

CITY COUNCIL AGENDA
May 1, 2023
7:30p.m.

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

- I. ROLL CALL & ORDERING OF AGENDA**
- II. APPROVAL OF MINUTES**
- III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**
- IV. PETITIONS/COMMUNICATIONS FROM PUBLIC**
- V. COMMITTEE REPORTS; PUBLIC HEARINGS**
 - Finance Committee

 - Public Hearing – Chapter 1107.05 Planning & Zoning Code Amendments (Reynolds)
Ordinance no. 2023-17
- VI. UNFINISHED BUSINESS - NONE**
- VII. NEW BUSINESS**
 - 1. First Reading – ORDINANCE NO. 2023-17
AN ORDINANCE AMENDING CHAPTER 1107.05 DISTRICT-SPECIFIC PURPOSE STATEMENTS AND REGULATIONS (Reynolds)
 - 2. First Reading – ORDINANCE NO. 2023-18
AN ORDINANCE AMENDING CHAPTER 1351.04, AMENDMENTS OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER (Reynolds)
 - 3. First Reading – RESOLUTION NO. 2023-31
A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO PURCHASE PLAYGROUND EQUIPMENT FOR CLEAR CREEK PARK AND ALLOWING FOR IMMEDIATE ENACTMENT (Knapic)
 - 4. First Reading – RESOLUTION NO. 2023-32
A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE WOOSTER TAX INCENTIVE REVIEW COUNCIL WITH RESPECT TO EXISTING ENTERPRISE ZONE AGREEMENTS, COMMUNITY REINVESTMENT AREA AGREEMENTS, AND TAX INCREMENT FINANCING PROJECTS (Sanders)
 - 5. First Reading – RESOLUTION NO. 2023-33
A RESOLUTION PETITIONING THE BOARD OF COUNTY COMMISSIONERS OF WAYNE COUNTY, OHIO, FOR A CHANGE OF TOWNSHIP LINES TO CONFORM WITH THE CORPORATION LIMITS OF THE CITY OF WOOSTER AND ALLOWING FOR IMMEDIATE ENACTMENT (Reynolds)
- VIII. MISCELLANEOUS**
- IX. ADJOURNMENT**

ORDINANCE NO. 2023-17

AN ORDINANCE AMENDING CHAPTER 1107.05
DISTRICT-SPECIFIC PURPOSE STATEMENTS AND
REGULATIONS

WHEREAS, the Planning and Zoning Manager recommends the amendment of the code in order to regulate expanded manufactured home parks.

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

SECTION 1. That Chapter 1107.05, of the Codified Ordinances of the City of Wooster, Ohio is hereby amended to read as follows:

1107.05 DISTRICT-SPECIFIC PURPOSE STATEMENTS AND REGULATIONS.

(a) General Requirements. The following subsection establishes the purpose statement for each of the base zoning districts as well as any district specific requirements.

(1) The purpose statement and district-specific standards for Planned Development (PD) Districts are located in Chapter 1111: Planned Developments.

(2) In addition to all standards established within this chapter, development within the zoning districts shall also be subject to any other applicable standards of this code including, but not limited to, site development standards, architectural standards, open space requirements, landscaping, parking, signs, etc.

(b) Single-Family Residential Zoning Districts (R-1, R-2, and R-T). The single-family residential zoning districts are established in order to achieve, among other things, the following purposes:

(1) To regulate the bulk and location of dwellings, accessory buildings and other structures to obtain proper privacy and useable open spaces on each lot appropriate for the various districts;

(2) To regulate the density and distribution of population to avoid congestion and the overburdening of existing and proposed community facilities and public services;

(3) To foster a variety of residential living unit types while protecting the character of the City;

(4) To provide for proper location of dwellings in relationship to multi-family, commercial and industrial uses so as to increase the general convenience, safety and amenities within the community and to protect residents from nuisances;

(5) To provide for limited small-scale community facilities when such uses are designed and located to be compatible with the residential neighborhood;

(6) To provide proper spacing between buildings to ensure adequate access for fire and other emergency vehicles and equipment;

(7) To protect the desirable characteristics and promote the stability of existing residential development;

(8) To promote the most desirable and beneficial use of the land in accordance with the objectives of the City of Wooster's Comprehensive Plan; and

(9) To carry out the following specific district purposes:

A. The R-1 Suburban Single-Family Residential District is established to encourage the creation and preservation of low-density single-family residential neighborhoods and to limit the establishment of nonresidential uses to those that are compatible with the intended low-density neighborhood character. The stipulated density is intended to provide for areas of suburban character in the community. Suburban areas are typically located at the outer periphery of the city and are characterized by curvilinear streets, cul-de-sacs, and attached garages.

B. The R-2 Single-Family Residential District is established to promote, preserve and protect medium-low density predominantly single-family neighborhoods in the City. Two-family dwellings are restricted to locations where they are designed and located in a manner that is compatible with the existing or proposed residential neighborhood.

C. The R-T Traditional Residential District is established to preserve and protect neighborhoods with traditional urban character. Traditional residential areas are the oldest, close-to-downtown residential areas in the City. Small, dense lots were generally developed before 1940 in a regular grid street pattern, with houses constructed with detached garages. As set forth in the Wooster Comprehensive Plan, traditional residential development will encourage historic preservation and construction/reconstruction that is single-family development and conversions of multi-family dwellings back to the original single-family uses.

