



City of Pataskala

Legislative Report to Council

Legislative Report

January 22, 2024 Council Meeting

Unfinished Business

- A. Ordinances
- B. Resolutions

New Business

- A. Ordinances

ORDINANCE 2023-4458 – FIRST READING - AN ORDINANCE TO REZONE PROPERTIES LOCATED AT 0 CLARK STATE ROAD, 0 SUMMIT ROAD AND 14530 GRAHAM ROAD, PARCEL NUMBERS 063-140550-00.000, 063-141840-00.000, 063-151764-00.000, AND 063-145944-00.001, TOTALING 192.666 +/- ACRES IN THE CITY OF PATASKALA, FROM THE RURAL RESIDENTIAL (RR) AND MEDIUM-LOW DENSITY RESIDENTIAL (R-87) ZONING CLASSIFICATIONS TO THE PLANNED MANUFACTURING (PM) ZONING CLASSIFICATION.

Fair Lady Development Holdings, LLC is requesting to rezone four (4) properties from RR - Rural Residential and R-87 - Medium-Low Density Residential to PM - Planned Manufacturing for the properties located at 0 Clark State Road, 0 Summit Road, 14530 Graham Road (PID: 63-140550- 00.000, 063-141840-00.000, 063-151764-00.000, 063-145944-00.001)

The Comprehensive Plan Future Land Use Map recommends this area for Innovation. The requested rezoning is in line with the recommendation of the Future Land Use Map.

On October 4, 2023 the Planning and Zoning Commission unanimously recommended to disapprove the rezoning request.

The Council public hearing on the rezoning request was held on January 16, 2024

ORDINANCE 2024-4462 – FIRST READING - AN ORDINANCE CREATING AND ESTABLISHING AN ADDITIONAL POSITION OF EMPLOYMENT (FULL-TIME POLICE OFFICER) WITHIN THE CITY OF PATASKALA DIVISION OF POLICE.

Approval of this ordinance will allow the Police Department to continue to grow and help meet the growing demands of our community. Calls for service have increased steadily from 2020 to current day. In 2020, the Police Department had 7242 calls for service. The numbers increased in 2021 to 8320, 2022 to 8680, and 2023 to 9858.

Consent Agenda

3. Motions

4. Resolution

RESOLUTION 2024-004 – A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH JON UDISCHAS FOR THE PURCHASE AND INSTALLATION OF A NEW PATASKALA POLICE DEPARTMENT COMPUTER SERVER.

Approval of this resolution would provide for the Police Department to purchase a new computer server. The current server is running Windows Server 2012 and Microsoft stopped supporting this operating system in October of 2023. Additionally, the current server had failures in 2023 which resulted in some minor data loss. Jon Udischas has been the IT specialist for the Police Department

RESOLUTION 2024-005 – A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH PARR PUBLIC SAFETY EQUIPMENT FOR THE PURCHASE OF FIVE (5) POLICE CRUISER VIDEO SYSTEMS.

Approval of this resolution would provide for the Police Department to purchase five police cruiser video systems. The current fleet has five systems that are no longer functioning. The Police Department needs to replace these systems to help maintain transparency by having the ability to document incidents with video from the cruiser view.

RESOLUTION 2024-006 – A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH MOTOROLA SOLUTIONS AND B&C COMMUNICATIONS TO REPLACE ALL OF THE PORTABLE RADIOS, PURCHASE THREE ADDITIONAL MOBILE RADIOS, AND UPGRADE AND PERFORM PREVENTATIVE MAINTENANCE ON THE EXISTING MOBILE RADIOS.

Approval of this resolution would provide for the Police Department to replace all of its portable radios, add three additional mobile radios to the fleet, and perform an upgrade and preventative maintenance on the current mobile radios. The Ohio Marcs system is requiring an update to the radios by 2025. The update will add two factor authentication to the radios. The current portable radios are not supported by Motorola as of December 2023. The mobile radios are still supported.

