

Ordinance 2021-18

AN ORDINANCE AMENDING ORD 2003-48 IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE ESTABLISHING AND DESCRIBING THE BOUNDARIES OF A COMMUNITY REINVESTMENT AREA IN THE VILLAGE OF SWANTON, OHIO AND DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM AND CREATING A COMMUNITY REINVESTMENT HOUSING COUNCIL AND A TAX INCENTIVES REVIEW COUNCIL.

WHEREAS, the Council of the Village of Swanton (hereinafter "Council") desires amend Ordinance 2003-48 to update the necessary provisions for a Community Reinvestment area and amend the map; desires to pursue all reasonable and legitimate incentive measures to assist and encourage development in specific areas of the Village of Swanton that have not enjoyed reinvestment from remodeling or new construction.

WHEREAS, a survey of housing (See Exhibit A) as required by the Ohio Revised Code (ORC.) Section 3735.66 has been previously prepared for the area to be included in the proposed Community Reinvestment Area;

WHEREAS, the maintenance of existing and construction of new structures in such area would serve to encourage economic stability, maintain real property values, and generate new employment opportunities; and

WHEREAS, the remodeling of existing structures and the construction of new structures in this Community Reinvestment Area constitutes a public purpose for which real property exemptions may be granted;

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE OF SWANTON, FULTON COUNTY, OHIO, THAT:

Section One: The area designated as the Swanton Community Reinvestment Area constitutes an area in which housing facilities or structures of historical significance are located, and in which new construction or repair of existing facilities has been discouraged.

Section Two. Pursuant to O.R.C. Section 3735.66, the Swanton Community Reinvestment Area is hereby established in the following described area: See Exhibit B

The Community Reinvestment Area is approximately depicted on the map attached to this ordinance, marked Exhibit C, and by this reference incorporated herein. Only residential, commercial and/or industrial properties consistent with the applicable zoning regulations within the designated Community Reinvestment Area will be eligible for exemptions under this program.

Section Three. All properties identified in Exhibit A as being within the designated Community Reinvestment Area are eligible for this incentive. This proposal is a public/private partnership intended to promote and expand conforming uses in the designated area. As part of the project, the Village of Swanton intends to undertake supporting public improvements in the designated area.

Section Four. 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 3735.67. The results of the negotiation as approved by this 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.

- (a) Up to 50 percent abatement for 5 years for the remodeling of dwellings containing not more than three housing units and upon which the cost of remodeling is at least \$25,000.⁰⁰, as described in ORC Section 3735.67.
- (b) Up to a 100 percent abatement for up to 12 years for existing commercial (including residential housing with four or more units) and industrial facilities shall be negotiated on a case-by-case basis in advance of construction or remodeling occurring.
- (c) Up to a 100 percent abatement for up to 15 years for new residential, commercial, or industrial facilities shall be negotiated on a case by case basis in advance of construction occurring.

If remodeling qualifies for an exemption, during the period of the exemption, the exempted percentage of the dollar amount of the increase in market value of the structure shall be exempt from real property taxation. If new construction qualifies for an exemption, during the period of 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.

Section Five. All commercial and industrial projects are required to comply with state application fee requirements of OCR Section 3735.67(C) and the local annual monitoring fee of one percent of the amount of taxes exempted under the agreement; a minimum of \$500.00 up to a maximum of \$2,500.00 annually.

Section Six. To administer and implement the provisions of this ordinance, Village Administrator, is designated as the Housing Officer as described in Sections 3735.65 through 3735.70.

Section Seven. That a "Community Reinvestment Area Housing Council" shall be created, consisting of two members appointed by the Mayor of Swanton, two members appointed by the Council of the Village of Swanton, and one member appointed by the Planning Commission of the Village of Swanton. The majority of the members shall then appoint two additional members who shall be residents within the area. Terms of the members of Housing Council shall be for three years. An unexpired term resulting from a vacancy in the Council shall be filled in the same manner as the initial appointment was made.

A Tax Incentive Review Council shall be established pursuant to ORC Section 5709.85 and shall consist of three representatives appointed by the Board of County Commissioners, two representatives of the municipal corporation, appointed by the Mayor with Council concurrence, the county auditor or designee, two members of each township to which the instrument granting the tax exemption applies appointed by the board of township trustees of the respective townships and a representative of each affected Board of Education. At least two members must be residents of the Village of Swanton. The Tax Incentive Review Council shall review annually the compliance of all agreements involving the granting of exemptions from property taxation for commercial or industrial real property improvements under Section 3735. 671 of the ORC and make written recommendations to the Council as to continuing, modifying or terminating said agreement based upon the performance of the agreement.

Section Eight. The Council reserves the right to reevaluate the designation of the Swanton Community Reinvestment Area after December 31, 2024, at which time the Council may direct the Housing Officer not to accept any new applications for exemptions as described in Section 3735.67 of the ORC.

Section Nine. The Community Reinvestment Area Council shall make an annual inspection of the properties within the district for which an exemption has been granted under Section 3735.67 of the ORC. The council shall also hear appeals under Section 3735.70 of the ORC.

Section Ten. It is found and determined that all formal actions of the Swanton Village Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the Village of Swanton and the State of Ohio.

