

CITY COUNCIL AGENDA
July 6, 2020
Zoom Videoconference meeting
7:30p.m.

The council meeting will be conducted via Zoom Videoconferencing with public access through YouTube and Facebook.

- 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. UNFINISHED BUSINESS**
 1. **Third Reading – RESOLUTION NO. 2020-25**
A RESOLUTION PROVIDING FOR THE ANNUAL TAX BUDGET FOR FISCAL YEAR BEGINNING JANUARY 1, 2021 (Ansel)
 2. **Third Reading – ORDINANCE NO. 2020-20**
AN ORDINANCE SUBMITTING TO THE ELECTORS OF THE CITY OF WOOSTER, OHIO, AMENDMENTS TO THE CHARTER OF THE CITY OF WOOSTER AS PROVIDED IN SECTION 8.03 “CHARTER REVIEW,” AND DECLARING AN EMERGENCY (Sanders)
 3. **Third Reading – ORDINANCE NO. 2020-21 AMENDED**
AN ORDINANCE INSTRUCTING THE CITY ADMINISTRATION TO SUBMIT STATUTORY NOTICE OF COUNCIL'S INTENT TO ESTABLISH A TAX INCREMENTAL FINANCING DISTRICT AND ADOPT AN ECONOMIC DEVELOPMENT PLAN TO SUPPORT THE PROVISION OF A DIRECT DEVELOPMENT GRANT TO ENABLE THE CREATION OF THE MELROSE DRIVE RESIDENTIAL SUBDIVISION PROJECT, AND DECLARING AN EMERGENCY (Sanders)
- VII. NEW BUSINESS**
 1. **First Reading – RESOLUTION NO. 2020-34**
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE A VEHICLE IN ACCORDANCE WITH THE CAPITAL PLAN FOR 2020 (Cavin)
 2. **First Reading – ORDINANCE NO. 2020-23**
AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE REPLACEMENT OF DRIVE PIPES AND ASSOCIATED MATERIALS ON MEL LANE AND MELLON CIRCLE; AND DECLARING AN EMERGENCY (Bostancic)
 3. **First Reading – ORDINANCE NO. 2020-24**
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PRE-ANNEXATION AGREEMENT WITH CERTAIN PROPERTY OWNERS FOR THE PURPOSE OF FACILITATING THE ANNEXATION AND EXTENSION OF UTILITY SERVICES TO THOSE PROPERTIES, AND DECLARING AN EMERGENCY (Silvestri)

4. **First Reading – RESOLUTION NO. 2020-35**
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 PARKING LOT ON EAST SOUTH STREET, AND DECLARING AN EMERGENCY (Bostancic)
5. **First Reading – ORDINANCE NO. 2020-25**
AN ORDINANCE ACCEPTING THE ANNEXATION OF TERRITORY LOCATED AT 2150 OAK HILL ROAD AND CONTIGUOUS TO THE CORPORATION LIMITS. (Robert Reynolds, Esq., Agent for Petitioners Terry and Beverly Raber) (Sanders)
6. **First Reading – ORDINANCE NO. 2020-26**
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH KRUPP MOVING AND STORAGE LLC AND KV MANAGEMENT LLC FOR CERTAIN TAX INCENTIVES, AND DECLARING AN EMERGENCY (Ansel)
7. **First Reading – ORDINANCE NO. 2020-27**
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH HYDAC TECHNOLOGY CORP. AND BAKER PROPERTIES – MT VERNON LTD. FOR CERTAIN TAX INCENTIVES, AND DECLARING AN EMERGENCY (Ansel)
8. **First Reading - RESOLUTION NO. 2020-36**
A RESOLUTION TO REQUEST THE CITY OF WOOSTER’S PORTION OF THE COUNTY CORONAVIRUS RELIEF DISTRIBUTION FUND FROM THE WAYNE COUNTY AUDITOR AND DECLARING AN EMERGENCY (Ansel)
9. **First Reading – ORDINANCE NO. 2020-28**
AN ORDINANCE AMENDING CHAPTER 521, HEALTH, SAFETY, AND SANITATION, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO AND DECLARING AN EMERGENCY (Sanders)

IX. MISCELLANEOUS

X. ADJORNMENT

City of Wooster
Wayne County, Ohio
June 01, 2020

This Budget must be adopted by the Council or other legislative body on or before July 15th, and two copies must be submitted to the County Auditor on or before July 20th. FAILURE TO COMPLY WITH SEC. 5705.28 R.C. SHALL RESULT IN LOSS OF LOCAL GOVERNMENT FUND ALLOCATION.

To Auditor of said County:

The following Budget year beginning January 1, 2021, has been adopted by Council and is herewith submitted for consideration of the County Budget Commission.

Signed: _____

Andrei A. Dordea

Title: Director of Finance

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED RATES

FUND <small>(Include only those funds which are requesting general property tax revenue)</small>	For Municipal Use		For Budget Commission Use		For County Auditor Use	
	Budget Year Amount Requested of Budget Commission Inside/Outside	Budget Year Amount Approved by Budget Commission Inside 10 Mill Limitation	Budget Year Amount to be Derived From Levies Outside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied		
				Inside 10 Mill Limit Budget Year	Outside 10 Mill Limit Budget Year	
	Column 1	Column 2	Column 3	Column 4	Column 5	
GOVERNMENT FUNDS						
GENERAL FUND - 001	\$ 2,120,994					
PROPRIETARY FUNDS						
POLICE PENSION - 111	177,388					
FIRE PENSION - 112	177,388					
FIDUCIARY FUNDS						
TOTAL ALL FUNDS	\$ 2,475,770					

This Exhibit is to be used for the General Fund Only

DESCRIPTION (1)	For 2018 Actual (2)	For 2019 Actual (3)	Current Year Budget For 2020 (4)	Budget Year Estimate for 2021 (5)
REVENUES				
Local Taxes				
General Property Tax - Real Estate	\$ 1,982,729	\$ 2,059,864	\$ 2,120,994	\$ 2,120,994
Tangible Personal Property Tax	47	-	-	-
Municipal Income Tax	18,834,896	19,884,691	18,047,936	18,950,333
Other Local Taxes	142,499	136,231	98,000	140,000
Total Local Taxes	20,960,171	22,080,786	20,266,930	21,211,327
Intergovernmental Revenues				
State Shared Taxes And Permits				
Local Government	641,851	617,563	650,000	650,000
Local Government State	-	47,627	102,000	102,000
Estate Tax	53,600	52,314	-	-
Cigarette Tax	1,121	1,202	1,200	1,200
Liquor and Beer Permits	41,940	40,487	40,000	40,000
Total State Shared Taxes & Perm	738,512	759,193	793,200	793,200
Federal Grants or Aid	631	-	-	-
State Grants or Aid	9,049	6,872	-	-
Other Grants or Aid	19,604	23,998	-	-
Total Intergovernmental Revenues	767,795	790,063	793,200	793,200
Special Assessments	-	-	-	-
Charges for Services	1,497,311	1,545,973	1,488,000	1,488,000
Fines, Licenses, and Permits	759,573	666,737	581,000	581,000
Miscellaneous	575,843	797,007	610,407	610,407
Other Financing Sources:				
Proceeds from Sale of Debt	-	-	-	-
Transfers	-	-	-	-
Advances	-	-	-	-
Other Sources	2,084,042	1,872,000	1,800,000	1,800,000
TOTAL REVENUE	\$ 26,644,735	\$ 27,752,566	\$ 25,539,537	\$ 26,483,934

This Exhibit is to be used for the General Fund Only

DESCRIPTION (1)	For 2018 Actual (2)	For 2019 Actual (3)	Current Year Budget For 2020 (4)	Budget Year Estimate for 2021 (5)
EXPENDITURES				
Security of Persons and Property				
Personal Services	\$ 10,740,441	\$ 11,520,184	\$ 11,700,000	\$ 11,934,000
Operations and Maintenance	1,881,933	1,831,245	1,912,973	1,951,232
Capital Outlay	-	-	-	-
Total Security of Persons and Property	12,622,374	13,351,429	13,612,973	13,885,232
Public Health Services				
Operations and Maintenance	127,747	132,820	132,000	135,300
Total Public Health Services	127,747	132,820	132,000	135,300
Leisure Time Activities				
Personal Services	797,752	677,100	900,000	918,000
Operations and Maintenance	1,135,266	1,074,767	1,030,000	1,055,750
Capital Outlay	-	-	-	-
Total Leisure Time Activities	1,933,018	1,751,868	1,930,000	1,973,750
Community Environment				
Personal Services	777,381	837,251	860,000	877,200
Operations and Maintenance	185,031	196,446	250,000	256,250
Capital Outlay	-	-	-	-
Total Community Environment	962,412	1,033,697	1,110,000	1,133,450
Basic Utility Services				
Personal Services	-	-	-	-
Operations and Maintenance	-	-	-	-
Capital Outlay	-	-	-	-
Total Basic Utility Services	-	-	-	-
Transportation				
Personal Services	692,606	688,997	800,000	816,000
Operations and Maintenance	505,516	617,119	543,000	600,000
Capital Outlay	-	-	-	-
Total Transportations	1,198,123	1,306,116	1,343,000	1,416,000
General Government				
Personal Services	2,531,452	2,683,334	2,800,000	2,856,000
Operations and Maintenance	1,579,522	1,544,184	1,560,000	1,599,000
Capital Outlay	-	-	-	-
Total General Government	4,110,974	4,227,518	4,360,000	4,455,000
Debt Service				
Redemption Principal	435,000	305,000	270,000	280,000
Interest	174,223	164,510	78,117	150,000
Other Debt Service	-	-	-	-
Total Debt Service	609,223	469,510	348,117	430,000
Other Uses of Funds				
Transfers	4,162,798	4,781,250	4,000,000	4,000,000
Other Uses of Funds	-	-	-	-
Total Other Use Funds	4,162,798	4,781,250	4,000,000	4,000,000
TOTAL EXPENDITURES	\$ 25,726,668	\$ 27,054,207	\$ 26,836,090	\$ 27,428,732
Revenues over/(under) Expenditures	\$ 918,067	\$ 698,358	\$ (1,296,553)	\$ (944,798)
Beginning Unencumbered Balance	14,978,547	15,896,614	16,594,972	15,298,419
Ending Cash Fund Balance	15,896,614	16,594,972	15,298,419	14,353,621
Estimated Encumbrances (outstanding at year end)	2,167,992	2,295,551	2,364,418	2,435,350
Estimated Ending Unencumbered Fund Balance	\$ 13,728,622	\$ 14,299,421	\$ 12,934,002	\$ 11,918,271

FUND NAME: POLICE PENSION FUND - 111

FUND TYPE/CLASSIFICATION: GOVERNMENTAL - SPECIAL REVENUE

To be used for any fund receiving property tax revenue except the General Fund.

DESCRIPTION (1)	For 2018 Actual (2)	For 2019 Actual (3)	Current Year Budget For 2020 (4)	Budget Year Estimate for 2021 (5)
REVENUE				
Local Taxes				
General Property - Real Estate	\$ 164,892	\$ 173,052	\$ 177,388	\$ 177,388
Tangible Personal Property	4	-	-	-
Miscellaneous	1,392	2,288	930	650
TOTAL REVENUE	166,288	175,340	178,318	178,038
EXPENDITURES (PROGRAM) (OBJECT)				
Security of Persons and Property				
Personal Services	160,000	167,000	180,000	190,000
Contractual Services	2,579	2,783	3,000	3,000
TOTAL EXPENDITURES	\$ 162,579	\$ 169,783	\$ 183,000	\$ 193,000
Revenue Over (Under) Expenditures	\$ 3,709	\$ 5,557	\$ (4,682)	\$ (14,962)
Beginning Unencumbered Fund Balance	21,477	25,186	30,743	26,061
Ending Cash Fund Balance	25,186	30,743	26,061	11,099
Estimated Encumbrances (outstanding at end of year)	-	-	-	-
Estimated Ending Unencumbered Fund Balance	\$ 25,186	\$ 30,743	\$ 26,061	\$ 11,099

FUND NAME: FIRE PENSION FUND - 112

FUND TYPE/CLASSIFICATION: GOVERNMENTAL - SPECIAL REVENUE

To be used for any fund receiving property tax revenue except the General Fund.

DESCRIPTION (1)	For 2018 Actual (2)	For 2019 Actual (3)	Current Year Budget For 2020 (4)	Budget Year Estimate for 2021 (5)
REVENUE				
Local Taxes				
General Property - Real Estate	\$ 164,892	\$ 172,975	\$ 177,388	\$ 177,388
Tangible Personal Property	4	-	-	-
Miscellaneous	1,347	2,323	951	650
TOTAL REVENUE	166,243	175,298	178,339	178,038
EXPENDITURES (PROGRAM) (OBJECT)				
Security of Persons and Property				
Personal Services	160,000	167,000	180,000	190,000
Contractual Services	2,579	2,783	3,000	3,000
TOTAL EXPENDITURES	\$ 162,579	\$ 169,783	\$ 183,000	\$ 193,000
Revenue Over (Under) Expenditures	\$ 3,664	\$ 5,515	\$ (4,661)	\$ (14,962)
Beginning Unencumbered Fund Balance	22,963	26,627	32,142	27,481
Ending Cash Fund Balance	26,627	32,142	27,481	12,519
Estimated Encumbrances (outstanding at end of year)	-	-	-	-
Estimated Ending Unencumbered Fund Balance	\$ 26,627	\$ 32,142	\$ 27,481	\$ 12,519

FUND	Estimated Unencumbered Fund Balance 1/1/2021	Budget Year Estimated Receipt	Total Available For Expenditures	Budget Year Expenditures and Encumbrances			Estimated Unencumbered Balance 12/31/2021
				Personal Services	Other	Total	
GOVERNMENTAL:							
SPECIAL REVENUE							
Street Const. Maint. & Repair - 101	\$ 166,336	\$ 1,380,600	\$ 1,546,936	\$ -	\$ 1,500,000	\$ 1,500,000	\$ 46,936
State Highway - 102	134,345	110,802	245,147	-	200,000	200,000	45,147
Permissive Tax - 103	26,186	260,000	286,186	-	225,000	225,000	61,186
Enforcement & Education - 104	76,078	1,500	77,578	-	65,000	65,000	12,578
Mandatory Drug Fines - 105	34,334	9,000	43,334	-	35,000	35,000	8,334
Community Development Block Grant - 107	49,267	500,000	549,267	-	500,000	500,000	49,267
Economic Development - 108	83,686	153,600	237,286	-	224,000	224,000	13,286
Law Enforcement Trust - 110	45,236	600	45,836	-	20,000	20,000	25,836
Federal Equitable Sharing Fund - 113	9,962	100	10,062	-	9,000	9,000	1,062
CDBG Chip Home RLF Fund - 115	39,756	1,200	40,956	-	40,000	40,000	956
CDBG Econ. Dev. Loan - 118	2,544	75	2,619	-	2,500	2,500	119
Law Enforcement Training Fund - 120	4,082	40	4,122	-	4,100	4,100	22
Recreation Supplement - 122	7,703	70	7,773	-	7,500	7,500	273
Park Reforestation - 123	29,631	300	29,931	-	28,000	28,000	1,931
TOTAL SPECIAL REVENUE FUNDS	709,146	2,417,887	3,127,033	-	2,860,100	2,860,100	266,933
DEBT SERVICE FUNDS							
Debt Service - 401	1,180,570	131,000	1,311,570	-	165,000	165,000	1,146,570
TOTAL DEBT SERVICE FUNDS	1,180,570	131,000	1,311,570	-	165,000	165,000	1,146,570
CAPITAL PROJECTS FUNDS							
Capital Improvements - 301	2,539,914	4,450,000	6,989,914	-	4,103,000	4,103,000	2,886,914
Economic Development Cap. Improv. - 302	19,187	-	19,187	-	19,187	19,187	-
TOTAL CAPITAL PROJECTS	2,559,101	4,450,000	7,009,101	-	4,122,187	4,122,187	2,886,914
PROPRIETARY:							
ENTERPRISE FUNDS							
Water - 501	1,664,080	6,400,000	8,064,080	2,100,000	4,151,000	6,251,000	1,813,080
Water Pollution Control - 502	3,442,237	8,400,000	11,842,237	1,750,000	6,650,000	8,400,000	3,442,237
Hospital - 503	15,581,888	159,390,000	174,971,888	75,644,230	83,500,000	159,144,230	15,827,658
Hospital Plant - 504	73,195,246	13,700,000	86,895,246	-	11,500,000	11,500,000	75,395,246
Hospital Beaverson EMS - 505	150,146	75,000	225,146	-	200,000	200,000	25,146
Hospital Endowment - 506	652,557	100,000	752,557	-	750,000	750,000	2,557
Storm Drainage - 507	1,112,037	1,580,000	2,692,037	470,000	1,090,000	1,560,000	1,132,037
Hospital Bevington - 510	-	-	-	-	-	-	-
Water Capital Fund - 511	13,573	179,000	192,573	-	180,000	180,000	12,573
Sewer Capital Fund - 512	34,158	202,000	236,158	-	220,000	220,000	16,158
Refuse Collection - 514	214,679	1,481,000	1,695,679	-	1,681,000	1,681,000	14,679
TOTAL ENTERPRISE FUNDS	96,060,601	191,507,000	287,567,601	79,964,230	109,922,000	189,886,230	97,681,371

FUND	Estimated Unencumbered Fund Balance 1/1/2021	Budget Year Estimated Receipt	Total Available For Expenditures	Budget Year Expenditures and Encumbrances			Estimated Unencumbered Balance 12/31/2021
				Personal Services	Other	Total	
INTERNAL SERVICE FUNDS							
Garage - 601	2,103	775,000	777,103	464,972	279,336	744,308	32,795
Employee Benefits - 602	1,544,845	4,245,000	5,789,845	4,338,400	-	4,338,400	1,451,445
Investment - 720	-	90,000	90,000	-	90,000	90,000	-
TOTAL INTERNAL SERVICE FUNDS	1,546,948	5,110,000	6,656,948	4,803,372	369,336	5,172,708	1,484,240
FIDUCIARY:							
AGENCY FUNDS							
Guarantee Deposit - 702	205,830	50,000	255,830	-	150,000	150,000	105,830
Cleaning - 705	143,125	35,000	178,125	-	35,000	35,000	143,125
Wooster Growth Corporation - 719	832,730	290,000	1,122,730	-	260,000	260,000	862,730
Wooster Ashland Regional COG - 725	278,228	1,371,000	1,649,228	1,221,112	149,748	1,370,861	278,367
TOTAL TRUST AND AGENCY FUNDS	1,459,913	1,746,000	3,205,913	1,221,112	594,748	1,815,861	1,390,052
TOTAL FOR MEMORANDUM ONLY	\$ 103,516,279	\$ 205,361,887	\$ 308,878,165	\$ 85,988,714	\$ 118,033,371	\$ 204,022,085	\$ 104,856,080

STATEMENT OF PERMANENT IMPROVEMENTS
 (Do Not Include Expense to be Paid from Bond Issues)
 (Section 7505.29 Revised Code)

DESCRIPTION	Estimated Cost of Permanent Improvement	Amount to be Budgeted During Current Year	Name of Paying Fund
Water Line Replacement Projects	\$ 900,000	\$ 900,000	Water - 501
Distribution & Collection Equipment	70,000	70,000	Water - 501
Distribution & Collection Equipment	70,000	70,000	Water Pollution Control - 502
Storm Sewer Projects	440,000	440,000	Storm Sewer Fund - 507
WPCP Improvements	380,000	380,000	Water Pollution Control - 502
Sanitary Sewer Lines & Lining	500,000	500,000	Water Pollution Control - 502
Water Plant Improvements	112,000	112,000	Water - 501
Police Vehicles	165,000	165,000	Capital Improvements Fund - 301
Downtown Streetscape (SW Quad)	850,000	850,000	Capital Improvements Fund - 301
Fire - Station 1 Renovations	1,150,000	1,150,000	Capital Improvements Fund - 301
Road Resurfacing	2,000,000	2,000,000	Capital Improvements Fund - 301
PPM - 2 Leaf Machines	110,000	110,000	Capital Improvements Fund - 301
PPM - 10 Ton Double Axle Dump	175,000	175,000	Capital Improvements Fund - 301
Fire - Autopulse x 4	45,000	45,000	Capital Improvements Fund - 301
Pool Improvements	65,000	65,000	Capital Improvements Fund - 301
TOTAL	\$ 7,032,000	\$ 7,032,000	

City of Wooster, Ohio
Debt Schedule Excluding Compensated Absences
For the Budget Year Ending December 31, 2021

EXHIBIT VI

PURPOSE OF BONDS AND NOTES	Rate of Interest	BUDGET YEAR	
		Amounts Outstanding at Beginning of Budgeted Year January 1, 2021	Amount Required for Principal and Interest 1/1/2021 - 12/31/2021
Street Improvement Bonds, Series 2007			
2007 Street Imp. Bonds E. Milltown Phase 2	2.00% - 2.75%	145,000	78,602
Various Purpose Bonds, Series 2010			
2010 Beall Avenue Reconstruction	2.00% - 3.75%	1,615,000	194,288
Sanitary Sewerage Improvement Bonds, Series 2018			
2018 Sanitary Sewage System Improvement Bonds	2.85%	4,180,000	322,731
Various Purpose Refunding Bonds, Series 2020			
2020 Refunding 2010 Beal Ave	1.79%	1,365,000	159,550
2020 Refunding 2014 Water Bond	1.79%	2,140,000	193,100
2020 Refunding 2014 Sewer Bonds	1.79%	3,370,000	218,988
2020 Refunding 2015 Safety Center	1.79%	5,365,000	430,000
2020 Street Improvements	1.79%	1,330,000	113,400
2020 Park Improvements	1.79%	370,000	30,600
2020 Parking Lot Improvements	1.79%	195,000	155,550
Ohio Public Works Commission			
2003 Storm Mulberry Street Storm Sewer	0.00%	7,183	2,394
2007 E Milltown Rd Reconstruction Phase 2	0.00%	18,202	12,135
2007 Storm Grant, Clark, Walnut Storm Sewer	0.00%	58,100	8,300
2009 Sewer Larwill Street Sewer Separation	0.00%	42,494	2,179
2009 Storm Larwill Street Sewer Separation	0.00%	94,582	4,850
2009 Water Cleveland and Portage Road Waterline	0.00%	25,503	6,376
2010 Water Intermediate Water Tank	0.00%	270,636	13,879
2012 Water Burbank Road Waterline	0.00%	300,000	25,000
2013 Storm Market and Spruce Sewer Separation	0.00%	125,855	9,681
2014 Sewer Spink Street North Sewer Line	0.00%	100,000	4,167
2014 Sewer WWTP Wet Stream Improvements	0.00%	630,569	23,795
2014 Storm Spink Street North Storm Sewer	0.00%	300,000	12,500
2019 Sunset Lane & W. Highland Reconstruction	0.00%	82,610	4,131
Ohio Water Development Authority			
2005 Sewer WWTP Improvements Construction	2.67%	4,558,910	2,179
2005 Sewer WWTP Improvements Equipment	3.25%	749,529	4,167
2009 Water Mindy Lane/Mechanicsburg and Buckeye Booster Station	3.36%	470,469	303,681
2009 Water Tank and Booster Station	3.36%	795,151	25,188
2010 Sewer Biotower and Sewer Line for Frito-Lay	1% (5) - 3% (11)	1,529,202	23,795
2010 Water Secondary Transmission Line	3.70%	133,656	240,900
2010 Water Waterline	4.14%	212,027	326,831
General Obligation Notes			
Not Applicable			
TOTAL		\$ 30,579,677	\$ 2,952,935



WOOSTER CITY COUNCIL
538 N. Market Street * P.O. Box 1128
Wooster, Ohio 44691-7082
Phone 330-263-5200 * www.woosteroh.com

**PUBLIC HEARING
2021 TAX BUDGET**

NOTICE IS HEREBY GIVEN that the proposed tax budget of the City of Wooster, Ohio for the year ending December 31, 2021, is scheduled for hearing to be held in Council Chambers of City Hall, 538 N. Market Street, Wooster, Ohio at 7:30 p.m. on Monday, June 15, 2020. A copy of said budget is available for public inspection, in the office of the Director of Finance, 538 N. Market Street, Wooster, Ohio, Monday through Friday between 8 a.m. and 5 p.m. It is also available on the City's website at www.woosteroh.com under the section titled News – click link labeled: 2021 City Tax Budget.

All meetings of Wooster City Council and its committees are open to the public

Special auxiliary aids for handicapped persons are available upon request. Requests must be made to Lynne DePaulo, ldepaulo@woosteroh.com or 330-263-5241, during regular working hours.

Lynne DePaulo
Clerk of Council

ORDINANCE NO. 2020-20

AN ORDINANCE SUBMITTING TO THE ELECTORS OF THE CITY OF WOOSTER, OHIO, AMENDMENTS TO THE CHARTER OF THE CITY OF WOOSTER AS PROVIDED IN SECTION 8.03 "CHARTER REVIEW," AND DECLARING AN EMERGENCY

WHEREAS, pursuant to Section 8.03 of the Charter of the City of Wooster this Council appointed a Charter Review Commission, with representation from each ward, for the purpose of conducting the decennial review of the Charter of the City of Wooster; and

WHEREAS, the Charter Review Commission has met from time to time and has recommended that certain proposed amendments to the Charter be submitted to the electorate; and

WHEREAS, Council has determined to authorize and direct the submission to the electors of the City of Wooster the proposed amendments to the Charter of the City of Wooster, Ohio, as provided in Section 8.03 of the Charter, at the general election to be held on November 3, 2020, which election date is not less than sixty (60) nor more than one hundred twenty (120) days from the passage of this Ordinance.

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

SECTION 1. That, in accordance with the recommendations of the Charter Review Commission, the proposed amendments shall appear on ballots at the general election to be held at the usual places of voting in the City of Wooster on Tuesday, November 3, 2020. This Council hereby authorizes and directs the submission to the electors of the City of Wooster at the general election of the following amendments to the Charter of the City of Wooster, Ohio, and that said Charter amendments be submitted to said electors of the City for their approval or disapproval. The Charter sections proposed for amendment shall read in accordance with the text which is attached to this Ordinance and incorporated herein by reference.

SECTION 2. The foregoing proposed amendments, if approved by a majority of the electors voting thereon at the aforesaid election to be held on November 3, 2020, shall become effective from and after the time of their approval by the electors.

SECTION 3. The Mayor and/or Clerk of Council be and hereby are directed to give public notice of the time and place of holding such election by publication of such notice at least ten (10) days prior to the day of such election in a newspaper published and of general circulation in said City.

SECTION 4. The Clerk of Council be and hereby is directed to cause to be published a copy of the full text of the proposed Charter amendments, as set forth above, once a week for not

BALLOT #1

New or amended language highlighted in **RED**.
Language deletions appear as strikethroughs.

Proposed Charter Amendment City of Wooster:

This amendment, if passed would:

- a. Clarify the Charter definition of compensation.
- b. Reduce the number of Compensation Commission members from nine to seven for ease of recruitment.
- c. Allow for flexibility in the scheduling of City Council meetings.
- d. Changes the title of "emergency ordinances" to "ordinances in need of immediate enactment." This title allows for more clarity for the public.
- e. Allows notice of public meetings to be made electronically in addition to traditional methods.

A majority affirmative vote is necessary for passage

Shall Article II of the Charter of the City of Wooster be changed and amended as follows:

ARTICLE II THE COUNCIL

SECTION 2.03. COMPENSATION AND BONDS.

Compensation and bonds for City officials and employees shall be established by ordinance of Council. **The definition of "compensation" includes monetary compensation, such as wages, salary, and benefits.** This does not preclude the City Administration's negotiating with City employee groups regarding wages and ~~fringe~~ benefits. Salaries **and benefits** of elected officials for the ensuing term shall be set at least five days prior to the last day for filing candidacy and may not be changed during the term.

Commencing on or about January 1, 2011, and every four years thereafter, Council, in consultation with the Mayor, will appoint a Compensation Commission consisting of ~~nine~~**seven** resident electors who will be charged with reviewing and making recommendations to the Mayor and Council ~~of the amounts~~ **regarding the salary amount** to be paid the Mayor and members of Council. No more than **four** members of the Compensation Commission shall be of the same political party.

SECTION 2.07. MEETINGS OF COUNCIL.

In each calendar month, excepting July and August, the Council shall hold at least two regular meetings, the time and place of which shall be prescribed by ordinance. **Meetings may be scheduled in the months of July and August as determined by the Mayor and the Council President, but are not required.** Any meeting of Council may be cancelled if, as determined by the Mayor and the Council President, there is no business before Council.

A majority of all Council members elected or duly appointed shall constitute a quorum to do business, but a lesser number may adjourn by majority vote from day to day and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance or resolution.

Special meetings may be held on the call of the Mayor or of a majority of the members and, whenever practicable, upon no less than twelve hours' notice to each member. If a member cannot be located personally, a written notice of the time and date of the special meeting shall be left at his last known place of residence in the City.

SECTION 2.11. ~~EMERGENCY~~ ORDINANCES IN NEED OF IMMEDIATE ENACTMENT.

When necessary for the preservation of the public peace, health, and welfare or safety, or providing for the usual daily operation of a municipal department or division, the Council, by an affirmative vote of three-fourths of the members, may adopt an ~~emergency~~ ordinance which shall set forth and define the specific facts necessitating **the immediate enactment of the ordinance emergency**. Such ~~emergency~~ ordinances shall require no public hearings and shall take effect at the time indicated therein. **Emergency Ordinances in need of immediate enactment** shall be published as other ordinances after passage.

SECTION 2.12. ACTIONS NOT PERMITTED TO BE **IMMEDIATELY ENACTED AS EMERGENCIES.**

No action of Council authorizing the surrender or joint exercise of its powers, or in granting a franchise, or in establishing new positions, classified and unclassified, or in the enactment, amendment or repeal of any zoning or building resolution or ordinance, or in the changing of any ward boundaries, or in authorizing any change in the boundaries of the Municipality, shall be enacted **immediately** ~~as an emergency ordinance~~.

SECTION 2.17. PUBLICATION OF RESOLUTIONS AND ORDINANCES.

All resolutions and ordinances must be published after enactment by title, number, and summary within the City. Such publication shall announce that a copy of the resolution or ordinance is available at the office of the Clerk of Council. As used in this Charter, the terms "published" and "publication" shall mean to post the legislation or summary thereof in at least three public places as are designated by ordinance of Council, and to take such other actions as may be provided by Council. **One of the three public places may be publishing by means of electronic media.**

BALLOT #2

New or amended language highlighted in **RED**.
Language deletions appear as strikethroughs.

Proposed Charter Amendment City of Wooster:

This amendment, if passed would:

- a. Make the Charter easier to understand as to the Mayor's supervisory and procedural duties.
- b. Provides for a succession plan for the Director of Law and clarifies how the Director of Law and the Director of Finance are appointed.

A majority affirmative vote is necessary for passage

Shall Articles III and IV of the Charter of the City of Wooster be changed and amended as follows:

ARTICLE III THE MAYOR

SECTION 3.02. ADMINISTRATIVE POWERS.

The Mayor shall exercise supervision and control over all of the Administrative Departments of the City, as described in Section 4.04 of the Charter of the City of Wooster of the City. S/he shall be the chief conservator of the peace within the City and shall see that all laws, ordinances and resolutions are faithfully obeyed and enforced. S/he shall be the ceremonial head of the City.

