



City of Ashtabula

Ashtabula City Council Public Hearing
Monday, October 17, 2022 at 6:00 PM
Council Chambers
4717 Main Avenue

Agenda

1. Opening of Public Hearing

- a. Call to Order
- b. Roll Call
- c. Sunshine Law Certification

2. Purpose of Public Hearing

- a. To allow for public comments and recommendations regarding the 7th amendment to the Joint Economic Development District (J.E.D.D.) contract between the City of Ashtabula and Ashtabula Township, Parcel No. 03-055-00-002-00.

3. Welcome and Acknowledgement of Visitors

4. Discussion

5. Questions/Comments

- a. Administration and Council
- b. Public - At this time, the public is given the opportunity to comment on the subject at hand.

6. Closing Remarks

- a. By law, no formal action may be taken at a public hearing. The Council will consider all comments made this evening prior to voting to approve or deny the request. The vote is required to take place at a regular or special meeting of council.

7. Adjournment

www.cityofashtabula.com



**CITY OF ASHTABULA
OFFICE OF THE CITY COUNCIL**

**4717 Main Avenue
Ashtabula, Ohio 44004**

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JOHN S. ROSKOVICS
PRESIDENT

MICHAEL D. SPEELMAN
Vice President

KYM A. FOGLIO
Ward 1 Councilor

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Ward 2 Councilor

ROLESIA R. HOLMAN
Ward 3 Councilor

JODI A. MILLS
Ward 4 Councilor

JANE E. HAINES DiGIACOMO
Ward 5 Councilor

PHYLLIS DUNLAP
Interim Clerk of Council

PUBLIC HEARING NOTICE

Notice is hereby given that the Ashtabula City Council will hold a PUBLIC HEARING on MONDAY, October 17, 2022, at 6:00 P.M., in Council Chambers located on the 1st floor of the Ashtabula City Municipal Building, at 4717 Main Avenue, Ashtabula, Ohio, 44004, in accordance with Ohio Revised Code Section 715.72 titled, "Alternative procedures and requirements for creating joint economic development district" to allow for public comments and recommendations regarding the following contract and district:

7th AMENDMENT TO THE JOINT ECONOMIC DEVELOPMENT DISTRICT (J.E.D.D.) CONTRACT BETWEEN THE CITY OF ASHTABULA AND ASHTABULA TOWNSHIP

Parcel No. 03-055-00-002-00

Per ORC 715.72, the required documents shall be available for public inspection in the City of Ashtabula, Office of the Clerk of Council.

Phyllis Dunlap, Interim Clerk of Council

Emailed to: Council, Administration, and Department Heads & Admin. Staff:

Emailed to: Media:

Placed on: Municipal Building Bulletin Board:

Star Beacon Legals: PLEASE PUBLISH:

MISSION STATEMENT
TO PROVIDE SERVICES AND PARTNER WITH OUR CITIZENS, BUSINESSES AND NEIGHBORS TO ENHANCE THE QUALITY OF LIFE
FOR ALL WHO LIVE IN AND VISIT ASHTABULA

**AMENDMENT TO JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT
BETWEEN
THE CITY OF ASHTABULA AND ASHTABULA TOWNSHIP**

This Seventh Amendment to the City of Ashtabula and Ashtabula Township Joint Economic Development District Contract (the “Contract”) is hereby entered into by and between the City of Ashtabula and Ashtabula Township, both of Ashtabula County, Ohio, in accordance with the terms and provisions set forth herein.

1. Thomas J. Dillon, the owner of the lands described in attached “Exhibit A,” has petitioned to include said property in the existing Joint Economic Development District (JEDD) created by the Contract. There are currently no business owners in said area; however, the Petitioners intend to operate a business at said location.

2. The territory sought to be added meets the criteria set forth in Revised Code Section 715.72(E)(1). The foregoing petitioners constitute more than half of the owners and business operators in the area sought to be added.

