

CITY COUNCIL AGENDA

March 19, 2018

7:30p.m.

The meeting convenes at City Hall, in Council Chambers, 1st Floor, 538 N. Market Street, Wooster, Ohio.

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

1. Third Reading – ORDINANCE NO. 2018-006
AN ORDINANCE AMENDING PART ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, SO AS TO RE-ZONE LAND TO A C-3 (COMMUNITY COMMERCIAL) DISTRICT FOR PROPERTY LOCATED AT 50 RIFFEL ROAD (Sanders)

VII. NEW BUSINESS

1. First Reading – RESOLUTION NO. 2018-021
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ADVERTISE ACCORDING TO LAW AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE CONSTRUCTION OF A BIKE PATH ALONG CERTAIN CITY ROADS(Bostancic)
2. First Reading – ORDINANCE NO. 2018-007
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH BAKER PROPERTIES, MT. VERNON, LLC, AND COMPAK INC. FOR CERTAIN TAX INCENTIVES(Meyers)
3. First Reading – AMENDED RESOLUTION NO. 2017-16
A RESOLUTION IMPOSING A MORATORIUM ON THE GRANTING OR PROCESSING OF PERMITS FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE CULTIVATION, PROCESSING, OR RETAIL SALE OF MEDICAL MARIJUANA WITHIN THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY(Sanders)

VIII. MISCELLANEOUS

IX. ADJOURNMENT

ORDINANCE NO. 2018-006

AN ORDINANCE AMENDING PART ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, SO AS TO RE-ZONE LAND TO A C-3 (COMMUNITY COMMERCIAL) DISTRICT FOR PROPERTY LOCATED AT 50 RIFFEL ROAD

WHEREAS, an application has been duly filed by Jason Miller of Randall, Miller and Associates, with the Planning Commission of the City of Wooster requesting the re-zoning of land, 9.175 acres of land with PPN 67-02849.002, currently owned by Ohio Greenbriar Associates, from a C-1 (Office/Institutional) district to a C-3 (Community Commercial) district; and

WHEREAS, at its January 24, 2018, meeting, and after a public hearing in accordance with law, the Planning Commission voted unanimously to recommend to the City Council that the proposed re-zoning of the property to a C-3 (Community Commercial) district be approved; and

WHEREAS notice of a public hearing by the City Council on this re-zoning has been duly given, and a public hearing has been held, all in accordance with law; and

WHEREAS, this City Council deems that the proposed zoning designation for the land should be approved.

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

SECTION 1. That Part Eleven, Planning and Zoning Code, of the Codified Ordinances of the City of Wooster, known as the Zoning Ordinance, is amended so as to re-zone land, 9.175 acres of land with PPN 67-02849.002, from a C-1 (Office/Institutional) district to a C-3 (Community Commercial) district for property located at 50 Riffel Road006s appears on the map attached.

SECTION 2. The Planning Division is directed to change the official zoning map to conform to the above-described amendment.

SECTION 3. 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 or its committees, in compliance with the law.

SECTION 4. This Ordinance shall take effect and be in full force from and after the earliest date allowed by law.

1st reading 2-20-18 2nd reading 3-5-18 3rd reading _____

Passed: _____, 2018 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2018
Mayor

Introduced by: Craig Sanders

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

Division Engineering	Meeting Date Requested March 19, 2018
Project Name Wooster Loop 1 Bike Path	Approved for Agenda
Estimated Total Funds/Cost \$825,000.00 (\$712,500 ODOT TAP Funds)(\$112,500 Capital Funds)	
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 Request This is a request to authorize advertisement and award of a contact to the lowest and best bidder for constructing a bike path along the west side of Beall Avenue from Bloomington Avenue to Williams Point, from Williams Point along the south side of School Court and across the Old Layton School Property (within an existing easement) to Burbank Road and north along the east side of Burbank Road to Highland Avenue. The project consists of constructing a 10' wide asphalt bike path connecting the College of Wooster to the new trail along Burbank Road north of Highland and to the existing Kinney trail. All of the construction management and inspection will be performed in-house by the Engineering Division Staff.</p>	
<p>Justification / Benefits During the recent update of the City's Comprehensive Plan it was noted from a city wide survey that there was a need for additional dedicated bike paths throughout the City. This bike path is a result of those comments and the continued effort of the administration to seek out funding for and construct bike paths.</p>	
<p>Will This Project Effect the City's Operating Costs This project should have no effect on the City's operating budget.</p>	
<p>What Alternatives Exist and What Are The Implications of The Alternatives We can do nothing and turn down the grant funds and proceed with the project using other interest accruing financing methods.</p>	
<p>Is This A Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/>No <input type="checkbox"/>N/A</p>	
If Yes, Explain The Circumstances	
<p>Are You Requesting Suspension Of The Rules <input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p>	
<p>If Yes, Note Reasons While suspension of the rules is not necessary, earlier passage would allow the opportunity to bid this project as early as possible in order to obtain the best possible bids and to schedule the paving as soon as possible.</p>	
Division Manager Roger Kobilarcsik	Date March 12, 2018