S/he shall have the power:

- (1) To appoint, promote, transfer, reduce or remove any officer, employee, or appointee of the City in a manner consistent with the provisions of this Charter;
- (2) To initiate departmental reorganization in accordance with Section 4.078;
- (3) To exercise those judicial powers granted to mayors under the general laws of Ohio;
- (4) To perform other powers and duties granted by ordinance or resolution.

SECTION 3.04. MAYOR'S VETO POWER.

Upon authentication, every ordinance and resolution shall be presented to the Mayor by the Clerk of Council. If the Mayor approves such ordinance or resolution, s/he shall sign and return it, but if s/he does not approve it, s/he shall return it to the Clerk of Council with a statement of his/her objections to the Council. This shall be recorded in its journal.

The Council may then reconsider the vote on the passage of such legislation, not later than at its next regular meeting. If, on reconsideration, it is approved by two-thirds of the members of Council, it shall become effective as stipulated in Article II, Section 2.15.

If any ordinance or resolution shall not be returned by the Mayor to the Clerk of Council within seven days after it was presented to him/her, it shall become effective in the same manner as if it had been signed on the last day of the seven day period.

The Mayor may exercise item veto over appropriation ordinances which shall be subject to the other veto provisions in this Charter.

SECTION 3.05. VACANCY.

(a) Temporary Absence From Office. In the event that the Mayor is temporarily absent or unable to perform the duties of office, the Clerk of Council shall be notified ~~s/he shall so notify the Clerk of Council of that fact~~, and the President of Council shall then assume the duties of the office of Mayor during the temporary absence.

(b) Permanent Vacancy. In the event the Mayor, for a period of time in excess of ninety (90) consecutive days, is either absent from office or unable to perform his/her duties because of physical or mental illness or disability, Council may, after providing the Mayor with written notice and an opportunity for a hearing in accordance with Article VIII, Section 8.06(e) (1), upon the affirmative vote of five (5) members, declare the office of Mayor to be vacant.

(c) In the event of a permanent vacancy in the office of the Mayor due to his/her resignation, death or permanent disability, the President of Council shall assume the duties of the office of Mayor. Until a successor to the office of President of Council is elected and qualified, the office of President of Council shall become vacant and shall be filled as set forth in Article II, Section 2.06.

Within ten (10) days after the occurrence of a permanent vacancy in the office of Mayor the President of Council shall issue a proclamation to the Board of Elections declaring the existence of a vacancy in such office and the necessity of holding an election to fill the unexpired term thereof. Such election shall be held at the next primary or general election occurring thereafter; provided that if the unexpired term for such office ends within one year following the occurrence of the vacancy an election shall not be held, and the vacancy shall be filled as provided herein.

ARTICLE IV ADMINISTRATIVE OFFICERS, DEPARTMENTS AND COMMISSIONS

SECTION 4.02. DIRECTOR OF LAW.

The Director of Law shall be an attorney licensed to practice law in the State of Ohio, and s/he shall have been engaged in the active and full-time practice of law continuously for a period of not less than five (5) years preceding his/her appointment. S/He shall have charge of the Law Department of the City. In that capacity, s/he shall serve as the chief legal counsel to the Mayor, the City Council, City departments and divisions, the Hospital Board of Governors, and the various municipal boards and commissions. S/He will perform all duties and functions now or hereafter imposed upon the municipal directors of law by the general laws of Ohio; and s/he will perform such other duties as may be required by this Charter, by ordinance or resolution of Council, or as directed by the Mayor, except that s/he will not serve as counsel to the Wooster City Board of Education.

The Director of Law shall be appointed in accordance with section 4.04 of the Charter of the City of Wooster. The Mayor may also designate a Deputy Director of Law, who, during the absence or disability of, or during a vacancy in, the office of Director of Law, shall exercise the powers and discharge the duties and functions of the Director of Law under the title of Acting Director of Law. The Deputy Director of Law must be an attorney licensed to practice law in the State of Ohio.

SECTION 4.03. DIRECTOR OF FINANCE.

The Director of Finance shall be appointed on the basis of his/her competence as demonstrated by experience, education or both. The Director of Finance shall be appointed in accordance with section 4.04 of the Charter of the City of Wooster. The Mayor may also designate an officer or employee of the City, who, during the absence or disability of, or during a vacancy in, the office of Director of Finance, shall exercise the powers and discharge the duties and functions of the Director of Finance under the title of Acting Director of Finance.

The Director of Finance shall be the chief fiscal officer of the City. S/he shall, on behalf of the City, collect all taxes, assessments and moneys due; disburse funds as authorized; select depositories; invest funds when available for investment; maintain an efficient general accounting system and specify and supervise departmental accounting including invoicing, receiving and, where appropriate, cost accounting systems; and represent the City with other governmental fiscal agencies. The Director of Finance shall perform all duties and functions now or hereafter imposed on city auditors and treasurers by the laws of the State of Ohio which are not in conflict with the provisions of this Charter.

The Director of Finance shall, for the Council in a form Council may specify, report the current financial status of the City not less than quarterly; provide Council all supportive financial information requested for consideration of the annual appropriation ordinance; and make a yearly report covering all accounts and obligations of the previous fiscal year.

The Director of Finance shall serve as fiscal advisor to the Mayor and the Council and provide cost account data when feasible and desirable. S/he shall assist the Mayor in the preparation of the yearly budget, appropriation ordinances and statements of anticipated income, and accept any other duties assigned to him/her by the Mayor.

BALLOT #3

New or amended language highlighted in **RED**.
Language deletions appear as strikethroughs.

Proposed Charter Amendment City of Wooster:

This amendment, if passed would:

- a. Remove the limit on the number of Administrative Assistants as this is more appropriately handled outside of the Charter.
- b. Remove the governance of civil service from the Charter as Civil Service Rules are a more efficient method.
- c. Allow employees to move from the classified to the unclassified civil service as this restriction has been overly restrictive to employees who wish to change.

A majority affirmative vote is necessary for passage

Shall Article V of the Charter of the City of Wooster be changed and amended as follows:

ARTICLE V **THE CIVIL SERVICE**

SECTION 5.03. CLASSIFIED AND UNCLASSIFIED SERVICE.

Unless otherwise provided in this section, all compensated positions in the service of the Municipality shall be in the classified service and shall be appointed and promoted pursuant to competitive examinations. The following shall comprise the unclassified service of the Municipality:

1. Mayor;
2. President of Council;
3. Members of Council;
4. Clerk of Council and other employees of Council;
5. Directors; department heads and assistant department heads; and division heads and assistant division heads except in the Police and Fire divisions;
6. Members of boards and commissions established by this Charter or by ordinance of Council;
7. **Administrative Assistants** ~~One administrative assistant to the Mayor; and one administrative assistant for each department;~~
8. All staff and employees of the Wooster Community Hospital;
9. Volunteer members of the Fire Division, and members of the auxiliary police unit of the Police Division;
10. Employees working less than an established work week; and seasonal employees;
11. Temporary employees;

12. Persons filling positions determined by Council to require exceptional qualifications of a scientific, managerial, professional, or educational character.

SECTION 5.04. CIVIL SERVICE EXAMINATIONS.

All matters relating to the hiring and promotion of Civil Service employees shall be in compliance with the Civil Service Rules as passed by City Council.

~~In administering competitive examinations the administrative officer appointed by the Mayor may use any one or more of the following methods:~~

- ~~1. Standard written aptitude, achievement, and intelligence examinations;~~
- ~~2. Written or oral dissertations of objective nature designed to test the applicant's familiarity with the classification;~~
- ~~3. Written or oral examinations which evaluate mental fitness, character traits, and attitudes;~~
- ~~4. Performances or skill examinations which provide for assessment of the applicant's abilities and manual skills to perform the work required in the classification;~~
- ~~5. Evaluation examinations which objectively and uniformly rate and evaluate the applicant's education, training, and past experience;~~
- ~~6. Physical examinations of agility, endurance, coordination and muscular strength when pertinent to the classification;~~
- ~~7. Oral examinations which demonstrate general knowledge, personal qualities, and communications skills;~~
- ~~8. Any other method authorized by Council.~~

SECTION 5.05. NEW EMPLOYEES.

~~All new classified employees of the Municipality shall serve a one-year probationary period. During this period, the supervisor of each employee shall evaluate the performance of the employee in writing, on an approved form, not less than three times and not less than fifteen days before the probationary period of the employee ends, and shall file a copy of the same with the Administrative Officer for the Commission.~~

~~Based on the evaluation reports and at any time within the probationary year, the Director of Administration may terminate the employment of the probationary employee without cause. Such action by the Director is final and not subject to appeal to the Municipal Civil Service Commission. Failure to terminate the employment of the probationary employee within the probationary year shall be deemed to constitute a permanent appointment in the classified service of the Municipality.~~

SECTION 5.06. PROMOTIONS IN THE CLASSIFIED SERVICE.

~~Except as otherwise provided in this charter, vacancies in positions in the classified service shall be filled, as far as practicable, by promotions. Promotions shall be made according to merit and fitness, determined by competitive examinations.~~

SECTION 5.07. PROMOTION TO CHIEF IN THE POLICE AND FIRE DIVISIONS.

~~When a vacancy occurs in the position of Chief in the Police Division, all regular sworn members of the Division above the rank of patrolman, who have completed five years of service in the division as regular sworn members, shall be eligible to take the examination for Chief.~~

~~When a vacancy occurs in the position of Chief in the Fire Division, all regular sworn members of the Division above the rank of firefighter, who have completed five years of service in the division as regular sworn members, shall be eligible to take the examination for Chief.~~

~~In either the Police or Fire Division, the Mayor may nominate two additional candidates to take the examination for Chief.~~

SECTION 5.05 5.08. DISCIPLINE.

All matters relating to the discipline of Civil Service employees shall be in compliance with the Civil Service Rules, the various collective-bargaining agreements, the Employee Handbook, and Department policies and procedures.

~~Except where the employee is otherwise subject to a collective bargaining agreement, the Mayor, Director of Administration or designee may discipline, suspend, demote, or dismiss a classified employee of the Municipality for reasonable and just cause including but not limited to the following: neglect of duty, insubordination, conduct unbecoming an employee, malfeasance, nonfeasance, misfeasance, abuse of leave policy of the Municipality, physical incompetence, mental incompetence, failure to maintain a high level of professional performance, and any other cause that may be established by Council as a uniform rule. A department head or division head may also discipline or suspend, but not demote or dismiss, a classified employee within his/her department or division for the reasons provided above. The disciplining officer shall serve the employee with written notice of the charges preferred against him/her and written notice of the action taken, and shall also file a copy of the same within the Municipal Civil Service Commission.~~

~~Except where the employee is otherwise subject to a collective bargaining agreement, any employee within the classified service of the Municipality disciplined, suspended, demoted, or dismissed from his/her position shall have the right to a formal hearing before the Municipal Civil Service Commission, providing such employee files a written request for hearing with the Commission within ten (10) days after receipt of charges preferred against him/her and notice of the action taken. Not less than fifteen (15) days after its timely receipt of a written request for hearing, the Commission shall convene a hearing at which time the employee and his/her representative, and the disciplining officer and his/her representative, may participate. Such hearing shall be as informal as is compatible with the requirements of justice. Formal rules of evidence shall not be required; and the burden of proof necessary to support the discipline, suspension, demotion, or dismissal shall be a preponderance of the evidence. The hearing shall be conducted in public unless the employee waives the same in writing prior to the time of hearing. The Commission shall announce a decision within a reasonable time after the hearing has been completed. A majority vote of Commission members shall be required to render a decision.~~

~~The decision of the Municipal Civil Service Commission shall be a final appealable order.~~

~~The Municipal Civil Service Commission shall be charged with the responsibility of developing rules, regulations and procedures not in conflict with this Charter to govern the~~

~~execution of its duties. These rules, regulations and procedures shall be adopted by Council as stated in Section 5.01 of this Charter.~~

SECTION 5.06 ~~5.09~~. POLITICAL ACTIVITY.

No classified employee shall participate in any manner in any municipal political campaign. A classified employee may participate in any non-municipal political campaign, except during working hours. Any employee who violates this section shall be subject to discipline as provided in Section 5.058 of this Charter.

ARTICLE IX
TRANSITION

~~SECTION 9.05. TRANSITION FROM CLASSIFIED TO UNCLASSIFIED SERVICE.~~

~~Any employee holding a position in the classified service, which position is subsequently placed in the unclassified service by amendment to this Charter, shall continue as a classified employee. Subsequent vacancies in such position shall be filled in the manner provided in this Charter for positions in the unclassified service.~~

BALLOT #4

New or amended language highlighted in **RED**.
Language deletions appear as strikethroughs.

Proposed Charter Amendment City of Wooster:

This amendment, if passed would:

- a. Allows for the transfer of unencumbered appropriation balances to be transferred among accounts within a fund, in order to maximize budgetary efficiency and flexibility.
- b. Changes the term "Councilman" to "Member of Council" and adds feminine pronouns.
- c. Clarifies residency requirements for elected officials to match state law.
- d. Changes the procedure for filing an initiative petition in order to make the process more efficient.

A majority affirmative vote is necessary for passage

Shall Article II of the Charter of the City of Wooster be changed and amended as follows:

ARTICLE VI TAXATION AND FINANCE

SECTION 6.05. TRANSFER OF APPROPRIATIONS.

Any time during the fiscal year, the Mayor may transfer part of any unencumbered appropriation balance among accounts within a ~~fund~~~~division~~. Any such transfer shall be reported in writing to Council. Upon written request by the Mayor, Council may by ordinance transfer part or all of any unencumbered appropriation balance from one department to another, or from one division to another in accordance with law.

ARTICLE VII NOMINATION, ELECTIONS, QUALIFICATIONS, INITIATIVE AND REFERENDUM

SECTION 7.03. QUALIFICATIONS OF ELECTED OFFICERS.

Each elected officer of the Municipality shall be an elector of the Municipality and shall have resided therein or in a territory annexed thereto for a period of at least one year prior to nomination for such office and shall continue to reside therein during his term.

Each ~~Member of Councilman~~ elected to represent a ward shall be a continuous resident and qualified elector of the ward s/he represents, or territory annexed thereto, during his/her term of office **as defined in Section 3503.02 of the Ohio Revised Code**.

Any elected officer who ceases to possess such qualifications shall forfeit his/her office.

SECTION 7.08. INITIATIVE AND REFERENDUM.

The powers of initiative and referendum are reserved to the people. Ordinances and other measures may be proposed by initiative petition and adopted by election, and ordinances and other measures adopted by the Council shall be subject to referendum, to the extent and manner

now or hereafter provided by the general laws of Ohio, except as otherwise provided in this Charter.

Whoever seeks to propose an ordinance or measure by initiative petition or files a referendum petition against any ordinance or measure adopted by Council, shall, before circulating such petition, file a certified copy of the proposed ordinance or measure with the **Clerk of Council.** ~~municipal Director of Finance.~~

As used in this section, “certified copy” means a copy containing a written statement attesting that it is a true and exact reproduction of the original proposed ordinance or measure or of the original ordinance or measure.

ARTICLE VI **GENERAL PROVISIONS**

SECTION 8.05. OATH OF OFFICE.

Any officer or employee of the Municipality who is required by law to take an oath of office shall also be required to pledge his **or her** support of the Charter and the ordinances of the City of Wooster.

BALLOT #5

New or amended language highlighted in **RED**.
Language deletions appear as strikethroughs.

Proposed Charter Amendment City of Wooster:

This amendment, if passed would:

- a. Changes the title of the Mayor's position on the Board of Governors from "President" to Chairperson and adds feminine pronouns.
- b. Removes the requirement that City Council approve Hospital ranges of Compensation as it is duplicative of their duty to approve the Hospital budget.
- c. Clarifies the duties and definition of the position of "Vice President of Fiscal Affairs".
- d. Eliminates term limits for members of the Wooster Community Hospital Board of Governors in order to create parity between Township and City board members.

A majority affirmative vote is necessary for passage

Shall Article X and IV of the Charter of the City of Wooster be changed and amended as follows:

ARTICLE X WOOSTER COMMUNITY HOSPITAL

SECTION 10.02. BOARD OF GOVERNORS.

The Municipal Hospital shall be operated, managed and controlled by a Board of Governors comprised of six members consisting of the Mayor, who by virtue of his **or her** office shall be its **Chairperson** ~~president~~, and five electors of the City, at least one of whom shall be a doctor of medicine, to be appointed by the Mayor with the consent of the Council each for a term of four years. A vacancy in the office of any appointed member shall be filled in like manner for the unexpired term of such office. Where the City has entered in a participatory agreement with a joint township hospital district board or with a board of county commissioners concerning the involvement of such district or county in the erection or enlargement of the Hospital, the maintenance and operation thereof, or both, the membership of the Board of Governors shall be expanded to include such representatives appointed by the participating district or county board as may be provided for in any such agreement.

A majority of the members of the Board of Governors, ~~as it may be expanded,~~ shall constitute a quorum. Such Board may establish such by-laws and regulations governing its procedures, and may elect such officers other than president, as its members determine. Members shall be entitled to such compensation for their services as may be established by the Council or, where the City has entered into a participatory agreement with a joint township hospital district board or with a board of county commissioners, as may be provided for in such agreement.

SECTION 10.03. POWERS AND DUTIES OF BOARD OF GOVERNORS.

Subject to ordinances of Council and, where the City has entered into a participatory agreement with a joint township hospital district board or with a board of county commissioners, to any limitations set forth in such agreement, the Board of Governors shall have and be responsible for the management, operation and control of the Hospital and for the maintenance, repair, renovation, improvement, enlargement or expansion of Hospital facilities. In the exercise of such responsibilities, the Board shall be empowered, as it deems necessary or appropriate, to: (1) adopt rules for Hospital government and operation and for the admission of persons to Hospital privileges; (2) establish charges and rates for Hospital services; (3) employ an administrator, a professional medical staff and other administrative, professional and supportive personnel; (4) contract for, and authorize the expenditure of funds relating to, the purchase of supplies, materials, equipment and furnishings, and the performance of work and services, incidental to the operation and management of the Hospital or the maintenance, repair, renovation, improvement, enlargement or expansion of Hospital facilities except that purchases of real property which are not included in the annual appropriation ordinance shall be subject to City Council approval; and (5) manage, administer and authorize the expenditure of any funds or property donated, by deed of gift, devise or bequest, to the Hospital for Hospital purposes.

All Hospital personnel and staff employed by the Board of Governors shall be in the unclassified civil service of the City and the Board shall establish such procedures for the selection, promotion, demotion, discipline and dismissal of Hospital employees as it deems appropriate. The Board shall also fix the compensation and other conditions of employment for Hospital staff and personnel, ~~provided that the ranges of compensation for such Hospital employees shall be subject to approval of Council~~ **utilizing the Board of Governors' committee structure for review and available hospital compensation market data.**

All contracts made by the Board of Governors shall be executed in the name of the City by the chief administrative officer of the Hospital, or such other Hospital officer as may from time to time be designated by the Board, only after such contracts have been approved and such execution authorized by the resolution of the Board. In approving and authorizing such contracts, the Board shall comply with all applicable requirements governing the award of public contracts, including requirements relative to advertisement and formal bidding procedures, as are prescribed by this Charter or by Ordinance of Council or, when not prescribed by Charter or Ordinance, as provided by the general laws of the State of Ohio.

SECTION 10.04. FISCAL AFFAIRS.

~~The Director of Finance~~ **Vice President of Fiscal Services**, as the chief fiscal officer of the **City Wooster Community Hospital**, shall, with respect to the Hospital, perform the functions and duties required of the ~~Director~~ **chief financial officer of the Hospital and collaborate with the Director of Finance of the City pursuant to duties and functions as specified in** pursuant to Section 4.034 of this Charter, ~~including the supervision of Hospital accounting, the custody and investment of Hospital funds, including funds donated to the Hospital, and the disbursement thereof upon the authorization of the Board of Governors. At the request of the Director of Finance, the Mayor may designate an officer or employee of the Hospital to exercise and discharge such duties and functions of the Director of Finance with respect to the financial affairs and operations of the Hospital as may be specified by the Mayor. Any such officer or employee so designated shall undertake to assume and perform the duties~~ **The Vice President of Fiscal Services will be selected by a group consisting of the Mayor or his or her designee, the Hospital chief executive officer, the Vice-Chair of the Board of Governors, and the Finance**

Director. In the case of a tie in the selection process, the vote of the Mayor or his or her designee shall be considered as the tie-breaking vote. The Vice President of Fiscal Services will ~~and functions to be assumed and performed duties by him~~ only after first giving bond in such amount as may be established by ordinance of Council and shall thereafter serve, acting with the title of ~~Deputy Director of Finance for Hospital Affairs, at the pleasure of the Mayor.~~ The Vice President of Fiscal Services and the Board of Governors shall assist the Mayor and Director of Finance in the preparation of these ~~submit the Hospital~~ portions of each City annual budget and appropriation ordinance, prepared pursuant to Article VI of this Charter, which concern the Hospital.

ARTICLE IV

ADMINISTRATIVE OFFICERS, DEPARTMENTS AND COMMISSIONS

SECTION 4.06. COMMISSIONS AND BOARDS.

There shall be at least one member from each ward on any commission or board, except licensing boards, and where the total membership on the commission or board is less than the number of wards. Council shall adopt rules by which membership on a commission or board will be limited to no more than twelve (12) consecutive years per appointee. Appointments to the Wooster Community Hospital Board of Governors are specifically exempted from any limit on the number of years they may serve.

AMENDED
ORDINANCE NO. 2020-21

AN ORDINANCE INSTRUCTING THE CITY ADMINISTRATION TO SUBMIT STATUTORY NOTICE OF COUNCIL'S INTENT TO ESTABLISH A TAX INCREMENTAL FINANCING DISTRICT AND ADOPT AN ECONOMIC DEVELOPMENT PLAN TO SUPPORT THE PROVISION OF A DIRECT DEVELOPMENT GRANT TO ENABLE THE CREATION OF THE MELROSE DRIVE RESIDENTIAL SUBDIVISION PROJECT

WHEREAS, Carl Yacapraro and Mildred Yacapraro, owners of the properties commonly known as 4677 Melrose Drive and Melrose Drive Rear, Wooster, Ohio 44691 (Parcels 71-00250.000 and 71-00251.000 respectively) and in the City of Wooster, have petitioned the City of Wooster with Jerry Baker, a land developer and future site owner, to create of a Tax Incremental Financing Incentive District in order to secure from the City a \$ _____ direct grant to for the construction of public infrastructure to support the creation of 72 new single-family market-rate homes, attached hereto as Exhibit A; and

WHEREAS, portions of the City of Wooster's public rights of way along Melrose Drive and its intersection with Smithville-Western and also Mel Lane, which are contiguous to the proposed development site, are necessary to include within the Incentive District to ensure long-term maintenance and repair of the existing public infrastructure that provides access to the site; and

WHEREAS; Ohio Revised Code Sections 5709.40, 5709.42 and 5709.43 provide that this Council may describe public infrastructure improvements to be made which benefit certain parcels, declare improvements (as defined in O.R.C. Section 5709.40) with respect to such parcels of real property located in the City to be a public purpose, thereby exempting those improvements from real property taxation for a period of time, and provide for the making of service payments in lieu of taxes by the owners of such parcels, and establish a municipal public improvement tax increment equivalent fund into which such service payments shall be deposited; and

WHEREAS, this Council desires to facilitate the development of a residential subdivision with up to 72 single-family homes within the City in order to increase available housing options within the City (the "Project"); and

WHEREAS, this Council , pursuant to ORC Sections 5709.40, 5709.42 and 5709.43 (collectively, the "TIF Act"), is authorized to declare improvements to real property to be a public purpose, exempt those improvements from real property taxation, and require owners of the real property to make service payments in lieu of taxes in an amount equal to such exempted taxes; and

WHEREAS, to facilitate the development of the Project and pay the associated costs of the necessary public infrastructure improvements from service payments in lieu of taxes, this Council has determined to establish legislation to create the Melrose Drive Incentive District pursuant to the TIF Act, specifically identified and depicted in Exhibit B attached hereto; and

~~WHEREAS, the Wooster Growth Corporation, as the designated community improvement corporation for the City of Wooster, has reviewed the request for direct development incentives to be funded through tax incremental financing and has recommended its adoption; and~~

WHEREAS the Wooster City School District Board of Education, the Wayne County Schools Career Center, and the Wayne County Commissioners are first entitled to 45 business day's advanced notice to consider legislation establishing a Tax Incremental Financing Incentive District;

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

SECTION 1. That the City Administration is hereby instructed to file an Economic Development Plan with the Clerk of Council for the proposed Melrose Drive Residential Subdivision Project with recommendations that Wooster City Council has determined the following: (1) Additional single-family market-rate housing opportunities are necessary to support the City of Wooster's ongoing community development efforts; (2) a direct infrastructure grant in the amount of \$ _____ a land developer to establish public infrastructure inclusive of roadway improvements, water system improvements, sanitary sewer improvements, including one or more lift stations, storm drainage improvements, pedestrian sidewalks, street lights, gas facilities, electrical facilities, and all appurtenances thereto, is necessary to ensure the expedient establishment of the 72-home Melrose Drive Residential Subdivision Project; (3) funding is necessary to support the long-term maintenance and reconstruction of the aforementioned public infrastructure; and (4) payments in lieu of taxes generated from the establishment of a Tax Incremental Financing Incentive District is the method by which the grant should be paid.

SECTION 2. That the City Administration is hereby instructed to issue statutory 45-business day notice to the Wooster City School District, the Wayne County Schools Career Center, and the Wayne County Commissioners of Wooster City Council's intent to adopt Ordinance 2020-22 proposed tax incremental financing legislation pursuant to Ohio Revised Code 5709.40 and establish a Tax Incremental Financing Incentive District with a _____ percent exemption lasting _____ years, and request a waiver.

SECTION 3. That the City Administration is hereby instructed to prepare an Infrastructure and Plat Agreement. The terms of such agreement will include, but not be limited to, the following: (1) Direct grant amount of \$ _____ payable in three equal payments with the final payment rendered after completion of the public infrastructure; (2) a commitment of 72 residential single-family homes accompanied with a developer's plat to be recorded; (3) a repayment guarantee in the event payment in lieu of taxes do not generate \$ _____ within the _____-year term of the Incentive District; (4) such other terms as the Mayor, in his/her discretion, deems appropriate; and (5) require a resolution of Wooster Council authorizing the Mayor to enter the agreement.

SECTION 4. 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 5. 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, and for the further reason that this Ordinance is required to be immediately effective in order to provide for the funding for the Melrose Drive Incentive District so that such Road Improvements may be constructed as quickly as possible, thereby providing immediately necessary public road improvements, and thereby supporting the construction of much desired new residential homes within the described area and improve the economic welfare of the people and generate vitally needed tax and payments in lieu of tax revenues; 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

ORDINANCE NO. 2020-22

AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE TO BENEFIT THOSE PARCELS, REQUIRING THE OWNERS THEREOF TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, AND ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND, AUTHORIZING AN AGREEMENT, AND DECLARING AN EMERGENCY

WHEREAS, Ohio Revised Code Sections 5709.40, 5709.42 and 5709.43 provide that this Council may describe public infrastructure improvements to be made which benefit certain parcels, declare Improvements (as defined in O.R.C. Section 5709.40) with respect to such parcels of real property located in the City to be a public purpose, thereby exempting those Improvements from real property taxation for a period of time, and provide for the making of service payments in lieu of taxes by the owners of such parcels, and establish a municipal public improvement tax increment equivalent fund into which such service payments shall be deposited; and

WHEREAS, this Council desires to facilitate the development of a residential subdivision with up to 72 single-family homes within the City in order to increase available housing options within the City (the "Project"); and

WHEREAS, in order to develop the Project, it is necessary to construct certain public infrastructure improvements; and

WHEREAS, this Council, pursuant to ORC Sections 5709.40, 5709.42 and 5709.43 (collectively, the "TIF Act"), is authorized to declare improvements to real property to be a public purpose, exempt those improvements from real property taxation, and require owners of the real property to make service payments in lieu of taxes in an amount equal to such exempted taxes; and

WHEREAS, to facilitate the development of the Project and pay the associated costs of the necessary public infrastructure improvements from service payments in lieu of taxes, this Council has determined to create the Melrose Drive Incentive District pursuant to the TIF Act, specifically identified and depicted in Exhibit A attached hereto; and

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

EXHIBIT B

SECTION 1. Incentive District Findings and Determinations; Creation of Incentive District. This Council hereby : (i) adopts the Economic Development Plan for the Incentive Districts now on file with the Clerk of the City Council, (ii) accepts and adopts the City Engineer's certification to this Council and the City Engineer's findings set forth therein (a) that the public infrastructure serving the Incentive District is inadequate to meet the development needs of the Incentive District as evidenced by the Economic Development Plan, and (b) that the Incentive District is less than 300 acres in size and enclosed by a contiguous boundary, (iii) finds and determines that the Project will place additional demand on the Public Infrastructure Improvements, (iv) finds and determines that the City sent written notice of the public hearing regarding this ordinance by first class mail to each owner of real property within each proposed Incentive District at least 30 days prior to such hearing, which notice included a map of the proposed Incentive District as well as the overlay area required by ORC Section 5709.40(C)(2), finds and determines that this Council has not received a request from the owner of any real property within any proposed Incentive District to exclude that owner's property from the Incentive District, (vi) finds and determines that notice of this ordinance has been delivered to the Board of Education of the Wooster City School District, the Wayne County Joint Vocational School District, and the Wayne County Board of Commissioners, in accordance with and within the time periods prescribed in ORC Sections 5709.40 and 5709.83, and (vii) finds and determines that the City has not received an objection to this ordinance from either the Board of Education of the Wooster City School District, the Wayne County Joint Vocational School District, or the Wayne County Board of County Commissioners within the time periods prescribed in ORC Section 5709.40. This Council further finds that the sum of the taxable value of real property in the Incentive Districts for tax year 2020 and the taxable value of all real property in the City that would have been taxable in tax year 2020 were it not for the fact that the property was in an existing incentive district and therefore exempt from taxation, does not exceed twenty-five percent of the taxable value of real property within the City for tax year 2020. Pursuant to the TIF Act, this Council creates the Incentive District, specifically identified and depicted in Exhibit A attached hereto.

SECTION 2. Public Infrastructure Improvements. This Council designates the following public infrastructure improvements, together with any public infrastructure improvements hereafter designated by ordinance, as public infrastructure improvements made, to be made or in the process of being made by the City that benefit or serve, or that once made will benefit or serve, the Parcels in each Incentive District (the "Public Infrastructure Improvements"): roadway improvements, water system improvements, sanitary sewer improvements, including one or more lift stations, storm drainage improvements, pedestrian sidewalks, street lights, gas facilities, electrical facilities, and all appurtenances thereto, and ongoing maintenance and reconstruction required to maintain new and existing roadway improvements, water system improvements, sanitary sewer improvements, including one or more lift stations, storm drainage improvements, pedestrian sidewalks, street lights, gas facilities, electrical facilities, and all appurtenances thereto within the Incentive District. The costs of the improvements include but are not limited to, those costs listed in ORC Section 133.0105(B).

