



## City of Pataskala *Legislative Report to Council*

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### Legislative Report

#### June 3, 2024 Council Meeting

#### Unfinished Business

##### A. Ordinances

- **ORDINANCE 2024-4468 – THIRD READING - AN ORDINANCE APPROVING THE EXECUTION OF A COMMUNITY REINVESTMENT AREA AGREEMENT BETWEEN THE CITY OF PATASKALA AND RRIFI COLUMBUS 44 LAND, LLC (BUILDING ONE) (TABLED 5-6-24)**

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- **ORDINANCE 2024-4469 – THIRD READING - AN ORDINANCE APPROVING THE EXECUTION OF A COMMUNITY REINVESTMENT AREA AGREEMENT BETWEEN THE CITY OF PATASKALA AND RRIFI COLUMBUS 44 LAND, LLC (BUILDING TWO) (TABLED 5-6-24)**

These two “sister” Ordinances are for two buildings at the intersections of Etna Parkway and Refugee Rd. A CRA application was received by the Administration on February 20, 2024. This begins a dual track of planning approval (building) and legislation (abatement). After Red Rock 1 and 2, which were a combined application Montrose and the Administration decided to have each building have their own granted abatement. The application states that each building (Approx. 225,000 sq. ft.) would have 90 employees and would each generate 4,000,000 in payroll. Both properties are in the JEDD so along with the city income tax the JEDD tax would be collected. Resulting in a net to Pataskala of roughly \$36,000/yr. for each building.

As I mentioned with the dual track system that we use, if there were delays with either the Planning Commission or the School Districts (Southwest Licking and C-tec) Council would want to table the legislation until all facets of the tracks are complete. This would ensure that no abatement is given before plan or school approval. However having the first reading at the April 1, 2024 is in line with the dual track plan.

- **ORDINANCE 2024-4466 – THIRD READING – AN ORDINANCE TO REZONE PROPERTIES LOCATED AT 7482 COLUMBIA ROAD AND 0 COLUMBIA ROAD, PARCEL NUMBERS 064-152922-00.001, 064-152922-00.000, AND 064-152910-00.000,**

**TOTALING 136.75 +/- ACRES IN THE CITY OF PATASKALA, FROM THE AGRICULTURAL (AG) ZONING CLASSIFICATION TO THE PLANNED MANUFACTURING (PM) ZONING CLASSIFICATION WITH A PLAN DISTRICT OVERLAY.**

Connie K. Klema is requesting to rezone three (3) properties, totaling 136.75 +/- acres, from AG – Agricultural to PM – Planned Manufacturing with a Planned District Overlay pursuant to Sections 1217.13 and 1261.06 of the Pataskala Code for the properties located at 7482 Columbia Road and 0 Columbia Road. The Comprehensive Plan Future Land Use Map recommends this area for Flex Industrial. The requested rezoning s in line with the recommendations of the Future Land Use Map. On March 6, 2024 the Planning and Zoning Commission unanimously recommended to approve the rezoning request. The Council public hearing on the rezoning request was held on May 6, 2024.

➤ **ORDINANCE 2024-4467 – THIRD READING – AN ORDINANCE TO AMEND CHAPTER 1257 (FLOOD DAMAGE PREVENTION AND FLOOD PLAIN OVERLAY DISTRICT) OF THE CODIFIED ORDINANCES OF THE CITY OF PATASKALA, OHIO.**

The City of Pataskala is requesting to amend Chapter 1257 – Flood Damage Prevention and Flood Plain Overlay District (FP) pursuant to Section 1217.10 of the Pataskala Code. Pataskala’s current floodplain regulations were adopted in 2007 in conformance with the minimum NFIP requirements at the time; however, the minimum requirements have since changed. As a result, the City needs to update their floodplain regulations to comply with the updated regulations and continue to participate in the NFIP. It is imperative that the City adopt the amendment and have it on the books by July 31, 2024 to avoid the loss of flood insurance in Pataskala. On April 3, 2024 the Planning and Zoning Commission unanimously recommended approval of the amendment. The Council public hearing on the rezoning request was held on May 6, 2024.