ORDINANCE NO. 2018-07

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH BAKER PROPERTIES, MT. VERNON, LLC, AND COMPAK INC. FOR CERTAIN TAX INCENTIVES

WHEREAS, Baker Properties, Mt. Vernon, LLC is a for-profit enterprise which desires to construct an approximately 120,000 SF warehouse/manufacturing facility in the City of Wooster, including a real property investment of \$1,200,000 to \$3,500,000 in new development, as well as the creation of approximately 10 new full-time positions, and it has requested tax abatement as an incentive to such rehabilitation; and

WHEREAS, the Wooster Growth Corporation, as the designated community improvement corporation for the City of Wooster, has reviewed the request for tax abatement and has recommended its adoption.

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

SECTION 1. That the Mayor is authorized to enter into an agreement on behalf of the City of Wooster with Baker Properties, Mt. Vernon, LLC and COMPAK INC for tax abatement. The terms of such agreement will include, but not be limited to, the following: (1) abatement of real property taxes of 75%; (2) for a maximum term not to exceed ten (10) years; (3) a provision that Baker Properties, Mt. Vernon, LLC and COMPAK INC. will remain in Wooster for an additional year for each year of abatement, subject to the disgorgement of all abated taxes; and (4) such other terms as the Mayor, in his 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.

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

Passed: _____, 2018 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2018
Mayor

Introduced by: Scott Meyers

**Request for Agenda Item
Non-Capital**

Division **Meeting Date Requested**

Project Name **Approved for Agenda**

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

Requested is Council’s authorization in allowing the Mayor to enter into an Enterprise Zone agreement with **Baker Properties, Mt. Vernon, LLC** for a **75 percent, 10 year** real estate tax abatement on the improved value of a proposed stand-alone 120,000 square foot warehousing and light assembly building at **1909 Old Mansfield Road, Wooster, Ohio 44691**.

Baker Properties, Mt. Vernon, LLC will commit to making a real property investment of **\$1,200,000 to \$3,500,000** associated with constructing to build the new structure, securing space for its affiliated firm, **COMPAK Inc.**, which will create at least **10 new jobs** with at least **\$294,840 in new payroll**. The firm hopes to provide space for potential future tenants as well. (Please note, during the contract term, should any future tenant relocate existing jobs from another Enterprise Zone, an amendment will be required, along with, generally, a waiver from the Ohio Development Services Agency. Tenants contributing to job commitments, including **COMPAK Inc.**, will also need to part of any agreement.)

Baker Properties, Mt. Vernon, LLC came into ownership of the property following a purchase from the Wooster Growth Corporation, which had previously leased the building to ABS Materials. Baker Properties, Mt. Vernon, LLC previously received approval for an Enterprise Zone abatement from Wooster City Council in 2017 for the renovation of an existing 89,980 square foot building at the same address, but later forwent the incentive, which was a major factor in the Wooster Growth Corporation being able to extend a critical incentive to secure RBB Systems Incorporated to the same site, ultimately securing a commitment of 77 new jobs for the City of Wooster. The firm has since made substantial investments in the building to ensure RBB Systems Inc.’s arrival into the City.

Time is of the essence as the applicant is working to secure a future work that would increase employment opportunities within the City of Wooster. The applicant has made substantial investment in the property to-date, and the tax savings would enable the firm’s continued expansion within the City’s limits. The incentive is being offered to induce a construction project that would result in significant tax revenue generation for local partner governments. The project is considered competitive because the applicant has multiple land holdings and established operations outside of the City of Wooster.

