

CITY COUNCIL AGENDA

February 19, 2019

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

Officer Recognition

II. APPROVAL OF MINUTES

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

1. Liquor Control – D5L
A Time to Craft
149 N. Walnut Street
Wooster, Ohio 44691

V. COMMITTEE REPORTS; PUBLIC HEARINGS

VI. UNFINISHED BUSINESS

1. Third Reading – ORDINANCE NO. 2019-01
AN ORDINANCE AMENDING PART ELEVEN, ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, TO RE-ZONE LAND TO R-4 (MULTI-FAMILY RESIDENTIAL), FOR PROPERTY LOCATED ON THE WEST MILLTOWN ROAD (Sanders)

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2019-05
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MVAH DEVELOPMENT LLC FOR COMMUNITY REINVESTMENT AREA TAX INCENTIVES (Ansel)
2. First Reading – RESOLUTION NO. 2019-16
A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT AND APPLY GRANT MONIES FROM THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM, AND DECLARING AN EMERGENCY (Cavin)
3. First Reading – RESOLUTION NO. 2019-17
A RESOLUTION STATING TO THE WAYNE COUNTY COMMISSIONERS, PURSUANT TO REVISED CODE SECTION 709.03, THE SERVICES WHICH THE CITY OF WOOSTER WOULD BE ABLE TO PROVIDE FOR TERRITORY LOCATED ON THE NORTH SIDE OF OLD MANSFIELD ROAD (TR 46), EAST OF ITS INTERSECTION WITH MCAFEE ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS, AND DECLARING AN EMERGENCY. (William Anfang III, Esq., Agent for Petitioner GramCord, LLC) (Sanders)
4. First Reading – RESOLUTION NO. 2019-18
A RESOLUTION AUTHORIZING THE FIRE CHIEF TO UTILIZE A COOPERATIVE PURCHASING PROGRAM AND ENTER INTO A CONTRACT FOR THE PURCHASE OF A NEW FIRE ENGINE, AND APPROPRIATE FUNDS AND DECLARING AN EMERGENCY (Cavin)

VIII. MISCELLANEOUS

IX. ADJOURNMENT

ORDINANCE NO. 2019-01

AN ORDINANCE AMENDING PART ELEVEN, PLANNING AND ZONING, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, TO RE-ZONE LAND TO R-4 (MULTI-FAMILY RESIDENTIAL), FOR PROPERTY LOCATED ON WEST MILLTOWN ROAD

WHEREAS, an application has been duly filed by Kristen Hopkins of CT Consultants, with the Planning Commission of the City of Wooster requesting the re-zoning of 32.4 acres of land with PPN 67-02964.000 and PPN 67-02967.000, currently owned by The Donald & Alice Noble Foundation Inc. and Gerald F. & Julia A. Craycraft from a C-1 (Office/Institutional) to R-4 (Multi-Family Residential); and

WHEREAS, at its December 19, 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 from a C-1 (Office/Institutional) to R-4 (Multi-Family Residential) 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, 32.4 acres of land with PPN 67-02964.000 and PPN 67-02967.000 from a C-1 (Office/Institutional) to R-4 (Multi-Family Residential) for property located on West Milltown Road as appears on the attached map.

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 1-22-19 2nd reading 2-4-19 3rd reading _____

Passed: _____, 2019 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2019 Mayor

Introduced by: Craig Sanders

Request for Agenda Item

Authorization for Bid

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Purchase Capital Item

☐

Non-Capital

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Division Planning and Zoning	Meeting Date Requested 1/22/19
Project Name West Milltown Road Rezoning	Estimated Total Funds/Costs NA
Is Full Amount Budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded?	
Description of Request Kristin Hopkins of CT Consultants requesting approval of a Zoning Map Amendment to change the zoning of 32.4 acres on West Milltown Road with Parcel Numbers 67-02964.000 and 67-02967.000 from C-1 (Office/Institutional) to R-4 (Multi-Family Residential). The Planning Commission held a public hearing for the application on 12/19/18 and voted unanimously (4-0) to recommend approval of the rezoning application to City Council. No members from the public were present to comment at the public hearing. The application will also require a public hearing before City Council.	
Justification / Benefits The application is consistent with many aspects and objectives of the Comprehensive Plan and is compatible with the area. The proposal will not result in adverse effects to the area and impacts of development in the R-4 zoning district will be sufficiently addressed by the Development Plan process and will not result in a significant increase in intensity from the current C-1 zoning. In addition, the proposed R-4 zoning addresses changing conditions in the area fulfilling documented demand for multi-family residential housing in Wooster.	
Will this Project affect the City's Operating Costs No.	
What Alternatives Exist and what are the Implications of the Alternatives The property will remain zoned C-1 (Office/Institutional)	
Is this a Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances:	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Note Reasons	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Andrew Dutton Date: 12/20/18	
Approved for Agenda <input type="checkbox"/> Yes <input type="checkbox"/> No	

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MVAH DEVELOPMENT LLC FOR COMMUNITY REINVESTMENT AREA TAX INCENTIVES.

