



## City of Pataskala *Legislative Report to Council*

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### Legislative Report

#### May 2, 2022 Council Meeting

#### Unfinished Business

##### A. Ordinances

➤ **ORDINANCE 2022-4419 – 3<sup>RD</sup> READING – AN ORDINANCE CREATING AND ESTABLISHING A NEW POSITION WITHIN THE CITY OF PATASKALA PARKS AND RECREATION DEPARTMENT, TO WIT: PARKS MAINTENANCE COORDINATOR**

The ordinance creates a full-time maintenance worker within the Parks and Recreation Department. Currently the parks department maintains 4 large parks and 3 passive parks in the city of Pataskala.

As council knows, since 2016 there has been (1) full-time employee in the parks department. The original duties of the position included oversight of temporary maintenance employees (2) and the oversight of all aspects of the youth soccer program which includes volunteer coaches, referees, baseball/softball program usage and project management for past park improvements.

With the addition of the pool in 2020 the duties of the Parks Manager increased significantly as he now has the added responsibility of overseeing aquatic operations. The Parks Manager obtained a Lifeguard Instructor and Aquatic Facility Operator certifications. This allows the Park Manager to also be the in-house trainer for our lifeguards. The Parks Manager has also recently assumed oversight of the concession stand operations at the pool.

In light of these extra duties, the administration has determined that additional staffing is both warranted and necessary. The department consists of three main categories: Parks, Recreation and Aquatics. After careful evaluation of all three categories, it has been determined that the best place to add a staff member is in the Parks category. The Recreation and Aquatics categories are seasonal by nature, while the Parks category provides necessary work to be done year-round. Examples of work that the Parks category has during the winter months include woods clearing/management, maintaining the garage and its inventory, vehicle and equipment maintenance, park bench rehabilitation and park project planning for the spring/summer season.

Attachment A is the Position Description as approved by PBR. The budget justification from the fall of 2021, for the position as well as extra supporting documentation, is included with Parks Manager Report.

➤ **ORDINANCE 2022-4420 – 3<sup>RD</sup> READING - AN ORDINANCE CREATING AND ESTABLISHING A NEW POSITION WITHIN THE CITY OF PATASKALA PUBLIC SERVICE DEPARTMENT, TO WIT: ASSISTANT CITY ENGINEER**

During the planning process for the 2022 Budget Cycle, a new position in the Public Service Department was included. This position is proposed to be the Assistant City Engineer and will provide office and field assistance to the Public Service Director. Addition of this position will allow for the Public Service Department to be both more efficient, by having a second person in the office to remove some burden from the Public Service Director, and more effective, by performing lower-level tasks that will allow the Public Service Director more time to focus on higher level tasks.

The current staffing in the office side of the Public Service Department is one person that is ultimately responsible for drainage, roadways, plowing, public relations, traffic, bridges, right-of-way management, management of the Department and associated facilities and equipment, management of consultants, development plan reviews and construction administration, developing CIP budget and projects, and finding funding for them, and acts as an integral part of the planning and decision making team for the City, among other things. The volume of these responsibilities in our growing City are already too much for one person to effectively manage on their own. To keep schedules moving, items from falling through the cracks, and to meet the expectations of Council, residents, developers, utility providers, the administration, and the Public Service Department, additional personnel resources are needed.

The Assistant City Engineer position will assist in several areas within the Department, including public relations, planning and development, CIP efforts, right-of-way management, and general administrative duties.

Public relations efforts are anticipated to include public notifications, public outreach, and being the 1<sup>st</sup> step in addressing resident concerns. Pending many factors, and especially the weather, the Public Service Department may receive up to 25 calls per week for drainage, plowing, construction, traffic, development, and/or general complaints about anything that is inside, and several things outside of, the right-of-way.

Planning and development responsibilities will primarily be management of construction on development projects. This task includes coordination with the inspector and construction administrator, tracking project status, and maintaining project files and schedules for walk-throughs and maintenance. In time, they will also assist with development plan reviews.

