



City of Pataskala *Legislative Report to Council*

Legislative Report

August 1, 2022 Council Meeting

Unfinished Business

A. Ordinances

- **ORDINANCE 2022-4417 – 3rd 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 2022-4426 - 1st READING - AN ORDINANCE TO AMEND THE EMPLOYEE HANDBOOK & POLICY MANUAL FOR PUBLIC EMPLOYEES OF THE CITY OF PATASKALA**

When Clemans-Nelson was first brought on as our Human Resources consultant, one of the first major items the Administration tasked that firm with was a thorough review of the Employee Handbook & Policy Manual. The last major amendment to the Employee Handbook & Policy Manual took place on September 21, 2020, with the adoption of Ordinance 2020-4372. Prior additions/changes to the handbook were done in more of a reactive way (to solve a newly identified problem like Covid-19). As a result, the handbook needed some housekeeping in the areas of “best HR practices” and modernization. The adoption of the handbook codifies the City’s employment practices and supplements areas where our collective bargaining agreements are silent. Exhibit A is the handbook itself and Exhibit B is a listing of the changes made in this edition.

➤ **ORDINANCE 2022-4427 – 1ST READING - ONEOHIO OPIOID SETTLEMENT**

The city has been recently notified that it can expect to receive approximately \$30,000 in funds from the opioid settlement (“OneOhio”) between the State of Ohio and the pharmaceutical companies. The funds are required by the Auditor of State to be placed in a separate fund and are restricted as to purpose. To create the new fund, Council authorization is required and is the purpose of this ordinance. **We anticipate that this legislation will go through the required 3 readings. We are requesting that Council hold the first reading of this legislation at the August 1st Council meeting.**

Consent Agenda

3. Motions

➤ **MOTION TO DIRECT THE CITY ADMINISTRATOR TO SEND A LETTER TO THE LICKING COUNTY TRANSPORTATION IMPROVEMENT DISTRICT (TID) SUPPORTING A FEASIBILITY STUDY FOR TRAFFIC FLOW PATTERNS BETWEEN INTERSTATE-70 AND THE SR-161 CORRIDORS.**

With the addition of Intel to our north, the possibility exists for a significant amount of traffic between I-70 and the Intel site. Recognizing this fact, the Licking County TID consultant reached out to several communities on the western edge of Licking County asking for a letter of support to identify and study the different routes that traffic might take to and from the new site. No city funds would be expended as a result of this motion. However, it may make it easier for the TID to access certain infrastructure funds available from the State or Federal government.

4. Resolution

➤ **RESOLUTION 2022-066 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A USE AGREEMENT WITH THE COMBINED GENERAL HEALTH DISTRICT OF LICKING COUNTY (AKA THE LICKING COUNTY HEALTH DEPARTMENT) (LCHD)**

The LCHD notified the Administration in March that they might be interested in becoming long-term tenant of 621 W. Broad St. After a series of meetings to evaluate the location the LCHD decided to enter into a 3-year lease for room 1-F consisting of approximately 1,254 total useable square feet. This legislation allows for the City Administrator to enter into that 3-year lease agreement. This space, essentially, will become a Western Branch of the LCHD in Pataskala. Our hope is that this is a serious long-term tenant and a partnership that helps the 2 governmental bodies as well as the citizens of Pataskala.

➤ **RESOLUTION 2022-070 - A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A NEW EMPLOYMENT AGREEMENT WITH JAMES M. NICHOLSON.**

The Finance Director's current contract expires on December 31, 2022. Discussions were held with Mr. Nicholson regarding the terms of his next contract. The outcome of those discussions resulted in the proposed contract. Most of the contract terms remain unchanged from the 2018 renewal, however there are several key sections that did change. Specifically, the term of the contract would now run from January 1, 2023, through December 31, 2025. Additionally, his annual salary would increase by 6.18% to \$125,000 in 2023, and then by the greater of 3% or the rate of increase awarded to the non-union employees (not to exceed 4%) in 2024 and 2025. Finally, effective January 1, 2023, the pension pick-up is being increased from 50% to 100% which is in line with the rate of pick-up for the City Administrator. Otherwise, all other sections (such as vacation, etc.) in the contract remain unchanged. **We are requesting that Council approve the resolution at the August 1st meeting.**

➤ **RESOLUTION 2022-071 – A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR FEDERAL ATTRIBUTABLE FUNDS PROGRAMMED BY THE MID-OHIO REGIONAL PLANNING COMMISSION TO IMPROVE THE STATE ROUTE 16 CORRIDOR**

