Council Agenda Item

Date: March 13, 2024

To: Douglas L. Lewis, City Manager

From: Sarah Sitterle, AICP, Director of Community Development/City Planner

Topic: Ordinance to revise Sections 1107, 1113.06 (d), and 1115.31 for Agriculture Use within the Unified Development Code of the Codified Ordinances

History:
The City is proposing to make the following proposed changes to the Painesville Unified Development Code of the Codified Ordinances of the City of Painesville. The changes are designed to address the concern of the keeping of large farm animals within the city limits in the R-1 and S-1 Zoning Districts. A summary of the changes are as follows:

1. (7) changes the definition of agriculture to limit it to the growing of crops, floriculture and viticulture when grown for sale and expressly delineates that the personal use of products and domesticated animals are not agriculture. Agriculture is defined as a primary use.

2. (69.1) adds a definition of Domesticated Animal as primarily house pets and chickens.

3. (90.1) adds a definition of Gardening, Personal. This is currently listed as a permitted accessory use in residential district but not defined. This definition clearly indicated the growing of items are for personal use unless approved by the Planning <u>Director or assigned designee</u>.

   The numbering of the new definitions is designed to eliminate the need to renumber all the definitions.

4. 1113.06(d) changes agriculture on greater than five acres from a permitted use to a conditional use and references new standards in a new section 1115.31.

5. 1115.31 Agriculture Use adds standards and conditions for the Planning Commission to use to evaluate if an agricultural use is appropriate. It references the requirements of Chapter 518 Animals of the Codified Ordinances. The standards also reflect that this use is a primary use and therefore other primary

uses are not permitted on the same property such as a single-family home. The proposed language established standards for accessory structures.

Purchasing:

There is no purchase required.

Financing:

There is no financial impact. All changes have been proposed by the City.

Recommendation:

Staff has worked with Rita McMahon to draft the proposed code changes to agriculture use within the Unified Development Code of the City of Painesville. Staff believes that these changes to the UDC and Codified Ordinances will benefit the health, safety, and welfare of the City's residents and supports the text amendments.

This legislation for changes to the Unified Development Code requires a public hearing and can be passed with three readings. The public hearing must be advertised for 30 days prior to the meeting. The public hearing will be scheduled for the **April 15, 2024 meeting.**

Council Agenda Item

Date: March 25, 2024

To: Doug Lewis, City Manager

From: Bill Parkinson, Finance Director

Topic: Resolution to obtain approval to pay past due invoices – Now and Then

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History:

The City of Painesville has a process in place for purchasing goods and services. In this instance, a Purchase Order (PO) was not obtained prior to work being completed. A PO was not obtained prior to performing work because the City did not receive the professional services contract until after the books were closed in November of 2023. The funding was budgeted and available in the 2023 budget, but a PO was required to move the project forward. Since we could not delay the project approximately 3 months for the books to open in 2024, the City Manager determined it was necessary to enter into a contract with Burgess & Niple to perform the work. As a result, the State Auditor requires that the governing body, Painesville City Council, approve the invoices to maintain compliance with all purchasing policies and procedures.

Purchasing:

The City Manager entered into a professional services agreement for the design and engineering of the amphitheater and the Brownfield Grant for the Plaza Hotel with Burgess & Niple and Mannik & Smith in the total amount of all purchase orders of $110,687.64.

Financing:

City Council approved the funding for the Brownfield Grant and the design and engineering of the amphitheater in the 2023 Capital Improvement Budget. Funding was available.

Recommendation:

In order to close out the 2023 books and remain in compliance with the purchasing policies and procedures of the City of Painesville, we are requesting that this legislation be passed on first reading.

Council Agenda Item

Date: March 27, 2024

To: Doug Lewis, City Manager

From: Bill Parkinson, Finance Director

Topic: Authorization to Re-Issue Notes for the former Concord Road Equipment Building.

History: The City of Painesville purchased the former Concord Road Equipment Building at the end of 2022 by issuing a $2.87m Note. It was the intention of the City to retain a portion of this property and to sell the remaining property prior to August 10, 2023. As such, this note was structured to have a principal payment of $2.87m, plus a $107,983 interest payment due on August 10, 2023.

While it was the intention of the City to sell part of this property, that is currently no longer an option. Consequently, I spoke with Mr. Calendar at Squire Patton Boggs and he is recommending that the City do the following to (1), refinance the note into a long-term bond, and (2) convert the note from taxable to tax exempt, saving the City significant interest costs.

The purpose of this particular resolution is to have legislative approval in place in the event Moody's pulls the rating. By way of background, Moody's, as part of the City's due diligence, is required to furnish annual audited financial statements. They reached out to the City in December of 2023 asking about the status of the 2022 audit, upon which I indicated to Moody's that the State has yet to complete the 2022 audit. So, instead, they asked for unaudited 2022 financials, which were provided promptly. Moody's has a six month window form the time of the unaudited financial request to receive the audited financials from the City. The City has been asked about the status of the audit, and the State has replied that it is nearly complete except for the bank reconciliation, which is still be worked on by Rea & Associates. This resolution will only be needed if the State does not have audited numbers by June 30, 2024. In which case, the City will have to once again roll the CRE note as a short-term taxable debt instrument.

Purchasing: None

Financial: Convert taxable notes to tax exempt bonds for the purchase of the CRE Building.

Recommendation: Staff is requesting that 2nd and 3rd reading be waived and it be passed tonight on 1st reading.

Council Agenda Item

Date: February 27, 2024

To: Douglas L. Lewis, City Manager

From: Jim Fodor, President of City Council and Council Members

Topic: Strategic Plan 2024-2027

History:
In 2017, the City Council set out to create a 2018-2022 Strategic Plan. This document was a collaborative effort of paid consultants, voluntary consultants, the City Council, and Department Heads. This collaboration brought strong goals and objectives that would steer the course for services within the City of Painesville over a five year period.
During a work session in May of 2023, the Council members began the process of reviewing and modifying the 2018-2022 Strategic Plan. Over the course of the past year, the City of Painesville engaged in a strategic planning process to create the 2024-2027 Strategic Plan. This document will set the vision and goals for the period of 2024-2027. The implementation steps, time frames and budgetary responsibilities can be decided as the process unfolds and give the City Manager direction and authorization to take all necessary actions to implement this Strategic Plan.

Recommendation: This item should go three (3) readings.

Council Agenda Item

Date: March 25, 2024

To: Doug Lewis, City Manager

From: Jeff Mchugh, Electric Superintendent

Topic: Resolution Authorizing to Request Pricing and an Agreement to Repair #5 Boiler Feed Pump

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History:

Our Electric Plant Boiler #5 had a severe boiler tube blowout that damaged the boiler and a number of pieces of related equipment. One of those pieces of equipment was the Feed Pump. This is an essential piece to keep the boiler working. All of the other equipment and boiler have been repaired. We expect the prices to be above the threshold requiring competitive pricing but below the amount for bidding. This Resolution will allow us to get that pricing from vendors so we can get the repairs done and complete the work before we are into peaking season.

Purchasing:

The City would be purchasing the parts and labor to repair the pump. The Electric Department has received quotes from $68,000 to $98,000. This legislation will allow them to award a contract.

Financing:

The repair and our estimated pricing were included in our 2024 Capital Budget at $125,000.

Recommendation:

Staff recommends approval of the Resolution on first reading in order to make the necessary repairs prior to peaking season.