

CITY COUNCIL AGENDA
October 19, 2020
Zoom Videoconference meeting
7:30p.m.

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

I. ROLL CALL & ORDERING OF AGENDA

II. APPROVAL OF MINUTES

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC

Petition to Vacate Street – Mel Lane

Liquor Control – Leaf Inc.

203 W. Liberty Street
Wooster, Ohio 44691

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Public Hearing on a request for removal of the Landmark designation on property located at 2101 E. Smithville-Western Road.

VI. UNFINISHED BUSINESS

VII. NEW BUSINESS

1. First Reading – ORDINANCE NO. 2020-40
AN ORDINANCE DECLARING PROPERTY WITHIN THE CITY OF WOOSTER AS NO LONGER LANDMARK PROPERTY (Sanders)
2. First Reading – RESOLUTION NO. 2020-52
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE THREE FORD INTERCEPTORS FOR USE AS POLICE CRUISERS (Cavin)
3. First Reading – RESOLUTION NO. 2020-41
AN ORDINANCE AMENDING THE ANNUAL APPROPRIATION ORDINANCE (Ansel)
4. First Reading – RESOLUTION NO. 2020-53
A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO ISSUE PAYMENT FOR SERVICES RENDERED PRIOR TO THE FISCAL OFFICER'S CERTIFICATION OF AVAILABILITY OF FUNDS, AND DECLARING AN EMERGENCY
(Ansel)
5. First Reading – ORDINANCE NO. 2020-42
AN ORDINANCE AMENDING ORDINANCE NO. 2004-33 BY EXPANDING THE BOUNDARIES OF THE WOOSTER COMMUNITY REINVESTMENT AREA #1 AND PERMITTING NEW CONSTRUCTION FOR RESIDENTIAL CRA TAX INCENTIVES, AND DECLARING AN EMERGENCY (Ansel)

VIII. MISCELLANEOUS

IX. ADJOURNMENT

CITY OF WOOSTER
PETITION TO VACATE STREET

TO THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

The undersigned, owners of lots in the City of Wooster, Ohio, respectfully petition your honorable body that said street (described below) be vacated between the points named for the reason that it no longer serves a public purpose, and its vacation will not be detrimental to the general interest. The undersigned do hereby consent to the vacation of said street in accordance with this petition filed within said Council.

Said ^{future} street is 457 feet long running in a West direction from Mel Lane
(north/south/east/west) (street name/description)

to empty field between lot numbers 33 and 34
(street name/description) (number of all lots abutting the street)

Owner's signature(s)

If jointly owned, all parties must sign.

Lot number

<u>William D. Doherty</u> and <u>Pamela K. Berber</u>	<u>34</u>
<u>James E. Doherty</u> and <u>Tacie S. Doherty</u>	<u>33</u>
_____ and _____	_____
_____ and _____	_____
_____ and _____	_____
_____ and _____	_____
_____ and _____	_____
_____ and _____	_____
_____ and _____	_____
_____ and _____	_____
_____ and _____	_____
_____ and _____	_____
_____ and _____	_____

(continue on another sheet if needed)

ATTACH A TAX MAP SHOWING THE STREET AND ALL ABUTTING PROPERTIES

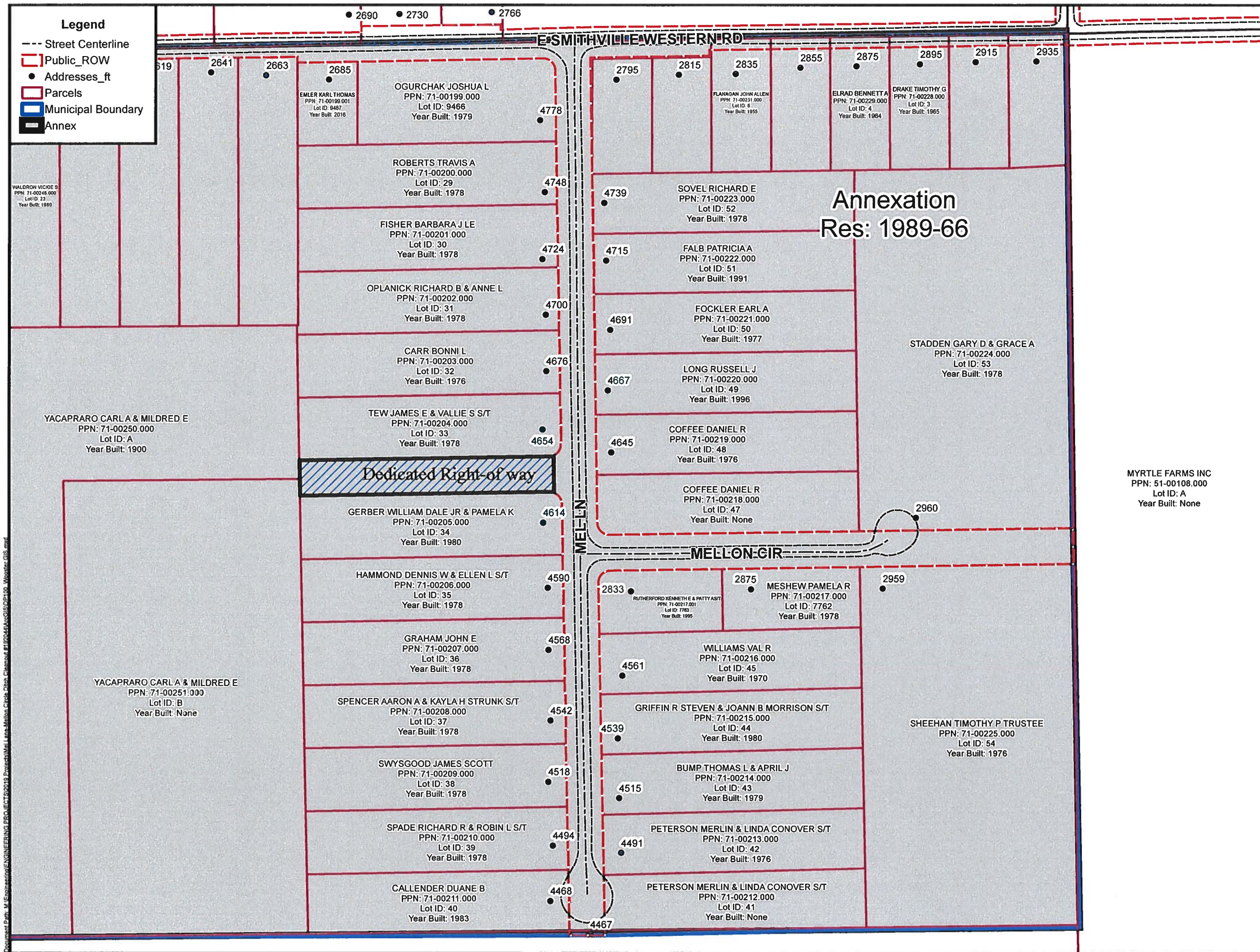
PLEASE READ THE INFORMATION PRINTED ON THE BACK OF THIS PETITION

We, the homeowners who have signed the petition for vacating the "Future Street" in the Troyer Allotment also known as the "right-of-way" in recent documents of the Wooster City engineering department, desire to make this request to ensure the safety of ourselves and our neighbors.

