



City of Pataskala

Legislative Report to Council

Legislative Report

December 2, 2024 Council Meeting

Unfinished Business

A. Ordinances

➤ **ORDINANCE 2024-4487 – THIRD READING – AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES DURING THE FISCAL YEAR ENDING DECEMBER 31, 2024.**

As a part of our year-end planning and review process, we identified a number of needed adjustments to the 2024 budget which require additional appropriations. There are eight (8) specific areas that are being addressed in this legislation, and which are covered below. Where possible, we have attempted to find offsetting reductions to cover any increases requested. **We respectfully request that Council hold the 3rd and final reading of the ordinance at the December 2nd Council meeting and approve the legislation. There have been no changes in the legislation since the 2nd reading.**

- *Section 1: JEDD Infrastructure Fund Distribution* – When the JEDD initially began receiving revenue the 35% allocation to the JEDD Infrastructure Fund was sent to the city. In order to properly segregate and account for those funds, a new special revenue fund – the JEDD Fund – was created. However, proper budgetary control and accounting would have those funds received by, and accounted for, the JEDD. This request would permit the city to send the entire fund balance to the JEDD.
- *Section 2: Police Cruiser Replacement* – The Police department had one of their cruisers totaled by the Ohio Plan as a result of a collision which occurred during a pursuit. We have received the proceeds of the settlement, and the Police department would like to use those funds to acquire an additional used cruiser. We are requesting a supplemental appropriation increase of \$10,175 which matches the amount received by the city.
- *Sections 3 – 5: Utility Year-End Budget Adjustments* – The Utility department has experienced an increased number of emergency leak repairs in 2024 and the cost of chemicals has risen greatly. As we approach year-end, we performed an analysis of all budget lines to determine if they had enough

funding to cover spending through December 31. It appears that the water and sewer utility budgets are a bit understated in the Contractual Services and General Operating budget categories. We are requesting a combined appropriation increase of \$110,000 to cover the budget shortfalls.

- *Section 6: Human Resources Services* – It appears that some of the budget in the line used for the payment of Human Resource services invoices was used earlier in the year for unplanned expenses, and the line does not currently contain sufficient appropriations to end the year. We are requesting a reclassification of \$4,600 in appropriations between the General Operating and Contractual Services categories to cover the rest of the year. There is no net impact on the year-end fund balance from this change.
- *Sections 7 - 8: Public Service Garage Project Funding* – The Public Service Director has identified several savings in other areas and is requesting a reallocation of \$75,000 between budget categories as well as the use of \$770,000 in carryover fund balance to cover the costs of constructing a Public Service garage facility. Incorporating these 2024 supplemental appropriations into the 2025 budget model and modifying the 2025-2029 projections by delaying equipment purchases by one (1) year results in a projected 2029 year-end carryover balance of \$1.70 million or 25.88% of spending.
- *Section 9: Street Maintenance Materials* – After reviewing the current 2024 budget, it was determined that additional funding is required for the purchase of street maintenance materials. This is being accomplished by a budget transfer of \$10 thousand between the Contractual Services budget category and the General Operating budget category. There is no net impact on the year-end fund balance from this change.
- *Section 10: Fire Escrow Refunds* – The city’s codified ordinances call for insurance companies to deposit with the city a set amount from a settlement with the insured due to the loss of a structure. These funds are not city dollars; rather, we are simply holding on to them to ensure that the structure is either rebuilt or razed and the site cleared. In 2024, we’ve received more than \$130.0 thousand in such settlements. To distribute the funds, appropriations must exist in the city’s annual budget. At present, the 2024 budget does not contain any appropriations and the \$150.0 thousand in additional appropriations requested would permit the city to encumber the funds and remit payment to the homeowner or contractor in a timely manner.
- *Sections 11-15: Web Hosting of VIP System* – Keytel currently hosts the VIP server on a virtual basis. That means that we don’t have a specific physical server, but that the system resides on a server hosted by Keytel and requires the use of a VPN in order to connect. As we will be leaving Keytel by the end of the year (or shortly thereafter) and my pending retirement, I believe that it makes sense to have the software vendor, Software Solutions (SSI), host

the system. The benefits of SSI hosting the system include: (1) automatic updates of the system; (2) disaster recovery backup and restoration; and (3) elimination of the requirement to use a VPN to remotely access the system as dual-factor authentication would be used to restrict access. The annual cost of this service is approximately \$17 thousand per year (split across 5 funds) with an initial implementation fee of \$2.3 thousand.

- *Sections 16-20: Network Equipment Purchase* – The decision has been made to change information technology service providers from Keytel to Headway Strategy. Making this change will require the purchase of network-related equipment such as servers, phones, firewalls, etc. The Headway consultant is working with Keytel to determine what equipment will need to be purchased prior to the January 1, 2025 ‘go live’ date. As this is the final opportunity to request additional appropriations, we are requesting an additional \$75.0 thousand as a placeholder to enable the city to properly purchase the equipment. We don’t believe that the full amount will be needed, and any used portion will be returned to the fund balance once the purchase order is closed.

