

CITY COUNCIL AGENDA

May 2, 2011

7:30 p.m.

All meetings are held in Council Chambers, 1st Floor, 538 N. Market Street

I. ROLL CALL & ORDERING OF AGENDA

II. APPROVAL OF MINUTES

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

V. COMMITTEE REPORTS; PUBLIC HEARINGS

VI. OLD BUSINESS

VII. NEW BUSINESS

1. First Reading - ORDINANCE NO. 2011-11 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CM PROPERTIES-WOOSTER, LLC FOR COMMUNITY REINVESTMENT AREA TAX INCENTIVES, AND DECLARING AN EMERGENCY (Ansel)
2. First Reading - ORDINANCE NO. 2011-12 AMENDING ORDINANCE NO. 2000-58 BY ADDING AND DESIGNATING FOUR PROPERTIES WITHIN THE CITY OF WOOSTER'S PUBLIC SQUARE LANDMARK DISTRICT (Buytendyk)
3. First Reading - RESOLUTION NO. 2011-49 AUTHORIZING THE DIRECTOR OF FINANCE TO ISSUE PAYMENT FOR THE SECOND YEAR OF A TWO-YEAR CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE HAULING AND DISPOSAL OF SLUDGES (Silvestri)
4. First Reading - RESOLUTION NO. 2011-50 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF SR 83 NEAR SR 302 WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY (Ulbright)
5. First Reading - RESOLUTION NO. 2011-51 AUTHORIZING THE MAYOR TO EXECUTE DOCUMENTS ASSIGNING A NOTE AND MORTGAGE TO THE OHIO HOUSING FINANCE AGENCY (Ansel)

VIII. MISCELLANEOUS

IX. ADJOURNMENT

ORDINANCE NO. 2011-11

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CM PROPERTIES-WOOSTER, LLC FOR COMMUNITY REINVESTMENT AREA TAX INCENTIVES, AND DECLARING AN EMERGENCY

WHEREAS, CM Properties-Wooster, LLC is a for-profit enterprise which desires to renovate a property located at 115 N. Grant Street as a Family Dollar retail store in Wooster within the area designated by Wooster City Council as the community reinvestment area (CRA), including a capital investment of up to \$700,000.00 for the acquisition and renovation of an existing facility; and it has requested tax abatement as an incentive to such expansion; and

WHEREAS, the Wooster Growth Corporation, as the designated community improvement corporation for the City of Wooster, has reviewed the request for CRA tax incentives and has recommended its adoption; and the Wooster City Schools board of education has also reviewed the request and given its approval thereof.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

SECTION 1. That the Mayor is hereby authorized to enter into an agreement on behalf of the City of Wooster with CM Properties-Wooster, LLC for CRA tax incentives. The terms of such agreement will include, but not be limited to, the following: (1) abatement of real estate taxes of 50%; (2) for a maximum term not to exceed twelve (12) years; (4) creation of at least two (2) new jobs; and (4) such other terms as the Mayor, in his/her discretion, deems appropriate.

SECTION 2. This Council finds and declares that all formal actions concerning and relating to the adoption of this ordinance occurred in an open meeting of this Council, in compliance with law.

SECTION 3. This Ordinance is hereby declared to be an emergency measure necessary to the immediate preservation of the public health, peace, safety and welfare of the City, or providing for the usual daily operation of a municipal department or division, and for the further reason that prompt action is necessary in order to facilitate implementation of the expansion project by the applicant; wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of the Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

1st reading _____ 2nd reading _____ 3rd reading _____

Passed: _____, 2011 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2011
Mayor

Introduced by: Jon Ansel

**Request for Agenda Item
Non-Capital**

Division **Meeting Date Requested**

Project Name **Approved for Agenda**

Description (be as descriptive as possible, given space limitations)

The Wooster Growth Corporation and Merchants Block LLC request that the following parcels, located in the one hundred block of West Liberty Street, be added to the City of Wooster Public Landmark District.

**Wooster Growth Corporation (64-01686.000 and 64-01685.000)
Merchants Block, LLC (64-00528.000 and 64-01687.000)**

Currently a vacant site, these parcels were home to Freedlander Department Store for over 100 years. With the Merchants Block Redevelopment Project, scheduled to begin in the summer of 2011, the Wooster Growth Corporation and Merchants Block LLC are requesting this property adhere to the design standards of the City of Wooster Public Landmark District. These parcels close proximity to the existing Public Square Landmark District and Wooster City Public Square, along with the proposed public/private partnership reuse of the property is why we feel this site should be added to the design standard district.

The City of Wooster Public Landmark District incorporates historic, rehab and new construction design standards that both owners feel will protect the property from being redeveloped irresponsibly. This request has been approved by Wooster City Design and Review Board and Wooster City Planning Commission. Refer to attached exhibits for more details

Is there a need for rules suspension or time limitation when this must be passed?

Yes, both owners have requested that this expansion happen in an expeditious manner, so that future development guidelines can be confirmed (or developed)

Manager Requesting

Date

Approved for Agenda

FINAL RESOLUTION

The following Final Resolution enacted by the City of **Wooster**, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or "LPA", in the matter of the stated described project.

WHEREAS, on **18th day of January, 2011**, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

This project consists of crack sealing, microsurfacing and pavement markings, lying within the City of Wooster; and

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-aid and State funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation as indicated in the construction plans.

The share of the cost of the LPA is now estimated in the amount of **Two Thousand One Hundred Eighty and - - - 00/100 Dollars, (\$2,180.00)**, but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

**Request for Agenda Item
Authorization for Bid or Purchase of Capital Item**

Division Engineering	Meeting Date Requested May 2, 2011
Project Name ODOT Micro FY2012 – Resurfacing SR83 to SR302	Approved for Agenda
Estimated Total Cost \$2,200	
Is Full Amount Budgeted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If No, How Is The Purchase To Be Funded?	
<p>Description Of Purchase This is a request to authorize City funds for a portion of the ODOT SR83 resurfacing from the south Wooster corp. line to the intersection with SR302. A portion of this section of roadway is inside the corp. limit, and a portion is outside. This legislation would also authorize cooperation with funding the City portion of the roadway. The City is agreeing to pay only 20% of the inside City corp. paving costs.</p>	
<p>Justification / Benefits The Ohio Department of Transportation has committed to funding 80% of the construction costs for this project in FY 2012, with construction taking place in 2011. The City will only be responsible for 20% of the construction costs located within the City corp.</p> <p>The City authorized participation in Res. 2011-10, on January 18, 2011. Please note that the original estimate at that time for the City's portion was \$3,500.</p>	
<p>Will This Project Effect the City's Operating Costs This project should have little or no effect on the City's operating costs. Road maintenance should be reduced after the project is completed.</p>	
<p>What Alternatives Exist and What Are The Implications of The Alternatives We could do nothing and forfeit the ODOT funds.</p>	
Is This A Sole Source Bid or Non-Bid Situation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<p>If Yes, Explain The Circumstances This is a request to simply consent and cooperate with ODOT.</p>	
Are You Requesting Suspension Of The Rules <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>If Yes, Note Reasons Passage on first reading is not required, however, ODOT has requested that signed legislation be returned to them by May 25th.</p>	
Division Manager Joel Montgomery	Date April 22, 2011