(c) Multi-Family Residential Zoning Districts (R-3 and R-4). The multi-family residential zoning districts regulations are established in order to achieve, among other things, the following purposes:

(1) To regulate the bulk and location of dwellings to obtain proper privacy and useable open spaces appropriate for the various districts;

(2) To regulate the density and distribution of population to avoid congestion and the overburdening of existing and proposed community facilities and public services;

(3) To preserve the character of differing neighborhoods by providing different districts with different densities and development standards;

(4) To enable the development of attached single-family and multi-family dwellings in appropriate locations and with a minimum project size to ensure the creation of sustainable higher density neighborhoods;

(5) To promote the most desirable and beneficial use of the land in accordance with the objectives of the City of Wooster's Comprehensive Plan; and

(6) To carry out the following specific purposes:

A. The R-3 Attached Residential District is established to provide, preserve and protect medium density residential areas for small-scale attached dwellings arranged to provide good building site design and effective open space in areas adequately served by City sewer, water and streets.

B. The R-4 Multi-Family Residential District is established to provide, preserve and protect locations for high density apartment development in areas with appropriate levels of service.

(d) Manufactured Home Park District (R-5).

(1) Purpose. The Manufactured Home Park District and its regulations are established in order to achieve the following purposes:

A. To provide for orderly growth and development in the City of

Wooster;

B. To preserve the character of differing neighborhoods by

providing for the location of mobile homes and manufactured homes in manufactured home communities;

C. To regulate the bulk and location of dwellings to maintain privacy, safety and open spaces for each unit appropriate for the district; and

D. To provide certainty to property owners, developers and neighbors about the limits of what is allowed in a manufactured home park zoning district.

(2) Discontinued District. The R-5 District is a discontinued district and is maintained in this code to minimize the creation of nonconformities. Applications for amendments to the zoning map to create additional R-5 Districts shall be prohibited after the effective date of this code, or amendment thereto.

(3) R-5 District Standards. While new R-5 Districts may not be established after the effective date of this code, existing manufactured home parks may continue without being subject to the nonconformity standards of Chapter 1131: Nonconformities provided the existing uses comply with the following standards:

A. All manufactured homes, mobile homes, or accessory buildings shall be set back a minimum of 50 feet from any lot or right-of-way line bounding the manufactured home community. See Section 1115.01 for permitted obstructions within required setbacks.

B. The existing number of lots within any manufactured home park may be maintained and expanded in conformity with the requirements of this code within existing R-5 Districts unless a reduction is required by Wayne County or State of Ohio officials for the purposes of health and safety. **Review shall be in compliance with section 1105.07.**

C. Existing manufactured homes or mobile homes may be replaced with new homes provided such homes comply with any applicable standard of this section. Additional manufactured homes and mobile homes shall be allowed on any additional lots created pursuant to Section 1107.05(d)(3)(B). Such replacement or addition shall require a zoning certificate approval. **The maximum density shall not exceed eleven (11) manufactured or mobile homes per acre.**

D. Streets may be maintained and new streets or drives, other than driveways accessing individual lots, may be created within a manufactured home park to serve new lots created pursuant to Section 1107.05(d)(3)(B). **No street, including associated drainage facilities, shall be located closer than ten (10) feet to any property boundary of a manufactured home community. Private access drives built to the following specifications shall be permitted, provided they are constructed to conform to the City's street construction specifications:**

(1) One-way private access drive:

a. Twelve (12) foot minimum width with no parking allowed; or,

b. Eighteen (18) foot minimum width with parking allowed on one side.

(2) Two-way private access drive:

a. Twenty-foot (20) minimum width with no parking allowed; or,

b. Twenty-eight (28) foot minimum width with parking allowed on one side of the private access drive.

c. Thirty-four (34) foot minimum width with parking allowed on both sides of the private access drive.

All manufactured home communities shall have paved sidewalks at least three (3) feet in width on one side of interior streets. A private sidewalk, with a minimum width of two (2) feet, that provides a walkway from the manufactured home to a roadway or the common sidewalk system, shall be required. Additional sidewalks that connect service buildings and recreational areas to the common sidewalk system shall be provided.

E. Existing permitted commercial, office, and recreational accessory uses may be maintained provided the uses and buildings are designed and located to protect the character of the district and surrounding residential uses and additional such uses may be created to serve new lots created pursuant to Section 1107.05(d)(3)(B). Such facilities shall be screened and landscaped so as to be compatible with adjoining manufactured home lots.

F. **Not less than two (2) off-street parking spaces shall be provided for each dwelling unit on the same lot as the manufactured/mobile home.** A minimum of 15 percent of the total number of required parking spaces for any manufactured home park shall be maintained for guest parking.

G. All existing open spaces and recreational areas shall be maintained for such uses as long as the manufactured home park continues to operate and additional such spaces and areas ~~may~~ **shall** be created to serve new lots created pursuant to Section 1107.05(d)(3)(B).

(1) A safe, usable recreation area of at least ten percent (10%) of the gross land area of the manufactured home community, shall be reserved for recreational and open space uses. This figure is in addition to any other open areas required by minimum setback requirements or other sections of this Planning and Zoning Code. The recreation area(s) shall conform to the regulations set forth below:

(a) At least one-half of the required recreation and open space shall be developed as one recreation area. This recreation area shall be of a location, condition, size, and shape to be usable for a specific recreation activity. Safety buffers shall be provided for users of recreational facilities using recognized engineering and recreation standards.

H. All individual home lots/pads shall maintain a minimum area of 3,600 square feet and a minimum width of 35 feet. Such width shall be increased to 50 feet for any individual home lots that are classified as corner lots.

I. There shall be a minimum clearance of 20 feet between individual manufactured or mobile homes.

J. All principal buildings shall have a maximum height of 35 feet. Any accessory structure shall be subject to the standards of Section 1113.01.

K. All manufactured and mobile homes shall meet or exceed federal and state manufactured and mobile home codes, including OAC Ch-3701-27 inclusive, Ohio Sanitary Code, and any amendments or changes thereof.

L. All mobile homes within the park shall be served by the City water supply system and City sanitary sewer system. These utilities shall conform to all City, County, and State Health Department requirements.