Introduced by: Jon Ansel

Request for Agenda Item

#1

2-14-15
Agenda

Authorization for Bid

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Purchase Capital Item

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Non-Capital

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Division Development	Meeting Date Requested February 19, 2019
Project Name CRA MVAH Development LLC	Estimated Total Funds/Costs \$0.00
Is Full Amount Budgeted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded? N/A - This development effort will generate new revenue.	
Description of Request Requested is Council's approval allowing the Mayor to enter into an agreement with MVAH Development LLC for a 50%, 12-Year Community Reinvestment Area property tax abatement to enable the construction of an approximate 61-unit apartment community with the creation of at least two full-time jobs or equivalent. To move forward, the project needs to secure federal housing tax credits, which is a highly competitive financing package awarded to a limited number of Ohio communities each year. In return, the Developer will commit to making the majority of apartments available to moderate-income households (a family of four earning under \$52,400 annually, or an individual earning under \$36,700 annually) for a set number of years. A CRA would enable the project to move forward in offering below-market rents while improving the opportunity for a federal housing tax credit award. The Developer previously utilized a CRA in acquiring and renovating the 63-unit Palm House Apartments community on Rebecca Street to great success for the community.	
Justification / Benefits This proposal arrives at a time when housing opportunities are very limited and the lack thereof are constraining the labor market, particularly for existing and anticipated future entry-level workers needed to fill jobs at Wooster's growing manufacturing sector. After a long period with very few housing starts, this project would add new, quality, and, for a period of time, affordable housing, to our City's inventory.	
Will this Project affect the City's Operating Costs Negligible impact. Project may produce up to \$3,600 for the City yearly, \$7,078 post-CRA.	
What Alternatives Exist and what are the Implications of the Alternatives Alternatively, the City may withhold approval for an abatement. This would result in a loss of housing opportunity and up to \$54,000 in local annual tax revenues.	
Is this a Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances: N/A	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons Approval by Feb 20th allows for a stronger financing application for tax credits.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Jonathan Millea	Date: January 28, 2019

Approved for Agenda ☐ Yes ☐ No

COMMUNITY REINVESTMENT AREA REQUEST SUMMARY



Prepared by the City of Wooster Department of Community Service and Development at the Request of:
MVAH Development LLC – Site: 2024 Akron Rd, Wooster, Oh 44691
 Application Date: 23 January, 2019.

Project Summary: MVAH Development LLC has applied for a 12-year, 50% real estate abatement to enable the creation of Wooster Lofts, a 61-unit loft-style apartment community development along Akron Road. The 4.7-acre greenfield site is immediately north and west of other similar-styled apartment communities, adjacent to the City of Wooster's bike trail loop system, and within walking distance to two major industrial and employment centers as well as retail. The company anticipated investing up to \$7,000,000 to build a multi-story complex that will feature management offices, a community room, fitness center, business center, and theater room. On-site parking, community gardens, a playground, and recreational space are also planned on the site.

The Wooster Lofts effort is dependent upon receiving support through federal housing tax credits, a competitive process that will score higher with a community-granted CRA abatement, which will also ensure the project's economic viability. In return for federal funding, a major portion of the Wooster Lofts project will be made available to moderate income households at below-market rents through the duration of the abatement period and for a set period of time thereafter (TBD). The Applicant previously applied for a CRA in 2016 for a similar project at the same location. In 2013, the company's associated firm, Miller-Valentine Group successfully completed a major rehabilitation of the 62-Unit Palm House Apartments on Rebecca Street with help from the City's CRA program.

Project Site Map

2024 Akron Rd. (#67-02675.000/67-02668.000), Wooster, Oh.



Parcels 67-02675.000 and 67-02668.000, outlined in yellow along Akron Road, is within the designated CRA area. Similar style housing exists to the immediate south and west of the site.

Project Impacts: The proposed project arrives at a time of a major long-term housing shortage, with several Wooster businesses expressing concern that entry-level employees are being lost due to a lack of affordable apartments and homes in the region, or the availability of housing in general. The proposed site is within the City's C-5 Commercial zoning, where such apartment complexes are permitted, and would complement neighboring apartment communities to the immediate south and west, while having access to consumer retail at the intersection of Akron Road and Portage Road and two of the City's largest employment centers, where 250 jobs are projected over the next few years. New housing is a key component of the City's Comprehensive Plan, which classified the Akron Rd corridor as a priority development area. From a revenue standpoint, the project may generate up to \$49,587 in local taxes annually (Wooster \$3,609), and \$99,035 post-abatement (Wooster \$7,078).

Attachments: Original MVAH Development LLC Application and Letter, WMHA letter, and Concept Sketch.

TABLE: Project Implication Matrix

Wooster Lofts Maximum Level Investment Projected Tax Impacts *(Not all investments are likely to impact valuation.)*

Wooster Lofts Maximum Level Investment Projected Tax Impacts (For an investment of \$7M, the impacts are likely to impact the following)						
Current Value ¹ 2024 Akron Road	Annual Tax Obligation ¹	Post Proj. Tax Value ² ~\$7,000,000 Invested	Annual Tax Oblig. w/o Abatement ²	Annual Tax Obligation with 50% Abatement	Applicant's Annual Savings ³	Total Savings after 12 Years
\$148,890	\$3,897	Est.> \$4,868,890	\$102,032	\$52,585	\$49,447	\$593,370
		Max.> \$7,598,890	\$159,232	\$81,185	\$78,047	\$936,569
Wooster Lofts	Annual City Income Tax <u>Retention</u>		N/A	Net Property Tax <u>Gain</u> with Abatement		\$48,687 to \$77,287
	Annual City Income Tax <u>Creation</u> ⁴		\$900	Cumulative Net Property Tax Gain		\$486,875 to \$772,874
	CRA Cumulative Income Tax ⁵		\$10,350.00	Post-Project Annual Property Gain ⁶		\$98,135 to \$155,335