SECTION 3. Life of Incentive District; Authorization of Tax Exemption. The life of the Incentive District commences with the first tax year that begins after the effective date

EXHIBIT B

of this ordinance and in which an Improvement attributable to a new structure would first appear on the tax list and duplicate of real and public utility property for any Parcel within the Incentive District were it not for the exemption granted in this ordinance and ends on the earlier of (a) ____ years after such commencement or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Act (the "Incentive District Life").

Pursuant to and in accordance with the provisions of ORC Section 5709.40(C), this Council hereby declares that the increase in assessed value of each Parcel subsequent to the effective date of this ordinance (which increase in assessed value is hereinafter referred to as the "Improvement," as defined in ORC Section 5709.40(A)) is a public purpose and _____ exempt from taxation for the Incentive District Life for the applicable Incentive District.

SECTION 4. Service Payments and Property Tax Rollback Payments. Pursuant to ORC Section 5709.42, the owner of each Parcel is hereby required to make annual service payments in lieu of taxes with respect to the Improvement to that Parcel to the Wayne County Treasurer (the "County Treasurer") on or before the final dates for payment of real property taxes. Each service payment in lieu of taxes, including any penalties and interest at the then current rate established for real property taxes (collectively, the "Service Payments"), will be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvement if it were not exempt from taxation pursuant to Section 3 of this ordinance. The Service Payments, and any other payments with respect to each Improvement that are received by the County Treasurer in connection with the reduction required by ORC Sections 319.302, 321.24, 323.152 and 323.156, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the "Property Tax Rollback Payments"), will be deposited and distributed in accordance with Section 6 of this ordinance.

SECTION 5. TIF Fund. This Council hereby establishes the Melrose Drive Incentive District Municipal Public Improvement Tax Increment Equivalent Fund (the "TIF Fund"). The TIF Fund shall be maintained in the custody of the City and shall receive all distributions to be made to the City pursuant to Section 6 of this ordinance. Those Service Payments and Property Tax Rollback Payments received by the City with respect to the Improvement of each Parcel and so deposited pursuant to the TIF Act shall be used solely for the purposes authorized in the TIF Act and this ordinance (as it may be amended or supplemented). The TIF Fund shall remain in existence so long as such Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the TIF Fund shall be dissolved and any incidental surplus funds remaining therein transferred to the City's General Fund, all in accordance with the TIF Act.

SECTION 6. Distribution of Funds. Pursuant to the TIF Act, for the duration of the Incentive District Life, the County Treasurer is requested to distribute all Service Payments and Property Tax Rollback Payments to the City, for further deposit into the TIF Fund. The City shall use all such amounts deposited into the TIF Fund as follows:

EXHIBIT B

a. To pay each of the Wooster City School District, the Wayne County Joint Vocational School District an amount equal to 75% of the amount the school district would otherwise receive as real property tax payments (including the applicable portion of any Property Tax Rollback Payments) derived from the Improvement to each Parcel if the Improvement had not been exempt from taxation pursuant to this ordinance for the first ten years, and then an amount equal to 100% through the remainder of the TIF term. The City shall make such payments within 60 days of receiving such amounts from the County.

b. For payment of costs of the Public Infrastructure Improvements, inclusive of roadway, water, sewer, and storm-sewer construction, reconstruction, and maintenance, and including, without limitation, debt charges on any notes or bonds issued to pay or reimburse finance costs or costs of those Public Infrastructure Improvements.

All distributions required under this Section are requested to be made at the same time and in the same manner as real property tax distributions. The City shall make any distributions to the extent not made by the County Treasurer.

SECTION 7. Further Authorization. This Council hereby authorizes and directs the Clerk of City Council or other appropriate officers of the City to deliver a copy of this ordinance to the Ohio Development Service Agency and to make such arrangements as are necessary and proper for collection of the Service Payments. This Council authorizes the City Manager, Finance Director, and Law Director to perform all acts and execute all documents they consider necessary to implement this ordinance and to comply with all relevant local, state and federal legal requirements.

SECTION 8. Open Meetings. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this ordinance were taken in an open meeting of this Council or any of its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including ORC Section 121.22.

SECTION 9. 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, and for the further reason that this Ordinance is required to be immediately effective in order to provide for the funding for the Melrose Drive Incentive District so that such the required public ingrastructure defined in Section 2 may be constructed as quickly as possible, and maintenance secured, and thereby supporting the construction of much desired new residential homes within the described area and improve the economic welfare of the people and generate vitally needed tax and payments in lieu of tax revenues; 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 Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

EXHIBIT B

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

Passed: _____, 2020

Vote: _____

Attest: _____
Clerk of Council

President of Council

EXHIBIT A : WRITTEN REQUEST

**Wooster, Ohio Tax Increment Financing Request
Proposed Melrose Drive Housing Project – Originally Submitted 3/10/20 & Updated 5/8/20**

Project Overview

<u>Property Location</u>	<u>Property Information</u>	<u>Requesting Party</u>
4677 Melrose Drive PPN: #71-00250.000 & #71-00251.000	Acreage: 21.87 Zoning: R-1	Jerry Baker, Development & Project Manager

Applicant's Project Description

The proposed project is a 72 lot residential subdivision located at 4677 Melrose Dr. (PPN #71-00250.000 & #71-00251.000) in Wooster, Ohio. The site is within the City of Wooster corporation limits and is zoned R-1 Suburban Single Family Residential, of which the proposed development is both appropriate in use and structure. A development partnership, managed by Jerry Baker will own the property and work with the City of Wooster on infrastructure improvements at the site and make the finished lots available to residential home builder Ryan Homes. All homes will be single family and fall in price range(s) between \$175K to \$235K.

Project phases include:

1. Demolition of residence, barn, and misc. structures at the site. Significant pre-infrastructure grading of the site.
2. Clearing of trees & overgrowth located in the development area. Note: many of the evergreen trees located on the boundary of the property will remain as they will not negatively affect the planned infrastructure/site layout.
3. Installation of all site infrastructure will follow the land clearing and is proposed to be undertaken in one-phase.
4. Construction of Ryan Homes Model(s), will promptly follow the infrastructure installation.
5. Sales and construction of homes as described above.

<u>Project Costs</u>	<u>T.I.F. Fund Request</u>	<u>Total T.I.F. Request:</u>
Land Acquisition and Cleanup \$650,000	Project is seeking support for the installation of infrastructure through the site, to defray the overall cost associated with the project	\$1,014,648 which equals to 37.5% of the new total Taxable Amount for the Development.
Engineering Services & Misc \$75,000		
Earthwork & Infrastructure \$1,800,000		
Total Project \$2,525,000		

Tax Revenue Scenario: assumes average household at \$200,000K

Tax per Year for 72 homes	\$3,706.48
Total Taxable Amount of Home (over a 10 yr. Term)	\$37,064.80
Taxable Amount for Development (over 10 yr. Term)	\$2,705,730.40

Property Tax Estimation

Tax District: 67 Wooster City SD 3rd Ward
Effective Tax Rate: 60.06
Market Value: \$200,000.00

T.I.F Revenue Scenario: assumes average household at \$200,000K

Value of T.I.F per House per Year	\$1,389.93
Value of T.I.F per House (over a 10 YR. Term)	\$13,899.30
Value of T.I.F for Development (72 unites over 10 yr Term)	\$1,014,648.9

**Assumes a T.I.F. Request for 37.5% of the new value generated by the development*

***Assumes the construction of 72 homes valued at \$200,000*

T.I.F. Reimbursement Request:

The development manager is requesting the City support the installation of infrastructure on the site by issuing three equal payments totaling \$1,014,658.90 as described above. Payments will be requested as a percentage of the project is completed. The developer will be responsible for completing the project in its entirety, which will include the construction of 72 residential homes. *NOTE: Additional expenses making up the estimated \$1,800,000 earthwork and infrastructure costs will be assumed by the Developer. All other project costs will be assumed by the Developer.*

Project Timeframe:

The development manager is seeking approval by June 1, 2020 for the support of the project being undertaken in the beginning of summer 2020.

**JOINT DECLARATION OF OWNER REQUEST FOR TAX
INCREMENTAL FINANCING DEVELOPMENT INCNETIVE**

Submitted To:
Development Coordinator
City of Wooster
538 N. Market Street
Wooster, Ohio 44691

Property Owner:
Carl A. Yacapraro & Mildred E. Yacapraro
390 McClure Street
Wooster, Ohio 44691

Developer (future owner):
Jerry Baker
Company: North Development, LLC
Address: 1130 Rittell Rd. Wooster

PROPERTY OWNER AFFIRMATION:

As property owner, I hereby affirm that I am petitioning the City of Wooster to establish a Tax Incremental Financing District under Ohio Revised Code 5715.27 for my property known as

- **Wayne County Parcel ID 71-00250.000:** 13-16-23 NWPT NW 14.87A MP 222 CD 2619, (14.87 acres)
- **Wayne County Parcel ID 71-00251.000:** 13-16-23 NWPT NW 7.001A MP 222 CD 2620, (7.001 acres)

The opportunity for public funding through Tax Incremental Financing is necessary to support the construction of the public infrastructure necessary to support the future residential development, as illustrated in the attached development proposal submitted by "Developer".

Separately, I affirm that I have a real estate purchase agreement in place with "Developer", which will be responsible for the property's development. My signature constitutes that I authorize and concur with the "Developer's" submission of the attached "Wooster, Ohio Tax Increment Financing Request Proposed Melrose Drive Housing Project – Originally Submitted 3/10/20 & Updated 5/8/20".

Carl A. Yacapraro Date: 5-18-2020
Carl A. Yacapraro

Mildred E. Yacapraro Date: 5-18-20
Mildred E. Yacapraro

DEVELOPER AND FUTURE-OWNER AFFIRMATION:

As developer and future owner of the proposed project site, I affirm, I hereby affirm that I am petitioning the City of Wooster to establish a Tax Incremental Financing District under Ohio Revised Code 5709.40(C), for the above-described property, to establish a residential subdivision as described in the attached "Wooster, Ohio Tax Increment Financing Request Proposed Melrose Drive Housing Project – Originally Submitted 3/10/20 & Updated 5/8/20". I understand that in addition to the creation of a TIF District, separate legislation is required to authorize an agreement to grant incentives. I have read and understand the City of Wooster's "Criteria for Consideration of TIF Incentives for Residential Projects" and "TIF Process from Application to Approval", and wish to advance this proposal for consideration.

Jerry Baker Date: 5/18/20
Jerry Baker – Manager

PLAN 1440 COTTAGE



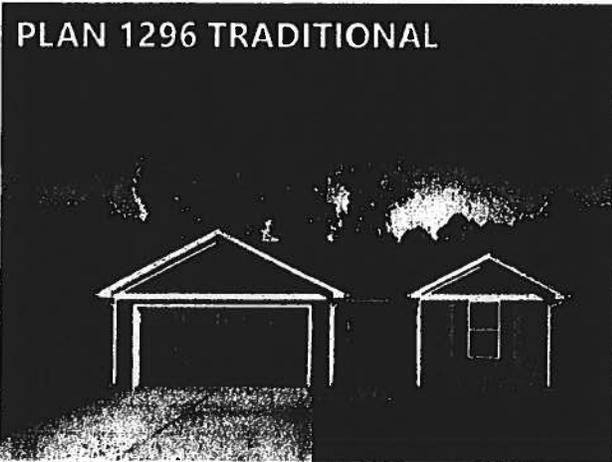
**Plan 1140
\$175,000**

PLAN 1680 COTTAGE



**Plan 1680
\$187,000**

PLAN 1296 TRADITIONAL



**Plan 1296
\$195,000**

PLAN 1918 COTTAGE



**Plan 1918
\$205,000**

PLAN 2203 COTTAGE



**Plan 2203
\$229,000**



538 N. Market Street • P.O. Box 1128
Wooster, Ohio 44691-3406



Jonathan S. Millea, AICP, CEcD
Development Coordinator
Phone : (330) 263-5250
Fax: (330) 263-5247
Email: jmillea@woosteroh.com

MEMO

To: Wooster City Council, City Administration
From: Jonathan Millea AICP CEcD, Development Coordinator
Date: 6/11/2020
Re: **Ordinance 2020-21 Instructions to Establish TIF District**

Dear Members of Wooster City Council,

Ordinance 2020-21 is being provided in response to a written request for public tax incentives from property owners and a developer and also at the request of council members. Specifically, the incentive would furnish a \$1,014,649 grant for a \$1.3MM to \$1.8MM public infrastructure investment necessary to establish 72 housing lots.

As with all legal and discretionary requests for public incentives, regardless of staff recommendation, our office has prepared supporting analysis and information so that the specific request may receive a thorough review. Concerning the request, please find the following supporting attachments:

- **Financial Impact Analysis Redirects ~\$1.6MM to \$2MM in tax dollars for Project**
 - *May repay grant and net the City up to \$126K to \$508K for future maintenance in TIF District.*
 - *As proposed, reduces revenues to as follows:*
 - *-\$334K from WCSD, -\$545K to -\$927K from County, -\$487K from City, -\$131K Library*
- **Alternative Analysis considered and discussed for this project**
 - *Project Re-costing and Zoning (\$0 public cost), City \$725K TIF grant, 50% CRA (>\$1.17MM)*
- **Draft Economic Development Plan for this project To be adopted with TIF Legislation**
 - *Recommendations and financial analysis will need Council direction*
- **Wooster's preliminary recommended TIF Considerations for residential projects**
 - *Reviewed by Wooster Growth (Jan 7, 2020 & February 26, 2020)*

Thank you.

Sincerely,
Jonathan Millea, AICP, CEcD
Development Coordinator

MEMO

TO: WOOSTER CITY COUNCIL
FROM: J. DOUGLAS DRUSHAL / ddrushal@ccj.com
CRITCHFIELD, CRITCHFIELD & JOHNSTON, LTD.
RE: TIMOTHY ENTERPRISES TAX ABATEMENT
DATE: JUNE 9, 2020

I am pleased to submit this Memo in support of the tax abatement application for Timothy Enterprises with regard to their proposed building on Akron Road. I believe that the following points all support approval of the pending application:

- Initially, I think the most important point to make about this, as well as most other abatement requests, is that we hope the City will build and maintain a reputation as being friendly to new business enterprises. That can include entirely new businesses coming to town but also the growth and maintenance of existing businesses. An excellent example of the latter is the tax abatement just approved for the Rea & Associates building, which is a wonderful project but only moved an existing business about two blocks south. In order to encourage new buildings, it should be a rare case when a project in the CRA zone is not approved. Again using the Rea project as an example, not approving the proposed drug rehabilitation facility there was completely appropriate, given the inappropriate use for that site and the sketchy nature of the developer. But in the absence of such extreme extenuating factors, it behooves the City to be considered welcoming to new projects.
- This project has the full support of all of the players involved in economic development, including Wooster Growth Corporation, Wayne Economic Development Council, Wooster City Schools, and the Wooster Area Chamber of Commerce. The applicant was

encouraged to apply, as the proposed project far exceeded the requirements for a tax abatement. If we want these folks to be out working on our behalf doing recruitment, they need to know that they can predict success for tax abatements in appropriate cases.

- The City just spent a huge amount of money to acquire land not far from this project for commercial/industrial development. It is well known in the development community that one strategy for this area is to extend tax abatement eligibility for this property, all of which is now just a “green field”. If one thinks that development of currently vacant land is not within the spirit of the ordinance, that is an awfully narrow reading of the spirit of the law. How can we ever fill that industrial park if a prospect for that cannot be assured of tax abatement? Like it or not, tax abatement is one of the best tools available and most new projects will include a request for that.
- Some political judgment goes into the determination of what areas should be within a CRA zone. One of our nearby “competitors” (Ashland) has answered that question by making its entire City limits a CRA zone. While Wooster has not yet gone to that extreme, the land in question here is solidly within a CRA zone. Council has previously approved a tax abatement for an apartment complex just up the road in what was a “green field”. That should be the extent of the judgment call about the appropriateness of a given location for a project. The spirit of the entire CRA concept is to encourage development in a specified area, provided that the project meets the objective tests, which this project far exceeds. As the area in question has been so specified, the spirit of the law clearly supports approval.
- I had the privilege of assisting with the required zoning approvals for this project, all of which were obtained without controversy. This is a very nice project which will be a nice addition to the Akron Road corridor. The building will be attractive, with proper screening and other aesthetic considerations. The business in question (vehicle repair) will always have steady work, which means steady employment, and it would be good to assure that those jobs remain inside the City limits and not somewhere else.

- While one might question why the tax abatement application is coming after the above approvals, that is simply how such projects almost always work. The Rea approval mentioned above came after Rea already had acquired the land. The companion approval for the Weaver Custom Homes adjacent project also came at the very end. The Certified Angus Beef project came along after the property had been acquired and it received a tax abatement. Doing development work requires a lot of moving parts and it simply is not realistic to require that all steps must be done in any particular order.
- The requested abatement here is not a full abatement, which certainly might have been requested. Because of the nature of the abatement, no input from the Wooster City Schools Board of Education was required. It is worth noting, however, that the Superintendent of Schools is on the board of Wooster Growth Corporation and voted in favor of the abatement.

Thank you for your consideration of this matter. Please do not hesitate to contact me with any questions or comments.



538 N. Market Street * P.O. Box 1128
Wooster, Ohio 44691-3406



Jonathan S. Millea, AICP, CEcD
Development Coordinator
Phone : (330) 263-5250
Fax: (330) 263-5247
Email: jmillea@woosteroh.com

MEMO

To: Wooster City Council, City Administration
From: Jonathan Millea AICP CEcD, Development Coordinator
Date: 6/11/2020
Re: **Ordinance 2020-21 Instructions to Establish TIF District**

Dear Members of Wooster City Council,

Ordinance 2020-21 is being provided in response to a written request for public tax incentives from property owners and a developer and also at the request of council members. Specifically, the incentive would furnish a \$1,014,649 grant for a \$1.3MM to \$1.8MM public infrastructure investment necessary to establish 72 housing lots.

As with all legal and discretionary requests for public incentives, regardless of staff recommendation, our office has prepared supporting analysis and information so that the specific request may receive a thorough review. Concerning the request, please find the following supporting attachments:

- **Financial Impact Analysis Redirects ~\$1.6MM to \$2MM in tax dollars for Project**
 - May repay grant and net the City up to \$126K to \$508K for future maintenance in TIF District.
 - As proposed, reduces revenues to partner local governments as follows:
 - -\$334K from WCSD, -\$545K to -\$927K from County, -\$487K from City, -\$131K Library
- **Alternative Analysis considered and discussed for this project**
 - Project Re-costing and Zoning (\$0 public cost), City \$725K TIF grant, 50% CRA (>\$1.17MM)
- **Draft Economic Development Plan for this project To be adopted with TIF Legislation**
 - Recommendations and financial analysis will need Council direction
- **Wooster's preliminary recommended TIF Considerations for residential projects**
 - Reviewed by Wooster Growth (Jan 7, 2020 & February 26, 2020)

Thank you.

Sincerely,
Jonathan Millea, AICP, CEcD
Development Coordinator

FINANCIAL ANALYSIS FOR MELROSE TIF

KEY NUMBERS: Melrose TIF Request (Per Final Proposal):

- **Project: 72 homes with an average \$200,000 sale price**
Home price range is estimated between \$175,000 to \$235,000 but could be higher. Number of homes contingent on zoning approval and market conditions. Construction of housing is not committed and Ryan Homes is not a party to the proposed agreement.
- **Melrose TIF Request: \$1,014,649**
Amount of public assistance requested, payable through project construction. This will create 72 vacant building lots. This would be paid upfront as a grant to the Developer, with the City recouping costs from PILOTS over the next 17 years (or 15 with County support).
- **Melrose Lot Development Project Cost: \$2,525,000**
Assumes cost of acquisition and cleanup, engineering services, and infrastructure costs to create 72 building lots. \$1,800,000 of this figure is estimated to be public infrastructure costs.
- **Estimated Infrastructure Cost: \$1,332,000**
City of Wooster Engineer's Cost Estimate for public infrastructure, about \$468,000 less than the proposed.
- **Melrose TIF Term Established by City: 100% for 30 Years**
This is the level of tax exemption that the City places on the property. Effectively, 100% tax revenue resulting from the incremental increase to property value will be redirected to a special fund to cover specified infrastructure costs and to compensate other taxing districts.
- **TIF Revenues Over 30 Years: \$1,628,098** (Or \$2,009,964 w/ County support)
The amount of PILOTS that could be expected in years 1 through 10 assuming 15% of the development is constructed per year, or 11 \$200,000 homes constructed annually.
- **TIF Revenues First 10 Years: \$714,556** (Or \$741,817 w/ County support)
The amount of PILOTS that could be expected in years 1 through 10 assuming 15% of the development is constructed per year, or 11 \$200,000 homes constructed annually.
- **TIF Revenues In Years 11 through 30: \$913,541** (Or \$1,26,8147 w/ County support)
The amount of PILOTS that could be expected in years 1 through 10 assuming 15% of the development is constructed per year, or 11 \$200,000 homes constructed annually.
- **City Net Revenues after 30 years: \$126,331** (Or \$508,197 w/ County support)
Balance of revenue after TIF Grant and discounting City's 487,118 in revenues it would have otherwise received. This is funding that can support road reconstruction and maintenance along within and around the subdivision, including Melrose Drive and Mel Lane.
- **School District Exemption: 25% for 10 years, 0% thereafter**
Under the proposal, school districts revenues are exempted 25%, effectively a 10-year, 25% tax abatement. Schools have rights to review and comment, but at this level a vote of approval is not required, although consensus is recommended.
- **County Revenue Exemption: 87.5% for 10 yrs, 50% thereafter, (Or 100% w/ County support)**
County government is owed a 45-business day review period and may request or vote to decrease its exemption from 100% down to as low as 50%.
- **Value of County Support: \$381,866**
County government may allow 100% exemption either through taking no action or by legislation. For this project, a 100% exemption of County funds could add approximately \$381,866 to the District.

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.

As Requested:

TIF Need Proposal

# Homes*	72
Avg. Home Price w/TIF	\$200,000

Property Costs

Land Acquisition and Cleanup	\$650,000
Engineering Services	\$75,000
Infrastructure	\$1,800,000
Cost to develop vacant lot:	\$35,069
Total Project	\$2,525,000

Base Price	\$150,000
X 72 homes	\$10,800,000

Total Project	\$13,325,000
Cost to Deliver New Home:	\$185,069

TIF Subsidy Need

Current TIF Request (See 1)	\$1,014,649
TIF Request Per Lot	\$14,092
TIF Need Per Home (See 2)	None
TIF Need for Project (See 2)	\$0

Price Per Home Impacts

Avg. home price without TIF	\$185,069
TIF lowers costs by \$14,092 per lot	\$170,977

Rezoning and Market Rate Development Costing

Alternative - Zoning & Quotes

77	Homes possible w/ 60 -ft, few 55-ft lots, or 82 homes at 55
\$200,000	(Existing models constructed on lots of 60 to 55 feet)

Property Costs

\$650,000	This is elevated, but within range of area market prices
\$75,000	This is reasonable in the market place
\$1,332,000	Savings \$8K per lot per market rate - New Quotes recommended
\$26,714	With increased density and market rate infrastructure
\$2,057,000	Savings of \$468,000 with measures.

\$150,000	This is the market base price for a new home in our market
\$11,550,000	X 77 homes (increased density)

\$13,607,000	Total Project (Lot developed + Home Built)
\$176,714	Savings of \$8,355 per home with measures.

Using Alternative Measures. No TIF Subsidy

\$1,014,649	Amount Developer has Requested to complete project
\$13,177	Assistance requested per Home
-\$10,108	Actual Need with alternative measures for avg. \$200K home
-\$778,351	Alternative measures would fulfill funding gap by this amount
\$468,000	Amount lot developer would save implementing existing measures

Price Per Home Impacts with Alternative Measures (See 4)

\$176,714	Avg home price with alternative measures (60ft lot) - w/o TIF
\$166,305	Max. allowable avg. home price w/ \$1,014,649 TIF (+ prev)

NOTES:

- 1./ This funding is derived through redirecting future real estate tax revenues over the first ten years from local schools (estimated at \$552969), the city's general fund (estimated at \$114562), county budget (estimated at \$334886), and other community entities (estimated at \$57312).
- 2./ Actual TIF Need is the amount of TIF funding, or gap-funding, required to deliver 72 homes at an average price-point of \$200K per home based on the proposed project costs. This is before taking any alternative measures, such as reducing lot sizes and securing market-rate construction services. Effectively, based on the proposed project development costs, the proposed homes could sell at an average price point of \$185070 before TIF assistance.
- 3./ This represents the gap of funding needed to deliver 77 homes at an average price point of \$200000. Effectively, using the proposed Alternative Measures will allow the proposed homes to sell at an average price point of \$189892 before TIF assistance. With a contribution of \$1014649 as requested by the developer, the average home price commitment would need to be \$176715)
- 4./ The alternative minimum shows that homes should average at \$176,714 with alternative measures. The proposed \$1,014,659 TIF would reduce home values by an additional \$10,187, a \$784,380 direct benefit, in addition to covering \$180K to \$220K in labor costs to comply with prevailing wage. The homeowners would effectively save \$7,321 in interest payments over the course of a typical 4%, 30-year mortgage.) This presents an opportunity for the TIF proceeds to be fully captured by local businesses and parties. Prevailing wage assumes 16% project cost - this is a general estimate - Prevailing wage generally adds 33% to labor costs while material costs remain unchanged.

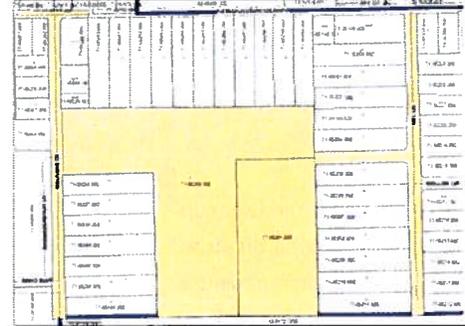
DRAFT TAX INCREMENTAL FINANCING INCENTIVE REQUEST SUMMARY DRAFT



Prepared by the City of Wooster Department of Community Service and Development at the Request of:
North (Pending) Development Ltd. – Site: Melrose Drive, Wooster, Oh
 Application Date: 18 May 2020

Project Summary: North (Pending) Development Ltd., has submitted a request for the creation of a Tax Incremental Financing (TIF) Development Incentive District and seeks a direct grant of **\$1,014,649** to support the construction of a 72-home single-family subdivision (only the lots are committed at this time). See **ORC 5709.40(c)**. The request is made with the permission of the current landowners, Carl A. Yacapraro and Mildred E. Yacapraro. The Wooster-area firm is affiliated with a group of local real estate development and land management firms with an extensive history of successfully completing multiple commercial and residential projects throughout the region. The project is largest residential home construction proposal in several years.

Project Site Map



TIF District (Project site, ROW of Melrose Drive and its intersection with Smithville-Western and Mel Lane.

At an average price of \$200,000, the addition of 72 new homes in Wooster would have the potential to generate **\$292,260** annually in tax revenues, a substantial portion of which that could be redirected to a city fund to cover construction, reconstruction, and maintenance costs associated with public roadways and utilities within the TIF district over a period of 30 years. The direct TIF assistance would support the development firm in recovering its cost of acquisition, engineering, and infrastructure costs, estimated together at **\$2,525,000**.

Specifically, the Melrose TIF District would create a **30-year, 100% tax exemption** on the incremental increase of valuation, and a special assessment charging payments in lieu of taxes (PILOTS) in an equal amount. PILOTS would go to an infrastructure fund to cover the cost of road and public utility (water, sewer, and storm) construction, reconstruction, and maintenance within the district, and also return 75% of school district revenues to the respective districts for the first ten years, and then 100% thereafter. The district would comprise Parcels 71-00250.000 and 71-00251.000, and the City of Wooster’s right-of-way along Melrose Drive and its intersection with Smithville-Western and Mel Lane (see exhibit).

Project Impacts: As a consumer-demand-based single-family housing development project, there is no permanent job creation associated with the project. At an **uncommitted** sale price range of \$175,000 to \$235,000, the homes are market-rate and not considered affordable, but would be include the lowest-priced new construction homes possible within the region. The project **would compete** with other local and regional businesses engaged in homebuilding. The project is the largest single-family housing development proposed in City limits in recent years, and tackles a concern voiced by some local businesses.

After the consideration of several alternatives, the Applicant proposes a **\$1,014,649** grant, payable during the project’s construction, to cover the cost of roadway, waterlines, sewer lines, storm sewer, and preparation of public rights of way that will be provided to the City. The developer estimates the value of the infrastructure at \$1,800,000. The City of Wooster Engineer estimates the cost of construction at **\$1,332,000** excluding prevailing wage rates.

Staff has not identified a project need necessitating the expenditure of public funds and notes that Ryan Homes is not a party to the agreement, however, the requesting firm indicates the project will not proceed otherwise. Assuming a build-out rate of 15% per year (approximately 11 \$200K homes per year with full build-out in year 8), and an effective exemption of 25% to local school districts over the first 10 years, a **100%, 30-Year TIF** would net approximately **\$714,556** in PILOT revenues for repayment of the grant in years 1 through 10 and **\$913,541** in years 11 through 30, with **full pay-off of the grant in year 17**. Lifetime PILOT revenues of **\$1,628,089**, discounting **\$487,118** of City taxes, produces a net gain of **\$126,321** (or **\$508,197** with County support) for the City to utilize for road and utility maintenance in lieu of its capital improvements fund. **Alternatively**, a grant request \$750,000 may be paid back in year 10 and generate an additional **\$300,000 net**. Absent of any TIF funding, projects savings of up to **\$601,571** are possible by forgoing prevailing wage and increasing housing density to 77.

Attachments: Application, Financial Analysis, (Economic Plan & Engineer’s certification **PENDING**)

TABLE: Project Implication Matrix

Melrose TIF District – 72 homes sold at \$200,000, constructed 11 per year. (Not all investments are likely to impact valuation.)

Current Value ¹ Land Only	Annual Tax Obligation ¹	Post Proj. Tax Value ² ~\$13,325,000 Invested	Annual Tax Oblig. 100% Complete	Infrastructure Direct Grant	Infrastructure Estimated Cost	TIF Revenue First 10 Yrs*	TIF Revenue at 30 Yrs*
\$261,150	\$3,256	\$14,400,000	\$292,260	\$1,014,649	\$1,332,000	\$714,556	\$1,628,098
Merlrose Subdivision TIF Grant	Annual City Income Tax Impact			\$0	Avg. Net Property Gain - TIF Grant (Yrs 1-10)		\$54,142
	City Net TIF Revenue			\$126,331	Avg. Net Property Gain - TIF Grant (Yrs 11-30)		\$252,889
	*City Net TIF (w/ County support)			\$508,197	Avg. Post-TIF Annual Revenue		\$292,260

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.

MELROSE TIF REQUEST CONSIDERATIONS

TIF Risks

CITY FINANCIAL RISKS

- TIF PILOTS will result in the redirection of future tax revenues from other taxing jurisdictions, but rates can be tailored to minimize impacts to certain entities.
- A grant of \$1,014,649 and discount of the City's projected tax revenues generates a net of \$126,321. This assumes a 15% build-out per year (complete build-out year 8), a TIF District would generate an estimated \$1.6MM.
- Alternative grant of \$725,000 leads to probable payoff in year 7 would net the City \$415,000.
- Without TIF, the project doesn't generate additional City revenue, but holds harmless partner local governments.
- If paying TIF grant upfront instead of committing TIF Revenues as collected over time, the City runs the risk of not collecting sufficient PILOTS to recover its costs.

