



CITY OF PATASKALA

COUNCIL MEETING

April 3, 2017

The Council of the City of Pataskala met in regular session on April 3, 2017 at 7:00 PM in City Hall, located at 621 W. Broad Street. The pledge of allegiance was given and an invocation was provided. Roll Call: Powell, Hayes, Barstow, Lee, Walther, and Carter-present. Hickin was absent. Mayor Michael W. Compton presiding and Brian M. Zets, Law Director was present.

Lee made a motion to amend the agenda to include an Executive Session pursuant to Ohio Revised Code Section 121.22(G) (3) after item #9. Seconded by Hayes. Roll Call: Powell, Hayes, Barstow, Lee, Walther, and Carter-yes. Mayor Compton declared the motion passed.

Citizens Comments

Mike Fox, William Muncy, Leanne Barbee, Jeff Kohler addressed City Council. These comments are available by audio recording through the Office of the Clerk of Council in accordance with the City's record retention schedule.

Introduction, discussion and approval of Consent Agenda matters

Barstow made a motion to approve the Consent Agenda. Seconded by Carter. Roll Call: Hayes, Barstow, Lee, Walther, Carter, and Powell-yes. Mayor Compton declared the Consent Agenda passed.

The Consent Agenda included the Administrator's Report, Department Reports and the minutes from the March 20, 2017 Council Meeting and a motion to excuse the absences of Tom Lee and Melissa Carter from March 20, 2017 Council Meeting.

Reports

Mayor Compton thanked Zack Cowan for the Severe Weather Sirens Map.

James Nicholson, Finance Director gave an overview of the master calendar he was working on.

Alan Haines, Director of Public Services reviewed resolutions pertaining to the Department of Public Services that was before Council this evening.

Scott Fulton, Planning Director gave an update on the Comprehensive Plan and regulations for demolition.

Committee Chair Reports:

Agriculture Committee: Tom Lee provided an update on the recent Agriculture Committee Meeting held this evening. He reported the Ag Committee had recommended approval of the applications before Council this evening.

Finance Committee: Barstow announced there would be a Finance Committee held on May 1st at 6:30 PM.

Unfinished Business

Barstow made a motion to have the fourth reading of Ordinance 2017-4281. Seconded by Hayes. The Clerk read the following:

ORDINANCE 2017-4281 Fourth Reading An ordinance to make supplemental appropriations for current expenses and other expenditures during the fiscal year ending December 31, 2017.

Barstow made a motion to adopt Ordinance 2017-4281. Seconded by Carter. Roll Call: Lee, Walther, Carter, Powell, Hayes, and Barstow-yes. Mayor Compton declared the motion passed.

Lee made a motion to approve the application to renew an Agricultural District submitted by Ronald E. Kissell ET AL. Seconded by Barstow. Roll Call: Walther, Carter, Powell, Hayes, Barstow, and Lee-yes. Mayor Compton declared the motion passed.

Lee made a motion to approve the application to renew an Agricultural District submitted by Richard T. Kucharski. Seconded by Barstow. Roll Call: Walther, Carter, Powell, Hayes, Barstow, and Lee-yes. Mayor Compton declared the motion passed.

New Business

Barstow made a motion to have the first reading of Ordinance 2017-4282. Seconded by Powell. The Clerk read the following:

ORDINANCE 2017-4282 First Reading An ordinance to amend Section 1117.15 of the Codified Ordinances of the City of Pataskala and repeal all other ordinances and parts of the ordinances in conflict therewith.

Barstow made a motion to have the first reading of Ordinance 2017-4283. Seconded by Lee. The Clerk read the following:

ORDINANCE 2017-4283 First Reading An ordinance to establish a Development Payment In-Lieu Fund for the City of Pataskala.

Barstow made a motion to have the first reading of Ordinance 2017-4285. Seconded by Powell. The Clerk read the following:

ORDINANCE 2017-4285 First Reading An ordinance to prohibit medical marijuana cultivators, processors, and retail dispensaries, licensed under Ohio law, from locating and/or doing business within the City of Pataskala, Ohio

Lee made a motion to dispense with the readings of Ordinance 2017-4285 on three separate dates as provided for in Section 4.04 of the Charter of the City of Pataskala. Seconded by Powell. Roll Call: Barstow-no, Lee-yes, Walther-no, Carter-no, Powell-yes, and Hayes-yes. Mayor Compton declared the motion failed.

Discussion was regarding the current ordinance on the books, the proposed legislation, the concerns of the residents, and the need to provide the Law Director with direction for any proposed amendments.

Lee made a motion to remove Resolution 2017-022 from the table. Seconded by Barstow. Roll Call: Lee, Walther, Carter, Powell, Hayes, and Barstow-yes. Mayor Compton declared the motion passed.

Discussion was regarding the support for this resolution.

