

TEMPORARY RESOLUTION NO. 108-22

PERMANENT RESOLUTION NO. 109-22

A RESOLUTION TO ACCEPT THE WRITTEN RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL (TIRC) FOR THE CONTINUANCE OF THE 2006 TAX INCREMENT FINANCE (TIF) AGREEMENT FOR ISLAND CAPITAL INVESTMENT GROUP, LLC, MENARDS, INC., RLG LANCASTER LTD., GCG LANCASTER LTD., ANCHOR LANCASTER, LLC, AND WAL-MART STORES EAST, LP, PURSUANT TO OHIO REVISED CODE (ORC) 5709.85(C)(I) AND (E)

WHEREAS, ORC § 5709.85(c)(1) and (e) require the TIRC to annually review the City's tax incentive agreements and make a written recommendation to City Council regarding the continuance or discontinuance thereof by September 1st; and

WHEREAS, the Lancaster TIRC met on Thursday, August 4, 2022, and received a staff report recommending the continuance of the tax incentives for Island Capital Investment Group, LLC, Menards, Inc., RLG Lancaster Ltd., GCG Lancaster Ltd., Anchor Lancaster, LLC, and Wal-Mart Stores East, LP and voted to approve the same; and

WHEREAS, the Lancaster TIRC forwarded its meeting minutes, containing its written recommendation to City Council on Friday, August 19, 2022, and City Council is required, within 60 days after receipt, to hold a meeting and vote to accept, reject, or modify all or any portion of the TIRC's recommendation;

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO,

SECTION 1. That the recommendation of the TIRC to continue the 2006 TIF Agreement and tax incentives contained therein is hereby accepted for the following companies:

- A. Island Capital Investment Group
- B. LLC, Menards, Inc.
- C. RLG Lancaster Ltd.
- D. GCG Lancaster Ltd.,
- E. Anchor Lancaster, LLC
- F. Wal-Mart Stores East, LP

SECTION 2. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: 9/26/22 after 3rd reading. Vote: Yeas 8 Nays 0

Date Approved: 9/26/22

Clerk: Jessica Lee Sandy David C. Ull  
President of Council

Offered by: Don M. McDaniel David L Scheffel  
Mayor

Second by: Kurt M. Galt

Requested by Finance Committee



## **Tax Incentive Review Council Minutes**

Thursday, August 4, 2022  
9:00 AM

**Members Present:** Dr. Carri Brown, Fairfield County Auditor & Chairwoman; Tom Stoughton, City Councilman, City Council Presidential Appointee, & Vice Chairman; Lisa Taylor, Lancaster City Schools Treasurer & BOE Appointee; Perla Uhl, Mayoral Appointee; David Scheffler, Mayor; Anitra Scott, Assistant Auditor & Auditor Designee.

Members absent: Bill Nash, Mayoral Appointee.

Also present: Stephanie Hall, Law Director.

**Call to Order:** The 2022 City of Lancaster Tax Incentive Review Council (TIRC) for the City of Lancaster met on Thursday, August 4, 2022, in the 1897 Conference Room of Lancaster City Hall. The meeting was called to order by Chairwoman Carri Brown at 9:05 AM. Since this was the City's first TIRC Meeting, the members introduced themselves and who they represent. Then, Chairwoman Brown started the meeting by reviewing the history and role of tax incentive review councils and their powers as prescribed by the Ohio Revised Code.

**Approval of Prior Meeting Minutes:** None to be approved. Chairwoman Brown asked for a volunteer to record meeting minutes; Law Director Hall volunteered.

**Review of 2006 Ety Road Tax Increment Financing (TIF) Agreement:** Chairwoman Brown asked Ms. Scott, as the Auditor's Designee, to give a formal report on the 2006 TIF entities service payments and bonding requirements. Ms. Scott reported that Island Capital Investment Group, LLC, Menards, Inc., RLG Lancaster Ltd., GCG Lancaster Ltd., Anchor Lancaster, LLC, and Wal-Mart Stores East, LP were all current on service payments as well as their security requirements. Ms. Scott offered to send an up to date written report including each entities' balance to all members via email after the meeting. Chairwoman Brown asked that this written report be included with the minutes when they are circulated.

Chairwoman Brown advised that the TIRC also needs to verify that the TIF entities are in compliance with the City's nondiscriminatory hiring, retention, and promotion policies as required by Article III, Section 3.10 of the TIF. Ms. Scott advised she has contact information for each of the TIF entities and will reach out to each of them to get a statement of compliance and provide

that to the TIRC members. Law Director Hall offered to provide her with the City's most recent nondiscriminatory policies, so the TIF entities have them for their records.

Ms. Uhl made a motion to accept the staff report provided by Ms. Scott and to continue the 2006 TIF Agreement and tax incentives contained therein. Councilman Stoughton seconded that motion. The motion passed unanimously.

**Other Business:** Chairwoman Brown advised the City TIRC will need to provide its report and recommendation authorizing City Council to continue the TIF incentives via legislation on or before September 1, 2022. Law Director Hall advised she will prepare and provide a resolution for passage prior to September 1, 2022.

Chairwoman Brown advised it would be helpful to include the formal action that authorized each of the members appointments to the TIRC for record keeping purposes as well.

Chairwoman Brown asked the members if they would be willing to set next year's TIRC Meeting on June 21, 2023, at 9:00 AM in the 1897 Room of City Hall. That date appeared to work for everyone involved and should make it easier to get a report and resolution prepared in advance of the September 1<sup>st</sup> deadline.

Chairwoman Brown advised that the City TIRC should appoint a Vice Chairperson to handle that meeting in the event that she is unable to attend. Mayor Scheffler nominated Councilman Stoughton and Ms. Uhl seconded that nomination. Councilman Stoughton was unanimously elected to serve as the City TIRC Vice Chairman.

Vice Chairman Stoughton asked Chairwoman Brown whether other Fairfield County political subdivisions have more TIFs than Lancaster. She responded that many do, with Canal Winchester having more than 10, and that it typically depends on the economic development packages that are being approved by the legislative authority. Mayor Scheffler advised that Grove City has thirty-eight (38) TIFs. Vice Chairman Stoughton then asked why Lancaster has just one. The members briefly discussed the history of Lancaster TIFs including drafting issues, development plans that have been abandoned, and the failure to include the local school district in TIF discussions.

**Adjournment:** Chairwoman Brown congratulated the TIRC members on having a very efficient meeting and noted a motion to adjourn would be in order. Mayor Scheffler made a motion to adjourn; Ms. Taylor seconded the motion. The motion passed unanimously, and the meeting adjourned at 9:35 AM.

**TIRC WRITTEN RECOMMENDATION (ORC § 5709.85(e)):** It is the recommendation of the TIRC that Lancaster City Council continue the 2006 TIF Agreement and tax incentives contained therein for the following entities: Island Capital Investment Group, LLC, Menards, Inc., RLG Lancaster Ltd., GCG Lancaster Ltd., Anchor Lancaster, LLC, and Wal-Mart Stores East, LP.