



## City of Pataskala *Legislative Report to Council*

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### Legislative Report

#### October 3, 2022 Council Meeting

#### **Unfinished Business**

##### **A. Ordinances**

- **ORDINANCE 2022-4425 – 3<sup>rd</sup> READING - AN ORDINANCE TO REZONE PROPERTY LOCATED AT 0 PALMERS LAND AVENUE, PARCEL NUMBER 063-141570-00.000, TOTALING 3.07 +/- ACRES IN THE CITY OF PATASKALA, FROM THE MEDIUM DENSITY RESIDENTIAL (R-20) ZONING CLASSIFICATION TO THE LIGHT MANUFACTURING (M-1) ZONING CLASSIFICATION.**

The approximately 3.07-acre property located at the end of Palmers Land Ave (Parcel No. 063-141570-00.000) is currently occupied by two structures. A 728-square foot pole barn, and a larger 1,440-square foot pole barn, both built in 1992. Much of the site is wooded, and the only frontage the property has along the public right-of-way is on Palmers Land Avenue. The Applicant also owns the adjacent 4.27-acre property directly to the north, which is occupied by Meredith Brothers, Inc., a construction components manufacturing facility, with frontage on Klema Drive. The Applicant is requesting approval to rezone the 3.07-acre parcel from R-20 – Medium Density Residential to M-1 – Light Manufacturing. The purpose of the rezoning is to provide for additional material storage for their business located on the lot adjacent to the north (Meredith Brothers, Inc.). The requested rezoning is in line with the recommendations of the Comprehensive Plan and was recommended for approval by the Planning and Zoning Commission on July 6, 2022.

- **ORDINANCE 2022-4429- 3<sup>RD</sup> READING - AN ORDINANCE AUTHORIZING, DIRECTING, AND APPROVING THE EXECUTION OF A COMMUNITY REINVESTMENT AREA AGREEMENT BETWEEN THE CITY OF PATASKALA AND RED ROCK INVESTMENT PARTNERS, LLC**

This CRA is for a development project by Red Rock within the corporate park on land across Etna Parkway from the existing AEP site. It is for two buildings. One building is 400,000-500,000 sq ft with an estimated payroll of \$5.25-\$14 million for 200-400 full time equivalent employees. The other building is 350,000-500,000 sq ft with an estimated payroll of \$5.25-\$12.25 million for 200-350 full time equivalent employees. This CRA is for a 100%, 15-year abatement. The administration anticipates the need to amend this legislation by substitution at the second reading to include language that establishes an easement that will allow the neighboring properties on Mill and Columbia Road to have access to Etna Parkway. The administration intends

for this ordinance to go through the normal three readings. The site plan was reviewed by the development committee on Aug 22. And a recommendation was made by the committee to approve the CRA, pending minor changes to the legislation.

The legislation was amended by substitution at the September 19, 2022, meeting

\*\*\* After the September 19, 2022 City Council meeting it was discovered that a change made by the Ohio Legislature in March 2022 that requires C-Tec to be compensated at the same rate as the schools. The Administration's position is that developers would be responsible for this via a payment plan or pilot payment. Without that agreement C-Tec would not approve the legal document prepared by Red Rock that released Pataskala from the required notification letter. C-Tec's Board did NOT pass the resolution at the 9/27/2022 meeting so Ordinance 2022-4429 will need to be **Tabled** at the October 3, 2022, meeting. Pataskala is drafting the appropriate letter to be sent to C-Tec and hopefully Red Rock and C-Tec can come to an agreement allowing this legislation to be approved at the 10/17/2022 meeting.

## B. Resolutions

### New Business

#### A. Ordinances

### Consent Agenda

#### 3. Motions

- Motion to declare 1997 International 4900 dump truck with plow (VIN 1HTSDAANXH427971), whose value exceeds \$1,000, as surplus and authorize its sale by public auction, after advertisement for not less than one week in a newspaper of general circulation in the City.
- Motion to declare 2002 International 7400 dump truck with plow (VN 1HTWDADR92J039053), whose value exceeds \$1,000, as surplus and authorize its sale by public auction, after advertisement for not less than one week in a newspaper of general circulation in the City.
- Motion to declare 2012 Dodge police cruiser (VIN 2C3CDXAT6CH181886), whose value exceeds \$1,000, as surplus and authorize its sale by public auction, after advertisement for not less than one week in a newspaper of general circulation in the City.
- Motion to declare 2012 Dodge police cruiser (VIN 2C3CDXAT4CH181885), whose value exceeds \$1,000, as surplus and authorize its sale by public auction, after advertisement for not less than one week in a newspaper of general circulation in the City.