RESOLUTION 2024-007 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT TO PURCHASE A 2025 INTERNATIONAL, MODEL MV607 SBA, TWO-WHEEL DRIVE, SINGLE AXLE DUMP TRUCK FROM RUSH TRUCK CENTERS 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 single axle dump truck. This truck will be an addition to the fleet to keep up with expansion of the City's roadway network and expansion of the Public Service Department. The purchase of a new single axle dump truck is a PSD Capital Improvements project as identified in the approved 2024 budget as SVC-22-008.

As is now our standard practice, the new truck will be equipped with computer equipment that will control the amount of salt applied to the roads. This is an improvement over our older trucks as it relates to operator control and ease, but will also result in increased efficiency of salt use, which will yield long-term savings by reducing the amount of salt required.

With the addition of a new maintenance worker position, the department will be one truck short of the number of drivers that we will have for plowing. The addition of this new truck will enable the department to utilize all available personnel, including the new maintenance worker, and will allow for better response to snow events.

Note that the last truck that was purchased in 2022 was a smaller truck that is dedicated to smaller, local streets, but that this is the standard, full-size, single-axle truck that currently makes up the larger part of the plow truck fleet. The truck and plowing accessories package are within the total authorized budget amount of \$200,000 and come in at a package price of \$183,450.90.

Approval of this resolution is recommended.

RESOLUTION 2024-008 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT TO PURCHASE A BED AND PLOW ACCESSORY PACKAGE FROM ACE TRUCK EQUIPMENT THAT INCLUDES ALL NECESSARY EQUIPMENT TO FULLY OUTFIT A 2025 INTERNATIONAL, MODEL MV607 SBA, TWO-WHEEL DRIVE, SINGLE AXLE DUMP TRUCK, 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 bed and plow accessories package for the new single axle dump truck that is proposed in Resolution 2024-007. The purchase of the plow accessories package is included in the PSD Capital Improvements project for a single axle dump truck with plow accessories as identified in the approved 2024 budget as SVC-22-008.

The dump truck as proposed in Resolution 2024-007 does not come equipped with a bed, hydraulics, or plowing accessories. This Resolution would provide all items necessary for the dump truck to be fully outfitted and functional for snow removal operations. As mentioned in the Legislative report for Resolution 2024-007, the truck and plowing accessories package are within the total authorized budget amount of \$200,000 and come in at a package price of \$183,450.90.

Approval of this resolution is recommended.

RESOLUTION 2024-009 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT TO PURCHASE A JOHN DEERE FC10R FLEX WING ROTARY CUTTER PULL BEHIND MOWER DECK FROM AG-PRO COMPANIES

Approval of this resolution would provide for the Public Service Department (PSD) to purchase a new pull behind mower deck to replace an existing mower deck from 2018 that is at the end of its useful life.

During roadside mowing, these mower decks sustain a lot of wear and tear from normal operation. Five to six years' is about as long of a life as can be expected, considering the known, and unknown, conditions that are experienced during roadside mowing activities. There is no trade-in value for the existing mower deck, as it is currently in an inoperable condition, and would require additional cost that is not worth the value.

Funding for this purchase is included in the approved 2024 budget as Public Service Department CIP project SVC-20-006. Note that this Resolution, along with Resolution 2024-

010, are both part of SVC-20-006, and the combined price of both pieces of equipment is \$65,620.20, which is within the budget value of \$70,000.

Approval of this resolution is recommended

RESOLUTION 2024-010 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT TO PURCHASE AN ALAMO 60' ROTARY SIDE DECK MOWER AND CAB ATTACHMENT FROM AG-PRO COMPANIES

Approval of this resolution would provide for the Public Service Department (PSD) to purchase a new side deck mower and tractor cab mounting package. This is a new piece of equipment that will aid in our mowing efforts by allowing a single operator to cover more ground by utilizing a tractor that will be equipped with both a pull behind and side deck mower.

Roadside mowing is one of the largest draws of time on Public Service Department personnel. Adding equipment like this makes this job more efficient, which allows for mowing to occur on an improved time-frame, which can in-turn help free up personnel for other projects.