Since 1975, our common driveway known as the 'future street' has served no public interest other than allowing our families to access our homes. The city has never made any effort to recognize it as a street or to undertake any improvements in 45 years.

It is our desire to keep it a common driveway but to allow emergency safety vehicles access into the unimproved or improved property to the west if needed.

If this "future street" is not vacated, there is the potential to make it a through street for development to the west. The traffic volume heading through our common driveway will create a safety hazard on Mel Lane and Mellon Circle. These streets are narrow, 14 - 17 feet in width and have deep ditches on both sides. Connecting to the proposed development's street will incur an endless stream of through traffic which is discouraged in the Wooster City Planning and Zoning Code 1129.07. It will be the shortest and quickest route to the north and east. The new allotment is to have in its first phase three times the homes that we have in our neighborhood. Mel Lane and Mellon Circle are used by neighbors and ourselves for walking, biking and for our children to walk the length of Mel Lane to catch the bus. Currently, there is often no place to get off the road when traffic is coming from both directions. While vehicular and pedestrian safety are part of the plan in the proposed new development to the west with wide streets and sidewalks, we do not have these infrastructure additions.



NOTES:

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

CITY OF WOOSTER - SITE PLAN

Date: 10/5/2020

All boundaries shown ARE NOT survey quality
and are for reference only.

CITY OF WOOSTER
DIVISION OF ENGINEERING

318 N. HOPE ST.
WOOSTER, OH 44691
PH: (330) 263-5214 FAX: (330) 263-5261

2020 R. V. HOBRACKS, INC. ENGINEER

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

5076320		NEW		LEAF INC	
PERMIT NUMBER		TYPE		203 W LIBERTY ST	
ISSUE DATE				WOOSTER OH 44691	
08 13 2020					
FILING DATE					
D5L					
PERMIT CLASSES					
85 165 B		C72477			
TAX DISTRICT		RECEIPT NO.			

FROM 10/05/2020

PERMIT NUMBER		TYPE	
ISSUE DATE			
FILING DATE			
PERMIT CLASSES			
TAX DISTRICT		RECEIPT NO.	



MAILED 10/05/2020

RESPONSES MUST BE POSTMARKED NO LATER THAN.

11/05/2020

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

B NEW 5076320

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF WOOSTER CITY COUNCIL
538 N MARKET ST
PO BOX 1128
WOOSTER OHIO 44691

AN ORDINANCE DECLARING PROPERTY WITHIN THE CITY OF WOOSTER AS NO LONGER LANDMARK PROPERTY

Introduced by: Craig Sanders

Request for Agenda Item

Authorization for Bid

☐

Purchase Capital Item

☐

Non-Capital

☒

Division Planning and Zoning	Meeting Date Requested 10/19 or 11/2
Project Name Remove Landmark Designation from 2101 E Smithville Western Rd	Estimated Total Funds/Costs \$0
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 The property owner, Brent Willis, is requesting the removal of Landmark designation at 2101 East Smithville Western Road. As required by the Planning and Zoning Code, the Design and Review Board held a public hearing on the proposed application on October 1st. After the public hearing, the Board unanimously recommended approval to remove the Landmark designation from site. The site has been documented on the Landmark roster since 1997. The property does not currently contain any historical value and is not in an area that comprises other historic structures or sites. Mr. Willis purchased the property in November of 2018. In January of 2019, he made an application to demolish the home on the property, which was approved by the Design and Review Board. The demolition of the home, known as the "Gerald Hider House", was approved primarily due to its state of disrepair. In September of 2020, an application to construct a new modern home and pole barn on the property and remove an existing garage was approved by the Board. At this time, the historic home has been demolished and the construction of the new home is planned this fall.	
Justification / Benefits The removal of the Landmark designation will allow Mr. Willis to make future exterior changes to the property without review of the Design and Review Board.	
Will this Project affect the City's Operating Costs No	
What Alternatives Exist and what are the Implications of the Alternatives The site would remain on the City's Landmark roster and future exterior changes will be subject to the review of the Design and Review Board.	
Is this a Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Explain The Circumstances:	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Note Reasons	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Andrew Dutton Date: 10/5/20	
Approved for Agenda <input type="checkbox"/> Yes <input type="checkbox"/> No	



DESIGN AND REVIEW BOARD APPLICATION INFORMATION SHEET

Application Number

DR-20-37

Scheduled Meeting Date

October 1, 2020

Application Type

Removal of Landmark Designation

Property Location

2101 E SMITHVILLE WESTERN RD

Property Owner

WILLIS BRENT M & BETTY L S/T

Applicant

Brent Willis

Applicant's Project Description

We would like to petition the design and review board and the city of Wooster to remove this property from the landmark properties list (national registry) because most of the old buildings have been removed and the last one is slated to be taken down soon. There is no historic value left.

The old home and barn were removed in January of 2018 and the 22x22 pole barn has been approved to be taken down. There are two moveable buildings remaining. (one is 8x8 and the other is 10x12 to remain) The zoning appeals board has also given approval for a new home and new stone drive to be built on the property.

In addition this property was in very poor condition and i have been cleaning up this horded up mess for the last year and a half! there is no historic value left ! please remove it from the landmark property list for we do not want to be bound by the requirements that are imposed on use. Thanks Brent Willis

Agenda Text

Brent Willis requesting an approval recommendation from the Design and Review Board to City Council to remove the Landmark Designation from 2101 East Smithville Western Road



CITY OF WOOSTER
Planning and Zoning Division
538 North Market Street Wooster, OH 44691
Phone: 330-263-5238

October 1, 2020

Dear Brent Willis,

At the October 1, 2020 meeting of the City of Wooster Design and Review Board, a motion was made to approve application DR-20-37, Brent Willis requesting an approval recommendation from the Design and Review Board to City Council to remove the Landmark Designation from 2101 East Smithville Western Road, as presented. ***The motion carried*** and the application will be forwarded to City Council with an approval recommendation.

