JEDD) FILED BY PETITIONER CONCORD TOWNSHIP BOARD OF TRUSTEES, (PPN:08-A-020-A-00-014-0) FILED ON OCTOBER 20, 2016, AND DECLARING AN EMERGENCY.

was given third reading.

Motion by Mrs. Jenkins to adopt Resolution 31-16, seconded by Mr. DeLeone.

On roll call, Mr. DeLeone, Mr. Fodor, Mrs. Shoop, Mr. Fitzgerald, Mrs. DiNallo, Mrs. Jenkins, and Mr. Hach answered "Yes". **RESOLUTION 31-16** was adopted.

Closing Comments.

Mrs. Jenkins welcomed Mrs. Shoop to the JEDD. Mrs. Jenkins also reminded everyone about the parking snow ban and to be cognitive of the fire hydrants as well. In addition she thanked the Painesville Police Department and the Chief of Police for taking her on a ride along

Mr. DeLeone commented that the broadcast of the Channel 12 Council meetings are appearing as a thumbnail instead of full size. He thanked Mrs. Shoop for attending the Town Meeting and said they are working on transparency and requested other Council members to think about the PCA and would like their input.

Mrs. Shoop welcomed the new Clerk of Council, Valerie Vargo.

President Hach reminded residents to turn on their lights on Monday for the Painesville City Improvement Corporation lighting contest.

President Hach asked for a Motion to Adjourn the Meeting to an Executive Session. Motion by Mrs. Jenkins, seconded by Tom Fodor to adjourn the Meeting in accordance with Executive Session being held in accordance with Article 2, Section 6, Item 3: (3) to discuss pending or potential litigation involving the city; and Item 5 (5) to discuss matters required to be kept confidential by Federal or States laws.

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

At 11:03 pm, President Hach asked for a Motion to Adjourn from Executive Session and reconvene to Public Meeting. Motion to Adjourn from Executive Session by Mrs. Shoop, seconded by Mr. Foder.

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

Motion to Adjourn made by Mr. DeLeone seconded by Mrs. Jenkins. All members answered "Yes". Motion carried. The Public Meeting was adjourned at 11:05 pm.


 Valerie Vargo
 Clerk of Council


 Paul W. Hach II
 President of Council