

ORDINANCE NO. _____-2020

AN ORDINANCE AMENDING SECTION 735.10 IN ITS ENTIRETY OF THE PAINESVILLE CODE OF 1998 RELATING TO THE REGISTRATION OF GARAGE, YARD AND PORCH SALES, AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL of the City of Painesville, Lake County Ohio:

SECTION I. That Section 735.10 of the Painesville Code of 1998, is hereby amended to read as follows:

735.10 REGISTRATION OF GARAGE, YARD, PORCH SALES.

~~There shall be no fee for the registration of garage, yard, or porch sales conducted on residential property. However, such activity shall be limited to no longer than three consecutive days and not issued to the same individual or for a sale on the same parcel more than four times in a calendar year.~~

- (a) Before any garage, yard, or porch sale may occur in the City of Painesville, those desiring to conduct such sales must first obtain a registration from the City through the City Manager or the City Manager's designee.
- (b) To acquire a City registration for a garage, yard, or porch sale the applicant must provide the City the following information: the applicant's name, address, and contact information; the location where the sale is to occur; the dates when the sale will occur; the time when the sale will occur; and whether the sale is being conducted simultaneously with any other garage, yard, or porch sale.
- (c) If registration is sought for three (3) or more garage, yard, or porch sales to be conducted simultaneously on a street or within a development or area, in addition to the required application information set forth in Section (b) of this Ordinance, the applicant must further provide the following: the name, address and contact information of each property owner who is participating in the sale event; and documentation showing the location of all properties participating in the sale event.
- (d) The City Manager or City Manager's designee shall determine if a garage, yard or porch sale necessitates the services of an off duty Painesville Police Officer/s to adequately control parking and traffic congestion reasonably anticipated by the sales event. If determined to be necessary, the applicant must provide proof that an off duty Painesville Police Officer/s have been secured prior to being approved.
- (e) To be eligible for a garage, yard, or porch sale registration, an applicant must file an application for same no less than fourteen (14) days prior to the sales event.
- (f) No garage, yard, or porch sale shall be allowed that exceeds three (3) consecutive days in duration.
- (g) No garage, yard, or porch sale shall be allowed if the premises upon which the sales event is to occur has hosted three (3) previous sales during the current calendar year (January 1 through December 31).
- (h) Upon determining that compliance with the Ordinance has been achieved, the City Manager or the City Manager's designee shall timely issue a registration for the proposed sales event. There shall be no fee charged for the issuance of a registration, but any other costs that may be associated with this garage, yard or porch sale registration shall be the sole responsibility of the applicant.
- (i) A violation of this Ordinance is an unclassified misdemeanor, punishable by fine not to exceed \$500.00.

SECTION II. That the Ordinance is passed as an emergency measure for the protection and preservation of the peace, health, safety and general welfare of the inhabitants of the City of Painesville, the emergency being the immediate necessity to regulate garage, yard, and porch sales within the City of Painesville, and therefore this Ordinance shall become effective immediately upon its passage.

PASSED:

Paul W. Hach, II
President of Council

ATTEST:

Valerie Vargo, CMC
Clerk of Council

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION
167.07 RELATING TO THE CLASSIFICATION AND
COMPENSATION PLAN AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Painesville, County of Lake, State of Ohio:

SECTION I: That Section 167.07 are hereby amended to read as follows:

SECTION 167.07 CLASSIFIED POSITIONS

<u>CLASS TITLE</u>	<u>CLASS GRADE</u>
<u>CLERICAL, FISCAL AND ADMINISTRATION 40 HOUR WEEK</u>	
<u>CLERICAL SALARY</u>	
CLERK TYPIST	3
SWITCHBOARD OPERATOR	6
SECRETARY I	6
SECRETARY II	8
ADMINISTRATIVE SECRETARY.....	9
ADMINISTRATIVE SECRETARY - MANAGER.....	12
ADMINISTRATIVE SECRETARY - COURT	12
FIRE DEPARTMENT ADMINISTRATIVE ASSISTANT	6
<u>FISCAL AND DATA PROCESSING SALARY</u>	
PARKING CASHIER.....	5
PARKING ENFORCEMENT CASHIER.....	6
FISCAL CLERK I	6
FISCAL CLERK II	9
FISCAL CLERK III	11
HUMAN RESOURCES SUPERVISOR.....	14
FISCAL CLERK III - HUMAN RESOURCES.....	11
FISCAL CLERK II - HUMAN RESOURCES.....	9
FISCAL CLERK I - HUMAN RESOURCES.....	6
FISCAL CLERK II - UTILITY OFFICE.....	9
DATA PROCESSING CLERK I	6
DATA PROCESSING CLERK II	9
FISCAL CLERK/COMPUTER COORDINATOR	11
COLLECTIONS SUPERVISOR	13
UTILITY OFFICE SUPERVISOR.....	13
FINANCE/GRANT ANALYST	14
STORES CLERK/BUILDING AND GROUND WORKER	8
ADMINISTRATIVE ANALYST	11
PROJECT COORDINATOR.....	13
UTILITIES OFFICE MANAGER	16
FINANCE ANALYST II.....	12
COLLECTIONS ANAYLYST.....	11
<u>ADMINISTRATION</u>	
<u>DEPARTMENT/DIVISION HEADS AND SENIOR SUPERVISORS SALARY</u>	
WATER TREATMENT PLANT SUPERVISOR	19
ASSISTANT WATER POLLUTION CONTROL SUPERINTENDENT.....	19
ECONOMIC DEVELOPMENT DIRECTOR.....	21
HUMAN RESOURCES DIRECTOR.....	23
ELECTRIC GENERATION SUPERVISOR.....	21
ELECTRIC DISTRIBUTION SUPERVISOR	21
WATER SUPERINTENDENT	26
RECREATION AND PUBLIC LAND DIRECTOR	23
FIRE CHIEF	23
DIRECTOR OF FINANCE/HUMAN RESOURCES DIRECTOR	26
WATER POLLUTION CONTROL SUPERINTENDENT	23
CHIEF OF POLICE.....	25
ELECTRIC SUPERINTENDENT	25
CITY ENGINEER.....	23
PUBLIC SERVICE DIRECTOR.....	2523
WATER SUPERINTENDENT/PUBLIC SERVICE EXECUTIVE DIRECTOR.....	27
ASSISTANT CITY MANAGER/COMMUNITY DEVELOPMENT DIRECTOR.....	27
DIRECTOR OF MUNICIPAL INFRASTRUCTURE	27
<u>PUBLIC SAFETY, COURT, CODE ENFORCEMENT AND ENGINEERING</u>	
<u>POLICE SALARY (40 HOUR WEEK)</u>	
PARKING CONTROL OFFICER.....	7
POLICE RECORDS CLERK I	8
POLICE RECORDS CLERK II	9
POLICE DISPATCHER.....	8