Within 45 days of the Board's decision, the application will be placed on City Council's agenda and City Council will set a time for a public hearing on the proposed request.

Please feel free to contact me at (330) 263-5238 or adutton@woosteroh.com if you have any questions or need any further information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrew Dutton".

Andrew Dutton, Planning and Zoning Manager

DR-20-37
Landmark Designation Removal

Property Owner: Brent and Betty Willis
Applicant: Brent Willis
Location: 2101 East Smithville Western Road
District: Other Landmark Property
Request: Approval recommendation from the Design and Review Board to City Council to remove the property's Landmark Designation

LOCATION AND SURROUNDING USES

The subject site consists of 3.34 acres located on the south side of East Smithville Western Road. Adjacent properties include the following uses:

- North – Agricultural
- East – Single-Family Residential and Commercial
- South – Single-Family Residential
- West – Single-Family Residential



PROPOSED APPLICATION/BACKGROUND

The applicant purchased the property in November of 2018. In January of 2019, an application was made to the Design and Review Board to demolish the historic home on the property. The demolition of the home, known as the "Gerald Hider House", was approved, primarily due to its state of disrepair. Included in the application was the intent to construct a new home on the property.

Since the Board's approval, the home was removed from the property. As a result, the property currently has little historical value.



In September of 2020, an application was made to the Design and Review Board to construct a new modern home and pole barn on the property and remove an existing garage. The application was approved by the Board.

The application is currently requesting the removal of the property's Landmark Designation from the City of Wooster. The property has been documented on the Landmark roster since 1997. As noted, at this time, the property does not contain any historical value and is not in an area that comprises other historic structures or sites.

DESIGNATION OF LANDMARKS AND LANDMARKS DISTRICTS – SECTION 1105.09(b)(2)

The Planning and Zoning Code does not include criteria for considering removal of a Landmark or Landmark District. However, in determining whether or not a nomination should be designated a Landmark or Landmark District, the Design and Review Board and City Council shall consider the following criteria:

- A. Its character, interest or value as part of the development, heritage, archeological, or cultural characteristics of the City of Wooster, State of Ohio, or the United States;
- B. Its location as a site of a significant historic event;
- C. Its identification with a person or persons who significantly contributed to the culture and development of the City;
- D. Its exemplification of the cultural, economic, social or historic heritage of the City;
- E. Its portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style;
- F. Its embodiment of a distinguishing characteristic of an architectural type or specimen;
- G. Its identification as the work of an architect or master builder whose individual work has influenced the development of the City;
- H. Its embodiment of elements of architectural design, detail, materials or craftsmanship which represent a significant architectural innovation;
- I. Its relationship to other distinctive areas which are eligible for preservation according to a plan based on a historic, cultural or architectural motif;
- J. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood, community or the City; and
- K. Such other individual characteristics as shall be relevant to its designation as a Landmark or Landmark District.



CITY OF WOOSTER

Planning and Zoning Division

538 North Market Street Wooster, OH 44691
Phone: 330-263-5235 Fax: 330-263-5274

September 17, 2020

DAILY RECORD

PLEASE PUBLISH September 20, 2020

On Thursday, October 1st, 2020, the City of Wooster Design and Review Board will hold their regular meeting at 5:30 pm and the Board of Building and Zoning Appeals will hold their regular meeting at 7:30 pm. Due to measures necessary to combat the Covid-19/Coronavirus, the meetings will be held by an online videoconference. To attend the live meetings, go to <https://www.woosteroh.com> and select the subject meeting in the Events section.

The Design and Review Board will hold a public hearing at their meeting for the following application: DR-20-37. Brent Willis requesting an approval recommendation from the Design and Review Board to City Council to remove the Landmark Designation from 2101 East Smithville Western Road.

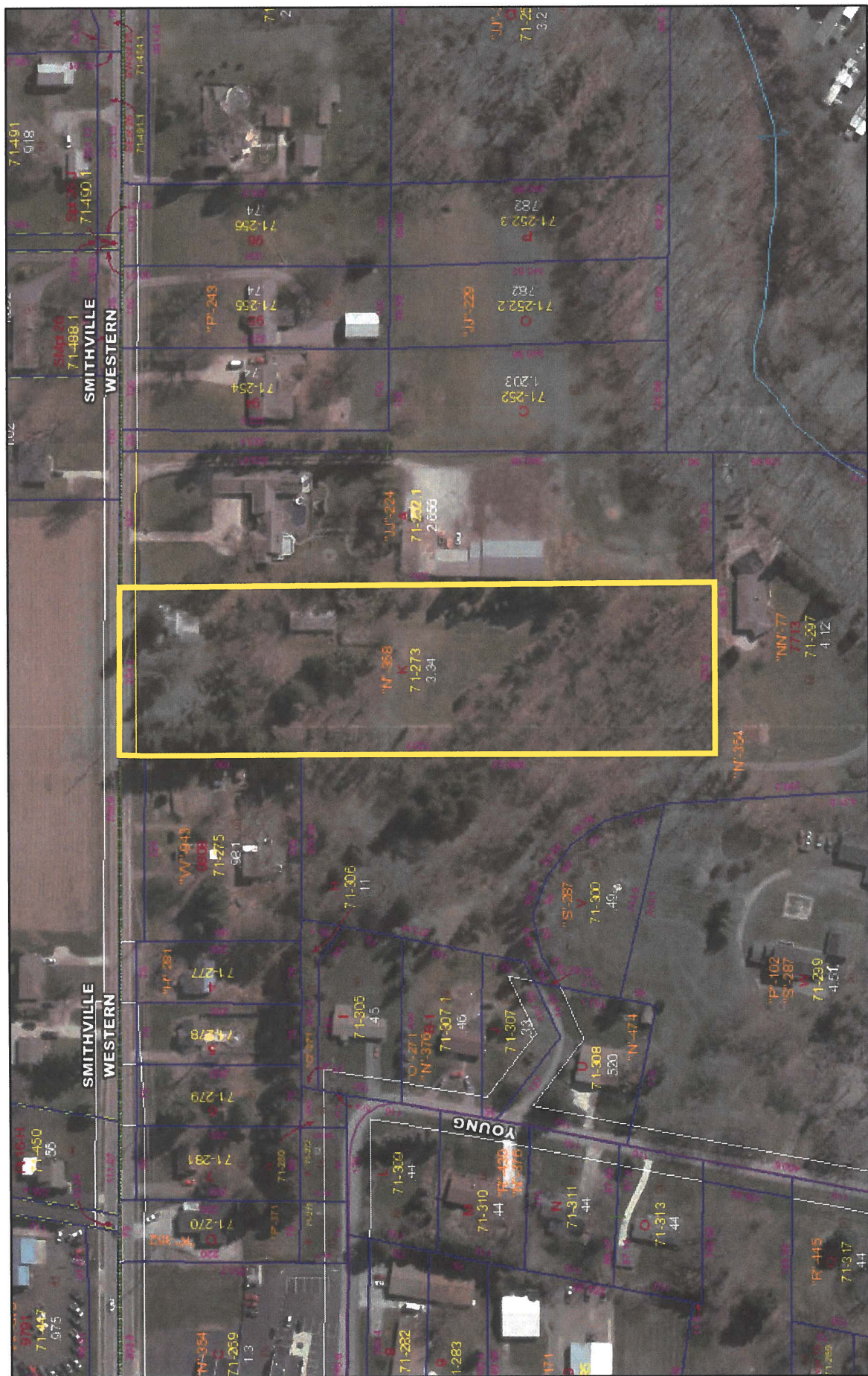
The Board of Building and Zoning Appeals will hold a public hearing at their meeting for each of the following applications:

