



# Council

## Agenda Item

Date: February 11, 2020

To: Monica Ireland, City Manager

From: Douglas Lewis, Assistant City Manager/Community Development Director

Topic: An Ordinance amending Section 735.10 of the Painesville Code of 1998 in its entirety related to the registration of garage, yard and porch sales.

---

### **History:**

The City of Painesville enacted legislation in 2010 to address the registration of garage, yard and porch sales within the City of Painesville. Since that time, we have experienced additional development which has created a need to modify the ordinance. In recent years, garage, yard and porch sales have created issues within various neighborhoods – specifically Heisley Park and Liberty Greens. They have created safety and congestion issues within these neighborhoods. As a result, the City has been required to expend resources to ensure the safety of residents living in these areas.

As a result of the safety and congestion concerns within various neighborhoods of the City, this item was referred to the Painesville Housing Task Force for review and a recommendation. After considerable discussion, the Housing Task Force is recommending a process be implemented for those conducting the garage, yard or porch sales within any neighborhood of the City of Painesville. The attached legislation makes the following recommendations:

Based on the meeting, the following were incorporated into the proposed Ordinance.

- 1) Requires registration of the garage, yard or porch sales.
- 2) Requires registration 14 days in advance of event. The Task Force wanted to provide reasonable time for the City Manager or Designee to determine if there was a need to hire off duty Police Officers to adequately manage traffic and congestion.
- 3) Allows up to a total of 3 events per calendar year.
- 4) Allows 3 events per calendar year to be held for a total of 3 consecutive days.
- 5) Requires the City Manager or Designee to determine the necessity of hiring an off duty police officer/s based on a number of factors. The Task Force requested that staff develop a checklist based on discussions at the meeting. If determined that it would create safety and congestion issues, the applicant must provide proof that an off duty police officer/s was hired prior to receiving approval.

- 6) Requires that three (3) garage, yard or porch sales on a street, within a development or area requires parties provide additional information to determine the number and location of garage, yard or porch sales to be conducted.
- 7) No fee shall be charged for the issuance of the registration, but any other costs associated with the garage, yard or porch sale registration would be the sole responsibility of the applicant (i.e., cost for Police Department to place no parking signs).

**Purchasing:**

None

**Financing:**

This will enable the City of Painesville to recover the costs associated with an event that benefits very few residents. If determined by the City Manager or Designee, residents would have to pay for the cost to hire an off duty Police Officer/s to ensure safety of the residents and address traffic and parking issues within the neighborhood where the events are being conducted.

**Recommendation:**

The Housing Task Force is recommending approval of the Ordinance to amend the existing garage, yard and porch sale Ordinance and establish a process to ensure the safety of any neighborhoods planning to conduct multiple garage, yard or porch sales. This item can go three (3) readings.



# Council Agenda Item

Date: February 11, 2020

To: Monica Irelan Dupee, City Manager

From: Lynn White, City Planner

Topic: Ordinance –Establishing a Schedule of Fees

---

## **Recommendation:**

This Ordinance is to establish a schedule of fees for reviews, approvals and other procedures pertaining to the administration and enforcement relating to the Unified Development Code. It is suggested that the Ordinance be passed on first reading to allow for the collection of fees associated with the new UDC Ordinance.

## **Background:**

In October of 2019, City Council passed the Unified Development Code (UDC) as the Zoning Ordinance for the City of Painesville. Section 1105.05 FEES states: *Council shall by ordinance establish a schedule of fees for reviews, approvals and other procedures pertaining to the administration and enforcement of this UDC after considering the recommendations of the Administrator with respect to actual administrative costs, both direct and indirect. The schedule of fees shall be available at City Hall, and may be altered or amended only by Council. Until all such appropriate fees, charges, and expenses have been paid in full, no action shall be taken on any application, appeal, or administrative procedure.*

The previous fee schedule found in the Zoning Code has been incorporated into this new language, however, a number of items have been added or modified. Added fees include, siding, roofing, waterproofing, windows, as the UDC includes appearance standards for single family dwellings. The fees for signs had been handled under the Building Code, the fee structure has been changed to a flat fee for signs depending on the size. Fence fees were changed from a lineal foot calculation to a flat fee. Other changes include increasing fees for Planning Commission and BZA applications to cover costs of legal advertising and postage. The City's fees were compared to surrounding areas to be sure that there were no major discrepancies.



## Council Agenda Item

Date: February 11, 2020

To: Monica Irelan

From: Andy Unetic

Topic: February 2020 Budget Increase

---

**History:** The City is requesting to increase the total 2020 budget by over \$601,000. The main reason for the increase is the Finance Committee determined that the current ladder truck at the Fire Department is not operational and it has to be replaced. Also, in this increase changing the part-time secretary in the Economic Development and make that position to a full-time secretary to be used by the Economic Development and Planning offices. Lastly in this increase is to promote a patrolman to a sergeant in the Police department. This will not increase the staffing levels in the Police Department because the vacant patrol position, created by this promotion, will not be replaced.

**Financial:** The new Fire Truck will cost over \$1.3 million and will increase the 2020 budget by \$578,861. The City will be issuing debt for this truck. The annual debt payment for this will be approximately \$54,000 for 14 years. The cost to promote the police officer to Sergeant will cost the City approximately \$5,000. The cost to increase the secretary position from part time to full time will add an additional \$19,000 to the 2020 budget. Also part of this budget adjustment is \$44,000 to fix the heat at Storrs Street, but this will not increase the budget due to the fact that we are reducing other 2020 capital projects so the net effect of this is \$0.

