



Council

Agenda Item

Date: July 15, 2020

To: Doug Lewis, Acting City Manager

From: Larry Armstrong, Lieutenant/Code Enforcement Supervisor

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 to 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 in February of 2020. After discussions and a work session with City Council 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 7 days in advance for an individual sale event or 14 days in advance of multiple sales as a “Special Event”. This was requested 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 a property up to 4 events per calendar year to be held for a total of 3 consecutive days.
- 4) Defines the maximum sales allowed per street and zoning classification. If the number of sales per street allowed are exceeded or more than 5% of a subdivision is having a sale on the same dates then the City Manager or Designee can evaluate any further approvals beyond that number based on several factors.
- 5) Differentiates between individual sales and multiple sales as a “Special Event.”

- 6) With a definition of “Special Event” this allows the City Manager or Designee to determine the necessity of hiring an off duty police officer/s based on a number of factors. 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.
- 7) No fee shall be charged for the issuance of the registration, but any other costs associated with the garage, yard or porch sale registrations held as a “Special Event” would be the sole responsibility of the applicant (i.e., cost for off duty police officers, place no parking signs, etc.).

Purchasing:

None

Financing:

None

Recommendation:

It is recommended for 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 ordinance can be passed as an emergency measure for the protection and preservation of the safety and welfare of the residents or proceed with three readings based on council’s decision.



Council Agenda Item

Date: June 5, 2020

To: Doug Lewis

From: Andy Unetic

Topic: Ordinance to Reclassify Positions as discussed with the City Manager

History: As required by City Manager Irelan, the position of the Public Works Superintendent will be reclassified from a grade 25 to a grade 23. This position is proposed to be re-classified as a result of the compensation study.

The Director of Finance will have the responsibilities of Human Resources Manager removed from his official duties. It will remove Human Resources Director from the title as Kris Young was recently moved into this position. The Director of Finance is classified at the proper grade of 26 and there is no proposed change.

Financing: The City will be coming back to City Council for a budget adjustment at a later date.

Recommendation: Approve the reclassifications. This Ordinance can go three (3) readings.



Council Agenda Item

Date: July 11, 2020

To: Douglas Lewis, Interim City Manager

From: Lynn White, City Planner

Topic: Ordinance –Enacting Section 1117.10 of the Painesville Unified Development Code

History:

At the July 9, 2020 the Planning Commission gave a favorable recommendation on the proposed text amendment to the Unified Development Code; Section 1117.10 Appearance Standards for Nonresidential Uses in the B-1 and B-2 Districts. Section 1117.10 provides development standards for all commercial properties within the B-1 and B-2 Business Zoning Districts. The standards are written to encourage high quality development in these areas. The new language was created to support the vision strategies within the Economic Development Strategic Plan and the 2006 Comprehensive Plan that focus on image enhancement and aesthetic issues.

Recommendation:

It is suggested that the Ordinance receive three (3) separate readings to allow for public comment.



Council Agenda Item

Date: August 3, 2020

To: Monica Irelan, City Manager

From: Valerie Vargo, Clerk of Council

Topic: Ordinance to Approve and Adopt the 2020 Codified Ordinances

History:

The Codified Ordinances have been reviewed and approved by Department Heads and are ready to be added to the Charter.

Financing:

The cost associated with this is budgeted in Council's budget under the Code Service.

Recommendation:

The legislation may go three reads, but should be approved after the third read under emergency.



Council Agenda Item

Date: August 12, 2020

To: Doug Lewis, Acting City Manager

From: Larry Armstrong, Lieutenant/Code Enforcement Supervisor

Topic: An Ordinance amending Section 1349.21 of the Painesville Code of 1998 related to rank vegetation and landscaping features.

History:

Ordinance has been passed and currently used in Code Enforcement of property maintenance violations. This update is to provide clarification relating to the ordinance at the direction of the Law Director.

Purchasing:

None

Financing:

None

Recommendation:

It is recommended for approval of the Ordinance to amend the existing rank vegetation and landscaping features. This ordinance is asked to be passed as an emergency measure to continue enforcement and use for property maintenance violations.



Council Agenda Item

Date: August 12, 2020

To: Doug Lewis, Acting City Manager

From: Larry Armstrong, Lieutenant/Code Enforcement Supervisor

Topic: An Ordinance amending Section 1349.211 of the Painesville Code of 1998 related to tree lawns.

History:

Ordinance has been passed and currently used in Code Enforcement of property maintenance violations. This update is to provide clarification relating to the ordinance at the direction of the Law Director.

Purchasing:

None

Financing:

None

Recommendation:

It is recommended for approval of the Ordinance to tree lawns. This ordinance is asked to be passed as an emergency measure to continue enforcement and use for property maintenance violations.



Council Agenda Item

Date: August 11, 2020

To: Doug Lewis

From: Andy Unetic

Topic: August 2020 Budget Increase

History: The City is requesting to increase the total 2020 budget by over \$2,300,000. The main reason is for the \$985,366 the City received from the C.A.R.E.S. Act Monies for the COVID-19 expenses. Another reason for the increase is for the new Fire Truck the City purchased earlier this year. Another reason for this budget increase is the City is going live with our new accounting software and we have to eliminate negative balances before we switch to the new software.

Financial: The C.A.R.E.S. Act monies will be used to offset payroll and non-payroll expenses due to COVID-19. The Fire Truck has already been paid for, this is just a bookkeeping issue to get the City in compliance with the Ohio Revised Code. The elimination of the negative accounts is just a bookkeeping issue as well so the City is in compliance with the Ohio Revised Code.

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



Council Agenda Item

Date: July 14th, 2020

To: Doug Lewis, Interim City Manager

From: Cathy Biertman, Economic Development Director

Topic: **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH NEXTSITE, LLC FOR RESEARCH, MARKETING AND CONSULTING SERVICES**

History: The City of Painesville has in the past used a system for analytics to recruit and attract retail prospects called Buxton. It was paid for through the Concord-Painesville JEDD. Today the Concord-Painesville JEDD is entering into a similar agreement with NextSite for research, marketing and consulting services. NextSite, however, under this agreement will also proactively recruit to position identified target retailers/restaurants into key targeted areas defined by the City (Richmond Street, Erie Street) for a success fee for any projects that result in an open business operation. The contract will start upon the agreement date and the success fees will continue after 24 months following the termination of the initial 3-year agreement. A project will be considered complete when the company opens its doors for business and a success fee will not be paid out until that time.

Purchasing: The contract amount paid by the Concord-Painesville JEDD is \$15,000 per year for 3 years. There is no cost to the City if we opt-into the contract with the agreement in place that the City will pay success fee's for any successful recruitment in the key targeted areas of the City. The fee's are outlined in Exhibit A.

Financing: The funds are budgeted within the City of Painesville's Economic Development Budget.

Recommendation: The Economic Development Committee of Council has recommended that this legislation move forward before City Council. This legislation may go three readings.