



Introduced: 2/21/2023

CITY OF PATASKALA

RESOLUTION 2023-017

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A SECOND AMENDMENT TO ROAD DEVELOPMENT AGREEMENT

WHEREAS, the City of Pataskala and TPA Ventures, LLC entered into a Road Development Agreement in July 2021 (the “Agreement”); and

WHEREAS, under the Agreement, TPA Ventures would develop and construct a new building with approximately 1,270,000 square feet of industrial facility space, to be used primarily for distribution/logistics, manufacturing, e-commerce and/or professional office space, together with related site improvements at a site in the City of Pataskala; and

WHEREAS, under the Agreement, the Licking County Transportation Improvement District (TID) assisted TPA Ventures in preparing a scope of services for MS Consultants to prepare a Traffic Impact Study. The study identified certain improvements necessary to the Refugee Road/Mink Street intersection, the Refugee Road/Etna Parkway intersection and the Refugee Road corridor connecting those two intersections; and

WHEREAS, under the Agreement, and the City of Pataskala and Etna Township, Ohio in partnership with the TID were to commence construction, or cause construction to commence, on the Road Improvements no later than September 1, 2022. Because of circumstances beyond anyone’s control, the construction of the Road Improvements did not commence on September 1, 2022; and

WHEREAS, the City of Pataskala and TPA Ventures then executed a First Amendment to the Road Development Agreement which extended the construction commencement date to April 1, 2023 and the substantial completion (i.e., open to truck traffic) date to July 1, 2024; and

WHEREAS, because of circumstances beyond anyone’s control, the construction of the Road Improvements will not commence by April 1, 2023. However, the substantial completion date will not change; and

WHEREAS, Council for the City of Pataskala now wants to again amend the Road Development agreement to reflect the new construction commencement date.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF ALL MEMBERS PRESENT CONCURRING THAT:

Section 1: Council for the City of Pataskala hereby authorizes and directs the City Administrator to execute Second Amendment to Road Development Agreement, in substantially the same form and content at the Amendment attached hereto as Exhibit A and incorporated herein by reference, with TPA Ventures, LLC.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision-making bodies of the City of Pataskala which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

Section 3: This Resolution shall take effect at the earliest time allowed by the Charter of the City of Pataskala.

ATTEST:

Kathy M. Hoskinson, Clerk of Council

Michael W. Compton, Mayor

APPROVED AS TO FORM:

Brian M. Zets, Law Director