3. All necessary notices have been published, public hearings held, and legislation passed in order to permit the amendment of the aforesaid JEDD to include said additional territory, as set forth in R.C. Section 715.72(I).

4. Accordingly, “Section 4 – Territory of the District” of the Contract is hereby amended to include the properties described in attached “Exhibit A”. Said property is and shall hereafter be subject to all terms, conditions, requirements, benefits, and obligations set forth in the Contract.

5. All other terms and conditions of the Contract shall remain in effect and unchanged hereby.

6. This Amendment shall be effective as of the effective date of the last legislation passed by the parties approving same.

IN WITNESS WHEREOF, the JEDD Parties have caused this Amendment to be duly signed in their respective names by their duly authorized officers as of the date(s) appearing below.

Date: _____
James M. Timonere
Ashtabula City Manager
(Executing pursuant to Ordinance No. 2022-_____)

STATE OF OHIO)
) ss:
ASHTABULA COUNTY)

On this _____ day of _____, 20____ before me, a Notary Public in and for said County and State, personally appeared James M. Timonere, City Manager of the City of Ashtabula, Ohio, who acknowledged that with due authorization and as such officer on behalf of the City, he did sign the Seventh Amendment to the City of Ashtabula and Ashtabula Township Joint Economic Development District Contract Between City of Ashtabula and Ashtabula Township on behalf of the City and who acknowledged that the same is his voluntary act and deed, individually as said officer and the voluntary and corporate act and deed of the City.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.
(seal)

NOTARY PUBLIC

Date: _____

Bambi Paulchel
Ashtabula Township Trustee

Date: _____

Joseph J. Pete
Ashtabula Township Trustee

Date: _____

Stephen J. McClure
Ashtabula Township Trustee

STATE OF OHIO)
) ss:
ASHTABULA COUNTY)

On this ____ day of _____, 20____, before me, a Notary Public in and for said County and State, personally appeared Bambi Paulchel, Joseph J. Pete, and Stephen J. McClure, Trustees of the Township of Ashtabula, who each acknowledged that with due authorization and as such officers on behalf of the Township, they did sign the Seventh Amendment to the City of Ashtabula and Ashtabula Township Joint Economic Development District Contract Between City of Ashtabula and Ashtabula Township on behalf of the Township and who acknowledged that the same is their voluntary act and deed, individually as said officers and the voluntary and corporate act and deed of the Township.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.
(seal)

NOTARY PUBLIC

Approved as to legal form and correctness this _____ day of _____, 20____:

Cecilia M. Cooper
Ashtabula City Solicitor

CERTIFICATION

The undersigned Finance Director of the City of Ashtabula, hereby certifies that the monies required to meet the obligations of the City during the year 20____ under the Contract have been lawfully appropriated by the City for such purposes and are in the treasury of the City or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances.

Dated: _____

Traci Welch
Ashtabula City Finance Director

Approved as to legal form and correctness this _____ day of _____, 20____:

Colleen M. O'Toole, Esq.
Ashtabula County Prosecutor

FISCAL OFFICER'S CERTIFICATE

The undersigned, Fiscal Officer of Ashtabula Township Board of Trustees, hereby certifies that the monies required to meet the obligations of the Township during the year 20____ under the Contract have been lawfully appropriated by the Township for such purposes and are in the treasury of the Township or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

Dated: _____, 20____

Robert S. Dille
Ashtabula Township Fiscal Officer

Exhibit A

Dillon Petition

JEDD PETITION
SITE MAP
LEGAL DESCRIPTION

**PETITION TO AMEND JOINT ECONOMIC DEVELOPMENT AGREEMENT BETWEEN
THE CITY OF ASHTABULA AND ASHTABULA TOWNSHIP IN ORDER TO ADD
ADDITIONAL TERRITORY TO THE JOINT ECONOMIC DEVELOPMENT DISTRICT**

The undersigned, constituting a majority of record owners of property and a majority of owners of businesses within the area described in attached Exhibit A, do hereby petition the City of Ashtabula and the Township of Ashtabula to amend the Joint Economic Development Agreement executed March 20th, 2013, in order to add additional territory to the District, so that Petitioners can obtain an extension of waste water treatment services and any other available services to said proposed District. By signing this petition, the record owner or business owner consents to the proposed joint economic development district.

