



City of Pataskala *Legislative Report to Council*

Legislative Report

September 8, 2020 Council Meeting

Unfinished Business

A. Ordinances

➤ **ORDINANCE 2020-4372 - EMPLOYEE HANDBOOK & POLICY MANUAL – 2ND READING**

The city's *Employee Handbook & Policy Manual* had its last major update in 2018. Since that time, we have adopted three new collective bargaining agreements. Throughout the course of those negotiations, we sought consistency between the terms in each, and now need to bring the non-union employee guide in line with those contracts. The existing policy manual was provided to our labor legal counsel, Jeff Stankunas, for his review, and most of his recommended changes were related to language clarification and clean-up. Some of the changes for consistency and standardization include:

- *Sec. 5.06: Temporary Job Assignments*
 - Increased maximum wage differential from 5% to 10%.
- *Sec. 5.12: Overtime*
 - Increased minimum call in pay after midnight from 2 hours to 3 hours.
- *Sec. 7.01: Payroll Processing*
 - Clarified that it is the employee's responsibility to ensure that the Finance department has their current (e.g., correct) banking information on file for ACH direct deposit.
- *Sec. 7.03: Payroll Deductions*
 - Clarifies that newly elected or appointed officials (Mayor and Council) may initially elect not to participate in OPERS.
- *Sec. 8.01: Group Insurance Benefit Program*
 - Clarifies that the employee's 10% contribution toward the cost of health insurance is subject to change annually.
- *Sec. 8.05 – Vacation*
 - Clarifies that employees who are not in paid status shall not accrue vacation leave, and that accruals shall be pro-rated based upon the number of hours in paid status versus unpaid status.
 - Requires that in order to be eligible for vacation cash out, the employee must have used less than 45 hours of sick leave in the preceding 12 months.
- *Sec. 8.07 – Holidays*
 - Eliminated the Columbus Day holiday for Police and added Christmas Eve

as a new holiday.

- *Sec. 8.07 – Other Paid Leaves*
 - Added language to ensure compliance with all USERRA military leave and ORC requirements.
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 - Added language to ensure compliance with all USERRA military leave and ORC requirements.
 - Added ‘domestic partner’ to the list of 5-day bereavement-eligible individuals.
 - Clarified that the city shall send flowers to those funerals on the 5-day list, and that no ‘In Lieu of Flowers’ payments are to be made.
- *Sec. 8.10 – Longevity Pay*
 - This is a new section in the handbook which was added to align it with the employee benefits provided by the collective bargaining agreements.
- *Sec. 8.11 – Tuition Reimbursement*
 - Increased the benefit from 50% of costs to 100% and increased the maximum annual payments from \$1,000 (Associate’s)/\$1,500 (Bachelor’s) to \$3,000 for either Associate’s or Bachelor’s. This was updated to align it with the employee benefits provided by the collective bargaining agreements.
- *Sec. 9.02 – Disciplinary Procedures*
 - Clarified that employees who resign immediately or without giving a 2-week notice shall be considered to be resigning ‘not in good standing’ which would eliminate them from being able to cash out accrued sick leave.
- *Sec. 14.12 – Investments and Deposit of Funds*
 - Added bonds and other debt obligations of the State of Ohio or its political subdivisions to the list of eligible investments to mirror the list of eligible investments identified in CO §135.

We are respectfully requesting that Council hold the 2nd reading of the ordinance at the September 8th meeting. We would anticipate that this legislation would go through all three (3) required Council readings. Nothing contained in the legislation has changed since the 1st reading of the Ordinance.

New Business

A. Ordinances

➤ **ORDINANCE 2020-4370 – 1ST READING**

An ordinance to approve current replacement pages to the Pataskala Codified Ordinances.

➤ **ORDINANCE 2020-4373 - SUPPLEMENTAL APPROPRIATION – 1ST READING**

Earlier this year, the *Families First Coronavirus Response Act* (FFCRA) was adopted by the federal government and provides funding to states and their political subdivisions to offset costs incurred related to the prevention and remediation of COVID19 impacts in

their community. FFCRA funding was distributed to the individual states, who in turn have distributed the funds to the counties within each state. Licking County received their funds, and the City of Pataskala was notified by the Licking County Auditor's office that it is entitled to receive thirty thousand four hundred five dollars (\$30,405) to fund expenditures being currently made related to approved spending. It is critical that we identify appropriate uses for the funds as soon as possible, as all unspent funds must be returned to the State of Ohio by December 13. As a result, we are requesting an increase in appropriations to cover all the FFCRA funds.

