



City of Pataskala *Legislative Report to Council*

Legislative Report

March 2, 2020 Council Meeting

Unfinished Business

A. Ordinances

➤ ORDINANCE 2019-4354 – 3RD READING

The applicant is seeking approval of a Preliminary Development Plan proposed Planned Development District, “Sage Point”, a 183 lot residential subdivision to be located on the unimproved 84 +/- acre property located a 6031 Summit Road. This property was previously proposed for development into a residential subdivision in 2001, 2005 and 2007; however, the proposal was denied by Council. The Comprehensive Plan recommends the property as High Density Residential, which would be approximately 2.17 units per acre in this instance. The proposed rezoning would have approximately 2.17 units per acre. The Planning and Zoning Commission recommended disapproval of the rezoning on November 6, 2019.

➤ ORDINANCE 2020-4358 – 3RD READING

The purpose of the Distressed Properties amendment is to protect the health, safety and welfare of the citizens of Pataskala, reduce the potential for economic decline as a result of public nuisances, protect aesthetic standards, and preserve and protect property values.

The Distressed Properties regulations would apply to the following:

- A. All parcels located within a platted subdivision
- B. All commercially zoned parcels
- C. All R-M – Multi-Family Residential zoned parcels
- D. All industrially zoned parcels
- E. All R-MH – Manufactured Home Residential zoned parcels
- F. All parcels one and one-half (1.5) acres or less

These regulations would not apply to a qualifying parcel that is actively undergoing construction or repair as evidenced by a valid building and/or zoning permit and actively progressing to complete the construction or repair.

The Distressed Properties regulations addresses maintenance standards including, but not limited to, keeping yards free of litter, maintaining pools so as to not harbor mosquitos, maintaining the exterior of a structure in good repair, and maintaining

exterior walking surfaces so as to not pose a danger. The regulations also address security standards such as securing vacant buildings so as to be inaccessible to wildlife and unauthorized persons.

If a violation of these regulations is found to exist, the enforcing official would proceed through the standard zoning violation process unless the person in charge of the property applies for an abatement plan. An abatement plan allows the person in charge of the property and the enforcement official to agree to a time frame to correct the issues if the repairs are extensive or costly. If the abatement plan is not adhered to and/or if an extension is not granted, the enforcement official may proceed through the standard zoning violation process.

➤ **ORDINANCE 2020-4359 - 2ND READING**

The purpose of Chapter 1287 – Off-Site Impacts is to protect uses in all districts from certain objectionable off-site impacts including, but not limited to, noise, vibration, glare and odors. As the Chapter is currently written there is no penalty section, thereby making the provisions of this chapter unenforceable. The amendment would add a penalty section referencing the standard penalties of Section 1209.99 of the Pataskala Code.

New Business

A. Ordinances

B. Resolutions

➤ **RESOLUTION 2020-018 - FOP CONTRACT RATIFICATION**

The city has reached tentative agreement with the Fraternal Order of Police, Ohio Labor Council (Police officers and Detectives only – no Sergeants) on all issues, including wages and benefits. The FOP members have voted on the agreement, and approved it as presented. Resolution 2020-018 has been prepared and is being presented to Council for consideration at the March 3rd meeting. Here are some of highlights of the proposed contract:

- Calls for 6.00% wage scale increase in 2020 with reopeners in 2021 and 2022 regarding wages, shift differential and on-call pay.
- Provides for longevity-related compensation after 5 years with annual payments on their anniversary date equal to \$100 per year of service with a cap of \$2,000 annually.
- Provides management with the ability to hire experienced officers from other jurisdictions (e.g. lateral hires).
- Employee contributions toward the health care insurance premiums will remain at 10% for 2020 through 2022.
- Reduces minimum charge to sick leave balance from 2 hours to 15 minutes.

- The Columbus Day holiday has been eliminated and adding the Friday after Thanksgiving in its place. Added Christmas Eve as an additional holiday for a total of 11 paid holidays.
- Changed compensation of Field Training Officer (FTO) position from \$1.50 per hour while actively serving in this capacity to \$1.50 per hour for all hours worked during their 1-year commitment period. In the event an Officer fails to complete their FTO commitments, they will be assessed (fined) \$500.
- Numerous changes to existing language for clarification and consistency purposes.

