



City of Pataskala *Legislative Report to Council*

Legislative Report

September 7, 2021 Council Meeting

Unfinished Business

A. Ordinances

- **ORDINANCE 2021-4401 – 2ND READING – AN ORDINANCE AUTHORIZING, DIRECTING, AND APPROVING THE EXECUTION OF A COMMUNITY REINVESTMENT AREA AGREEMENT BETWEEN THE CITY OF PATASKALA AND GEIS DEVELOPMENT, LLC – AMEND BY SUBSTITUTION**

The Administration, Geis and Montrose started working on a revised CRA agreement after comments in the last council meeting. The agreement now has the following changes:

- A confusing whereas clause has been deleted
- Annual pilot payments made to SWLJFD in the amount of \$5,000 added.
- Commitment by Geis to put a left turn lane on Etna Parkway (southbound) to city specifications
- Commitment by Geis to a \$48,000 “Impact fee”. Even though our impact fees are not final, this is the amount they would have paid.
- The jobs created and anticipated payroll numbers have been changed to reflect the permanent employees in the main building only.

I have distributed the changes in red line form to make them easier for council to track. We can still attach an executable version for the third reading without amending by substitution.

B. Resolutions

New Business

A. Ordinances

Consent Agenda

3. Motions

➤ **MOTION TO WAIVE THE OUTSTANDING \$17,559.95 WATER DEBT FROM THE MUNICIPAL POOL FOR THE 2020 POOL SEASON.**

At the beginning of the 2020 pool season the city decided to open Municipal pool even though we were enduring the Covid-19 pandemic. Throughout the year, periodically, the Administration also provided Council with updates about an active leak at the pool. Council and the Administration mutually decided that the best thing to do was to keep the pool operating. At the end of 2020 that left Municipal pool with an outstanding water bill of \$17,559.95. Discussions on forgiving that debt led the Utility Committee to a citation in the Ohio Revised Code, [ORC 743.27](#), that allows cities to adopt legislation to permanently waive water debt for city owned properties. Currently, the city does not “bill itself” for water or sewer at any of their properties and hasn’t for 21 years. The pool, however, is an exception to this rule due to the sheer volume of water used in an operating season as well as the fact that the water used at the pool is a major contributor to the pool’s business model.

When looking into the ORC citation, we also identified a problem in that the section of the ORC code that allows water rate exemptions does not mention sewer exemptions in any way. Our plan is for the Administration to continue to investigate how it might introduce legislation to formally waive water and sewer billing permanently for city owned properties, with the exception of the Municipal pool. However, for now, the outstanding balance being carried on the Utility Department’s books could be a red flag for auditors. This motion absolves that debt. The Utility Committee heard this proposal at the 8/30/2021 meeting and is in support of passing this motion.

4. Resolutions

➤ **RESOLUTION 2021-040 - COHCC JOINT SELF-FUNDING AGREEMENT**

The city has been a member of the Central Ohio Healthcare Consortium (COHCC) for the provision of medical insurance to city employees and their dependents. The underlying trust agreement, the Joint Self-Funding Agreement, is an intergovernmental agreement that calls out all of the terms and conditions of membership in the pool and has a 3-year term. The current 3-year agreement will expire on December 31, 2021 and has been reviewed by the COHCC Board (of which the city has a seat on) and the pool’s legal counsel. These reviews have resulted in a number of minor revisions primarily made for consistency throughout the document and to eliminate any redundant or irrelevant information. The proposed document has been reviewed and approved by the city’s Law Director. **We are requesting that Council approve the resolution at the September 7th meeting, and authorize the City Administrator to execute the 2022-2024 agreement.**

➤ **RESOLUTION 2021-041 - 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. **We are requesting that Council approve the resolution at the September 7th meeting.**

➤ **RESOLUTION 2021-042 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO PREPARE AND SUBMIT AN APPLICATION FOR FUNDING UNDER THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM FOR THE PURPOSE OF PHASE 1 OF THE I & I REDUCTION PROGRAM**

The Utility Department operates and maintains a sanitary sewage collection system. A portion of that collection system has been identified as having an Infiltration and Inflow (I & I) problem. It has been determined that slip lining those sections of sanitary sewer line is the best and most economical way to correct this problem.