OUTCOMES FOR COMMUNITY

- Economic Development Office has heard from several local businesses that housing is not at all an issue to attracting and retaining employees.
- Target range of \$175,000 and \$235,000 is out of the range of the majority of Wooster households and cannot be considered affordable. While a reasonable estimate, the price range is **not committed** for this project.
- Home construction is not guaranteed without home-builder a party to the TIF request.
- Project offers minimal potential for revenue generation to support off-site infrastructure enjoyed by the larger community. The vast majority of the incentive supports only the residents of the 72 future homes.

MARKET CONCERNS

- Extending abatement to consumer-driven business where there is sufficient demand results in a loss of revenue and loss of return on investment from previous incentives such as EZ and CRA that have created new jobs.
- Wooster's home construction market is weak but stronger than surrounding northeast Ohio communities. The market has already been incentivized with new consumers as a result of primary job creation.
- Market-rate housing construction is consumer-driven and has little influence on job creation.
- Market will be demanded for future similar projects regardless of actual project need.

TIF Opportunities

CITY FINANCIAL OPPORTUNITIES

- Wooster tax dollars are redirected back to local infrastructure rather than being spent outside of city limits. Incentive exclusively supports public infrastructure.
- Incentive *should* generate **net revenues** for the City.
- If developed as proposed, the project would generate up to \$292,000 in real estate tax revenues per year on property currently generating \$3,255.07 presently.
- Indications are that the infrastructure developer will not proceed with the project absent of assistance. The proposal involves three parties, a landowner, infrastructure developer, and home builder.
- Beneficial alternative CRA, which provides a flat rate reduction to all taxing jurisdictions without the ability to minimize impacts to entities such as schools and city.

OUTCOMES FOR COMMUNITY

- Economic Development Office has heard from several local businesses that lack of housing is a **significant** issue to attracting and retaining employees.
- With 72 lots constructed, project would be the largest single-family housing development proposed in Wooster in several years, and provision and diversity of housing adds to a community's marketability and quality of life.
- Target range of \$175,000 and \$235,000 is represents the most affordable opportunity for market-rate housing. (Area comparable range \$169K to \$190K)
- Better than the State as a whole, Wooster's population grow is **DECLINING** and **ANEMIC**. Resident population growth is **critical** for economic growth.

MARKET CONCERNS

- Uniquely in Ohio, communities are increasingly incentivizing housing-exclusive development, and incentives may be necessary to remain **competitive** in the current climate enabled by permissive State policies over which the local community has no control.
- Wooster has had a **declining number** of single-family home starts in recent year, with only 11 homes constructed in 2019, and only 3 currently underway in 2020. (An additional 10 condominiums and 54 apartments are under construction.)
- New home construction supports construction jobs. While not directly influencing employment overall, new housing can serve to make housing more accessible.

Development & Revenue Model

Average Development Home Price:	\$200,000
Number of Homes in Development:	72
Portion of Subdivision Built per Year:	15%
City Financing of Incentive:	NO Incentive provided directly by City Budget
Total TIF Revenue first 10 years:	\$714,556
Total TIF Revenue Yrs 11-30:	\$913,541
Lifetime TIF Revenue:	\$1,628,098
Incentive Request:	\$1,014,649
City Net Gain:	\$126,331

Entity	Mills	Effective Mills	% Build-Out by Year (Editable)										Avg. Develop Avg. \$200K				
			Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Yr 6	Yr 7	Yr 8	Yr 9	Yr 10	61.50%	100.00%			
County	7.995269	7.03583672	0%	15%	30%	45%	60%	75%	90%	100%	100%	100%	100%	100%	100%	\$218,083	\$35,461
Woooster City School District	49.10976	43.2165888	\$0	\$5,319	\$10,638	\$15,957	\$21,276	\$26,595	\$31,915	\$35,461	\$35,461	\$35,461	\$35,461	\$35,461	\$35,461	\$1,339,541	\$217,812
Wayne County Schools Career Center	2.489465	2.1907292	\$0	\$1,656	\$3,312	\$4,969	\$6,625	\$8,281	\$9,937	\$11,041	\$11,041	\$11,041	\$11,041	\$11,041	\$11,041	\$67,904	\$11,041
City	4.2	3.696	\$0	\$2,794	\$5,588	\$8,383	\$11,177	\$13,971	\$16,765	\$18,628	\$18,628	\$18,628	\$18,628	\$18,628	\$18,628	\$114,561	\$18,628
Other	0.969139	0.85284232	\$0	\$645	\$1,289	\$1,934	\$2,579	\$3,224	\$3,868	\$4,298	\$4,298	\$4,298	\$4,298	\$4,298	\$4,298	\$26,435	\$4,298
Library	1.131987	0.99614856	\$0	\$753	\$1,506	\$2,259	\$3,012	\$3,765	\$4,519	\$5,021	\$5,021	\$5,021	\$5,021	\$5,021	\$5,021	\$30,877	\$5,021
Annual RE Tax	59.89562	57.9881456	\$0	\$43,839	\$87,678	\$131,517	\$175,356	\$219,195	\$263,034	\$292,260	\$292,260	\$292,260	\$292,260	\$292,260	\$292,260	\$1,797,401	\$292,260

Total Homes > 72
New Homes Added >

Entity	Mills	Effective Mills	Exemption	PROJECT YEAR 1-10			PROJECT YEAR 11-30			TOTAL			
				Revenue First 10 Years	Subject to TIF (First 10 Yrs)	Redirected Revenues	Percent Redirected	Revenue Years 11-30	Subject to TIF (Yrs 11-30)	Percent Redirected	Total Lifetime	Total TIF PILOTS	Total Revenue
County	7.995269	7.03583672	87.50%	\$218,083	\$190,822	\$190,822	88%	\$709,212	\$354,606	50%	\$927,295	\$545,429	\$381,867
Woooster City School District	49.10976	43.2165888	25.00%	\$1,339,541	\$1,004,656	\$334,885	25%	\$4,356,232	\$0	0%	\$5,695,774	\$334,885	\$5,360,888
Wayne County Schools Career Center	2.489465	2.1907292	25.00%	\$67,904	\$50,928	\$16,976	25%	\$220,828	\$0	0%	\$288,729	\$16,976	\$271,753
City	4.2	3.696	100.00%	\$114,561	\$114,561	\$114,561	100%	\$372,557	\$372,557	100%	\$487,118	\$487,118	\$0
Other	0.969139	0.85284232	100.00%	\$26,435	\$26,435	\$26,435	100%	\$85,967	\$85,967	100%	\$112,401	\$112,401	\$0
Library	1.131987	0.99614856	100.00%	\$30,877	\$30,877	\$30,877	100%	\$100,412	\$100,412	100%	\$131,288	\$131,288	\$0
Annual RE Tax	59.89562	57.9881456		\$1,797,401	\$1,418,279	\$714,556		\$5,845,205	\$913,541		\$7,642,606	\$1,628,098	\$6,014,508
						\$1,082,844			\$5,057,994		\$252,900		\$1,140,980
													\$126,331

Considerations on Development Scenario:

1. Portion of PILOT Revenues may be redirected back to local schools. County has rights to limit its millage exemption to 50% from 100% beyond 75% for 10-Years.
2. Most local housing developments have built-out over multiple years, with some lots typically remaining available a decade from the project start date.
3. The proposed developer (not committed to date) has a 70-day build per home projection with some components pre-manufactured.
4. There is not a commitment on home prices to be sold, but estimates include a range of \$175,000 to \$235,000 or higher.

ALTERNATIVES ANALYSIS

Project Recosting and Zoning, a 50% CRA, and \$725K Grant were previously considered

MELROSE FINAL TIF PROPOSAL AND ALTERNATIVE OPTIONS SUMMARY

Economic Development's goal has been to identify solutions to the proposed development's financial challenges while minimizing impacts to local residents (limiting impact to the school district and city revenues, etc.). The project's current proposal is to construct 72 homes at an estimated, but uncommitted, price range of \$175,000 to \$235,000. The base build rate from three local providers is \$150,000 plus lot costs. The developer cites increases in infrastructure construction costs over time as a barrier to making homes attainable. New home construction is generally available between \$169,000 and \$189,000 in the region. In addition to the request is a summary of other alternatives that have been considered by the City and the Project's developers together for this particular project.

TIF ASSISTANCE REQUESTED (\$126K Net or \$508K w/approval) Direct Grant TIF of \$1,014,659

TIF AS REQUESTED: Figures based on developer's stated numbers and market-rate new housing base prices at conclusion of negotiation. Under steady-growth conditions, with local districts impacted only 25%, recapture is probable over 17 years, with approximately \$600,000 collected in proceeding years for maintenance in the District, a net gain of up to \$126,000 in City revenues (redirected from other entities) between years 17 and 30.

Lot Cost w/o TIF	\$35,069
Lot Cost w/ TIF	\$17,437
Base Home Structure Cost	\$150,000
Base Home w/o TIF	\$185,069
Base Home w/ TIF	\$167,437

Project Costs

Total Project w/o TIF	\$13,325,000
Total Project w/ TIF	\$12,055,471

Project Revenues

Total Rev. 72 homes \$200K	\$14,400,000
Public Cost - Infrastructure	\$1,014,649
Project Revenues w/TIF	\$15,414,649
Cost vs. Revenue	\$3,359,178

ALTERNATIVE OPTION 2 (\$415K Net or \$797,846 w/ approval) Reduced TIF = 10-Year Recapture

Lowering the TIF request to \$715,000 would increase the likelihood PILOTS would generate enough funds to repay the project in 10 years assuming favorable conditions (See model). This results in a possible PILOT net gain of \$426,000 (redirected from other governments) over years 11 through 30 for road/utility maintenance in the district.

Lot Cost w/o TIF	\$35,069
Lot Cost w/ Reduced TIF	\$25,139
Base Home Structure Cost	\$150,000
Base Home w/o Updates	\$185,069
Base Home w/ Updates	\$175,139

Project Costs

Total Project w/o Hold Harmless	\$13,325,000
Total Project w/ Hold Harmless	\$12,610,000

Project Revenues

Total Rev. 72 homes \$200K	\$14,400,000
Public Cost - Infrastructure	\$715,000
Project Revenues w/HH TIF	\$15,115,000
Cost vs. Revenue	\$2,505,000

ALTERNATIVE OPTION 1 (\$0 Net)

Market-Rate Development & Lot Size Adjustment

Figures incorporate market rate (non-prevailing wage) lot infrastructure costs and add additional homes. (Models retail at 50ft-wide lots). This approach provides no additional public costs. There is no residual gain in revenues redirected to the City from other taxing entities as there could be in years 17 through 30 under the final proposal, at the same time the City takes no risk and taxpayers have no expenses in the development's construction.

\$35,069	Lot Cost as Proposed
\$26,714	Lot Cost w/ Updates
\$150,000	Base Home Structure Cost
\$185,069	Base Home w/o Updates
\$176,714	Base Home w/ Updates

Project Costs

\$13,325,000	Total Project w/o Updates
\$13,607,000	Total Project w/ Updates

Project Revenues

\$14,400,000	Total Rev. 72 homes \$200K
\$0	Public Cost (Savings of \$601,571)
\$15,400,000	Total Rev. 77 homes \$200K
\$1,793,000	Cost vs. Revenue

ALTERNATIVE OPTION 3 (\$0 Net)

50% CRA* (Legal Concern)

Shown for illustrative purposes only. Project originally requested 50% CRA. In addition to its legal ambiguity, CRA incentives direct impacts would have a higher public cost. The Developer has since amended the request. This scenario would double the burden on local schools compared to the TIF proposed, with no residual return for local tax payers.

\$35,069	Lot Cost w/o CRA
Negotiated	Lot Cost w/ CRA
\$150,000	Base Home Structure Cost
\$185,069	Base Home Price
Negotiated	Base Home w/CRA

Project Costs

\$13,325,000	Total Project w/o CRA
Negotiated	Total Project w/ CRA

Project Revenues

\$14,400,000	Total Rev. 72 homes \$200K
\$1,169,041	Public Cost - Tax Exemption
\$15,569,041	Total Rev. 72 homes \$215K
\$2,244,041	Cost vs. Revenue

Development
Melrose TIF Analysis

As Requested:

TIF Need Proposal

# Homes*	72
Avg. Home Price w/TIF	\$200,000

Property Costs

Land Acquisition and Cleanup	\$650,000
Engineering Services	\$75,000
Infrastructure	\$1,800,000
Cost to develop vacant lot:	\$35,069
Total Project	\$2,525,000

Base Price	\$150,000
X 72 homes	\$10,800,000

Total Project	\$13,325,000
Cost to Deliver New Home:	\$185,069

TIF Subsidy Need

Current TIF Request (See 1)	\$1,014,649
TIF Request Per Lot	\$14,092
TIF Need Per Home (See 2)	None
TIF Need for Project (See 2)	\$0

Price Per Home Impacts

Avg. home price without TIF	\$185,069
TIF lowers costs by \$14,092 per lot	\$170,977

Rezoning and Market Rate Development Costing

Alternative - Zoning & Quotes

77	Homes possible w/ 60 -ft, few 55-ft lots, or 82 homes at 5¢
\$200,000	(Existing models constructed on lots of 60 to 55 feet)

Property Costs

\$650,000	This is elevated, but within range of area market prices
\$75,000	This is reasonable in the market place
\$1,332,000	Savings \$8K per lot per market rate - New Quotes recommend
\$26,714	With increased density and market rate infrastructure
\$2,057,000	Savings of \$468,000 with measures.

\$150,000	This is the market base price for a new home in our market
\$11,550,000	X 77 homes (increased density)

\$13,607,000	Total Project (Lot developed + Home Built)
\$176,714	Savings of \$8,355 per home with measures.

Using Alternative Measures. No TIF Subsidy

\$1,014,649	Amount Developer has Requested to complete project
\$13,177	Assistance requested per Home
-\$10,108	Actual Need with alternative measures for avg. \$200K home
-\$778,351	Alternative measures would fulfill funding gap by this amount
\$468,000	Amount lot developer would save implementing existing measures

Price Per Home Impacts with Alternative Measures (See 4)

\$176,714	Avg home price with alternative measures (60ft lot) - w/o TIF
\$166,305	Max. allowable avg. home price w/ \$1,014,649 TIF (+ prev)

NOTES:

- 1./ This funding is derived through redirecting future real estate tax revenues over the first ten years from local schools (estimated at \$552969), the city's general fund (estimated at \$114562), county budget (estimated at \$334886), and other community entities (estimated at \$57312).
- 2./ Actual TIF Need is the amount of TIF funding, or gap-funding, required to deliver 72 homes at an average price-point of \$200K per home based on the proposed project costs. This is before taking any alternative measures, such as reducing lot sizes and securing market-rate construction services. Effectively, based on the proposed project development costs, the proposed homes could sell at an average price point of \$185070 before TIF assistance.
- 3./ This represents the gap of funding needed to deliver 77 homes at an average price point of \$200000. Effectively, using the proposed Alternative Measures will allow the proposed homes to sell at an average price point of \$189892 before TIF assistance. With a contribution of \$1014649 as requested by the developer, the average home price commitment would need to be \$176715)
- 4./ The alternative minimum shows that homes should average at \$176,714 with alternative measures. The proposed \$1,014,659 TIF would reduce home values by an additional \$10,187, a \$784,380 direct benefit, in addition to covering \$180K to \$220K in labor costs to comply with prevailing wage. The homeowners would effectively save \$7,321 in interest payments over the course of a typical 4%, 30-year mortgage.) This presents an opportunity for the TIF proceeds to be fully captured by local businesses and parties. Prevailing wage assumes 16% project cost - this is a general estimate - Prevailing wage generally adds 33% to labor costs while material costs remain unchanged.



Public Subsidy Incentives for Housing



Local incentives support projects that benefit the community that would not occur without public funding.

CRA COMMUNITY REINVESTMENT AREA

Lowers taxes to increase Buying Power
CRA increases homeowner's "buying power" by lowering taxes to use for increased principal/interest.

Meant to encourage reinvestment and infill development. Developer can use CRA to increase buying power +20% while keeping monthly payments the same. (Timeline: 30 days in existing CRA, or 90 to 180 days to establish a new CRA).

Where = Areas of disinvestment. Reserved for areas where new housing construction and repair of existing facilities or structures are discouraged. ORC 3735.65(B).



Funds = Percentage of Future Taxes/Sales. Developer applies for a percentage of tax exemption on new homes, and captures CRA benefits as homes are sold. (Buyers' monthly payments remain the same, with taxes traded for higher interest/principal payments)

Why? = More Expensive & Risky. It is costlier to rehabilitate older structures than to build new, and costlier/riskier to build in areas with disinvestment or blight than in greenfield locations. (i.e. demolition, rehabilitation, environmental, and other costs.) CRA increases buying power so Developers can better recover their costs.



Based on a percent of future taxes.

How to Apply = Developers/homeowners make an application for tax abatement with proof of their costs. (Allow 30 days, of 90 to 180 days to determine if a CRA may legally be established in a locale). Terms are pre-determined in advance. Usually, CRA is designed to attract residential projects rather than to respond to an existing proposal.

Risks = Marketing, Estimating. Developers have to sell homes based on monthly payments, which can be more complicated. Some buyers later struggle to cover costs after CRA exemptions end.



TIF TAX INCREMENTAL FINANCING

Direct Cash GRANT for actual costs
May be used to directly reduce prices for homes.

TIF can help fund new housing that communities need or desire when the market can't support it on its own. Developer receives a grant to cover a part of their estimated construction costs. (Timeline: Little as 45 days)

Where = Anywhere (Ohio only). A public TIF grant can be extended to any residential development in Ohio, including green-fields as well as urban infill projects.



Funds = Dollar Amount. Developers receive a reimbursement agreement for a specific dollar amount for part of their public infrastructure costs, which often adds up to 20% of the total project cost.

Why? = Lack of Market Support
Public infrastructure costs such as roads, streetscape, parking garages, and sewer lift-stations can make quality and inventive residential projects too costly to execute in certain markets. TIF provides aid to a known project with measurable impacts.



Based on actual estimated costs

How to Apply = Developer / landowner petition City with specific dollar amount of funding needed to enable the project to move forward (i.e. \$350,000 for a public lift-station). Project need is validated and if approved, City extends a reimbursement agreement and then creates a special district containing the project site. Developer receives cash payments per a negotiated agreement (reimbursement).

Risks = Completing Project, Pay Period. While the grant amount is set, it is paid annually over a period of years. New homes must increase tax valuation as planned.



DRAFT ECONOMIC DEVELOPMENT PLAN

5709.40(C) requires that the creation of a TIF Incentive District be supported by an Engineer's certification that public infrastructure within the proposed district is insufficient to support the proposed development, and an Economic Development Plan.

This DRAFT SAMPLE document provides a model to meet the documentation requirements. A finalized version of the documentation would be adopted upon the creation of a TIF Incentive District.

City of Wooster **ECONOMIC DEVELOPMENT PLAN** **Melrose Tax Incremental Financing Incentive District** **_____ 2020**

Prepared by:

City of Wooster

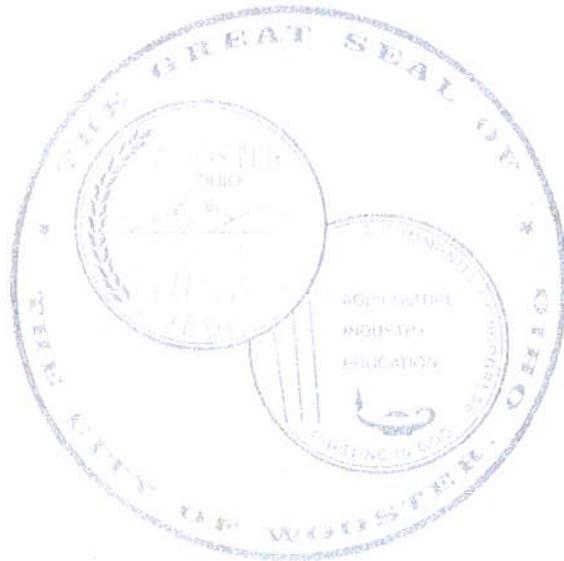
Department of Community
Service and Development
538 N. Market Street
Wooster, Ohio 44691

Contact: Jonathan Millea
Phone: 330.263.5250

At the Request of:

North (Name Pending)
Development Ltd.

1130 Riffel Road
Wooster, Ohio 44691



Incentive District Proposal - ORC 5709.40(C)
2020 Melrose Subdivision Project

TO DETERMINE: Economic Development Plan Recommendation

Consideration for Recommendations Include:

- *In most cases, it will be appropriate to establish a 100%, 30-Year TIF to generate funds to finance initial construction and then long-term repair of infrastructure.*
 - *PILOT revenues may be spent on public infrastructure only, or be redirected back to partner local governments (taxing entities.)*
 - *School Districts and County governments may vote to reduce the level of their effective revenue impacts for terms in excess of 75% and 10 years.*
- *What's the net value of redirected revenues in relation to project costs?*
 - *School District and City millage revenue serve the local taxpayer already. Revenue from other districts serves to guarantee a return of local funds.*
- *If being provided as a direct grant to on-site infrastructure:*
 - *How does the project advance the public's interest?*
 - *What are the guarantees that the project will be developed as proposed, and that the development will generate sufficient PILOTs?*
 - *Is expenditure of public funds appropriate to bring about the particular development in relation to its community benefits? (i.e. job creation that will generate long-term revenues to repay the initial investment? Advancement of a public cause such as affordable housing or other qualitative community development goal?)*
 - *Is there a compelling need for the incentive and is the amount granted the minimum necessary to move the project forward?*
 - *Is the development local population-driven? If so, does providing an incentive disadvantage other businesses performing the same type of service? Or unfairly disadvantages other taxpayers?*
 - *Would the level of incentives create an undue risk to City finances or burden to partner governments in reducing future revenues?*
 - *Absent of an incentive, is it reasonable to assume that a comparable development will occur within a reasonable timeframe? Either at the project location or elsewhere in the City?*

TO DETERMINE: TIF Incentive District Financial Impacts

FINAL Financial Model

- *General development assumptions and schedule defined.*
- *Development Revenue Projections*
 - *Development Valuation and PILOT revenue*
 - *Redirected PILOT revenue by District*
- *Project Expenditures*
 - *Cost of public infrastructure construction*
 - *Return of PILOTs to impacted districts (i.e. schools, County, etc.)*
 - *Cost of public infrastructure maintenance*

Attachments

Please reference the following for additional details about this the proposed project:

- **City of Wooster Engineer's Certification and Cost Estimate**
- **Vicinity Maps demonstrating Existing Conditions**
- **Application and TIF Request Affirmation with Subdivision Plan**



CITY OF WOOSTER

538 N. Market Street
P.O. Box 1128
Wooster, Ohio 44691-7082

City Engineer
Phone:
Fax: (330) 263-5247
Email:

DRAFT SAMPLE DOCUMENT

_____, 2020

Jonathan Millea
Economic and Community Development Coordinator
City of Wooster
538 N. Market Street
Wooster, Ohio 44691

Regarding: Engineer's Certification of Inadequate Existing Public Infrastructure at Proposed Melrose TIF Incentive District Site To Meet Demand of 72 Residential Single-Family Homes.

Dear Mr. Millea,

This letter is being provided to certify that the public infrastructure serving the to-be-proposed tax incentive district tax increment financing (Incentive District TIF) area along Melrose Drive and including Mel Lane is inadequate to meet the development needs of the district. Specifically, the district lacks adequate residential roadway, public utility water service, public utility sewer service, and public storm water infrastructure as would be necessary to accommodate the proposed construction of 72 single-family unattached homes. Therefore, the current public infrastructure in place is inadequate to support the proposed development.

Our Department understands that the City is contemplating the creation of an Incentive District TIF enclosed by a continuous boundary and incorporating Wayne County parcels 71-00250.000 and 71-00250.000 along with the City's existing Rights-of-Way along Melrose Drive and its intersection with Smithville-Western and Mel Lane.

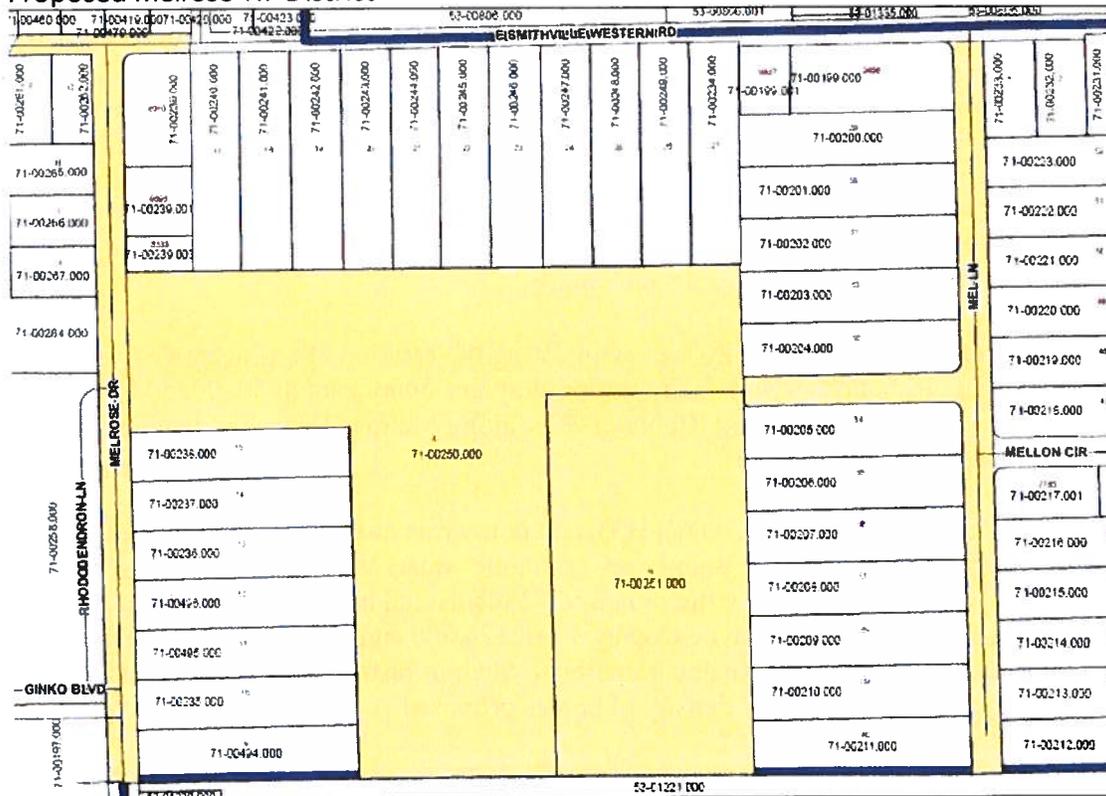
Pursuant to Ohio Revised Code §5709.40(A)(5)(f), and in my role as the City's Engineer, I am certifying that the public roadway, sanitary sewer, public water, and storm sewer infrastructure - as it exists today - is inadequate to serve the proposed 72 residential homes within the planned for the TIF District, specifically within Wayne County 71-00250.000 and 71-00250.000 which presently serve as an agricultural field with a barn and homestead. Such infrastructure will be required if the site is to accommodate the volume and density of homes proposed.

Sincerely,

Project Summary

The creation of a TIF Incentive District is proposed to support the construction, reconstruction, and ongoing maintenance of public road, water, sewer, and storm sewer infrastructure necessary to establish 72 single-family home building lots. The work would be undertaken and initially financed by the future owner and land development firm. Finished lots would be sold to Ryan Homes, a regional homebuilder, which would then construct new single-family three and four-bedroom homes that would retail between \$175,000 and \$235,000. Included in the TIF District are Melrose Drive and its intersection with Smithville-Western and also Mel Lane. Both Melrose Drive and Mel Lane are public roads that would directly connect and provide the site with access. TIF would permit the redirection of a portion of real estate tax revenues resulting from the incremental increase in value to the site to a special fund that could repay the cost of new construction, reconstruction and maintenance of public roadways and public utility construction in the district. The TIF District would also enable the City to make a direct grant to a developer to construct and acquire public infrastructure.

FIGURE 1
Proposed Melrose TIF District



Parcels 71-00250.000 and 71-00251.000, Rights of Way for Mel Lane and Melrose Drive.

Site Conditions

As proposed, the Melrose Subdivision TIF District would incorporate Wayne County Parcels 71-00250.000 (14.87 acres) and 71-00251.000 (7.001 acres), measuring a total of 27.871 acres, in addition to current City-owned public right of way along Melrose Drive and its intersection with Smithville-Western and also Mel Lane. With exception to a single-family home constructed in 1900 and a large barn, the site is generally considered greenfield and its historic use has been farmland. The site gently slopes downward from an elevation of 1,154 feet at its western boundary to 1,108 feet at the edge of Melrose Drive, a general overall slope of approximately 3.6%.

FIGURE 2

Wayne County Auditor's Map (PPN 71-00250.000 and 71-00251.001 outlined in yellow.)



Source: Wayne County Auditor, 2020 (<https://wayne.oh.bhamaps.com/>)

On cursory analysis, soil classifications (see **Figure 3**) demonstrate some limitations with road developments and home construction related to depths to saturation zones and cemented pans. This indicates a need for a design that incorporates site drainage, which would be enabled with proper road and stormwater design. The site's steady and consistent slope is favorable to enabling drainage.

Given that Mel Lane and Melrose Drive support the development, improvements may be necessary along the existing roadways in the future to properly serve the subdivision and are included for this reason. Revenues collected over time in a TIF account could support such maintenance. The site's property owners, Carl A. Yacapraro and Mildred E. Yacapraro, have submitted an affirmation to the City of Wooster requesting the

establishment of a TIF District for the their property, which is under an option to purchase by the land development firm. Real estate taxes are current and being used as a single-family residence as well as a farm receiving credit for its Current Agricultural Use Value, the property generates \$3,255.61 in tax revenue annually. (Improvements would be cleared upon transfer of the land.) Presently zoned R-1 which requires minimum lot widths of 70 feet, the site would require rezoning to support 72 homes, which require lot widths closer to 60 feet in most cases. With R-5 zoning immediately across the street to the west, and R-1 to the north and east, R-2 zoning would provide a buffer between the two with its moderate single-family home density.

FIGURE 3
General Soil Typology



Source: USDA Soil Survey

(<https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>)

CdB = Canfield silt loam, 2 to 6 percent slopes;

JtA = Jimtown loam, 0 to 2 percent slopes;

Re= Ravenna silt loam, 0 to 2 percent slopes;

ReB = Ravenna silt loam, 2 to 6 percent slopes;

WuB = Wooster-Riddles silt loams, 2 to 6 percent slopes.

Proposed Real Estate Development Description:

The proposed project would establish up to **72 residential lots** with public utilities. Frontage widths would vary, with most around a minimum of 60 feet. This provision requires a rezoning of the site from R-1 to R-2 as lot widths would be under 70 feet. The lots would be built and sold to Ryan Homes for the development of its Simply Ryan branded homes, a low-cost line featuring 3 and 4 bedroom homes ranging in size from 1,440 to 2,200 in square feet. Most homes extend no more than 35 feet in width and fit comfortably on lots as narrow as 50 feet. The firm’s projected sale price is **\$175,000 to \$235,000**. While not considered affordable (attainable by low-to-moderate income households, 45.3% of Wooster’s population falls in this category), the price range does represent the lowest level of cost for new home construction opportunities.