- The current value of \$148,890 is the Wayne County Auditor's 100 percent 2018 valuation for PPN 67-02675.000 (valued at \$140,630.00), and 67-02668.000 (valued at \$8,260.00). The combined annual tax fee is \$3,897, with each parcel classified as an improved vacant commercial land, and excludes a special annual assessment of \$2,277 for road improvements that will run through 2031. A residential/agricultural millage rate of 59.863783 is applied Wayne County Auditor, Wayne County, Ohio post-project, as the use will revert to residential for tax purposes. This application of residential millage at the same time would lower the annual obligation on the land from today's \$3,897 to \$3,120, which is reflected in post-project values. (1/23/2019). Property Records CAMA Database [Data file]. Retrieved from <http://www.waynecountyauditor.org/>
- All figures are estimated, with final valuation determined by the Wayne County Auditor. Post Project Tax Value Max figures assume that the full \$7,000,000 invested will be reflected in the market value of the structure upon project completion, which amounts to \$114,754 per housing unit, an amount not observed in the local market place for this type of property. The "Est." Estimated figure assumes \$4,270,000 in improvements, which reflects a prospective valuation of \$70,000 per housing unit. While the \$70,000 per unit is substantially above local market rates for similar style properties, the figure illustrates a more realistic maximum tax revenue generation figure.
- Assuming a valuation of \$70,000 per housing unit, the Applicant's annual savings are not expected to exceed \$50,000 annually based on assessments for similar properties. The higher figure assumes that the entirety of the \$7,000,000 invested would be reflected in the future property value to illustrate maximum potential savings and revenues, however, such an assumption not supported by recent local projects or comparable properties.
- Annual income tax creation assumes a total annual payroll of \$60,000 for two created jobs. The minimum project combined payroll is \$35,568 in 2019.
- Cumulative Income Tax assumes 1 full-time equivalent for 12 years and 1 full-time equivalent for 11 years, per the project's proposed hiring schedule.
- Post-Project Annual Property Gain assumes a final valuation of \$70,000 per unit (reflective of market) to \$114,754 per unit (reflective of investment).

Note: Notification to local school districts and a recommendation by the Wooster Growth Corporation are required before an application for a Community Reinvestment Area (CRA) abatement may be considered by the Wooster City Council. Community Reinvestment Area #169-86548-01 is governed by Ohio Revised Code Sections 3735.65 through 3735.70, as administered by the Ohio Development Services Agency, and City of Wooster Ordinances No. 2004-33. For questions on this application or the City of Wooster's CRA in general, please contact the City of Wooster Development Coordinator at 330.263.5250.



January 21, 2019

Jonathan Millea, AICP - Development Coordinator
City of Wooster
538 N. Market Street
Wooster, OH 44691

Re: Wooster Lofts – Request for Tax Abatement

Mr. Millea,

Please consider this a formal request for Tax Abatement for the proposed Wooster Lofts development.

The project will include the construction of single multi-family building. It will include approximately 61 units. Units will include the full spectrum of amenities. The building will also provide community space including, management offices, a community room, fitness center, business center, theater room, and service coordination offices. Site amenities will include off-street parking, picnic shelter, and recreation field space.

The development is requesting 50% abatement for 12 years.

There are 3 primary benefits to these incentives. First, this development will utilize housing tax credits which target households at or below 60% AMI for Wayne County. These tax credits require the owner to provide residents with rental rate below market value (15%-50% below market). The development will create a high quality yet affordable housing option for low to moderate income households within Wooster. Secondly, due to the reduction in rental rates the development generates limited cash flow to assure economic feasibility. This abatement assists by offsetting these cash flow challenges assuring an economically feasible project. Thirdly, securing housing tax credits is a competitive process. Project that score highest will be funded. This abatement will allow the development to maximize scoring and therefore improve our ability to receive necessary funding.

I am happy to discuss this proposal with you in further detail at your convenience. Thanks again for the opportunity to submit this proposal. I appreciate your considerations.

Sincerely,

Peter J Schwiegeraht

Peter J Schwiegeraht
Vice President of Development – Midwest Region

CRA Application – MV Affordable Housing LLC

Project Name: Wooster Lofts

Akron Road (PPN: 67-02675.000 and 67-02668.000), Wooster Ohio

Authorized Representative: Mr. Peter Schwiegeraht

PROPOSED AGREEMENT for Community Reinvestment Area Tax Incentives between the City of Wooster located in the County of Wayne and MV Affordable Housing LLC.

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

MVAH Development
Enterprise Name

Mr. Peter Schwiegeraht
Contact Person

9100 Centre Pointe Dr., Suite 210
West Chester, Ohio 45069
Address

(513) 259-7657

Telephone Number

Pete.s@mvaahpartners.com
Email

Please note, this program performs all formal correspondences over email.

- b. Project site:

Wooster Lofts
Location Name

Mr. Peter Schwiegeraht
Contact Person

Akron Road
(67-0267.000 and 67-02668.000
Wooster, Ohio 44691
Address

(513) 259-7657

Telephone Number

2. a. Nature of commercial/industrial activity (manufacturing, warehousing, wholesale or retail stores, or other) to be conducted at the site.

This project entails the construction of a 61-unit multi-family community on a 5.76-acre site along Akron Road. The project is focused on providing housing with amenities such as a community garden, open recreation space, and on-site management offices. One and one half full-time or equivalent jobs will be created as a result of this project.

- b. List primary 6-digit North American Industry Classification System (NAICS)# 236116
Business may list other relevant SIC numbers. _____

- c. If a consolidation, what are the components of the consolidation? (must itemize the location, assets, and employment positions to be transferred: N/A – New Project)

CRA Application – MV Affordable Housing LLC
Project Name: Wooster Lofts
Akron Road (PPN: 67-02675.000 and 67-02668.000), Wooster Ohio
Authorized Representative: Mr. Peter Schwiegeraht

d. Form of business of enterprise (corporation, partnership, proprietorship, or other).

