



City of Pataskala *Legislative Report to Council*

Legislative Report

May 15, 2017 Council Meeting

Unfinished Business

A. Ordinances

➤ ORDINANCE 2017-4284 – 3RD READING

The property has an existing 1,954 square foot home built in 1890 that is currently being used for residential purposes as well as a 720 square foot detached garage. The owner is proposing to continue using the second floor as a residence and to use the first floor of the house as a bakery and small gathering location under the business Blissful Confections & Events LLC. Commercial convection ovens and a commercial refrigerator would be installed. No alterations to the layout of the structure are proposed.

The property has limited parking space available in the rear with no on-street parking in the immediate area. However, pursuant to section 1291.05 of the code, if public parking is within 300 feet of the property, the property does not need to meet the minimum parking requirements. Therefore, all parking requirements will be met because there is a public parking lot less than 300 feet south of the location.

Pursuant to section 1245.04 of the code, residential dwelling units are conditionally-permitted uses under a Downtown Business district. Therefore, the applicant was required to apply for a conditional use to be able to reside on the second floor. The board of Zoning Appeals approved this request on April 11, 2017.

➤ ORDINANCE 2017-4286- 3RD READING – SUPPLEMENTAL APPROPRIATION

This piece of legislation remains unchanged from its' 2nd reading at the May 1st Council meeting. **We are respectfully requesting that this ordinance have its' 3rd reading and approval at the May 15th Council meeting.**

- *Section 1: Litigation Settlement* – At the March 3rd Council meeting, Council authorized the city to enter into a litigation settlement with former Council member Michael Fox, for an amount not to exceed \$10,000. In order to issue such payment, we are requesting a \$10,000 increase in supplemental appropriations to cover the settlement.

- *Section 2: Mayor's Court File Scanning* – The Mayor's Court Clerk has been progressively scanning old court case files in order to eliminate the need for maintaining the paper form of the documents. The Clerk would like to begin scanning the 2015 case files, and is requesting an appropriation of \$5,000 from the Mayor's Court Computer (210) fund. The monies in this fund can only be used for the computerization of the Court and the Clerk's office.

- *Section 3: Taylor Road Culvert Repair* – The Public Service department has identified a culvert on Taylor Road that has failed, and is in need of significant emergency repairs. The Public Service Director has solicited multiple bids, however, none have yet responded with a formal proposal at this time. In order to be prepared to react once the quote has been received, we are requesting an appropriation of \$50,000 from the Street fund to cover the project costs. The Director believes that the project will most likely cost less than that amount, but are requesting the higher appropriation in an abundance of caution.

- *Section 4: Columbia Road Bridge Improvements* – The Ohio Department of Transportation (ODOT) recently delivered an invoice in the amount of \$170,300 for the local share of design and construction costs for the Columbia Road bridge improvements project. When ODOT originally awarded the project back in 2013, the local match was estimated to be \$150,180. Subsequent to that notice, the city transferred the \$150 thousand from the Street (201) fund to the Columbia Road Bridge Improvements (307) fund, and that is the current balance of cash in the fund. In order to pay the increased invoice, however, it will require another transfer of funds from the Street fund. We are requesting an interfund transfer of \$25,000 to cover the fund shortage. Once the project is completed, any unused/unspent funds can be transferred back to the Street or another capital fund.

➤ **ORDINANCE 2017-4287- 2ND READING**

To approve current replacement pages to the Pataskala Codified Ordinances.

New Business

B. Resolutions

- **RESOLUTION 2017-002 - A resolution authorizing the City Administrator to enter into a contract with the Licking County Board of Commissioners for reimbursement of legal counsel for indigent defendants for the City of Pataskala, Licking County, Ohio**

Approval of this resolution would provide authorization for the City Administrator to execute a contract with the Licking County Commissioners for reimbursement of costs

associated with legal defense for indigent defendants. Legislation for this agreement with the County is approved annually. There is a delay to this year's agreement due to changes that were made with the implementation of the Ohio Administrative Code. This is a routine agreement and I recommend approval of Resolution 2017-002.

➤ **RESOLUTION 2017-038 - A resolution authorizing and directing the City Administrator to advertise, receive, and open bids for the construction of a new city police station facility**

Approval of this resolution would provide authorization for the new police station bidding process. The construction plans are substantially complete and have been submitted to the Licking County Building Department for review and permitting. The project schedule calls for the first advertisement for bids to be published May 30th. The pre-bid meeting will be held on June 8th. The bid opening is scheduled for June 29th. Assuming we receive an awardable bid, legislation would be presented to Council in early July to seek authorization to execute the construction contract. Following Council approval of the contract, a pre-construction meeting would be held with the contractor, after which, construction would commence. We anticipate constructing beginning in mid to late July with a 14-15 month construction schedule. I recommend approval of Resolution 2017-038.

➤ **RESOLUTION 2017-039 – A resolution requesting the Licking County Auditor to certify to the City the total current tax valuation of the City and the dollar amount of revenue that would be generated by a new .75-mill tax levy for Parks and Recreation funding**

Requesting this certification is the first step in the levy process. Ohio Revised Code 5705.03 requires that a local taxing subdivision request and receive from the county auditor the current tax valuation of their municipality and revenue generated from a millage rate prior to placing a levy on a voting ballot. Receiving this certification does not bind us to placing a levy on the November ballot. However, if the decision is made to place a levy in November, this certification will be necessary. Ohio Revised Code 5705.19 lists the specific purposes that taxing bodies may initiate a levy and the specific purpose must be listed in the certification legislation. In this case, the purpose, as included in ORC 5705.19 is for "parks and recreation purposes." I recommend approval of Resolution 2017-039.

➤ **Resolution 2017-040 – A resolution authorizing the City Administrator to accept the bid of, and enter into a contract with, The Shelly Company for construction services for the 2017 RAMP Program**

The bid opening for construction of the 2017 RAMP was held on Tuesday, April 25th. Two bids were received, one from Decker Construction, and the other from The Shelly Company. Both bids were awardable, with the Shelly Company's bid being the lower of the two and under the engineer's estimate for a total value of \$598,998.50. Jobes & Henderson has reviewed the bid packages, and found that all is in order with

the bids, and provided a recommendation to move forward with award of contract to The Shelly Company. This resolution will authorize the City Administrator to enter into contract with The Shelly Company for construction of the 2017 RAMP project. Approval of this resolution is recommended.

C. Motions

➤ **Motion to accept the donation of 50 cubic yards of mulch from Mulch Manufacturing for use at City owned facilities.**

Each year, Mulch Manufacturing donates mulch to be used at city owned facilities. Mulch Manufacturing donated 50 cubic yards of mulch this year, which was placed by volunteers from Real Church. The mulch was installed at the City Administration Building and Police Station. The excess donated mulch will be placed by City employees at the city entry signs. I recommend approval of this motion to accept the donation from Mulch Manufacturing