➤ **ORDINANCE 2024-4471 – THIRD READING – AN ORDINANCE AUTHORIZING THE CREATION OF A NEW FUND TO PROVIDE FOR THE PROPER ACCOUNTING AND SEGREGATION OF FUNDS RECEIVED AND DESIGNATED FOR THE ANNUAL INDEPENDENCE DAY CELEBRATION FIREWORKS AND OTHER COMMUNITY EVENTS HELD IN THE CITY OF PATASKALA.**

The city was recently notified that it can expect to receive approximately \$25,000 in funds from the Summit Station Lion’s Club and Illuminate USA for the purpose of supporting the city’s annual Independence Day celebration fireworks and other community events. To better manage the funds and ensure compliance with this restriction, we are requesting that the funds be placed in a separate fund and restricted as to purpose. To create the new fund, Council authorization is required and is the purpose of this ordinance. **We are respectfully requesting that Council hold the 3<sup>rd</sup> and final reading of the ordinance and approve the legislation at the June 3<sup>rd</sup> meeting. There have been no changes to the ordinance since the 2<sup>nd</sup> reading.**

➤ **ORDINANCE 2024-4464 – SECOND READING - AN ORDINANCE TO REZONE PROPERTIES LOCATED AT 8855 EAST BROAD STREET AND 18 SOUTH BELMAR DRIVE, PARCEL NUMBERS 063-151194-00.000, 063-151194-01.000, AND 063-145992-00.000, TOTALING 1.242 +/- ACRES IN THE CITY OF PATASKALA, FROM THE MEDIUM DENSITY RESIDENTIAL (R-20) ZONING CLASSIFICATION TO THE GENERAL BUSINESS (GB) ZONING CLASSIFICATION.**

Ryan Badger, Badger Land Concepts, is requesting to rezone three (3) properties, totaling 1.242 +/- acres, from R-20 – Medium Density Residential to GB – General Business pursuant to Section 1217.13 of the Pataskala Code for the properties located at 8855 East Broad Street and 18 South Belmar Drive. The Comprehensive Plan Future Land Use Map recommends this area for Medium Density Mixed Use. The requested rezoning is in line with the recommendations of the Future Land Use Map. On March 6, 2024 the Planning and Zoning Commission recommended to approve the rezoning request. The Council public hearing on the rezoning request was on May 20, 2024.

➤ **ORDINANCE 2024-4465 – SECOND READING - AN ORDINANCE TO REZONE PROPERTY LOCATED AT 43 SOUTH BELMAR DRIVE, PARCEL NUMBER 063-142734-00.000, TOTALING 0.41 +/- ACRES IN THE CITY OF PATASKALA, FROM THE MEDIUM DENSITY RESIDENTIAL (R-20) ZONING CLASSIFICATION TO THE GENERAL BUSINESS (GB) ZONING CLASSIFICATION.**

Ryan Badger, Badger Land Concepts, is requesting to rezone property, totaling 0.41 +/- acres, from R-20 – Medium Density Residential to GB – General Business Section 1217.13 of the Pataskala Code for the property located at 43 South Belmar Drive. The Comprehensive Plan Future Land Use Map recommends this area for Medium Density Mixed Use. The requested rezoning is in line with the recommendations of the Future Land Use Map. On March 6, 2024 the Planning and Zoning Commission recommended to approve the rezoning request. The Council public hearing on the rezoning request was on May 20, 2024.

➤ **ORDINANCE 2024-4472 – SECOND READING - AN ORDINANCE TO CREATE TWO NEW PATROL SERGEANT POSITIONS WITHIN THE CITY OF PATASKALA DIVISION OF POLICE PATROL DIVISION.**

Approval of this ordinance would provide for the Police Department to maximize its supervisor coverage on all shifts. The Department currently has four Sergeants on Patrol which handle the supervision for three shifts. Adding the additional positions would allow full coverage on all the shifts. The positions will be filled from current staffing as part of a re-structuring and will not require additional positions to be added.

B. Resolutions

**New Business**

A. Ordinances

➤ **ORDINANCE 2024-4473 – FIRST READING - AN ORDINANCE TO CREATE, AND ESTABLISH COMPENSATION FOR, A NEW FULL-TIME POSITION OF EMPLOYMENT (SENIOR PLANNER) WITHIN THE CITY OF PATASKALA.**

This ordinance creates the full-time position of Senior Planner which was included as part of the 2024 budget. The position description was approved by the Personnel Board of Review on May 14, 2024.

