



# City Manager's Report

For  
City Council Meeting  
April 6, 2015

**To:** The Honorable President and  
Members of City Council  
**From:** Anthony Carson, City Manager  
**Date:** April 2, 2015

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**EXECUTIVE SESSION:** There will be an Executive Session at 6:30 p.m. to discuss matters involving personnel.

**LEGISLATION:**

- 1. Ordinance Amending the Section 1146.03 Relating to Historic Preservation Districts.** The Planning Commission held a Public Hearing on March 12<sup>th</sup> to consider an application from the Western Reserve Railroad Association (WRRRA) to establish a Historic District on the north side of Railroad Street which encompasses their property. The Commission favorably recommended amending Section 1146.03 to include the property within the Historic Preservation Districts by a vote of 5-0. A map outlining this district is included in your packet. A Public Hearing on this ordinance is scheduled for the April 20<sup>th</sup> meeting. Second Reading.
- 2. Ordinance Amending Section 1125.04 Relating to the definition of Downtown Development District.** This ordinance amends the definition section of the zoning code. The term "Downtown Development District" was added to the definition of (28) District, Commercial. Also added into the definition section was "Dormitories and Student Housing". A public hearing is required on this item. Second Reading.
- 3. Ordinance Amending Section 1127.01, 1127.05 and 1127.06 relating to the creation of Downtown Development District.** This ordinance creates the zoning classification of Downtown Development District. The purpose of the district is to permits a variety of commercial, business, cultural and recreational activities as a focal point of the community in accordance with the Downtown Master Plan and to encourage flexible zoning guidelines and site design criteria. This amendment establishes the permitted and conditional uses and the accessory uses that are permitted. A public hearing is required on this item. Second Reading.
- 4. Ordinance Amending Section 1129.01 Relating to the Height, Lot Area and Minimum Floor Area Requirements within the Downtown Development District.** This ordinance amends the height, lot area and minimum floor area requirement in the zoning code. The regulations for the Downtown Development District were created to follow the other commercial districts within the code. The residential guidelines included are to create an urban "living environment" in the downtown area. A public hearing is required on this item. Second Reading.
- 5. Ordinance Enacting Section 1138 Relating to Special Provisions for the Downtown Development District.** This ordinance creates special provisions and guidelines for development within the Downtown Development District. Development is permitted on parcels of land not less than two acres and no more than eight acres. Individual ownership of lots must

file deed covenants and restrictions with the Lake County Recorder's Office to ensure the project is constructed as a unified development project. Parking requirements and Setbacks are also addressed within the special provisions for the district. All buildings in the district are subject to the requirements contained in the Downtown Design Review District Standards. A public hearing is required on this item. Second Reading

6. **Ordinance Amending the District Map to Rezone High Pointe Centre.** The City of Painesville has requested the rezoning of their property on East Washington Street, Liberty Street, High Street, and St. Clair Street from its current B-2 General Business/B-1 Business/Residential and R-2 Multi Family zoning to the newly created DD – Downtown Development District. The Planning Commission heard this request at their March 12, 2015 meeting and unanimously recommended approval. Second Reading.
7. **Resolution Authorizing Bids for the Reconstruction of Lexington Avenue.** This legislation authorizes the bidding of the Reconstruction of Lexington Avenue. This project is funded fifty percent by the Ohio Public Works Commission. The project includes the entire length of Lexington Avenue from Newell Street to Stage Avenue. This project will consist of the full reconstruction of the roadway including cement stabilization, asphalt pavement, and any necessary drainage improvements. Second Reading.
8. **Resolution Authorizing Bids for the Reconstruction of Walnut Street.** This legislation authorizes the bidding of the Reconstruction of Walnut Street. This project is funded fifty percent by the Ohio Public Works Commission. The specific portion of Walnut Street included in this project extends south-west from the Liberty Street intersection to the Lake Metropark bike path which crosses Walnut Street approximately 200 feet west of Marion Avenue. This project will consist of the full reconstruction of the roadway including cement stabilization, concrete pavement and curbs, and any necessary drainage improvements. Second Reading.
9. **Resolution Authorizing Bids for Salt.** This is an annual item authorizing the City to participate in the cooperative purchase of Sodium Chloride (rock salt) for the winter of 2015/2016. In the past, this has allowed the City to lock in a better rate by bidding with ODOT than we could have received on our own because of the volume pricing. This legislation is required to be submitted to ODOT by the end of May if we wish to participate in the program. Second Reading.
10. **Resolution Authorizing and Enter into a Contract to Replace Circuit Breakers at the Richmond Road Substation.** This legislation is being requested as part of our system Improvement plans. The breakers at Richmond Sub now are oil filled and almost 40 years old. The install date was in 1976. The issue with the age is spare parts. The last time we needed spare parts for one of these breakers we had to go to First Energy. They had the part because they were removing their breakers like this from service. Our move to a newer gas filled breaker helps with environmental concerns with a possible oil leak from the older breaker. First Reading.
11. **Resolution Authorizing and Enter into an Agreement With NOACA for Infrastructure Improvements on North State Street.** The Northeast Ohio Area wide Coordinating Agency has contacted the City of Painesville informing us that additional funding has become available through the Surface Transportation Program. The application deadline was March 30, 2015 and a letter from Council President was submitted with the application stating the commitment from Council to pass the legislation on April 6, 2015. For this reason, staff is requesting that 2<sup>nd</sup> and 3<sup>rd</sup> reading be waived and it be passed as an emergency tonight. First Reading.