Section Eleven. That this ordinance shall be in effect and be in force from and after the earliest period allowed by law, and upon confirmation by the Director of Development of the findings in this ordinance

Section Twelve. The Mayor of the Village of Swanton is hereby directed and authorized to petition the Director of Development to confirm the findings contained within this Ordinance.

First Reading: July 19, 2021

Second Reading: August 9, 2021

Third Reading: August 23, 2021

Vote on Passage

Moved: Rose

Second: Rochelle

YEAS: 6

NAYS: 0

Date of Passage: August 23, 2021



Neil Toeppe, Mayor

Attest:

I, Jennifer Harkey, Fiscal Officer of the Village of Swanton, do hereby certify that this is a true and accurate copy of Ordinance 2021-18, passed on August 23, 2021

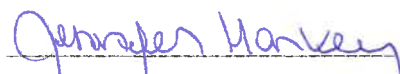

Jennifer Harkey, Fiscal Officer

EXHIBIT A

HOUSING SURVEY

On October 17, 2003, a windshield survey was conducted by Jon Gochenour, Village Administrator, of the entire Village of Swanton which is the area proposed as the Village of Swanton Community Reinvestment Area (CRA). The purpose of this survey was to determine if the housing units, structures, or other facilities located inside the Village of Swanton appear to be in need of repair or updating or where investment in new housing or other structures has been discouraged.

The area of the proposed CRA consists of primarily older residential, commercial, and industrial structures; approximately 31 percent of which were built prior to 1939. In addition to the properties surveyed, the village contains nearly 600 acres of vacant land zoned for residential, commercial, or industrial use in the proposed area of the CRA. The following structures were surveyed and the following deficiencies were found:

1. **116 E. Airport Highway:** This building is in extremely poor condition and is characterized by poor/missing/boarded up windows, roof and exterior siding failure, and much of the structure is overgrown by brush and excessive vegetation. The overall condition illustrates a general lack of recent investment or remodeling.
2. **128 E. Airport Highway:** This three unit commercial building has a gravel parking lot which is uneven and has poor drainage; windows need replacing; signage is dilapidated; building does not conform to current zoning standards in terms of setbacks, landscaping, paving, storm drainage etc. The overall condition illustrates a general lack of recent investment or remodeling.
3. **215 E. Airport Highway:** Multi-family apartment units characterized by deteriorated windows, doors, and roofing. The structure does not conform to current zoning standards in terms of setbacks, paving, landscaping, parking, storm drainage etc. Parking area is not paved, is uneven and has poor drainage. The overall condition illustrates a general lack of recent investment or remodeling.
4. **109 Broadway Street:** Commercial structure characterized by peeling paint, loose bricks along the top of facade, and deteriorated windows and doors. The structure does not conform to current zoning standards in terms of setbacks or parking. The overall condition illustrates a general lack of recent investment or remodeling.
5. **104 Cass Street:** Vacant residential structure characterized by deteriorated windows, doors, and exterior siding. Detached garage is dilapidated and the house is often unsecured and open at various times during the year. The overall condition illustrates a general lack of recent investment or remodeling.
6. **107 Cherry Street:** Residential structure characterized by peeling paint and deteriorated windows and exterior siding. The overall condition illustrates a general lack of recent investment or remodeling.

7. **106 Church Street:** Deteriorated commercial building with broken windows, peeling paint, and miscellaneous debris located on the property. Building does not conform to current zoning standards in terms of setbacks or parking. The overall condition illustrates a general lack of recent investment or remodeling.
8. **106 ½ Church Street:** This structure is characterized by poor windows and doors covered with plastic. The overall condition illustrates a general lack of recent investment or remodeling.
9. **107 Church Street:** Vacant commercial building characterized by peeling paint, poor windows and doors. The overall condition illustrates a general lack of recent investment or remodeling.
10. **7471 County Road 2/Munson Road:** This structure has a sagging porch, peeling paint, rotted exterior siding, roof failure, and the windows are in poor condition. This property has no paved driveway, poor drainage, and two disabled vehicles on the site. The overall condition illustrates a general lack of recent investment or remodeling.
11. **92 Dodge Street:** Commercial structure characterized by excessive peeling paint and an obsolete awning poorly attached to the building. The overall condition illustrates a general lack of recent investment or remodeling.
12. **312 Dodge Street:** This residential structure is characterized by missing exterior siding and boarded up windows. The overall condition illustrates a general lack of recent investment or remodeling.
13. **208 W. Garfield Avenue:** Vacant residential structure characterized by extreme roof failure, sagging front porch, rotted wood siding, and missing gutters. The property was recently cited by the Fulton County Health Department due to its extremely poor condition (See enclosed letter from Mr. Jeff Crisenbery, Registered Sanitarian, Fulton County Health Department). The overall condition illustrates a general lack of recent investment or remodeling.
14. **109 N. Hallett Avenue:** This structure is characterized by an excessive amount of peeling paint, poor/missing/boarded up windows, and boarded up holes in the exterior siding visible from the street. The overall condition illustrates a general lack of recent investment or remodeling.
15. **119 Lincoln Street:** Residential structure is characterized by missing exterior siding, peeling paint, and visible holes in exterior building walls. The overall condition illustrates a general lack of recent investment or remodeling.
16. **121 Lincoln Street:** Residential structure is characterized by missing exterior siding. Disabled vehicles and excessive amounts of debris are located on the property. The overall condition illustrates a general lack of recent investment or remodeling.
17. **202 Lincoln Street:** This church has a gravel parking lot which is uneven and has poor drainage; has missing exterior siding, rotted wood and roof failure in the steeple area; and peeling paint. The overall condition illustrates a general lack of recent investment or remodeling.