A description and map of the area sought to be included in the District are attached as Exhibit A and Exhibit B, respectively. The permanent parcel number(s) of the property sought to be included is/are: 03-055-00-002-00

Petitioners state that the territory sought to be added meets the criteria set forth in Revised Code Section 715.72(E)(1).

The documents described in Section 715.72(I)(1) of the Revised Code shall, with the filing of this Petition, be available for inspection in the office of the Clerk of the Ashtabula City Council and in the office of the Chief Fiscal officer of Ashtabula Township.

OWNER(S) OF PROPERTY:

Thomas J. Dillon

~~Business~~ Name

OWNER(S) OF BUSINESSES:

Business Name

By: X Thomas J. Dillon By:

Officer or Agent Signature

Officer or Agent Signature

Thomas J. Dillon

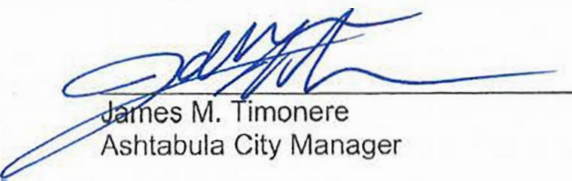
Printed Name

Printed Name

Date: 8/9/22

Date: _____

Receipt acknowledged:


James M. Timonere
Ashtabula City Manager

8-29-2022
Date

1. PARCEL BASED ON EXAMPLE SITE PLAN NOT OFFICIAL SURVEY LOT LINES.

ASHTABULA, OH
EUREKA RD & DILLON DR

APN NO: 03-055-00-002-00

PROTOTYPE: 100X100

BLDG SF: 10,900 SF

SF/AC: 98,538 SF / ±2.27 AC

PARKING SPACES: 55

FLOOD PLAIN: X

CONCEPTUAL SITE PLAN

ZONING INFORMATION:

JURISDICTION:
TOWNSHIP OF ASHTABULA, OH

BUILDING SETBACKS:
FRONT: 50' SIDE: 10'
REAR: 50' STREET SIDE: 10'

PARKING REQUIREMENTS:
PER CODE: 1 PER 250 SF = 44
PER LOWES: 5 PER 1000 SF = 55
PER CLIENT: 30 SPACES

MIN. DIMENSIONS:
DRIVE AISLE: 25'
STD. STALLS: 10' X 20'

NOTES & ISSUES:

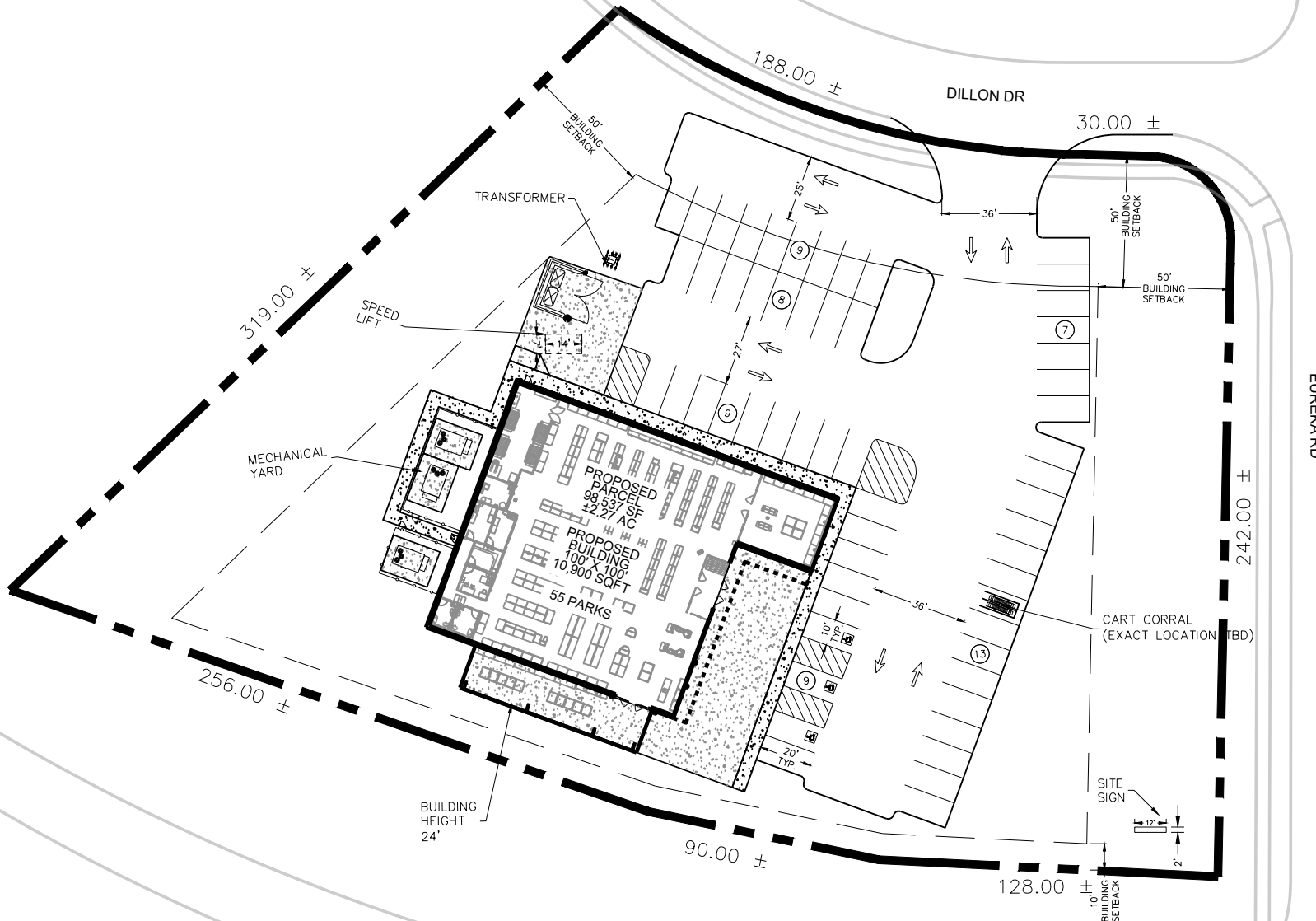
1. Site layout based on aerial data only. Lot lines and property dimensions need to be verified by ALTA/ACSM survey.
2. Landscape, utility, drainage, and signage requirements have not been reviewed.
3. Drawing subject to change upon further review of all Zoning and/or Development Codes.
4. Current zoning is: LOCAL BUSINESS

DRAWN BY: CDAME

CHECKED BY: ARAMIREZ

DATE: 4/25/2022

DRAWING NO. 1 OF 3



SCALE: 1"=60'

03-055-00-002-00

Situated in the Township of Ashtabula, County of Ashtabula, and State of Ohio, and known as being part of Township 13 North, Range 3 West of the Connecticut Western Reserve, further known as being Sublot 2 in the Ashtabula Towne Centre Subdivision #1 as recorded in Plat Book 17, Page 92 and 93 of the Ashtabula County Plat Records, being more fully bounded and described as follows;

