



City of Pataskala *Legislative Report to Council*

Legislative Report

April 20, 2020 Council Meeting

Unfinished Business

A. Ordinances

➤ **ORDINANCE 2020-4362- 3rd READING – AN ORDINANCE CREATING AND ESTABLISHING TWO (2) CREW LEADER POSITIONS WITHIN THE CITY OF PATASKALA PUBLIC SERVICE DEPARTMENT**

Approval of this resolution will provide for 2 Crew Leader positions within the Public Service Department. These positions will report directly to the Public Service Supervisor, be expected to complete tasks similar to other crew members, and have authority on job sites to direct crew members in the execution of assigned work. The creation of these positions has several benefits, including: clear chain of command, upward mobility and additional personnel.

Many of the tasks within the Public Service Department only require 1 to 3 personnel to complete; accordingly, personnel are regularly split up into crews to complete tasks. With the current staffing within the department being 1 supervisor and 7 crew members, this often leaves crews without a supervisor. While this is generally not a problem, issues have arisen in the form of who is doing what job and how the work gets done, since each crew member is an equal in the chain of command. Adding the crew leader positions will establish a clear chain of command in these situations and minimize the potential for this issue.

The Public Service Department has lost some good employee's, in part due to the lack of upward mobility. With the current staffing of just one supervisor, the options for upward movement within the Public Service Department are very limited, leaving aspiring employee's little option but to seek advancement elsewhere. Establishing these positions will open up avenues for advancement for high achieving employees who desire to stay in the City of Pataskala.

While approval of this Ordinance will provide for 2 new positions within the Public Service Department, there will only be one additional staff member added. One of the two following paths will be taken. Option 1, two internal candidates will be selected for the Crew Leader positions, and one of the crew member positions will be backfilled. Option 2, one internal and one external candidate will be selected. To further clarify, the proposed staffing will be 1 supervisor, 2 crew leaders, and 6 crew members instead of the current staffing of 1 supervisor and 7 crew members.

Efforts of the department to improve drainage and roadways, plow snow in a timely manner, respond to OUPS calls, and quick response to, and performance of myriad other tasks within the City are continual, and ever-increasing with increased construction and population. The addition of another staff member to the Public Service Department will help increase efficiency and effectiveness of the department, allow for quicker response time, and increase the volume of work able to be completed by the Public Service Department.

The pay scale for the Crew Leader positions has been calculated to be a 40% increase over the starting wages of a crew member. This allows for the starting wage of the Supervisor to remain above the top end of the Crew Leader and also allows for the starting wage of the Crew Leader to remain above the top end of the Crew Member (Maintenance Worker) position. The pay range for 2020 has been calculated to start at \$24.94/hr and top out at \$28.90/hr. This pay range is believed to be adequate for the increased duties and responsibilities of the Crew Leader above what is expected from the Maintenance Worker position.

This proposed staffing plan has been reviewed by the Union, and it has been agreed to by both the City and the Union that if approved by Council, that the addition will be included in the Steel Worker's Contract by way of a Memorandum of Understanding. The Personnel Board of Review approved the job description in February of 2020.

Approval of Ordinance 2020-4362 is recommended.

➤ **ORDINANCE 2020-4363 - SUPPLEMENTAL APPROPRIATION – 3RD READING**

The City has been awarded several grants that were not included in the 2020 permanent budget, and which require additional appropriations in order to pay or record expenses related to the grants. In addition to the grant-related spending, some additional appropriation needs have been identified and are included in this ordinance. **We are respectfully requesting that Council hold the 3rd reading of the ordinance at the April 20th meeting and approve the legislation. Nothing has changed in the legislation since it's 2nd reading.**

- *Section 1: Street Improvement Program* – The Public Service Director has evaluated the streets and related infrastructure to be included in this year's street improvement program. The originally approved budget for the program was \$650,000. He believes, however, that additional work can be performed at the same time using savings from the 2019 budget with the cost of the additional work estimated to be as high as \$200,000. At this time however, he hasn't yet had the opportunity to vet this request through the Street Committee. **We are requesting an increase in approved appropriations of \$200,000 in order to cover the estimated costs for the additional infrastructure improvements.**
- *Section 2: Old Town Hall HVAC Improvements* – The city has been awarded a grant from the Ohio Facilities Construction Commission in an amount not to exceed \$200,000 for the installation of HVAC improvements (e.g., air conditioning) in the Old Town Hall. This is a reimbursement grant, and the city must first expend the funds and then seek reimbursement from OFCC. This item was not included in the 2020 CIP program and as a result, no appropriations were requested as a part of the 2020 permanent budget. It is important to note that this item will have no

overall impact to the fund balance, as we will be increasing the revenue forecast to reflect the grant proceeds. **We are requesting an increase in approved appropriations of \$200,000 in order to cover the estimated costs of the facility improvements.**

