



## CITY OF PATASKALA

### ORDINANCE 2023-4445

Passed March 20, 2023

#### **AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES DURING THE FISCAL YEAR ENDING DECEMBER 31, 2023.**

*WHEREAS*, Council previously adopted the Municipal Budget (“the budget”) for the year ending December 31, 2023 (Ord. 2022-4432), and is authorized to amend the budget during the budget year; and

*WHEREAS*, the Pataskala Police department (“the Police department”) received the sum of ten thousand dollars (\$10,000.00) in proceeds from an insurance claim due to a totaled cruiser and approximately fifteen thousand dollars (\$15,000.00) from the auction sale of outdated cruisers; and

*WHEREAS*, the Police department would like to have these funds appropriated for the purchase of several used cruisers from the Ohio State University (“OSU”); and

*WHEREAS*, the Police department included a total of one hundred thousand dollars (\$100,000.0) in the 2023 budget for the purchase of two (2) fully-equipped new cruisers; and

*WHEREAS*, the cost for the cruisers has increased significantly since the budget was proposed, and;

*WHEREAS*, the approved 2023 budget did not contain sufficient appropriations for these expenditures; and and

*WHEREAS*, the City of Pataskala is working with the Licking County Transportation District (“LCTID”), Etna Township (“the township”) and the State Infrastructure Bank (“the SIB”) for the construction of infrastructure improvements to Refugee Road (“the project”); and

*WHEREAS*, the City of Pataskala will be receiving the sum of one million five hundred thousand dollars (\$1,500,000.00) from TPA Group for the project and the sum of one hundred sixty thousand dollars (\$160,000) from Red Rock Group for the project; and

*WHEREAS*, the terms of the agreement between the parties call for the City to disburse those funds within fourteen (14) days of receipt; and

*WHEREAS*, the City has agreed to pay upfront the sum of one hundred sixty thousand dollars (\$160,000.00) owed by Red Rock Group in exchange for a promise from Red Rock Group to reimburse the City at a later date; and

*WHEREAS*, the approved 2023 budget did not contain appropriations for these expenditures; and

*WHEREAS*, the Pataskala Utility Department identified the need to install standby generators at several of its remote infrastructure locations as a part of the 2023 budget process; and

**WHEREAS**, that generator project was submitted to the Ohio Public Works Commission (OPWC) for consideration but was not recommended for funding in 2023; and

**WHEREAS**, the Utility Department had planned on spending sixty-five thousand dollars (\$65,000.00) from the Water Capital Improvements (602) fund and sixty-five thousand dollars (\$65,000.00) from the Sewer Capital Improvements (652) fund to provide the local match portion of the project; and

**WHEREAS**, the Utility Department has decided to reduce the scope and scale of the project so that the one hundred thirty thousand dollar (\$130,000.00) could cover the expenses internally; and

**WHEREAS**, the appropriations need to be moved from the Water Utility State Issue II (OPWC) fund and the Sewer Utility State Issue II (OPWC) fund in the 2023 budget to the Water Capital Improvements (602) and the Sewer Capital Improvements (652) fund; and

**WHEREAS**, the City of Pataskala undertook the South Main Street Improvements project to make infrastructure and aesthetic improvements along SR 310 from Mill Street to the railroad tracks; and

**WHEREAS**, as part of this project, Council for the City of Pataskala approved Resolution 2015-066 to enter into an Agreement with American Electric Power (AEP) to remove power poles and install underground electric as part of this improvement; and

**WHEREAS**, this work is complete and AEP has invoiced the City for an amount well in excess of the original Agreement value; and

**WHEREAS**, the Administration is working with AEP to resolve the difference, but recognizes that the city does owe the original Agreement amount; and

**WHEREAS**, Council recognizes that overages in the amount of 20% would be standard and acceptable; and

**WHEREAS**, the sum of one hundred sixty-one thousand dollars (\$161,000.00) represents the original estimate plus 20%; and

**WHEREAS**, the funds are available in the State Route 310 TIF (306) fund, and this use qualifies for funding under the TIF guidelines; and

**WHEREAS**, the city received the sum of five thousand six hundred ninety three dollars (\$5,693.00) in December 2022 for the 2022-2023 Aquatic Education Grant from the Ohio Department of Natural Resources (ODNR); and

