



City of Pataskala *Legislative Report to Council*

Legislative Report

November 19, 2018 Council Meeting

Boards and Commissions Vacancies

✓ **Personnel Board of Review**

At the end of this year, several terms will expire on the Personnel Board of Review and the Planning & Zoning Commission.

There is currently one vacancy on the Personnel Board of Review. This appointment will take effect immediately and would expire on December 31, 2020.

Two additional terms will expire on December 31, 2018. These appointments will take effect January 1, 2019 and expire on December 31, 2019.

Personnel Board of Review members are Council appointments and approved by a majority vote of Council.

Applicants for the Personnel Board of Review are:

- April Beggerow (interviewed during the 11/5 Council meeting)
- Becky Smith (current PBR member – term to expire on 12/31/2018)
- Troy Mills ((current PBR member – term to expire on 12/31/2018)

✓ **Planning & Zoning Commission**

There will be three vacancies on the Planning & Zoning Commission upon expiration of current terms on December 31, 2018. The new appointments will take effect January 1, 2019 and expire on December 31, 2022.

Planning & Zoning Commission members are Council appointments and approved by a majority vote of Council.

Applicants for the Planning & Zoning Commission are:

- Robert Beggerow
- Randall Ripley (current P&Z Commission member)
- Rick Boggs (current P&Z Commission member).

Unfinished Business

A. Ordinances

➤ **ORDINANCE 2018-4314 – 4th READING**

The three eastern properties located at 14305 & 14271 Columbus Road SW (East Broad Street) & 14359 East Broad Street consist of 5.6 acres, 5.36 acres, & 5.12 acres (16.08 Total Acres). The three properties are currently owned by Charles McClellan which operates the trucking company CM Brokerage, Inc. The owner is proposing to rezone the properties from GB – General Business & R-87 – Medium-Low Density Residential to only GB – General Business.

The western-most property located at 14379 East Broad Street consists 4.27 acres. The property is currently owned by Rose Oberst who is proposing to use the property for her real-estate business Mgt. & Maintenance, LLC. The owner is proposing to rezone the property from GB – General Business & R-87 – Medium-Low Density Residential to only GB – General Business.

The Comprehensive Plan's Future Land Use map designates the properties as having Retail along Broad Street with the remaining area designated at Office. The proposed GB – General Business rezoning would conform to the Comprehensive Plan.

Due to the property being split-zoned between residential and commercial, the regulations that apply for each zone district can become complicated and make it difficult to determine which regulations apply to the property. In addition, the Law Director has previously stated that split-zoning is "technically illegal". Therefore, the applicants are taking the necessary steps to correct the issue.

➤ **ORDINANCE 2018-4325- 2019 BUDGET- 3rd READING**

The proposed 2019 budget and 5-year projections were presented to Council for consideration at the October 8th special Council meeting, and the legislation has had two Council readings since that time. **No changes to the legislation have been made since the second reading. We are respectfully requesting that Council hold the 3rd and final reading of the ordinance at the November 19th meeting.**

➤ **ORDINANCE 2018-4326 - INCOME TAX ALLOCATION RATES – 3rd READING**

Once the debt service and operational funding requirements have been identified, the allocation of income tax revenues between the Debt Service, Street, Police and Capital Improvements funds must be calculated. The initial portion is taken off the top to cover any outstanding debt service requirements. After that amount has been calculated, the next level is allocated to the Street and Police funds to cover their current year operational needs. Any remaining funds at that point are allocated to the Capital Improvements funds. The 2018 allocations were as follows: 32.10% - Street; 52.00% - Police; 13.90% - Debt Service; and 2.00% - Capital Improvements. For 2019, the allocations are proposed as follows: 33.0% - Street; 51.5% - Police; 6.0% - Debt Service; and 9.5% - Capital Improvements. **No changes to the legislation have been made since the second reading. We are respectfully requesting that Council hold the 3rd and final reading of the ordinance at the November 19th meeting.**

➤ **ORDINANCE 2018-4328**

An ordinance to amend the Pataskala Schedule of Fees.