COMMUNITY SERVICE OFFICER.....	10
SCHOOL RESOURCE OFFICER.....	12
POLICE OFFICE SUPERVISOR	10
* POLICE OFFICER.....	17
* POLICE SERGEANT	18
* POLICE LIEUTENANT.....	20
<u>FIRE SALARY (48 HOUR WEEK)</u>	
* FIREFIGHTER/EMT	17
* FIRE LIEUTENANT	18
* FIRE CAPTAIN.....	20
EXECUTIVE CAPTAIN (40 hours a week).....	20
* CIVIL SERVICE POSITIONS	
<u>MUNICIPAL COURT SALARY (WORK WEEK DETERMINED BY COURT)</u>	
PROBATION OFFICER I	11
PROBATION OFFICER II.....	12
CHIEF PROBATION OFFICER	16
<u>ECONOMIC DEVELOPMENT AND COMMUNITY DEVELOPMENT</u>	
ECONOMIC DEVELOPMENT ADMINISTRATIVE ASSISTANT(PART-TIME)	6
<u>ENGINEERING SALARY (40 HOUR WEEK)</u>	
CONSTRUCTION ENGINEER/ENGINEERING TECHNICIAN	15
PLANNER	16
GIS COORDINATOR.....	16
SENIOR ENGINEER.....	18
<u>CODE ENFORCEMENT SALARY (40 HOUR WEEK)</u>	
HOUSING INSPECTOR	11
BUILDING INSPECTOR	16
BUILDING OFFICIAL.....	18
FIRE INSPECTOR.....	11
<u>LABOR, LABOR SUPERVISION AND TRADES (40 HOURS WEEK)</u>	
<u>GENERAL LABOR AND EQUIPMENT OPERATION HOURLY</u>	
CUSTODIAN I	5
CUSTODIAN II	8
PUBLIC WORKS GUARD	7
MAINTENANCE WORKER I.....	7
MAINTENANCE WORKER II.....	9
PARKING AND TRAFFIC TECHNICIAN.....	9
HEAVY EQUIPMENT OPERATOR.....	11
AUTOMOTIVE SERVICE WORKER.....	9
UTILITY SERVICE/MAINTENANCE WORKER.....	10
MAINTENANCE CREW LEADER.....	10
<u>GENERAL TRADES HOURLY</u>	
SIGN FABRICATOR	11
AUTOMOTIVE MAINTENANCE MECHANIC	13
AUTOMOTIVE MAINTENANCE WORKER	9
<u>LABOR AND TRADES SUPERVISION SALARY</u>	
MAINTENANCE SUPERVISOR I	12
MAINTENANCE SUPERVISOR II.....	16
PARK AND CEMETERY SUPERVISOR.....	16
PUBLIC WORKS SUPERVISOR	18
<u>RECREATION SALARY</u>	
RECREATION COORDINATOR	11
RECREATION SUPERVISOR	13
RECREATION SUPERVISOR/SENIOR CENTER MANAGER	13
<u>PUBLIC UTILITIES (40 HOUR WEEK)</u>	
<u>GENERAL PUBLIC UTILITY SALARY</u>	
METER READER HELPER.....	7
METER READER	8
METER MAINTENANCE WORKER.....	8
UTILITIES SERVICE WORKER.....	10
<u>WATER AND WATER POLLUTION CONTROL SALARY</u>	
ASSISTANT LABORATORY TECHNICIAN	11
LABORATORY TECHNICIAN II.....	14
LABORATORY TECHNICIAN II/ADMINISTRATIVE ASSISTANT	14
LABORATORY/TECHNICAL SERVICES SUPERVISOR.....	16
PRE-TREATMENT COORDINATOR	15

WATER ENGINEERING TECHNICIAN	13
ASSISTANT WATER ENGINEERING TECHNICIAN.....	11
WATER TREATMENT PLANT OPERATOR II	14
WATER POLLUTION CONTROL PLANT OPERATOR II	14
WATER POLLUTION CONTROL PLANT OPERATIONS SUPERVISOR	16
WATER TREATMENT PLANT CHIEF OPERATOR	15
TREATMENT PLANT MAINTENANCE SUPERVISOR.....	16
WATER DISTRIBUTION SUPERVISOR	18
<u>WATER AND WATER POLLUTION CONTROL HOURLY</u>	
TREATMENT PLANT MECHANIC I.....	10
TREATMENT PLANT MECHANIC II	13
TREATMENT PLANT MECHANIC/ELECTRICIAN	14
LABORATORY TECHNICIAN I.....	10
LABORATORY TECHNICIAN I/ADMINISTRATIVE SECRETARY.....	11
WATER METER REPAIR WORKER	11
WATER TREATMENT PLANT OPERATOR I.....	10
WATER OPERATIONS/MAINTENANCE TECHNICIAN.....	11
WATER POLLUTION CONTROL PLANT OPERATOR I.....	10
WATER TREATMENT PLANT OPERATIONS/MAINTENANCE TECHNICIAN	11
<u>ELECTRICAL SALARY</u>	
ELECTRIC DISTRIBUTION FIELD SUPERVISOR	16
ASSISTANT ELECTRIC DISTRIBUTION SUPERVISOR	18
OPERATING ENGINEER	16
ASSISTANT SENIOR ENGINEER.....	17
SENIOR ENGINEER - OPERATIONS	18
SENIOR ENGINEER - MAINTENANCE	18
<u>ELECTRIC HOURLY</u>	
BUILDING CUSTODIAN II	12E
ELECTRIC GROUND WORKER.....	15E
MAINTENANCE WORKER II (ELECTRIC ASHWORKER/WATER TENDER).....	14E
ASSISTANT TREE TRIMMER.....	18E
TREE TRIMMER	20E
ELECTRIC METER REPAIR WORKER.....	18E
APPRENTICE ELECTRIC DISTRIBUTION WORKER	17E
ELECTRIC DISTRIBUTION WORKER II	19E
ELECTRIC DISTRIBUTION WORKER I	21E
UTILITY WORKER.....	21E
HEAVY EQUIPMENT OPERATOR (ELECTRIC YARD WORKER).....	18E
ELECTRICIAN.....	20E
STATIONARY ENGINEER	20E
ELECTRIC PLANT MECHANIC	18E
ELECTRIC PLANT MECHANIC/WELDER.....	19E
MAINTENANCE ELECTRICIAN	18E