**WHEREAS**, the awarded amount was not appropriated in the 2023 budget due to the lateness in receiving the funds which are to be used for fishing equipment, stocking park ponds, program advertising, and bait; and

**WHEREAS**, the awarded amount will fund everything needed for the Passport to Fishing Program activities being held in April-June 2023, and the Outdoor Adventure Day event which will be held on June 24, 2023; and

**WHEREAS**, the City of Pataskala maintains the public roadways, bridges, and infrastructure within the City; and

**WHEREAS**, the Public Service Department had a roughly 90% carryover balance in the Street Fund from the 2022 budget to 2023; and

**WHEREAS**, Council for the City of Pataskala wants to repair and maintain roadways with the best

treatments possible; and

**WHEREAS**, the Administration has identified improvements necessary to the Barrington Ridge Subdivision, to include an asphalt mill and fill; and

**WHEREAS**, the Administration estimates that completing the asphalt mill and fill will cost approximately three hundred thousand dollars (\$300,000.00); and

**WHEREAS**, the current budgeted amount for the 2023 Streets Program does not include this amount; and

**WHEREAS**, the Administration would like to use the sum of three hundred thousand dollars (\$300,000.00) from the carryover balance that is available in the Street (201) fund; and

**WHEREAS**, pursuant to Section 5.04 of Article V of the Charter of the City of Pataskala, the Finance Department has determined that it is necessary to make certain amendments to the 2023 budget; and

**WHEREAS**, Ohio Revised Code Section 5705.41(B) provides, in part, that no subdivision or taxing unit shall “make any expenditure of money unless it has been appropriated in such chapter.”

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF ALL MEMBERS ELECTED OR APPOINTED THERETO CONCURRING, THAT:**

Section 1: Council hereby authorizes an increase in the Police function, Capital Outlay object in the amount of **forty thousand dollars (\$40,000.00)** from the **Police Fund (Fund 208)** to cover the budget shortfall for the purchase of 2023 cruisers and to pay for the purchase of several used cruisers from the Ohio State University Police department, as follows:

***POLICE FUND***

**Police**

208.301.55302	Capital Outlay	\$ 40,000
	<b>Total Police</b>	<b>\$ 40,000</b>
	<b>Total Police Fund</b>	<b>\$ 40,000</b>

Section 2: Council hereby authorizes an increase in the Public Service function, Capital Outlay object in the amount of **one million six hundred sixty thousand dollars (\$1,660,000.00)** from the **Capital Improvements Fund (Fund 301)**, as follows:

***CAPITAL IMPROVEMENTS FUND***

**Public Service**

301.401.55401	Capital Outlay	\$ 1,660,000
	<b>Total Public Service</b>	<b>\$ 1,660,000</b>
	<b>Total Capital Improvements Fund</b>	<b>\$ 1,660,000</b>

Section 3: Council hereby authorizes a decrease in the Transfers & Advances function, Transfers & Advances object in the amount of **sixty-five thousand dollars (\$65,000.00)** from the **Water Capital Improvements fund (Fund 602)** to the **Water Utility State Issue II (OPWC) fund (Fund 606)**, as follows:

***WATER CAPITAL IMPROVEMENTS FUND***

**Transfers & Advances**

602.901.59101	Capital Outlay	\$ (65,000)
	<b>Total Transfers &amp; Advances</b>	<b>\$ (65,000)</b>
	<b>Total Water Capital Improvements Fund</b>	<b>\$ (65,000)</b>

**Section 4:** Council hereby authorizes an increase in the Water Utility function, Capital Outlay object in the amount of **sixty-five thousand dollars (\$65,000.00)** from the **Water Capital Improvements fund (Fund 602)** to pay expenses related to the installation of backup generators, as follows:

***WATER CAPITAL IMPROVEMENTS FUND***

**Water Utility**

602.802.55453	Capital Outlay	\$ 65,000
	<b>Total Water Utility</b>	<b>\$ 65,000</b>
	<b>Total Water Capital Improvements Fund</b>	<b>\$ 65,000</b>

**Section 5:** Council hereby authorizes a decrease in the Water Utility function, Capital Outlay object in the amount of **one hundred thirty thousand dollars (\$130,000.00)** from the **Water Utility State Issue II (OPWC) fund (Fund 606)**, as follows:

***WATER STATE ISSUE II (OPWC) FUND***

**Water Utility**

606.802.55453	Capital Outlay	\$ (130,000)
	<b>Total Water Utility</b>	<b>\$ (130,000)</b>
	<b>Total Water State Issue II (OPWC) Fund</b>	<b>\$ (130,000)</b>

**Section 6:** Council hereby authorizes a decrease in the Transfers & Advances function, Transfers & Advances object in the amount of **sixty-five thousand dollars (\$65,000.00)** from the **Sewer Capital Improvements fund (Fund 652)** to the **Sewer Utility State Issue II (OPWC) fund (Fund 656)**, as follows:

***SEWER CAPITAL IMPROVEMENTS FUND***

**Transfers & Advances**

652.901.59101	Capital Outlay	\$ (65,000)
	<b>Total Transfers &amp; Advances</b>	<b>\$ (65,000)</b>
	<b>Total Sewer Capital Improvements Fund</b>	<b>\$ (65,000)</b>

**Section 7:** Council hereby authorizes an increase in the Sewer Utility function, Capital Outlay object in the amount of **sixty-five thousand dollars (\$65,000.00)** from the **Sewer Capital Improvements fund (Fund 652)** to pay expenses related to the installation of backup generators, as follows:

***SEWER CAPITAL IMPROVEMENTS FUND***

**Sewer Utility**

652.852.55453	Capital Outlay	\$ 65,000
	<b>Total Sewer Utility</b>	<b>\$ 65,000</b>
	<b>Total Sewer Capital Improvements Fund</b>	<b>\$ 65,000</b>

**Section 8:** Council hereby authorizes a decrease in the Sewer Utility function, Capital Outlay object in the amount of **one hundred thirty thousand dollars (\$130,000.00)** from the **Sewer Utility State Issue II (OPWC) fund (Fund 656)**, as follows:

***SEWER STATE ISSUE II (OPWC) FUND***

**Sewer Utility**

656.852.55453	Capital Outlay	\$ (130,000)
	<b>Total Sewer Utility</b>	<b>\$ (130,000)</b>
	<b>Total Sewer State Issue II (OPWC) Fund</b>	<b>\$ (130,000)</b>

**Section 9:** Council hereby authorizes an increase in the Public Service function, Capital Outlay object in the amount of **one hundred sixty-one thousand dollars (\$161,000.00)** from the **State Route 310 TIF Fund (Fund 306)** to pay expenses to American Electric Power (AEP) for infrastructure improvements related to the Main Street/SR 310 project, as follows:

***STATE ROUTE 310 TIF FUND***

**Public Service**

306.401.55401	Capital Outlay	\$ 161,000
	<b>Total Public Service</b>	<b>\$ 161,000</b>
	<b>Total State Route 310 Tif Fund</b>	<b>\$ 161,000</b>

**Section 10:** Council hereby authorizes an increase in the Recreational Programming function, General Operating object in the amount of **five thousand six hundred ninety-three dollars (\$5,693.00)** from the **Recreation Fund (Fund 206)** to pay grant-funded expenses related to the Ohio Department of Natural Resources (ODNR) Sport Fish Restoration grant, as follows:

***RECREATION FUND***

**Recreational Programming**

206.651.54103	General Operating	\$ 5,693
	<b>Total Recreational Programming</b>	<b>\$ 5,693</b>
	<b>Total Recreation Fund</b>	<b>\$ 5,693</b>

**Section 11:** Council hereby authorizes an increase in the Public Service function, Capital Outlay object in the amount of **three hundred thousand dollars (\$300,000.00)** from the **Street Fund (Fund 201)** to pay for an increase in the 2023 street program, as follows:

***STREET FUND***

**Public Service**

201.401.55401	Capital Outlay	\$ 300,000
	<b>Total Public Service</b>	<b>\$ 300,000</b>
	<b>Total Street Fund</b>	<b>\$ 300,000</b>

**Section 12:** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision-making bodies of the City of Pataskala which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

**Section 13:** This Ordinance shall become effective from and after the earliest period allowed by the Charter of the City of Pataskala.

**Attest:**

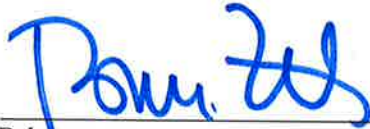


Kathy M. Hoskinson, Clerk of Council



Michael W. Compton, Mayor

**Approved as to form:**



Brian M. Zets, Law Director