18. **230 Lincoln Street:** Residential structure characterized by deteriorated windows, doors, and exterior asphalt siding. Poorly attached, deteriorated awnings and a deteriorated detached garage. The overall condition illustrates a general lack of recent investment or remodeling.
19. **303 Lincoln Street:** Residential structure is characterized by rotted exterior siding, roof failure, poor windows and doors, deteriorated fencing, weeds, and debris in yard. Property has no paved driveway and drainage is poor. The overall condition illustrates a general lack of recent investment or remodeling.
20. **401 Lincoln Street:** Residential structure characterized by missing/damaged asphalt siding, roof failure, rotted exterior wood, and deteriorated windows and doors. The overall condition illustrates a general lack of recent investment or remodeling.
21. **99 N. Main Street:** Vacant commercial structure is characterized by peeling paint; loose bricks on upper facade, deteriorated windows and doors. Building does not conform to current zoning requirements in terms of setbacks and parking. Some of the upper apartments are occupied. The overall condition illustrates a general lack of recent investment or remodeling.
22. **102 N. Main Street:** Commercial structure, upper floors are vacant. Building is characterized by peeling paint, loose bricks on the upper facade, boarded up windows. The structure does not conform to current zoning standards in terms of setbacks and parking. The overall condition illustrates a general lack of recent investment or remodeling.
23. **133 N. Main Street:** Residential structure characterized by various amounts of rotted exterior wooden siding, peeling paint, and some roof failure. The overall condition illustrates a general lack of recent investment or remodeling.
24. **430 N. Main Street:** Multi-family apartment units characterized by peeling paint, deteriorated windows, rooted exterior wood siding, and miscellaneous debris scattered around the property. The overall condition illustrates a general lack of recent investment or remodeling.
25. **110 S. Main Street:** Commercial structure characterized by deteriorated exterior siding, dilapidated doors and windows. Building does not conform to current zoning requirements in terms of setbacks, parking, storm drainage etc. The overall condition illustrates a general lack of recent investment or remodeling.
26. **201 S. Main Street:** Residential structure characterized by peeling paint, rotted wood siding, dilapidated garage, and deteriorated windows and doors. The overall condition illustrates a general lack of recent investment or remodeling.
27. **203 S. Main Street:** Residential structure is characterized by peeling paint, rotted exterior wood siding, and deteriorated doors and windows. The overall condition illustrates a general lack of recent investment or remodeling.

28. **208 E. St. Clair Street:** Residential structure characterized by deteriorated windows and peeling paint. The structure has plastic covering some of the exterior windows. The overall condition illustrates a general lack of recent investment or remodeling.

29. **207 Walnut Street:** Residential structure is characterized by roof failure, rotted wood, deteriorated windows, and a dilapidated garage. The driveway is not paved, is uneven and drainage is poor. The overall condition illustrates a general lack of recent investment or remodeling.

30. **100-105 Woodland Street:** Vacant, 300,000 square foot industrial building. The building housed the former Pilliod Furniture Company with 241 employees which closed in 2001.

EXHIBIT C

DESCRIPTION OF PROPOSED VILLAGE OF SWANTON COMMUNITY REINVESTMENT AREA (CRA)

The approximate boundaries of the Swanton Community Reinvestment Area are the entire municipal corporation limit boundaries of the Village of Swanton and are as follows: from the village limit along the Ohio Turnpike south along the west side of Hallett Avenue to State Route 2/U.S. 20A; east along the north and south sides of State Route 2/U.S. 20A to State Route 64; east along the south side of State Route 2 to the village limit; south approximately 1300 feet and west approximately 1600 feet to State Route 64; south along the west side of State Route 64 past the Swanton Reservoir to the village limit; west to Fulton County Road 1-1; south along the west side of Fulton County Road 1-1 to the village limit; west to the village limit; north to the village limit at Fulton County Road 2 and State Route 2/U.S. 20A; west on State Route 2/U.S. 20A to village limit; north along the village limit past the Norfolk and South Railroad Tracks to Dodge Street; west along Dodge Street approximately 1300 feet to the village limit; north approximately 4000 feet to the village limit at the Ohio Turnpike.

EXHIBIT E

VILLAGE OF SWANTON COMMUNITY REINVESTMENT AREA PROCEDURE ON REVENUE SHARING ARRANGEMENTS

The Tax Incentive Review Committee will direct the discussion and agreements on project specific revenue sharing arrangements. The committee will form a negotiating team to set policy and procedure for the program following the guidelines specified in Section 3735 of the Ohio Revised Code. The Tax Incentive Review Committee will consist of the following members:

- A. Three representatives appointed by the Fulton County Commissioners;
- B. Two representatives of the Village of Swanton;
- C. The Fulton County Auditor or Designee and;
- D. One representative of the Swanton Board of Education.