M. Each manufactured or mobile home shall be securely skirted, entirely enclosing the bottom section at the time of occupancy. The skirting shall be of an impervious material and consistent with the characteristics of the manufactured home.

N. The outer boundaries of the manufactured home park shall contain a buffer zone planted and maintained by the park operator. The buffer zone shall be composed of a green strip, not less than 10 feet in width, planted and maintained with a continuous, evergreen hedge of densely planted evergreen trees and shrubs not less than six feet in height, located along all park boundaries, including the boundaries abutting a public right-of-way. This densely planted buffer zone shall completely obscure the manufactured home parking community within two years of its planting.

O. All uses and operations, except off-street parking, shall be performed wholly within enclosed buildings, unless specifically permitted otherwise.

P. Within each manufactured home community, storm

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ORD
2023-17

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Planning and Zoning	Meeting Date Requested May 1, 2023
Project Name Standards for manufacture home	Estimated Total Funds/Costs \$0.00
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 Amending Chapter 1107 of the Wooster Planning and Zoning code establishing minimum standards for the development of manufactured home parks. The proposed standards address the following development issues; density, setbacks, access design, parking, open space and basic health and safety needs. The Planning Commission held a public hearing on the proposed amendment on April 6, 2023. The findings and recommendations are detailed on the attached memo. The application will also require a public hearing before City Council.	
Justification / Benefits In February of 2023 Chapter 1107 of the Wooster Planning and Zoning Code was amended to allow for the development/expansion of manufactured home parks. The current amendment establishes minimum development standards.	
Will this Project affect the City's Operating Costs No	
What Alternatives Exist and what are the Implications of the Alternatives Leaving the text as is will permit manufactured home parks to develop/expand without minimum standards addressing density, setbacks, access design, parking, open space and basic health and safety needs.	
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: Vince Marion	Date: April 17, 2023

Approved for Agenda <input type="checkbox"/> Yes <input type="checkbox"/> No
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ORDINANCE NO. 2023-18

AN ORDINANCE AMENDING CHAPTER 1351.04,
AMENDMENTS OF THE CODIFIED ORDINANCES OF
THE CITY OF WOOSTER

WHEREAS, the Planning and Zoning Manager recommends the amendment of the code in order to regulate expanded manufactured home parks.

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

SECTION 1. That Chapter 1351.04, of the Codified Ordinances of the City of Wooster, Ohio is hereby amended to read as follows:

1351.04 AMENDMENTS.

The International Property Maintenance Code adopted in Section 1351.01 shall be modified by the adoption of the following provisions set forth herein:

- (a) 101.1 Title shall be amended by the insertion of the words [the City of Wooster].
- (b) 103.5 Fees shall be amended by the insertion of the words [the Building Standards Division fee schedule].
- (c) 112.4 Failure to comply shall be amended by the insertion of the words [100 dollars] and [500 dollars].
- (d) 302.4 Weeds shall be amended by the insertion of the words [twelve inches].
- (e) 304.14 Insect screens shall be amended by the insertion of the words [April 1] and [October 30].
- (f) 504.3 Plumbing system hazards shall be amended by the addition of the following: All backflow prevention assemblies shall be tested at least annually. The owner or owner's representative shall cause the applicable test and keep records of the tests and shall submit such records to the building official upon request.
- (g) 602.3 Heat supply shall be amended by the insertion of the words [January 1] and [December 31].
- (h) 602.4 Occupiable work spaces shall be amended by the insertion of the words [January 1] and [December 31].
- (i) Appendix A Boarding Standard is adopted under this chapter.
(Ord. 2014-30. Passed 12-1-14.)
- (j) 101.2 Scope shall be amended to read: The provisions of this code shall apply to all existing residential and nonresidential structures, all manufactured homes, and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, a reasonable level of safety from fire and other hazards, and for a reasonable level of sanitary maintenance; the responsibility of owners, an owner's authorized agent, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

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 or its committees in compliance with the law.

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 OKD
 2023-18

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Building Standards	Meeting Date Requested May 1, 2023
Project Name 1351 revision	Estimated Total Funds/Costs N/A
Is Full Amount Budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded? <p style="text-align: center;">N/A</p>	
Description of Request <small>(replacing original text at letter j with the text below. This text includes manufactured homes)</small> 1351.04 AMENDMENTS. The International Property Maintenance Code adopted in Section 1351.01 shall be modified by the adoption of the following provisions set forth herein: (a) 101.1 Title shall be amended by the insertion of the words [the City of Wooster]. (b) 103.5 Fees shall be amended by the insertion of the words [the Building Standards Division fee schedule]. (c) 112.4 Failure to comply shall be amended by the insertion of the words [100 dollars] and [500 dollars]. (d) 302.4 Weeds shall be amended by the insertion of the words [twelve inches]. (e) 304.14 Insect screens shall be amended by the insertion of the words [April 1] and [October 30]. (f) 504.3 Plumbing system hazards shall be amended by the addition of the following: All backflow prevention assemblies shall be tested at least annually. The owner or owner's representative shall cause the applicable test and keep records of the tests and shall submit such records to the building official upon request. (g) 602.3 Heat supply shall be amended by the insertion of the words [January 1] and [December 31]. (h) 602.4 Occupiable work spaces shall be amended by the insertion of the words [January 1] and [December 31]. (i) Appendix A Boarding Standard is adopted under this chapter. <small>(Ord. 2014-30. Passed 12-1-14.)</small> (j) 101.2 Scope shall be amended to read: The provisions of this code shall apply to all existing residential and nonresidential structures, all manufactured homes, and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, a reasonable level of safety from fire and other hazards, and for a reasonable level of sanitary maintenance; the responsibility of owners, an owner's authorized agent, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.	
Justification / Benefits Adding manufactured homes to the scope of the code allows the use of this code to establish minimum property maintenance standards for manufactured homes that do not conflict with State and Federal Codes for manufactured homes.	
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 not enforcing the maintenance code for manufactured homes.	
Is this a Sole Source Bid or Non-Bid Situation <input type="checkbox"/> Yes <input 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Note Reasons	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Tim Monea	Date: 4/25/23