Due to the current revenue constraints we have been dealing with for the past 4 months, all city departments were asked to review their 2020 budget and identify areas that could be reduced without materially negatively impacting their operations. I am pleased to inform Council that all of the directors took this task seriously and submitted meaningful reductions. More specific details regarding each department's reductions are provided in the relevant sections below. **We are respectfully requesting that Council hold the 1st reading of the ordinance at the September 8th meeting. We would anticipate that this legislation would go through all three (3) required Council readings.**

- *Section 1: FFCRA Expenditures* – The city was recently notified that it will be receiving an additional \$30,500 in FFCRA funds and can use these funds to: (1) purchase additional personal protective equipment (PPE); (2) implement enhanced public social distancing measures (such as plexiglass shields, etc.); (3) pay wages for employees who may have to stay home on administrative leave and are unable to work from home; and (4) increased costs in cleaning and sanitizing city facilities. **We are requesting an increase in approved appropriations of \$30,500 in order to use all of the funding provided by the grant program.**
- *Sections 2-3: Debt Service Funding Transfers* – Earlier this year, Council approved a modification of the income tax allocation rates to provide additional funding to the Debt Service (401) fund. Unfortunately, the overall reduction in the total rate of collections is greater than was the increase in the allocation for debt service. As a result, the Debt Service fund is currently projected to be overspent (e.g., <\$0). The debt service requirements are split approximately 60/40 between Public Service and Police. **We are requesting an increase in approved appropriations of \$75,000 in order to cover the debt service requirements and provide a modest carryover balance. The total amount requested is being split 60/40 to align with the expenditures.**
- *Sections 4-9: 2020 Budget Reductions* – Each of the departments was asked to provide reductions in their 2020 budgets to increase the amount of year-end carryover into 2021. This approach will provide additional resources for the departments to operate next year. The Public Service department provided a total of \$855,675 in reductions which was split as follows: Street (201) fund - \$551,675; Permissive (205) fund - \$197,000; Capital Improvements (301) fund - \$55,000; and SR-310 TIF (306) fund - \$52,000. In addition to the reductions in appropriations, the department also closed approximately \$40,000 in prior-year encumbrances (e.g., purchase orders) which had the result of reducing the budget/increasing carryover balance by that amount.

The Police department provided a total of \$94,500 in spending reductions, all but \$1,000 coming from the Police (208) fund. In addition to the reductions in appropriations, the department also closed approximately \$30,800 in prior-year encumbrances (e.g., purchase orders) that had the result of reducing the budget/increasing carryover balance by that amount. The net impact of the changes was a reduction in 2020 spending of \$125,300.

- *Section 11: Interfund Transfer Authorization* – In addition to approving the appropriations in Sections, 2, 3 and 10, Council is also required to separately authorize the Finance Director to make those transfers. This section provides for such authorization.

➤ **ORDINANCE 2020-4374 – 1ST READING**

Ordinance approving and authorizing the City Administrator to execute a tax exemption for the Myers-Shank racing team property at the corner of Refugee Rd. and Etna Parkway. This legislation is the culmination of several months of work between the Administration, Mike Shank (Myers-Shank owner) and property owner Mr. Emsweiler. It grants a 100% 15-year property tax only abatement. Myers-Shank already has an agreement with SWL Schools. We originally believed this should be a resolution however our legal representative (Dennis Schwallie-from Dinsmore) recommended an ordinance. With the real estate closing scheduled and the contract expiring soon, we respectfully ask council to waive the 3 readings. A copy of the draft agreement is attached to the council packet for your review.

B. Resolutions

➤ **RESOLUTION 2020-053 - ACCEPTING THE RATES AND AMOUNTS**

ORC §5705.34 requires the city to accept the property tax rates and amounts as determined by the Licking County budget commission. This resolution would provide such formal acceptance and ensure the city's compliance with the code and is simply an annual housekeeping measure.

➤ **RESOLUTION 2020-054 - BROADBAND SERVICE AGREEMENTS**

Currently, the city receives its broadband service by Spectrum through Broadband Services (a subsidiary of Keytel). This agreement will expire in December 2020, so we are looking to contract directly with Spectrum to provide city buildings with broadband high-speed data access. There are 6 individual agreements (one for each location) and the terms and conditions of the agreements have already been negotiated by the State of Ohio for all political subdivisions. Due to the long lead time in getting data fiber installed, we are requesting Council authorization at this time in order to have it up and running by the time the existing agreement expires.

➤ **RESOLUTION 2020-055**

Discussed at a previous Council meeting, the City of Pataskala Division of Police currently has two part-time patrol officer positions. These part-time positions were budgeted for 2020 budget. However, it has proven difficult to attract experienced

individuals to work as part-time patrol officers. Administration and the Police Chief believe the Pataskala Police Department would have more success hiring qualified candidates if the City could recruit another full-time patrol officer. This resolution creates that position