The project is compatible with the City of Wooster’s 2014 Comprehensive Plan, and the City’s 2015 market study which identified a demand for new housing units in the community. (Since that time, employment has grown while new housing opportunities have been limited, particularly in the single-family unattached housing market.) The project also meets the aspirations of the Wayne County (Wayne Onward) Comprehensive Plan in that it accommodates the region’s growing base of households in a manner that conserves land, whereas without utilities 72 homes would demand a minimum of 216 acres, increasing costs for homeowners and local governments.

Project Revenue Assumptions:

Assuming 72 homes valued at \$200,000 each, the proposed project represents a \$14,400,000 improvement to the site. Though millages are lower for residential and agricultural uses, single-family homes average the highest valuation per square foot. Under projected millage rates (59.89562, effectively 57.9881456 assuming rollback credits and owner-occupancy credit), the project would be expected command approximately \$292,260 in real estate tax revenue annually at full build-out.

The revenues may be offset somewhat by the additional expenses related to serving additional households, including the cost of education. At the same time, an increase in the local population results in higher demand of local consumer-based businesses, such as retailers. Enabling growth in local population generally supports the growth of local economy. Housing in and of itself, however, should not be expected to increase population growth (which is more a function of primary-sector job growth), but rather viewed as a means to accommodate growth in a manner that efficiently utilizes civic resources and supports the local tax base.

On Housing Demand Generally

The City of Wooster’s Economic Development Office has received mixed reports from local employers on the community’s housing market. Some local firms have reported that the lack of affordable housing has negatively impacted their ability to recruit and retain staff, with others expressing that housing is not a concern at all and instead point to transportation, community amenities, and infrastructure as growth challenges.

Local data is also mixed. Wooster’s growth as a City is superior to state averages, a reversal in trends from twenty years ago. At the same time, the rate of population growth has declined significantly, dipping into margins of error that accommodate net losses. (In actuality, the State’s growth rate has declined faster than Wooster’s.) The average household size (number of people) has also been shrinking while average home footprints have grown.

The greater Wayne County market has averaged 20% stronger per capita for housing starts than the greater Northeast Ohio average, with 1,001 new units constructed between 2013 and 2018. Of this total, 292 new housing units were built in the City of Wooster, proportionally performing stronger than the County average (See Figure 4).

Most of these gains have been in apartment construction, whereas single-family housing (See Figure 5) has been a much smaller component, with 124 homes constructed total. The City’s Development and Planning and Zoning offices have been engaged with several unrelated prospective housing projects, however the Melrose Subdivision Proposal is the most advanced in its stage of planning.

FIGURE 4
Housing Unit Starts (Inclusive of condominiums and apartments)

- US CENSUS BUILDING PERMITS SURVEY

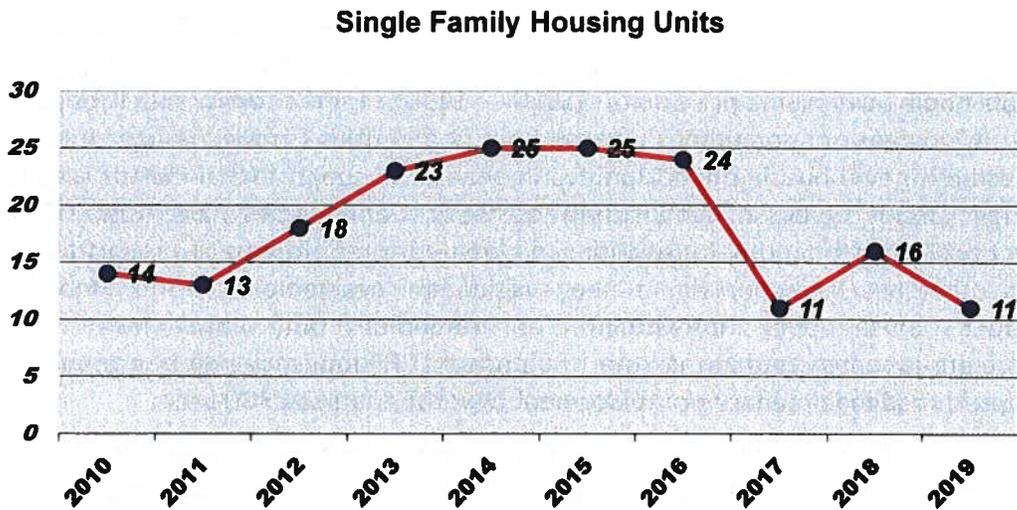
Region Counties <i>Ranked by # of 6yr new units per 10K Pop.</i>	2018				Past 6 Years			
	% of all new units	% Pop. of region	Total New Units Built	Total Pop.	% of all new units	Avg. Unit / 10K Pop.	6 Yr Total Units	Pop. Est. 6 Yr Change
1. Medina County	11.6%	4.3%	587	179,146	13.5%	206	3,691	+4,522
2. Lorain County	18.8%	7.4%	946	309,461	16.1%	142	4,409	+6,374
3. Knox County	2.6%	1.5%	133	61,893	2.7%	120	741	+1,037
4. Portage County	7.2%	3.9%	364	162,927	5.8%	97	1,586	+1,236
5. Lake County	8.1%	5.5%	409	230,514	7.9%	93	2,154	+434
6. Geauga County	2.9%	2.2%	147	94,031	3.2%	93	878	+173
7. Wayne County	4.8%	2.8%	241	115,967	3.9%	91.5	1,061	+570
<i>Wooster to Wayne Co.</i>	14.1%	23.0%	34	26,618	27.5%	109.7	292	+356
8. Stark County	8.2%	8.9%	412	371,574	9.5%	70	2,613	-3,534
9. Summit County	12.8%	12.9%	647	541,918	12.3%	62	3,373	-16
10. Ashland County	1.1%	1.3%	54	53,745	1.0%	49	266	+593
11. Ashtabula County	1.8%	2.3%	92	97,493	1.6%	45	442	-2,239
12. Tuscarawas County	1.0%	2.2%	48	92,176	1.4%	40	372	-434
13. Mahoning County	3.2%	5.5%	162	229,642	3.1%	37	854	-4,745
14. Cuyahoga County	12.8%	29.7%	644	1,243,857	14.6%	32	3,998	-21,621
15. Richland County	1.2%	2.9%	61	121,099	1.4%	31	378	-1,211
16. Trumbull County	1.7%	4.9%	86	206,328	1.9%	25	514	+7,701
17. Holmes County	0.0%	1.0%	1	43,892	0.1%	5	22	+290
18. Coshocton County	0.1%	0.9%	7	36,629	0.1%	5	18	-93
All Region Counties	100.0%	100.0%	5,041	4,192,292	100.0%	1,247	27,370	-10,963

Source: City of Wooster utilizing US Census Bureau Permits data and City of Wooster Planning Department data.

At the time of publication, 54 apartment units, 10 new townhomes, and 2 single-family homes are under construction within City limits.

Owing to recent demand, is that after years of market stagnation, Wooster's very low rents and home prices have experienced robust growth in the last few years, a healthy sign of local economic growth and to be expected with the resurgence of local industry. Increasing housing costs put pressure on wages, and in extreme cases may impact a company's decision to locate expansions to areas with lower costs of living. While the market is changing, Wooster's cost of living remains lower than Ohio's average, as do its wages. This suggests that Wooster continues to provide a strong value to employers. The same dynamic has increased the level of interest in the city from out-of-area developers.

FIGURE 5
City of Wooster Single-Family Housing Starts



Source: City of Wooster Building Department

Housing construction is a function of primary job creation and wage growth. Part of the economic multiplier effect with incentivizing primary job-creating industry is the follow-on investments made in expanding retail and housing. Wayne County climbed above pre-recession job levels within the last two years and encountered a period of very low unemployment in a region where labor force in a 60-minute drive numbers 1.658M (JobsOhio). The housing market, with some lag, traditionally responds to increases in job creation over time, with demand growing in the time between.

Not factored with these figures are impacts from the COVID-19 pandemic which has drastically impacted the local, state, and national economies, which has placed some pressure on the construction industry. Wayne County unemployment grew from approximately 3.6% in February to 11.8% by April, compared with a national unemployment rate of 14.7%. Nationally, rates declined significantly through May and recovery is anticipated to continue as the State government has permitted a restart of most industries with some restrictions, but the strength and speed of such recovery remains uncertain. Compounding concerns are conditions globally, with most nations

continuing to impose significant restrictions on business and access. Wayne County's economy, particularly its manufacturing sector, is highly connected to global conditions. It can be hoped that local demand for housing will strengthen in the future. Long-term, the provision of new housing will continue to be a need in Wooster.

Applicability of TIF Incentive District Generally

Tax Incremental Financing (TIF) has traditionally been utilized in Ohio and other states to support the development of public infrastructure to assist developers in delivering job-creating industrial and commercial projects. TIF redirects a property owner's tax dollar obligations that would otherwise go to schools and local government to pay for roads and other infrastructure that the developer would normally have covered.

Over the last two years, some Ohio cities have begun extending TIF incentives (ORC 5709.40(C) to exclusively residential projects to encourage affordable housing, more attainable home ownership price points (\$160K – \$190K in some communities for single-family), to increase or sometimes decrease housing densities (smaller/larger lot sizes, etc.), establish new housing opportunities in general to support local industry, and to encourage specific types of architectural aesthetics. Communities have used TIF to redirect tax dollars from other jurisdictions to create revenue streams to support public projects that have a connection to new residential developments, or to fund the developer's on-site public infrastructure, or sometimes both. While most of the infrastructure is constructed at the start of a project, TIF funds may also be committed to long-term road maintenance or replacement over the course of 30 years.

Similar to real estate tax abatements, such as Ohio's Community Reinvestment Area (CRA) as well as Enterprise Zone (EZ) programs, the TIF process exempts a percentage of value resulting from new construction from tax. However, TIF commits the tax savings to solely paying for public infrastructure costs. When a site is part of a TIF District, the county auditor issues an assessable bill to the property owner(s) in the amount of the tax exemption with their tax bill, known as a "Payment in lieu of taxes" or PILOT. A TIF may allow conversion up to 100% of a property's increased taxes to PILOTs for 30 years, though an effective 75% for 10 years is more typical. The county auditor places the PILOTs into a special fund which may be accessed by either a municipality, developer, or a financial institution that lends against the future anticipated PILOT payments.

The stream of long-term revenue created by PILOTs must be utilized to pay back the cost of public infrastructure investment occurring in a specific location, or even be collateralized to obtain financing for construction. Ohio is one of the few states in the nation where residential TIF projects do not have to prove blight, and the level of incentives provided have ranged from partially funding off-site infrastructure improvements to covering the cost of on-site roads and utilities. Proposals have sometimes been controversial with some communities ultimately rejecting TIF requests, while others have received unanimous approval.

While the City will accept and agree to maintain infrastructure built to code, the creation of on-site public infrastructure is typically the responsibility of the developer so as not to place taxpayer funds and resources at risk. Additionally, existing property owners have in the past accommodated similar costs in the past without public assistance, as reflected in the valuation of the property on which they are taxed. There are times when incentives to housing may still assist developers while provide a return on investment for the general public by redirected tax dollars to projects that address a public project, such as the provision of affordable housing, road reconstruction or intersection improvements. This makes TIF a valuable economic and community development in select circumstances.

Applicability of TIF Incentive District for Melrose Subdivision

Increasingly, Ohio communities have been offering incentives to greenfield residential development projects to encourage new building to combat elevated construction costs. Rural communities, with lower costs of living, are additionally challenged with lower wage rates that minimize buying power, market data is limited, and mobilization costs are higher in comparison to heavily urbanized markets. While Wooster is relatively close to major markets, data and capacity for higher rents and purchase prices have proven somewhat problematic. At time of publication, City departments continue to collaborate with housing developers considering sites and projects within the City. **Figure 6** below shares an overview of feedback obtained over the last year.

The City of Wooster received inquiry about incentives for the Melrose Subdivision Project over the past year. A variety of options have been considered, with the development firm determining that direct support for infrastructure costs would be necessary to move forward with the project. Tax Incremental Financing, under Ohio's unique laws, provides a legal pathway for cities to grant such assistance in a tailored manner and, in favorable conditions, offset maintenance costs long-term to provide city taxpayers with a net savings.

Outside of utilizing TIF to generate revenue for infrastructure upgrades and maintenance (enabling the City to save capital improvement funds for other projects and maximizing the use of locally-generated real estate taxes), TIF enables communities to provide direct grants to developers, or to cover the cost of performing infrastructure improvements itself. In such instances, incentives should be weighed in relation to the actual additional benefits created with the provision of public funds. Additionally, the "But for" provision is a basic economic principal that public tax subsidy should only be dedicated to projects that would benefit the community if the development cannot occur on its own. Typically, public subsidy is needed to allow projects to overcome market conditions, risks associated with blight, creating "export-oriented" jobs, or higher costs of building urban infill. Communities must generally determine that 1.) the project benefits the community; and 2.) the project cannot move forward without the public benefit. Should incentives be required to help a project to move forward, TIF provides an option to tailor public buy-in to the extent needed.

FIGURE 6

Anecdotes Shared by Developers

What we have heard so far . . .

Developers Are Not Building In Wooster Because . . .

Landowners want too much for their land

We want to see other developers build successfully before we invest.

There is not enough data to show housing would be successful unlike urban markets.

Infrastructure costs are high in certain areas

Wooster's market data suggests lower rents are needed

It's difficult to mobilize construction services in rural communities.

Other communities offer incentives, which makes it easier to attract investors.

Developers Are Interested in Building in Wooster Because . . .

We're looking at Wooster because urban markets are getting too expensive.

We see that other developers have succeeded here.

The housing inventory is very low and demand is high.

We are finding strong demand after building in small communities when the data suggests otherwise, so we're looking at smaller communities.

Bigger markets have too much red tape and it now takes two to three years for a zoning change.

Wooster is a nice community with nice amenities

Note: Economic Development, Planning, and Building staff routinely meet with area and regional developers expressing interest in development. The comments above were shared over the last year from housing developers, usually in the context of asking about available sites.

Vicinity Images



View from City Right-of-Way to northeast of site



View from City Right-of-Way to southwest of site



View from City Right-of-Way to center



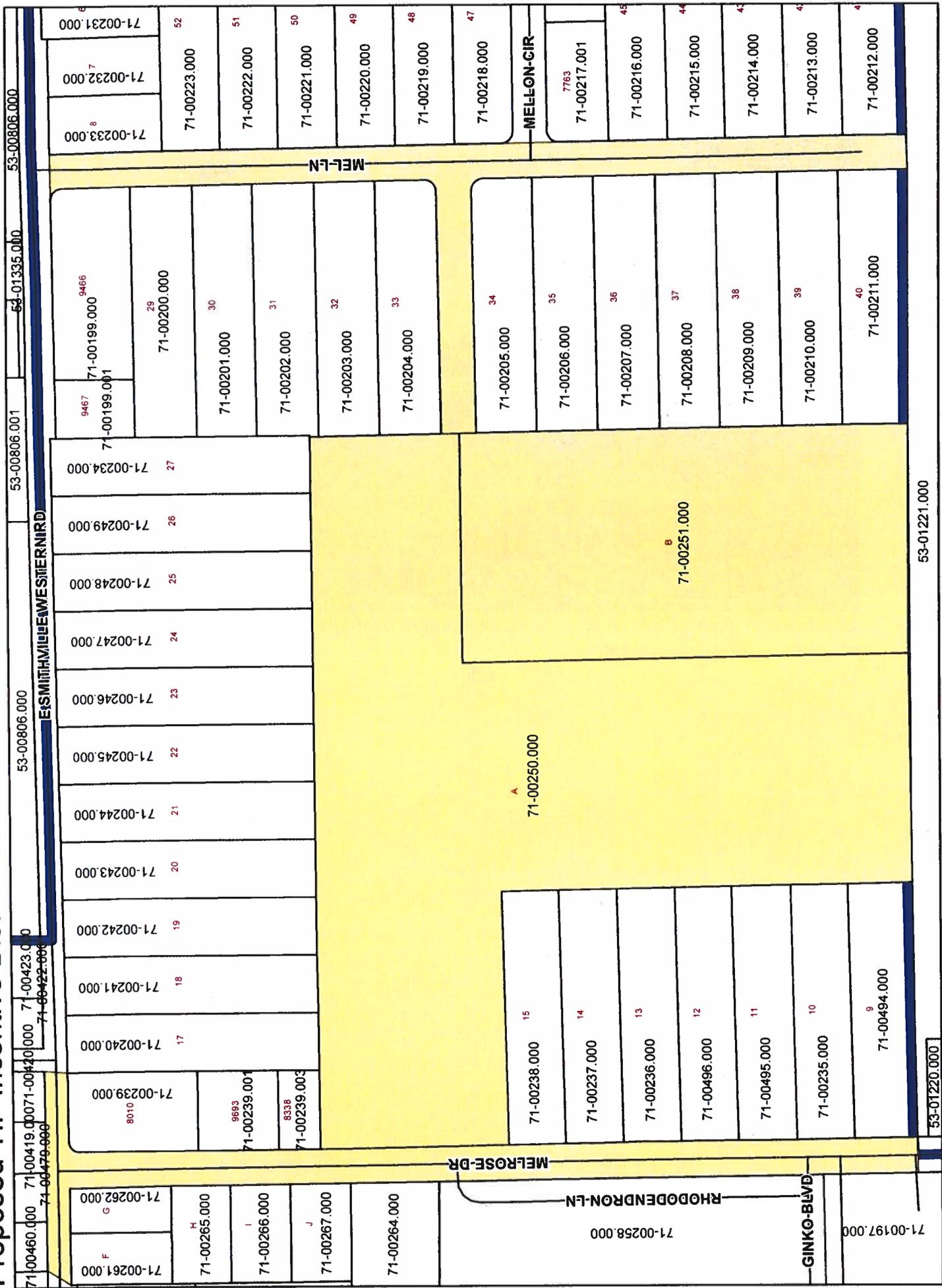
View from City Right-of-Way to site current entrance to east.



View from City Right-of-Way to west, along unimproved right-of-way's connection to the proposed housing development.

###

Proposed TIF Incentive District for Melrose Subdivision



TIF_District

Parcels



Proposed TIF Incentive District for Melrose Subdivision



TIF_District



Parcels



Proposed TIF Incentive District for Melrose Subdivision



SITE ELEVATIONS (2-ft Contours, overall slope ~3.6%)
5/2020 - City of Wooster Economic Development

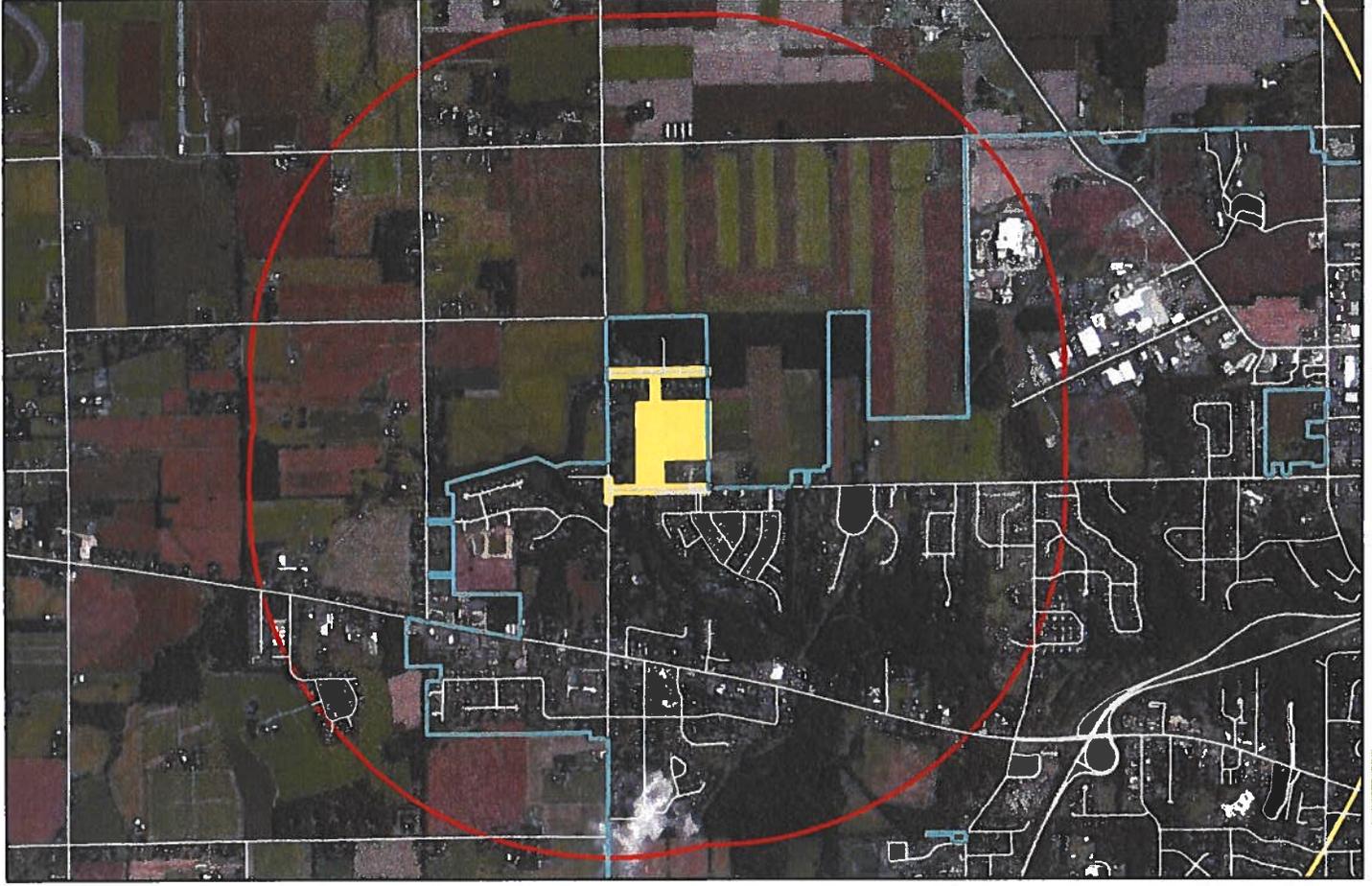
TIF_District

Feet
500
375
250
125
0

Proposed TIF Incentive District for Melrose Subdivision



DISTRICT LOCATION & VICINITY
5/2020 - City of Wooster Economic Development



1-Mile
2-Mile
3-Mile

Proposed TIF Incentive District for Melrose Subdivision



STREET INFRASTRUCTURE
5/2020 - City of Wooster Economic Development



Proposed TIF Incentive District for Melrose Subdivision



PRELIMINARY RECOMMENDED CONSIDERATIONS FOR TIF

Reviewed by WG Jan 7, 2020 & February 26, 2020

Criteria for Consideration of TIF Incentives for Residential Projects

I. Proposed Development Proves Necessary for Public Benefit - Proposed development should commit to job creation, provide affordable housing, remediate slum and blight, resolve a public safety issue, or create a civic asset for the public, or substantially advance a public benefit or economic opportunity for the community.

II. TIF Available as a Defined Incentive District - A specific area for development as an incentive district.

III. PILOT Reimbursement Limited to Primary Network Public Infrastructure - A *portion* of TIF funds may serve to reimburse Developer or City for the construction of primary-network public infrastructure.

IV. PILOT Contribution to Off-Site Infrastructure - A portion of PILOT revenue to be dedicated to off-site public infrastructure serving the incentive district, which may include sidewalks/trails, intersection improvements, and water or sewer utilities that also benefit the proposed project site.

V. PILOT Contribution to Wooster City Schools - TIF does not necessarily impact school district revenues, but where it does, Developer is responsible for partnering with local districts in determining a reasonable return of PILOTs in place of foregone tax revenues. Local school district input is considered for project.

TIF Process from Application to Approval *(May require between 30 to 60 days)*

1. Developers and Land Owners Provide Application - The Developer(s) with responsibility to completing a proposed project and current or future landowners provide an application to the City of Wooster's Office of Economic Development. No template is provided, however, all applications shall include the following:

- A detailed written description of the project including details on: 1. Project location including site boundaries and acreage; 2. description of project cost, funding and schedule; 3. explanation of public infrastructure to be funded with a TIF; 4. description of how the project benefits the public to justify incentives; 5. Statement of project outcome without TIF. (i.e. higher prices, project terminated, etc.)
- Representative and business contact information for each current landowner as well as developer(s) with responsibility for completing the project as proposed.
- A detailed project budget sheet with a written description of the financing gap and outlining the specific amount of TIF funding required to fund the developer's public infrastructure.
 - A detailed cost estimate of the public infrastructure to be covered by the TIF.
- A map of the proposed development area.
- A development plan map depicting building footprints, infrastructure, and landscape features.
- A drawing or sketch of the proposed development
 - Illustrative exhibits and architectural renderings are encouraged if available.
 - Other exhibits and data to demonstrate how the project benefits the public.

2. Staff Review & Report (Could take 15 business days from **completed** application): Staff will produce a report detailing the following: 1. Financial impacts to developer, City, school district, and competitive marketplace; 2. TIF necessity for project to be completed; 3. Project's impact to furthering a public benefit (Job creation, affordable housing, blight remediation, safety, community development); and 4. include comments received by school district partners and other impacted agencies, departments, and organizations. Applicants could be asked to provide clarifications or additional data to complete the application.

3. Wooster Growth Review (Could take up to 30 days): All applications will be forwarded after staff report. Applications with insufficient information or that do not meet criteria may not obtain staff recommendation.

4. Wooster City Council Review (Could between 15 to up to 45 days): Applicant attendance advised.

5. Agreement & Filing (Could take 10 business days): Upon approval, Applicants and City will complete a Development Agreement and furnish other required documents for filing of the TIF with ODSA and the Wayne County Auditor's Office. If applicable, legal fees incurred by City to be satisfied prior to disbursement to applicant. Standard State of Ohio economic development and tax incentive criteria and laws apply.

RESOLUTION NO. 2020-34

A RESOLUTION AUTHORIZING THE DIRECTOR OF
ADMINISTRATION TO PURCHASE A VEHICLE IN
ACCORDANCE WITH THE CAPITAL PLAN FOR 2020

WHEREAS, this City Council adopted an annual budget and capital plan for 2020, and such capital plan includes the purchase of new vehicles and equipment for the various divisions of municipal service.

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

SECTION 1. That in accordance with the capital plan adopted by this Council, the Director of Administration is authorized to purchase the following vehicles and equipment, with payment to originate from the fund indicated:

CAPITAL IMPROVEMENTS FUND:

Fire Division:

- Purchase a new ambulance with integrated patient loading system
- With respect to such purchase(s), the Director of Administration will advertise according to law and enter into a purchase contract with the lowest and best bidder, except that if the item is available through a state-sponsored cooperative purchasing program, or can be accomplished through a vendor upon equivalent terms, conditions and specifications, but at a price which is equal to or lower than that which is available from the state sponsored program, s/he may make such purchase if s/he determines that the price and availability is more advantageous to the City.

SECTION 2. The cost of such purchase(s) will not exceed the amount(s) budgeted.

SECTION 3. 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 4. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Introduced: _____ Passed: _____ Vote: _____

Attest: _____
Clerk of Council

President of Council

Approved: _____, 2020

Mayor

Introduced by: Mark Cavin

Res 2020-34

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Fire	Meeting Date Requested 5-4-2020
Project Name EMS Medic Purchase	Estimated Total Funds/Costs \$280,000

Is Full Amount Budgeted? Yes No
If YES, three readings NOT REQUIRED

If No, How is the Purchase to be Funded?
N/A

Description of Request
Authorization to purchase a new Road Rescue Ambulance for \$280,000 with an integrated patient loading system.

Justification / Benefits
This purchase will replace a 2010 Horton ambulance that is at scheduled replacement schedule. The current unit is a reserve ambulance that is worn & has historically had mechanical issues.
The time table to purchase an build an ambulance is approx. 8-10 months. A purchase will allow us to replace the unit and have it in-service by 2021.

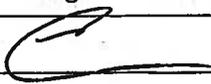
Will this Project affect the City's Operating Costs
This purchase shoud, reduce the number of mechanical issues and reduce the cost of repairs. It will also place us in the position to evaluate remounting ambulances vs. buying new, which could save money in the long run.

What Alternatives Exist and what are the Implications of the Alternatives
Maintain curent EMS apparatus. Which will increase repair cost, as the continue to age. It will also extend the timeframe to aquire another unit, based on delayed building times.

Is this a Sole Source Bid or Non-Bid Situation Yes No
If Yes, Explain The Circumstances:
We plan to use the State Bid Process.

Is there a need for Suspension of the Rules or a Time Frame when this must be passed? Yes No
If Yes, Note Reasons
N/A Budgeted item.

NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.

Manager Requesting: B. Saley  Date: 4-27-2020

Approved for Agenda Yes No 

NEW or [REPLACEMENT] (circle or bracket one) CAPITAL REQUEST FORM

Is this an On-going project? YES [NO]

use a separate sheet for each request

Division: Safety/Fire

Project Year : 2020

Approved:

Project Name: **Replace Medic Unit**

Date: 9/10/19

Priority (rank all divisions projects in order of importance):

1

Submitted by:

B. Saley

Estimated Useful Life of Asset:

10 Years

1. Estimated cost of project: \$300,000.00
- Are there other cost involved? What are they?
- Engineering and Planning: \$0.00
- Construction:
- Shipping: \$0.00
- Other:

2. Description of project: location, what it does, purpose. Is this a building, equipment, infrastruc
- Equipment- Replace a Medic unit that currently is in reserve and has a history of mechanical issues.
- This project will allow us to replace a 2010 Medic and ensure our
- emergency equipment is in sufficient condition to respond at a moments notice.
- It will also replace equipment that has parts that are no longer in production.

3. Justification:

- a. Why is this capital project needed? This particular Medic unit had multiple mechanical issues since 2016. After replacing other Medics, this unit was designated as the reserve, to minimize it use. This project will allow us to replace the oldest unit in the fleet which will allow each station to have safe and operable apparatus.
- b. How does it meet the Division's and City's mission? Without functional equipment/apparatus, we are unable to complete our jobs. We become dependent on other communities and our citizens receive a lower level of service.
- c. How will this capital project increase revenue, decrease cost, increase productivity? (see Question 5 for quantitative justification) Increased productivity by allowing us to staff ambulances that are functional and reliable. This purchase should reduce maintenance costs and the amount of time City garage staff is working on FD units.