CIP efforts will include assistance with project identification, development, and planning, budgeting, finding funding opportunities, and completing funding applications.

Right-of-way management has taken on a life of its own with the number of annual permits doubling, from about 100 in 2017, to over 200 per year by 2020. Some of these have large plan reviews tied to them, they regularly have construction issues associated with them, and we currently do not have inspection set up for observation during construction. The Assistant City Engineer will review permits, coordinate with

utilities for plan review, bonding, inspection fees, and scheduling, as well as coordinate for inspection and restoration of disturbed facilities as needed.

General administrative tasks are numerous and all encompassing. Filing of plans and documents prior to 2016 is scattered and incomplete at best; accordingly, the Assistant City Engineer will work to find, organize, and digitize existing plans and documents. They will also be tasked with developing standard construction drawings, specifications, and documents, which have been on the to-do list since 2016. They will generally help keep many projects moving that otherwise have, or will, stall with the current and expected workload.

In summary, the Assistant City Engineer will assist the Public Service Director with any, and all, current and future efforts of the Department. Most poignantly, without this position the Public Service Department will not be able to maintain the current CIP schedule and projects will be delayed. Similarly, review of development construction plans will slide even further from the already delayed schedule of about 3 months per application. In short, the addition of this position is critical to the operational health and welfare of the Public Service Department, as it is not possible to meet current expectations with the lack of resources, let alone meet the future expectations of our rapidly developing City.

This proposed position has already been vetted by the Administration, the PBR, and the Streets Committee. The outline justification that has been provided to, and discussed with, the Streets Committee is included in the Public Service Director's Council report, and the Position Description is attached to the Ordinance. The position would be compensated in the range indicated on the job description and based on their level of experience.

Approval of Ordinance 2022-4420 is recommended.

➤ **ORDINANCE 2022-4417 – 2<sup>ND</sup> READING - AN ORDINANCE TO REZONE A PORTION OF THE PROPERTY LOCATED ON TAYLOR ROAD SW, PARCEL #063-140190-00.000, TOTALING 36.18 + ACRES, IN THE CITY OF PATASKALA FROM THE PLANNED MANUFACTURING (PM) ZONING CLASSIFICATION TO THE MULTI-FAMILY RESIDENTIAL (R-M) ZONING CLASSIFICATION**

Karl Billisits, Harmony Development, is requesting to rezone 36.18-acres of the 48.9-acre property located at the southwest corner of Taylor Road and Kennedy Road from the PM – Planned Manufacturing district to the R-M – Multi-Family Residential district pursuant to Section 1217.13 of the Pataskala Code. Prior to filing an application, the applicant met with staff, the Development Committee, and the Planning and Zoning Commission to receive feedback on their proposal. At each of these levels, it was recommended that the applicant rezone to a Planned Development District to properly account for the proposed mix of uses on the property; however, the applicant elected to pursue a “straight” rezoning to the R-M – Multi-Family Residential district. Although the applicant submitted a concept plan as part of their application, the applicant is not required to adhere to the plan under a “straight” rezoning if approved. Over the course of four months, the Planning and Zoning Commission tabled the application twice before ultimately recommending to disapprove the rezoning request. A key component of their decision is the request did not align with the Comprehensive Plan, which recommends a single-family residential (Medium Density Residential)

use of the property, not multi-family as proposed. Should the property be rezoned to the R-M – Multi-Family Residential district, apartments would be permitted by right, and condominiums would be permitted upon the approval of a Conditional Use by the Board of Zoning Appeals.