➤ **ORDINANCE 2024-4474 – FIRST READING - AN ORDINANCE AMENDING SECTIONS 929.03 OF THE CODIFIED ORDINANCES OF THE CITY OF PATASKALA, THEREBY INCREASING THE WATER AND SANITARY CAPACITY FEES**

The City of Pataskala charges a capacity fee for both water and sewer services. This fee is based upon the size of the water meter, and the location of the connection. The City has a capacity fee structure for its in town, out of town, and Beechwood Trails locations. The fee structure covers meters of ¾", 1", 1 ½", 2", 3", 4", 6", and 8" sizes. These fees have not been increased since 2012. The Administration recognizes the need to increase these fees in order to keep up with the costs associated with operating and maintaining a water and wastewater treatment system.

The existing capacity fee structure has a higher cost for water than it does for sewer. As sewer treatment is a more expensive process than water treatment, this structure is not ideal. In addition to the need to increase the capacity fees to keep up with rising costs, the Administration has also identified the need to significantly raise the sewer capacity fees to more accurately reflect the costs associated with the sewer treatment process.

Working with the Utility Committee, the Administration analyzed 7 different possible increases. The goal was to decide on an increase that would accommodate the needs of the Utility Department while maintaining affordability. After analyzing the 7 possibilities, version 6 was selected to present to council. Version 6 equates to a 10% increase in the water capacity fees and a 75% increase to the sewer capacity fees. The complete table of the proposed capacity fees can be found in Exhibit A for Ordinance 2024-4474.

## Consent Agenda

### 3. Motions

### 4. Resolution

➤ **RESOLUTION 2024-046 – A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT THE BID OF, AND EXECUTE A CONTRACT WITH, THE SHELLY COMPANY FOR CONSTRUCTION SERVICES FOR THE 2024 ROADWAY IMPROVEMENTS PROGRAM**

The bid opening for construction of the 2024 Roadway Improvements Program was held on Thursday, May 23, 2023. Only one bid was received and that was from The Shelly Company. The Shelly Company's bid is awardable and is the lowest and best at a value of \$1,010,560.68. GPD Group has reviewed the bid package, found that all is in order with the bids, and provided a recommendation to move forward

with awarding the contract to The Shelly Company. The Base Bid includes improvements to the following roads: Charles Drive, Daley Drive, Dennison Street, Poplar Street, Emswiler Way, Granville Street, Mulberry Street, South High Street, South Summit Road, Foundation Park and Municipal Park

Furthermore, the project included two alternate bid items:

1. Cable Road = \$187,725.70
2. Bristol Dr. = \$156,130.48

The combined project budget value, between the Public Service Department and the Parks Department, is \$1,110,000, which is just enough to cover the base bid, but not enough for the proposed alternates, so neither of the alternate bids will be awarded.

Finally, as has become standard practice, contingency funds are being requested to be included in the authorized amount for the project. In this case, that will amount to the total project budget of \$1,110,000, which is a slightly larger contingency than typical, but leaves the possibility of being able to chip seal an additional section of roadway if savings are realized on the earlier parts of the project.

Approval of this Resolution is recommended.

➤ **RESOLUTION 2024-047 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH SPENCO. EXCAVATING, INC. TO INSTALL NEW STORM SEWER ALONG CEDAR ALLEY**

This project is targeted at relieving flooding in the alley that runs north and south from Cedar Street to Railroad Street, just west of High Street. Heavy rain events will cause the alley to flood, as well as the property at 291 S. High St.

It has been reported that there was a catch basin in this location in the past, but no evidence has been found to support this claim. No inlets, storm sewers, or outlets have been able to be identified on plans or empirically. Accordingly, the plan is to serve this area by installing new storm facilities. The project will include installation of 140' of new 12" storm sewer with a new catch basin located at the low spot in the alley. The storm sewer will tie into existing storm sewer that runs along Cedar Street.

The storm sewer connection is too deep for the equipment that the City has and uses for City personnel to be able to complete this job. In an effort to keep costs down, the City will partner with Spenco Excavating, with Spenco personnel completing all installation, and the City providing materials, trucking of materials, replacement of asphalt, and maintenance of traffic.

This project was not specifically identified in the 2024 budget, but money is available in the appropriate fund lines from savings on other projects.

Approval of this Resolution is recommended.