



City of Pataskala *Legislative Report to Council*

Legislative Report

March 21, 2022 Council Meeting

Unfinished Business

A. Ordinances

➤ **ORDINANCE 2022-4414 – 3RD READING - IMPACT FEES FUND CREATION**

On August 16, 2021, City Council approved Ordinance 2021-4396 which created impact fees on development in the city. Contained in that legislation is a requirement to create a separate fund to receive and account for such receipts. We plan to encumber the deposits (e.g., issue a purchase order) to better manage the individual payments. To be able to issue a PO, however, the new fund requires approved appropriations. This request will add \$250,000 in appropriations and, at the same time, I will increase the revenue budget by \$250,000. There would, therefore, be a net \$0 financial impact to the city's bottom line. The PO's serve two purposes: (1) they can be used for future capital spending on infrastructure improvement as provided for by CO 1294; and (2) they can be used to issue refunds to the developer if the funds are not spent per the appropriate section of CO 1294. **We are requesting that Council hold the 3rd reading of the legislation at the March 21st meeting and approve the ordinance. Once the legislation has been approved, it will be sent to the Ohio Auditor of State's office for final approval.**

➤ **ORDINANCE 2022-4415 – 2ND READING - SUPPLEMENTAL APPROPRIATION**

We have identified several adjustments to the 2022 budget which require additional appropriations. **We are respectfully requesting that Council hold the 2nd reading of the ordinance at the March 21st meeting and amend it by substitution. We would anticipate that this legislation will go through four required readings. The items that were changed from the 1st reading of the ordinance are highlighted below in bold.**

- *Section 1: Pataskala Safe Travel Plan* – The engineering and design for improved pedestrian facilities along Broad Street has been completed. Since the 2022 budget was developed last summer, material costs have increased significantly, and the project scope has expanded. The Public Service Director provides more details on this request in his report to Council. **We are requesting an increase in approved appropriations of \$100,000 from the Street Fund (201) in be able to pay the expenses related to these improvements. This represents an increase of \$25,000 since the 1st reading**

and is the result of the Public Service Director modifying his assumptions of the total costs since the legislation was initially prepared.

- *Section 2: 2022 Street Improvement Program* – The engineering and cost estimates for the 2022 Street Improvement Program have been completed. **The current engineer’s cost estimates for the program total approximately \$825,000. This represents a decrease of \$25,000 since the 1st reading of the ordinance and is the result of the Public Service Director modifying his assumptions of the total costs since the legislation was initially prepared.** At the time the 2022 budget was developed, the total cost was estimated to be \$750,00 – a **\$75,000 shortfall**. The Public Service Director is requesting an increase in funding to cover the costs of the improvements. Complete details on the program and the additional costs can be found in the Public Service Director’s report to Council. **To be able to cover the increased costs of the 2022 street improvements program, we are requesting an increase in approved appropriations of \$75,000 from the Street (201) fund. This amount is down by \$25,000 since the 1st reading of the legislation.**
- *Section 3: Grow Licking County* – City Council recently authorized the city to renew its’ membership with Grow Licking County. As this change was not anticipated at the time the budget was prepared, there was no funding designated for this membership. The annual cost of membership is \$12,500. We are requesting an increase in approved appropriations in the General (101) fund of \$12,500 in order to remit payment to Grow LC.
- *Sections 4 & 5: Emergency Interconnect* – It now appears that the total cost of constructing the water system emergency interconnect will be greater than the \$100,000 originally projected. At that time, the SWLCWSD provided \$50,000 and the city contributed \$50,000 to cover the project costs. Due to rising material costs, it now appears that the project will cost approximately \$28,000 more than originally estimated. This increase will be split 50/50 with the district. We are requesting an increase in approved appropriations in the Water Capital Improvements (602) fund of \$14,000 and an increase of \$28,000 in the Construction Account (501) escrow fund.
- *Section 6: Impact Fees* – The creation of a new fund is being proposed by Ord. 2022-4414 (see above) to receive and account for all impact fees received by the city from developers. To more easily account for the funds, we are proposing to encumber the funds once they are received by the city. This will allow us to more readily spend the funds on appropriate projects or refund the fees to the developer if improvements aren’t constructed. The appropriations will be matched against the revenue projections, and the net financial impact of both would be \$0. Please know that if we don’t receive the revenues, we wouldn’t be issuing purchase orders. We are requesting an increase in approved appropriations of \$250,000 in the Impact Fees (226) fund.
- *Sections 7-11: Human Resources Consulting* – **The 2022 budget contemplated the hiring of a full-time employee to serve as the Human Resources Manager. Recently, Council authorized the City Administrator to enter into a contractual services agreement with Clemans, Nelson &**

Associates to provide human resources-related services to the Administration. To enable the Finance department to issue a purchase order for the agreement, however, the 2022 budget funding will need to be recategorized from the Salary & Related budget category to the Contractual Services category. It will have no net impact to any of the funds' budgets.

