



City of Pataskala *Legislative Report to Council*

Legislative Report

November 6, 2017 Council Meeting

Unfinished Business

A. Ordinances

➤ ORDINANCE 2017-4299 – 3rd READING

The proposed 2018 budget and 5-year projections were initially presented to Council for consideration at the October 2nd Council meeting, with formal reviews held at special Council meetings on October 11th and October 30th. The Finance Director, Administrator and Public Service Director recently met to review the proposed Street Fund (201) budget, and found more than \$800,000 in savings over the 5-year forecast period. In addition, Council directed the Administration to add \$65,000 to the Street fund for Broad Street intersection pedestrian crossing improvements. All of these changes have been incorporated into the proposed budget, and an amended Exhibit A to the legislation has been prepared. We are respectfully requesting that Council amend the legislation by substituting the updated Exhibit A, and that the ordinance receive its' third reading at the November 6th meeting. Due to the fact that changes are being made to the legislation, the charter requires an additional reading now be held at the November 20th meeting. Even with this additional reading, the timeline matches that in the approved budget schedule.

➤ ORDINANCE 2017-4297 – 2nd READING

Food trucks or mobile food vendors are currently permitted via a solicitor's license issued by the Police Department. A solicitor's license is required for a "peddler, solicitor, canvasser, itinerant merchant or mobile food service operation". The application for a license for a solicitor's permit also includes a fee; \$25 for 30 days or less or \$100 for no more than one year. There are no regulations for where a food truck may locate, hours, parking, signage, etc.

Prior to identifying the food truck regulations in the Code, the Planning and Zoning Department had used the regulations for Temporary Activities to issue a permit. A total of two permits were issued using these regulations.

The existing regulations for food trucks were created in 1985, well before their rise in popularity. Furthermore, there is no specific requirements on how a food truck is expected to operate. As a result, staff approached the Development Committee about establishing regulations for food trucks. Following their July 24th meeting, the Development Committee recommended the proposed regulations proceed through the code amendment process. The Planning and Zoning Commission recommended approved at their September 6th meeting.

➤ **ORDINANCE 2017-4298 – 2ND READING**

As part of the public hearing process for the Board of Zoning Appeals and Planning and Zoning Commission, the Code requires that the Planning and Zoning Department send notice of the hearing to the owner of neighboring properties “within 200 feet or two parcels from any point on the perimeter of the applicant’s property line, whichever creates more property owners”.

The Licking County Auditor, through their online mapping system, provides a tool whereby a list of property owners within a given radius of a property, in this case 200 feet, can be obtained. Issues arise when implementing the “two parcel” provision, which include:

- Interpretation of how to determine two parcels.
- Arbitrary notification process.
- Creation of holes in the notification area whereby one property will be left out while surrounding properties are notified.
- Arduous process to confirm property owner list provided by the applicant is accurate.
- Can create excessively large distances between “neighboring” properties.

Because of the issues that the “two parcel” provision creates, staff worked with the Development Committee to determine the radius of 300 feet from the subject property as the radius for notification. Furthermore, it was determined that it will be the responsibility of the Planning and Zoning Department not the applicant, to identify the individuals within that radius for notification. The Development Committee recommended the amendment proceed through the code amendment process at their July 24th meeting. The Planning and Zoning Commission recommended approval at their August 9th meeting.

➤ **ORDINANCE 2017-4300 – 2ND READING**

An ordinance to amend section 929.03 (g) of the Codified Ordinances for the City of Pataskala regarding Utility Capacity Connection Fees.

The Administration and Utility Committee reviewed the current connection capacity fee charges. It has been determined that an increase to the in town $\frac{3}{4}$ water and sewer connection fees should be increased. The Ordinance will amend the current rates to reflect an in town water $\frac{3}{4}$ charge increase to \$5,500 and $\frac{3}{4}$ sewer charge to \$4,500.

➤ **ORDINANCE 2017-4301 – 2ND READING – Income Tax Allocation Rates**

Once 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. For 2018, the allocations are proposed as follows: 32.10% - Street; 52.00% - Police; 13.90% - Debt Service; and 2.00% - Capital Improvements. We are requesting that the ordinance receive its' second reading at the November 6th meeting.

B. Resolutions



New Business

A. Ordinances

➤ **ORDINANCE 2017-4302: Supplemental Appropriation**

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. For now, two specific areas have been identified and are covered below. We are requesting that the ordinance receive its' first reading at the November 6th meeting.

- *Sections 1-4: Income Tax Fees & Refunds* – Income tax collections continue to track better than the original budget estimates. As a result, the cost of collections have risen proportionally and the value of refunds have also increased. These sections represent the increases necessary to cover those expenses as we go into year-end.
- *Sections 5-6: Debt Service* – The debt service fund receives its' allocation of income tax revenue on a monthly basis. Unfortunately, there are some significant

debt service payments that must be processed prior to receiving all 12 months of revenue. We are requesting an interfund transfer of \$56.5 thousand from the General (101) fund to cover any funding shortfall as we go into year-end. Section 6 authorizes the Finance Director to make the transfer on the general ledger.

B. Resolutions

➤ **RESOLUTION 2017-063 – A resolution providing the City of Pataskala’s commitment to the Mid-Ohio Regional Planning Commission’s Sustainable2050 Initiative.**

Mayor Compton serves on the Mid-Ohio Regional Planning Commission’s (MORPC) Sustainability Committee. One of the Committee’s initiatives is Sustainability2050. This new program replaces the previous Central Ohio Green Pact program, which the City joined several years ago. Approval of this resolution would provide the city’s commitment to join the Sustainable2050 initiative, similar to our joining the Green Pact several years ago. Mayor Compton will answer any questions you have about this initiative or the Sustainability Committee. I recommend approval of resolution 2017-063.

➤ **RESOLUTION 2017-064 – A resolution to provide certain in-kind city resources in support of community events held within the City of Pataskala**

There are certain community events that are not sponsored by the city that have historically been held in the city. Traditionally, the city has provided in-kind support to these events in the form of erecting signs, miscellaneous labor, and preparation of property for the events. Approval of this resolution would memorialize the city’s intent to provide said in-kind support to these historic events moving forward. The events identified in the resolution are:

Pataskala Street Fair and Parade	Independence Day Fireworks	Antique Power Show
Easter Egg Hunt	Cookie Walk and Parade	Flags Over Pataskala
Memorial Day	Veterans Day	Farmers Market

The in-kind donations do not include the cost of special duty police coverage. Any necessary special duty police coverage will be the financial responsibility of the event sponsor.

Council retains the right to amend this resolution to add or remove community events to provide in-kind resources to.

I recommend approval of resolution 2017-064