E = ELECTRIC HOURLY

Section II: That this Ordinance is passed as an emergency measure for the protection and preservation of the peace, health, safety and general welfare of the inhabitants of the City of Painesville, the emergency being the necessity to amend the classification and compensation plan for affected employees, and therefore, this ordinance shall be effective immediately upon its passage.

PASSED:

Paul Hach, Jr.
President of Council

ATTEST:

Valerie Vargo
Clerk of Council

RESOLUTION NO.

RESOLUTION AUTHORIZING THE CITY OF PAINESVILLE, OHIO, TO PROCEED WITH THE DEMOLITION OF AN UNSAFE STRUCTURE LOCATED AT 518 CEDARBROOK DRIVE, IN THE CITY OF PAINESVILLE, LAKE COUNTY, OHIO, AND TO REQUEST THE ASSISTANCE AND COOPERATION OF THE LAKE COUNTY LAND REUTILIZATION CORPORATION IN EFFECTING THE SAME, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Painesville has the legal authority pursuant to State and Local Ordinances to arrange for the demolition of unsafe structures; and

WHEREAS, the structure located at 518 Cedarbrook Drive, City of Painesville, in Lake County, Ohio, Permanent Parcel Number #15C035B010100, is owned by Melody Whitman, and it has been found to be in an unsafe condition, and it is determined by City Council that this structure needs to be demolished, authorizing the same to be demolished;

NOW, THEREFORE, BE IT IS RESOLVED BY THE COUNCIL OF PAINESVILLE, OHIO, LAKE COUNTY, STATE OF OHIO:

Section 1. Council does hereby find and determine that the structure existing at 518 Cedarbrook Dr. in Painesville, Lake County, Ohio is in an unsafe condition and should be demolished; and that the Administration is hereby authorized to carry out such actions as may be necessary to accomplish the same according to the law.

Section 2. That this Council hereby requests the Lake County Land Reutilization Corporation to assist and cooperate with the City Administration to accomplish the demolition of said structure; and specifically, this Council requests the Lake County Land Reutilization Corporation to exercise its authority to demolish the structure for the expense thereof, and this Council authorizes the Lake County Land Reutilization Corporation to enter into such contracts, execute such documents, and do all things as may be necessary to accomplish the same.

Section 3. That the formal actions of this Council concerning the passage of this Resolution were adopted in an open meeting, and all deliberations of this Council, or any Committees, which resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22, of the Ohio Revised Code.

Section 4. That this Resolution is hereby declared to be an emergency measure for the immediate preservation of the public peace, health and/or safety and for the welfare of the citizens of the City of Painesville and for further reason find that it is necessary that this measure becomes effective immediately in order to allow the Lake County Land Reutilization Corporation to demolish the properties while funding is still available; and, therefore, this Resolution shall be in full force and effect immediately upon passage by the City Council.

PASSED:

PAUL W. HACH II
PRESIDENT OF COUNCIL

ATTEST:

VALERIE VARGO
CLERK OF COUNCIL

RESOLUTION NO.