- *Sections 3 & 4: Liberty Park improvements* - The city has been awarded an Ohio Department of Natural Resources *NatureWorks* grant for the Liberty Park Improvements project. This project was not included in the 2020 budget, as we hadn't formally received notice of the award prior to development of the budget. The total amount of the supplemental will be \$122,104 (includes 5% contingency) which will come from the Capital Improvements (301) and Park Use (207) funds with funding of \$68,579 coming from ODNR. The remaining local match of \$53,525 will be split between the 2 funds. **We are requesting a total increase in approved appropriations of \$122,104 in order to cover the estimated costs of the park improvements.**
- *Section 5: Mayor's Court Oversight* – The recent sudden resignation of the Mayor's Court Clerk has left the city and the court in a situation where additional professional resources are needed to provide oversight and administration of the court. The court's magistrate, Kip Kelsey, has been providing this service. The 2020 permanent budget did not anticipate this need for additional contractual services. In order to cover the additional costs, a budget transfer from the Salary & Related category to the Contractual Services category is being proposed. This would have a net \$0 impact to the court's budget as the budget increase and decrease are equal. **We are requesting a decrease of \$8,000 in the Salary & Related category and an increase of \$8,000 in the Contractual Services category in order to cover the additional professional services cost.**

New Business

A. Ordinances

➤ **ORDINANCE 2020-4364 - MAYOR'S COURT BAILIFF- 1ST READING**

With the recent passing of Bob Wheeler, the city's Mayor's Court has been without a regular bailiff. The Administration formally created a position description for the bailiff position (none had existed prior), and had the document approved by the Personnel Board of Review (PBR) on March 25th. The Administration is now requesting that Council approve the position so that it can be advertised, and someone hired to fill the position prior to the court reopening its operations. **We are respectfully requesting that Council hold the 1st reading of the ordinance at the April 20th meeting. It is expected that this legislation will go through all 3 required readings.**

➤ **ORDINANCE 2020-4365 - 1ST READING**

This ordinance would approve the creation of the Economic Development Director position. The Development Committee provided comments on the position

description on April 8, 2020. The position description was approved by the Personnel Board of Review on April 14, 2020.

B. Resolutions

➤ **RESOLUTION 2020-029 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO ACCEPT THE BID OF, AND EXECUTE A CONTRACT WITH, BUILDERSCAPE INC. FOR CONSTRUCTION SERVICES FOR THE LIBERTY PARK IMPROVEMENTS PROJECT.**

➤ **RESOLUTION 2020-035 - A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF TIMOTHY O. HICKIN TO SERVE AS THE NEXT CITY ADMINISTRATOR AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN EMPLOYMENT AGREEMENT WITH TIMOTHY O. HICKIN.**

➤ **RESOLUTION 2020-036 – A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT THE BID OF, AND EXECUTE A CONTRACT WITH, THE SHELLY COMPANY FOR CONSTRUCTION SERVICES FOR THE 2020 ROADWAY IMPROVEMENTS PROGRAM**

The bid opening for construction of the 2020 Roadway Improvements Program was held on Tuesday, April 7, 2020. Four bids were received from the following contractors: Decker Construction Company, Columbus Asphalt Paving, George J. Igel & Co., and The Shelly Company. All bids were awardable, and three of them were below the Engineer's Estimate of \$661,366.00. The Shelly Company's bid was lowest and best and came in at a value of \$527,756.13. GPD Group Inc. has reviewed the bid packages, found that all is in order with the bids, and provided a recommendation to move forward with award of contract to The Shelly Company.