Beginning at a 1" iron rod found in a monument box at the intersection of the centerline of Eureka Road, 50 feet wide, and Dillon Drive, 60 feet wide; thence South $00^{\circ}36'13''$ East, along the centerline of said Eureka Road, a distance of 63.94 feet to a point; thence South $89^{\circ}23'46''$ West, leaving said centerline, a distance of 40.01 feet to a $5/8$ " rebar with cap "T-K ENG." found in the limited access right of way line of said Eureka Road, passing over a monument box assembly located in the westerly right of way line at a distance of 25.00 feet, said point also being the Principal Place of Beginning for the parcel of land herein described;

Course No.1 Thence South $00^{\circ}36'13''$ East along the westerly limited access right of way line of said Eureka Road, a distance of 245.16 feet to a point, said point being referenced by a $5/8$ " rebar found South 0.06' & East 0.04 feet thereof;

Course No.2 Thence North $88^{\circ}19'42''$ West continuing along the northerly limited access right of way line along the entrance ramp of Eureka Road to S.R. 11 North, a distance of 49.03 feet to a $5/8$ " rebar with cap "Langan" set at an angle point thereon;

Course No.3 Thence South $89^{\circ}24'12''$ West continuing along said northerly right of way line, a distance of 27.65 feet to a $5/8$ " rebar with cap "Langan" set at a point of curvature thereon;

Course No.4 Thence along the arc of a curve deflecting to the right, an arc distance of 248.44 feet to a $5/8$ " rebar with cap "Langan" set at a point of tangency on the northerly limited access right of way line of said S.R. 11 North, said curve having a radius of 747.12 feet, a delta of $19^{\circ}03'10''$, and a chord distance of 247.30 feet which bears North $81^{\circ}04'13''$ West;

Course No.5 Thence North $71^{\circ}32'42''$ West a distance of 173.92 feet to 5/8" rebar with cap "Langan" set on the northerly limited access right of way line of said S.R. 11 North;

Course No.6 Thence North $41^{\circ}55'58''$ East leaving said limited access right of way line and along the southeasterly line of land known as Sublot 1 in the Ashtabula Towne Centre Subdivision #1 as recorded in Plat Book 17, Page 92 and 93 of the Ashtabula County Plat Records, a distance of 334.66 feet to a point of curvature in the southerly right of way line of said Dillon Drive, said point being referenced by a 5/8" rebar with cap "T-K ENG." Found South 0.08 feet & West 0.07 feet thereof;

Course No.7 Thence along the arc of a curve deflecting to the left, an arc distance of 189.11 feet to a point, said point being referenced by a 5/8" rebar with cap "T-K ENG." Found South 0.06 feet thereof, said curve having a radius of 255.00 feet, a delta of $42^{\circ}29'31''$, and a chord distance of 184.81 feet which bears South $69^{\circ}19'00''$ East;

Course No.8 Thence North $89^{\circ}26'16''$ East continuing along said right of way line, a distance of 52.48 feet to a point of curvature, said point being referenced by a 5/8" rebar found South 0.07 feet thereof;

Course No.9 Thence along the arc of a curve deflecting to the right, an arc distance of 53.39 feet the Principal Place of Beginning, said curve having a radius of 34.00 feet, a delta of $89^{\circ}58'06''$, and a chord distance of 48.07 feet which bears South $45^{\circ}34'58''$ East, said parcel containing 110,454 square feet or 2.5357 acres of land according to a survey by Langan Engineering and Environmental Services dated July of 2022 by Anthony Maione, PS, Ohio license 8544 and being the same more or less and being subject to all legal highways and easements. The basis of bearings of this survey is based on the Ohio State Plane Coordinate System, NAD 83 derived from GPS observations and bearings are to denote angles only.