EXHIBIT F

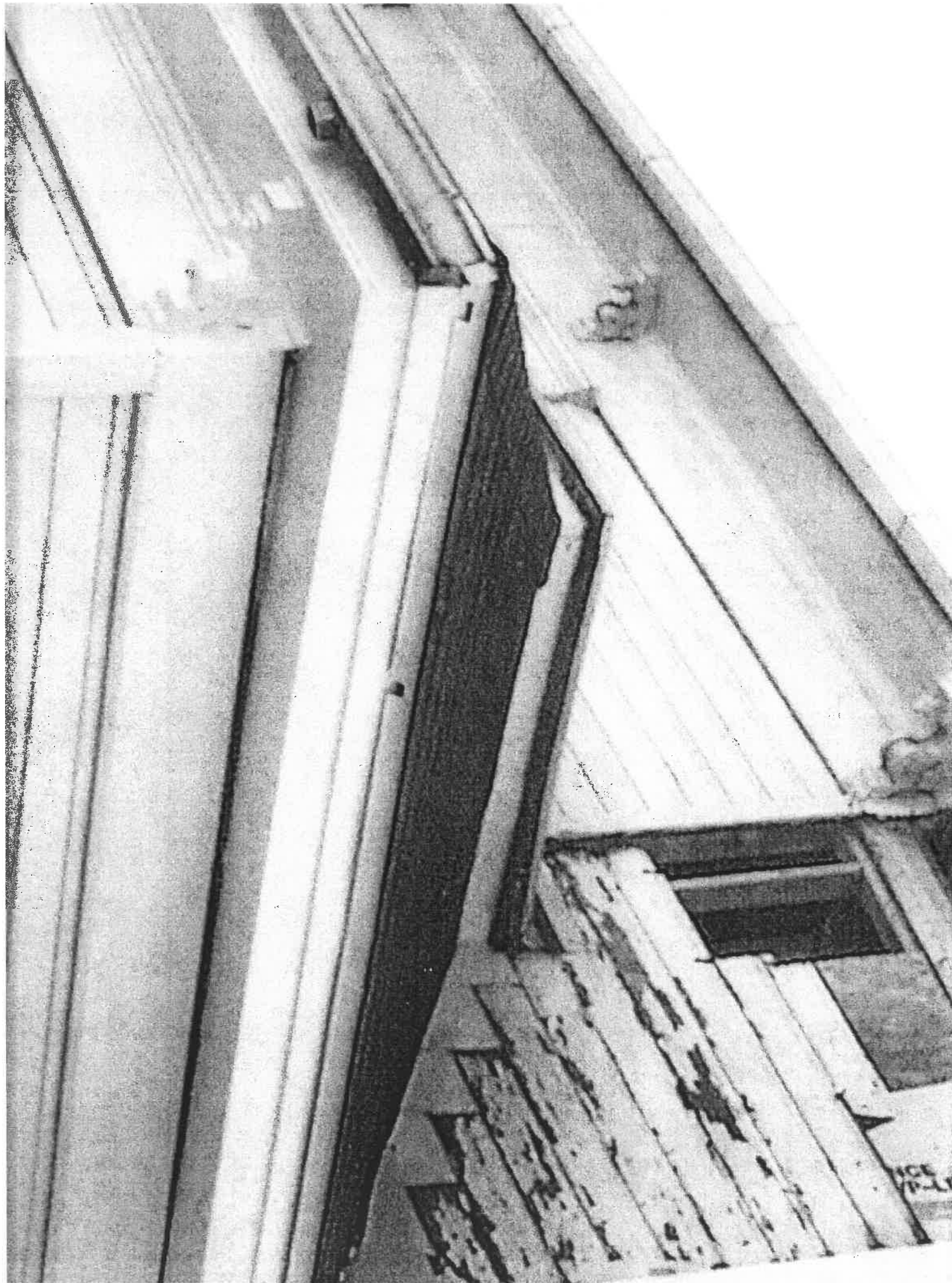
CONTACT INFORMATION

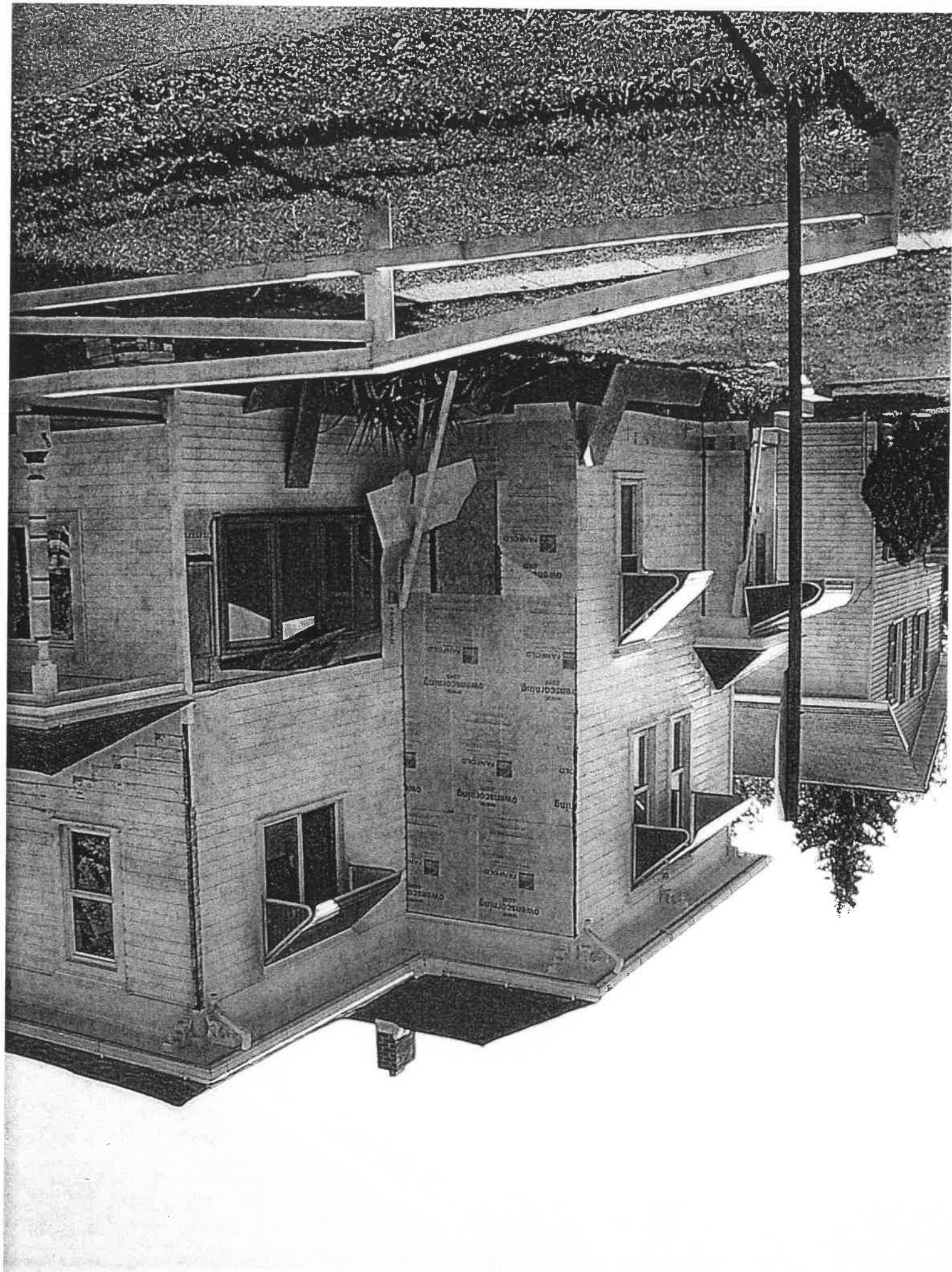
Mrs. Nancy Yackee
Fulton County Auditor
152 S. Fulton Street, Suite 165