Limited Liability Corporation

3. Name of principal owner(s) or officers of the business.

MVAH Development

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

None – Vacant Site

b. Will the project involve the relocation of employment positions or assets from one Ohio location to another? Yes ___ No X.

c. 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:

N/A

d. State the enterprise's current employment level in Ohio (itemized for full and part-time and permanent and temporary employees):

0

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

N/A

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

N/A

5. Does the Property Owner 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

CRA Application – MV Affordable Housing LLC

Project Name: Wooster Lofts

Akron Road (PPN: 67-02675.000 and 67-02668.000), Wooster Ohio

Authorized Representative: Mr. Peter Schwiegeraht

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).

6. Project Description:

This project entails the construction of a 61-unit multi-family community on a 5.76-acre site along Akron Road. The project is focused on providing housing with amenities such as a community garden, open recreation space, and on-site management offices. One and one half full-time or equivalent jobs will be created as a result of this project.

7. Project will begin March, 1, 2020, and be completed June 31, 2021 provided a tax exemption is provided.

8. a. Estimate the number of new employees the property owner will cause to be created at the facility that is the project site (job creation projection must be itemized by the name of the employer, full and part-time and permanent and temporary):

2 Permanent Full-Time Jobs Created.

b. State the time frame of this projected hiring: Three (3) yrs.

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

Year 1 = 1 Permanent Full-Time Job, Year 2 = 1 Permanent Part Time Job (2 Total)

9. a. Estimate the amount of annual payroll such new employees will add \$60,000 – Permanent Full-Time (\$35,000 property manager, \$25,000 maintenance specialist) (new annual payroll must be itemized by full and part-time and permanent and temporary new employees).

b. Indicate separately the amount of existing annual payroll relating to any job retention claim resulting from the project: \$N/A

CRA Application – MV Affordable Housing LLC

Project Name: Wooster Lofts

Akron Road (PPN: 67-02675.000 and 67-02668.000), Wooster Ohio

Authorized Representative: Mr. Peter Schwiegeraht

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

A. Acquisition of Buildings:	\$400,000
B. Additions/New Construction:	\$7,000,000
C. Improvements to existing buildings:	\$ N/A
D. Machinery & Equipment:	\$ N/A
E. Furniture & Fixtures:	\$50,000
F. Inventory:	\$ N/A
Total New Project Investment:	\$7,450,000

11. a. Business requests the following tax exemption incentives: 50% for twelve (12) years covering \$7,450,000 of real property as described above. Improved value as assessed by the Wayne County Auditor using appropriate procedures for assessing LIHTC development. Be specific as to the rate and term.

- b. Business's reasons for requesting tax incentives:

There are 3 primary benefits to these incentives. First, this development will utilize housing tax credits which target households at or below 60% AMI for Wayne County. These tax credits require the owner to provide residents with rental rate below market value (15%-50% below market). The development will create a high quality yet affordable housing option for low to moderate income households within Wooster. Secondly, due to the reduction in rental rates the development generates limited cash flow to assure economic feasibility. This abatement assists by offsetting these cash flow challenges assuring an economically feasible project. Thirdly, securing housing tax credits is a competitive process. Project that score highest will be funded. This abatement will allow the development to maximize scoring and therefore improve our ability to receive necessary funding.

Submission of this application expressly authorizes City of Wooster to contact the Ohio Environmental Protection Agency to confirm statements contained within this application including item # 5 and to review applicable confidential records. As part of this application, the property owner may also be required to directly request from the Ohio Department of Taxation, or complete a waiver form allowing the Department of Taxation to release specific tax records to the local jurisdiction considering the request.

The 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 benefits as well as a fine of not more than \$1,000 and/or a term of

CRA Application – MV Affordable Housing LLC

Project Name: Wooster Lofts

Akron Road (PPN: 67-02675.000 and 67-02668.000), Wooster Ohio

Authorized Representative: Mr. Peter Schwiegeraht

imprisonment of not more than six months.

