



City of Pataskala

Legislative Report to Council

Legislative Report

February 21, 2017 Council Meeting

Unfinished Business

A. Ordinances

➤ ORDINANCE 2017-4277 – 3RD READING

The city intends to issue debt to fund the construction of a new Police station in Pataskala. Based upon the initial cost estimates from Horne & King, it is anticipated that the cost of construction of the facility will be around \$4.5 million. In addition to the construction funding, the city would also be issuing bonds to refinance the \$500,000 in architectural design/construction management notes issued in 2016, as well as the costs of issuance (e.g. bond counsel, underwriter's discount, etc.). The proposed 'not to exceed' amount would cover all of the aforementioned items, as well as providing some flexibility in the event the final cost estimate is greater than anticipated. Please know that this total is a maximum issuance amount, and is higher than the construction amount alone. However, if we only borrow the exact estimated amount of the construction costs (plus costs of issuance and payoff of the 2016 notes), we would anticipate borrowing \$5.11 million – well below the 'Not to Exceed' amount. The 'Current Estimate' column below illustrates how the \$5.11 million number was calculated.

INITIAL ESTIMATE	ITEM DESCRIPTION	CURRENT ESTIMATE
\$5,000,000	Estimated Construction Cost	\$4,505,000
500,000	Payoff 2016 design/construction management note	500,000
100,000	Estimated Costs of Issuance	100,000
400,000	Contingency	0
\$6,000,000	Total 'Not to Exceed' Amount	\$5,105,000

I've worked with our financial advisor and underwriter to develop a number of debt service scenarios (15 – 25 year), and the Administrator is including those documents with his report to Council. This legislation is currently set for a 3rd reading at the February 21st Council meeting. **We are requesting that Council approve this ordinance at that meeting, so that we can go to the debt markets on or after March 24th (after the 30 day referendum period) and have the required funding in place prior to awarding the**

construction contract.

➤ **ORDINANCE 2017-4278 – 3RD READING**

The property is the current location of the Roxford Village Apartments which were constructed in 1992. In 1991 the property was rezoned from the OI – Office Institutional district to the R-5 – Multiple Family Residential district, presumably to allow for the development of the apartments. Although the property was officially rezoned, this was never reflected on the zoning map.

Sometime in the mid-1990s, likely around the time of the merger between Lima Township and the Village of Pataskala, both the OI – Office Institutional district and the R-5 – Multiple Family Residential district were removed as zoning classifications and incorporated into the classifications currently used in the zoning code. As a result, the OI – Office Institutional district became the PRO – Professional Research Office district and the R-5 – Multiple Family Residential district became the R-M – Multi-Family Residential district. Because the OI – Office Institutional classification was not updated to the R-5 – Multiple Family Residential District following the 1991 rezoning, the property was changed to the PRO – Professional Research Office district to match the new zoning classifications.

As it stands now, the property is zoned R-5 – Multiple Family Residential district based upon ordinance 91-2069 which granted the rezoning, but is reflected as PRO – Professional Research Office on the zoning map following the zoning classification update from the mid-1990s.

Approval of this ordinance would correct a zoning map error. Staff recommends approval of this ordinance.

➤ **ORDINANCE 2017-4279 – 2ND READING**

This piece of legislation is being respectfully submitted to Council for a 2nd reading at the February 21st Council meeting. There is currently only one purpose for this legislation – funding for the River Forest lift station project. **Due to the time-sensitive nature of this issue, we are requesting that Council waive the 3rd reading, and pass the ordinance at the February 21st meeting.**

- *Section 1: River Forest Lift Station* – This project was included in the 2016 budget, and a total of 6 bids were received in mid-December. The lowest bid received was by Elite Excavating in the amount of \$189,850. Unfortunately, a requisition was not submitted by the department prior to year-end 2016 to encumber the project funding (and retain the budget for 2017 activity), and the 2016 appropriation lapsed at year-end. As a result, no appropriation authority exists at this time to award the contract. In order to be able to sign the ‘Fiscal Officer’s Certificate’, we are requesting Council to approve this supplemental appropriation to increase the budget by \$200,000 which would cover the contract amount, as well as providing a 5% contingency amount for any additional work or change orders required once work commences. We do not anticipate needing the additional funds, however, and any unused (e.g., unspent) appropriations would revert back to the fund balance when the purchase order is closed.

➤ **ORDINANCE 2017-4280 – 2ND READING**

Approval of this ordinance would amend Codified Ordinance Chapter 1207 as it relates to the appointment of members to the Planning Commission and Board of Zoning Appeals. The voter approved Charter amendments that took effect January 1, 2017 changed the appointment of members to these boards from a mayoral appointment with council confirmation to council appointment with confirmation of a majority of council. Approval of this ordinance would amend Codified Ordinance Chapter 1207 to be consistent with the new Charter language related to these appointments. I recommend approval of Ordinance 2017-4280.

New Business

A. Ordinances

➤ **ORDINANCE 2017-4276 – 1ST READING**

The first property (Davis property) is located at 72 North Hazelton-Etna Road and is 1.94 acres in size. The property currently contains a 1,425 square foot home constructed in 1960, a 2,400 square foot pole barn constructed in 1978 and a 1,000 square foot and two 2,400 pole barns both constructed in 1940. The applicant is seeking to rezone the property from the R-20 – Medium Density Residential district to the PRO – Professional Research Office district so that the property can be used as part of a potential expansion of the existing nursing care facility.