Wauseon, Ohio 43567
(419) 337-9200

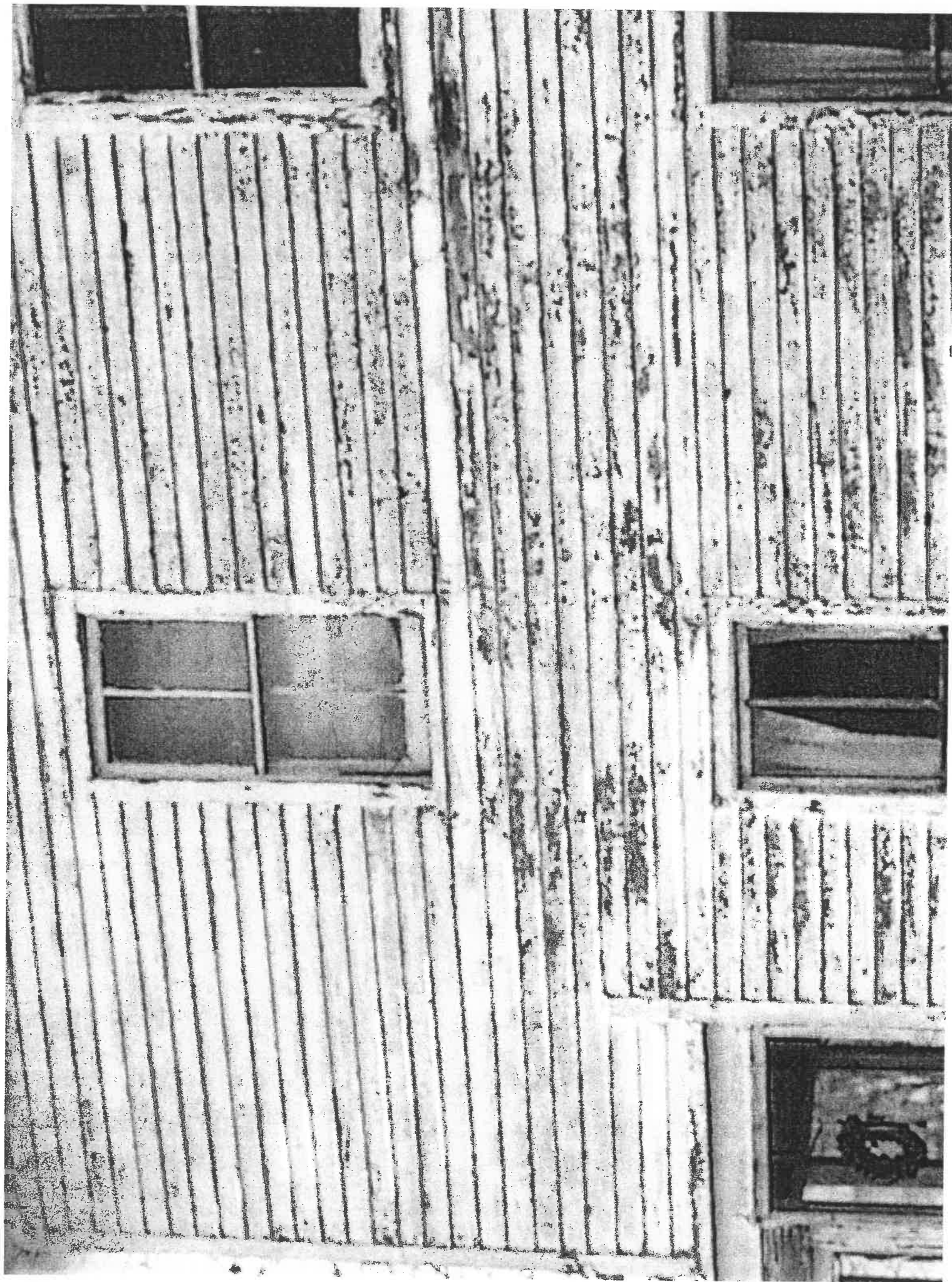
Mr. Tandy Grubbs
Mayor of Swanton
219 Chestnut Street
Swanton, Ohio 43558
(419) 826-9515

