



City Manager's Report

For
City Council Meeting
June 15, 2015

To: The Honorable President and
Members of City Council
From: Anthony Carson, City Manager
Date: June 12, 2015

EXECUTIVE SESSION: There will be an Executive Session at 6:30 p.m. to discuss Contracts, Personnel and Potential Litigation.

LEGISLATION:

1. **Ordinance relating to the Classification and Compensation Plan.** The International Brotherhood of Electrical Workers union has ratified their negotiated union contract. The International Brotherhood of Electrical Workers contract calls for a 2.5% rate increase in 2015, a 2.5% rate increase in 2016 and a 1.5% rate increase in 2017. This agreement is retroactive to April 1, 2015. The City is still in negotiations with the Painesville City Firefighters, IAFF, Local 434. First Reading.
2. **Ordinance Rezoning Four Properties on South St. Clair Street from M-2 to R-1.** The Administration requested that the Planning Commission review the rezoning of four properties located on South St. Clair Street from their current M-2 Industrial Zoning to the R-1 Single Family Residential district. The property at 575 South St. Clair Street was purchased in March of this year. After purchasing, the new property owner inquired about the status of the property and was made aware the house could no longer be used as a single family residence. The property has been vacant for a number of years. Chapter 1139 of the Codified Ordinances states: *If any such nonconforming use ceases for any reason for a period of more than twelve months, any subsequent use shall conform to the regulations specified by this ordinance for the district in which such land is located.* The property owner inquired about the options available for this property. The area was looked at for a potential rezoning as has been done in the past for similar nonconforming areas within the City. The change in zoning will result in the parcels of land that currently have existing residential units to be changed to allow them to be conforming. The Planning Commission considered this request at their regularly scheduled meeting June 11th and gave a positive recommendation to City Council. The vote was 4-0. This matter should remain on first reading. As this matter needs three readings, the second reading should be given at the June 23, 2015 Special City Council meeting/Worksession. A public hearing has been scheduled for July 20, 2015 at 8:00 PM.
3. – 4. **Ordinance Amending Sections 1127.01, 1127.05 and 1127.06 AND Ordinance Amending Section 1129.01.** At the Special Planning Commission meeting held on May 28th a new zoning category was presented and favorably recommended by a vote of 5-0. This new classification is R1-60 Single Family 60-Foot Frontage Residential District. This district would allow a denser single family residential development as allowed in the R-2 Zoning Category similar to what is being constructed within the Heisley Park Subdivision. The difference in the two categories is the permitted uses in the zoning category. The permitted uses in this category

mimic the R-1 Single Family Zoning Classification. Also included are the height, lot area, and minimum floor area requirements for the new district. These regulations support what has already been developed. These items are on Second Reading. City Planner Lynn White will give a brief presentation. Public Hearing is scheduled for July 20, 2015 at 8:00 pm.

5. **Ordinance Amending District and Setback Map in Section 1127.02.** At the Special Planning Commission meeting held on May 28th Rezoning Application No. 82-15 for Permanent Parcel No. 35A-001-001 was presented and favorably recommended by a vote of 5-0. The rezoning of this property from R-2 Multi Family to the newly created R1-60 Single Family 60-Foot Frontage Residential District provides the City with a reasonable alternative for protection of this property. By rezoning the property the property owner will be allowed to proceed with the development and marketing of the property consistent with what has previously been proposed at this location. The R1-60 Single Family Zoning District will not affect the overall future vision for the area as residential in use. It will also provide the City with the necessary protection as to how the property will be develop in the future without negatively affecting adjoining properties, the neighborhood, or the vision of the area as presented in the Comprehensive Plan. This item is on Second Reading. City Planner Lynn White will give a brief presentation. A Public Hearing is scheduled for July 20, 2015 at 8:00 pm.

TABLED LEGISLATION: Staff will be presenting the additional information requested by Council at the July 20th Council meeting.

6. **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. Tabled.
7. – 10. **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. Tabled.

UNFINISHED BUSINESS: Prairie State Power Plant

NEW BUSINESS: None

PRESENTATION TO COUNCIL: Electric Department – Jeff McHugh

ADMINISTRATIVE REPORTS: Law Director and City Manager