## B. Resolutions

### New Business

#### A. Ordinances

##### ➤ **ORDINANCE 2022-4422 – 1<sup>ST</sup> READING - SUPPLEMENTAL APPROPRIATION**

We have identified several adjustments to the 2022 budget which require additional appropriations. **We are respectfully requesting that Council hold the 1<sup>st</sup> reading of the ordinance at the May 2<sup>nd</sup> meeting. We would anticipate that this legislation will go through all three (3) required readings.**

- *Section 1: Police Wage Increase* – City Council recently directed the City Administrator and Finance Director to negotiate with the FOP and OPBA for officer and sergeant wage increases. Resolutions 2022-047 (FOP) and 2022-048 (OPBA) provide the mechanism for Council to approve the MOUs which increase officer and sergeant pay. Based upon the proposed average 10.76% pay rate increase, I've estimated the impact to the 2022 budget to be \$81,250. **We are requesting an increase in approved appropriations of \$81,250 from the Police Fund (208) to be able to pay the wage, pension and other payroll-related expenses associated with the increase in officer wages.**
- *Section 2: Police Body Cameras* – The Police department has been experiencing reliability issues with their current body camera system. Currently, only six (6) of the original thirteen (13) units purchased in 2018 are still functioning. Additionally, the company the city previously contracted with for the equipment and cloud storage was recently acquired by Motorola. Motorola offers an operating lease program where the equipment will be updated after three (3) years of use. The 5-year program is under the state term schedule program (contract ID #573077-0). The total estimated cost of the program is \$62,980 with \$13,796 of the total due in 2022 (see attached quote). The remaining outlying years would cost the city \$12,296 per year. The PD would like to make the 2022 payment for this equipment from the Law Enforcement Trust (212) fund. Unfortunately, there was only \$5,000 appropriated as a part of the 2022 budget, some of which has already been used for other expenditures. As a result, the PD is requesting a budget increase to accommodate this expenditure. **We are requesting an increase in approved appropriations of \$10,000 from the Law Enforcement Trust Fund (212) to pay the FY22 expenses related to the replacement of the officer body camera systems.**
- *Section 3: Police K-9 Purchase* – When Officer Morton retired at the end of 2021, the city was left with only a single K-9 animal. Due to increased demand for K-9 services, the city would prefer to have more than one animal at its disposal. The Police department received a proposal (see attached proposal) from Storm Dog Tactical for the purchase of a K-9 animal, officer/dog training and equipment. The

total cost of the transaction would be \$18,500. Unfortunately, the purchase of a K-9 animal was not included in the approved 2022 budget. **To be able to cover the costs of purchasing a K-9 animal and the required ancillary equipment, we are requesting an increase in approved appropriations of \$18,500 from the Police K-9 (218) fund.**

- *Section 4: Sewer OPWC Project Grant* - The Utility Department is conducting a sanitary sewer lining project in 2022 to reduce the amount of I&I water entering the collections system. This project is currently in the budget with a total approved budget amount of \$500,000. Of that amount, \$250,000 will come from the Sewer Capital Improvement Fund and the remaining \$250,000 will come from HB 158 in the form of a grant to the city.

The Utility Department also applied for an OPWC grant in the amount of \$250,000 to be added to this project. This amount was not originally included in the approved budget, as we were unsure if we would receive those grant funds. The sewer lining project was recommended at the district level for award of those funds in the amount of \$250,000. The State will release the official decision at the beginning of July. To account for those funds, we are requesting that an additional \$250,000 in appropriations be added to the project budget, bringing the total project amount to \$750,000. If the State decides to go against the district recommendation and not award the grant, we will simply lower the project budget to the \$500,000 in the existing budget and not spend the other \$250,000.