CHAIRMAN: Joseph J. Pete
VICE-CHAIRMAN: Stephen J. McClure
TRUSTEE: Bambi Paulchel

ASHTABULA TOWNSHIP TRUSTEES

FISCAL OFFICER:

Robert S. Dille
440-993-8351

FIRE CHIEF:

Tom Steele
440-997-4641

**SERVICE DIRECTOR/
ROAD**

SUPERINTENDENT:

Todd McGill
440-997-9221

CEMETERY

FOREMAN:

Robert Phelps
440-997-9551

**OFFICE MANAGER/
ZONING INSPECTOR:**

Jaymee Vest
440-997-9221

September 6, 2022

Ashtabula City Manager and Ashtabula Township Trustees

RE: Zoning Restrictions on Properties Proposed to be added as a Seventh Amendment to the Existing Joint Economic Development District (Parcels- 03-055-00-002-00 Address Issued is 3001 Eureka Drive)

Dear Mr. Timonere, , Mr. Pete, Mr. McClure, and Mrs. Paulchel:

This letter is to indicate that the said parcel listed as #03-055-00-002-00 address issued is 3001 Eureka Drive, that is owned by Thomas J. Dillon is currently zoned Local Business Commercial (LB). The parcel is restricted to being developed in accordance to the Ashtabula Township Zoning Rules and Regulations. The proposed principally and/or conditionally permitted use(s) must comply with the use(s) specified under the use section of the Ashtabula Township Zoning Text in the Local Business District. If any proposal/use fails to meet our required regulations then variances must be applied for and obtained by the Ashtabula Township Zoning Board of Appeals before being developed.

The above parcel is proposed to be added as a seventh amendment to the Joint Economic Development District and conform to the Ashtabula Township Zoning Rules and Regulations.

Sincerely,

Jaymee Vest
Zoning Inspector

2718 North Ridge Road East
Ashtabula, OH 44004
PHONE: 440-993-8351 FAX: 440-992-4058

**ECONOMIC DEVELOPMENT PLAN FOR
THE CITY OF ASHTABULA AND ASHTABULA TOWNSHIP
JOINT ECONOMIC DEVELOPMENT DISTRICT**

The City of Ashtabula (the “City”) and Ashtabula Township (the “Township”) are entering into a contract (the “Contract”) to create the City of Ashtabula and Ashtabula Township Joint Economic Development District (the “District”). The purpose of the District is to facilitate economic development to create or preserve jobs and employment opportunities and to improve the economic welfare of the people of the State of Ohio, the County of Ashtabula and the District. In accordance with Section 715.72(C) of the Ohio Revised Code, the Economic Development Plan for the District consists of both of the following schedules:

1. Schedule for the provisions of the new, expanded or additional services, facilities or improvements specified and provided for in the Contract in accordance with Section 715.72(F)(3) of the Ohio Revised Code.
 - a. Upon approval of the Contract and creation of the District, The City and Township may provide services to assist the District with planning, promotion and related activities to facilitate economic development in the District. The City and the Township will contribute an aggregate amount not to exceed One Thousand Dollars (\$1,000.00) to the District for the purpose of paying initial administration and other costs. The City and the Township will cooperate with the Board of Directors (the “Board”) in obtaining financial assistance, both public and private, for economic development projects. The City and Township, the extent permitted by law, agree to maintain a mutual aid agreement for police and fire protection for the District.
 - b. Provision of certain utility services:
 - i. Fire and EMS. The Township will provide fire and EMS services to the areas of the JEDD within the Township, and mutual aid contracts continue in Township, City and JEDD areas.
 - ii. The Township and City shall cooperate to provide professional land use planning in the District.
2. Schedule for the collection of an income tax levied under Section 715.72(F)(5) of the Ohio Revised Code.
 - a. The Contract provides that the District will levy an income tax on the District at the current rate of 1.8%, which rate is subject to change from time to time.
 - b. The Board of Directors of the District will levy that tax as its first meeting following approval of the Contract and creation of the District.

- c. The income tax will go into effect on the first day of the calendar quarter immediately following the effective date of the Contract.
- d. Businesses within the District will be notified prior to the income tax going into effect.
- e. The City of Ashtabula will administer the income tax pursuant to the Tax Agreement with the District.