



City of Pataskala *Legislative Report to Council*

Legislative Report

April 3, 2017 Council Meeting

Unfinished Business

A. Ordinances

➤ **ORDINANCE 2017-4281 – 4TH READING – SUPPLEMENTAL APPROPRIATION-**

This piece of legislation remains unchanged from its' third reading, and is being respectfully submitted to Council for a 4th and final reading at the April 3rd Council meeting. **We are requesting that the ordinance be read by Council and adoption at the April 3rd meeting.**

- *Section 1 - 3: Parks & Recreation* – We continue to identify the expense requirements associated with providing recreational programming in the city. Based upon the Parks Manager's recent analysis of supplies, materials and services needed during 2017, it now appears that the associated 2017 operating budget was understated by approximately \$29,000. A copy of the analysis accompanies this report. It is important to note that the increase in appropriations in the Recreation (206) fund are supported by projected fund revenues, in large part by program registration fees.
- *Section 4: Public Service Uniforms* – During the development of the 2017 budget, the uniform allowance line was overlooked, resulting in no proposed spending in 2017. Due to the contractually-mandated requirement to provide uniforms to the employees, the department is requesting a \$6,000 increase in appropriations in the Street (201) fund in order to be able to purchase the required uniforms, shoes, Carharts, etc.
- *Section 5: Debt Service* – During the 2016 year-end closing process, a carryover purchase order for the Local Government Innovation Fund (LGIF) debt service was closed, resulting in a 2017 budgetary shortfall of approximately \$5,100. We are requesting a \$5,100 increase in appropriations in the Debt Service (401) fund to cover the required 2017 debt service payments.
- *Section 6: Mayor's Court Computer* – The Mayor's Court computer fund receives revenues from defendant's in the city's court, which are ORC-restricted to the computerization of the court. The annual system maintenance amount was

underestimated in the 2017 budget. We are requesting an increase of \$2,500 in appropriations to cover the costs of the annual maintenance agreement.

- *Sections 7 – 8: Collective Bargaining* – The city continues to engage in collective bargaining with the FOP, OPBA and USW. It now appears that the costs of negotiations (including fact finding) will be in excess of the amount encumbered in 2016. We are requesting increases of \$5,000 each in the Street and Police funds to cover such costs.

New Business

A. Ordinances

➤ **ORDINANCE 2017-4282 – 1ST READING**

This ordinance amends the code to call for the establishment of a development payment in-lieu fund. This fund would be used if the requirement to construct a sidewalk is waived by the City Administrator or their designee (Ordinance 2017-4283 establishes the fund and outlines how the fund would be implemented). The ordinance also revises the requirements for sidewalk construction.

➤ **ORDINANCE 2017-4283 – 1ST READING**

This ordinance establishes the development payment in-lieu fund. The City Administrator or their designee could waive the requirement to install a sidewalk if it is their determination that installing a sidewalk would not be compatible with adjacent development (i.e. a sidewalk to nowhere). If that determination is made, , the developer is required to submit a payment in-lieu of installing that sidewalk. The payment is based upon a construction estimate. The City Administrator or their designee will determine if the estimate is accurate. If the estimate is determined to be accurate, the developer will submit a check in that amount to be deposited in the fund. At that point the City Administrator or their designee will have the ability to use that fund for walkways, walkway signage, walkway lighting, etc. elsewhere in the City where these items would better serve the community.

➤ **ORDINANCE 2017-4285 – 1ST 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.**

Based on feedback from Council during the March 20th meeting, this ordinance is presented for consideration. If approved, the ordinance would establish prohibitions against medical marijuana cultivation, processing, and retail dispensary businesses in Pataskala. The State’s medical marijuana bill permits local municipalities to enact legislation to outright prohibit any activities related to the three aspects of medical marijuana.

The cultivation rules are scheduled to take effect on May 6th. The rules for processing and dispensaries will take effect later in the year (September timeframe).

This prohibition can be modified in the future if Council chose to do so. Implementing the prohibition now, Council take work toward creation and implementation of local regulations, and lessen the prohibition in the future. This approach provides the opportunity to establish greater local control of this industry.

B. Resolutions

- **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.**

The purpose of this equipment is to allow for the Public Service Department (PSD) to treat roadways with Brine solution prior to winter storm events. Having this equipment available will allow the PSD to be more efficient and effective while increasing safety by adding a level of protection. The purchase of brine equipment for pre-treatment of roadways is a PSD Capital Improvements project as identified in the approved 2017 budget: project number SVC-17-027.

When a snow event is anticipated, especially an overnight storm, the PSD will be able to send one person out with the brine truck to pre-treat. Pre-treatment will increase the safety of motorists by helping to prevent roadways from getting slick, especially on primary routes and at bridges such as the via duct, during the time between the beginning of a winter storm event and when the department is fully mobilized. Pre-treatment can also be used in subdivisions to promote easier removal of build-up by preventing snow and ice from sticking to the road. As subdivisions are the lowest on the priority list for salting and plowing, we often find that by the time our trucks get there, traffic has already compacted the fallen snow, which makes its removal difficult.

As proposed, the PSD will outfit one dump truck with brine equipment including three (3) – 650 gallon tanks, a hydraulic pump, and a 10-nozzle center lane spray bar. The proposal also includes a 6100 gallon brine storage tank to be located at the Mink Street Garage, with a pump and electric service being provided as part of the project. The total equipment cost of \$25,000 is accounted for in the approved budget, and includes everything necessary for immediate use. Approval of this resolution is recommended.

