



City of Pataskala
Mr. BJ King, City Administrator
Administrator's Report to Council

➤ **2017 Capital Improvements Projects Update**

Attached to this report is an update on the status of all departments' CIP projects that were approved as part of the 2017 budget. Included is the amount budgeted, the amount spent (if applicable), and comments. I am pleased with our efforts to complete, or commence, many of the CIP projects during the first quarter of 2017. Some of the outstanding items are weather dependent and will commence as the weather allows. I am also pleased with the conservative spending on these projects. Additionally, staff's ability to complete several of these projects in-house has/will result in additional savings. I look forward to the commencement and completion of the outstanding CIP items as the weather permits.

➤ **Police Station Schedule**

I have attached a copy of the most current police station design and construction timeline. We are target to bid the project in early July and award in mid to late August. Construction is identified to begin in late 3rd quarter to early 4th quarter this year. I am hopeful that we may be able to expedite the schedule a little by potentially running bidding during a part of the permitting process. I will continue to keep you updated on any schedule changes and milestones as this project proceeds.

➤ **Medical Marijuana**

At the March 6th Council meeting, two draft ordinances related to the pending medical marijuana laws were provided for your review. One of the draft ordinances was an example to prohibit the three areas of the marijuana laws – dispensaries, cultivation activities, and extraction operations. The other draft ordinance was an example of how Council could pass legislation to permit one (or more) of the three areas. For the sake of example, cultivation was represented in the ordinance to permit.

The first laws regulating these activities are scheduled to become effective on May 6th when the cultivation regulations are enacted.

1. Prohibition of all three aspects of the medical marijuana law (dispensaries, cultivation, and extraction).

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. Council could pass an ordinance to prohibit all aspects of the medical marijuana bill.

If Council did approve legislation to prohibit all three aspects, legislation could be passed in the future to permit and regulate any of the three as determined.

There is a slight risk associated with this option if someone wanted to establish a medical marijuana operation in the city. They wouldn't be able to do so until Council amended our prohibition to permit operations.

The only rules that have been made public are those for cultivation.

2. No legislation to prohibit

The decision could be made to not pass legislation to prohibit any of the three aspects of the medical marijuana bill. If this path was taken, our local zoning codes would be applied to any operations related to medical marijuana (i.e. retail/general business code to apply to dispensaries) to the extent that they could.

3. Legislation to permit and regulate certain aspects and prohibit others

Council could decide to permit one or two of the operations and prohibit the remaining. This approach would make it possible for the operations that are permitted to open in the city. We could regulate where, and how many, of the permitted operations could develop in the city through the inclusion of the operations into our zoning code. (i.e. cultivation set as a Conditional Use in the M-1 district).

I would like to get legislation on the April 3rd agenda for consideration by Council to address the medical marijuana issue. Doing so would provide the opportunity to have a first reading, and waive the second and third readings, to have any prohibitions, permissions and regulations prior to the cultivation rules taking effect on May 6th.

At this time, it seems like the best approach, in my opinion, is to prohibit all three and work backward to, if it is deemed desirable, permit operations in the future.