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

Staff recommends *suspension* of the rules to allow an expedited decision for the business as the spring construction window is fast approaching. The firm’s payroll commitments, its status as an existing Wooster business, and the provision of health insurance for employees, qualifies the applicant for an expedited decision per ordinance 2007-04.

Manager Requesting

Date

Approved for Agenda

ENTERPRISE ZONE REQUEST SUMMARY: Baker Properties, Mt. Vernon Ltd.



Prepared by the City of Wooster Department of Community Service and Development at the Request of:
Baker Properties, Mt. Vernon, Ltd. – 1909 Old Mansfield Road, Wooster, Ohio 44691
 Application Date: 23 February, 2018.

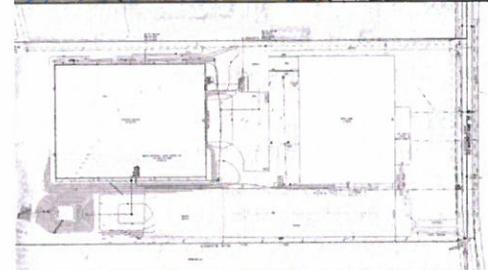
Project Summary: Baker Properties, Mt. Vernon, Ltd. is proposing the construction of a **120,000 square foot**, light manufacturing and warehousing facility on its 1909 Old Mansfield Road manufacturing and office site. The stand-alone structure would stand to the north of the existing facility, and serve as an expansion of the firm’s partner company, Ashland-based COMPAK Inc., which is a regional distributor that currently operates facilities in Wooster and reports 40 full-time job equivalents within the City. The expansion of the company in Wooster would result in the creation of 10 new jobs at the proposed facility. Baker Properties, Mt. Vernon Ltd also hopes to establish tenant space.

The 1909 Old Mansfield Road, Wooster, Ohio was recently purchased from the Wooster Growth Corporation, which had sought a buyer who could bring the then-largely vacant property back to active, following a previous tenant’s downsizing and request for a withdrawal from a capital lease. Baker Properties, Mt. Vernon, Ltd. has since invested substantially in repairing the antiquated structure, originally constructed in 1968, and has secured space for RBB Systems Inc., a technology manufacturer that has committed to establishing 77 new jobs in the City. The proposed new construction project is an expansion of Baker Properties, Mt. Vernon, Ltd’s efforts to improve the site with space for warehousing and manufacturing.

Project Impacts: Baker Properties, Mt. Vernon, Ltd. proposes to **invest \$1,200,000 to \$3,500,000** to construct the 120,000-square foot building to house its partner firm, COMPAK Inc., that would create a minimum of **10 new jobs** (with the hopes of more from tenant operators), generating a **minimum \$294,840 in payroll**. (Applicant offers health insurance through Aflack.) During the contract term, should any future tenant relocate existing jobs from another Enterprise Zone, an amendment will be required, along with, generally, a waiver from the Ohio Development Services Agency. Tenants contributing to job commitments, including COMPAK Inc., will also need to part of any agreement.

The project would add to the City’s portfolio of industrial properties. Tax gains from the project, during the abatement period, would result in a \$7,820 to \$22,807 annual gain for the community, plus \$4,423 in income taxes, with a post-abatement gain of \$31,278 to \$91,299. The City has partnered with Baker Properties Mt. Vernon Ltd.’s related firms three times in the past on Enterprise Zone projects, which generated \$314,565.46 in new taxes in 2017. **Please see attached application.**

Project Site Map: New 120,000sf Facility
 1909 Old Mansfield Road (68-00117.000),
 Wooster, Ohio 44691.



Top: Parcel 68-00117.000 outlined in yellow with superimposed footprint. Not to scale. Map: Wayne County GIS.
 Bottom: Building Plan Sketch (Copyright b2018 by Schaffer, Johnston, Lichtenwalter, & Associates Inc.

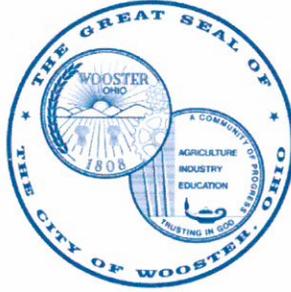
TABLE: Project Implication Matrix – ESTIMATION ONLY

Baker Properties Mt. Vernon – 1909 Old Mansfield Rd. – **Estimated** Investment Projected Tax Impacts. (Reference Notes.)