BZA-20-24. John Barrington requesting a Use Variance from Planning and Zoning Code Section 1109.02 to allow a transitional housing use and an Area Variance from Planning and Zoning Code Section 1115.04(a) to allow buildings within the side yard setback at 950 and 1000 West Liberty Street in an I-2 (General Industrial) zoning district.

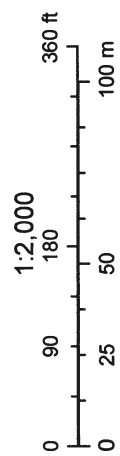
BZA-20-25. Weaver Custom Homes requesting an Area Variance from Planning and Zoning Code Section 1113.01(e)(13)(C.) to allow an outdoor storage area within parking setbacks, Section 1113.01(e)(13)(D.) to allow more than 30% of the lot utilized for outdoor storage and Section 1113.01(e)(13)(F.) to allow the use of gravel for an outdoor storage area at 1801 Eagle Pass in an I-1 (Office/Limited Industrial) zoning district.

BZA-20-26. Brigid O'Connor requesting an Area Variance from Planning and Zoning Code Section 1113.01(d)(3) to allow a detached storage shed in the front yard at 907 North Grant Street in an R-2 (Single Family Residential) zoning district.

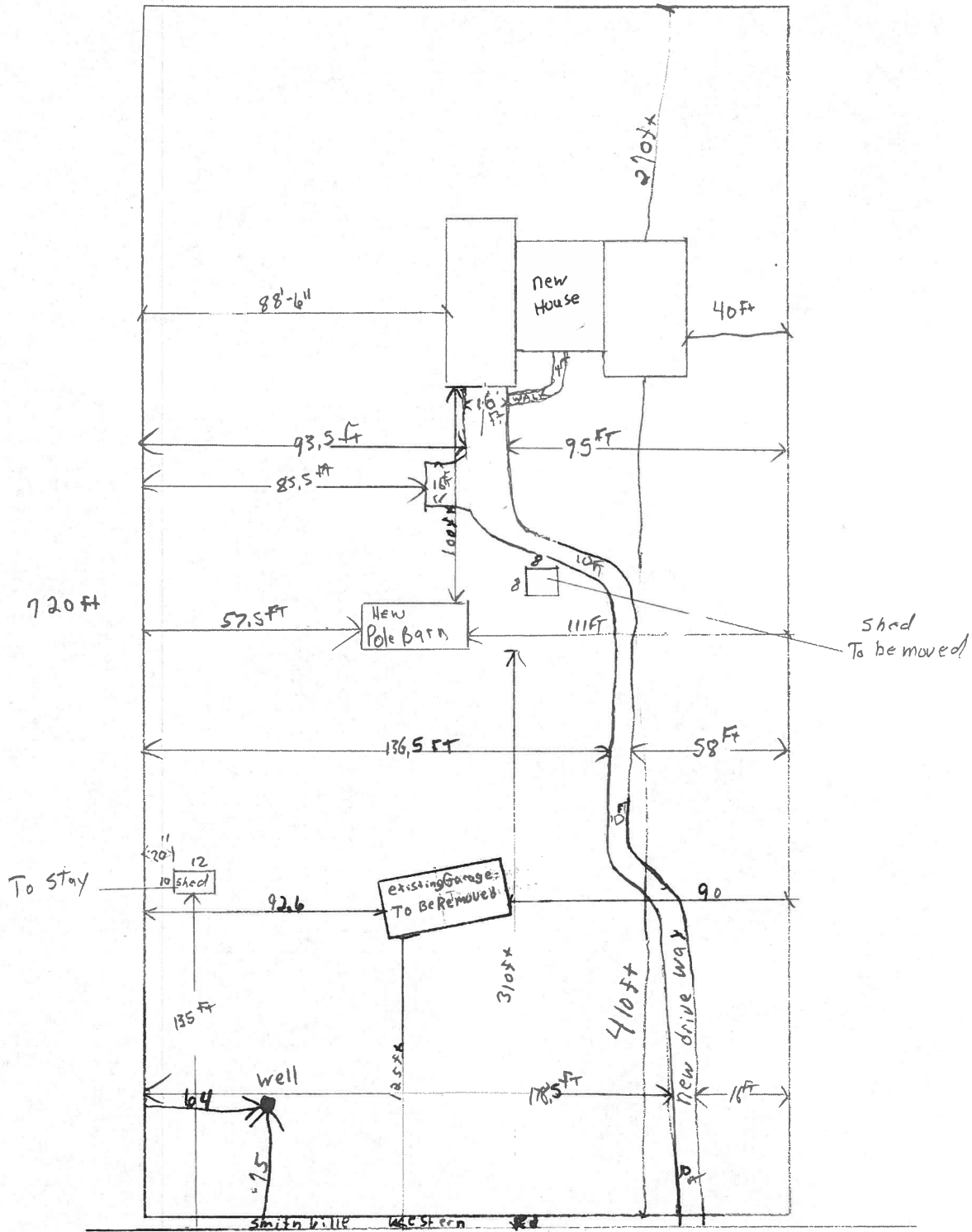
All interested parties are welcome to attend and will be given the opportunity to submit written comments to the Boards during the public hearing portion of the videoconference meetings. In addition, written comments submitted prior to the meeting will be forwarded to the Boards for their consideration. For further information or to submit written comments prior to the meeting, contact Andrew Dutton, Planning and Zoning Manager, at adutton@woosteroh.com or (330) 263-5238.