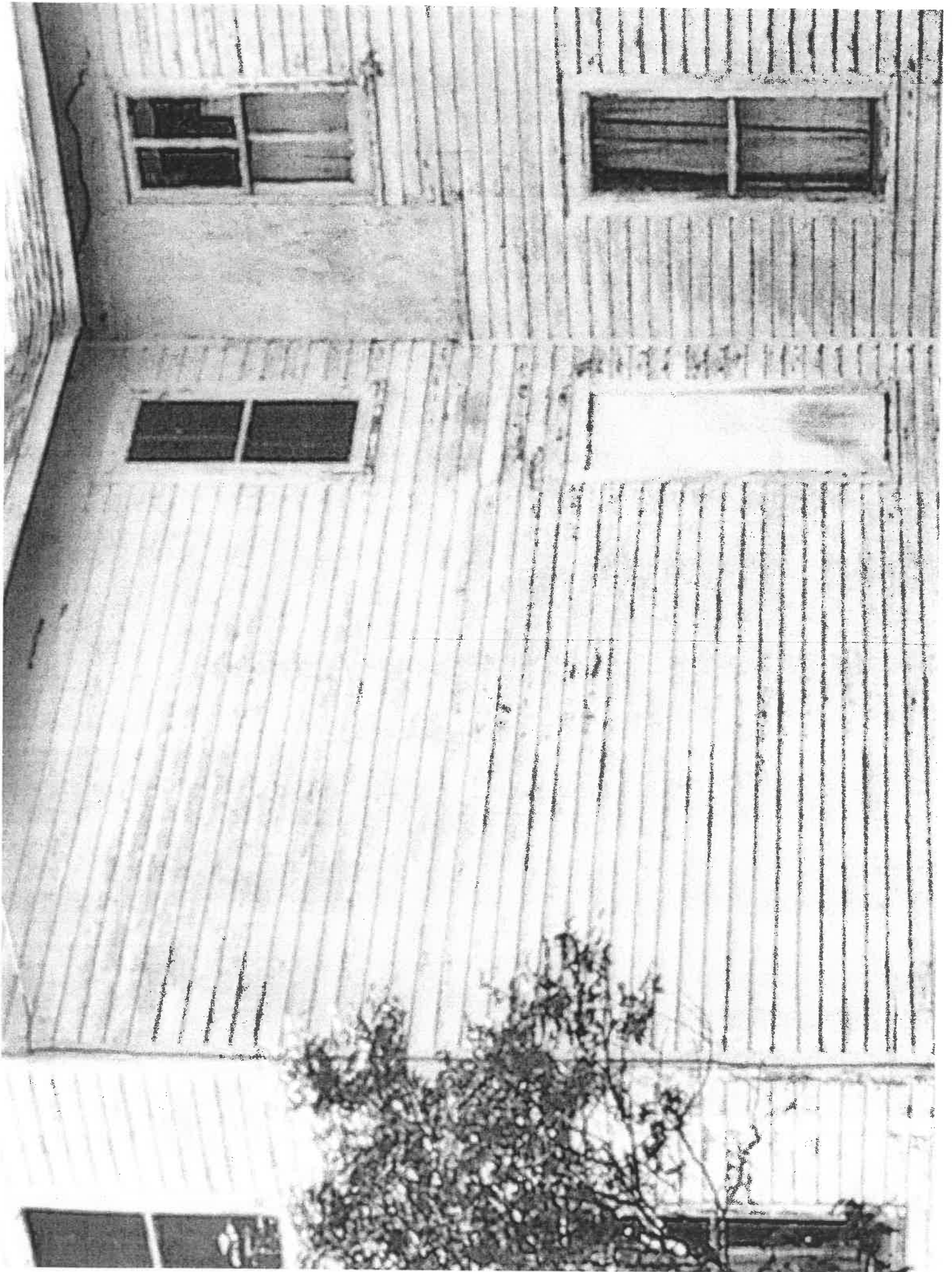
Mr. Steve Buehrer
Ohio State Representative
Riffe Center, 14th Floor
77 S. High Street
Columbus, Ohio 43215
(614) 644-5091