Approved for Agenda Yes No

RESOLUTION NO. 2023-31

A RESOLUTION AUTHORIZING THE DIRECTOR OF
ADMINISTRATION TO PURCHASE PLAYGROUND
EQUIPMENT FOR CLEAR CREEK PARK AND ALLOWING
FOR IMMEDIATE ENACTMENT

WHEREAS, the City of Wooster wishes to construct a playground structure at Clear Creek Park and has secured a donation for the majority of the construction costs; and

WHEREAS, the amount necessary to pay for the contract will come from the donated funds and from the funds budgeted for this project; and

WHEREAS, bidding is not necessary as this is a contract for professional services pursuant to W.C.O. 160.03; and

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

SECTION 1. The Director of Administration is hereby authorized to purchase playground equipment for Clear Creek Park.

SECTION 2. Bidding is not necessary as this is a contract for professional services pursuant to W.C.O. 160.03.

SECTION 3. The cost of such contract will not exceed the amount budgeted.

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 is hereby declared to be 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 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: _____, 2023

Mayor

Introduced by: Barb Knapic

#3
Rec. 2023-31

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division PPM	Meeting Date Requested 5/1/2023								
Project Name Clear Creek Park Playground	Estimated Total Funds/Costs \$73,500.00								
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 Total estimated cost to construct a playground at Clear Creek Park is \$73,500.00 Authorization to accept and expend funds to the purchase of a new playground structure and appurtenances. The cost of the Clear Creek Park Playground Project includes: design development, earthwork and preparation, play structures, border, and play mulch. This playground will be ADA-compliant and accessible to all children. The total estimated cost of the above mentioned Playground: <table style="margin-left: 200px; border: none;"> <tr> <td></td> <td style="text-align: right;">\$ 73,500.00</td> </tr> <tr> <td style="padding-left: 100px;">Private Donation:</td> <td style="text-align: right;">- \$ 45,000.00</td> </tr> <tr> <td style="padding-left: 100px;">City of Wooster Contribution:</td> <td style="text-align: right;">- \$ 28,500.00</td> </tr> <tr> <td style="padding-left: 100px;">Balance</td> <td style="text-align: right;">-0-</td> </tr> </table>			\$ 73,500.00	Private Donation:	- \$ 45,000.00	City of Wooster Contribution:	- \$ 28,500.00	Balance	-0-
	\$ 73,500.00								
Private Donation:	- \$ 45,000.00								
City of Wooster Contribution:	- \$ 28,500.00								
Balance	-0-								
Justification / Benefits With the addition of a playground to Clear Creek Park will provide a safe welcoming play area that all will enjoy as well as place for children to play and exercise. Playgrounds help in the development of children. Physical benefits: improving flexibility and balance, develop motor skills, improve instincts, build stronger muscles, and promote healthy heart and lung functions. Social development: sharing and friendship, taking turns and patience, resolving conflict, and overcoming shyness. Emotional impact: boosts self-confidence, and teaches how to deal with challenges. Promotes imagination: create make-believe games and problem solving. Families will be attracted to utilize the park having a playground while renting the pavilion and going for a walk. The playground will be constructed with the finest materials available and will meet all ADA-compliances. This will be a community build project which is slated for completion this fall.									
Will this Project affect the City's Operating Costs There will be a slight increase in maintenance and repairs over the life of the playground.									
What Alternatives Exist and what are the Implications of the Alternatives The \$45,000 donation received was designated to construct a playground in a City Park.									
Is this a Sole Source Bid or Non-Bid Situation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Explain The Circumstances: The purchase of the playground equipment has been negotiated by State of Ohio DAS or equivalent cooperative purchasing agent.									
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 To be able to order the equipment so that it can be delivered and installed this Fall.									
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.									
Manager Requesting: Curt Denning	Date: 4/19/2023								

Approved for Agenda Yes No

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2023-32

Request for Agenda Item

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Development	Meeting Date Requested April 26, 2023
Project Name TIRC Recommendations 2023	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? <p style="text-align: center;">N/A - Non-Capital</p>	
Description of Request The City's Tax Incentive Review Council (TIRC) convened on 4/25/2023 at 12:00pm to review the performance of each active Enterprise Zone (EZ) and Community Reinvestment Area (CRA) agreement, along with approved Tax Increment Financing (TIF) projects, as of 12/31/2022. The TIRC meets annually per ORC 5709.85 to recommend Continuation, Modification, or Termination of commercial tax-exemption agreements to Wooster City Council and to evaluate conformity of TIF projects with statutes. Council is required to "vote to accept, reject, or modify all or any portion of the recommendations" within 60 days. These recommendations will then inform the City's State report for 2022 (due by 3/31/2024). The TIRC reviewed. Please see attached summary and meeting minutes for additional information.	
Justification / Benefits Legislation allows the City to remain compliant with state and local laws as required to operate its EZ, CRA, and TIF programs. The program allows the City to address market failures, protect against blight, and to enable basic sector job creation.	
Will this Project affect the City's Operating Costs Action is necessary to continue CRA, EZ, and TIF programming, which serve to enhance revenues.	
What Alternatives Exist and what are the Implications of the Alternatives Council may accept, reject, or modify all or any part of the recommendations, and make a determination for continuance, modification, or termination of any affected agreement(s).	
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 <p style="text-align: center;">Passage before 6/26/2023 is required</p>	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Jonathan Millea	Date: April 25, 2023

Approved for Agenda <input type="checkbox"/> Yes <input type="checkbox"/> No



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
From: Administration & Economic Development
Date: 4/27/2023
Re: **Wooster Tax Incentive Review Council Summary**

Dear Members of Wooster City Council,

On April 25, 2023, the Wooster City Tax Incentive Review Council convened at 12:00pm to review the City's commercial tax exemption agreements and also exempted projects. Exemptions for agreements totaled \$982,895 in 2022 (with about 20% being reimbursed directly by the City). At the same time, total taxes paid on projects **directly construed through these programs** amounted to **\$1,049,945** in 2022, constituting approximately **five percent** of the City's **entire** commercial real estate valuation.