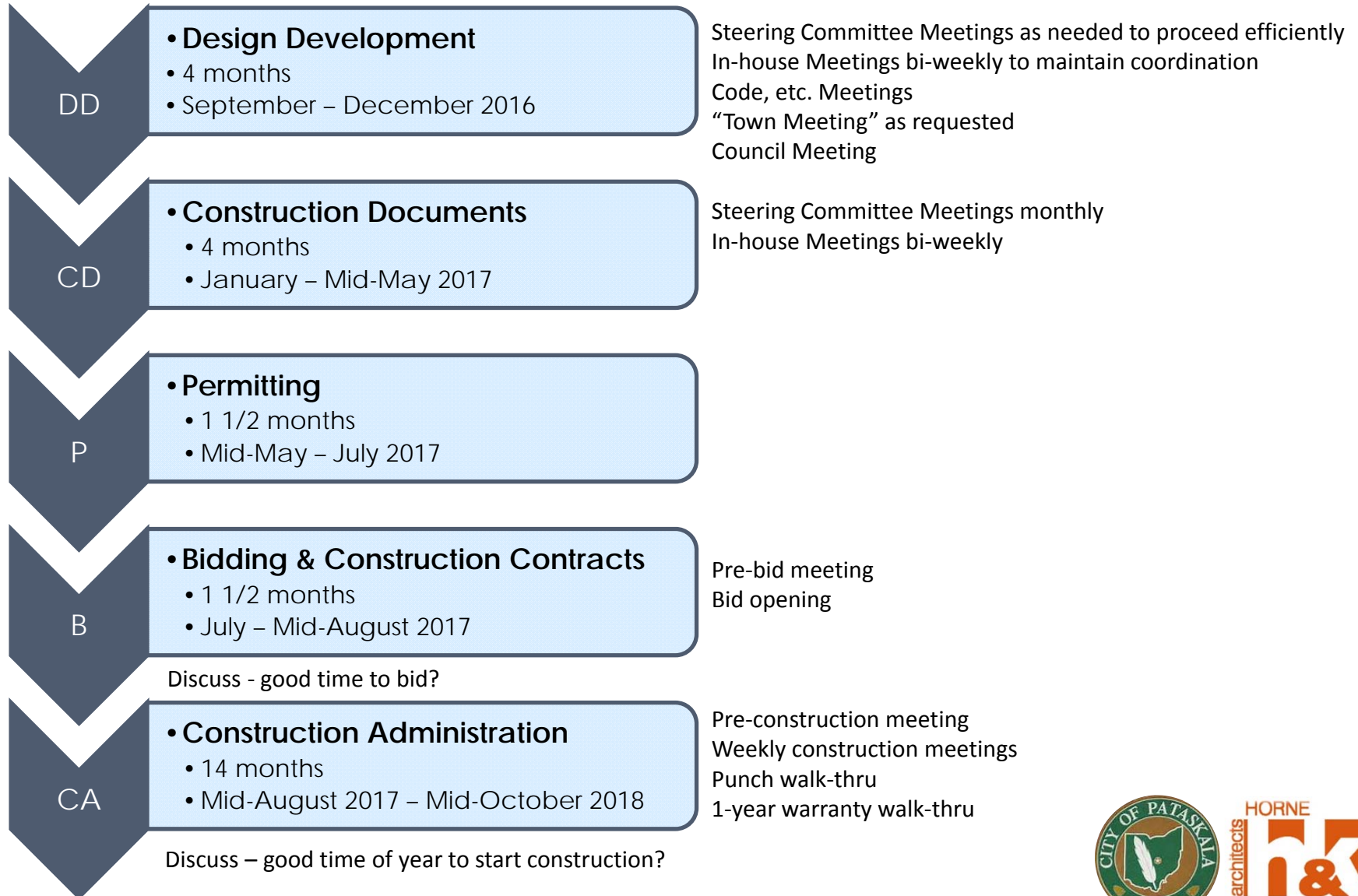
Capital Improvements Update
14-Mar-17

<u>Department</u>	<u>CIP Item</u>	<u>Budgeted \$</u>	<u>Actual cost</u>	<u>Comments</u>
Water				
	Water booster station upgrade	\$425,000	on hold	\$75K engineering/\$350K construction - Currently on hold.
	Annual water meter replacement	\$20,000		On-going
Sewer				
	WRF phosphorus removal study	\$40,000		In-house work being performed.
	Annual meter replacement	\$20,000		On-going
Public Services				
	Sign inventory software	\$5,000		
	Skid steer cold planer	\$15,000	\$4,000	Approved on 2/6 - purchased 1-year old model
	Sign truck bed	\$7,500		
	Brine equipment - roadway pre-treatment	\$30,000		
	Large equipment trailer	\$25,000	\$15,000	Approved on 2/16
	2017 Streets improvement program	\$650,000	\$600,00 (Estimate)	Design underway -engineers estimate
	Annual street program design/inspection	\$40,000	\$32,500	Design approved (inspection est. \$7,500)
	Oak Meadow Drive engineering	\$50,000	\$48,250	Approved on 2/21/17
	Mill Street culvert replacement	\$50,000	\$13,475 for design	\$15K engineering/\$35K construction
	Retention/detention pond maintenance	\$25,000	\$10,000	\$10,000 approved for inventory and maintenance plan
	Columbia Road culvert replacement	\$310,000	3rd/4th QT construction	Contingent on OPWC approval.
	Columbia Road bridge replacement	\$625,900	Bid opening in May	Municipal Bridge Program grant