December 14, 2018



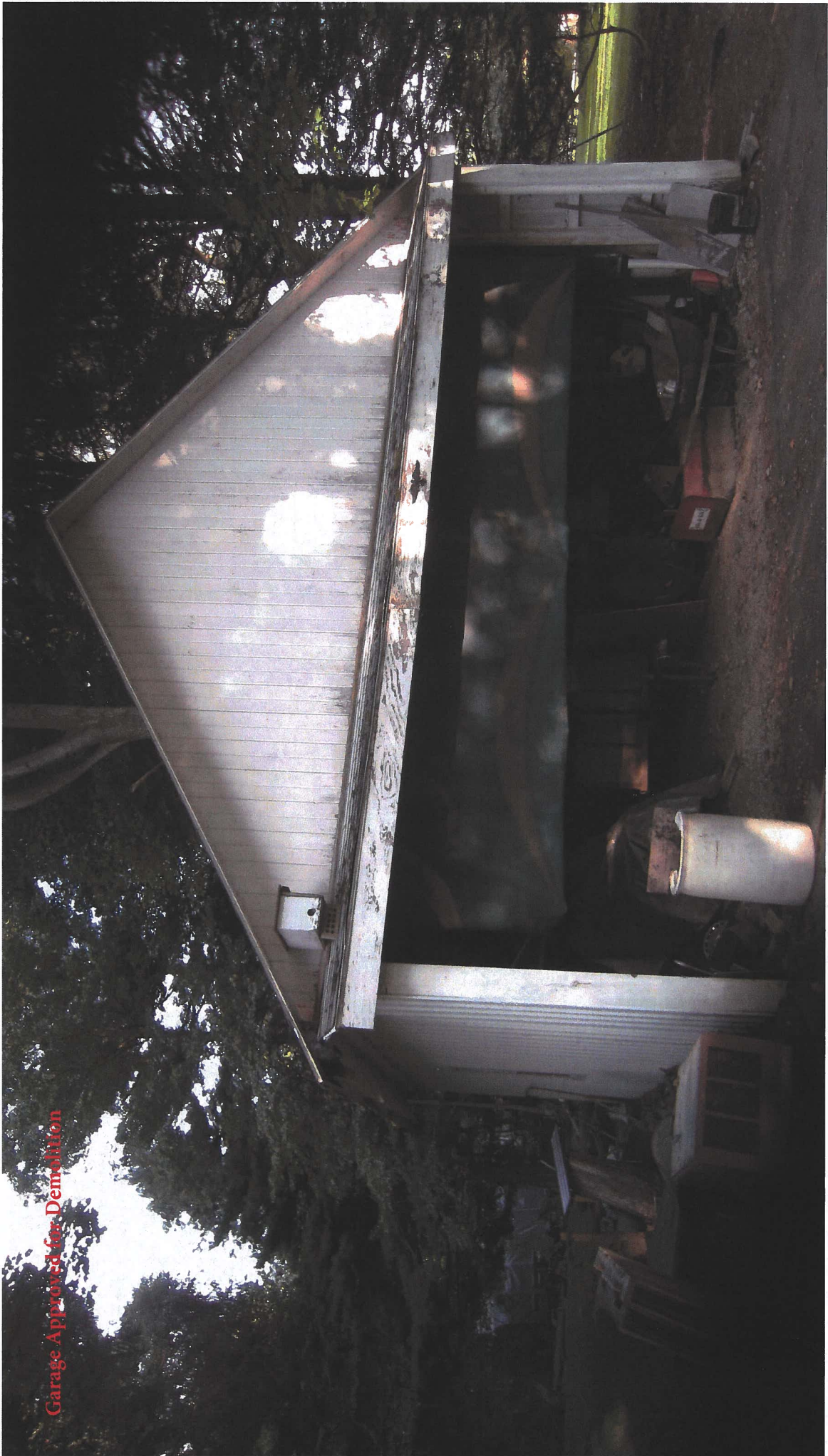
204-6



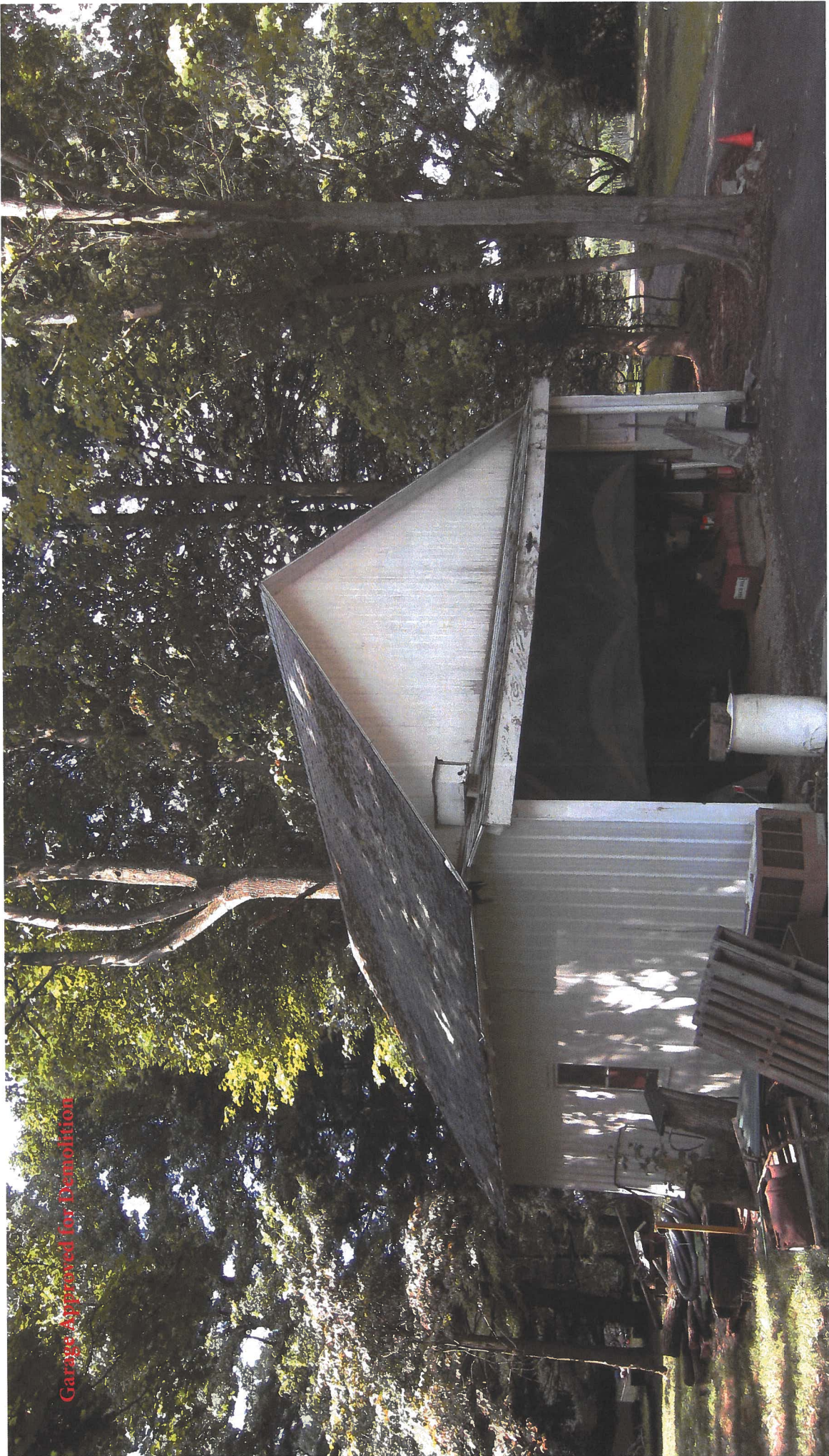
Brent & Betty Willis
Plot Plan



Home Demolished in 2019



Garage Approved for Demolition



Garage Approved for Demolition



















2101 EAST SMITHVILLE-WESTERN ROAD
[Location 20]

This house, built before 1862, was originally part of a quarter-section farm. The first owner was Jacob McEnterfer.

The home is a two-story frame structure with a sandstone foundation. The porch is not original, and there is a bedroom addition to the east as well. The house is designated a Pioneer Home by the Wayne County Historical Society.



RESOLUTION NO. 2020-52

A RESOLUTION AUTHORIZING THE DIRECTOR OF
ADMINISTRATION TO PURCHASE THREE FORD
INTERCEPTORS FOR USE AS POLICE CRUISERS

WHEREAS, the City is in need of three new police cruisers to replace three cruisers nearing the end of their useful life.

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

SECTION 1. The Director of Administration is authorized to purchase three new Ford Interceptors, including equipment, up-fitting, and vinyl wrapping, for use as police cruisers.

SECTION 2. 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 therefrom if s/he determines that the price and availability are more advantageous to the City.

SECTION 3. The cost of such purchase is included in the 2020 Appropriations Budget.

SECTION 4. 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 5. 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

Request for Agenda Item

Authorization for Bid

☐

Purchase Capital Item

☒

Non-Capital

☐

Division Police	Meeting Date Requested 10-19-20
Project Name Purchase of Cruisers	Estimated Total Funds/Costs \$146,000
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? Budgeted Capital Expense	
Description of Request Purchase of 3 Ford Interceptor SUV's including equipment, upfitting and vinyl wrapping/decals. These will replace Cars 5, 8 and 12 all of which will have 100k or more by the time they are replaced. In addition, the new body style of the Explorer will require the purchase of some new interior equipment as the existing equipment will not fit. Finally, Ford is no longer offering the white vinyl wrapping on the vehicle and that will have to be done locally. The three used vehicles will be sold on Gov.Deals.	
Justification / Benefits	
Will this Project affect the City's Operating Costs No	