➤ **ORDINANCE 2024-4488 - THIRD READING - AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE AGREEMENTS WITH RRIFI COLUMBUS 44 LAND, LLC TO TERMINATE TWO (2) COMMUNITY REINVESTMENT AREAS**

THIS TERMINATION OF COMMUNITY REINVESTMENT AREA AGREEMENT (BUILDING #2) (this “**Termination**”) is made and entered into on the Effective Date (as defined on the signature page hereof), by and between the **CITY OF PATASKALA**, an Ohio municipal corporation (the “**City**”), and **RRIFI COLUMBUS 44 LAND, LLC**, a South Carolina limited liability company (the “**Company**”).

As Council knows, on August 1, 2024, The City and Red Rock completed the necessary legislation for an abatement at the site of their “fifth and sixth” buildings located at the intersection of Etna Parkway and Refugee Rds. Red Rock was thinking that they would build, when necessary, two 120,000 sq ft buildings. In the time since that legislation was finalized, Red Rock was approached by a buyer for the land only. This buyer asked that no CRAs or TIFs be associated with the property for the sale to take place.

In light of these facts, Red Rock met with us the week of October 14th to begin the inquiry into what needed to be done to unwind the granted CRA. A meeting was held with the Law Director, the Administration, Montrose, Red Rock and Red Rocks outside legal counsel. At that meeting it was discovered that terminating the agreement is fairly easy. However, since we enacted the abatement via Ordinance, we should also terminate it via the same legislative tool. This ordinance allows us to do that. I do not know who the buyer is specifically, but I believe whoever it is will come back to us in the future for other economic development possibilities. I have relayed to Red Rock that while the Council may be amenable to the request, the extra amount of work may make new agreements with Red Rock receive new scrutiny from both the Administration and the elected officials.

- **ORDINANCE 2024-4483 – SECOND READING - AN ORDINANCE TO REZONE PROPERTIES LOCATED ON COLUMBIA ROAD, PARCEL NUMBERS 064-152844-00.001 AND 064-152844-00.000, TOTALING 63.59 +/- 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 two (2) properties, totaling 63.59 +/- 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 7330 Columbia Road and 0 Columbia Road. The Comprehensive Plan Future Land Use Map recommends this area for Flex Industrial. The requested rezoning is in line with the recommendations of the Future Land Use Map. On October 2, 2024 the Planning and Zoning Commission unanimously recommended to approve the rezoning request. The Council public hearing on the rezoning request was held on November 18, 2024.

B. Resolutions

New Business

A. Ordinances

Consent Agenda

3. Motions

4. Resolution

- **RESOLUTION 2024-077 – A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH C.S. ELECTRIC AND EXCAVATING LLC TO PURCHASE AND INSTALL A PERMANENT STANDBY GENERATOR AND AUTOMATIC TRANSFER SWITCH FOR THE WATER TREATMENT PLANT, WELL PUMP NO. 1**

The Utility Department determined that a permanent standby generator at water treatment plant #1 is a critical addition for our water treatment readiness. The Utility Department would like to use C.S. Electric and Excavating LLC for the purchase and installation of a 70kW backup generator and automatic transfer switch at the Water Treatment Plant Well Pump #1. C.S. Electric and Excavating LLC provided a quote, in an amount not to exceed Seventy Thousand Dollars and No Cents. Currently our staff must reduce productivity from the plant by half while waiting for power to be restored. This standby generator would save critical time and ensure a much-needed power supply to the treatment plant and reduce any negative impact to our customers. We are asking council to allow for the purchase and installation of a Backup generator for the Water Treatment plant #1, in an amount not to exceed Seventy Thousand Dollars and No Cents.

➤ **RESOLUTION 2024-078 – A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT C.S. ELECTRIC AND EXCAVATING LLC TO PURCHASE AND INSTALL A PERMANENT STANDBY GENERATOR AND AUTOMATIC TRANSFER SWITCH FOR THE SUGAR MILL LIFT STATION**

The Utility Department determined a permanent standby generator at sugar mill lift station is a critical addition for our collection system readiness. The Utility Department would like to use C.S. Electric and Excavating LLC for the purchase and installation of a 35kW backup generator set and automatic transfer switch at the Sugar Mill Lift Station. Currently our staff would be called in and a trailer mounted generator would be deployed to maintain operation at the lift station. This standby generator would save critical time and ensure a much-needed power supply to the lift station and prevent any negative impact to our customers. We are asking council to allow for the purchase and installation of a Backup generator for the Sugar Mill Lift Station, in an amount not to exceed Fifty-Five Thousand Dollars and No Cents.