**Recommendation:** To approve this on emergency to keep the City operations running.



## Council Agenda Item

Date: February 12, 2020

To: Monica Irelan

From: Andy Unetic

Topic: \$1,000,000 Note Issuance for Fire Truck

---

**History:** The current aerial fire truck the City has is 30 years old and is not operational right now. The City would have to spend tens of thousands of dollars just to get this operational. This vehicle has exceeded its useful life and it does not make sense for the City to try to repair it. Also the ladder on the current truck is only 75 feet long, not 100 feet long like the new one.

**Purchasing:** The new 100 foot aerial truck will cost a little over \$1.3 million, including equipping the truck. The Finance Committee agreed that the City needs to purchase a new fire truck and recommended the City issued debt to pay for this truck.

**Financing:** The City will be issuing \$1,000,000 in notes that will be paid off in 14 years. The annual debt payments will be approximately \$60,000 and these payments will be split between the bond retirement fund and the New Fire Levy Fund.

**Recommendation:** Suspend the 3 reads so the City can issue the notes and purchase the new engine without hindering the City's fire operations.



## Council Agenda Item

Date: February 6, 2020

To: Monica Irelan Dupee, City Manager

From: Leanne Exum

Topic: Resolution to advertise for bids and enter into a contract with the lowest and best bidder for the Rehabilitation of Various Sanitary and Storm Sewers

---

### **History:**

The City televised the sanitary and storm sewers on Button Avenue, Skinner Avenue, Watson Street, Casement Avenue, and West Washington Street. There are 6 repairs that need to be made and two sections of pipe that need to be lined on the sanitary sewer. There are six repairs that need to be made and four sections of pipe that need to be lined on the storm sewer.

### **Purchasing:**

This project will go out to bid with an updated engineer's estimate of \$300,000.00.

### **Financing:**

The cost associated with this project are accounted for in the Sanitary and Stormwater Capital budget under the sanitary fund in the amount of \$150,000.00 for the lining and repair of the sanitary sewer and \$150,000.00 for the lining and repair of the storm sewer.

### **Recommendation:**

Approval of the resolution to advertise for bids and enter into a contract with the lowest and best bidder for the Rehabilitation of Various Sanitary and Storm Sewers.



# Council Agenda Item

Date: February 10, 2020

To: Monica Irelan, City Manager  
From: Leanne Exum

Topic: Resolution to advertise bid and award for the Asphalt Resurfacing of Casement Avenue and Watson Street

---

## **History:**

Casement Avenue has a pavement condition rating of 62.2 (poor condition) from Main Street to the East Corp Line. The condition rating was done in 2019. Casement Avenue was last resurfaced in 2001. We will be paving a portion of the County section of Casement Avenue, and we have an agreement with the County that they will pay for their section of the roadway.

Watson Street has a pavement condition rating of 54.8 (poor condition) from Erie Street to Jackson Street (SR 84). The condition rating was done in 2019. Watson Street was last resurfaced in 1988.

## **Purchasing:**

This project will go out to bid with an engineer's estimate of \$336,000.00

## **Financing:**

The cost associated with this project are accounted for in the Engineering Capital budget under the general fund.

## **Recommendation:**

Approval of the resolution to advertise for bids and enter into a contract including any and all ensuing change orders with the lowest and best bidder for the asphalt resurfacing of Casement Avenue and Watson Street.



## Council Agenda Item

Date: Monday, February 10, 2020

To: Monica Irelan

From: Cathy Bieterman

Topic: Resolution Appointing a CRA Housing Council for the City's CRA Area #5

---

**History:** The City of Painesville is proposing this legislation to ensure that Resolution 42-18, which created CRA Area #5, conform with the Ohio Revised Code (ORC) Section 3735.69 by appointing a Community Reinvestment Area (CRA) Housing Council for the Area. The Housing Council as required by the ORC requires that the Council be composed of two members appointed by the City Manager, two members appointed by the Painesville City Council, and one member appointed by the City Planning Commission. The majority of the foregoing members shall then appoint two additional members who shall be residents of the City of Painesville.

**Purchasing:** N/A

**Financing:** N/A

**Recommendation:** I recommend approval of this resolution to ensure that we have met all criteria required for CRA Area #5 by the ORC and State of Ohio Development Services Agency.



# Council Agenda Item

Date: February 11, 2020

To: Monica Irelan, City Manager  
From: Leanne Exum

Topic: Resolution to accept a one time grant from the Lake County Board of Commissioners for the 2020 Lake County Road Improvement and Economic Development Grant

---

## **History:**

The Lake County Commissioners passed a resolution on December 19, 2019 establishing the Lake County Board of Commissioners' Lake County Road Improvement and Economic Development Grant Program for 2020.

The County Engineer had reached out to ask if we would partner on the resurfacing of Casement Avenue since part of the project is in Painesville and the rest in the County. This was not originally slated for 2020. The one time grant will be used to fund the resurfacing of the City's portion of Casement Avenue.

The City's portion of the costs are \$108,801.10 with a total project cost of \$206,000.00. The one time grant from the Lake County Commissioners for the 2020 Lake County Road Improvement and Economic Development is \$97,198.90. The remaining funds will be paid for out of the General Capital Fund.

## **Recommendation:**

Approval of the resolution to accept a one time grant from the Lake County Board of Commissioners for the 2020 Lake County Road Improvement and Economic Development Grant. The Engineering Department is requesting that this resolution be passed on the first read in order to meet the deadlines set forth by the Lake County Commissioners.