What Alternatives Exist and what are the Implications of the Alternatives	
Is this a Sole Source Bid or Non-Bid Situation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Explain The Circumstances: Vehicles will be purchased at or below state bid pricing through a local vendor.	
Is there a need for Suspension of the Rules or a Time Frame when this must be passed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Note Reasons	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Fisher	Date: 10-9-20

Approved for Agenda ☐ Yes ☐ No

ORDINANCE NO. 2020-41

AN ORDINANCE AMENDING THE ANNUAL APPROPRIATION ORDINANCE

WHEREAS, the Council of the City of Wooster adopted an Annual Appropriation Ordinance No. 2019-22 for Fiscal Year 2020, and from time-to-time it becomes necessary to amend that Ordinance; and

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

SECTION 1. Pursuant to Resolution No. 2020-36 the City requested their portion of the County's Coronavirus Relief Distribution Fund and subsequently received a third distribution in the amount of \$951,127.44 from said fund;

SECTION 2. The amount of \$951,127.44 is hereby appropriated from the unappropriated balance in the CARES ACT Fund (Fund No. 124).

SECTION 3. This Council finds and declares that all formal actions concerning and relating to the adoption of this Ordinance occurred in an open meeting of this Council or its committees, in compliance with 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 facilitate the construction of a sludge storage tank; 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

RESOLUTION NO. 2020-53

A RESOLUTION AUTHORIZING THE DIRECTOR OF
FINANCE TO ISSUE PAYMENT FOR SERVICES
RENDERED PRIOR TO THE FISCAL OFFICER'S
CERTIFICATION OF AVAILABILITY OF FUNDS, AND
DECLARING AN EMERGENCY

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

SECTION 1. That in accordance with ORC 5705.41(D) the following payment for services rendered prior to the Fiscal Officer's certification of availability of funds shall be and is hereby approved:

Vendor: DJL Material and Supply Inc.
Description: Electric Hose & Sealing Shoe Assembly
Invoice Date: 09/30/2020
Invoice No.: 64298
Amount: \$3,515.00
Purchase Order No.: 2020-00002360

SECTION 2. The cost of these materials is 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 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: Jon Ansel

DJL Material & Supply, Inc.