➤ **RESOLUTION 2020-019 - OPBA CONTRACT RATIFICATION**

The city has reached tentative agreement with the Ohio Patrolmen's Benevolent Association (Sergeants only) on all issues, including wages and benefits. The OPBA members have voted on the agreement and approved it as presented. Resolution 2020-019 has been prepared and is being presented to Council for consideration at the March 3rd meeting. Here are some of highlights of the proposed contract:

- Maintains the 10% starting wage pay rate differential and steps in 2020 with reopeners in 2021 and 2022 regarding wages and shift differential.
- Provides for longevity-related compensation after 5 years with annual payments on their anniversary date equal to \$100 per year of service with a cap of \$2,000 annually.

➤ **RESOLUTION 2020-020 - USW CONTRACT RATIFICATION**

The city has reached tentative agreement with the United Steel Workers (USW) on all issues, including wages and benefits. The USW members have voted on the agreement and approved it as presented. Resolution 2020-020 has been prepared and is being presented to Council for consideration at the March 3rd meeting. Here are some of highlights of the proposed contract:

- Calls for 4.0% wage scale increase in 2020, 3.0% in 2021 and 3.0% in 2022.
- Added language clarifying that employees are not required to have dues deducted from their bi-weekly pay for the union. This has been added to reflect recent court cases at the federal level.
- Provides for longevity-related compensation after 5 years with annual payments on their anniversary date equal to \$100 per year of service with a cap of \$2,000 annually.
- Provides for a minimum of 3 hours (instead of 2) when called in after midnight but prior to their scheduled start time.
- Employee contributions toward the health care insurance premiums will remain at 10% for 2020 through 2022.
- Allows employees to request cash out of accrued comp time at anytime instead of only once per year. Provides that in the event a request is made after

November 15th, such request will be made on a ‘best efforts’ basis due to the availability of appropriations.

➤ **RESOLUTION 2020-021 - NON-UNION PAY MATRIX**

As the city has now reached agreement with the three bargaining units, it is appropriate at this time to present the 3-year pay matrix for all non-union employees (excluding the Administrator and Finance Director) for Council approval. The proposed pay grids reflect 4% increase in 2020, and 3.0% increases in 2021 and 2022. These pay rate increases match those received by the USW. The scale (like those in the unions) will be applied retroactively back to January 12, 2020 for all impacted employees (start of the first full payroll in 2020). Resolution 2020-021 has been prepared and is being presented to Council for consideration at the March 3rd meeting. Here are highlights of the proposed pay matrix:

- Calls for 4.0% wage scale increase in 2020, 3.0% in 2021 and 3.0% in 2022.
- Increased the starting pay of the Parks Manager position from \$45,678 to \$60,000 in 2020. This increased rate of pay was included in the budget and was arrived at by consulting the 2019 MORPC Annual Salary Survey. Copies of the relevant pages from the study are attached to this report.

➤ **RESOLUTION 2020-023 – A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO ENTER INTO A CONTRACT WITH, SPENCO EXCAVATING, INC. FOR CONSTRUCTION SERVICES FOR THE TOWN STREET TRUNK SEWER PROJECT**

The Town Street Trunk Sewer project is being undertaken to alleviate flooding that is occurring in the vicinities of Vine Street, Linda Avenue, and Liden Avenue. Due to the nature in which this problem has arisen, and the need to expedite the project due to the immediacy of the negative effects that it has caused, City Council has declared this project an emergency.

As this project has been declared an emergency, the standard bidding process has been waived and a contractor was selected directly by the City. That contractor is SpenCo Excavating, Inc. and this choice was based on past performance of the contractor on other City projects, and the availability of the contractor to complete the work judiciously.

While a formal bidding process was not followed, in the best interest of the City and contractor, SpenCo Excavating, Inc. has submitted a bid for the project. This is a line item bid and will be administered in the same fashion as if the contract did follow the normal bidding process; in other words, all items will be tracked and paid in accordance with the bid prices.

SpenCo Excavating, Inc. submitted a bid price of \$274,825. Funding in the amount of \$275,000 for this project was made available through Supplemental Ordinance 2020-4361 and is sufficient to cover the cost of this project.

This resolution will authorize the City Administrator to enter into contract with SpenCo Excavating, Inc. for construction of the Town Street Trunk Sewer project. Approval of this resolution is recommended.

➤ **RESOLUTION 2020-024 – A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH PRIME CONSTRUCTION**

MANAGEMENT & SURVEY, INC. TO PROVIDE CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES FOR THE TOWN STREET TRUNK SEWER PROJECT

Approval of this resolution will authorize the City Administrator to enter into an agreement with Prime Construction Management & Survey, Inc. to provide Construction Administration and Inspection services for the Town Street Trunk Sewer project. Construction administration services include review of shop drawings, pay application and change order review and preparation, and daily administration of the contract including coordination with the inspector. Construction Inspection services will include an inspector being on-site full-time during project operations, who will observe, document, and report construction activities. Both services are needed to ensure successful implementation of the plans in accordance with the specifications.