Current Value ¹ 1909 Old Mansfield	Annual Tax Obligation ¹	Post Proj. Tax Value ² \$500,000 Invested	Annual Tax Oblig. w/o Abatement ²	Annual Tax Obligation with 75% Abatement	Applicant's Annual Savings ³	Total Savings after 10 Years
\$837,590	\$21,832	Min> \$2,037,590	\$53,111	\$29,652	\$23,459	\$234,589
		Max> \$4,337,590	\$113,061	\$44,640	\$68,422	\$684,217
Baker Properties Mt. Vernon	<i>Annual City Income Tax Retention</i>		N/A		<i>Net Property Tax Gain with Abatement</i>	
	<i>Annual City Income Tax Creation⁴</i>		\$4,423		<i>Cumulative Net Property Tax Gain</i>	
	<i>EZ Period Cumulative Income Tax⁵</i>		\$37,592.10		<i>Post-EZ Annual Property Tax (Apprx.)⁶</i>	
						\$7,820 to \$22,807
						\$78,196 to \$228,072
						\$31,278 to \$91,229

- Current Value of \$837,590 based on the Wayne County Auditor’s 100 percent 2017 valuation of taxes assessed for PPN 68-00117.000 with Annual Tax Obligation based on actual reported 2017 taxes payable for 2018. Wayne County Auditor, Wayne County, Ohio. (2018). Property Records CAMA Database [Data file]. Retrieved from <http://www.waynecountyauditor.org/>
- Annual Tax Obligation without Abatement” assumes no EZ abatement after construction, inclusive of original value. The new construction cost assumes a Minimum \$1,200,000 investment and maximum \$3,500,000 investment, with a 2017 millage rate of 74.472586.
- Estimated tax increase protection available, assuming investment equals a valuation increase. Because the actual valuation will generally be lower than construction costs (the inverse is also possible), this figure may change accordingly. Note: A \$1,000,000 valuation increase commands \$26,065 annually.
- Annual City Income Tax Creation assumes 1.5 percent income tax on \$294,840 annual payroll from 10 new jobs.
- Cumulative calculation assumes no new employment created in the first year.
- Minimum amount of gain at expiration of abatement period.

Note: Notification to local school districts and a recommendation by the Wooster Growth Corporation are required before an application for an Enterprise Zone abatement may be considered by the Wooster City Council. Enterprise Zone 389 is governed by Ohio Revised Code Sections 5709.61 through 5709.69, as administered by the Ohio Development Services Agency, and City of Wooster Ordinances No. 2004-59 and No. 2007-04. For questions on this application or the City of Wooster’s Enterprise Zone Program in general, please contact the City of Wooster Development Coordinator at 330.263.5250.



**CITY OF WOOSTER ENTERPRISE ZONE PROGRAM
IN PARTNERSHIP WITH OHIO DEPARTMENT OF DEVELOPMENT
APPLICATION**

**PROPOSED AGREEMENT for Enterprise Zone Tax Incentives between the City of Wooster,
located in the County of Wayne and Baker Properties – Mt. Vernon Ltd.**

1a. Name of business, home or main office address, contact person, and telephone number
(attach additional pages if multiple enterprise participants).

Baker Properties – Mt. Vernon Ltd.
Enterprise Name

Jerry Baker
Contact Person

1130 Riffel Road, Wooster, Ohio 44691
Address

330-345-5666
Telephone number

jerry@jbakerindustries.com

**Contact Email (Note: All EZ program correspondence is through email)*

1b. Project site:

Jerry Baker
Contact Person

1909 Old Mansfield Rd., Wooster, Ohio 44691
(Parcel: 68-00117.000) at rear of property
Address

330-345-5666
Telephone number

jerry@jbakerindustries.com

**Contact Email (Note: All EZ program correspondence is through email)*

2a. Nature of business (manufacturing, distribution, wholesale or other).

Warehousing and / or manufacturing

2b. List primary 6-digit NAICS #: 493110, General Warehousing and Storage
Business may list other relevant SIC numbers.

2c. If a consolidation, what are the components of the consolidation?

(must itemize the location, assets, and employment positions to be transferred)

Not Applicable.