## Consent Agenda

### 3. Motions

### 4. Resolution

#### ➤ **RESOLUTION 2022-047 - FOP WAGE INCREASE**

At the April 18<sup>th</sup> meeting, City Council directed the City Administrator and Finance Director to enter into negotiations with the FOP for a Memorandum of Understanding (MOU) which would increase the wage rates of the Police patrol officers. A majority of the members of the FOP voted to accept the MOU and increase the pay scale by an average 10.76% from the current contract. This would bring the top step rate of pay to \$32.21 per hour. **We are recommending that Council approve the resolution and accept the MOU with the FOP as presented and approved by the FOP.**

#### ➤ **RESOLUTION 2022-048 - OPBA WAGE INCREASE**

The wage scale for the Police sergeants is directly tied to the patrol officer rates of pay. If Resolution 2022-047 is approved, the sergeants' rates of pay will automatically increase. To ensure clarity and eliminate any future audit issues, we have requested that the members of the OPBA approve an MOU (which they have already done) which would memorialize their new pay rates. This would set the top step rate of pay to \$39.85 per hour. **We are recommending that Council approve the resolution and accept the MOU with the OPBA as presented and approved by the FOP.**

➤ **RESOLUTION 2022-050 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT TO PURCHASE A BULK WATER STATION FROM PELTON ENVIRONMENTAL PRODUCTS**

The Pataskala Utility Department has identified excess water capacity at its two water treatment plants. The Administration has determined that this excess water capacity could be sold through a bulk water point to contractors for construction activities, pool filling, etc.

The Utility Department gathered two quotes for the equipment needed to create a bulk water station. One quote from Franklin Miller came in at \$63,316.00 and the other quote from Pelton came in at \$48,995. The Pelton quote includes on site start up training as well.

The funds for this project have been included in the 2022 Budget. The bulk water concept has been approved by the Utility Committee and the rate for the bulk water sales was approved by council via Ordinance 2022-4418.

Approval of Resolution 2022-050 is recommended.

➤ **RESOLUTION 2022-051 – A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT THE BID OF, AND EXECUTE A CONTRACT WITH, G&G ENTERPRISES COMPLETE EXCAVATING SERVICE, LLC FOR CONSTRUCTION SERVICES FOR THE TAYLOR ROAD STORM SEWER PROJECT.**

The bid opening for construction of the Taylor Road Storm Sewer project was held on Thursday, March 24, 2022. Four bids were received from the following contractors: BK Layer, LLC., SpenCo Excavating, Inc., I-Dig Construction Group, and G&G Enterprises Complete Excavating Service, LLC. All bids were awardable but G&G's bid was lowest and best at a value of \$230,411.00. American Structurepoint, Inc. has reviewed the bid packages and found that all is in order with the bids. The Public Service Director conducted reference checks and did not find any items of note.

This project is identified in the 2022 budget as project number SVC-16-013. The construction budget for the project is \$325,000 and the Engineer's Estimate for the project was \$285,000. As the low bid for the project was only \$230,411, the PSD had a pre-award discussion with the contractor in an attempt to ensure that the contractor had an ample understanding of the project and that they did not miss anything. The PSD does have a level of comfort with their response and approach, but would also like the flexibility of contingency dollars in the approved project budget. Accordingly, the PSD is requesting a total authorized project budget of \$255,000 to cover any unforeseen items. This request represents approximately 10% of the bid value, is still \$70,000 below the planned cost and will help streamline the process of navigating any needed changes.

Approval of Resolution 2022-051 is recommended.

➤ **RESOLUTION 2022-052 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR, OR HIS DESIGNEE, TO ADVERTISE, RECEIVE, AND REVIEW BIDS FOR THE MUNICIPAL FACILITIES MAINTENANCE AND CLEANING SERVICE CONTRACT**

The City of Pataskala operates and maintains multiple municipal buildings, to include the City Administration Offices (621 West Broad Street), the Police Department (623 West Broad Street) and the Old Town Hall (430 South Main Street). A third party is used for cleaning services at those buildings. The current contract for

cleaning services expires in June of 2022. A new contract must be entered into for cleaning services past that date.

The administration believes that this contract will come in above the \$50,000 competitive bid threshold. This resolution will authorize the Administrator to advertise, receive and review bids for the cleaning service contract as allowed under section 8.02 of the City Charter. Once the bids have been reviewed and a preferred bid has been selected, that bid will come to council for acceptance consideration.

Approval of Resolution 2022-052 is recommended.