To date, the EZ and CRA programs have enabled 51 unique projects leveraging \$274 MM in private investment. 37 Agreements were actively exempted with five others committed. This has led to the creation of 306 jobs with \$19.2 MM in payroll, while protecting 3,184 existing jobs with \$181.4 MM in payroll.

Below is a summary of the Tax Incentive Review Council's findings:

Post-Exemption Enterprise Zone Projects

- 1) Agreement 389-05-01 - United Titanium Inc. - *Continue*
- 2) Agreement 389-06-01 - Eldorado Stone LLC & Chesterland Estates - *Continue*
- 3) Agreement 389-06-04 - COMPAK Inc. - *Continue*
- 4) Agreement 389-07-01 - Bosch Rexroth Corporation & Chesterland Estates - *Continue*

Actively-Exempted Enterprise Zone Projects

- 1) Agreement 389-12-01 - Seaman Corporation - *Continue*
- 2) Agreement 389-13-02 - McConnell Wooster Properties dba Bauer Corporation - *Continue*
- 3) Agreement 389-14-01 - Daisy Brand LLC - *Continue*
- 4) Agreement 115C-14-01 - Daisy Brand LLC - *Continue*
- 5) Agreement 115C-17-01 Daisy Brand LLC - *Continue*
- 6) Agreement 389-13-01 - Luk USA, Inc - *Continue*
- 7) Agreement 389-15-01 - Luk USA, Inc - *Continue*
- 8) Agreement 389-16-01 - Luk USA, Inc - *Continue*
- 9) Agreement 389-15-03 - Wooster Growth/Tekfor USA - *Continue*
- 10) Agreement 389-14-02 - Certified Angus Beef LLC - *Continue*
- 11) Agreement 115C-17-01 Certified Angus Beef LLC - *Continue*
- 12) Agreement 389-18-01 Baker Properties Mt Vernon Ltd. & COMPAK - *Continue*
- 13) Agreement 389-20-01 KV Management LLC & Krupp Moving & Storage LLC - *Continue*
- 14) Agreement 389-21-01 Pittsburgh Ave / E-PAK - *Continue*

Community Reinvestment Area Agreements

- 1) Agreement 10-001 - Coyote Group LLC - *Continue*
- 2) Agreement 10-002 - Merchants Block LLC - *Continue*
- 3) Agreement 11-001 - CM Properties-Wooster LLC - *Continue*
- 4) Agreement 12-003 - S & D Realty, LLC - *Continue*
- 5) Agreement 12-004 - G&G Properties of Ohio - *Continue*
- 6) Agreement 13-001 - Condor Pacific Properties, dba Gomoplast Machinery - *Continue*
- 7) Agreement 13-002 - Palm House Apartments II LLC - *Continue*
- 8) Agreement 14-001 - C&C Wellert Properties LLC - *Continue*
- 9) Agreement 14-002 - Ekho Kole LLC - *Continue*
- 10) Agreement 14-003 - Wootown Properties LLC - *Continue*
- 11) Agreement 15-002 - Liberty Street Partners LLC - *Continue*
- 12) Agreement 15-001 - Morrison Enterprises LLC - *Continue*
- 13) Agreement 16-001 - JAS LLC - *Continue*
- 14) Agreement 16-002 - North Pole Holdings LLC - *Continue*
- 15) Agreement 16-003 - Brian Polen & Tammy Polen - *Continue*
- 16) Agreement 16-004 - Wooster Fit Holdings - *Continue*
- 17) Agreement 17-001 - iAlexo LLC - *Continue*
- 18) Agreement 19-002 - Wooster Lofts LLC - *Continue*
- 19) Agreement 20-001 - Rea & Associates Inc. & Rea Real Estate - *Continue*
- 20) Agreement 21-003 - D Freeman Corporation and Wolf Creek Land and Cattle Company LLC - *Continue*
- 21) Agreement 21-000 - Centerra Co-Op - *Continue*
- 22) Agreement 21-001 - Liberty Beall Ltd & Mariola - *Continue*
- 23) Agreement 21-002 - The Wooster Brush Company - *Continue*

Tax Increment Financing Districts

A. Oak Hill TIF Incentive District Plan

- 1) Oak Hill TIF Incentive District #1 - *In Compliance*
- 2) Oak Hill TIF Incentive District #2 - *In Compliance*
- 3) Oak Hill TIF Incentive District #3 - *In Compliance*
- 4) Oak Hill TIF Incentive District #4 - *In Compliance*
- 5) Oak Hill TIF Incentive District #5 - *In Compliance*

In summary, the City of Wooster had 11 actively exempted Enterprise Zone Agreements (14 including out-of-zone City agreements) employing 2,447 persons. Since 2004, the program has resulted in \$201 MM in real property investments across 22 different projects. Among exempted projects, \$686,611 in local taxes were foregone and \$258,905 were paid. Total Program projects created \$811,876 in property taxes for 2022, directly impacting all Wayne County taxpayers in the form of lower overall tax rates.