4. Will this project affect the City's operating costs? YES [NO]
- a. Will this project require additional employees? YES [NO]

If YES, how many: 0

Projected cost (wage & benefits): \$0.00

b. How will this project affect the cost of supplies and materials? There will be a start up cost to supply the ambulance with its basic equipment and supplies. Much of this will be used from our current stock, but there will additional requirements to equip it to "front line" status.

c. Will additional equipment be required? Give details on equipment and equipment costs. Yes- New loading system will be purchased with the ambulance and installed as a single project This will allow every medic unit have a power load system and we will be able reuse them in futre medic replacement projects.

d. Will this project impact utility costs? YES [NO] If yes, which utility and how much? _____

e. Will there be additional costs related to purchase of services? (i.e., service contracts)

ORDINANCE NO. 2020-23

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS
FOR THE REPLACEMENT OF DRIVE PIPES AND
ASSOCIATED MATERIALS ON MEL LANE AND
MELLON CIRCLE; AND DECLARING AN EMERGENCY

WHEREAS, this City Council, has received a petition, pursuant to Ohio Revised Code 727.06, subscribed by the owners of more than seventy-five percent of the area to be assessed for such improvement, replacement of all corrugated-metal driveway pipes (CMP) and covering said CMP with granular material on Mel Lane and Mellon Circle in the City of Wooster. The petition for improvement includes the regrading of all roadway ditches, removal of debris for the outlet-channel, and annually inspecting the roadway ditches and outlet channel and performing maintenance as needed which are not being assessed.

WHEREAS, this City Council believes that prompt action is necessary to provide for the efficient drainage of roadway water runoff for the health and safety of the residents in this area.

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

SECTION 1. It is hereby determined to be necessary to regrade the roadway ditches along Mel Lane and Mellon Circle in the City of Wooster, Ohio on both sides of each street for a distance of approximately 3,200 linear feet. Eighteen properties will have new drive pipes installed and each property will be assessed for the drive pipe material based upon the number of drive pipes replaced and amount of granular material used during the replacement.

SECTION 2. The plans for the improvements are now on file in the office of the Clerk of this Council and are hereby approved.

SECTION 3. It is determined that the assessments do not exceed any statutory limitation.

SECTION 4. The Clerk of Council is directed to continue on file in her office a list of the assessments and the description of the lots and lands.

SECTION 5. The total assessment against each lot and parcel of land shall be payable in cash at the office of the Finance Director within thirty (30) days after the completion of the work on Mel Lane and Mellon Circle. All assessments which have not been paid at the expiration of the thirty-day period shall be certified by the Clerk of Council to the County Auditor to be placed on the tax duplicate and collected the same as other taxes, as provided by law.

SECTION 6. The Clerk of Council is directed to cause notice of the passage of this Ordinance to be published as provided by law.

SECTION 7. This Council finds and declares that all formal actions concerning and

June 15, 2020

Mr. John Scavelli
Director of Law
City of Wooster
538 N. Market Street
Wooster, OH 44691

Mr. Scavelli,

Please find enclosed our completed Petition for Improvements Under Ohio Revised Code 727.06, regarding the Storm Water Project for Mel Lane & Mellon Circle.

We have met/exceeded both parameters for submission, being 60% of the front footage of selected properties (2393.51 actual vs. 1565.424 minimum) and owners of 75% of selected properties (16 actual vs. 14 needed).

Having met the requirements, we respectively request the petition be presented to the Wooster City Council for review and approval for the scope of work to be completed as outlined and agreed to through conversations and communications with City representatives, including yourself and;

Mr. Roger Kobilarcsik
Mr. Kevin Gibbons
Mr. Joel Montgomery

We, the neighborhood representatives and those property owners who will benefit from completion of this project would like to express our appreciation for the fine cooperation and assistance provided by all the City representatives concerned.

We would appreciate being advised of when the petition will be on the Council agenda, as we would like to be available for support and answering any questions to facilitate the passage of our petition.

Thanking you in advance.

Regards,

Val R. Williams
Anne O'Planick
Merlin Peterson
Steve Griffin

Encl: 16 Petitions



PETITION FOR IMPROVEMENTS UNDER OHIO REVISED CODE 727.06

We, the owners of sixty percent of the front-footage of selected properties, or the owners of seventy-five percent of selected properties, with front-footage on Mel Lane and Mellon Circle, in the City of Wooster*, hereby petition the City Council of Wooster to undertake the following public improvements:

1. Re-grade all roadway ditches on Mel Lane and Mellon Circle. Said re-grading will be done to reduce the amount of ponding in the storm-water ditches to a minimum. Sinkholes and other low spots in the ditch-line will be filled/repared. The entire roadway ditch on both streets will be re-graded whether or not a driveway pipe is replaced;
2. As part of this re-grading project, replace all corrugated-metal driveway pipes (CMP). Hard driveway surfaces (such as concrete or asphalt) over the driveway pipes will be removed with the least amount of disturbance possible—but will not be replaced. Driveway pipes will be covered with granular material as directed by the City of Wooster Engineer. Re-graded ditches will be repaired/reseeded and mulched at no additional cost to homeowners;
 - a. The attached Table lists by address the properties where corrugated-metal driveway pipes will be replaced under the authority of this petition;
3. Remove debris (sticks, leaves, etc.) from the outlet-channel flowing northward through 2960 Mellon Circle under the terms of the work agreement with the property owner;
4. Annually inspect the road ditches and outlet-channel and perform maintenance as needed;
5. We the undersigned agree to pay for the materials to replace the driveway pipes. The materials include the pipe/conduit and granular material. Said cost to be assessed to each individual property owner (listed in the attached Table) as determined by the length and number of each driveway pipe replaced as well as the amount of granular material used. The estimated cost of each drive pipe replacement is \$250 to \$500, however the assessment will be based upon the actual costs incurred by the City at the time of the work;
6. This petition is being filed under the authority of Ohio Revised Code, Section 727.06.

* The attached Table lists all of the addresses on Mel Lane and Mellon Circle (and one address on Smithville-Western Road) that are impacted by this Petition. Only these addresses will be assessed and only the signatures of the property owners at these addresses are needed for this Petition.

Signature *John E. Braham* Address *4568 Mel Lane Wooster OH*
44691

Signature Address

* The attached Table lists all of the addresses on Mel Lane and Mellon Circle (and one address on Smithville-Western Road) that are impacted by this Petition. Only these addresses will be assessed and only the signatures of the property owners at these addresses are needed for this Petition.

Rahul R. Spade
Signature

41494 MEL LN WOOSTER
Address

Rahul R. Spade
Signature

41494 mel ln wooster
Address

Signature

Address

* The attached Table lists all of the addresses on Mel Lane and Mellon Circle (and one address on Smithville-Western Road) that are impacted by this Petition. Only these addresses will be assessed and only the signatures of the property owners at these addresses are needed for this Petition.



Signature

4468 Mel lane

Address

Signature

Address

* The attached Table lists all of the addresses on Mel Lane and Mellon Circle (and one address on Smithville-Western Road) that are impacted by this Petition. Only these addresses will be assessed and only the signatures of the property owners at these addresses are needed for this Petition.


Signature

4691 MEL LANE.
Address


Signature

4691 Mel lane
Address

Signature

Address

Signature

Address

Signature

Address

Signature

Address

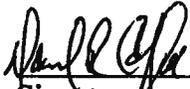
Signature

Address

Signature

Address

* The attached Table lists all of the addresses on Mel Lane and Mellon Circle (and one address on Smithville-Western Road) that are impacted by this Petition. Only these addresses will be assessed and only the signatures of the property owners at these addresses are needed for this Petition.


Signature

4645 MEL LN. WOOSTER, OH 44691
Address

Barb Coffey
Signature

4645 MEL LANE WOOSTER OH 446
Address

Signature

Address

* The attached Table lists all of the addresses on Mel Lane and Mellon Circle (and one address on Smithville-Western Road) that are impacted by this Petition. Only these addresses will be assessed and only the signatures of the property owners at these addresses are needed for this Petition.

<u>VAC R. Williams</u>	<u>4561 MEL LANE</u>
Signature	Address

<u>Dorothea A. Williams</u>	<u>4561 Mel Lane</u>
Signature	Address

_____ Signature	_____ Address
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_____ Signature	_____ Address
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_____ Signature	_____ Address
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_____ Signature	_____ Address
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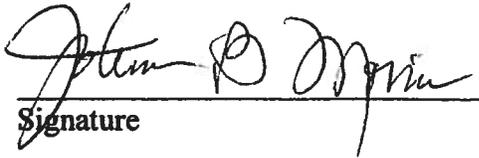
_____ Signature	_____ Address
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_____ Signature	_____ Address
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* The attached Table lists all of the addresses on Mel Lane and Mellon Circle (and one address on Smithville-Western Road) that are impacted by this Petition. Only these addresses will be assessed and only the signatures of the property owners at these addresses are needed for this Petition.


Signature

4539 Mel Lane, Wooster, OH 44691
Address


Signature

4539 Mel Lane, Wooster, OH 44691
Address

Signature

Address

* The attached Table lists all of the addresses on Mel Lane and Mellon Circle (and one address on Smithville-Western Road) that are impacted by this Petition. Only these addresses will be assessed and only the signatures of the property owners at these addresses are needed for this Petition.

Hal E. Mehen
Signature

2875 MELLON CIR
Address

Phonela R. Meheew
Signature

2875 Mellon Cir
Address

Signature

Address

* The attached Table lists all of the addresses on Mel Lane and Mellon Circle (and one address on Smithville-Western Road) that are impacted by this Petition. Only these addresses will be assessed and only the signatures of the property owners at these addresses are needed for this Petition.

David D. Gussell Jr.
Signature

2795 East Smithville W. Rd
Address

Kathleen D. Gussell
Signature

2795 East Smithville W. Rd
Address

Signature

Address

ADDRESS	MEL LANE	MELLON CIR	SMITHVILLE	FRONT-FOOTAGE
4748	X			105.52
4724	X			105.52
4590	X			105.53
4568	X			105.53
4542	X			105.53
4518	X			105.53
4494	X			105.53
4468	X			105.53
4739	X			100.97
4691	X			100.97
4645*	X			527.97
4561	X			100.97
4539	X			100.97
4491	X			100.97
2833*		X		195
2875		X		232
2960		X		110
2795*			X	195
PROPERTIES	18		TOTAL FOOTAGE	2609.04
75% EQUALS	14		60% EQUALS	1565.5

*** Indicates Two Drive-Pipes to Be Replaced**

ORD 2020-24

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division: Engineering	Meeting Date Requested July 6, 2020
Project Name Preannexation Agreement 903 W. Highland Avenue	Estimated Total Funds/Costs
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? None budget item	
Description of Request This is a request to allow the Mayor to enter into a preannexation agreement on behalf of the City of Wooster with the property owner at 903 W. Highland Avenue for the purpose of facilitating the annexation and extension of utility services to the property. The owner would like to connect to City services.	
Justification / Benefits N/A	
Will this Project affect the City's Operating Costs N/A	
What Alternatives Exist and what are the Implications of the Alternatives The alternative would be to wait until the annexation process has been completed which could take up to 6 months.	
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons Suspension of the rules would allow the owner to start the annexation process and to also connect to the City services.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Roger Kobilarcsik	Date: June 22, 2020
Approved for Agenda <input type="checkbox"/> Yes <input type="checkbox"/> No	

Silvestri

AGREEMENT

THIS AGREEMENT made and entered as of the _____ day of July 2020 by and between the City of Wooster, a municipal corporation of Ohio, 538 N. Market Street, Wooster, Ohio 44691 (the “City”); and Stephane Campbell, 903 W.Highland Avenue, Wooster, Ohio 44691 (the “Owner”).

WHEREAS, Owner owns certain residential real property (PPN 53-01283.000) located at 903 W. Highland Avenue, Wooster, Wayne County, as further described in Exhibit “A” attached hereto and incorporated by reference; and

WHEREAS, Owner desires to have access to City utilities including, but not limited to, water, sanitary sewer, and other City services; and

WHEREAS, Owner is willing to cause to be filed a Petition with the Board of County Commissioners of Wayne County, Ohio for annexation of the residential real property as soon as the property is contiguous to the City; and

WHEREAS, the City is willing to immediately permit the extension of its water and sanitary sewer services to the Owner, and to permit Owner to tap in or otherwise connect to such lines on the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants of the parties hereinafter set forth, each party acting in consideration of the covenants of the other, the parties do hereby covenant and agree as follows:

- 1. PETITION FOR ANNEXATION OF RESIDENTIAL REAL PROPERTY**
 - A.** Upon execution of this Agreement by the City, Owner agrees to exercise his best efforts to cause the residential real property to be promptly annexed to the City in accordance

C. In the event that annexation shall be denied or enjoined after exhaustion of all legal remedies as provided in paragraph 1 (B) hereinabove or the application for annexation be rejected as provided in paragraph 6 hereinafter, Owner agrees that he will consent to the classification of the residential real property by the City as a non-resident district and to pay water and sanitary sewer fees based upon the rates used in charging other non-resident users located outside the City.

2. EXTENSION AND PERMITTING OF WATER AND SANITARY SEWER

A. In consideration of the Agreement by Owner to pursue annexation in the manner provided for in paragraph 1 hereinabove, the City agrees that it will immediately make available to the residential real property its water and sanitary sewer facilities and systems. In furtherance of this Agreement the City will:

- (1) Contemporaneously with the execution of this Agreement, enact and adopt legislation permitting the extension of the water and sanitary sewer services of the City to the residential real property;
- (2) Grant Owner such tap-in and connection permits as are necessary or required to connect to its water and sanitary sewer facilities and systems upon compliance with all applicable regulations and payment of the appropriate fees. Thereafter, and until the residential real property is annexed, Owner will pay such fees and charges as are customary for users who lie outside the corporation limits.

B. The water line provided by the City is a six-inch (6") line located on W. Highland Avenue on the opposite side of the street from the residential real property. The sanitary sewer line provided by the City is an eight-inch (8") line located in the pavement on W. Highland Avenue.

signers of the petition withdraw their signatures, or if Owner fails to appeal and reasonably pursue and exhaust all appeals in the event the petition is denied by the Board of County Commissioners or a favorable decision is enjoined by a court, or if the residential real property is detached from the City upon subsequent petition of the Owner.

4. ACCEPTANCE OF ANNEXATION; ZONING

The parties agree that upon acceptance of the annexation by the City, the residential real property will also be zoned in a manner that is consistent with the zoning of properties in the immediate vicinity thereof.

5. REJECTION OF ANNEXATION BY CITY

In the event the City rejects annexation, the Owner shall be discharged from any further obligation hereunder, but shall be entitled to retain the benefit of the extension of the water and sanitary sewer facilities and systems of the City as a non-resident district pursuant to the provisions of paragraph 2 (C) herein.

6. AMENDMENT; ASSIGNMENT

This Agreement may only be amended by a written agreement of the parties hereto. It is not transferable or assignable without the express written approval of the other party.

7. GOVERNING LAW

This Agreement shall be governed by and subject to the internal laws of the State of Ohio.

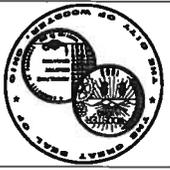
8. ENTIRE AGREEMENT

This Agreement constitutes the sole and only Agreement between the parties respecting the matters set forth herein. If any clause, sentence, paragraph or part of this Agreement shall, for any reason, be adjudged by any court of record to be invalid, such judgment will not affect,

Exhibit A

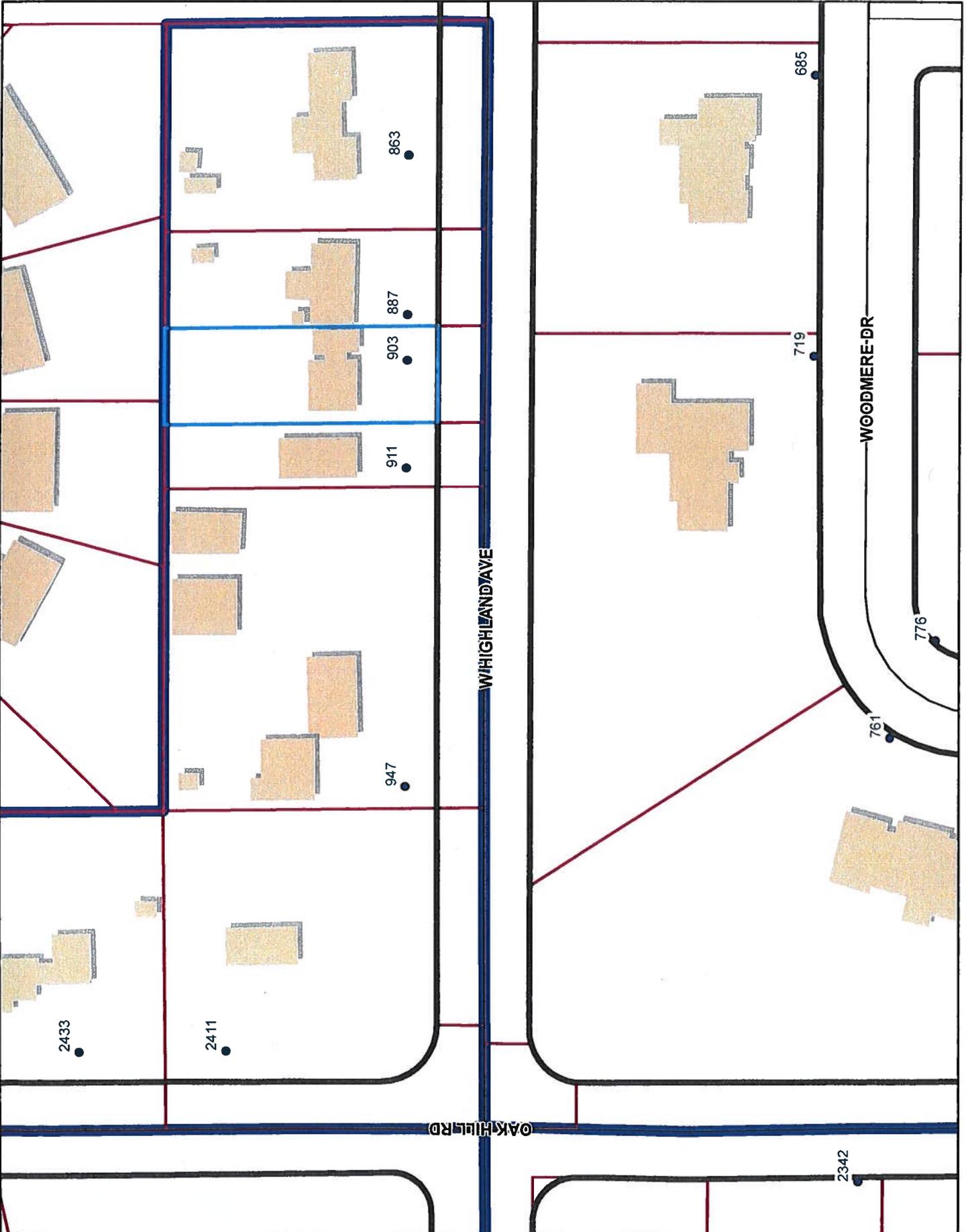
Situated in the Township of Wayne, County of Wayne, and State of Ohio: And known as being Lot V-1 in the Southwest Quarter of Section 28, Township T16N, Range R13W, as referenced on the Highland Avenue Centerline and Right-of-Way Survey.

Parcel No. 53-01283.000



CITY OF WOOSTER
DIVISION OF ENGINEERING
208 N. MARKET ST.
WOOSTER, OHIO 44691
PH: (330) 263-5251
FAX: (330) 263-5285
rsober@woosterohio.gov
civeng@woosterohio.gov

PROPERTY OWNERS MAP
903 W HIGHLAND AVE
SCALE 1:80



RESOLUTION NO. 2020-35

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 PARKING LOT ON EAST SOUTH STREET, AND DECLARING AN EMERGENCY

WHEREAS, the City of Wooster is in need of additional parking; and

WHEREAS, the parking lot construction site has been prepared and is ready for construction to commence.

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

SECTION 1. The Director of Administration is authorized to advertise according to law and enter into a contract with the lowest and best bidder for the construction of the East South Street parking lot, in accordance with specifications now on file in his office.

SECTION 2. The cost of such contract 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 Resolution occurred in an open meeting of this Council or its committees, in compliance with the law.

SECTION 4. 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 continue to operate efficiently and keep City equipment in safe condition; 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 Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Introduced: _____ Passed: _____ Vote: _____

Attest: _____
Clerk of Council President of Council

Approved: _____, 2020
Mayor

Introduced by: Bill Bostancic

APS
2020-35

Request for Agenda Item

Authorization for Bid



Purchase Capital Item



Non-Capital



Division: Engineering	Meeting Date Requested July 6, 2020
Project Name E. South Street Parking Lot Project	Estimated Total Funds/Costs \$185,000 (\$77,500 CDBG Funds)(\$107,500 Capital Funds)
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 This is a request to authorize the advertisement for bids and to enter into a contract with the lowest and best bidder for the construction of a parking lot on E. South Street. The parking lot will serve the eastern portion of the City. The buildings have been demolition and the site is ready for construction. All of the engineering design, construction administration and inspection will be performed in-house by the engineering staff.	
Justification / Benefits The project will add needed parking spaces to the eastern portions of the City. Council previously authorized approval to apply for funding Resolution 2018-037	
Will this Project affect the City's Operating Costs This project will have no effect on the City's operation and maintenance costs.	
What Alternatives Exist and what are the Implications of the Alternatives We could do nothing and forfeit the funding.	
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Note Reasons Suspension of the rules is not necessary but earlier passage would allow the opportunity to bid this project as early as possible in order to obtain the best possible bids.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Roger Kobilarcsik	Date: June 22, 2020
Approved for Agenda <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Resolution

No. 2020-214

Board of Wayne County Commissioners
Ron Amstutz Rebecca S. Foster Sue A. Smail

Adopted: May 6, 2020

Subject: Granting of Petition for Annexation (2020-A1 Expedited Type 2)

It was moved by Commissioner Amstutz and seconded by Commissioner Smail that the following resolution be adopted:

WHEREAS, the following Petition was received on April 8, 2020; and

Petition for Annexation 2020-A1 Expedited Type 2

to the City of Wooster (2150 Oak Hill Rd.)

Petitioners: Terry L. and Beverly L. Raber

Agent for the Petitioners: Robert J. Reynolds

WHEREAS, the Wayne County Engineer's Office has confirmed the accuracy of the map/plat in the Petition; and

WHEREAS, Division (D) of Section 709.023 of the Ohio Revised Code provides the legislative authority of the municipal corporation to which annexation is proposed and each township, any portion of which is included within the territory proposed for annexation, with a period of twenty five days after the annexation petition is filed to consent or object to the proposed annexation, and

WHEREAS, failure of said municipal corporation or township(s) to timely file an ordinance or resolution consenting or objecting to the proposed annexation shall be deemed to constitute consent; and

WHEREAS, Division (D) of Section 709.023 of the Ohio Revised Code obligates this Board to grant the proposed annexation if said municipal corporation and township(s) give the consent referenced above; and

WHEREAS, no objections were received from the City of Wooster or Wayne Township during the twenty-five-day objection period.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Wayne County, Ohio, that the Petition for Annexation referenced above is granted, and the resolution, petition, map, and all other papers on file shall be delivered to the City of Wooster.

The vote is as follows: Ron Amstutz yea Rebecca S. Foster yea Sue A. Smail yea

CERTIFICATE

I, Jennifer L. Bates, Deputy Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.


Jennifer L. Bates, Deputy Clerk

PETITION FOR ANNEXATION
BY: TERRY L. RABER AND BEVERLY L. RABER

(R.C. 709.021; 709.023; 709.192; 709.02)

TO: Board of County Commissioners of Wayne County, Ohio

Petitioners, Terry L. Raber and Beverly L. Raber (hereinafter collectively referred to as "Petitioners"), pursuant to Ohio Revised Code Section 709.021 and related provisions, being the owners of certain real estate in the unincorporated territory of Wayne Township which they propose to be annexed to the City of Wooster, Ohio, hereby submit an application for annexation by petition of said real estate, pursuant to Ohio Revised Code Section 709.023 (commonly referred to as an "Expedited Type-2 Annexation") being known as Permanent Parcel Number 53-00300.000 in Wayne County, Ohio.

The territory that is proposed for annexation is contiguous to the City of Wooster, Wayne County, Ohio. An accurate legal description of the territory proposed for annexation is attached hereto as Exhibit "A" and incorporated herein by reference. An accurate map or plat of the territory proposed for annexation is attached hereto as Exhibit "B" and incorporated herein by reference. There are no other properties or parcels owned by any other persons included in this petition.

Robert J. Reynolds is appointed to act as agent for Petitioners with full authority to take any action necessary for obtaining the granting of this petition.

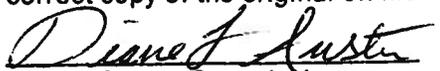
Simultaneously with the filing of this petition, Robert J. Reynolds is filing with the Clerk of the Board:

1. A list of all tracts, lots, or parcels in the territory proposed for annexation; and
2. A list of all tracts, lots, or parcels adjacent to that territory or directly across the road from it when the road is adjacent to it.

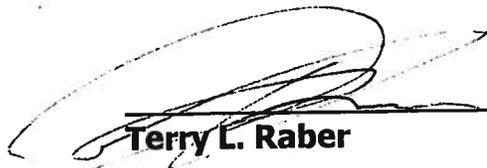
The lists include the name and mailing address of the owner of each tract, lot, or parcel, and the permanent parcel number from the Wayne County Auditor's permanent parcel numbering system for each tract, lot, or parcel.

A certified copy of the Annexation Agreement by and between Petitioners and the City of Wooster, Ohio is attached hereto as Exhibit "C" and incorporated herein by reference.

I hereby certify this is a true and correct copy of the original on file.

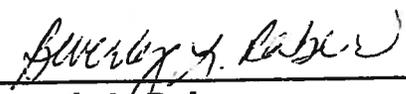

Wayne County Commissioners
Diane L. Auster, Clerk

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.



Terry L. Raber

Date: 03/26/20



Beverly L. Raber

Date: 03/26/20

Exhibit "A"

Situated in the City of Wooster, Township of Wayne, Section 32, Northeast Quarter, T-16, R-13, County of Wayne and State of Ohio:

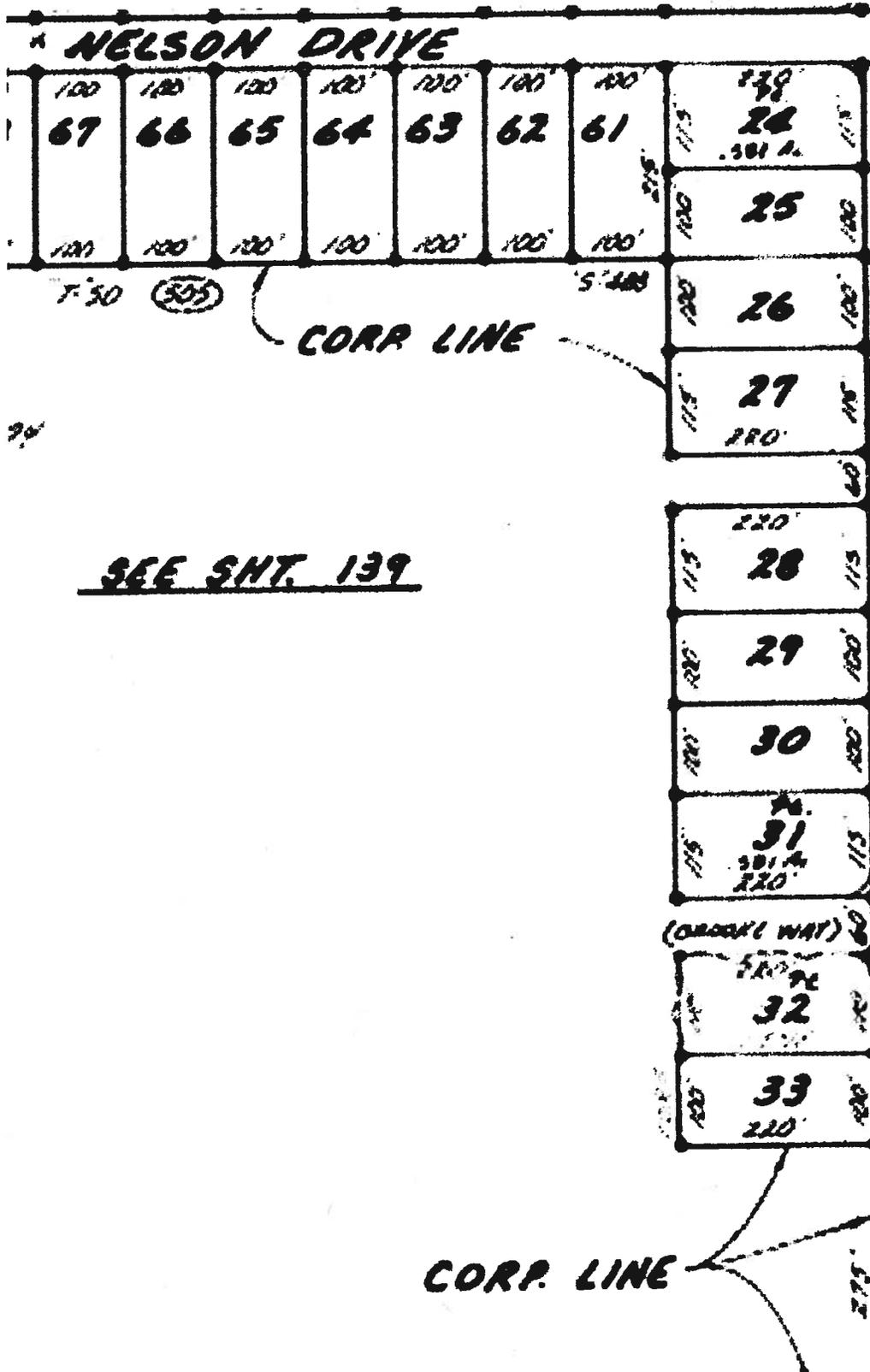
And known as being Lot Number 29 in the Nelsen Allotment #1 as shown by the plat recorded in Volume 5, Page 19, Wayne County, Ohio Plat Records.

Permanent Parcel No. 53-00300.000

Prior Deed Reference: Volume 867, Page 1533, Wayne County, Ohio Official Records

EXHIBIT

B



ORDINANCE NO. 2020-09

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PREANNEXATION AGREEMENT WITH CERTAIN PROPERTY OWNERS FOR THE PURPOSE OF FACILITATING THE ANNEXATION AND EXTENSION OF UTILITY SERVICES TO THOSE PROPERTIES, AND DECLARING AN EMERGENCY

WHEREAS, The property owner at 2150 Oak Hill Road owns a certain parcel of property on Oak Hill Road, contiguous to the City of Wooster, and he desires to annex and obtain utility services from the City of Wooster; and

WHEREAS, the City of Wooster desires to provide utility services to said owners, in return for which the owners have petitioned and will continue to seek annexation of their properties to the City of Wooster at the earliest possible time.

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 a pre-annexation agreement on behalf of the City of Wooster with Terry and Beverly Raber, the property owners at 2150 Oak Hill Road, for the purpose of facilitating the annexation and extension of utility services to their property contiguous to the City of Wooster. The terms of such agreement will include, but not be limited to, the following: (1) the City of Wooster will, upon adoption of this Ordinance, permit extension of utility services to the properties; (2) the owner will continue to diligently prosecute their petition for annexation of their properties; and (3) such other terms as the Mayor, in his/her discretion, shall deem necessary or proper.

SECTION 2. The Mayor is hereby authorized to permit the extension of water and sanitary sewer service to the subject parcels, in accordance with the terms of the pre-annexation agreement.

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, in compliance with law.