MV Affordable Housing LLC

An Ohio Limited Liability Company

Pete Schwiegeraht
Name of Representative

1/21/19
Date

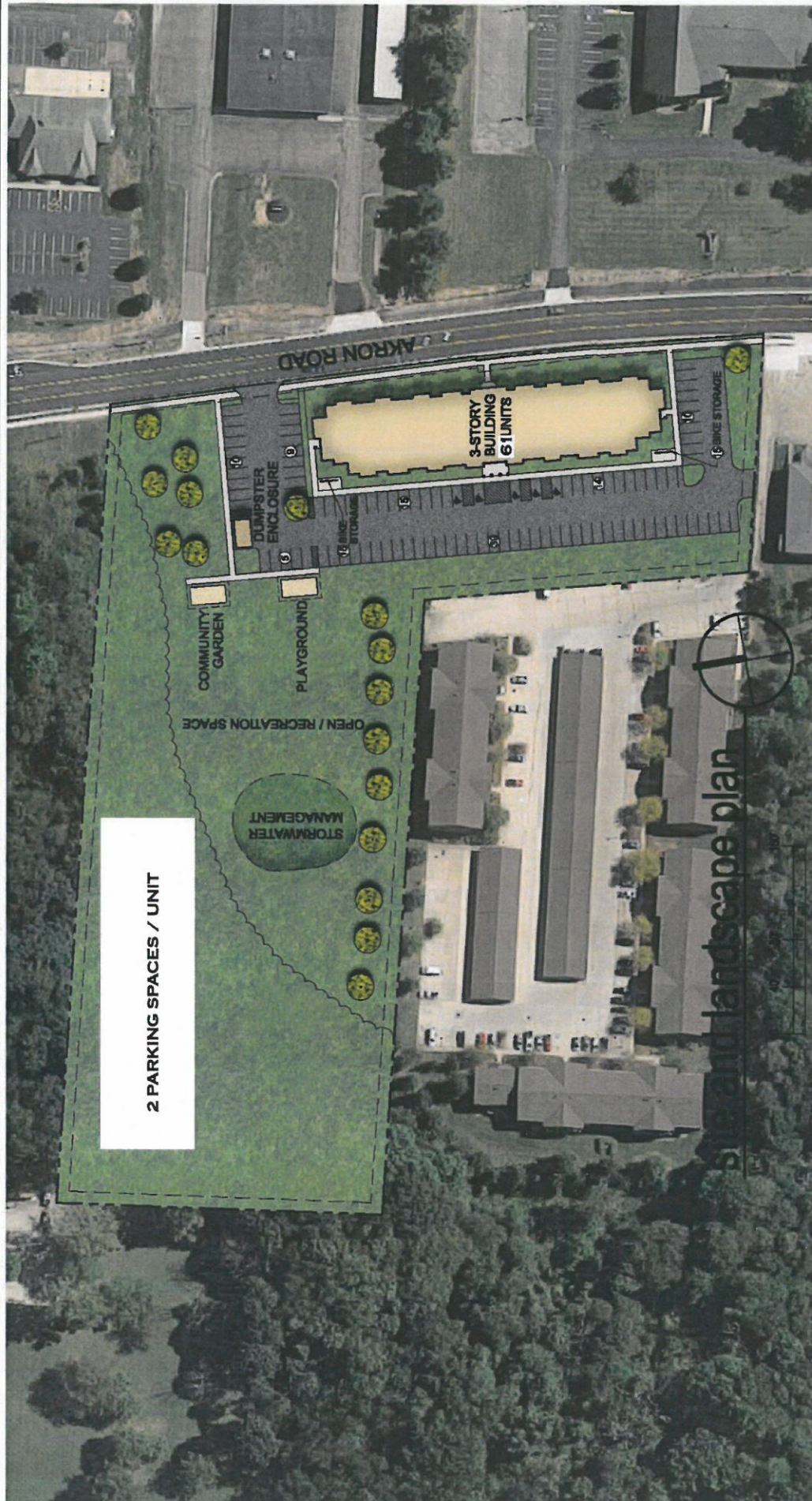
Pete Schwiegeraht
Signature

Senior V.P. of Midwest Development
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 Community Reinvestment Area Agreement as Exhibit A

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



ma architects
ma-architects.com

WOOSTER LOFTS

wooster, ohio

site and landscape plan - 02
2.12.2016

© 2016 m-a architects



VISIONS
BY ORLAND

RESOLUTION NO. 2019-16

A RESOLUTION AUTHORIZING THE MAYOR TO
ACCEPT AND APPLY GRANT MONIES FROM THE
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE
GRANT (JAG) PROGRAM, AND DECLARING AN
EMERGENCY

WHEREAS, the Police Division received a grant from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program, to pay seventy-five percent of the cost of purchasing an Active Shooter Patrol Response Kit for all officers; and

WHEREAS, it is necessary to purchase an Active Shooter Patrol Response Kit for all officers for officer safety purposes.

WHEREAS, it is necessary to formally accept the funds and appropriate them to the Police Division for the stated purpose.

WHEREAS, it is necessary to appropriate additional funds to effectuate the purchase.

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

SECTION 1. That the Mayor is hereby authorized to accept grant monies in the amount of \$23,626.25, awarded by the Edward Byrne Memorial Justice Assistance Grant (JAG) Program, in accordance with the terms of such grant; and to execute any necessary documents in connection therewith. That \$23,626.25 is hereby appropriated to the Law Enforcement Trust Fund (110).

SECTION 2. 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 the law.

SECTION 3. This Resolution 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 acceptance is necessary in order to utilize the grant monies for the continued training, health and safety of the police division personnel; 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: _____, 2019 Vote: _____

Attest: _____
 Clerk of Council President of Council

Approved: _____, 2019 _____
 Mayor

Introduced by: Mark Cavin

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2019-14

Request for Agenda Item

Authorization for Bid

☐

Purchase Capital Item

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Non-Capital

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Division Police/Safety	Meeting Date Requested February 18th, 2019
Project Name Byne Jag Grant	Estimated Total Funds/Costs **\$31,515.00
Is Full Amount Budgeted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded? 75%Byne Jag Grant & 25%Law Enforcement Trust Fund	
Description of Request Assistant Chief Rotolo applied for a Byne Jag Grant to pay 75 percent of the cost of an Active Shooter Patrol Response Kit for all officers. The "kit" consists of two Level IV plates (that will stop a rifle round as our soft armor will not), an external carrier for the plates (to be worn over our soft body armor), a level IIIA ballistic Helmet, and a carry case so that an officer can have this equipment with them while on duty. The total cost for all equipment and shipping is \$31,515.00. The grant will cover \$23,626.25 and we will be ultimately responsible for **\$7,878.75 We were notified of the award and would request permission to utilize the Law Enforcement Trust Fund to purchase this potentially life saving equipment and be re-imbursed by the grant for \$23,626.25.	
Justification / Benefits Our current body armor will not stop a rifle round and other than SRT team members, we have no ballistic head protection. In a situation where a rifle is involved and/or when are able to don this equipment, it has the potential to save an officer's life.	
Will this Project affect the City's Operating Costs NO	
What Alternatives Exist and what are the Implications of the Alternatives None	
Is this a Sole Source Bid or Non-Bid Situation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Explain The Circumstances: This is a grant award and we utilize Pro tech, which operates on state bid prices, for our body armor purchases.	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons Grant has been awarded and we'd like to move forward purchasing the equipment.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Matt Fisher/Scott Rotolo Date: 2/18/19	