2d. Form of business of enterprise (corporation, partnership, proprietorship, etc).

Limited Liability Corporation

3. Name of principal owner(s) or officers of the business (attach list if necessary).

Jerry Baker, Owner

4. Is business seasonal in nature? Yes No

5a. State the enterprise's current employment level at the proposed project site:

(Itemized for full and part-time and permanent and temporary employees)

(Proposed Building Site only) Full-Time: 0; Part-Time: 0; Permanent: 0; Temporary: 0.

5b. Will the project involve the relocation of employment positions or assets from one Ohio location to another? Note that relocation projects are restricted in non-distress based Ohio Enterprise Zones. A waiver from the Director of the Ohio Department of Development is available for special limited circumstances. The business and local jurisdiction should contact ODOD early in the discussions. Yes No

5c. If yes, state the locations from which employment positions or assets will be relocated and the location to where the employment positions or assets will be located:

Not Applicable

5d. State the enterprise's current employment level in Ohio:

(Itemized for full and part-time and permanent and temporary employees):

Full-Time: 40 (Chesterland Estates PLL); Part-Time: 0; Permanent: 0; Temporary: 0.

5e. State the enterprise's current employment level for each facility to be affected by the relocation of employment positions or assets:

Baker Properties – Mt Vernon Ltd. is affiliated with COMPAK Inc, a regional distribution, warehousing, and light assembly operator serving regional, national, and global markets.

5f. What is the projected impact of the relocation, detailing the number and type of employees and/or assets to be relocated?

Not Applicable

Development Coordinator's Note: Baker Properties – Mt. Vernon Ltd. also works to provide space to multiple tenants. Should the firm permit a tenant in the facility in place of COMPAK workers, it must receive advance written permission from the City to receive job creation credit. If future tenant jobs are relocated from an existing location, the firm will be required to secure a waiver IN ADVANCE from the Director of the Ohio Development Services Agency to retain any abatement.

6a. Has the Enterprise previously entered into an Enterprise Zone Agreement with the local legislative authorities at any site where the employment or assets will be relocated as a result of this proposal? Yes ___ No X

6b. If yes, list the local legislative authorities, date, and term of the incentives for each Enterprise Zone Agreement:

Not Applicable.

Development Coordinator's Note: Baker Properties - Mt. Vernon Ltd. is associated with Chesterland Estates, which received an Enterprise Zone abatement for its facility at 1825 Enterprise Pkwy Wooster Ohio 44691 (Parcel 67-02030.000), and COMPAK Inc., which received an Enterprise Zone abatement for its facility at 1535 Enterprise Pkwy Wooster Ohio 44691 (Parcel 67-00283.000), both which maintain job creation requirements through 2027. COMPAK employment at these facilities will not be reduced as a result of this proposal.

7. Does the Enterprise owe:

a. Any delinquent taxes to the State of Ohio or a political subdivision of the state?

Yes ___ No X

b. Any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State?

Yes ___ No X

c. Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.

Yes ___ No X

d. If yes to any of the above, please provide details of each instance including but not limited to the location, amounts and/or case identification numbers (add additional sheets if necessary).

Not Applicable.

8. Project Description (attach additional pages if necessary):

Baker Properties - Mount Vernon Ltd., plans to construct a new 120,000 square foot warehousing/distribution (and potential light manufacturing) facility on the northern portion of Wayne County PPN: 68-00117.000. The project will focus on supporting various businesses

throughout Wooster and Wayne County. The cost of the project will vary based on the ultimate end use configuration (warehousing to manufacturing), but the physical construction of the facility will be consistent at 120,000 square feet.

9. Project will begin April 1, 2018 and be completed by June 30, 2020 provided a tax exemption is provided.

10a. Estimate the number of new employees the business intends to hire at the facility that is the project site: (Itemized for full and part-time and permanent and temporary employees):

Full-Time: 10; Part-Time: 0; Permanent: 0; Temporary: 0.

10b. State the time frame of this projected hiring: 3 years

10c. State proposed schedule for hiring: (Itemize by full and part-time and permanent and temporary employees)

Year 1: Construction (0 employees); Year 2: 5 Employees; Year 2: 5 Employees

11a. Estimate the amount of annual payroll such new employees will add: \$294,840 (New annual payroll must be itemized by full and part-time and permanent and temporary new employees.)