- **Sections 12-14: Swimming Pool Concession Stand** – The PRA recently notified the city that they would no longer operate the concession stand at the municipal swimming pool. Since this notification came well after the 2022 budget was approved, no revenue or appropriations were included in the 2022 budget. It is estimated that operating the stand will generate \$12,000 in revenues and will cost \$26,000 for a projected net loss of \$14,000 in 2022. We are requesting an increase in appropriations of \$26,000 in the Recreation (206) fund, and an increase of \$14,000 in the General (101) fund. The General fund appropriations are in the form of interfund transfers to provide the net funding amount required to maintain a positive fund balance. Section 14 provides the authorization from Council to make the interfund transfers.
- **Section 15: Park Security Monitoring** – The proposed 2022 CIP document originally included \$15,000 in funding from the General fund to install security monitoring systems in city parks. Due to an oversight which occurred during the budget development process, this request was not included in the final budget as approved by Council. We are requesting an increase of \$15,000 in appropriations in the General (101) fund to cover the cost of installing such monitoring systems in the parks.

➤ **ORDINANCE 2022-4416 – 2ND READING - CREATING NEW AQUATIC FACILITY CONCESSION STAND POSITIONS**

This is an ordinance to create 2 new positions within the parks and recreation department. We are seeking to add Concession Stand Worker and an Assistant Concessions Manager. The Pataskala Municipal Pool has been offering concessions for the patrons for many years and we would like to have this option in the future as we prepare to fully take over. The recreation department now would like to create official positions to solely operate this aspect of the Aquatic Division. The positions are not funded in the 2022 budget cycle.

B. Resolutions

➤ **RESOLUTION 2022-031 – WAS TABLED 3-7-22**

The Administration requests that this resolution be removed from the table and defeated. We have not been able to find a way to adapt the ditcher to the arm of the new mower.

- **RESOLUTION 2022-031 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT TO PURCHASE A 2022 JOHN DEERE 6110M CAB TRACTOR, A JOHN DEERE FC10R FLEX WING ROTARY CUTTER PULL BEHIND MOWER DECK, AND AN ALAMO RM 165 60' ROTARY HEAD ARM MOWER ATTACHMENT FROM AG-PRO COMPANIES THROUGH THE STATE OF OHIO COMPETITIVE PURCHASING PROGRAM, AND**

TO ENTER INTO A CAPITAL LEASE AGREEMENT FOR THE PROCUREMENT OF THIS EQUIPMENT

Approval of this resolution would provide for the Public Service Department (PSD) to purchase a new mowing tractor along with an arm mower and pull behind mower deck that are compatible with the tractor. While the existing equipment is near the end of its' useful life, this set up will also make operations more efficient.

The existing tractor and arm mower set up can only be used with each other, and are not interchangeable with the other tractors and mower attachments. This often leaves the tractor and arm mower sitting idle, when otherwise the tractor could be used with a separate pull behind mower deck. This new set up will allow just that. The arm attachment can be removed and the pull behind deck hooked up, allowing us to get more use out of the equipment.

Note also that we will be trading in the existing tractor at a value of \$48,000. The project is included in the 2022 budget as PSD CIP project SVC-20-005.

Approval of this resolution is recommended.

New Business

A. Ordinances

➤ **ORDINANCE 2022-4418 – 1ST READING - AN ORDINANCE AMENDING SECTION 929.08 OF THE CODIFIED ORDINANCES OF THE CITY OF PATASKALA (WATER SERVICE RATES) AND THEREBY CREATING AND ESTABLISHING A BULK WATER POINT RATE**

The Utility Department is working to install a Bulk Water Point at Water Treatment Plant One. This Bulk Water Point will be used to sell water to contractors for various purposes, pool fills and construction activities for example. Contractors will use a credit card machine to purchase water through the Bulk Water Point. There currently is no established rate for selling bulk water.

We consulted with neighboring communities and decided on a bulk water rate that is \$3.25 higher than the currently established Out-Of-Town water rate. That will put our rate near the middle of the surrounding communities. The bulk water rate will not be susceptible to either the minimum bill of 3,000 gallons or the Capital Improvement Rate of \$3.00 per 1,000 gallons.

This concept was presented to the Utility Committee on March 7. At that meeting the committee made a motion to recommend these changes to Council.

Approval of Ordinance 2022-4418 is recommended.