Approved for Agenda ☐ Yes ☐ No

RESOLUTION NO. 2019-17

A RESOLUTION STATING TO THE WAYNE COUNTY COMMISSIONERS, PURSUANT TO REVISED CODE SECTION 709.03, THE SERVICES WHICH THE CITY OF WOOSTER WOULD BE ABLE TO PROVIDE FOR TERRITORY LOCATED ON THE NORTH SIDE OF OLD MANSFIELD ROAD (TR 46), EAST OF ITS INTERSECTION WITH MCAFEE ROAD, AND CONTIGUOUS TO THE CORPORATION LIMITS, AND DECLARING AN EMERGENCY. (William Anfang III, Esq., Agent for Petitioner GramCord, LLC)

WHEREAS, William Anfang III, Esq., agent for Petitioner, has, pursuant to Revised Code Section 709.02, filed a petition with the Wayne County Commissioners seeking annexation of 21.769 acres of land owned by the petitioner in Wooster Township, adjacent to the City of Wooster (a map of said area is attached hereto); and

WHEREAS, Revised Code Section 709.03 provides that upon the clerk of the municipal legislative authority receiving notice of a proposed annexation, the municipal legislative authority shall, by ordinance or resolution, adopt a statement indicating what services, if any, the municipal corporation will be able to provide upon annexation of the territory proposed for annexation.

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

SECTION 1: That upon annexation to the City of Wooster, the land contained in the petition for annexation would receive the following services from the City of Wooster:

- A. Police protection from the full-time police department of the City of Wooster; and fire protection and emergency squad services from the full-time fire department of the City of Wooster. The projected response time for fire and emergency squad is 4 minutes from Station 1, first-in unit; and 8 minutes from Station 2, second-in unit. These services would be immediately available.
- B. A twelve-inch water line is located at the front of 1909 Old Mansfield Road, approximately 150 feet from the eastern property line of the territory proposed for annexation, and immediately accessible for extension thereto. The water plant and water resources of the City of Wooster have sufficient capacity to serve this property. This service would be immediately available upon the Petitioners paying the necessary fees and obtaining the necessary permits.

- C. An easement from 1909 Old Mansfield Road, the neighboring property, will need to be obtained to tie into the existing twelve-inch gravity sewer. A lift station will also need to be constructed on the territory proposed for annexation. The water pollution control plant has sufficient capacity to serve this property. This service would be immediately available upon the Petitioners paying the necessary fees and obtaining the necessary permits.
- D. The City would also provide miscellaneous other city services, including, but not limited to, residential solid waste pickup, maintenance of dedicated streets and access to parks and recreation facilities. These services would be immediately available.

SECTION 2. 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 the law.

SECTION 3. This Resolution 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 it is necessary to act pursuant to statute to provide timely notice to the Wayne County Commissioners of services which the City would provide in order to facilitate the orderly process of annexation; 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: _____, 2019 Vote: _____

Attest: _____
 Clerk of Council President of Council

Approved: _____, 2019 _____
 Mayor

Introduced by: Craig Sanders

AMENDED PETITION FOR ANNEXATION ON APPLICATION OF

OWNERS OF REAL ESTATE

Regular

O.R.C. Sec. 709.02

TO: Board of County Commissioners of Wayne County, Ohio

The undersigned, being the owner of real estate residing on the territory hereinafter described, hereby petition for the annexation of the following described territory to the City of Wooster, Ohio:

Real Estate Situated in the
State of Ohio
County of Wayne
Township of Wooster

Described as follows:

See "Exhibit A" attached for complete legal description.

The intent of this annexation is to annex the land described above in the Southeast Quarter of Section 6 and the Northwest Quarter of Section 5 of Wooster Township that is now owned by GramCord, LLC.

The above described territory is adjacent to and contiguous to the said City of Wooster.

Petitioners have attached hereto as "Exhibit B" and made a part of this petition, a map showing the accurate boundaries of the territory sought to be annexed.

Petitioners state that there is one (1) owner, who is GramCord, LLC, of real estate in the territory sought to be annexed. The City of Wooster and the board of County Commissioners hold certain parcels of real estate within the territory that comprise of road rights of way, they are not considered owners under Ohio Revised Code Section 709.02(E).

William Anfang, III is hereby appointed agent for the undersigned petitioners as required by O.R.C. Sec. 709.02, with full power and authority hereby granted to said agent to amend, alter,

change, correct, withdraw, refile, substitute, compromise, increase or delete the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this petition. Said amendment, alteration, change, correction, withdrawal, refiling, substitution, compromise, increase or deletion, or other things or action for the granting of this petition shall be made in the petition, description, and/or plat by said agent without further expressed consent of the petitioners.

Pursuant to O.R.C. 709.02(D) and attached as "Exhibit C" and made a part hereof is a list of the owner names, addresses and Auditor's parcel numbers for:

- A. The territory proposed for annexation;
- B. The tracts, lots or parcels adjacent to or across the road from the territory to be annexed.