**A RESOLUTION APPROVING THE PRELIMINARY
PLAT OF EMERALD POINTE SUBDIVISION
and DECLARING AN EMERGENCY.**

BE IT RESOLVED by the Council of the City of Painesville, Lake County, Ohio:

SECTION I. The preliminary plat of Emerald Pointe Subdivision being submitted to the Painesville City Planning Commission and approved with stipulations by that body on June 13, 2019 and therefore forwarded to this Council pursuant to Section 1109.11 of the Painesville Code of 1998, is hereby approved.

SECTION II. This resolution is adopted as an emergency measure necessary for the protection and preservation of the peace, health, safety and general welfare of the inhabitants of at the City of Painesville, the emergency being that unnecessary delay will adversely affect the proper and effective development of the area of the City of Painesville, and therefore, this resolution shall become effective immediately upon its passage.

PASSED:

Paul W. Hach, II
President of Council

Valerie Vargo, CMC
Clerk of Council



2017R008785

LAKE COUNTY OHIO
RECORDED ON
04/06/2017 03:56:18PM

BECKY LYNCH
LAKE COUNTY RECORDER
REC FEE: \$36.00
PAGES: 3

AGREEMENT

This AGREEMENT (the "Agreement") is entered into this 20th day of January 2017 by and between the City of Painesville, Ohio and Emerald Pointe, Inc. (hereinafter "Emerald Pointe").

WHEREAS, Emerald Pointe has proposed a sixteen (16) unit development at Permanent Parcel No. 15-D-021-B-00-040-0, Painesville, Lake County, Ohio, in the location shown on the concept plan submitted to the City dated December 19, 2016 (the "Property"); and

WHEREAS, the Planning Commission recommendation for rezoning this Property included a development plan; and

WHEREAS, Ordinance 1147.02 permits the City to enter into a written contract with Emerald Pointe to use the property only in accordance with the development plan as approved by Council for the purpose of the rezoning of the Property; and

WHEREAS, the City and Emerald Pointe agree that this Agreement is necessary so that the Property is developed with no more than sixteen (16) single family units in a form that is substantially similar to the concept plan that is attached hereto; and

WHEREAS, the City and Emerald Pointe agree that an Affidavit of Facts shall be filed with the Lake County Recorder's Office in order to memorialize this Agreement.

NOW, THEREFORE, in consideration of the mutual benefits derived by the parties and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. In the event that the Property is rezoned from S-1/B-2 Special District/General Business District to R-1 Single Family Residential District, then this Agreement shall then be in full force and effect.

2. The Property may be developed with no more than sixteen (16) single family units in a form that is substantially similar to the concept plan that is attached hereto or if Emerald Pointe elects to do so, then the Property may be developed according to the zoning density requirements for S-1 Special District and;

NOTARY PUBLIC - OHIO
MY COMMISSION EXPIRES 02/28/18

RESOLUTION NO. _____-20

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT, INCLUDING ANY AND ALL ENSUING CHANGE ORDERS, WITH THE LOWEST AND BEST BIDDER TO REPLACE THE MECHANICAL COMPONENTS OF THE NO. 3 PRIMARY CLARIFIER AT THE WATER POLLUTION CONTROL PLANT, AND DECLARING AN EMERGENCY

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PAINESVILLE, LAKE COUNTY, OHIO:

SECTION I. That the City Manager is hereby authorized and directed to advertise for bids and enter into a contract, including any and all ensuing change orders, with the lowest and best bidder to replace the mechanical components of the No. 3 Primary Clarifier, in accordance with specifications on file in the office of the City Manager.

SECTION II. That this Resolution is passed as an emergency measure for the protection and preservation of the peace, health, safety and general welfare of the inhabitants of the City of Painesville, the emergency being the immediate necessity to maintain treatment capacity at the Water Pollution Control Plant; therefore, this Resolution shall become effective immediately upon its passage.

PASSED:

Paul W. Hach II
President of Council

ATTEST:

Valerie Vargo, CMC
Clerk of Council