Walther made a motion to adopt **RESOLUTION 2017-022**, a resolution strongly opposing provisions of the State of Ohio Governor's proposed 2018-2019 budget, which proposes centralized collection of net profit tax returns and other provisions related to the municipal income tax which will cause a substantial loss of revenue needed to support the health, safety, welfare and economic development efforts of Ohio municipalities. Seconded by Barstow. Roll Call: Walther, Carter, Powell, Hayes, Barstow, and Lee-yes. Mayor Compton declared the motion passed.

Barstow made a motion to adopt **RESOLUTION 2017-023**, a resolution authorizing and directing the City Administrator to purchase equipment and obtain services to provide a fully functioning site storage tank and truck application system to pre-treat roadways with brine. Seconded by Walther. Roll Call: Walther, Carter, Powell, Hayes, Barstow, and Lee-yes. Mayor Compton declared the motion passed.

Walther made a motion to adopt **RESOLUTION 2017-024**, a resolution authorizing and directing the City Administrator to purchase a new sign truck bed. Seconded by Barstow. Roll Call: Carter, Powell, Hayes, Barstow, Lee, and Walther-yes. Mayor Compton declared the motion passed.

Walther made a motion to adopt **RESOLUTION 2017-025**, a resolution in support of Licking County reducing the speed limit on Blacks Road (County Road 34) to 45 mph. Seconded by Carter. Roll Call: Powell, Hayes, Barstow, Lee, Walther, and Carter-yes. Mayor Compton declared the motion passed.

Barstow made a motion to adopt **RESOLUTION 2017-026**, a resolution authorizing and directing the City Administrator to enter into an agreement with the Licking County Health Department for citywide mosquito treatment for calendar year 2017. Seconded by Hayes. Roll Call: Hayes, Barstow, Lee, Walther, Carter, and Powell-yes. Mayor Compton declared the motion passed.

Barstow made a motion to adopt **RESOLUTION 2017-027**, a resolution donating a temporary easement from city-owned property to accommodate the Mink Street Phase IV Reconstruction Project. Seconded by Lee. Roll Call: Barstow, Lee, Walther, Carter, Powell, and Hayes-yes. Mayor Compton declared the motion passed.

Barstow made a motion to adopt **RESOLUTION 2017-028**, a resolution donating a temporary easement from city-owned property to accommodate the Mink Street Phase IV Reconstruction Project. Seconded by Lee. Roll Call: Lee, Walther, Carter, Powell, Hayes, and Barstow-yes. Mayor Compton declared the motion passed.

Barstow made a motion to adopt **RESOLUTION 2017-029**, a resolution donating permanent right-of-way from city-owned property to accommodate the Mink Street Phase IV Reconstruction Project. Seconded by Powell. Roll Call: Walther, Carter, Powell, Hayes, Barstow, and Lee-yes. Mayor Compton declared the motion passed.

Barstow made a motion to adopt **RESOLUTION 2017-030**, a resolution directing \$2.00 from each mayor's court criminal and/or traffic fine be deposited into the Police Canine Fund. Seconded by Carter. Roll Call: Walther, Carter, Powell, Hayes, Barstow, and Lee-yes. Mayor Compton declared the motion passed.

Additional Citizens Comments

There were none

Lee made a motion to go into Executive Session pursuant to ORC 121.22 (G) (3) for a conference with an attorney, for the public body, concerning disputes involving the public body that are the subject of pending or imminent court action. Invited into the Executive Session are BJ King, City Administrator, John Albert, Attorney, and Brian Zets, Attorney. Seconded by Walther. Roll Call: Carter, Powell, Hayes, Barstow, Lee, and Walther-yes. Mayor Compton declared the motion passed.

Council entered into Executive Session at 8:14 PM.

Carter made a motion to come out of Executive Session. Seconded by Barstow. Roll Call: Powell, Hayes, Barstow, Lee, Walther, and Carter-yes. Mayor Compton declared the motion passed.

Council returned to open session at 8:38 PM.

Barstow made a motion to approve a stipulation of attorney fees in the Mike Fox litigation in the amount of \$10,000.00. Seconded by Lee. Discussion was regarding that this caps the damages at \$10,000.00 and the effect on insurance rates. Roll Call: Hayes, Barstow, Lee, Walther, Carter, and Powell-yes. Mayor Compton declared the motion passed,

Committee Meeting Announcements, Scheduling Issues & General Comments

Carter noted the need to do something about the stand alone mics. Carter was not surprised at the traffic counts on Havens Corners Road.

Mayor Compton noted the success of the Easter Egg Hunt and the need for additional parking. He also updated Council on upcoming events and the new ownership of Cones and Concoctions.

Walther gave an update on the work that has been done at the police shooting range. Walther also thanked everyone that came and spoke on the medical marijuana issue and hoped even more would attend the next meeting to provide information on this issue.

Powell made a motion to adjourn. Seconded by Barstow. Roll Call: Barstow, Lee, Walther, Carter, Powell, and Hayes-yes. Mayor Compton declared the motion passed.

Meeting Adjourned.

Minutes approved _____, 2017

ATTEST:

Kathy M. Hoskinson, Clerk of Council

Timothy Hickin, Council President