➤ **ORDINANCE 2018-4329 - SUPPLEMENTAL APPROPRIATION – 2nd READING**

As we go into year-end, it is important that we ‘clean up’ the budget a bit, ensuring that needed funding is available in the proper budget functions and categories. We’ve made a number of changes to the legislation since the November 5th meeting. **The changes to the ordinance have been highlighted in bold below. We are respectively requesting that the ordinance be amended by substitution and receive its’ 2nd reading at the November 19th meeting. The sections**

- *Sections 1-6: Wages and Benefits* – When the budgets were initially developed in August 2017, the wages, taxes, pension and insurance budget lines were estimated using the best information available at that time. Since then, we have more accurate actual information on benefit costs, overtime usage/cash outs, terminated employee cash outs of accrued paid time off (e.g., vacation) and unplanned funding of new hire HRA balances. While there are increases in a few areas, most of the requested adjustments are actually reductions of the 2018 budget. The combined impact of these changes is a \$44,500 reduction in approved spending.
- *Sections 7 – 10: Income Tax Collection Fees & Refunds* - Income tax collections continue to track better than the original budget estimates. Although we increased the income tax projections back in July, collections are exceeding the revised estimates. Unfortunately, one of the consequences resulting from increased collections is that the costs of collections have also risen proportionally. These sections represent the increases necessary to cover those expenses.
- *Sections 11 – 12: Public Service/Parks & Recreation Shared Gator Purchase* – **The Administration has identified a need by both the Public Service and Parks & Recreation departments for the use of a John Deere gator (ATV). The purchase would cost (net of trade-in) approximately \$14,000 which would be split 50/50 between the two departments. Funding for the purchase would come from existing appropriations, although the supplemental is requesting a reclassification between budget objects in order to have the appropriation in the appropriate line. There is no net financial impact to these changes.**

New Business

A. Ordinances

➤ **ORDINANCE 2018-4327 – FIRST READING**

The property located at 997 North Oxford Drive is currently vacant and zoned PDD – Planned Development District. The property was originally part of a larger lot

containing the 3.91 acres of the TrueCore property and the 1.68 acres where AutoZone is currently located to the South. This parcel was rezoned from PRO – Professional Research Office to PDD – Planned Development District in January of 2012 (Ordinance 2012-4066) with development planned in two phases. It was the Platted as two separate lots in March of 2012 with Phase I, an approximately 6,816 square foot AutoZone store, being constructed. Phase II was never completed.

The development plan has subsequently expired, and the applicant has chosen to rezone the property to PRO. As this is not a Planned Development, approval of a rezoning does not constitute an approval of the plans as submitted. The applicant will be required to apply for a TCOD permit prior to development.

The Future Land Use Map designates this property as Office; therefore, the proposed rezoning to the PRO –Professional-Research-Office district is in line with the Comprehensive Plan. The NAICS Classification Matrix identifies a Credit Union with use code 522130 and is a Permitted use within the PRO district.

B. Resolutions

➤ **RESOLUTION 2018-054**

A resolution authorizing and directing the City Administrator to enter into a professional services agreement with Hull & Associates (formerly Jobes Henderson) for professional engineering services for fiscal year 2019.

Approval of this resolution would provide authorization for the City Administrator to execute an agreement with Hull Associates (formerly Jobes Henderson) for general engineering services for fiscal year 2019. The City has contracted general engineering services with Jobes Henderson for the past few years. We have been very satisfied with the response and work product from Hull/Jobes during the past few years. They have served the city well and have become an integral piece of our service to the community. The 2019 retainer is for \$120,000 for the year. In 2018 the retainer was for \$98,000. As we continue to face additional infrastructure needs and development pressures, we anticipate asking for more to be covered under the retainer agreement due to the workload.

I recommend approval of Resolution 2018-054.

➤ **RESOLUTION 2018-055**

A resolution authorizing and directing the City Administrator to enter into an agreement with Mr. John Udischas for the installation of voice and data equipment at the new Pataskala Police Station

Approval of this resolution would authorize the City Administrator to hire Mr. John Udischas to complete the install of audio and data equipment and cabling in the new Police Station. Mr. Udischas has served several years as IT consultant for the Police Department and is familiar with their equipment and needs. Mr. Udischas provided a quote of \$46,500 for completion of this work. This work was originally estimated to cost over \$100,000 to complete if bid as part of the project. The overall project budget has money built in to find this services.

I recommend approval of Resolution 2018-055.