



## City of Pataskala *Legislative Report to Council*

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### Legislative Report

#### January 3, 2023 Council Meeting

#### Unfinished Business

##### A. Ordinances

###### ➤ ORDINANCE 2022-4436 – 3<sup>rd</sup> READING

This ordinance would amend Chapter 1296 – Residential Appearance Standards to allow for a provision for a Council variance and correct a discrepancy with terminology. The Development Committee recommended the amendment proceed through the amendment process on August 22, 2022. The Planning and Zoning Commission recommended approval on October 5, 2022.

###### ➤ ORDINANCE 2022-4441 – 3<sup>rd</sup> READING - AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF PATASKALA, LICKING COUNTY, OHIO TO BE A PUBLIC PURPOSE; DECLARING SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; DESIGNATING SPECIFIC PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT, ONCE MADE, WILL DIRECTLY BENEFIT THE PARCELS FOR WHICH IMPROVEMENT IS DECLARED TO BE A PUBLIC PURPOSE; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND; AND PROVIDING RELATED AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40(B), 5709.42, 5709.43, 5709.832 AND 5709.85.

This ordinance is the TIF agreement for the property associated with Ordinance 4429. It follows the same language that was approved on the first phase of Red Rock 1. A TIF diverts property taxes to a fund that can then be accessed by the City to reimburse Red Rock for certain public infrastructure improvements on the site including road construction, widening and extensions, installation of sidewalks, street lighting, curbs and gutters, and sewer and water improvements. Since the City is granting a 15-year abatement (so no property taxes on the building are generated) the TIF would only be for the increase in property taxes related to increase in land value in years 1-15, and for the increase in property taxes from land and building values for years 16-30.

###### ➤ ORDINANCE 2022-4433 – 2<sup>nd</sup> READING - AN ORDINANCE TO AMEND SECTION D OF THE FEE SCHEDULE WITHIN THE PARKS AND RECREATION DEPARTMENT.

This ordinance was amended by substitution. The amendments made to Exhibit A were to break down the fees for the Pataskala Youth Soccer League Registration

section of the fees. The changes made in the youth soccer section broke down the different cost associated with the summer and winter training options that have been implemented as a part of the program. The Exhibit A provided (as the attachment) has all proposed changes of added and updated items highlighted in yellow. Fees for the youth soccer league and the adult softball team fees were planned increases for the 2022 program year so those two are the only “adjustments”. All other yellow highlighted items are additions to the fee schedule.

## B. Resolutions

### New Business

#### A. Ordinances

- **ORDINANCE 2023-4443 – 1<sup>ST</sup> READING - AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A GUARANTY AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION**

This Ordinance (First Reading) authorizes the City Administrator to execute the guaranty agreement with ODOT. Essentially this is the legislation that allows us to borrow the money from the State Infrastructure Bank. Council will remember that Etna and Pataskala are each in for “half” of the \$7,000,000 loan. The second attachment an amortization schedule shows that after interest the loan is more than just \$7,000,000 and our annual payments (which begin in 2025) are \$260,000/YR. This is the number we were shooting for after figuring the potential income tax from the Red Rock and TPA facilities. This legislation is the culmination of input from all jurisdictions and their legal teams. Our own house review consisted in Brian Zets, Jamie Nicholson, Tim Hickin and our outside bond council Dennis Schwallie. We hope there are no amendments by substitution yet to come as that would force us under council rules of order to delay the vote until the February 6<sup>th</sup> meeting.

Something special with this legislation is the fact that we would need to waive a 3<sup>rd</sup> reading and adopt at the January 17, 2023, meeting to make the deadline of February 17<sup>th</sup> to sign the guarantee after the referendum period. Missing this deadline puts the %3.0 interest on the loan in jeopardy as we might have to reapply, and the “new rates” would be in play. Even a small raise in the rate has the potential to cost the city significantly more money.

### Consent Agenda

#### 3. Motions



#### 4. Resolution

- **RESOLUTION 2023-001 - 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 2023.**

The Licking County Board of Commissioners asked that this legislation be included at this meeting. Each year the Ohio Public Defenders Office requires that local legislatures approve this annual renewal of the agreement. It allows for Licking County to serve as legal counsel for indigent residents of Pataskala. The language in this resolution mirrors our resolution last year (2021-061).

The administration recommends passage of this resolution.

➤ **RESOLUTION 2023-002 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A USE AGREEMENT WITH RENEW WELLNESS LLC.**

This resolution allows the city to enter into a lease for suite 2-F. Throughout the month of December we have been prepping 2-F with painting and carpet cleaning to get it ready for the new tenant. With passage of this resolution, we have every space at 621 Broad Street leased or used.