Name:

Address:

GramCord, LLC
an Ohio Limited Liability Company

6927 NonPariel Road
Wooster, OH 44691


By: 
Gary Graham
Its: Managing Member

Exhibit A

Situated in the Township of Wooster, T-15N, R-13W, Southwest Quarter of Section 5 and Southeast Quarter of Section, County of Wayne and State of Ohio:

Known as being a 20.409 acre parcel conveyed to Gramcord, LLC, et al. in O.R. 816, Page 2667 of the Wayne County Official Records, a 0.354 and a 1.006 acre parcel conveyed to the Board of Wayne County Commissioners in Volume 669, Page 544 of the Wayne County Deed Records and further bounded and described as follows:

COMMENCING at the northwest corner of the Southeast Quarter of Section 5, also being on the Wooster City corporation line;

Thence Easterly 337.45 feet along the quarter section line and said corporation line to a point and the PRINCIPAL PLACE OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

Thence with the following 11 courses:

1. Continuing Easterly, 183.89 feet along the quarter section line and said corporation line to a point;
2. Southeasterly, 1471.56 feet along said corporation line to a point;
3. Southeasterly, 34.60 feet along said corporation line to a point in Old Mansfield Road (T.R. 46);
4. Westerly, 134.90 feet along said corporation line and in Old Mansfield Road (T.R. 46) to a point;
5. Southwesterly, 319.76 feet along said corporation line and in Old Mansfield Road (T.R. 46) to a point in McAfee Road (T.R. 192);
6. Northwesterly, 715.86 feet in McAfee Road (T.R. 192) to a point on the section line;
7. Northwesterly, 533.3 feet to a point at the southwest corner of lands conveyed to Richard D. Graham, et al. And Gramcord, LLC in O.R. 355, Page 521 and O.R. 627, Page 274 of the Wayne County Official Records;
8. Northeasterly, 167.77 feet along a southwest line of said Graham and Gramcord lands to a point;
9. Easterly, 260.97 feet along a south line of said Graham and Gramcord lands to a point;
10. Northeasterly, 287.74 feet along a southwest line of said Graham and Gramcord lands to a point at the southeast corner thereof;

11. Northerly, 447.14 feet along an east line of said Graham and Gramcord lands to the PRINCIPAL PLACE OF BEGINNING and containng within said bounds 21.769 acres of land per tax map records.

FOR ANNEXATION ONLY, compiled from record documents.

Parcel Nos. 57-00038.000 (^{20.409}~~24.049~~ acres)
57-00038.002 (1.006 acres) ✓
57-00038.003 (0.354 acre) ✓

25.049

Monies shown hereon are expressed in feet and
 chisel points thereof, bearings are used to express
 only, iron pins or monuments were found or
 as indicated hereon. All of which I believe to
 correct to the best of my knowledge.

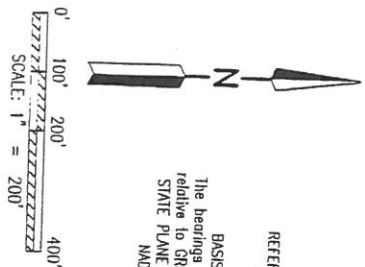
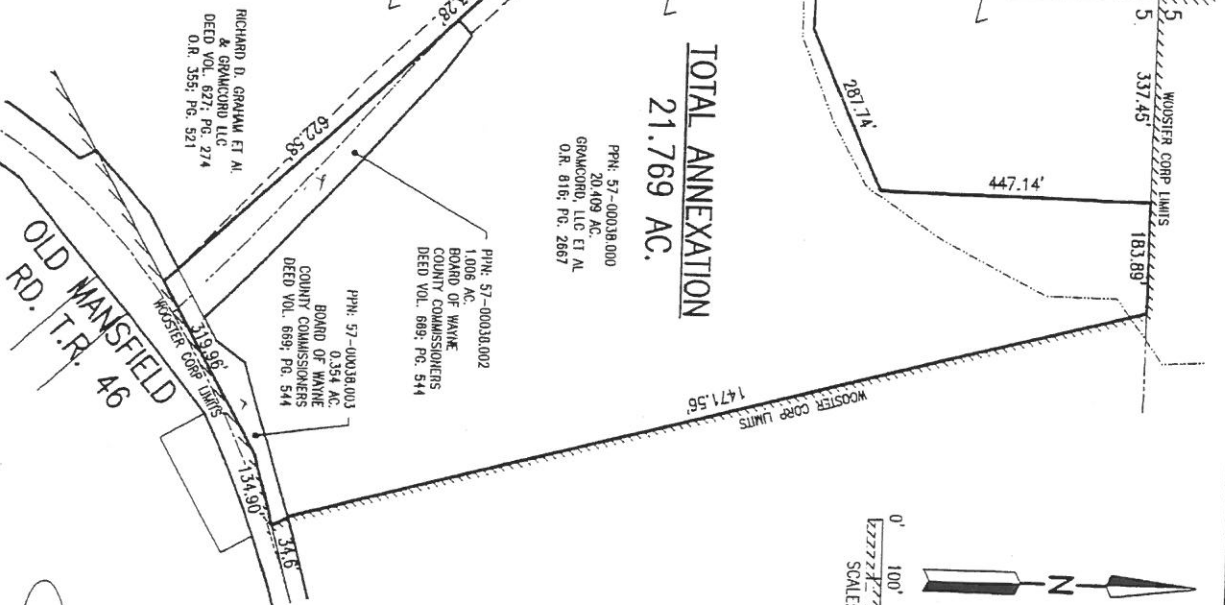
Mark E. Purdy, P.S. #7307

11-29-18



ANNEXATION PLAT S.W. QTR. SEC. 5 & S.E. QTR. SEC. 6 T-15N; R-13W WOOSTER TOWNSHIP WAYNE COUNTY, OHIO

**TOTAL ANNEXATION
 21.769 AC.**



REFERENCE SURVEY:
 "V"-406

BASIS OF BEARING:
 The bearings as shown hereon are
 relative to GRID NORTH of the OHIO
 STATE PLANE COORDINATE SYSTEM,
 NAD 83 DATUM

Certified by Wayne County Commissioners:
 this ___ day of ___, 20__.