Funding for Construction Administration and Inspection Services for the Town Street Trunk Sewer project will be achieved through built-in contingencies in the 2020 budget for engineering and inspection services. Approval of this resolution is recommended.

➤ **RESOLUTION 2020-025 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR, OR HIS DESIGNEE, TO ADVERTISE, RECEIVE, AND REVIEW BIDS FOR CONSTRUCTION OF THE 2020 ROADWAY IMPROVEMENTS PROGRAM**

Approval of this resolution would provide for Glaus, Pyle, Schomer, Burns & DeHaven, Inc. (GPD Group) to complete bidding services for the 2020 Roadway Improvements Project. Bidding services include advertisement for, receipt, and review of bids, and is part of the Annual Roadway Improvements Design Engineering Services, which is identified in the approved 2020 budget as Public Service Department project number SVC-17-021.

The proposed cost for bidding services is included in the total value of \$34,800 that was approved as part of Resolution 2019-079 for Engineering Services of the 2020 Roadway Improvements project. Approval of Resolution 2020-025 is recommended.

➤ **RESOLUTION 2020-026 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT TO PURCHASE A 2020 GMC SIERRA 2500, 4WD, REGULAR CAB, UTILITY BED UTILITY TRUCK FROM BOB ROSS AUTO GROUP THROUGH THE STATE OF OHIO COMPETITIVE PURCHASING PROGRAM.**

The Utility Department maintains a fleet of trucks that it uses to operate and maintain all of our various infrastructure sites throughout the city. These trucks are 4 wheel drive and are large enough to haul our emergency trailer mounted pump and generator.

Currently, we have a 2011 Ford Transit that is not an acceptable vehicle for use in the treatment and systems portion of the department's daily functions. The Utility Department has decided that due to the new location of our operations, the Transit would be an acceptable vehicle to use for the Billing Team, as well as for use by the City Administration as needed. This will leave the department short one vehicle for its field crews. If approved, this resolution would authorize the City Administrator to fill this vehicle vacancy with a 2020 GMC Sierra 2500, 4WD, Regular Cab, Utility Bed truck.

In the 2020 Budget, \$35,000 was set identified to be used for this purpose. The quote from Bob Ross Auto Group through the State Competitive Purchasing Program is \$34,561.00.

I recommend approval of Resolution 2020-026.

➤ **RESOLUTION 2020-027 – A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO ADVERTISE, RECEIVE, AND REVIEW BIDS FOR CONSTRUCTION OF THE WATER RECLAMATION FACILITY (WRF) UPGRADE PROJECT**

The City of Pataskala operates and maintains a Water Reclamation Facility (WRF). In anticipation of an expected phosphorous discharge limit, we have gone through the process of designing an upgrade to the WRF that would both increase our operational abilities and reduce the phosphorous in our discharge.

The City has been waiting on the OEPA to approve the Permit to Install (PTI) for this project for months. We have received word that the PTI approval is expected within the next week or two. Once this step is complete, we will be able to put the project out to bid as the total cost of the project will exceed the \$50,000 threshold.

This resolution will authorize the City Administrator to bid out, receive and review bids for the WRF Upgrade Project.

I recommend approval of Resolution 2020-027.

➤ **RESOLUTION 2020-028 – A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT TO PURCHASE A 2020 GMC SIERRA 1500, 4WD, CREW CAB, SHORT BED UTILITY TRUCK FROM BOB ROSS AUTO GROUP THROUGH THE STATE OF OHIO COMPETITIVE PURCHASING PROGRAM.**

The Utility Department maintains a fleet of trucks that it uses to operate and maintain all of our various infrastructure sites throughout the city. These trucks are 4 wheel drive and are large enough to haul our emergency trailer mounted pump and generator.

Currently, we have a 2008 Ford F-250 that is at the end of its useful life, with engine, transmission and differential mechanical issues. If approved, this resolution would authorize the City Administrator to replace this vehicle with a 2020 GMC Sierra 1500, 4WD, Crew Cab, Short Bed truck. The department does not currently have a vehicle that can comfortably seat more than two employees at a time. This Crew Cab truck will allow the crew to take less vehicles than previously whenever more than two employees are traveling to the same location at the same time, such as training events.

In the 2020 Budget, \$30,000 was set identified to be used for this purpose. The quote from Bob Ross Auto Group through the State Competitive Purchasing Program is \$29,097.50.

I recommend approval of Resolution 2020-028.