This Resolution is required by MORPC as part of the Attributable Funds application to verify that the project is of importance and interest to the City. By design, the format and language of the Resolution follows the MORPC template and needs approval as such. The Resolution itself does not commit the City to anything, but simply shows MORPC that the project is important to and supported by the applicants Legislative Body; which of course in this case, is Council for the City of Pataskala. Failure to approve and provide this legislation to MORPC will count against the City, and the application will not be considered without it. Approval of this resolution is recommended such that the City can move forward with the MORPC Attributable Funds application for improvements to the Broad St. Downtown Corridor.

➤ **RESOLUTION 2022-072 – A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO CONTRACT WITH SPENCO EXCAVATING, INC. TO PERFORM MAINTENANCE WORK ON THE GLENBROOKE/CITIZENS PARK RETENTION POND**

The purpose of this project is to mitigate flooding that happens on Monarch Dr. and to perform typical scheduled maintenance to the retention basin in Citizen’s Park that serves the Glenbrooke subdivision. The first phase of this project was the addition of an outlet structure to the first pond in the series in the Glenbrooke subdivision. That project has been successful, but the second project is needed to optimize the system and reduce the potential for flooding.

This project will add an outlet structure to, and perform a partial dredge of, the pond. The outlet structure will help prevent clogging of the outlet that is currently experienced and provide a more consistent flow through the pond outlet as well. The outlet aspect of the project will cost slightly less than \$20k. Ideally, the pond would also be fully dredged, but that endeavor would likely cost in excess of \$50k alone. In an attempt to be frugal and productive, the additional \$15k will be used to dredge as much of the pond as possible within the dollar amount. This effort will be tracked hourly and charged at an hourly rate.

This project was not specifically included in the CIP budget, but dollars from project SVC-18-004 are planned to be used to fund it. SVC-18-004 is the annual project for moderate sized storm sewer projects, which is typically used for large diameter culvert replacement. As we do not have a large diameter culvert to replace this year, and this project is a stormwater system maintenance project, it is a viable project for these funds.

The total cost of this project will be \$35,000. Approval of Resolution 2022-072 is recommended.

➤ **RESOLUTION 2022-073 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH VISU-SEWER OF OHIO LLC. FOR CONSTRUCTION SERVICES FOR PHASE 1 OF THE 2022 SEWER LINING PROJECT**

The Utility Department recently had a bid opening for Phase 1 of the 2022 Sewer Lining Project. This project is in response to the EPA requirement to reduce the amount of I&I water entering our collections system. The project will line the sanitary sewer mains in the River Forest and some of the Oak Meadow Drive areas, sealing up the leaking joints.

A bid opening was held on July 19th. We received three bids, all surprisingly lower than was anticipated. After having Verdantas evaluate the bids, the Utility Director feels that the bid from Visu-Sewer of Ohio LLC. is the lowest and best bid for this project.

Visu-Sewer of Ohio LLC. provided a bid in the amount of \$200,067. In order to encumber enough funds to account for contingencies on the project, we are requesting that council authorize a contract in an amount not to exceed \$220,000. The funds for this contract are available in the 2022 Utility Department Budget.

Approval of Resolution 2022-073 is recommended.

➤ **RESOLUTION 2022-074 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR, OR HIS DESIGNEE, TO ADVERTISE, RECEIVE, AND REVIEW BIDS FOR PHASE 1B OF THE 2022 SEWER LINING PROJECT**

The Utility Department recently received bids for Phase 1 of the 2022 Sewer Lining Project. Those bids came in surprisingly low, about 1/3 of the engineers estimate. Neither the engineers nor myself expected to receive bids that low.

Because most the funding for this project is in the form of grants, the low bids actually present an issue. The bids actually came in so low that some of the grant funding would not be able to be used resulting in the loss of least \$250,000.

In light of this, we are expanding the scope of the project to include more territory. The addition of this expanded scope will bring the total cost of the project back in line with what was anticipated. It will also enable us to finish lining the sewers in the Oak Meadow Drive areas as well as in the Linda, Liden, Third Street areas of Old Town. This Resolution will grant permission to advertise for bids on that expanded area, identified as Phase 1B. Once bids are opened and evaluated, we will come back to council to request and discuss acceptance.

Approval of Resolution 2022-074 is recommended.