Full-Time: \$294,840; Part-Time: \$0 ; Permanent: \$0 ; Temporary: \$0

11b. Indicate separately the amount of existing annual payroll relating to any job retention claim resulting from the project:

\$ 0.00

12. Market value of the existing facility as determined for local property taxation.

N/A New Construction

13a. Business's total current investment in the facility as of the proposal's submission.

N/A New Construction

13b. State the businesses' value of on-site inventory required to be listed in the personal property tax return of the enterprise in the return for the tax year (stated in average \$ value per most recent 12 month period) in which the agreement is entered into (baseline inventory):

\$ 0.00

***EZ APPLICATION – BAKER PROPERTIES MT VERNON – NEW 1909 OLD MANSFIELD RD FACILITY:
1130 RIFFEL ROAD, WOOSTER, OHIO 44691***

14. An estimate of the amount to be invested by the enterprise to establish, expand, renovate or occupy a facility:

	Minimum	Maximum
A. Acquisition of Buildings/Land:	\$ <u>0</u>	\$ <u>0</u>
B. Additions/New Construction:	\$ <u>1,200,000</u>	\$ <u>3,500,000</u>
C. Improvements to existing buildings:	\$ <u>0</u>	\$ <u>0</u>
D. Machinery & Equipment:	\$ <u>0</u>	\$ <u>0</u>
E. Furniture, Fixtures, Etc.	\$ <u>0</u>	\$ <u>0</u>
F. Inventory:	\$ <u>0</u>	\$ <u>0</u>
Total New Project Investment:	\$ <u>1,200,000</u>	\$ <u>3,500,000</u>

15a. Business requests the following tax exemption incentives: 75 % for 10 years covering real and/or personal property including inventory as described above (be specific regarding type of assets, rate, and term).

Baker Properties – Mt. Vernon Ltd. seeks to construct an approximate 120,000 square foot warehouse facility is requesting a real property tax abatement of 75% for 10 years to be initiated the first year the facility post-construction appears on the Wayne County property tax rolls. The project will support Wooster-based COMPAK Inc’s warehousing, distribution, and light assembly operations and result in the creation of at least ten new jobs within three years. The 300-foot by 400-foot facility would be constructed behind an existing 89,980 square foot structure the firm is actively investing to renovate. (Baker Properties – Mt. Vernon Ltd. Acquired the site in 2017 from the Wooster Growth Corporation and has since established space for future tenants, including technology manufacturer RBB Systems Inc, a recipient of a Wooster Growth leasehold improvements grant to aid its move into the City and establish 709 new jobs in City limits.)

b. Business's reasons for requesting tax incentives (be quantitatively specific as possible)

Baker Properties – Mt. Vernon Ltd. intends to establish much-needed warehousing and light assembly space to support other primary manufacturers in Wooster. The abatement will allow for a high quality project, fulfill financing gaps, and ultimately allow the firm to reinvest at its operations at the proposed facility. Limited warehousing space in Wooster has created a challenge for Wooster-area manufacturers. The City of Wooster and Chesterland Estates PLL have partnered on three previous projects that have successfully completed their abatement periods and are generating \$358,918 in new real estate tax revenue for 2017 while providing for more than 100 Wooster jobs. Baker Properties – Mt. Vernon Ltd’s owner is again seeking and looking forward to (next page)

**EZ APPLICATION—BAKER PROPERTIES MT VERNON—NEW 1909 OLD MANSFIELD RD FACILITY:
1130 RIFFEL ROAD, WOOSTER, OHIO 44691**

partnering with the community once again on another important project and grow Wooster's economy.

Submission of this application expressly authorizes the City of Wooster and/or Wayne County to contact the Ohio Environmental Protection Agency to confirm statements contained within this application including item #7 and to review applicable confidential records. As part of this application, the business may also be required to directly request from the Ohio Department of Taxation or complete a waiver form allowing the Ohio Department of Taxation to release specific tax records to the local jurisdictions considering the incentive request.

Applicant agrees to supply additional information upon request.

The applicant affirmatively covenants that the information contained in and submitted with this application is complete and correct and is aware of the ORC Sections 9.66(C)(1) and 2921.13(D)(1) penalties for falsification which could result in the forfeiture of all current and future economic development assistance benefit as well as a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

Baker Properties – Mt. Vernon Ltd.