SECTION 4. 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 provide for utility services to the properties; 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 3-16-20 2nd reading → 3rd reading 3-16-20

Passed: 3-16, 2020

Vote: 6-0

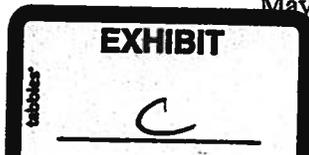
Attest: [Signature]
Clerk of Council

[Signature]
President of Council

Approved: 3-17, 2020

[Signature]
Mayor

Introduced by: David Silvestri



AGREEMENT

THIS AGREEMENT made and entered as of the 17th day of March 2020 by and between the City of Wooster, a municipal corporation of Ohio, 538 N. Market Street, Wooster, Ohio 44691 (the "City"); and Terry L & Beverly L Raber, Oak Hill Road, Wooster, Ohio 44691 (the "Owner").

WHEREAS, Owner owns certain residential real property (PPN 53-00300.000) located at 2150 Oak Hill Road, Wooster, Wayne County, as further described in Exhibit "A" attached hereto and incorporated by reference; and

WHEREAS, Owner desires to have access to City utilities including, but not limited to, water, sanitary sewer, and other City services; and

WHEREAS, Owner is willing to cause to be filed a Petition with the Board of County Commissioners of Wayne County, Ohio for annexation of the residential real property as soon as the property is contiguous to the City; and

WHEREAS, the City is willing to immediately permit the extension of its water and sanitary sewer services to the Owner, and to permit him to tap in or otherwise connect to such lines on the terms and conditions set forth herein.

NOW THEREFORE, in consideration of the mutual covenants of the parties hereinafter set forth, each party acting in consideration of the covenants of the other, the parties do hereby covenant and agree as follows:

1. **PETITION FOR ANNEXATION OF RESIDENTIAL REAL PROPERTY**
 - A. Upon execution of this Agreement by the City, Owner agrees to exercise his best efforts to cause the residential real property to be promptly annexed to the City in accordance

with the procedures set forth in Chapter 709 of the Ohio Revised Code. In furtherance of this objective, Owner agrees:

- (1) To immediately cause the execution of a Petition for Annexation for the purpose of effecting the annexation of the residential real property to the City in accordance with the procedures set forth in Chapter 709 of the Ohio Revised Code (the "Agent"); and
- (2) To cause his agent or legal counsel to promptly file the Petition for Annexation with the Board of County Commissioners of Wayne County, Ohio within thirty (30) days of such time as his residential real property becomes contiguous to the corporation limits of City; to provide written notice of the filing to the Clerk of the City and to the Clerk of Wayne Township; and to otherwise diligently pursue the annexation of the residential real property to the City.

B. In the event the Petition for Annexation of the residential real property is denied by the Board of County Commissioners, Owner agrees to timely file an appeal with the Court having jurisdiction thereof and to reasonably pursue and exhaust all appeals through the Courts of the State of Ohio, including the Supreme Court of Ohio. In the event the Petition for Annexation is granted by the Board of County Commissioners but any other interested person petitions the Court of Common Pleas having jurisdiction for an injunction restraining the Wayne County officials from presenting the Annexation Petition and other papers to the City as permitted under Section 709.07 of the Ohio Revised Code, Owner agrees to use his best efforts to cause such petition to be dismissed by the Court and if unsuccessful, to timely file an appeal with the Court having jurisdiction thereof and to reasonably pursue and exhaust all appeals through the Courts of Ohio, including its Supreme Court.

C. In the event that annexation shall be denied or enjoined after exhaustion of all legal remedies as provided in paragraph 1 (B) hereinabove or the application for annexation be rejected as provided in paragraph 6 hereinafter, Owner agrees that he will consent to the classification of the residential real property by the City as a non-resident district and to pay water and sanitary sewer fees based upon the rates used in charging other non-resident users located outside the City.

2. EXTENSION AND PERMITTING OF WATER AND SANITARY SEWER

A. In consideration of the agreement by Owner to pursue annexation in the manner provided for in paragraph 1 hereinabove, the City agrees that it will immediately make available to the residential real property its water and sanitary sewer facilities and systems. In furtherance of this Agreement the City will:

- (1) Contemporaneously with the execution of this Agreement, enact and adopt legislation permitting the extension of the water and sanitary sewer services of the City to the residential real property;
- (2) Grant Owner such tap-in and connection permits as are necessary or required to connect to its water and sanitary sewer facilities and systems upon compliance with all applicable regulations and payment of the appropriate fees. Thereafter, and until the residential real property is annexed, Owner will pay such fees and charges as are customary for users who lie outside the corporation limits.

B. The water line provided by the City is a twelve-inch (12") line located on Oak Hill Road on the opposite side of the street from the residential real property. The sanitary sewer line provided by the City is an eight-inch (8") line located in the pavement on Oak Hill Road.

C. In the event that annexation shall be denied or enjoined after exhaustion of all legal remedies as provided in paragraph 1(B) hereinabove, or if the City shall reject the application for annexation as provided in paragraph 5 hereinafter, the City agrees that it will classify the residential real property as a non-resident district and require Owner to pay water and sanitary sewer fees based upon the same rates used in charging other non-resident users located outside the City.

D. Storm Water Management. At no cost to City, Owner will, if required by City, provide to City any necessary storm water drainage easements, and will take such measures with respect to the residential real property as may be required by City's storm water regulations.

3. REVOCATION BY CITY

A. Owner acknowledges that the promises set forth in paragraph 1 are material and agree that in the event the Petition for Annexation is not filed as provided therein or, after filing, is withdrawn by Owner, or if Owner fails to appeal and to reasonably pursue and exhaust all appeals in the event the petition is denied by the Board of County Commissioners or a favorable decision is enjoined by a court, or the residential real property is subsequently detached from the City upon petition of the Owner herein, then the City may, as its sole and exclusive remedy, revoke the extension of its water and sanitary sewer services to the residential real property and any tap-in and connection permits previously issued, and the Owner agrees that he will consent to such revocation and will not contest it.

B. Except for the right to revoke the extension of its water and sanitary sewer services to the Owner and any tap-in or connection permits as provided in paragraph 3 (A) hereinabove, the City shall have no claim for damages and no other remedy, at law or in equity, in the event the Petition for Annexation is not filed or, after filing, is withdrawn by Owner or the

signers of the petition withdraw their signatures, or if Owner fails to appeal and reasonably pursue and exhaust all appeals in the event the petition is denied by the Board of County Commissioners or a favorable decision is enjoined by a court, or if the residential real property is detached from the City upon subsequent petition of the Owner.

4. ACCEPTANCE OF ANNEXATION; ZONING

The parties agree that upon acceptance of the annexation by the City, the residential real property will also be zoned in a manner that is consistent with the zoning of properties in the immediate vicinity thereof.

5. REJECTION OF ANNEXATION BY CITY

In the event the City rejects annexation, the Owner shall be discharged from any further obligation hereunder, but shall be entitled to retain the benefit of the extension of the water and sanitary sewer facilities and systems of the City as a non-resident district pursuant to the provisions of paragraph 2 (C) herein.

6. AMENDMENT; ASSIGNMENT

This Agreement may only be amended by a written agreement of the parties hereto. It is not transferable or assignable without the express written approval of the other party.

7. GOVERNING LAW

This Agreement shall be governed by and subject to the internal laws of the State of Ohio.

8. ENTIRE AGREEMENT

This Agreement constitutes the sole and only agreement between the parties respecting the matters set forth herein. If any clause, sentence, paragraph or part of this Agreement shall, for any reason, be adjudged by any court of record to be invalid, such judgment will not affect,

impair or invalidate the remainder of the Agreement, which shall continue in full force and effect.

9. BENEFIT AND BINDING EFFECT

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, the parties, intending to be legally bound, hereto have caused this Agreement to be authorized and to be executed as of the day and year first above written.

In the Presence of:

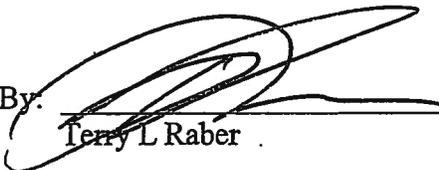
CITY OF WOOSTER

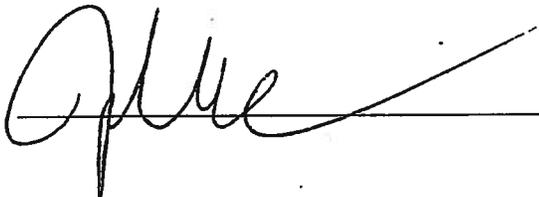

Jonathan M. Allen JONATHAN ALLEN

By: 
Robert F. Breneman, Mayor, by authority granted by Ord. 2020- 09


Lynne D. Paule


Roger Kobelkovich

By: 
Terry L. Raber


Beverly L. Raber

By: 
Beverly L. Raber

This instrument prepared by:
John Scavelli
Director of Law
538 N. Market Street
Wooster, Ohio 44691

Exhibit A

Situated in the Township of Wayne, County of Wayne, and State of Ohio: And known as being Lot 29 in the Nelsen Allotment 1 in the Northeast Quarter of Section 32, Township T16N, Range R13W, the plat of which is recorded in Wayne County, Ohio Plat Records Volume 5, Page 19.

Parcel No. 53-00300.000

Resolution

No. 2020-185

Board of Wayne County Commissioners
Ron Amstutz Rebecca S. Foster Sue A. Smail

Adopted: April 15, 2020

Subject: Resolution to Enter Upon the Wayne County Commissioners' Journal
the Filing of a Petition for Annexation (2020-A1 Type 2)

It was moved by Commissioner Smail and seconded by Commissioner Amstutz that the following resolution be adopted:

Record of the following Petition for Annexation is hereby entered upon the Wayne County Commissioners' Journal.

Petition for Annexation 2020-A1 Type 2

from Wayne Twp. to the City of Wooster (2150 Oak Hill Rd.)

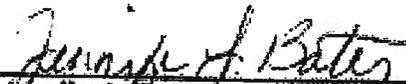
Petitioners: Terry L. and Beverly L. Raber

Agent for the Petitioners: Robert J. Reynolds

The vote is as follows: Ron Amstutz yea Rebecca S. Foster yea Sue A. Smail yea

CERTIFICATE

I, Jennifer L. Bates, Deputy Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

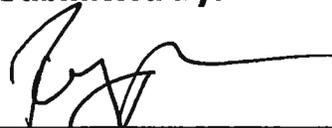


Jennifer L. Bates, Deputy Clerk

**SCHEDULE OF PARCEL FOR ANNEXATION
O.R.C. Section 709.02(D)**

Name of Property Owner	Mailing Address	Permanent Parcel No.
Terry L. Raber and Beverly A. Raber	9068 CR 245, Holmesville, OH 44633	53-00300.000

Submitted By:

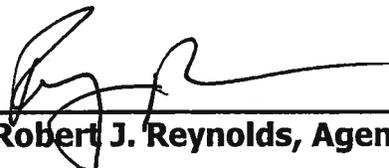


Robert J. Reynolds, Agent

**SCHEDULE OF ADJOINING PARCELS
O.R.C. Section 709.02(D)**

Name of Property Owner	Mailing Address	Permanent Parcel No.
Bruce L. Rostetter and Sara L. Rostetter	2160 Oak Hill Road, Wooster, OH 44691	53-00542.000
Anthony S. Quattrocchi and Beth A. Quattrocchi	2147 Melanie Drive, Wooster, OH 44691	68-02620.040
Brianna F. Helms, Debra K. Pritchett and Kevin M. Pritchett	2135 Melanie Drive, Wooster, OH 44691	68-02620.041
Richard A. Becker and Virginia A. Becker	2142 Oak Hill Road, Wooster, OH 44691	53-00898.000
Andrew A. Dordea and Nicole S. Dordea	925 Woodmere Drive, Wooster, OH 44691	68-02623.172

Submitted By:



Robert J. Reynolds, Agent

I hereby certify this is a true and correct copy of the original on file.


Dawn DePaulo
Clerk, Wooster City Council

ORDINANCE NO. 2020-12

WAYNE CO COMMISSIONERS
2020 APR 24 PM 12:24

AN ORDINANCE STATING TO THE WAYNE COUNTY COMMISSIONERS, PURSUANT TO REVISED CODE SECTION 709.023, THE SERVICES WHICH THE CITY OF WOOSTER WOULD BE ABLE TO PROVIDE FOR A SINGLE PARCEL SITE KNOWN AS 2150 OAK HILL ROAD, WOOSTER, OHIO (PARCEL 53-00300.000) WHICH IS CONTIGUOUS TO THE CITY OF WOOSTER, AND DECLARING AN EMERGENCY. (Robert Reynolds, Esq., Agent for Petitioners Terry and Beverly Raber)

WHEREAS, Robert Reynolds, Esq., agent for Petitioners, has, pursuant to Revised Code Section 709.023, filed a petition with the Wayne County Commissioners seeking annexation of .5051 acres of land owned by petitioners in Wayne Township, adjacent to the City of Wooster (a map of said area is attached hereto); and

WHEREAS, Revised Code Section 709.023 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 first arriving fire and emergency units is 4 minutes. Full force travel time would be 10 minutes from stations #1 and #3. These services would be immediately available, and the addition of this area as an R-1 residential district would have little impact to Fire and Police divisions. Higher density commercial or residential development would not affect response times, but could increase call volumes, and require additional safety forces staffing in the future.
- B. A twelve-inch water line is located on Oak Hill Road, immediately adjacent to 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 eight-inch sanitary sewer line on Oak Hill Road, immediately adjacent to the territory proposed for annexation and immediately accessible for extension thereto. The water pollution control plant has sufficient capacity to serve this property. This service would be immediately available upon the Petitioners paying the necessary

ORDINANCE NO. 2020-26

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH KRUPP MOVING AND STORAGE LLC AND KV MANAGEMENT LLC FOR CERTAIN TAX INCENTIVES, AND DECLARING AN EMERGENCY

WHEREAS, KV Management LLC is a for-profit enterprise that desires to construct an approximately 55,000 sq. ft. warehouse facility at 2730 Akron Road in the City of Wooster, including a real property investment of \$2,300,000 to \$2,500,000 in new development, and desires to lease 25,000 sq. ft. to Krupp Moving and Storage LLC; and

WHEREAS, Krupp Moving and Storage LLC is a household goods mover and requires 25,000 sq. ft. of high-bay storage space to expand its services to remain competitive in its industry and retain eighteen (18) full-time jobs in the City of Wooster and create one (1) additional job within two years; 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; 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; and

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 KV Management LLC and Krupp Moving and Storage LLC for tax abatement. The terms of such agreement will include, but not be limited to, the following: (1) abatement of real property taxes of seventy-five percent (75%) for the 25,000 square feet of warehouse space to be leased to Krupp Moving and Storage LLC; (2) for a maximum term not to exceed two and one-half years (2.5) years; (3) a provision that KV Management LLC and Krupp Moving and Storage LLC significantly maintain their operations at the site 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.

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 construction of the proposed warehouse; 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: _____, 2020

Vote: _____

Attest: _____

Clerk of Council

President of Council

Approved: _____, 2020

Mayor

Introduced by: Jon Ansel

Request for Agenda Item

OKD 2020-26

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Development	Meeting Date Requested July 6, 2020
Project Name KV Management LLC et. al.	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 - Request from base-industry employer. Project, with exemption, will increase overall tax revenues.	
Description of Request KV Management LLC (a property management company) and Krupp Moving and Storage LLC (an employer and household goods mover specializing in services to the Akron-Canton region and serving destinations nationwide) is requesting a seventy-five (75) percent tax abatement on 25,000 square feet of warehouse space proposed for construction through the City's Enterprise Zone Program (EZ 389B) for a period of 2.5 (two and a half) years. KV Management LLC will construct an additional (unabated) 30,000 square feet of warehouse space to commence in 2020, for a total of 55,000 square feet with a total investment of \$2.3MM to \$2.5MM. The project will retain eighteen (18) full-time jobs and create one additional job with a combined payroll of \$625,000. The employer, who will relocate from 3481 Cleveland Rd., in Wooster, requires additional space to accommodate new services.	
Justification / Benefits Project retains Krupp Moving and Storage LLC in leased space for five more years within the City when opportunities are limited, and indirectly supports other Wooster firms in solving space constraints. Provides a ROI for taxpayers over continuing to delay construction.	
Will this Project affect the City's Operating Costs The project would be beneficial to the City's operating costs in securing future revenue growth.	
What Alternatives Exist and what are the Implications of the Alternatives The tax exemption may be denied and the project will be significantly delayed, canceled, or be significantly reduced in scope if it does, minimizing opportunity for future revenue growth.	
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 An expedited decision is requested to allow the company to move forward with planning.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Jonathan Millea	Date: 22 June 2020

Approved for Agenda Yes No

ENTERPRISE ZONE REQUEST SUMMARY: KV Management LLC & Krupp Moving and Storage LLC



Prepared by the City of Wooster Department of Community Service and Development at the Request of:
KV Management LLC & Krupp Moving and Storage LLC – 2730 Akron Rd, Wooster, Ohio 44691
 Application Date: June 18, 2020.

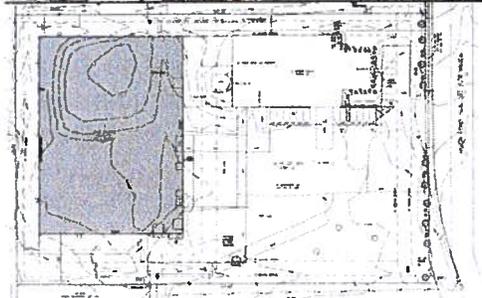
Project Summary: KV Management LLC, a local property management firm, is proposing the construction of a **55,000 square foot** warehouse building at 2730 Akron Road, Wooster, Ohio, which is necessary to accommodate a regional household goods mover and storage firm, **Krupp Moving & Storage LLC**. The project seeks a **75%, 2 ½ year** real estate tax abatement on 25,000 square feet of the facility. If granted, the project would commence this summer to secure Krupp Moving & Storage LLC and its **18 full time** and **two to seven seasonal employees** in Wooster. (For cost efficiencies, KV Management LLC will establish an additional 30,000 square feet of speculative space, which will **not** be abated.)

Krupp Moving & Storage LLC is expanding its services, including providing long-term storage options for government staff relocations, and the company's current leased space at 3481 Cleveland Road is insufficient without adequate space for expansion. The firm requires a substantial increase in sheltered space and room to house its staff with a need to add at least one additional job. The business is seasonal, with a minimum job base of **19 full-time staff**, and up to **26** during Spring. The firm's customer base is the greater Akron-Canton region and it extends its services **nationwide**.

KV Management LLC, which will own and manage the space, will extend a five-year lease with an option for a five year renewal to the firm. Provision of the Enterprise Zone will enable the management firm to proceed with the **\$2.3MM to \$2.5MM** investment that would secure Krupp Moving & Storage LLC's ongoing operations in Wooster.

Project Impacts: Staff considers that absent of the project Krupp Moving and Storage LLC's would be *compelled* to locate outside of Wooster as the city is *not* at the center of the region's market base and there are no other apparent incentives for retention. The project ensures **19 full-time jobs** with **\$625,000 in payroll**. Staff typically does not recommend projects where space is built for rent (nor may EZ exemption be applied to speculative space). However, KV Management LLC has had its warehouse building project planned for *over a year*, and **has not** able to move forward on a purely speculative basis. With 35,000 square feet not abated, the project would generate an additional **\$43,067 to \$46,812** during the first full tax year, compared with a total tax exemption of **\$55,690 to \$60,533**. At the same time, the unabated space will support the operations of Rawhide Fire House (primary sector) and Reed Warehouse (non-primary sector). Delaying the project by another 16 months may reduce the projected revenues by a *greater* amount than the requested tax exemption. These considerations, *together*, offer a public-private partnership opportunity that benefits several firms while generating new revenues to the benefit of taxpayers. Staff recommends the requested modest Enterprise Zone incentives due to the project's job retention impact, expansion of facility space, and its *fiscal* impacts.

Project Site Map: New 55,000sf Facility
 2730 Akron Rd. (67-02436.006), Wooster, Oh 44691.



Top: Parcel 67-02436 006 outlined in yellow with super-imposed footprint. Not to scale. Map: Wayne County GIS
 Bottom: Building Plan Sketch (Copyright 202 by Schaffer, Johnston, Lichtenwalter, & Associates Inc)

TABLE: Project Implication Matrix – *Estimation (Please reference notes)

KV Management LLC & Krupp Moving and Storage Company Projected Tax Impacts

Current Value ¹ PNN 67-02436 006	Annual Tax Obligation ¹	Post Proj. Tax Value ² \$2.3MM to \$2.5MM Invested	Annual Tax Oblig. w/o Abatement ²	Annual Tax Obligation with 75% Abatement ³	Applicant's Annual Savings ³	Total Savings after 30 Months
\$707,720	\$20,106	Min> \$3,007,720	\$85,449	\$63,173	\$22,276	\$55,690
		Max> \$3,207,720	\$91,131	\$66,918	\$24,213	\$60,533
KV Management & Krupp Moving and Storage	Annual City Income Tax Retention ⁴		\$9,000		Net Property Tax Gain with Abatement	
	Annual City Income Tax Creation ⁴		\$375		Cumulative Net Property Tax Gain	
	EZ Period Cumulative Income Tax ⁴		\$22,875		Post-EZ Annual Property Tax (Apprx.) ⁶	

- \$707,720 based on the Wayne County Auditor's 100 percent 2019 valuation of taxes assessed for PPN 67-02436 006 which includes an 18,000-square foot industrial warehouse structure. Annual obligation assumes a millage of 81.17157 which is projected for 2020. Excludes special assessments. Wayne County Auditor, Wayne County, Ohio. (2018). Property Records CAMA Database [Data file]. Retrieved from <http://www.waynecountyauditor.org>
- Annual Tax Obligation without Abatement² assumes no EZ abatement after construction (original value plus investment at the 2020 projected tax rate.
- 75% abatement applies to 25,000 leased portion of building. Estimated tax increase protection available, assuming investment equals a valuation increase. Actual valuation may be lower than construction costs (the inverse is also possible), this figure may change accordingly.
- Annual City Income Tax Creation assumes 1.5 percent income tax on \$625,000 payroll. Cumulative calculation assumes one new job in year two.
- 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, KV Management LLC (Enterprise) and Krupp Moving and Storage LLC (Employer).

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

KV Management, LLC
Enterprise Name (Company holding real estate)

2730 Akron Road, Wooster, Ohio 44691
Address

Krupp Moving And Storage, LLC
Employer Name (Company responsible for employment)

2728 Akron Road, Wooster, Ohio 44691
Address

Keith Eriksen
Contact Person

330.601.0717
Telephone number

Keith@callreed.com
Email contact

Tim Krupp
Contact Person

330.359.1846
Telephone number

kruppmoving@gmail.com
Email contact

1b. Project site:

Keith Eriksen
Contact Person

2730 Akron Road, Wooster, Ohio 44691
Address

330.601.0717
Telephone number

Keith@callreed.com
Email Contact

**EZ APPLICATION – KV MANAGEMENT, LLC & KRUPP MOVING AND STORAGE, LLC
WAREHOUSING, JUNE 2020
2730 AKRON ROAD, WOOSTER, OHIO 44691**

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

KV Management LLC: Commercial real estate holding firm
Krupp Moving and Storage LLC: Commercial and residential moving and storage.

2b. List primary 6-digit NAICS #: 493190 Other warehousing storage; 484210 household and office goods mover. 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)

Yes – Krupp Moving and Storage LLC will relocate 18 full-time permanent employees and a minimum of 2 full-time temporary/seasonal employees from its current leased location at 3481 Cleveland Road, Wooster, Ohio (Note, for normal high seasons, the firm typically hires 7 full-time temporary hires, and anticipates doing so. The commitment of two represents a minimum.) This is due to a need for substantially more space that cannot be provided at the current site. A separate sublease will support an affiliated local furniture firm (High Point Furniture within the a portion of the same area with as many as 3 full-time permanent employees in winter with up to four additional seasonal employees in spring/summer).

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

KV Management LLC: Limited Liability Company
Krupp Moving and Storage LLC: Limited Liability Company

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

KV Management LLC: Keith A. Eriksen (Managing Partner), Dr. Vincent Fiorita (30% Partner)
Krupp Moving and Storage LLC: Timothy A. Krupp

4. Is business seasonal in nature? Yes X – 18 employees in winter No X

5a. State the enterprise's current employment level at the proposed project site:
(Itemized for full and part-time and permanent and temporary employees)

Full-Time: 1 (KV Management LLC; (18 Full-time Permanent, 2 Full-time Temporary) Krupp Moving and Storage, Part-Time: 0; Temporary Full-Time: 0; Temporary Part-Time: 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 X – Krupp Moving and Storage LLC No ___

**EZ APPLICATION – KV MANAGEMENT, LLC & KRUPP MOVING AND STORAGE, LLC
WAREHOUSING, JUNE 2020
2730 AKRON ROAD, WOOSTER, OHIO 44691**

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:

Krupp Moving and Storage LLC will relocate its operations and staff from its current leased location at 3481 Cleveland Road, Wooster, Ohio 44691, due to insufficient space.

**5d. State the enterprise's current employment level in Ohio:
(Itemized for full and part-time and permanent and temporary employees):**

Full-Time: 1 (KV Management LLC; ; (18 Full-time Permanent, 2 to 7 Full-time Temporary – varies by season) Krupp Moving and Storage, Part-Time: 0; Temporary Full-Time: 0; Temporary Part-Time: 0.

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

Krupp Moving and Storage LLC maintains 18 full-time permanent jobs and 2 to 7 seasonal full-time temporary jobs from its 3481 Cleveland Road, Wooster, Ohio 44691 leased facility. These positions will be relocated to the new facility upon building construction completion.

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

All equipment and capital, packing trucks, client household goods moving and storage, equipment for transportation for hire, furniture inventory, 18 full-time permanent jobs and 2 to 7 seasonal full-time temporary jobs

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: N/A

7. Does the Enterprise and/or Employer 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).

N/A

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

New construction, 55,000 square foot warehouse with 32-foot ceilings, 1,600 square foot office space, packing and shelving. Parking for employees and delivery trucks. 25,000 square feet will be dedicated to the Krupp Moving and Storage operation, with all 1,600 square feet of office space in use and the remainder industrial warehouse. The request for incentives shall apply only to the lease portion of the building..

9. **Project will begin August 1, 2020 and be completed by February 28, 2021 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: 1, Part-Time: 0; Temporary Full-Time: 0; Temporary Part-Time: 0

- 10b. **State the time frame of this projected hiring:** 2.5 years

- 10c. **State proposed schedule for hiring:**

(Itemize by full and part-time and permanent and temporary employees)

Year 1: 0; Year 2: 1 (one); Year 3: 0;

- 11a. **Estimate the amount of annual payroll such new employees will add:** \$ 25,000

(New annual payroll must be itemized by full and part-time and permanent and temporary new employees.)

Full-Time: \$25,000, Part-Time: \$ 0; Temporary Full-Time: \$ 0; Temporary Part-Time: \$ 0

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

\$600,000

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

\$707,720 (existing facility)

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

KV Management - \$2,300,000

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):

Krupp Moving & Storage LLC \$0

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>2,300,000</u>	\$ <u>2,500,000</u>
C. Improvements to existing buildings:	\$ <u>0</u>	\$ <u>0</u>
D. Machinery & Equipment:	\$ <u>150,000</u>	\$ <u>175,000</u>
E. Furniture, Fixtures, Etc.	\$ <u>50,000</u>	\$ <u>125,000</u>
F. Inventory:	\$ <u>20,000</u>	\$ <u>30,000</u>
Total New Project Investment:	\$ <u>2,520,000</u>	\$ <u>2,830,000</u>

15a. Business requests the following tax exemption incentives: 75 % for two years followed by 37.5% for one year thereafter % years covering real and/or personal property including inventory as described above (be specific regarding type of assets, rate, and term).

The exemption request applies only to the leased portion of the 55,000 square foot building, which includes 1,600 square feet of office space and 23,400 square feet of warehousing space (which is 45.45% of the total building footprint, with the leased industrial warehouse space accounting for 43.82% of the building's total 53,400 square feet of industrial warehouse space, and the 1,600 square feet of office space accounting for 100% of the building's office space.

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

Please see attached letter from KV Management LLC.

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

**EZ APPLICATION – KV MANAGEMENT, LLC & KRUPP MOVING AND STORAGE, LLC
WAREHOUSING, JUNE 2020**

2750 AKRON ROAD, WOOSTER, OHIO 44691 Email Contact

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.

Employer - Please state

2b. List primary 6-digit NAICS #: Number

KV Management LLC

Enterprise Name

business may list other relevant SIC numbers.

Date

16 June 2020

Keith A. Eriksen

Signature

Keith A. Eriksen, Managing Member

Typed Name and Title

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

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

Krupp Moving and Storage LLC

Employer Name

Form of business of enterprise (corporation, partnership, proprietorship, etc)

Date

Jun 18, 2020

Signature

Timothy A. Krupp, Managing Member

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.

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)

Full-Time 0 Part-Time 0 Temporary Full-Time 0 Temporary Part-Time

0

Page 6 of 6

This EZ Application form contains all text as listed on the Ohio Development Services Agency Business Application for Enterprise Zone Tax Incentives posted 9 Jun., 2015, at http://development.ohio.gov/files/hs/ez_BusinessApplication%20for%20EnterpriseZoneTaxIncentives.doc, and was provided to Keith Eriksen (KV Management LLC) and Timothy Krupp (Krupp Moving and Storage LLC) by the City of Wooster or assigns, with adjustments made for spacing and formatting for improved clarity.



2730 Akron Road
Wooster, Ohio 44691
toll free: 844.823.6405
ph: 330.601.0717

www.reedrecordsmanagement.com

This project represents a significant investment for KV Management (Reed Records Management), as we look to expand our operation and add new jobs to at the site. Once the addition is established, the total number of jobs at the site will expand from 10 to 35, with the potential to add 20 additional full-time positions at the site in the coming years.

Granting an Enterprise Zone Tax Incentive will make this project a viable option as the initial investment expenses are extensive. Upon completion, this site will support at least three local operations that are in need of additional space, and the hope is that such space can be developed here in Wooster.

ORDINANCE NO. 2020-27

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH HYDAC TECHNOLOGY CORP. AND BAKER PROPERTIES – MT VERNON LTD. FOR CERTAIN TAX INCENTIVES, AND DECLARING AN EMERGENCY

WHEREAS, Baker Properties – Mt. Vernon Ltd. is a for-profit enterprise that desires to construct an approximately 22,000 sq. ft. manufacturing facility on its property at Venture Boulevard (Wayne County Parcel 68-01409.003), including a real property investment of \$1,200,000 to \$1,500,000 in new development, and desires to lease the facility to HYDAC Technology Corp. for ten years with an option to purchase; and

WHEREAS, HYDAC Technology Corporation, a German-based firm that specializes in the production of components and systems for hydraulic and fluid processes, maintains an operation in the City of Wooster with a staff of 11 engineers and manufacturer specialists, and requires additional space to grow its services and operations in the northeastern United States, including the creation of three (3) new jobs within three years; 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; and

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 Ltd. and HYDAC Technology Corp. for tax abatement. The terms of such agreement will include, but not be limited to, the following: (1) abatement of real property taxes of seventy-five percent (75%) for the new warehouse facility to be leased to HYDAC Technology Corp.; (2) for a maximum term not to exceed ten years (10) years; (3) a provision that Baker Properties – Mt. Vernon Ltd. and HYDAC Technology Corp. significantly maintain their operations at the site for an additional year for each year of abatement, subject to the disgorgement of all abated taxes, except this obligation may exclude Baker Properties – Mt. Vernon Ltd. in the event HYDAC Technology Corp. purchases the facility; 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.