- Motion to declare 2008 Ford F-250 (VIN 1FTNF21578EE57316), whose value exceeds \$1,000, as surplus and authorize its sale by public auction, after advertisement for not less than one week in a newspaper of general circulation in the City.
- Motion to declare 1998 Dodge 3500 dump truck (VIN 3B6MF3663WM249576), whose value exceeds \$1,000, as surplus and authorize its sale by public auction, after advertisement for not less than one week in a newspaper of general circulation in the City.
- Motion to declare 2003 Ford F-150 (VIN 2FTRF18W53CA54024), whose value exceeds \$1,000, as surplus and authorize its sale by public auction, after advertisement for not less than one week in a newspaper of general circulation in the City.
- Motion to declare 2011 BMW 328 (VIN WBAPK5C54BF127067 ), whose value exceeds \$1,000, as surplus and authorize its sale by public auction, after advertisement for not less than one week in a newspaper of general circulation in the City.

#### 4. Resolution

- **RESOLUTION 2022-084 - RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A SECOND INTERGOVERNMENTAL AGREEMENT WITH ETNA TOWNSHIP, LICKING COUNTY, AND THE LICKING COUNTY TRANSPORTATION IMPROVEMENT DISTRICT**  
 Roughly the same in form as the Phase 1 IGA this legislation was delayed when legal counsel for both Pataskala and Etna felt uncomfortable about the IGA not addressing possible cost overruns. Realistically over runs in Phase 2 could/would be absorbed in the phase 3 “construction” portion of the project, however the Law Director and City Administrator have relayed these concerns to the Refugee working group. The Licking County Engineer stepped in and agreed to cover any cost overruns up to \$100,000 (25% of the \$400,000 price tag) This addition addressed and minimized the risk to the city and the Law Director now feels comfortable recommending approval.
- **RESOLUTION 2022-085 - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH UNITED SURVEY INC. FOR CONSTRUCTION SERVICES FOR PHASE 1-B OF THE 2022 SEWER LINING PROJECT**  
 The Utility Department recently had a bid opening for Phase 1-B of the 2022 Sewer Lining Project. This project is in response to the EPA requirement to reduce the amount of I&I water entering our collections system. The project will line the sanitary sewer mains in the River Forest and some of the Oak Meadow Drive areas, sealing up the leaking joints. The bids received for Phase 1 were exceptionally low. Phase 1B was created to add a significant amount of scope in order to maximize the grant money received from both OPWC and HB 168.

A bid opening was held on Sept 22<sup>nd</sup>. We received three bids. After having Verdantas evaluate the bids, the Utility Director feels that the bid from United Survey Inc. is the lowest and best bid for this project.

United Survey Inc. provided a bid in the amount of \$495,020. In order to encumber enough funds to account for CA and contingencies on the project, we are requesting that council authorize a contract in an amount not to exceed \$5300,000. The funds for this contract are available in the 2022 Utility Department Budget.

Approval of Resolution 2022-085 is recommended.

➤ **RESOLUTION NO. 2022-086 - RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A FIRST AMENDMENT TO THE ROAD DEVELOPMENT AGREEMENT WITH TPA VENTURES LLC**

This resolution directs the City Administrator to sign an addendum to the Road development agreement between TPA and Pataskala extending the deadline for construction commencement. Resolution 2021-026, adopted on July 6, 2021, was the road development agreement that included 2 deadlines for TPA to donate their funds (1.5 million) to the Refugee Road project. The first deadline was commencement of construction by September 1, 2022, and the second was awarding of the project to a construction company (no date required). Back in 2021 most associated with the project felt like the September 2022 deadline would be easily made. However, a change in Etnas elected officials and their representation on the working group slowed progress. Since the September 1, 2022, date has passed the Administration contacted TPA and inquired as to whether they were still interested in the project. They indicated that they were, and the new addendum was produced.

## 8 MOTIONS TO DECLARE SURPLUS

Having success with live auctions in the past the Service Department decided to hold an auction for a variety of items no longer needed by the city. These include items from the Police, Utility, Parks, and Zoning Departments as well. An auctioneer was identified, and a date set for late October. Pataskala's code is a little odd in that any item can be declared surplus and auctioned (if certain advertisement requirements are followed) However the City Administrator must specifically identify those items valued at more than \$1000.00. Council, then, must approve their surplus status individually. Of the items to be auctioned, the vehicles are the only ones that I think are more than \$1000.00 in value, so I have listed them individually as motions to declare as surplus and designate each for auction. With the exception of a vehicle seized in a police action (the BMW) each of these vehicles is way past their useful date to the city and many have been sitting idle.