The City also had 23 active commercial Community Reinvestment Area agreements at the end of 2022, which combined with 16 post-abatement projects secured \$73MM in property investment while retaining 739 jobs and creating an additional 107 positions. Total program projects created \$238,069 in new property taxes, with \$296,285 foregone.

Thank you!

Sincerely,
Jonathan Millea

RESOLUTION NO. 2023-33

A RESOLUTION PETITIONING THE BOARD OF COUNTY COMMISSIONERS OF WAYNE COUNTY, OHIO, FOR A CHANGE OF TOWNSHIP LINES TO CONFORM WITH THE CORPORATION LIMITS OF THE CITY OF WOOSTER AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, the City Council of Wooster, in Ordinance No. 2023-16, a copy of which is attached hereto, has accepted the annexation to the City of Wooster of the area described therein; and

WHEREAS, the said 32.24-acre area so annexed presently extends into portions of Wayne Township; and

WHEREAS, this Council desires to petition the Board of Wayne County Commissioners to include this annexed area as a part of Killbuck Township, thereby making the limits of Killbuck Township identical to and completely contiguous with the present corporation limits of the City of Wooster.

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

SECTION 1. The City Council of Wooster hereby petitions the Board of Wayne County Commissioners, in accordance with ORC 503.07 of the Revised Code, for a change of township lines of the area described in Ordinance No. 2023-16 to make the township lines of Killbuck Township identical to and completely contiguous with the new and present corporation limits of the City of Wooster.

SECTION 2. The Clerk of Council is hereby directed to forthwith deliver to the Board of Wayne County Commissioners a certified copy of this Resolution. A copy of the ordinance, together with a legal description of the annexation, is attached hereto and incorporated herein by reference.

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 is hereby declared to be necessary to the immediate preservation of the public health, peace, safety and welfare of the City, or providing for the usual daily operation of a municipal department or division, and for the further reason that time is of the essence in making a timely application for the funds described above; wherefore, this Resolution shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of the Council; otherwise it shall take effect and be in full force from and after the earliest date allowed by law.

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

Passed: _____, 2023 Vote: _____

Attest: _____ Clerk of Council _____ President of Council

Approved: _____, 2023 _____ Mayor

Introduced by: Bob Reynolds

Request for Agenda Item

#5
1000
2023-23

Authorization for Bid

Purchase Capital Item

Non-Capital

Division Development	Meeting Date Requested April 26, 2023
Project Name Conformity of Boundary	Estimated Total Funds/Costs \$0
Is Full Amount Budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, three readings NOT REQUIRED	
If No, How is the Purchase to be Funded? N/A	
Description of Request This resolution provides a formal request by Council to the Wayne County Commissioners to conform the boundaries of its recently annexed 32.24-acre Melrose site. The newly annexed area exists in both Wayne Township and Wooster City at the same time until boundaries are conformed, meaning that residents in this area pay taxes to each entity and also vote for council members and township trustees at the same time (despite no services being provided by the Township). The resolution instructs the County Commissioners to amend the township boundary, which will remove township millage while adding City millage to properties, overall slightly lowering tax rates (about -1%, of an overall -6% reduction), while simplifying processes for the Board of Elections. Such conformity is necessary to ensure financial stability for the City in general. The previously-passed revenue sharing agreement will provide Wayne Township all of the revenues it would have received absent of annexation for the first 12 years.	
Justification / Benefits Economic Development staff RECOMMENDS approval as it 1.) lowers property tax rates for future residents in the district to the same level as most other places in the City, 2.) enables long-term property tax revenue sustainability.	
Will this Project affect the City's Operating Costs No direct cost impact anticipated. Long-term, 68 homes may add ~\$27K annually to City revenues.	
What Alternatives Exist and what are the Implications of the Alternatives No action, which would leave the territory remaining in Wayne Township and the City of Wooster, with residents paying an elevated tax rate, but contributing less to the City than other households.	
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 Approval the day of June 5, 2023 is necessary to match previous statutory notices.	
NOTE: Emergency Clause Required if Legislative Effective Date is IMMEDIATE.	
Manager Requesting: Jonathan Millea	Date: 9/28/2022

Approved for Agenda Yes No

EXHIBIT B
Annexation Petition

32.240 AC.
EXTENSION OF THE CORPORATION
LIMITS OF THE CITY OF WOOSTER
TOWNSHIP OF WAYNE
T-16N ; R-13W
S.W. QTR. OF SEC. 23
COUNTY OF WAYNE
STATE OF OHIO

LINE	BEARING	DISTANCE
1	N07°09'11"W	75.33'
2	S89°25'12"W	60.40'
3	N09°55'49"W	271.14'
4	S89°03'21"W	200.00'
5	N89°27'01"W	200.00'
6	S89°03'21"W	200.00'
7	S89°03'21"W	200.00'
8	N09°55'49"W	30.30'

PPN: 53-01221.000
MORRISON FAMILY, LLC
O.R. 867; P.C. 2709

N89°18'19"E 2534.05'