The second property (Pataskala Oaks property) is located at 144 East Broad Street and is 4.16 acres in size. The property is split zoned; approximately 0.65 acres is zoned R-20 – Medium Density Residential while the remaining portion of the property is zoned PRO – Professional Research Office. The property contains an approximately 12,200 square foot portion of the existing nursing care building, of which approximately 3,300 square feet is located in the R-20 – Medium Density Residential District. The applicant is looking to rezone the entire property to the PRO – Professional Research Office district to correct the split zoning of the property and to correct the nonconforming use of the R-20 portion of the property.

The future land use map designates the Davis property for Medium Density Residential (R-20) which is defined by the comprehensive plan as a residential land use for single-family homes. Although the future land use map designates the property for a single-family residential land use, staff would question the likelihood of the property to be used in that manner in the future. Due to the location at the corner of Broad Street and State Route 310, the property is not well suited for a residential use, particularly single-family. Although the property does abut existing single-family homes, the PRO district focus is on office uses rather than more intense commercial uses such as gas stations or restaurants. Furthermore, adequate screening would be required should the property develop.

The future land use map designates the Pataskala Oaks property for Office which is defined by the Comprehensive Plan as office uses. Rezoning the entire property to PRO would not only bring the property in line with the future land use map, it would remove

the split zoning and eliminate the nonconforming use. Staff spoke with the Law Director, whose comments are attached, who stated that split zoning of a property is “clearly impermissible” based upon case law.

Should the applicant choose to pursue an expansion of the existing nursing home facility, both a Conditional Use application and a Transportation Corridor Overlay District (TCOD) application would need to be approved. Both of these applications are open for public comment. Approval of the rezoning would be the first step in the process for a potential expansion of the nursing home facility and would also correct an error on the zoning map.

➤ **ORDINANCE 2017-4281 - 1ST READING**

This piece of legislation has been prepared, and is being respectfully submitted to Council for a 1st reading at the February 21st Council meeting. There a number of 2017 budget clean up items that require housekeeping, and this supplemental budget ordinance does just that. Please note that we did not include these items in Ordinance 2017-4279 in an effort to prevent ‘muddying the waters’ on that ordinance with additional items which would require the legislation to go through an additional reading (and the resulting 2-week delay). We anticipate that this legislation will go through all three of the required readings by Council.

- *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.

B. Resolutions

➤ **RESOLUTION 2017-018**

A resolution authorizing and directing the City Administrator to enter into an agreement with Jobes Henderson & Associates for engineering design services for the Oak Meadow Drive Improvements project, and to advertise, receive, and review bids for construction of the same.

This project has been developed in coordination with City Council to enhance public safety by making improvements along Oak Meadow Drive between Bent Tree Lane and Broad Street. Improvements are anticipated to include: widening of the existing pavement, designation of a bike lane, relocation and enhancement of roadside ditches, and local grading to facilitate improvements. The final plan will be determined based on the engineering alternatives to be provided and as coordinated with the Streets Committee.

The design of this project is identified in the approved 2017 budget as project number SVC-17-006. The total cost for engineering services as proposed, which will include the development of engineering plans and specifications, as well as facilitating the public bid process will not exceed \$48,250. Approval of this resolution is recommended.

➤ **RESOLUTION 2017-019**

A resolution authorizing and directing the City Administrator to enter into an agreement with Jobes Henderson & Associates for engineering design services for the Retention/Detention Pond Inventory and Evaluation Project.

This project has been developed in response to numerous resident reports of unsatisfactory conditions of existing storm water basins throughout the City. The primary, and most concerning issue is flooding experienced due to lack of maintenance, but this effort will also provide the benefits of cleaning-up unkempt/unsightly basins, and it may aid in the reduction of mosquitos by reducing potential breeding areas.

The engineering services proposed are the first step in the effort to resolve these issues. As part of this effort, all basins in the City will be catalogued, ownership will be determined, and any maintenance activity required will be reported. Efforts will also include development of a maintenance schedule, as well as recommendations and assistance with development of protocol to enforce maintenance of privately-owned (HOA) storm water basins.

Once the inventory and evaluation is complete, the remainder of the funds approved in the budget for this project (\$15,000 out of the \$25,000 total) will be sought for approval to implement the highest priority maintenance activities.

This project is identified in the approved 2017 budget as project number SVC-17-004. The total cost for engineering services as proposed will not exceed \$10,000. Approval of this resolution is recommended.

➤ **RESOLUTION 2017 – 020**

A resolution authorizing a partnership agreement between Licking County and the City of Pataskala in regard to the program year 2017 Community Housing and Impact and Preservation (CHIP) funds from the Ohio Development Services Agency/Office of Community Development (ODSA/OCD) and Directing the City Administrator to execute said partnership agreement.

And

RESOLUTION 2017- 021

A resolution adopting Licking County’s Programmatic Agreement with the State of Ohio Historic Preservation Office and the Licking County Community Development Advisory Commission (CDAC) CHIP Manual for eligible housing activities for the partnership between Licking County (Applicant/Grantee) and the City of Pataskala(Partner) funded in whole or in part with the program year 2017 Community Housing Impact and Preservation (CHIP) funds from the Ohio Development Services Agency/Office of Community Development.

Approval of these two partner resolutions would authorize the City Administrator to execute agreements for the City to partner with Licking County for administration of the 2017 CHIP program. This program would, if funded, provide funding for eligible, grant funded, home repairs for residents who qualify. Partnering with the County for this program will cost the City no money and very minimal staff resources. The County will administer the program on the City’s behalf.

The grant application, to be prepared and submitted by the County, is due May 5, 2017 with an award date of September 1, 2017. If funded, projects could begin October 1, 2017 and must be completed by November 30, 2019.

The City will work in conjunction with the County to advertise this opportunity to our residents.

Mr. Rob Platte, who will administer the program for the County, will attend the February 21, 2017 Council meeting to answer any questions Council may have.

I recommend approval of Resolution 2017-020 and Resolution 2017-021.