➤ **RESOLUTION 2024-079 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH THE LICKING COUNTY BOARD OF COMMISSIONERS FOR REIMBURSEMENT OF LEGAL COUNSEL FOR INDIGENT DEFENDANTS IN 2025**

The City of Pataskala maintains and operates a Mayor's Court. If an individual is charged in Mayor's Court who cannot afford legal counsel, the Court will appoint an attorney to provide for the individual's defense.

Licking County has a program that reimburses a municipality for providing an attorney to indigent adults in these circumstances. To be eligible for reimbursement, municipalities must enter into an agreement with the county commissioners each year. This resolution will authorize the City Administrator to enter into that agreement. This is something that the City of Pataskala has done for several years now. Approving this resolution simply allows Pataskala to continue to participate in that reimbursement program.

➤ **RESOLUTION 2024-080 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH COLUMBUS POOL MANAGEMENT TO OPERATE THE MUNICIPAL PARK POOL IN 2025**

The City of Pataskala owns and maintains the Municipal Park Swimming Pool located at 500 S. Township Road. For the 2025 pool season, the Administration requests utilizing a third-party company to conduct the daily activities of the pool.

The Administration received multiple quotes for this service, at essentially the same price. Following reference checks, the Administration has selected Columbus Pool Management as the preferred service provider. Columbus Pool Management is familiar with the equipment currently installed at the pool, is familiar with our operation schedule, and has pledged to hire our local pool staff members whenever possible. They will maintain our current level of service, including swim team practice and meets and the current swim lessons program. The Administration will still have a continuous presence at the facility to ensure the needs the Administration and our residents are met.

Columbus Pool Management will offer these services at a cost of \$101,924.00 for the 2025 season. They also will keep any revenue generated by the swim lessons

program. The funds necessary for this agreement are included in the 2025 Recreational Programs Budget.

➤ **RESOLUTION 2024-081 - A RESOLUTION TO ACCEPT AND CONFIRM INFRASTRUCTURE IMPROVEMENTS FOR THE HAZELTON CROSSING, PHASE 1 DEVELOPMENT FOR PUBLIC MAINTENANCE AND OPERATION BY THE CITY OF PATASKALA**

Approval of this resolution will indicate formal acceptance of infrastructure improvements for the Hazelton Crossing, Phase 1 Development by The City of Pataskala. These improvements include utilities and roadway per plan and as platted for Ashburn Lane, Scotsgrove Drive, Coachman Drive and Hannahs Drive..

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 and Utility Director representatives 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 November 26, 2024 as the beginning of the 2-year maintenance period.

In accordance with City requirements for acceptance, as-built plans, a 2-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 2024-081 be approved.

➤ **RESOLUTION 2024-082 – A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH SETTERLIN BUILDING COMPANY TO PROVIDE DESIGN-BUILD SERVICES FOR THE MINK STREET GARAGE IMPROVEMENTS PROJECT**

This Resolution authorizes the next step in the Mink St. garage project. This will authorize entering into a contract with Setterlin Building Company to proceed with final design, procurement of materials, and completing construction of the Mink St. Garage project. As a design-build firm, and a design-build contract, Setterlin will manage the entire process.

Previously, the PSD brought a Criteria Architect on board to provide conceptual design drawings and assist with project scoping. They will also continue in an advisory and review role throughout construction on the City's behalf. With this information, an RFQ was put out to solicit qualifications from interested firms. Five firms submitted, their submittals were scored, and the field was narrowed down to three in accordance with ORC requirements.

The next step was to provide the three remaining firms with additional information and request a pricing proposal from each (RFP). The additional information was provided via a "pre-bid" style meeting with representatives from all firms attending. This ensured that all firms received the same information, and also

provided a forum for feedback and ideas which was beneficial to the City to help focus the full scope of the building.

The RFP's were submitted, reviewed by both the Criteria Architect and the City, and scored by the City. Of these, Setterlin Building Company provided the lowest and best bid, with a number of considerations for the City to reduce fees, as well as additional scope items to provide better functionality.

Setterlin was notified that they were the selected firm, and over the past 2 months, has worked with the PSD to dial in the final scope of the building. Several meetings and phone calls have occurred to narrow the scope and negotiate what the PSD believes to be a fair and accurate budget. Working with Setterlin through this process, the PSD is confident that the scope of the building is what it needs to be, without any unnecessary additions that make it more than it needs to be.

Approval of Resolution 2024-082 is recommended.

➤ **RESOLUTION 2024-083 – A RESOLUTION APPROVING A “NOW & THEN” CERTIFICATION BY THE CITY FINANCE DIRECTOR, PURSUANT TO R.C. 5705.41 (D) (2), FOR THE PAYMENT OF TYLER TECHNOLOGIES.**

Approval of this resolution allows payment for the annual contract for the dates of January 1, 2024, to December 31, 2024. The City of Pataskala Police Department didn't encumber the funds for the cost of the contract until February 1, 2024.