P O. Box 5293
Akron, OH 44334

INVOICE

Invoice Number: 64298
Invoice Date: Sep 30, 2020
Page: 1

Voice: 330-922-3630
Fax: 330-922-8070

Bill To:

City of Wooster
Acct Payable, P.O. Box 1128
538 N. Market Street
Wooster, OH 44691

Ship to:

City of Wooster
538 N. Market Street
Wooster, OH 44691

Customer ID	Customer PO	Payment Terms	
Cty Wooster		Net 30 Days	
Sales Rep ID	Shipping Method	Ship Date	Due Date
MTL	Best Way		10/30/20

Quantity	Item	Description	Unit Price	Amount
1.00	52405	18' ELECTRIC HOSE	3,400.0000	3,400.00
		Includes: p/n 51655 connector		
1.00	27173	SEALING SHOE ASSY 3/4"	115.0000	115.00
⊕ REPLACEMENT PARTS FOR POT-HOLE / CRACK FILLER MACHING				
Subtotal				3,515.00
Sales Tax				
Freight				
Total Invoice Amount				3,515.00
Payment/Credit Applied				
TOTAL				3,515.00

Check/Credit Memo No:

ORDINANCE NO. 2020-42

AN ORDINANCE AMENDING ORDINANCE NO. 2004-33
BY EXPANDING THE BOUNDARIES OF THE WOOSTER
COMMUNITY REINVESTMENT AREA #1 AND
PERMITTING NEW CONSTRUCTION FOR RESIDENTIAL
CRA TAX INCENTIVES, AND DECLARING AN
EMERGENCY

WHEREAS, this City Council, with the adoption of Ordinance No. 2004-33, created Wooster Community Reinvestment Area #1, in which qualified properties may be eligible for tax incentives for repair or reconstruction thereof; and

WHEREAS, the Wooster Community Reinvestment Area #1 is intended to support reinvestment of developed areas otherwise at risk of economic decline, the preservation and creation of new housing opportunities, and job retention and creation by firms producing goods and services provided outside of the region; and

WHEREAS, by the adoption of Ordinance No. 2006-1 and 2007-58 this Council amended the earlier Ordinance by expanding the boundaries of the Wooster Community Reinvestment Area #1; and by Ordinance No. 2008-02 expanding the boundaries and amending Section 4 with criteria for expedited agreements; and by Ordinance No. 2020-16 by permitting incentives for residential new construction; and

WHEREAS, this Council desires to once again expand the CRA described in the above-designated Ordinance in order to promote reinvestment in an area that is presently adjacent to the existing CRA, and also to promote basic sector job creation for the benefit of residents residing within and to eliminate from its boundaries areas to be protected from development.

WHEREAS, the Wooster Growth Corporation has reviewed and recommended the areas shown in Exhibit A for inclusion in the CRA, recommended limiting housing incentives within the CRA North of 40°48'50"N to 50% within residentially zoned districts and has recommended a policy that CRA incentives to non-basic sector businesses outside of downtown be required to demonstrate a commitment of 10 jobs and an investment of at least \$1,000,000.

WHEREAS, the Wooster Economic Development Office has prepared a Housing Study to evaluate the level of real estate investment and distress within the community and identified areas of distress.

WHEREAS, the expansion of CRA into certain territory where the City is not otherwise able to extend Enterprise Zone incentives ensures that this City Council retains sufficient autonomy in its economic development affairs; and

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

SECTION 1. That Section 2 of Ordinance No. 2004-33 is hereby amended to read as follows:

The boundaries of the Wooster Community Reinvestment Area #1 shall be the area bounded-as depicted in the CRA Map, Exhibit A.

SECTION 2. That Section 4 of Ordinance No. 2004-33 is hereby amended to include the following to the specified rates and terms to real property tax abatement:

Within the Community Reinvestment Area, the percentage of the tax exemption on the increase in the assessed valuation resulting from improvements to commercial and industrial real property and the term of those exemptions shall be negotiated on a case-by-case basis in advance of construction or remodeling occurring, according to the rules outlined in the ORC Section 3765.67. The results of the negotiation as approved by this City Council will be set in writing in a Community Reinvestment Area Agreement as outlined in ORC Section 3735.671. For residential property, a tax exemption on the increase in the assessed valuation resulting from improvements as described in ORC Section 3735.67 shall be granted upon proper application by the property owner and certification thereof by the designated Housing Officer for the following periods. Residential applications must be filed with the Housing Officer no later than six months after construction completion.

The following rates and terms apply to real property tax abatement:

- (a) 100% abatement for ten (10) years, (term the same for all) for the remodeling of dwellings containing not more than two housing units, and upon which the cost of remodeling is at least \$2,500, as described in ORC Section 3735.67, when positioned south of 40°48'50"N. All other dwellings containing not more than two housing units are eligible to receive 50% abatement for ten (10) years when contained within a R-2 Zoning District as designated in the City of Wooster's 2019 zoning map amendment and the cost of remodeling is at least \$50,000.
- (b) Abatement can be up to 100% for up to (12) years (negotiated - up to 12 years) for existing commercial and industrial facilities and shall be negotiated on a case-by-case basis in advance of construction or remodeling occurring. Apartment complexes of three (3) or more units will be considered commercial structures for the CRA program. The cost of remodeling must be at least \$5,000, as described in ORC Section 3735.67.
- (c) Abatement can be up to 100% for up to (15) years (negotiated - up to 15 years) for new commercial or industrial facilities and shall be negotiated on a case-by-case basis in advance of construction occurring. Retail and other point-of-sale

businesses located outside of the C-4 shall have a minimum commitment of ten jobs and \$1,000,000 investment.

(d) Abatement can be up to 100% abatement for twelve (12) years, dependent upon the request of the applicant, for the new construction of residential single-family dwellings that are individually-platted when located south of 40°48'50"N, and upon which the cost of new construction is at least \$2,500, as described in ORC Section 3735.67. All other dwellings containing not more than two housing units are eligible to receive, dependent upon the request of the applicant, up to 50% abatement for ten (10) years when contained within a R-2 Zoning District as designated in the City of Wooster's 2019 zoning map amendment and the cost of new construction is at least \$50,000, except that the term may be extended an additional two years for a maximum of twelve (12) years with evidence of LEED (Leadership in Energy and Environmental Design) certification for the project.

If remodeling qualifies for an exemption, the exempted percentage of the dollar amount of the increase in market value of the structure during the period of the exemption shall be exempt from real property taxation. If new construction qualifies for an exemption, the exempted percentage of the structure shall not be considered to be an improvement on the land on which it is located for the purpose of real property taxation during the period of the exemption.

(e) Failure to fulfill the requirement of substantial positive impact during the abatement period and for one additional year for each year of abatement may cause all tax abatements received by the organization to be owed and payable to the City of Wooster upon demand. Upon receipt of these penalty payments the City shall cause distribution of said monies to the other affected taxing districts in their prorated share. Council reserves discretion to exempt commercial building rehabilitation projects from the one year for each year of abatement requirement on a case-by-case basis.

SECTION 3. This Council finds and declares that all formal actions concerning and relating to the adoption of this Ordinance occurred in an open meeting of this Council or its committees, in compliance with the law.