- 12. Resolution Authorizing the City Manager to apply for funding through the Lake County FY'15 Community Development Block Grant (CDBG) Program to Assist Painesville Residents Repair or Replace their Roofs.** The Community Development Department has identified the need to replace roofs as a major housing need within Painesville. This coincides with Lake County's program goals of improving the housing stock within Lake County. The City of Painesville will be requesting \$40,000 and anticipates that we will be able to tear off and replace approximately 6-8 roofs, depending on size and how many layers of shingles. We plan to provide materials and work with World Changers to increase the number of roofs that could be completed with the \$40,000. This will be the priority project we will be submitting for CDBG funding. Staff is requesting that this item be passed as an emergency measure so that it can be submitted with the CDBG application prior to the May 18, 2015 deadline. This item can go three readings.
- 13. Resolution Authorizing the City Manager to apply for funding through the Lake County FY'15 Community Development Block Grant Program for Storefront Improvements.** The Painesville Storefront Improvement Program is a key component to the revitalization of downtown Painesville. The existing storefronts within the commercial district need further investment to support the interests of small business owners and retail establishments. This program is designed to provide architectural assistance, design and renovation of between 5 and 15 retail and commercial storefronts. The program will award up to \$7,500 per building with a required 30% match. The City of Painesville will be requesting \$50,000. Staff is requesting that this item be passed as an emergency measure so that it can be submitted with the CDBG application prior to the May 18, 2015 deadline. This item can go three readings.
- 14. Resolution Recognizing the Responsibility of the City of Painesville to Affirmatively Further Fair Housing.** In order to make application for CDBG funding through the Lake County Grants Office, the City of Painesville must pass a Resolution stating that we will work to further Fair Housing efforts in Painesville. The City currently works with Lake County and the Fair Housing Resource Center (FHRC) to assist in meeting these obligations. Staff is requesting that this item be passed as an emergency measure so that it can be submitted with the CDBG application prior to the May 18, 2015 deadline. This item can go three readings.
- 15. Ordinance Amending Section 1303 of the Painesville Code of 1998, relating to Permits and Fees.** The proposed legislation addresses a number of needs as identified by new Building Inspector, David Zofko, and the Painesville Building Department. First, it requires that requests for extensions for a permit be put in writing and that the cost to extend the permit not exceed \$100.00. The purpose is to ensure that permits extensions are submitted reviewed and approved by the Building Department. The second proposed change is to increase the penalties for contractors or residents that start a project without a permit. We have found that the \$100.00 penalty is not a sufficient to deter them from obtaining a building permit. For this reason, staff is proposing to double the permit fee on the first offense, triple it for the second offense, and quadruple it on the third offense. It is important to understand that contractors or residents will not be impacted if they are obtaining permits and completing the work within the timeframe provided. Staff is requesting that this item be passed as an emergency measure so that it can be implemented should Council choose to approve. This item can go three readings.
- 16. – 20. Ordinances amending Sections 1305.03, 1306.03, 1303.07, 1303.08 and 1303.09 as they relate to Contractor Registration Fees.** The next five pieces of legislation are identical and address contractor registration for the various permits (general, electrical, plumbing, HVAC and sewer) required by the Ohio Building Code and the Residential Building Code of Ohio. The

proposed legislation would change the fee to register as a contractor based on when the contractor applies. Staff is attempting to encourage contractors to register at the beginning of the year by providing a financial incentive to do so. In addition, it would reduce the registration fee when construction season has slowed and there will be limited work in the City. The objective of this proposed change is to encourage contractors to obtain a register and obtain a permit at the end of the year rather than take their chances on being caught. In addition, it proposes that the contractor registration fee be doubled if work starts prior to registering as a contractor with the City of Painesville. It is important to understand that this will not impact contractors who register early and do not start work prior to being registered. Staff is requesting that this item be passed as an emergency measure so that it can be implemented should Council choose to approve. These items can go three readings.

**OLD BUSINESS:**

1. Prairie State Power Plant

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:** None

**PRESENTATION TO COUNCIL:** Regarding Legislation Item #1-6- City Planner, Lynn White