



Office of the City Manager

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Memo

To: Members of Dublin City Council

From: Dana L. McDaniel, City Manager

Date: August 16, 2022

Initiated By: Matthew L. Stiffler, Director of Finance

Re: Ordinance 32-22 – Amending Ordinance 14-96 passed April 1, 1996, as subsequently amended, to supplement the public improvements to be made to benefit the parcels identified in that Ordinance (Thomas Kohler)

Summary

Ordinance 32-22 provides for amendments to the existing legislation that established the Thomas Kohler TIF district. The Thomas Kohler TIF District was established in 1994 to provide a funding mechanism for constructing all or a portion of a new north-south street (Emerald Parkway) to connect Britton Parkway south of Rings Road with Shier Rings Road; a new east-west street (Woerner Temple Road) extending west to Avery Road and Rings Road at I-270; a commercial loop road located east of Emerald Parkway and connecting Emerald Parkway from Rings Road to Tuttle Crossing Boulevard and other necessary improvements related to this new infrastructure.

Previously approved modifications to the Thomas Kohler TIF include:

- Ordinance 138-99 provided for a “non-school” TIF after the terms of the “straight” TIF expired. The “straight” TIF expired in tax year 2003, and the “non-school” TIF will continue until tax year 2026.
- Ordinance 143-02 modifications included the relocation and burying underground of overhead cables, wires and appurtenant equipment.
- Ordinance 50-14 modifications included the widening of Avery Road from Woerner-Temple Road to Rings Road West as well as the construction of a roundabout at the intersection of Avery Road and Rings Road West.

Staff is proposing another amendment to the TIF which will allow for the public infrastructure improvements to the intersection of Avery Road and Rings Road/Cara Road and the Avery Road South Shared Use Path – Rings Road to Woerner-Temple Road. These intersection improvements were approved as part of the 2022 – 2026 CIP and the shared use path is proposed as part of the 2023 -2027 CIP. It is anticipated that land acquisition for the intersection will begin in late 2022 with construction of both projects scheduled in 2023.

The required notice has been sent to the Dublin City School District and Tolles Career & Technical Center.

Recommendation

Staff recommends that Council adopt Ordinance 32-22 at the second reading/public hearing on September 26, 2022.

RECORD OF ORDINANCES

Ordinance No. 32-22

Passed , 20

AMENDING ORDINANCE NO. 14-96 PASSED APRIL 1, 1996, AS SUBSEQUENTLY AMENDED, TO SUPPLEMENT THE PUBLIC IMPROVEMENTS TO BE MADE TO BENEFIT THE PROPERTY IDENTIFIED IN THAT ORDINANCE.

WHEREAS, pursuant to Ohio Revised Code Sections 5709.40, 5709.42 and 5709.43, this Council passed Ordinance No. 14-96 on April 1, 1996 (the "TIF Ordinance"), thereby declaring improvements to parcels of certain real property located in the City (as described and depicted in the TIF Ordinance and referred to therein as the "Property") to be a public purpose, exempting those improvements from real property taxation for a period of time, specifying public infrastructure improvements (as described in the TIF Ordinance and referred to therein as the Infrastructure Improvements) to be made to benefit the Property, providing for the making of service payments in lieu of taxes (the "Service Payments") by the owner(s) thereof, and establishing a municipal public improvement tax increment equivalent fund into which those Service Payments were to be deposited; and

WHEREAS, this Council first amended the TIF Ordinance through the passage of Ordinance No. 138-99 to extend the period of years that service payments would be received by the City; and

WHEREAS, this Council further amended the TIF Ordinance through the passage of Ordinances Nos. 143-02 and 50-14 to specify additional public infrastructure improvements benefitting the Property; and

WHEREAS, this Council now desires to specify additional public infrastructure improvements that directly benefit or once made will directly benefit the Property; and

WHEREAS, notice of this Ordinance has been timely delivered to the Dublin City School District and the Tolles Career and Technical Center in accordance with Ohio Revised Code Sections 5709.40 and 5709.83;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, of the elected members concurring, that:

Section 1. The public infrastructure improvements set forth in Exhibit B to the TIF Ordinance are hereby supplemented to include those public infrastructure improvements identified on EXHIBIT A attached hereto, which this Council hereby determines directly benefit or that once made will directly benefit the Property.