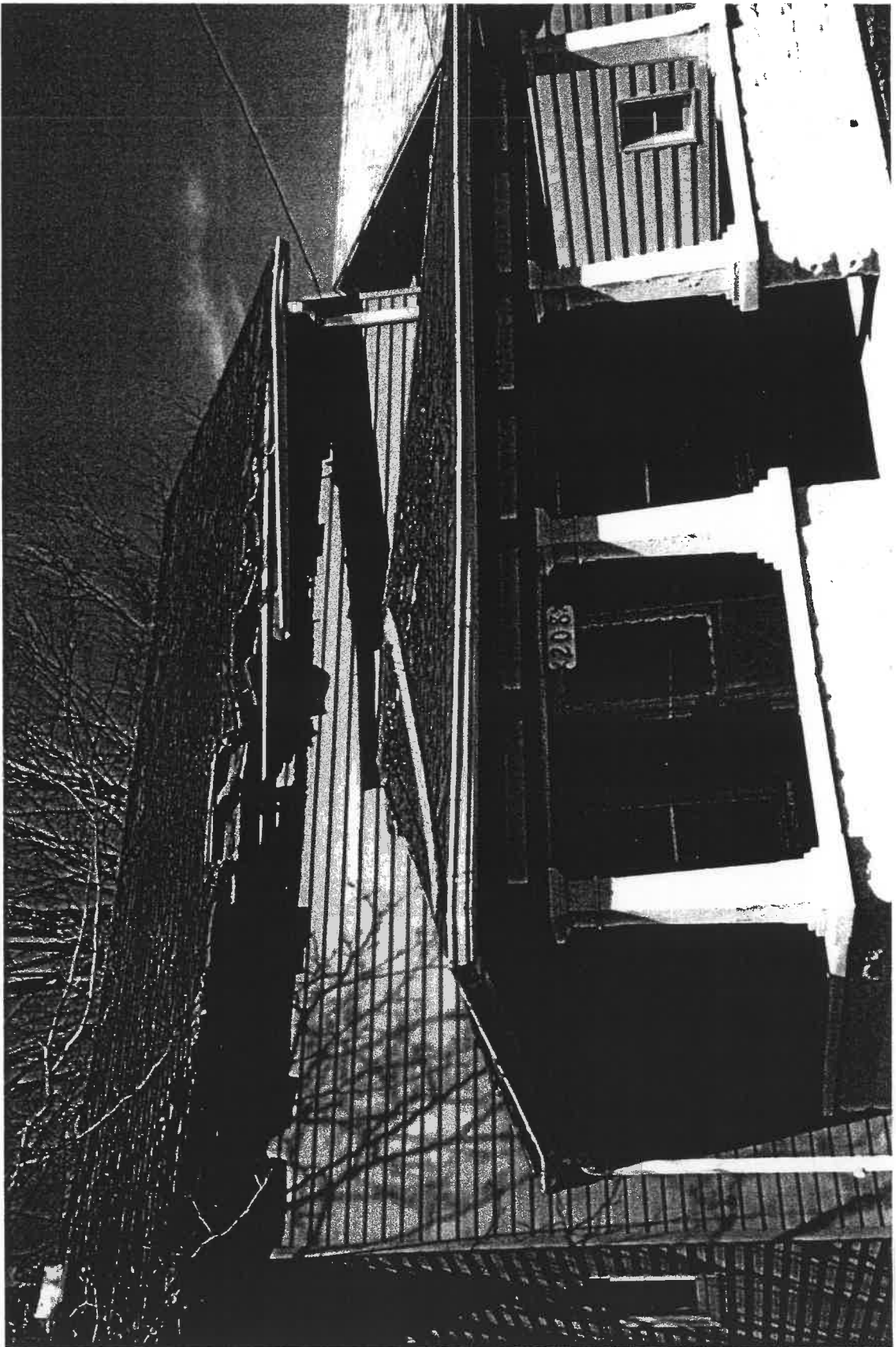
Mr. Lynn Wachtmann
Ohio State Senator
Senate Building, Room 040
Columbus, Ohio 43215
(614) 466-8150













FULTON COUNTY HEALTH DEPARTMENT

606 S. SHOOP AVENUE
WAUSEON, OHIO 43567-1712
TELEPHONE 419-337-0915
FAX 419-337-0561
WIC 419-337-6979
EMAIL fultcohhd@gw.odh.state.oh.us

October 31, 2003

Jon Gochenour
Swanton Village Administrator
219 Chestnut Street
Swanton OH 43558

Dear Mr. Gochenour:

Recently this department has received several complaints regarding an abandoned house located at 208 W. Garfield Street in Swanton. An inspection of this property found the structure to be falling into disrepair as the following notes:

- 1) The roof of this dwelling is in very poor condition. Much of the roof is missing shingles and there are exposed holes. There is a definite concern that the roof will leak causing significant structural damage.
- 2) Along with this is the concern that vermin or nuisance animals may enter the property causing a potential problem for the neighboring dwellings.
- 3) The inside of the dwelling appears to be very dirty with the potential for a source of food available for vermin and nuisance animals should they enter.