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 construction of the proposed warehouse; 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: _____, 2020

Vote: _____

Attest: _____

Clerk of Council

President of Council

Approved: _____, 2020

Mayor

Introduced by: Jon Ansel

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Development	Meeting Date Requested July 6, 2020
Project Name HYDAC Technology Corp., et. al.	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 - Request from base-industry employer. Project, with exemption, will increase overall tax revenues.	
Description of Request Baker Properties - Mt. Vernon Ltd. (a property management company) and HYDAC Technology Corp. LLC (an employer specializing in the design and manufacturing of industrial valves and related equipment) is requesting a seventy-five (75) percent tax abatement on a new ~1.2MM top ~1.5MM 22,000 square feet of warehouse proposed for construction at venture Boulevard in City's Enterprise Zone Program (EZ 389B) for a period of ten (10) years. As it expands its production lines, the HYDAC Technology Corp requires a new dedicated facility to grow its operations, retain its 11 person staff and accommodate three additional hires. Today, the manufacturer is based at 1660 Enterprise Parkway, which cannot accommodate the necessary expansion. The new facility will be owned and managed by Baker Properties-Mt. Vernon Ltd., and leased to HYDAC Technology Corp for 10 years with an option to purchase after five years. The total commitment at the site is 20 years.	
Justification / Benefits Project retains a primary-sector manufacturer at risk for relocation to other communities in the greater region due to lack of available and appropriate space. The type of work performed contributes to Wooster's portfolio of industrial services and capabilities.	
Will this Project affect the City's Operating Costs The project would be beneficial to the City's operating costs in securing future revenue growth.	
What Alternatives Exist and what are the Implications of the Alternatives The tax exemption may be denied and the project is at risk of relocation to another location outside of Wayne County.	
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 An expedited decision is requested to allow the firms to move forward with planning.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Jonathan Millea	Date: 22 June 2020

Approved for Agenda Yes No

ENTERPRISE ZONE REQUEST SUMMARY: HYDAC Technology Corp / Baker Properties Mt. Vernon LLC



Prepared by the City of Wooster Department of Community Service and Development at the Request of:
HYDAC Technology Corp & Baker Properties-Mt. Vernon LLC – *Venture Blvd., Wooster, Ohio*
 Application Date: June 19, 2020.

Project Summary: German-based **HYDAC Technology Corp.**, a designer and manufacturer of industrial valves and equipment, and **Baker Properties, Mt. Vernon, Ltd.**, a regional property development and management firm, is proposing the construction of a new **22,000 square foot** (approximate) manufacturing facility with office space. The project will allow HYDAC Technology Corp.'s with room to grow as it molds its Wooster operations into a regional headquarters for the firm. The 11-person team of industrial specialists and engineers requires an additional **three** staff members in the next three years as it incorporates a new production line. Currently leasing space in a multi-tenant building at 1660 Enterprise Parkway in Wooster and without room to expand, the company began exploring options for new construction. Preferring to stay in the region (it's next nearest offices located in Chicago, IL and USA headquarters in Bethlehem PA), the firm consulted with the Wayne Economic Development Council to learn about opportunities within Wayne County, in addition to examining other counties.

Project Site Map: New 22,000sf Facility
 TBD Venture Blvd. (68-01409.003), Wooster, Ohio.



Top: Parcel 68-01409.003 outlined in yellow with superimposed footprint. Not to scale. Map: Wayne County GIS.

Baker Properties - Mt. Vernon Ltd., the site owner, will utilize local Freeman Building Systems to construct the building and go on to manage the site under a ten year lease, with an option to purchase after the first five years. An approximate 2.49-acre portion will be split from 8.0867-acre parcel 68-01409.003 to accommodate the site. To secure the project, HYDAC Technology Corp. and Baker Properties, Mt. Vernon Ltd. request a **10-year, 75% tax exemption** on for the new building, which will commit the firms to maintaining the structure and operations at the site for a period of 20 years.

Project Impacts: Baker Properties, Mt. Vernon, Ltd. proposes to invest **\$1,200,000 to \$1,500,000** to construct the new 22,000-ft² building which HYDAC Technology Corp will lease for 10 years with an option to purchase, securing 11 full-time jobs with \$916,000 in payroll and the creation of three new jobs over 46 months with a payroll of \$185,000, a project total of **14 primary jobs** and minimum **\$1,101,000 payroll**. (Applicant offers health insurance plan).

Expanding with new technology and needing additional employees, HYDAC Technology Corporation must relocate to a larger site. The project will help retain the 11-year Wooster *primary-industry employer* in city limits as it grows. The project includes a plan to allow the employer to purchase the facility, which will be designed to for future space add-ons. The project adds to the City's industrial space and *capabilities* portfolio which is helpful for supporting primary industry employment. Tax gains from the project, during the abatement period, would result in a **\$8,523 to \$10,654** annual gain for the community while generating **\$16,515** in income taxes at full employment. The City has partnered with Baker Properties Mt. Vernon Ltd. in the past on Enterprise Zone projects. Staff **RECOMMENDS** the requested Enterprise Zone incentive to HYDAC Technology Corporation and Baker Properties-Mt. Vernon Ltd., for its contribution to Wooster's industrial base with its unique technologies, necessity that but for this project the firm would need to explore other communities for a new structure, retention and creation of *primary sector* jobs, and its positive financial and economic impacts. *Please see attached application.*

TABLE: Project Implication Matrix – *Estimation (Please reference notes)

HYDAC Technology Corporation & Baker Properties Mt. Vernon Ltd Investment Projected Tax Impacts

Current Value ¹ PPN 68-01409.003	Annual Tax Obligation ¹	Post Proj. Tax Value ² \$1.2MM to \$1.5MM Invested	Annual Tax Oblig. w/o Abatement ²	Annual Tax Obligation with 75% Abatement	Applicant's Annual Savings ³	Total Savings after 10 Years
\$12,881	\$366	Min> \$1,212,881	\$34,458	\$8,889	\$25,569	\$255,690
		Max> \$1,512,881	\$42,981	\$11,020	\$31,961	\$319,613
HYDAC Technologies Corp.	<i>Annual City Income Tax Retention⁴</i>		\$13,740	<i>Net Property Tax Gain with Abatement</i>		\$8,523 to \$10,654
	<i>Annual City Income Tax Creation</i>		\$2,775	<i>Cumulative Net Property Tax Gain</i>		\$85,230 to \$106,538
	<i>EZ Period Cumulative Income Tax⁵</i>		\$159,600	<i>Post-EZ Annual Property Tax (Apprx.)⁶</i>		\$34,092 to \$42,615

- Current Value of \$50,401 based on the Wayne County Auditor's 100 percent 2019 valuation of taxes assessed for PPN 68-01409.003 with Annual Tax Obligation based on projected 2021 taxes payable for 2022. Assumes 2.49-acres of an 8.0867-acre site, or 30.7913% of total value. Wayne County Auditor, Wayne County, Ohio (2020). 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 \$1,500,000 investment, with a 2021 projected millage rate of 81.17157.
- 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 \$28,410 annually.
- Annual City Income Tax Creation assumes 1.5 percent income tax on \$916,000 annual payroll from 11 existing jobs.
- Cumulative calculation assumes no new employment created in the first year, one job in year two, and two jobs in year three, at \$61,667 payroll per job.
- 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, HYDAC Technology Corp. (Employer) and Baker Properties – Mt. Vernon Ltd (Enterprise).

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 (Company holding real estate)

1130 Riffel Road, Wooster, Ohio 44691
Address

HYDAC Technology Corp
Employer Name (Company responsible for employment)

2260 City Line Road, Bethlehem, PA 18017
Address

Mr. Jerry Baker
Contact Person

330-345-5666
Telephone number

jerry@jbakerindustries.com
Email contact

Michael Teiga
Contact Person

1-330-439-1477
Telephone number

michael.teiga@hydacusa.com
Email contact

1b. Project site:

Jerry BAKER
Contact Person

Number 330-465-1304
Telephone number

TBD - Venture Blvd., Wooster (Parcel 68-01409.003)
Address

Email
Email Contact

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

Baker Properties – Mt. Vernon Ltd. – Property development and management
HYDAC Technology Corp. (Employer) – Manufacturer of industrial valves and fluid-technology products.

***EZ APPLICATION—HYDAC TECHNOLOGY CORP. & BAKER PROPERTIES - MT VERNON LTD.
HYDAC TECHNOLOGY CORP. WOOSTER EXPANSION
VENTURE BLVD., WOOSTER, OHIO 44691***

2b. List primary 6-digit NAICS #: 332911 Industrial Valve Manufacturing
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)

N/A – A relocation of all assets from a leased ~11,000 square foot facility at 1660 Enterprise Pkwy, Wooster, OH 44691 to a newly constructed leased building with an option to purchase.

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

Baker Properties – Mt. Vernon Ltd. – Domestic Limited Liability Company
HYDAC Technology Corp. – Pennsylvania Business Corporation

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

Baker Properties – Mt. Vernon Ltd.: Mr. Jerry Baker
HYDAC Technology Corp.: Michael Teiga, Division Manager

4. Is business seasonal in nature? Yes No X

5a. State the enterprise's current employment level at the proposed project site:
(Itemized for full and part-time and permanent and temporary employees)

Full-Time: 11, Part-Time: 0; Temporary Full-Time: 0; Temporary Part-Time: 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 X No

Development Coordinator's Note: Because the relocation is occurring within the same Enterprise Zone inside the City of Wooster as a job retention effort, a waiver from the Ohio Development Services Agency is not necessary.

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:

The relocation will involve all 11 full-time jobs and all capital assets from a leased ~11,000 square foot facility at 1660 Enterprise Pkwy, Wooster, OH 44691 to a new to-be-built 21,000-square foot facility leased building on Venture Boulevard with an option to purchase after five

***EZ APPLICATION—HYDAC TECHNOLOGY CORP. & BAKER PROPERTIES - MT VERNON LTD.
HYDAC TECHNOLOGY CORP. WOOSTER EXPANSION
VENTURE BLVD., WOOSTER, OHIO 44691***

years. Both the origin and destination locations are within the City of Wooster and contained in Enterprise Zone 389.

- 5d. State the enterprise's current employment level in Ohio:**
(Itemized for full and part-time and permanent and temporary employees):

Baker Properties—Mt. Vernon Ltd.: Full-Time: 0, Part-Time: 0; Temp. Full-Time: 0; Temp. Part-Time: 0
HYDAC Technology Corp. Full-Time: 11, Part-Time: 0; Temporary Full-Time: 0; Temporary Part-Time: 0

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

HYDAC Technology Corp. employs 11 full-time employees engaged in engineering and production at its current 1660 Enterprise Pkwy, Wooster, OH 44691. All employees and assets will be relocated with the site vacated and made available for future tenants. The existing space, within a multi-tenant single-floor mixed-industrial/office building is too small for the firm to continue its operations and the site layout makes expansion unfeasible.

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

The relocation will enable HYDAC Technology Corp. the ability to establish a new product line that is not possible within its existing space. The additional line ensures the retention of existing employees and create the potential for additional hires. The new construction project will provide the firm with approximately twice the office and production space it currently utilizes and enable the site to serve as a regional headquarters for German-based HYDAC's North American operations. The new facility would focus on serving customers in the eastern great lakes and New England states. The company has alternative options for citing its expansion within the Mid-Ohio region, but would prefer to remain in Wooster where it has been located for the past 11 years.

- 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:**

N/A (both Enterprise and Employer)

- 7. Does the Enterprise and/or Employer owe:**

Development Coordinator's Note: Section 7 applies to both applying Enterprise and Employer.

- 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

Page 3 of 6

**EZ APPLICATION—HYDAC TECHNOLOGY CORP. & BAKER PROPERTIES - MT VERNON LTD.
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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).

N/A

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

Production work cells/test stands will be moved from current location with the plan to install additional units within a 2 year period (was planned for 2020 pre-Covid-19).

9. Project will begin August 1, 2020 and be completed by April 31, 2021 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):

HYDAC Technology Corp: Full-Time: 3, Part-Time: 0; Temporary Full-Time: 0; Temporary Part-Time: 2

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

- 10c. State proposed schedule for hiring:

(Itemize by full and part-time and permanent and temporary employees)

HYDAC Technology Corp: Year 1: 0; Year 2: 1; Year 3: 2;

- 11a. Estimate the amount of annual payroll such new employees will add: \$ 185,000

(New annual payroll must be itemized by full and part-time and permanent and temporary new employees.)

HYDAC Technology Corp: Full-Time: \$ 175,000, Part-Time: \$ 0; Temporary Full-Time: \$ 0;
Temporary Part-Time: \$ 10,000

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

HYDAC Technology Corp: \$916,000

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

\$0 – Vacant Industrial Land

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

\$0 – Vacant Industrial Land

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):

HYDAC Technology Corp: \$1,000,000

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>1,500,000</u>
C. Improvements to existing buildings:	\$ <u>0</u>	\$ <u>0</u>
D. Machinery & Equipment:	\$ <u>200,000</u>	\$ <u>300,000</u>
E. Furniture, Fixtures, Etc.	\$ <u>0</u>	\$ <u>0</u>
F. Inventory:	\$ <u>0</u>	\$ <u>0</u>
Total New Project Investment:	\$ <u>1,400,000</u>	\$ <u>1,800,000</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). *Development Coordinator's Note: One year of tax abatement provided for every two years of commitment.*

Most office furniture will be replaced and new equipment including test stands, heat exchanges and assembly stations will be required. The timing is somewhat fluid do to Covid-19.

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

In order for Hydac to remain in the Wooster area and not consolidate to existing out-of-state facilities that are currently being underutilized because of the Covid-19 pandemic, it is import that Hydac secures as much short/mid-term relief as possible. This will allow Hydac size the company for the growth that was occurring and planned to resume tin 2021. The growth from 2018 to 2019 was 50% with addition rate of growth 25% planned to 2020, before the pandemic. The incentives will allow Hydac to move forward with the previous growth strategy in the face of the near-term decrease in

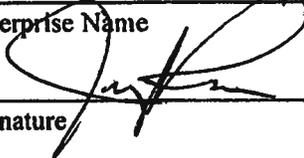
EZ APPLICATION—HYDAC TECHNOLOGY CORP. & BAKER PROPERTIES - MT VERNON LTD.
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sales and position itself to be a growing business in the Wooster community as the business environment continues to rebound.

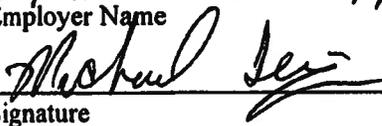
Submission of this application to the City of Wooster, Attn: Jonathan Millea Development Coordinator, 538 N. Market Street, Wooster, Ohio 44691 expressly authorizes the City of Wooster and/or Wayne County to contact the Ohio Environmental Protection Agency to confirm statements contained within this 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 MV
Enterprise Name

Signature

6/18/20
Date
Jerry BAKER, OWNER
Typed Name and Title

Hydac Technology Corp
Employer Name

Signature

6/18/2020
Date
Michael Teiga
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.



HYDAC TECHNOLOGY CORPORATION
Mobile Hydraulic Division

1660 Enterprise Parkway Suite E
Wooster, OH 44691
Phone: (610) 266-0100

City of Wooster:

HYDAC Technology Corporations Mobile Hydraulics Division in Wooster, Ohio is considering the doubling of manufacturing and office space within the city limits of Wooster. The expansion will bring the total square footage to 21,000, allowing HYDAC, to further increase its manufacturing/sales presence of hydraulic valves in North America. The 2015 to 2019 sales growth has been 134%, which includes a 40% increase in 2019 alone, and a planned increase of 24% for 2020 before the Covid-19 pandemic. With the expansion, we will be in position to double our business within the next 5 years.

HYDAC is collaborating with Baker Properties for new construction of a leased facility on Venture Boulevard for the proposed expansion. The terms of the lease will be structure so that HYDAC has the right to purchase the building in 5 years. The new facility is also being designed in such a way that it would allow for expansion at the current location of up to 40% additional square footage, allowing for continued growth without the need for future relocation.

The sought after tax abatement will allow HYDAC to invest in additional machinery and personnel to facilitate the anticipated growth. The HYDAC Mobile Valve Division has been committed to the Wayne County and surrounding area for the past 10 years, primarily based on trained and dedicated work force. For these reasons, we would like to be able to continue investing and growing in the area.

Sincerely,

Michael Teiga
Division Manager – Mobile Hydraulics

RESOLUTION NO. 2020-36

A RESOLUTION TO REQUEST THE CITY OF WOOSTER'S
PORTION OF THE COUNTY CORONAVIRUS
RELIEF DISTRIBUTION FUND
FROM THE WAYNE COUNTY AUDITOR
AND DECLARING AN EMERGENCY

WHEREAS, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the CARES Act) was signed into law by the President of the United States on March 27, 2020; and

WHEREAS, the Ohio General Assembly established a process for distributing funds provided by the "Coronavirus Aid, Relief, and Economic Security Act" in H.B. 481 of the 133rd General Assembly (H.B. 481); and

WHEREAS, H.B. 481 requires subdivisions receiving funds under Section 1 of the act, to pass a resolution affirming that funds from the County Coronavirus Relief Distribution Fund may be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 801(d), and any applicable regulations before receiving said funds; and

WHEREAS, The City of Wooster is requesting its share of funds from the County Coronavirus Relief Distribution Fund.

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

SECTION 1. Wooster City Council affirms that all funds received from the County Coronavirus Relief Distribution Fund pursuant to H.B. 481 be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 801(d), and any applicable regulations and guidance only to cover expenses that:

- (1) Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- (2) Were not accounted for in the City of Wooster's most recently approved budget as of March 27, 2020; and
- (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

SECTION 2. FURTHERMORE, in compliance with H.B. 481, be it resolved by the Wooster City Council of the City of Wooster that the Director of Finance take all necessary action to:

- (1) On or before October 15, 2020, pay any unencumbered balance of money in the City of Wooster's local coronavirus relief fund to the County Treasurer;



538 N. Market Street * P.O. Box 1128
Wooster, Ohio 44691-3406



Joel Montgomery, PE, MSM
Director of Administration
Phone (330) 263-5244
Fax: (330) 263-5247
Email: jmontgomery@woosteroh.com

MEMO

To: City Council
From: Joel Montgomery, Director of Administration
CC: Mayor, Law Director, Finance Director
Date: February 28, 2020
Re: CARES Act Funding; Resolution 2020-36

Dear Councilpersons,

The State of Ohio HB 481 was signed into law by the Governor on Friday, June 19, 2020. This bill was drafted to provide Coronavirus Relief Funding from the State of Ohio to local governments that did not receive funding from the federal government.

HB 481 distributes funding based upon the 2019 Local Government Fund distribution. This money can only be used for expenses incurred by a subdivision in relation to fighting/protecting from COVID-19. It cannot be used for supplementing revenues. The guidance from the Department of Treasury is located at the following website: <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>. FAQ's regarding the program can be found at the following website: <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Frequently-Asked-Questions.pdf>.

In order to receive funds, each municipality must register with the OBM grant portal and pass legislation specific to the CARES Act and the funds that may be received. We have already registered with the OBM, and once the legislation is passed, a copy will be filed with the County Auditor's office, after which funds will be distributed.

Please let me know if you have additional questions or need further information. I would be happy to discuss this in further detail.

Sincerely,

Joel Montgomery, PE, ICMA-CM
Director of Administration

ORDINANCE NO. 2020-28

AN ORDINANCE AMENDING CHAPTER 521, HEALTH, SAFETY, AND SANITATION, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO AND DECLARING AN EMERGENCY

WHEREAS, the City of Wooster desires to promote the health and safety of the City of Wooster; and

WHEREAS, the downtown is growing increasingly residential

WHEREAS, there is a need to promote quiet and reduced activity in the downtown in the late evening and early morning hours.

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

SECTION 1. That Chapter 521 of the Codified Ordinances, entitled, HEALTH, SAFETY, AND SANITATION shall be amended to include Section 521.15 PROHIBITED HOURS IN THE LIBERTY AND MARKET STREET QUADRANTS AND THE LIBERTY STREET NORTH AND SOUTH PEDESTRIAN ALLEYS, to read as follows:

521.15 PROHIBITED HOURS IN THE LIBERTY AND MARKET STREET QUADRANTS AND THE LIBERTY STREET NORTH AND SOUTH PEDESTRIAN ALLEYS.

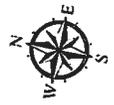
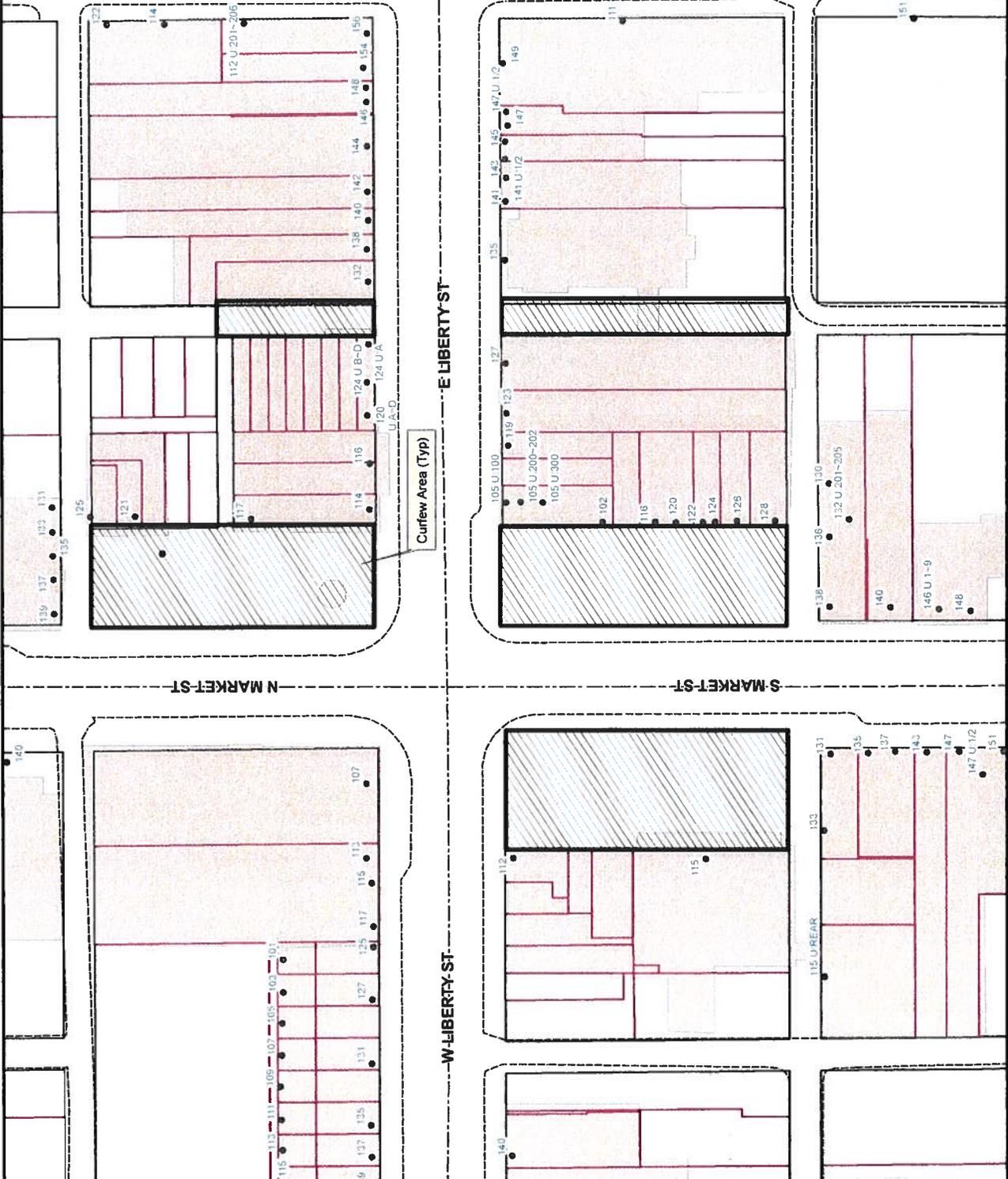
No unauthorized person shall remain on or in any portion of the area known as the Liberty and Market Street Quadrants, including the Pavilion, and the Liberty Street North and South Pedestrian Alleys, between the hours of 11:00 p.m. to 5:00 a.m. Persons may be authorized to remain in the Liberty and Market Street Quadrants and the Liberty Street North and South Pedestrian Alleys by obtaining a special event permit from the Director of Administration or their Designee.

Such permits shall be issued when the City finds:

- (a) That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, and safety;
- (b) That the proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct;
- (c) That the proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by the City;
- (d) That the facilities desired have not been reserved for other use at the day and hour required in the application.

Legend

- Street Centerline
- Public_ROW
- Addresses_ft
- ▭ Parcels
- ▭ Buildings



NOTES:

1) ALL Utility locations are approximate
Call O.U.P.S. (800) 362-2764
for field markings

CITY OF WOOSTER - SITE PLAN

Date: 7/1/2020
All boundaries shown ARE NOT survey quality
and are for reference only.





MIKEMARIOLA
RESTAURANTS

7/1/2020

Dear Wooster City Council,

Our family has operated businesses in the downtown for more than 20 years. We are also former downtown loft residents. We love our downtown but feel that the amenities and public spaces are being abused at times. I am writing in support of legislation that would enforce a curfew in the public square between 11pm and 5am.

Over the last 2-3 years the number of incidents in the downtown have increased and seem to be concentrated around the four quadrants and improved alleys. I have witnessed public urination, illegal drinking, and aggressive behavior in all four quadrants over the course of the last 2-3 years. Many of the incidents I have witnessed have occurred between the hours of 11pm and 5am.

I am asking you to pass curfew legislation as soon as possible.

Respectfully submitted,



Mike Mariola

The City Square Steakhouse

Offices: 570N Market Street, Wooster, OH 44691
mike@mikemariolarestaurants.com 330-601-1573X201



Wooster City Council,

I am a proud Wooster City resident and I am writing today to state my objection to the proposed curfew for the city square.

The recent, and disturbing, letter in the Woo Weekly describes the city square as being overtaken by economically-distressed and mentally disturbed groups who deserve to be policed out of a public space. It has become abundantly clear that some in our community are more concerned about the harm that these groups may cause to the historic downtown area's *bourgeois boutique* image than they are about the welfare of these people themselves.

Let me be clear in stating that this city has continuously struggled with attempting to find solutions to address the homeless crisis. I cannot help but be reminded of the proposed city ordinance in 2018 that essentially attempted to make homelessness a crime. This city can try, as it has many times before, to make the homeless crisis less visible, but until you all address the systemic issues creating these problems- there will be no change.

We ALL payed for that square, and we ALL deserve to be there at any time we choose.

Sincerely,

Dakota Snure

**SAG Enterprises, Inc.
d/b/a Jimmy John's
131 W. Liberty Street
Wooster, Ohio 44691**

July 1, 2020

Dear Wooster City Council,

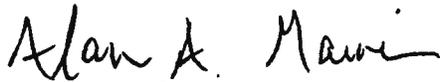
I have operated a business in downtown Wooster, and called Wooster home, for the past six plus years; I request that you vote to approve a curfew in the public square.

We have called the police at least four times regarding individuals that present in the store, or in front of the store on the sidewalk - fighting, yelling at cars as they pass, charging at my delivery drivers, making threatening gestures toward staff and management.

I have witnessed individuals sleeping on downtown benches, outdoor tables, and sidewalks early in the morning. It has kept us from placing our outdoor tables in front of the store the past several summers. This does not present a positive image of downtown Wooster.

I ask you to pass curfew legislation as soon as possible, I believe it will make downtown Wooster a better place to shop, eat and visit.

Sincerely,



Alan A. Ganci
President

Dear Wooster City Council,

For three years, I have enjoyed living in downtown Wooster adjacent to the Public Square. In recent weeks, however, I've had to leave my home on several occasions to sleep elsewhere, due to the continual overnight occupation of the square. I'm writing to urge you to please pass the curfew legislation before you as quickly as possible.

I have called 911 at least 12 times in June because I've witnessed - and video-recorded - multiple incidents of open drug use, loud fights, constant yelling, overnight gatherings, dogs chained to chairs barking continually, portable speakers blasting loud music for hours, and abusive threats to residents and passers-by - all coming from about a dozen regular individuals who spend as much as 10-12 hours at a time camped in place under the pavilion, sometimes along with several very small children, changing diapers, hanging up laundry, leaving trash everywhere.

But the police are currently limited in their effectiveness because the Square is designated as a public area. An overnight curfew - as practiced by other Ohio cities - is the first small step in reclaiming the Square for the uses it was always intended. It gives police the authority they do not now have to require individuals to leave the area during the hours when downtown residents need to sleep.

We all realize that more coordinated, creative efforts are still needed to reclaim the space during daylight hours, and many people are now working on several different ideas to make this happen.

In the meantime, I urge you to pass overnight curfew legislation as soon as possible. Time is of the essence if tangible change is to start happening this summer, when the problem is at a peak.

Many sincere thanks in advance for your assistance and determination in resolving these issues.

Respectfully submitted,
Carolyn Robinson
117 North Market #300
Wooster, Ohio
July 2, 2020

Dear Wooster City Council,

We have owned and operated Roomscapes since 2002. Looking back to the downtown Wooster of 40 years ago, an area of 50 cent per square foot property rentals, many dilapidated buildings and empty storefronts, we recognize how dramatic a change has come to this downtown. Today it has been reborn-full of downtown lofts, condos and apartments as well as restaurants, shops and professional offices that draw visitors from a wide surrounding area.

Over the past several years we have seen the historic downtown district also become an increasingly popular gathering spot for several dozen citizens with issues of homelessness, joblessness and/or addiction.

The challenges these individuals face deserve our empathy, and these issues are our collective community responsibility not just a downtown problem. Some downtown organizations have made generous efforts to assist this population with offerings of food and shelter.

However as a community we need to balance the rights of everyone's access to public areas with the interests of those who have chosen downtown Wooster as a place to live and work.

In a year that has left many downtown businesses struggling to survive, we continue to witness incidents of aggressive panhandling, public defecation and urination and profanity that drive off downtown shoppers, make our staff uncomfortable going to and from their vehicles and disturb residents of downtown apartments.

We welcome your consideration of a curfew in the downtown district. Our concern would be that an imposed curfew that is limited to the immediate area of the square would simply push the problem into the adjacent portions of the downtown business district.

A more appropriate curfew area would be the district under consideration for the proposed DORA (Designated Outdoor Refreshment Area); otherwise, the legality of open containers may only make the situation worse.

Today's downtown Wooster reflects a lot of hard work by city government, the Chamber of Commerce, Main Street Wooster and dozens of downtown stakeholders past and present.

For better or worse, it can not be both the vibrant neighborhood it has become and a campground for the less fortunate. We need to find a way forward that works for everyone. Thanks for taking up this issue.

Linda and Jack Runion