Funding for this purchase is included in the approved 2024 budget as Public Service Department CIP project SVC-20-006. Note that this Resolution, along with Resolution 2024-009, are both part of SVC-20-006, and the combined price of both pieces of equipment is \$65,620.20, which is within the budget value of \$70,000.

Approval of this resolution is recommended.

RESOLUTION 2024-011 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH SPENCO. EXCAVATING, INC. TO REPLACE 24" STORM SEWER ALONG TAYLOR ROAD

At the beginning of January, a sinkhole was discovered and reported along Taylor Road at the intersection with Cypress Drive. Investigation of this sinkhole led to the discovery that the existing 24" corrugated metal pipe had failed at this location. Further inspection of the pipe, as it extends north to the creek just south of the railroad tracks, found that the entire length of the pipe was in poor to failing condition.

To avoid further areas of failure, and additional sink holes, the PSD contacted SpenCo Excavating for a proposal to replace the entire run, approximately 800' of pipe, on the east side of Taylor Road. The request took the form of several other projects that the PSD has undertaken with SpenCo Excavating; that is, SpenCo Excavating personnel and equipment will be utilized to remove the existing pipe, install bedding material, new 24" ADS N-12 plastic pipe, and backfill, and grade to surface level. The PSD will provide all materials and utilize department personnel and equipment for traffic control, trucking, and incidental project needs.

This has been an effective partnership in the past, with SpenCo Excavating and the City successfully completing a number of similar-style projects. The largest values of this cooperative project are savings in time and money. Time is saved by the lack of need for design and bidding, which allows this project to move forward quickly and prevent the possibility of further sinkholes appearing due to the failing condition of the existing pipe. Money is also saved by the lack of need for design and bidding, but is saved in other facets as well; including, the lack of need for inspection, since PSD personnel will already be on site, the lack of contractor mark-up on all materials and personnel for managing the project, and utilizing PSD personnel and equipment to provide auxiliary activities that are well within the scope of expertise of PSD personnel. Note that the size of the pipe, and necessary equipment

for installation, precludes this being an all in-house project, as we neither have, or have the experience to operate, the equipment needed for installation.

It is estimated that this project would be in excess of \$200,000 for construction alone, withstanding design, bidding, and inspection, were this project to be designed and bid. Utilizing the proposed methodology, the total project expenditure is estimated to be less than \$100,000. Funding is available within the approved 2024 budget, with the majority of the funds coming from the annual miscellaneous storm sewer maintenance project, which is identified as SVC-18-003. The remaining funds are available within miscellaneous contractual services for services provided by SpenCo Excavating, and within the street maintenance materials budget for all materials needed.

Approval of this Resolution is recommended.

RESOLUTION 2024-012 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH SPENCO EXCAVATING, INC. FOR CONSTRUCTION SERVICES FOR THE OPWC FUNDED VINE STREET STORM SEWER PROJECT

This Resolution is a request for additional funds for the Vine Street Storm Sewer project beyond the original authorized project value. The need for additional funds is due in part to all of the following: encountering unexpected items, material quantities in excess of plan quantity, and addition of items by the PSD during construction. The additional value requested for these items is within the available budget.

Unexpected items encountered during construction include: gas lines, water lines, and other utilities that were in conflict with the pipe or mis-marked during OUPS operations. These items are not atypical to a project, but they all combined to cause unexpected delays and changes to the project, which added cost to the project.

Most material quantities were accurate, but a couple were not, and one item specifically, made a significant impact to the project. That item is the concrete backfill in the trench. This value was calculated assuming a standard D+2 (Diameter of pipe plus 2 feet), but the depth of the trench required a trench box for a substantial amount of the trench. While the style of calculation is debatably not incorrect, the contractor's value does not reflect their knowledge of the ODOT style calculation that would only require a D+2 contract value. This contractor is not accustomed to unit bid contracts, and I do not believe this contractor is attempting to gouge. Furthermore, I disagree with the ODOT style methodology, and the believe that the designer should anticipate the total value needed with a trench box, and accordingly, believe that the City would have been responsible for this quantity value had this been caught in our design review. Other material quantity differences were relatively minor, but included sidewalk panel replacement that was not anticipated and swapping out plan structures for others that better suited the project conditions.