SECTION 4. This Ordinance 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; 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: _____

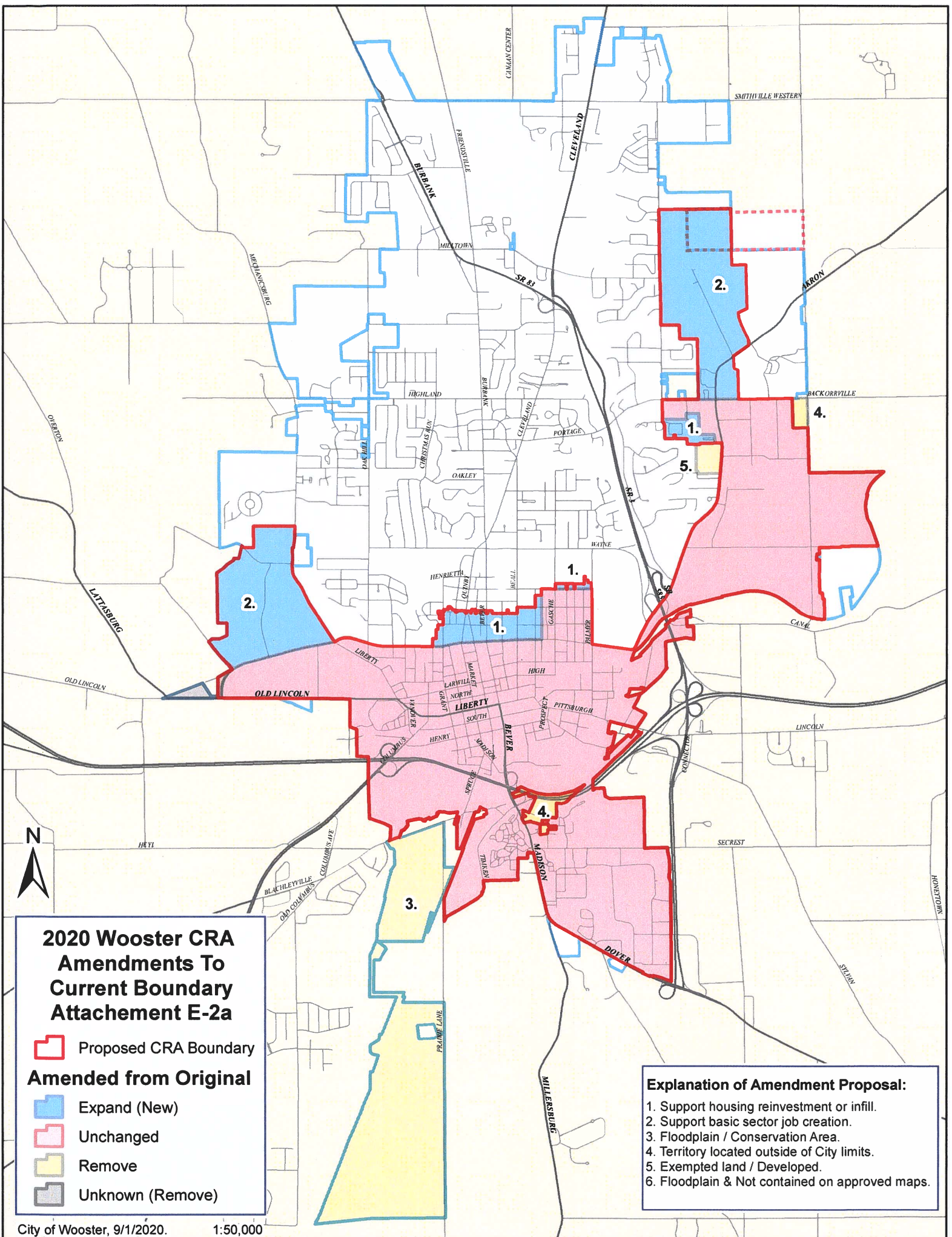
Clerk of Council

President of Council

Approved: _____, 2020

Mayor

Introduced by: Jon Ansel





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Wooster, Ohio 44691-3406



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Development Coordinator

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MEMO

To: Wooster City Council, City Administration
From: Jonathan Millea AICP CEcD, Development Coordinator
CC: Dr. Michael Tefs, Wooster City School District; Mr. Nathan Schindewolf, Triway Local School District; Mr. Tom Pukys, Wayne Economic Development Council; Ms. Shannon Waller, Main Street Wooster; Ms. Samira Zimmerly, Wooster Area Chamber of Commerce
Date: 10/15/2020
Re: **Wooster CRA #1 Boundary and Policy Amendments**

Dear Members of Wooster City Council,

We are pleased to present recommendations to the CRA Boundary and policies for your upcoming meeting on October 19, 2020. Separately, we will be sending you a copy of the completed CRA Housing Study, required for the filing of the CRA boundary amendments with the State of Ohio.

The Wooster Growth Corporation has reviewed citywide data on housing, evaluated the impacts of real estate incentives for residential projects, historic rehabilitation and reinvestment in older buildings, and projects involving job creation. The organization was aided with a subcommittee containing representation from Wooster City Council. In doing so, the Wooster Growth Corporation has provided the following recommendations (see MAP attached) which are incorporated into the proposed legislation:

1. Extend CRA #1 to the Cornerstone neighborhood (vicinity of Pearl St.) and to the vicinity of Williams Way, to support housing reinvestment and infill.
2. Extend CRA #1 to all industrial zones in the Wooster City School District to aid job creation.
3. Remove CRA #1 from Wooster's water well-field south of Columbus Rd.
4. Remove unincorporated areas from existing boundary.
5. Limit the level of residential incentives to 50% for 10 years for new home construction projects north of Long Road with a minimum investment of \$50,000 (or 12 years for LEED-certified projects.)
6. Allow projects involving building rehabilitation to be exempted from the two year for every one year of abatement performance requirement.
7. As a matter of policy (not specified in the legislation), require a minimum of 10 jobs and \$1MM investment from retail businesses when projects are evaluated at Long Road.
8. As a matter of policy (not specified in the legislation), limit CRA incentives to the maximum offered Enterprise Zone incentives of 75% for 10 years.

As proposed in the legislation, Council along with the Board of Educations of partner school districts will continue to retain *discretion* for all projects with terms of up to 15 years and 100%.

Staff has additionally added a clarification on new construction of residential homes, in addition to clarifying that the CRA boundary does not include the City of Wooster's northern wells.

Please feel free to contact us with any questions or requests for additional information.

Jonathan Millea, AICP, CEcD

Development Coordinator