Section 2. Except as provided herein, all other provisions of the TIF Ordinance, as previously amended, shall remain in full force and effect. Those City officials are further authorized to provide such information and to execute, certify or furnish such other documents, and to do all of the things as are necessary for and incidental to carrying out the provisions of this Ordinance.

Section 3. Pursuant to Section 5709.40 of the Ohio Revised Code, the Clerk of Council is hereby directed to deliver a copy of this Ordinance to the Director of the Development Services Agency of the State of Ohio within fifteen days after its passage.

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Section 4. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. This Ordinance shall be in full force and effect on the earliest date permitted by law.

Signed:

Presiding Officer

Attest:

Clerk of Council

Passed: _____, 2022

Effective: _____, 2022

EXHIBIT A

DESCRIPTION OF ADDITIONAL PUBLIC INFRASTRUCTURE IMPROVEMENTS

The public infrastructure improvements set forth in Exhibit B to the TIF Ordinance are hereby supplemented to include any “public infrastructure improvement” defined under ORC Section 5709.40(A)(8) and all related costs of those permanent improvements (including, but not limited to, those costs listed in ORC Section 133.15(B)), including, without limitation, the following:

- **Roadways.** Construction, reconstruction, extension, opening, improving, maintaining, widening, grading, draining, curbing or changing of the lines and traffic patterns of roads, highways, streets, intersections, bridges (both roadway and pedestrian), sidewalks, bikeways, medians and viaducts accessible to and serving the public, and providing signage (including traffic signage and informational/promotional signage), lighting systems, signalization, and traffic controls, and all other appurtenances thereto, including, without limitation, improvements at the intersection of Avery Road and Rings Road/Cara Road.
- **Parking.** Construction, reconstruction, improving, and equipping of surface or structured public parking facilities.
- **Water/Sewer.** Construction, reconstruction or installation of public utility improvements (including any underground municipally owned utilities), storm and sanitary sewers (including necessary site grading therefore), water and fire protection systems, and all appurtenances thereto.
- **Environmental/Health.** Implementation of environmental remediation measures necessary to enable the construction of the private improvements on the Property or the Public Infrastructure Improvements, and the construction of public health facilities.
- **Utilities.** Construction, reconstruction, burial or installation of gas, electric and communication service facilities and all appurtenances thereto, including, but not limited to those associated with improvements described in “Roadways” above.
- **Stormwater.** Construction, reconstruction, relocation, modification and installation of stormwater and flood remediation projects and facilities, both for storm water quantity and quality, including the payment and reimbursement for such projects and facilities on private property when determined to be necessary for public health, safety and welfare.
- **Demolition.** Demolition, including demolition of the existing structures on the Property.
- **Parks.** Construction or reconstruction of one or more public parks and park or recreational facilities, including grading, trees and other park plantings, park accessories and related improvements, multi-use trails and bridges, together with all appurtenances thereto.
- **Streetscape/Landscape.** Construction or installation of streetscape and landscape improvements including trees, tree grates, signage, curbs, sidewalks, scenic fencing, street and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, together with all appurtenances thereto, including, but not limited to streetscape improvements in conjunction with and along the roadway improvements described in “Roadways” above.
- **Real Estate.** Acquisition of real estate or interests in real estate (including easements) (a) necessary to accomplish any of the foregoing improvements or (b) in aid of industry, commerce, distribution or research, including acquisition of interests in the Property necessary for redevelopment of the Property.
- **Professional Services.** Engineering, consulting, legal, administrative, and other professional services associated with the planning, design, acquisition, construction and installation of the foregoing improvements and real estate.