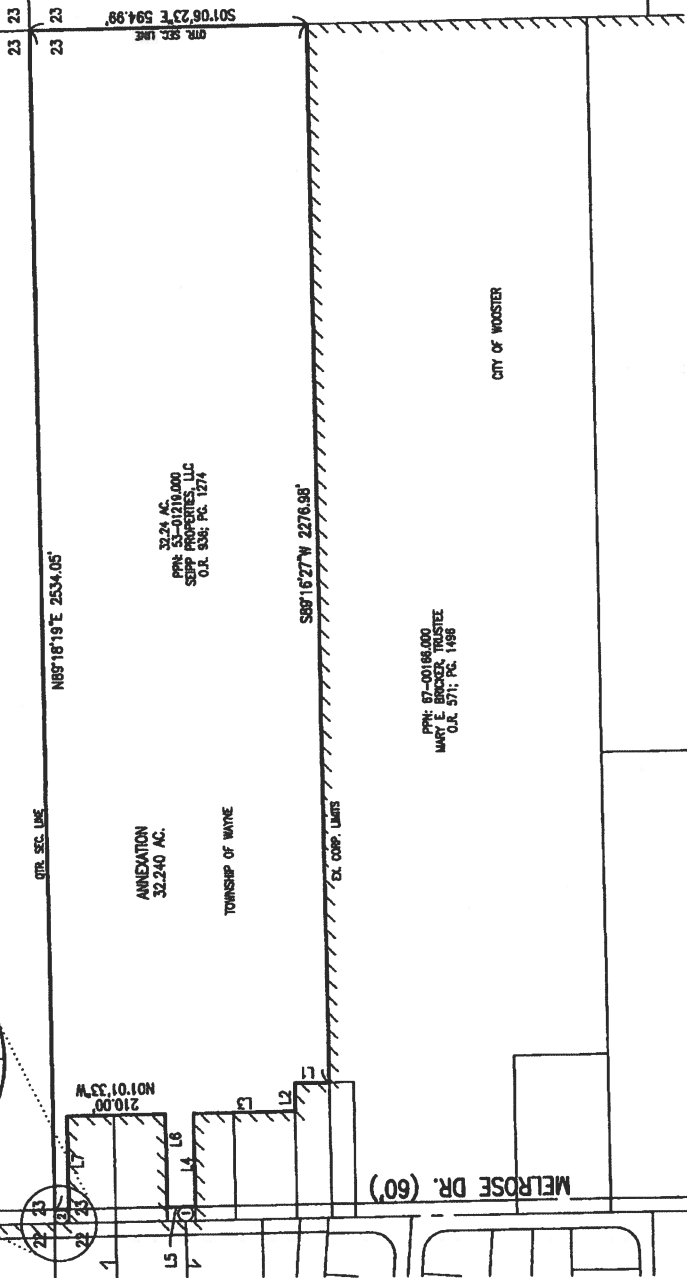
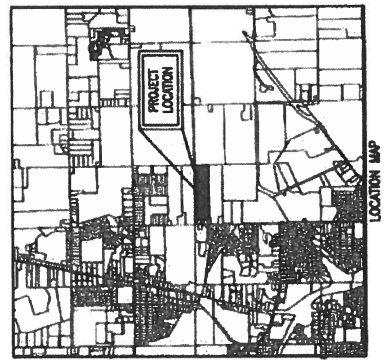
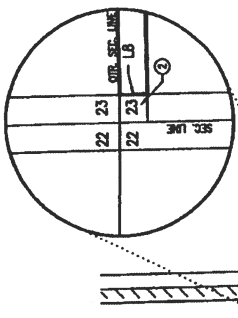
32.24 AC.
PPN: 53-01210.000
SEPP PROPERTIES, LLC
O.R. 836; P.C. 1274

S89°16'27"W 2276.98'

PPN: 67-00166.000
MARY E. BRECKEN, TRUSTEE
O.R. 571; P.C. 1486

① 0.041 AC.
PPN: 53-01219.002
CITY OF WOOSTER
O.R. 834; P.C. 235

② 0.021 AC.
PPN: 53-01219.001
CITY OF WOOSTER
O.R. 834; P.C. 234



23 23
23 23
501°06'23"E 594.98'

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

BECKY FOSTER
Approved by Wayne County Commissioners:
this ___ day of ___, 20__

MAYOR
ROBERT F. BREKEMAN
Clark

Approved for Recording:
this ___ day of ___, 20__

Transferred:
this ___ day of ___, 20__

SUE SMAL

Wayne County Map Office
SHACT PEPPARD

Wayne County Auditor's Office

Filed for record in Wayne Co., Ohio

JANE CARBUCCIAEL, RECORDER

AUDITOR: _____
RECORDER: _____
TOTAL: _____

DATE: _____ AT _____
INSTRUMENT # _____ PAGE _____
PLAT VOL. _____ FEE \$ _____

Distances shown hereon are expressed in feet and decimal parts thereof, bearings are used to express angles only, iron pins or monuments were found or set as indicated hereon. All of which I believe to be correct to the best of my knowledge.



REFERENCE SURVEY: 'X'-089
BASIS OF BEARING:
The bearings as shown hereon are relative to GRID NORTH of the OHIO STATE PLANE COORDINATE SYSTEM, NAD 83 DATUM

By: *[Signature]*
Mark E. Purdy, P.S. #7307 Date: 1-17-23



STAFFER, JOHNSTON, LICHTENWALTER & ASSOCIATES, INC.
Consulting Engineers & Surveyors
3477 Commerce Parkway, Suite C
Wooster, Ohio 44691
TEL (330) 345-4377 FAX (330) 345-4725 EMAIL g@stefac.com

ORDINANCE NO. 2023-16

AN ORDINANCE ACCEPTING APPLICATION FOR THE ANNEXATION OF TERRITORY LOCATED ON MELROSE DRIVE, AND CONTIGUOUS TO THE CORPORATION LIMITS (Jonathan Millea, Agent for Petitioners)

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

SECTION 1. That the proposed annexation, consisting of approximately 32.24 acres along Melrose Drive, with parcel numbers PN: 53-01219.000, as applied for in the petition described above, and as approved for annexation to the City of Wooster by the Board of County Commissioners of Wayne County on February 8, 2023, is accepted. The territory to be annexed is described in the petition, a copy of which is attached and incorporated by reference.

The certified transcript of the proceedings for annexation, together with an accurate map of the territory, the petition for annexation and other papers relating to the proceedings of the Wayne County Commissioners, are on file with the Clerk of this Council, and have been for more than sixty (60) days.