The Utility Department wishes to apply for OPWC funding to assist with the slip lining project. In order to apply, OPWC requires a resolution from council authorizing the application. This resolution will meet that requirement.

Approval of Resolution 2021-042 is recommended.

➤ **RESOLUTION 2021-043 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO ADVERTISE, RECEIVE, AND REVIEW BIDS FOR CONSTRUCTION OF THE JEFFERSON STREET WATERLINE PROJECT**

The Utility Department identified the Jefferson Street water main as being a critical infrastructure component in need of replacement. The Design for this project was completed in 2020, however the construction was delayed until 2022 due to material pricing/ availability and the timing of the Pataskala Street Fair.

The cost of this project is expected to exceed the \$50,000 competitive bid threshold. This resolution will authorize the Utility Department to advertise, receive and review bids for the Jefferson Street Waterline Project as allowed under section 8.02 of the City Charter.

Approval of Resolution 2021-043 is recommended.

➤ **RESOLUTION 2021-044 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH POGGEMEYER DESIGN GROUP FOR DESIGN SERVICES RELATED TO THE DENISON STREET AREA WATERLINE UPSIZE PROJECT**

The Utility Department has identified an area of its drinking water distribution system that needs to be upsized to provide for proper flow and hydraulics in the Denison Street area. The Utility Department advertised a Request for Proposals from design firms and received 5 proposals.

Poggemeyer Design Group submitted the lowest and best proposal for this design. The total cost for their proposal was \$24,000. The funds for this project currently exist in the 2021 Budget.

Approval of Resolution 2021-044 is recommended.

➤ **RESOLUTION 2021-045 - A RESOLUTION TO ACCEPT AND CONFIRM INFRASTRUCTURE IMPROVEMENTS FOR THE HERON MANOR, SECTION 2 DEVELOPMENT FOR PUBLIC MAINTENANCE AND OPERATION BY THE CITY OF PATASKALA**

Approval of this resolution will indicate formal acceptance of infrastructure improvements for the Heron Manor, Section 2 Development by The City of Pataskala. These improvements include utilities and roadway per plan and as platted for Heron Avenue.

Full-time third-party inspection was present throughout construction of this project to verify materials and installation on behalf of the City, and all testing was verified to be completed successfully in accordance with all applicable construction and material specifications.

Once all items were complete and verified, a site walk-through was conducted by the Public Service Director to review the project and generate a punch-list of outstanding items. Accordingly, a Certificate of Substantial Completion has been executed, and indicates a date of September 1st, 2021 as the beginning of the 1-year maintenance period.

In accordance with City requirements for acceptance, as-built plans, a 1-year maintenance bond in the amount of 10% of the value of the public improvements, and an executed stormwater maintenance agreement have all been submitted to the City by the Developer.

As the work has been certified to be substantially complete, and all the necessary steps have been completed, it is recommended that Resolution 2021-045 be approved.

➤ **RESOLUTION 2021-046 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO PREPARE AND SUBMIT AN APPLICATION FOR FUNDING UNDER THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM FOR THE REFUGEE ROAD IMPROVEMENT PROJECT.**

Approval of this resolution will allow for the Administration to submit an OPWC application for assistance with the Refugee Road Improvements project. This project is the coordinated effort project between the City of Pataskala, Etna Township, Licking County Engineer, Licking County Commissioners, and the Licking County TID. The primary funding for the project will be locally sourced; however, grant funds are being sought to offset costs, including a TID grant and this proposed OPWC grant.

The project will consist of a roundabout at each of the intersections of Refugee Road and Etna Parkway and Refugee Road and Mink Street, as well as widening to a 3-lane section between these two intersections with drainage improvements to address existing issues and prolong the life of the road.

This project is in accordance with the two Road Development Agreements that are in place between the City and both the TPA Group and Redrock Development to make improvements to this corridor. While those Agreements allow for lesser projects, if necessary, this project is the ultimate build condition that will take all parties Agreement, and will best serve the City, as well as all of the project stakeholders. Note that the Intergovernmental Agreement is currently running through the channels and an MOU with Etna Township is expected to follow.

To assist with offsetting costs to the City for this project, it is recommended that Resolution 2021-046 be approved.