- **RESOLUTION 2017-024 - A resolution authorizing and directing the City Administrator to purchase a new bed for the Sign Truck.**

Approval of this resolution would provide for the Public Service Department (PSD) to purchase a new bed for the sign truck. The existing sign truck bed is at the end of its useful life and is in need of replacement. The purchase of a new bed for the sign truck is a PSD Capital Improvements project as identified in the approved 2017 budget as project number SVC-17-032.

When the need for a new bed for the sign truck was identified, this project was developed based on the price to replace the bed in-kind; however, as consideration progressed, it was found that this may not be the most effective mode of replacement. The existing bed is a utility bed that was not designed for use as a sign truck bed, and it has shortfalls with regard to safety and utility. Accordingly, options were researched and quotes obtained for beds that are designed for use as a sign truck. These beds have

specific storage areas for signs and posts, built in hydraulic and cutting accessories necessary for sign replacement, and platforms with rails and steps; whereas, the existing bed does not have these built-in utility and safety features.

The increased utility and safety however, also come with an increased price: the original funding for this equipment was \$7,500, and the price as requested is \$13,745. This budget shortfall of \$6,245 can be covered by the savings from the 2017 Capital Equipment Budget, which currently totals \$19,632.50, with additional savings of approximately \$5,000 expected from the brine equipment line item. With the budget available from other PSD savings, and the considerations for increased safety and utility, approval of this resolution is recommended.

➤ **RESOLUTION 2017-025 - A resolution in support of Licking County reducing the speed limit on Blacks Road (County Road 34) to 45 MPH.**

This resolution has been requested by the Licking County Commissioners to support the reduction of the speed limit on Blacks Road (County Road 34) from 55 mph to 45 mph, from the corporation limit of the City of Pataskala to Gale Road (Township Road 141). This request is in accordance with the recommendation of the Licking County Engineer's Office for the reduction in speed.

This resolution has been requested due to jurisdictional boundaries running along the center line of Blacks Road for portions of the road between the corporation limit of the City of Pataskala and Watkins Road. While there are currently no provisions to address inconsistency of roadways under split jurisdiction, it is recommended that entities work together to address any differences; otherwise, speeds on opposite sides of the same section of roadway could vary. Accordingly, to avoid confusion, and for the requested speed limit to be most effective, the speed limit on each side of the road should match.

In accordance with the recommendations of the ODOT Traffic Engineering Manual, documentation has been provided to the City of Pataskala in the form of Speed Studies for each affected section of roadway. These studies have been reviewed and the provided data supports the requested reduction in speed limit. Approval of this resolution is recommended.

➤ **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**

Approval of this resolution would authorize and direct the City Administrator to sign an agreement with the Licking County Health Department for the annual citywide mosquito treatment. The cost for this program is typically around \$10,000. We schedule a spring and late summer spray. Additional sprays are completed if necessary, depending on the mosquito population. The cost for this program is the same amount as last year's (\$26/per mile). I recommend approval of Resolution 2017-026.

➤ **RESOLUTION 2017-027- A resolution donating a temporary easement from city-owned property to accommodate the Mink Street Phase IV reconstruction project**

Approval of this ordinance would authorize and direct the City Administrator to execute all necessary agreements for the city to donate a temporary easement for the Mink Street Phase IV reconstruction project. This temporary easement would be located on property at 5840 Mink Street, which is the location of the city's Public Service Facility. The donation would be 0.053 acre for a temporary easement to accommodate construction activities during this project in 2018. I recommend approval of Resolution 2017-027.

➤ **RESOLUTION 2017-028 – A resolution donating a temporary easement from city-owned property to accommodate the Mink Street Phase IV reconstruction project**

Approval of this ordinance would authorize and direct the City Administrator to execute all necessary agreements for the city to donate a temporary easement for the Mink Street Phase IV reconstruction project. This temporary easement would be located on property at 5332 Mink Street, which is a vacant lot owned by the city. The donation would 0.004 acre for a temporary easement to accommodate construction activities during this project in 2018. I recommend approval of Resolution 2017-028.

➤ **RESOLUION 2017-029 - A resolution donating permanent right-of-way from city-owned property to accommodate the Mink Street Phase IV reconstruction project**

Approval of this ordinance would authorize and direct the City Administrator to execute all necessary agreements for the city to donate permanent right-of-way for the Mink Street Phase IV reconstruction project. This permanent right-of-way would be located on property at 5332 Mink Street, which is a vacant lot owned by the city. The donation would be 0.036 acre for permanent right-of-way to accommodate construction activities during this project in 2018. I recommend approval of Resolution 2017-029.

➤ **RESOLUION 2017-30 - A resolution directing \$2.00 from each Mayor's Court criminal and/or traffic fine be deposited into the Police Canine Fund**

The Pataskala Police canine program has historically been funded through generous financial donations from the community. The city was able to purchase two new dogs within the last two years solely on funding from donations. Donations can't be the only source of revenue to sustain funding for the canine program, and therefore, would like to direct \$2.00 from each traffic fine paid and Mayor's Court case into the Police Canine Fund to help offset the program costs. It is not anticipated that this funding source will be the only source of funding for the program. I anticipate that this will supplement future budgeted funds from the Police Fund for the program. The costs associated with this program (aside from purchase of new dogs when necessary) include the care of the dogs and any necessary equipment. I recommend approval of Resolution 2017- 030.