SECTION 2. The Clerk of Council is directed to make three (3) copies of this Ordinance, to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners of Wayne County relating hereto, and a certificate as to the correctness. The Clerk shall then deliver one copy of these documents to the Wayne County Auditor, one copy to the Wayne County Recorder and one copy to the Secretary of State, and shall file notice of this annexation with the Wayne County Board of Elections within thirty (30) days after it becomes effective; and the Clerk shall do all other things required by law.

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

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

I hereby certify this is a true and correct copy of the original on file. *Lynne DePaulo*
Clerk, Wooster City Council

1st reading 4-17-23 2nd reading → 3rd reading 4-17-23

Passed: 4-17, 2023

Vote: 6-0

Attest: *Lynne DePaulo*
Clerk of Council

Michael B. Byrd
President of Council

Approved: April 18, 2023

R. F. Bracciano
Mayor

Introduced by: Bob Reynolds

EXHIBIT A
Annexation Petition

**SHAFFER, JOHNSTON, LICHTENWALTER
& ASSOCIATES, INC.
ENGINEERS & SURVEYORS**



BOUNDARY DESCRIPTION OF 32.240 ACRE PARCEL

EW-2756

Situated in the Township of Wayne, T-16N; R-13W, Southeast Quarter of Section 23, County of Wayne and State of Ohio:

Known as being part of lands conveyed to Seipp Properties, LLC in O.R. 936; Page 1274 of Wayne County Official Records and further bounded and described as follows;

Beginning at the northeast corner of said Southeast Quarter:

THENCE WITH THE FOLLOWING TWELVE (12) COURSES:

1. **S 01° 06' 23" E, 594.99 feet along the east line of said Quarter Section to City of Wooster corp. limits;**
2. **S 89° 16' 27" W, 2276.98 feet along the City of Wooster corp. limits to a point;**
3. **N 00° 09' 11" W, 75.33 feet along the City of Wooster corp. limits to a point;**
4. **S 89° 25' 12" W, 60.40 feet along the City of Wooster corp. limits to a point;**
5. **N 00° 52' 40" W, 221.14 feet along the City of Wooster corp. limits to a point;**
6. **S 89° 04' 21" W, 200.00 feet along the City of Wooster corp. limits to the east line of lands conveyed to City of Wooster as recorded in Volume 934; Page 235 of said Official Records and an east right-of-way line of Melrose Drive (60');**
7. **N 00° 52' 40" W, 60.15 feet along the east line of said City of Wooster lands and an east right-of-way line of said Melrose Drive to the City of Wooster corp. limits;**
8. **N 89° 10' 11" E, 200.00 feet along the City of Wooster corp. limits to a point;**

Continued on Page 2

3477 Commerce Parkway, Suite C □ Wooster, Ohio 44691
Ph. (330) 345-6377 □ Fax (330) 345-6725 □ Email: sjl@sjl-inc.com

Page 2 (Description 32.240 ac.)

9. N 00° 52' 40" W, 210.00 feet along the City of Wooster corp. limits to a point;
10. S 89° 09' 53" W, 200.00 feet along the City of Wooster corp. limits to the east line of lands conveyed to City of Wooster as recorded in Volume 934; Page 232 of said Official Records and an east right-of-way line of said Melrose Drive;
11. N 00° 52' 40" W, 30.30 feet along the east line of said City of Wooster lands and an east right-of-way line of said Melrose Drive to the north line of said Quarter Section;
12. S 89° 18' 19" W, 2534.05 feet along the north line of said Quarter Section to the place of beginning and containing within said bounds 32.240 acres of land.

This description was prepared from a survey made by Mark E. Purdy, P.S. #7307 of Shaffer, Johnston, Lichtenwalter & Associates, Inc. in January of 2023.

April 26, 2023

NOTICE OF PETITION FOR CHANGE OF TOWNSHIP LINES

In Accordance with Ohio Revised Code 503.07 & Previous Mutual Compensation Agreement

To:

Ms. Tammy E. Polen

*Clerk/Fiscal Officer of the township with land
included in petition for annexation*

**6842 Cleveland Road
Wooster, Ohio 44691**

Sent Via: US Regular Mail, UPS Overnight, and electronic tammy.polen5@yahoo.com

Dear Ms. Polen, Fiscal Office for Wayne Township of Wayne County, Ohio,

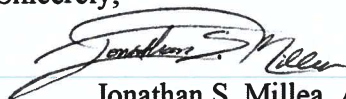
The Wayne Township Trustees and the Mayor of the City of Wooster signed a mutual annexation and compensation agreement effective January 10, 2023 concerning 32.24 acres in the vicinity of Melrose Drive. Following formal legislative action by the City of Wooster to accept the annexation on April 17, 2023, the proposed annexation will be effective May 18, 2023.

As such, in accordance with Ohio Revised Code 503.07 and the previous annexation compensation agreement, the legislative authority of the municipal corporation, by an affirmative majority vote of its members, now intends to petition the Board of Wayne County Commissioners for a change of township lines in order to make them identical, in whole or in part, with the limits of the municipal corporation, or to erect a new township out of the portion of such township included within the limits of the municipal corporation.

Specifically, the City of Wooster intends to meet to vote on the proposed petition for conformity at its regularly scheduled meeting on June 5, 2023, at 7:30pm at Wooster City Hall, located at 538 N. Market Street, Wooster, Ohio 44691. We understand that the effective date of the legislation will be the effective start date to the Wayne Township and City of Wooster compensation agreement.

Should you have any questions, please feel free to contact me by phone at 330.263.5250, or via email at jmillea@woosteroh.com. *Thank you* and the Wayne Township Trustees for this continued partnership which will benefit the wellbeing and health of our communities for years to come.

Sincerely,



Jonathan S. Millea, AICP, CEcD