Police				
	Speed trailer	\$5,500	\$5,020	Complete
	Utility vehicle	\$20,000		On-hold
	Computer replacement	\$2,500		As needed
	Cruiser replacement	\$80,000	\$73,403	Approved

Parks				
	Conway Trail improvements	\$2,000		Underway
	Foundation Park drive/drainage improvmenets	\$55,000	\$4,000 - drainage materials	Drainage completed in-house - drive included in city RAMP bid
	Foundation Park leach bed	\$10,000	\$325	Soil samples underway
	Park pond management	\$4,000	\$3,965	Contract signed - spring maintenance
	Shelter house roof replacement program	\$2,500		Roof inspections to occur in spring
	Asphalt chips/gravel for parking lots	\$1,500		Determine in spring
	Foundation Park softball garage drainage	\$3,000		Preliminary investigation - attempt to find drain regrade
	Municipal Park bike rack	\$850	\$0	Rack to be moved from Foundation Park
	Dead tree removal	\$2,500		Inspection after trees bloom/leaves
	Municipal Park ballfield improvements	\$1,100		spring/summer
	Citizens Park parking lot improvements	\$5,500		spring/summer - in-house
	Municipal Park parking lot expansion	\$15,000		To be completed in-house
	Survey & pin city parks	\$5,500		To be determined
	Karr Park shelter concrete inspection	\$500		To be determined
	Park master planning	\$5,000		To be determined
	Freedom Park layout/design	\$2,500		To be determined

Project Timeline 02/25/2017



Introduced:
Revised:
Adopted:
Effective

CITY OF PATASKALA

ORDINANCE 2017-_____

AN ORDINANCE PROHIBITING MEDICAL MARIJUANA PROCESSORS AND RETAIL DISPENSARIES, LICENSED UNDER OHIO LAW, FROM LOCATING AND/OR DOING BUSINESS WITHIN THE CITY OF PATASKALA, OHIO AND ALLOWING A LIMITED NUMBER OF MEDICAL MARIJUANA CULTIVATORS, LICENSED UNDER OHIO LAW, TO LOCATE AND/OR DO BUSINESS ONLY WITHIN THE LIGHT MANUFACTURING DISTRICT (M-1) AS A CONDITIONALLY PERMITTED USE

WHEREAS, with HB 523, the General Assembly established the basic framework for Ohio's Medical Marijuana Control Program. This Program is codified in R.C. Chapter 3796 and the corresponding Ohio Administrative Code Chapter; and

WHEREAS, by September 8, 2017, Ohio's Medical Marijuana Control Program will be fully operational. By this date, all of the rules governing cultivators, processors, testing laboratories, dispensaries, patients/caregivers, and physicians will be vetted fully and adopted by the appropriate Department or Board; and

WHEREAS, R.C. 3796.29 specifically provides that "[t]he legislative authority of a municipal corporation may adopt an ordinance, or a board of township trustees may adopt a resolution, to prohibit, or limit the number of. [sic] cultivators, processors, or retail dispensaries licensed under this chapter within the municipal corporation or within the unincorporated territory of the township, respectively"; and

WHEREAS, Council for the City of Pataskala has thought carefully about and considered Ohio's Medical Marijuana Control Program as well as the City's statutory ability to prohibit or limit the number of cultivators, processors and retail dispensaries within the City; and

WHEREAS, the Light Manufacturing District (M-1) has been established to encourage the development of manufacturing establishments which are clean, quiet, and operate entirely within enclosed structures while generating minimum industrial traffic. The M-1 District is further designed to act as a transitional use between Planned Manufacturing uses and other less intensive businesses. Agriculture is a permitted use in the M-1 District; and

WHEREAS, Council for the City of Pataskala now wants to make clear where, and how, such activities are either prohibited or allowed.