Consent Agenda

3. Motions



4. Resolution

➤ **RESOLUTION 2022-032 - FINANCE COPIER**

AND

➤ **RESOLUTION 2022-033 - POLICE COPIER**

The city currently leases its' six (6) office copiers from Konica Minolta (2) and Gordon Flesch (4) using 4-year operating leases. To date, we have not been satisfied in the service received from Konica Minolta and are transitioning to Gordon Flesch for our remaining KM copiers. Operating leases are different from capital leases (which we use for dump trucks, heavy equipment, etc.) in that at the end of a capital lease we own the equipment outright. When an operating lease expires, the lessee (the city) is required to return the equipment to the lessor (Konica Minolta or Gordon Flesch). At that point, the city has two options regarding the office copiers: (1) purchase the existing equipment; or (2) lease new replacement copiers. The Finance department's copier lease will expire on June 1st and the Police department's copier lease expires on July 1st and both will need to be replaced. We don't believe that purchasing the equipment is the best course of action as once a copier reaches the 7-year mark, it becomes marked as 'out of date', and service cannot be guaranteed. Copier vendors guarantee that they will maintain replacement parts for 7 years. After that point in time, service would be on a 'best efforts' basis. As a result, the maintenance costs on copiers greater than 4 years old is significantly more expensive, and it is usually not cost effective to simply buy the equipment. The Administration is seeking Council authorization to enter in to new 4-year leases with Gordon Flesch for updated copiers for the Finance and Police departments, and the associated equipment maintenance agreement. The equipment will be provided at the specifications and cost provided for in the State of Ohio term schedule (e.g., state contract). The monthly lease cost for this equipment is \$298.26 per copier and is (on average) \$87.46 per month (or 41.49%) more than the current lease with Konica Minolta. This dramatic increase is due in large part to the scarcity of chips in electronic devices. However, the per copy (BW and color) maintenance costs are approximately 14% lower than what we are paying today. **We are respectfully requesting that Council approve the resolutions at the March 17th Council meeting and authorize the City Administrator to execute the lease agreements for the referenced equipment.**

➤ **RESOLUTION 2022-034 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR, OR HIS DESIGNEE, TO ADVERTISE, RECEIVE, AND REVIEW BIDS FOR NECESSARY REPAIRS TO IRON FILTER TWO AT WATER TREATMENT PLANT ONE**

The Utility Department operates a water treatment plant located at 7024 Hazleton Etna Road (WTP1). That treatment plant uses three iron filter tanks to remove naturally occurring excess iron from the drinking water. Iron Filter 2 has developed a leak somewhere in the bottom of the tank.

In order to diagnose the leak and identify the repair needed, all of the filter media will need to be removed. After the repair is made, the filter media will have to be replaced and the tank disinfected before it can be returned to service.

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 necessary Iron Filter Repairs as allowed under section 8.02 of the City Charter.

Approval of Resolution 2022-034 is recommended.

➤ **RESOLUTION 2022-035 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH DUBLIN TECHNICAL SYSTEMS, INC. TO REPLACE THE THREE SCADA COMPUTERS AND INSTALL THE NECESSARY SCADA SOFTWARE ON SAID COMPUTERS**

The Utility Department uses a SCADA system to control and monitor all its remote sites, both in the drinking water distribution system and the wastewater collection system. That SCADA system is controlled by three desktop computers located at each of the two water plants and the water reclamation facility.

The existing computers are eight years old. That puts them outside of the useful lifespan for computer equipment. Dublin Technical Systems Inc. is the company that we use to service and maintain our SCADA system. They provided us a quote in the amount of \$31,400 to replace all three of the SCADA computers and to install all the software necessary to control and monitor the entire SCADA system.

The funds for this project are available in the 2022 Budget.

Approval of Resolution 2022-035 is recommended.

➤ **RESOLUTION 2022-036 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH LICKING COUNTY AND ETNA TOWNSHIP FOR THE REFUGEE ROAD IMPROVEMENT PROJECT**

This MOU is the next step in the Refugee Rd. project between Etna Twp. The Licking County Commissioners and Pataskala. Although the inter-governmental agreement (IGA) was signed by Pataskala to proceed on the project, there were concerns that Phase I of that agreement only had Pataskala dedicating funds (from Red Rock). Because of political reasons Etna hadn't signed the IGA and so Pataskala notified the TID that we would release no funds until Etna signed the IGA AND an MOU outlining the financial commitment of each entity to the project. The MOU was written in draft and then modified by comments from Our Law Director, Councilman Walthers, the Licking County Prosecutor (for Etna), and the County Commissioner's legal advisor. At their March 15th meeting the Etna Twp. Trustees voted to sign both the IGA and the attached MOU. Our signing of this MOU means funds will be released to restart the preliminary work on the project which is headed by the Licking County TID.

➤ **RESOLUTION 2022-037 - THEN & NOW CERTIFICATION**

The City of Pataskala has been a member of the Mid-Ohio Development Exchange (MODE) since 2015. MODE is a membership organization that facilitates the economic development process within the Columbus region and allowed the city to have access to leads provided by One Columbus. We recently received an invoice from the MODE requesting payment of our 2021 membership dues in the amount of \$6,979. A 2022 purchase order for the payment of the balance due must be issued in order to remit payment to MODE. This PO will necessarily be a 'Then & Now' certificate, as the PO will be dated after the dates of service. In addition, since the amount exceeds the \$3,000 Finance Director's T&N authority limit, we are required to request Council authorization for the certification. Sufficient appropriations to cover this expenditure are available in the General (101) fund, so no supplemental appropriation is being requested. (Please note) Now that the City has contracted with

the Montrose Group and has rejoined GROW Licking County, the need to be part of MODE is no longer necessary in 2022.

We are respectfully requesting that Council hold the 1st reading of the resolution and adopt it at the March 21st meeting.