Resolution No. _____

SUE SMIL
 Approver: ANN M. CORRETT
 this ___ day of ___, 20__
 RON AMSTUTZ

Ordinance No. _____
 Approved for Recording:
 this ___ day of ___, 20__
 Transferred:
 this ___ day of ___, 20__

(Sign)
 Wayne County Auditor's Office
 (Print)
 Filed for record in Wayne Co., Ohio

AUDITOR:	DATE:
RECORDER:	AT:
TOTAL:	PLAT VOL.:
	PAGE:

JANE CARMICHAEL, RECORDER
 DATE: _____ AT: _____
 INSTRUMENT # _____
 PLAT VOL. _____ PAGE _____
 FEE: \$ _____



SHAFER, JOHNSTON, LICHTER & ASSOCIATES, INC.
 Consulting Engineers & Surveyors
 3477 Commerce Parkway, Suite C
 Wooster, Ohio 44691
 TEL. (330) 345-6377 FAX (330) 345-6725 EMAIL sj@sl-inc.com

DWG NO: SW-5644B JOB NO: SW-5644B SHEET 1 OF 1

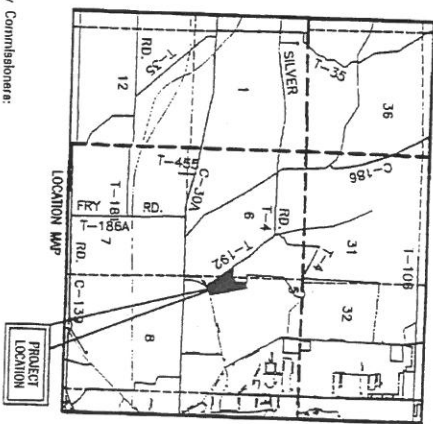


Exhibit C
O.R.C. 709.02(D)
List of Parcels and owners:

A. Territory to be annexed:

Owner	Address	Auditor's Parcel No.
GramCord, LLC	6927 NonPariel Road Wooster, OH 44691	57-00038.000

B. Tracts, Lots or Parcels Adjacent to and across the road from the territory to be annexed:

Owners	Address	Auditor's Parcel No.
Frito Lay Inc.	PO Box 565048 Dallas, TX 75356	57-00025.00
Richard D. Graham	1889 Silver Road Wooster, OH 44691	68-00379.001
Baker Properties Mt. Vernon, Ltd.	1130 Riffel Road Wooster, OH 44691	68-00177.000
Redevelopment Properties, LLC	3571 Old Airport Road Wooster, OH 44691	68-00156.003
Aspen Grove Investments, LLC.	1000 Venture Blvd. Wooster, OH 44691	68-00379.008

RESOLUTION NO. 2019-18

A RESOLUTION AUTHORIZING THE FIRE CHIEF TO
UTILIZE A COOPERATIVE PURCHASING PROGRAM AND
ENTER INTO A CONTRACT FOR THE PURCHASE OF A
NEW FIRE ENGINE, AND APPROPRIATE FUNDS AND
DECLARING AN EMERGENCY

WHEREAS, it is necessary to purchase a new fire engine, a fully equipped Class A fire engine, to replace the City's 1990 Pierce fire engine, utilizing cooperative program pricing.

WHEREAS, the purchase has been budgeted for 2019.

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

SECTION 1. That the Fire Chief is authorized to utilize cooperative purchase program pricing and enter into a contract for the purchase of a new fire engine in accordance with program pricing provisions.

SECTION 2. The cost of such contract/project will not exceed the amount budgeted.

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 Resolution 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 time is of the essence in making a timely application for the funds described above; 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.

Introduced: _____ Passed: _____ Vote: _____

Passed: _____, 2019 Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2019
Mayor

Introduced by: Mark Cavin

Request for Agenda Item

Authorization for Bid

☐

Purchase Capital Item

☒

Non-Capital

☐

Division Fire Division	Meeting Date Requested 2-19-19
Project Name Fire Engine Replacement E-136	Estimated Total Funds/Costs \$815,829.45
Is Full Amount Budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded? <div style="text-align: center;">N/A</div>	
Description of Request The Fire Division is requesting to replace Fire Engine 136 (2004 Seagrave), with a Sutphen custom aerial SL75. The above request is for a "quint", which is a fire apparatus that is a pumper and an aerial ladder truck. This configuration allows are staff members to engage in fire suppression, rescue, or access to the roof of buildings. This request is to replace Engine 136, which has had considerable mechanical issues with its pump, transmission, and aerial. The engine is not reliable and which is needed in our frontline emergency vehicles. The total cost of the project is \$815,829.45. The cost to the City after prepayment (\$20,785) and trade-in (\$60,000) will be \$735,044.45 (Trade in value is dependant on the engine being is the same condition when ownership is transfered).	
Justification / Benefits The current engine 136 is aging and having considerable mechanical malfunctions. The engine is not reliable and has to be placed out of service on a regular basis for mechanical problems. The 2004 Seagrave has been problematic since it was placed in service. The engine had major aerial ladder mechanical issues in 2015, in which it was out of service for 1/4 of the year. In late 2018 (during budget discussions) the engine was placed out of service for transmission issues. Most recently, the engine was placed in reserve status for electrical issues, affecting the headlights.	
Will this Project affect the City's Operating Costs Yes- It will reduce preventative maintenance costs.	
What Alternatives Exist and what are the Implications of the Alternatives Maintain the current E-136 and utilize a piece of equipment that is unreliable.	
Is this a Sole Source Bid or Non-Bid Situation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Explain The Circumstances: We plan to utilize the National Joint Powers Alliance purchasing agreement.	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons It is fully funded & there will be a 3% cost increase by the vendor in March 2019.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Chief Barry Saley Date: 2-13-19	

Approved for Agenda ☐ Yes ☐ No