Furthermore, the project included five alternate bid items:

- Mill Street from the bridge over the Muddy Fork River to SR 310
 - Mill and overlay with repair
 - \$72,917.05
- Columbia Road from Mink Street to Broad Street
 - Double Chip Seal with repair
 - \$195,377.24
- Columbia Road from Broad Street to Refugee Road
 - Various improvements including milling, overlay, and chip seal
 - \$339,529.56
- Melody Lane
 - Mill and overlay with repair
 - \$23,417.07
- Blacks Road
 - Mill and overlay with repair
 - \$84,062.18

The Shelly Company's bid prices for each of these alternates is as shown above, and all of their alternate bid items were also the lowest of all the bids on all of the alternates. The original intent was to include Blacks Road (alternate 5) in this years' program, and it was only put into an alternate due to fear of driving the base bid cost over the budget amount. Late in the program, it was realized that Melody Lane (alternate 4) was the only street left in the Oak Haven subdivision to be repaved, and it seemed like a good idea to finish this subdivision while completing Pat Haven Dr., especially at the low cost. Mill Street from the bridge over the Muddy Fork (alternate 1) was always planned as an alternate that would be the first inclusion if it could be afforded. The two sections of Columbia Road (alternates 2 and 3) were hoped to be able to be afforded, but never planned for.

Since the prices came in so good, the base bid, plus alternates 4 and 5 can all be afforded within the project budget of \$650,000, at a total of \$635,235.08. Awarding the base bid plus these two options is recommended. Additionally, it is requested that alternate 1 be completed as this section of roadway is in poor condition. Adding this to the project brings the total contract value to \$708,152.43. This is well below the Supplemental request and takes advantage of good pricing. It is recommended that the Supplemental request remain in place to cover this cost, and also not be reduced, as a reduction would require a fourth reading and delay award of this project as well as other delays that would result for other departments. Note also that while the additional money is being appropriated to the budget, it would not be used without first seeking Council approval.

This resolution will authorize the City Administrator to enter into contract with The Shelly Company for construction of the 2020 Roadway Improvements project. Approval of this resolution, including alternates 1, 4, and 5, is recommended.

➤ **RESOLUTION 2020-037 – A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH PRIME CONSTRUCTION MANAGEMENT AND SURVEY TO PROVIDE CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES FOR THE 2020 ROADWAY IMPROVEMENTS PROGRAM**

Approval of this resolution will authorize the City Administrator to execute a contract with Prime Construction Management and Survey to provide Construction Administration and Inspection services for the 2020 Roadway Improvements Program. 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 2020 RAMP are included in the Public Service Department CIP project SVC-17-021. Note that the proposed contract value of #35,000 is above the budgeted amount of \$25,000, but the additional cost is due to the additional work and that there is contingency funding built into the fund to cover the difference. Approval of this resolution is recommended.

➤ **RESOLUTION 2020-038 – A RESOLUTION AMENDING RESOLUTION 2018-022 AND THEREBY ADDING \$35,036.19 FOR CONSTRUCTION OF THE TAYLOR ROAD TRAIL PROJECT**

Approval of this Resolution will authorize the City Administrator to make payment to ODOT in the amount of \$35,036.19. This is in accordance with the Agreement with ODOT for the project. The Agreement has a maximum funding threshold of \$545,000 for ODOT, and that the City is responsible for 100% of the costs for any amount over that total. The Agreement also states that the ODOT will make expenditures as the deem necessary for the project.

While this does seem frustrating, it is part of the process. Without the funding, the City would not be able to afford the project, and the funding did amount to approximately two thirds of the total project cost. Per ODOT, and in review of the line item cost provided by ODOT for the project, the additional expenditures were necessary for the project.

Fortunately, the Public Service Department assumed that there would be some overages on either this project, the Mink Street, Phase II project, or both. Accordingly, there is a purchase order that was pulled in 2019, from the 2019 budget for \$50,000 to cover these assumed project overages. Therefore, the money has been encumbered, so no additional steps are needed at this time other than to approve this Resolution and make payment.

Approval of this Resolution is recommended.

➤ **RESOLUTION 2020-039 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT, WITH OHM ADVISORS, TO PROVIDE GENERAL, AS NEEDED, PLANNING SERVICES TO REVIEW AND FINALIZE THE COMPREHENSIVE PLAN.**

This resolution would approve a contract with OHM Advisors to continue work on the Pataskala Comprehensive Plan in an amount not to exceed \$40,000. Development Committee recommended approval of the contract on April 6, 2020.