Enterprise Name

Signature

Date

2/19/18

Jerry Baker, Owner

Typed Name and Title

* A copy of this proposal must be forwarded by the local governments to the affected Board of Education along with notice of the meeting date on which the local government will review the proposal. Notice must be given a minimum of fourteen (14) days prior to the scheduled meeting to permit the Board of Education to appear and/or comment before the legislative authorities considering the request.

** Attach to Final Enterprise Zone Agreement as Exhibit A.

Please note that copies of this proposal must be included in the finalized Enterprise Zone Agreement and be forwarded to the Ohio Department of Taxation and the Ohio Department of Development within fifteen (15) days of final approval.

AMENDED RESOLUTION NO. 2017-16

A RESOLUTION IMPOSING A MORATORIUM ON THE GRANTING OR PROCESSING OF PERMITS FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE CULTIVATION, PROCESSING, OR RETAIL SALE OF MEDICAL MARIJUANA WITHIN THE CITY OF WOOSTER ~~FOR A PERIOD NOT EXCEED TWELVE MONTHS FROM THE EFFECTIVE DATE OF THIS RESOLUTION~~, AND DECLARING AN EMERGENCY

WHEREAS, Substitute House Bill 523, legalizing the cultivating, processing, and dispensing of medical marijuana in the State of Ohio, became effective September 8, 2016; and

WHEREAS, this law, among other things, permits patients in Ohio to use medical marijuana on the recommendation of physicians, creates state regulatory oversight of the cultivation, processing, retail sale, use and physician recommendation of medical marijuana; authorizes the legislative authority of a city to adopt regulations to prohibit or limit the number of retail medical marijuana dispensaries; and prohibits a cultivator, processor, retail dispensary or laboratory from being located or relocating within 500 feet of a school, church, public library, public playground or public park; and

WHEREAS, as such, Council requires additional time to undertake a review of all applicable codes statewide and within the City in order to formulate a local response to House Bill 523; and to determine whether to limit or entirely prohibit the cultivation, processing, and/or retail dispensing of medical marijuana in accordance with Ohio Revised Code Section 3796.29; and

WHEREAS, it is immediately necessary to impose a temporary moratorium on the granting and processing of permits for medical marijuana-related businesses in the City in order to ensure the public health, peace, property, safety, and welfare; and

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

SECTION 1. Council of the City of Wooster imposes a ~~twelve-month~~ moratorium on the granting of permits for any building, structure, use or change of use that would enable the cultivation, processing, or retail sale of medical marijuana ~~for a period not to exceed twelve months~~ from the effective date of this Resolution until such time that Council passes the comprehensive amendments to the City's Planning and Zoning Code, in order to allow Council to review applicable Ohio statutes, criminal codes, and City of Wooster Zoning Code relative to such use.

SECTION 2. That for purposes of this Resolution, "medical marijuana" shall have the same meaning as that term is defined in Section 3796.01(A)(2) of the Ohio Revised Code, effective September 8, 2016.

SECTION 3. That no building permits or other permits shall be granted to a business owner who intends to open, use any land or devote any floor area of that business for the purposes of the cultivation, processing, or retail sale of medical marijuana for the period of this moratorium. No valid existing business in the City may expand in any way that would establish cultivation, processing, or retail sale of medical marijuana for the duration of the moratorium.

SECTION 4. This moratorium shall be in effect ~~for a period of twelve months form~~ from the effective date of this resolution until such time that Council passes the comprehensive amendments to the City's Planning and Zoning Code. ~~or until changes are enacted to amend the Codified Ordinances of the City of Wooster to address these issues or until Council approves legislation explicitly revoking this moratorium, whichever occurs first.~~

SECTION 5. This Council finds and declares that all formal actions concerning and relating to the adoption of this resolution occurred in an open meeting of this Council or its committees, in compliance with law.

SECTION 6. This Resolution is 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 to impose this moratorium in order to permit the City of Wooster to more fully study the problem and the need, if any, for the regulation thereof; wherefore, this Resolution 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: _____, 20187 Vote: _____

Attest: _____

Clerk of Council

President of Council

Approved: _____, 20187

Mayor

Introduced by: ~~Barb Knapie~~ Craig Sanders