The Public Service Director also made field changes that added to the cost of the project. Concrete base was added for driveable pavement at the radius of the intersection of Linda Ave and Vine St., which increased concrete and asphalt quantities. Sidewalk and curb ramp replacements were directed for the general improvement of the area, and other small items that improved the function of the project and form of the area.

The contract value for the project is \$735,000, and the authorized budget for the project is \$760,000. With the above noted items, the current estimated value of the project is \$800,000, but paving has yet to be completed, and the current ask is for \$820,000, to ensure that any additional overages are covered, and an additional ask it not needed. The good news is that this value is well within the available budget. The total budget available for this project includes \$650,000 of in-house money that has already been encumbered, \$225,000 of OPWC

grant money, and \$75,000 of OPWC loan money. The preference is to only use grants funds from OPWC and not use loan funds. This can be accomplished by keeping the project below \$875,000, which will not be an issue. Furthermore, at roughly \$800,000, which is the anticipated total project value, the City will still actually have a savings of \$75,000 of in-house funds.

Approval of this Resolution is recommended.

RESOLUTION 2024-013 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH FRED ROBINSON & ASSOCIATES, LLC TO INSTALL PEDESTRIAN FACILITIES IN, AND ADJACENT TO, FOUNDATION PARK

This Resolution is to allow a contract with Fred Robinson & Associates to install sidewalk and curb ramp along Bent Tree Lane and John Reese Parkway as part of the Pataskala Safe Travel Plan, Phase IV.

Phase IV of the Pataskala Safe Travel Plan is a miscellaneous sidewalk infill project. Accordingly, the PSD has been working to identify areas within the City where sidewalks do not exist, and install them to create connectivity within the City. This is the first of these projects, and one to two more are anticipated to be completed in 2024. Note that Phase IV funding was actually part of the 2023 budget, and \$75,000 of this money was encumbered in late 2023 in anticipation of completing these items in early 2024.

Planning for this project specifically noted that the above listed streets, adjacent to, and within, Foundation Park, do not have sidewalks and curb ramps, requiring pedestrians to either walk on the road, or through the grass, to get to Foundation Park. This project will provide the facilities to eradicate this need.

This project is part of PSD CIP project SVC-14-064, and will only utilize approximately a third of the available funding, so an additional project, or projects, are anticipated.

Approval of this Resolution is recommended.

RESOLUTION 2024-014 - A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A THIRD AMENDMENT TO EMPLOYMENT AGREEMENT WITH TIMOTHY O. HICKIN - A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A THIRD AMENDMENT TO EMPLOYMENT AGREEMENT WITH TIMOTHY O. HICKIN

Resolution 2024-014 is the employment agreement with Mr. Hickin. As the Council knows this agreement has been discussed since November 2023. After correspondence and meetings involving the Council, Council Leadership, the Finance Director, the Law Director, and Mr. Hickin it is ready for legislation. Please note there is an executive session scheduled to discuss this item prior to it's vote as part of the consent agenda or as part if the regular agenda if pulled under Council rule 5.04.

RESOLUTION 2024-015 -A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH STRAND ASSOCIATES FOR CONSTRUCTION ADMINASTION AND CONSTRUCTION INSPECTION SERVICES FOR THE CREEK ROAD FORCE MAIN UPGRADE PROJECT

The City of Pataskala Utility Department has collected RFP proposals for CA and CI for the Creek Rd. Force Main Upgrade Project. The Utility Department is asking for permission to enter into a contract with Strand Associates for \$259,000.00. Stand Associates were almost 50 % less than the nearest competitor.

This project includes replacing the existing force main pipe with a larger pipe from the lift station to the plant. The new force main will also be separated from the Eastside Lift

Station force main allowing the stations to not fight each other for pumping capacity during wet weather situations. Lastly the new force main will have its own entrance to the headworks of the plant. The CA and CI portion of this project will be very crucial to the success of the project. Most notably the fact that the new force main will be directionally bored under the South Fork Licking River.

I recommend approval of Resolution 2024-015.