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

Section 1: Medical Marijuana is defined by R.C. 3796.01 as “marijuana that is cultivated, processed, dispensed, tested, possessed, or used for medical purposes” (“Medical Marijuana”).

Section 2: Medical Marijuana processors and retail dispensaries, licensed under Ohio law, are hereby prohibited from locating and/or doing business within the City of Pataskala, Ohio.

Section 3: Medical Marijuana cultivators, licensed under Ohio law, are hereby allowed to locate and/or do business, only as a conditionally permitted use, in the Light Manufacturing District (M-1) within the City of Pataskala, Ohio. There shall be no more than three (3) Medical Marijuana cultivators located and/or doing business within the City of Pataskala at any one time.

Section 4: The prohibition set forth in Section 2 does not limit research related to marijuana conducted at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity.

Section 5: Once this Ordinance takes effect, no provision, definition, regulation or use (permitted or conditional) set forth in the City of Pataskala Zoning Code shall include, or be interpreted to include, Medical Marijuana processing or retail dispensing.

Section 6: Council for the City of Pataskala hereby instructs the Law Director to prepare legislation adding Medical Marijuana cultivation, as a conditionally permitted use, to Section 1251.04 of the Codified Ordinances.

Section 7: 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 8: All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereto.

Section 9: This Ordinance shall become effective upon the earliest date allowed by the Charter of the City of Pataskala.

ATTEST:

Kathy M. Hoskinson, Clerk

Michael W. Compton, Mayor

APPROVED AS TO FORM:

Brian M. Zets, Law Director

DRAFT

Introduced:
Revised:
Adopted:
Effective

CITY OF PATASKALA

ORDINANCE 2017-_____

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

WHEREAS, with HB 523, the General Assembly established the basic framework for Ohio's Medical Marijuana Control Program. This Program is codified in R.C. Chapter 3796 and the corresponding Ohio Administrative Code Chapter; and

WHEREAS, by September 8, 2017, Ohio's Medical Marijuana Control Program will be fully operational. By this date, all of the rules governing cultivators, processors, testing laboratories, dispensaries, patients/caregivers, and physicians will be vetted fully and adopted by the appropriate Department or Board; and

WHEREAS, R.C. 3796.29 specifically provides that "[t]he legislative authority of a municipal corporation may adopt an ordinance, or a board of township trustees may adopt a resolution, to prohibit, or limit the number of. [sic] cultivators, processors, or retail dispensaries licensed under this chapter within the municipal corporation or within the unincorporated territory of the township, respectively"; and

WHEREAS, Council for the City of Pataskala has thought carefully about and considered Ohio's Medical Marijuana Control Program as well as the City's statutory ability to prohibit or limit the number of cultivators, processors and retail dispensaries within the City; and

WHEREAS, Council for the City of Pataskala now wants to prohibit such activity.

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

Section 1: Medical Marijuana is defined by R.C. 3796.01 as “marijuana that is cultivated, processed, dispensed, tested, possessed, or used for medical purposes” (“Medical Marijuana”).

Section 2: Medical Marijuana cultivators, processors, and retail dispensaries, licensed under Ohio law, are hereby prohibited from locating and/or doing business within the City of Pataskala, Ohio.

Section 3: The prohibition set forth in Section 2 does not limit research related to marijuana conducted at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity.

Section 4: Once this Ordinance takes effect, no provision, definition, regulation or use (permitted or conditional) set forth in the City of Pataskala Zoning Code shall include, or be interpreted to include, Medical Marijuana cultivation, processing, and/or retail dispensing.

Section 5: 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 6: All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereto.

Section 7: This Ordinance shall become effective upon the earliest date allowed by the Charter of the City of Pataskala.

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