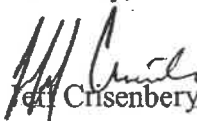
In September 2003, I spoke to a representative from Green Tree Financial; currently their company controls the mortgage for this property. It was indicated during our conversation that they are not looking to write off this mortgage at this time.

In July of 1987, the Fulton County Board of Health passed a housing maintenance code (attached) that applies to dwellings and dwelling units in Fulton County. In this housing maintenance code, section 4.20 states that "Every foundation, roof, exterior and interior wall, ceiling, inside and outside stair, every porch and every appurtenance thereto, shall be safe to use and capable of supporting loads that normal use may cause to be placed there on; and shall be kept in sound condition and good repair..." Also, section 4.21 states that "Every foundation, roof and exterior wall, door, skylight and window shall be reasonable weather tight and shall be kept in sound condition and good repair..."

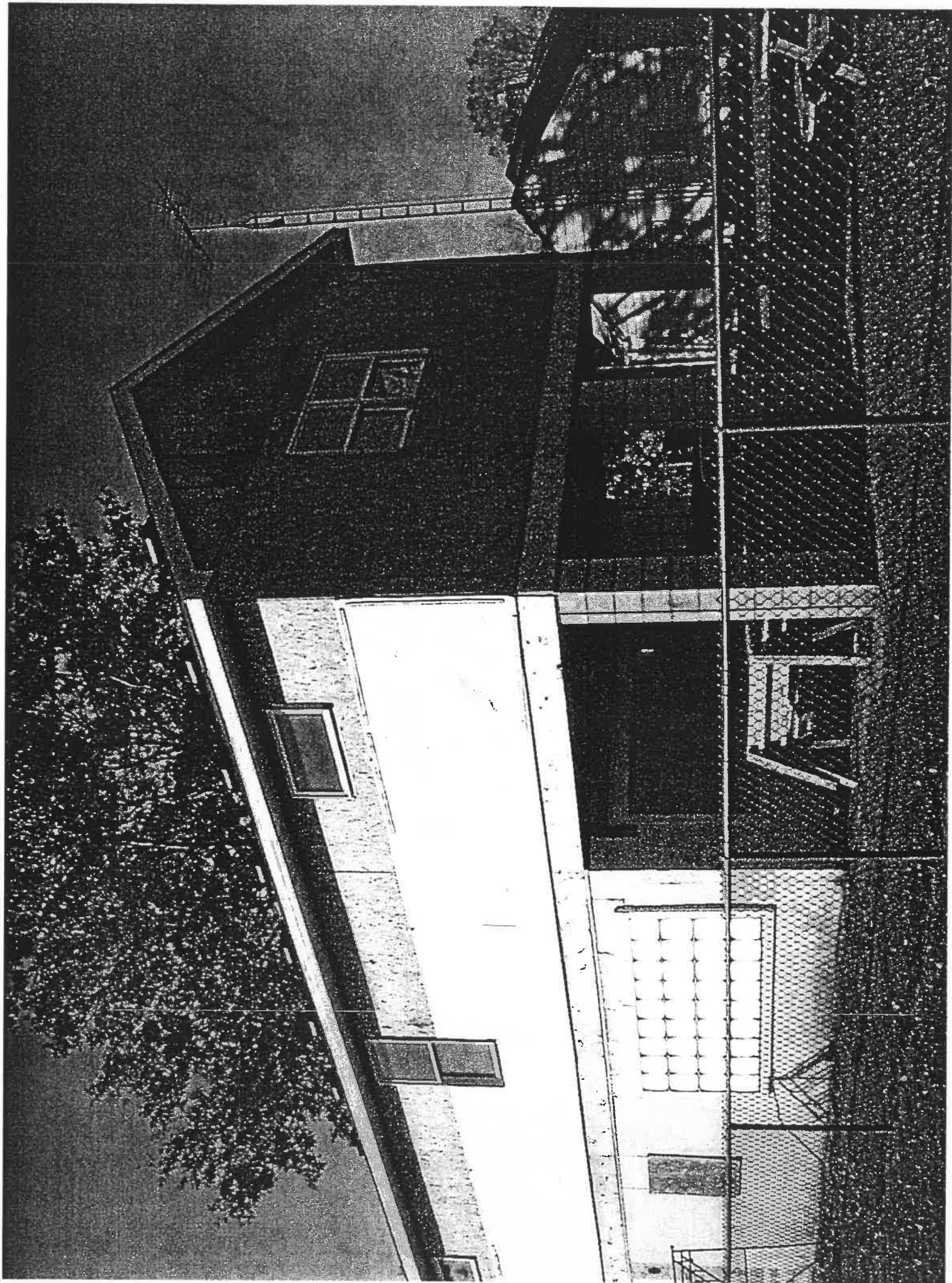
During past inspections, the roof has been an area of concern. Because of this, the Health Department will support the village of Swanton in their efforts concerning this dwelling. There is an obvious concern for the safety and well being of the public regarding this matter.

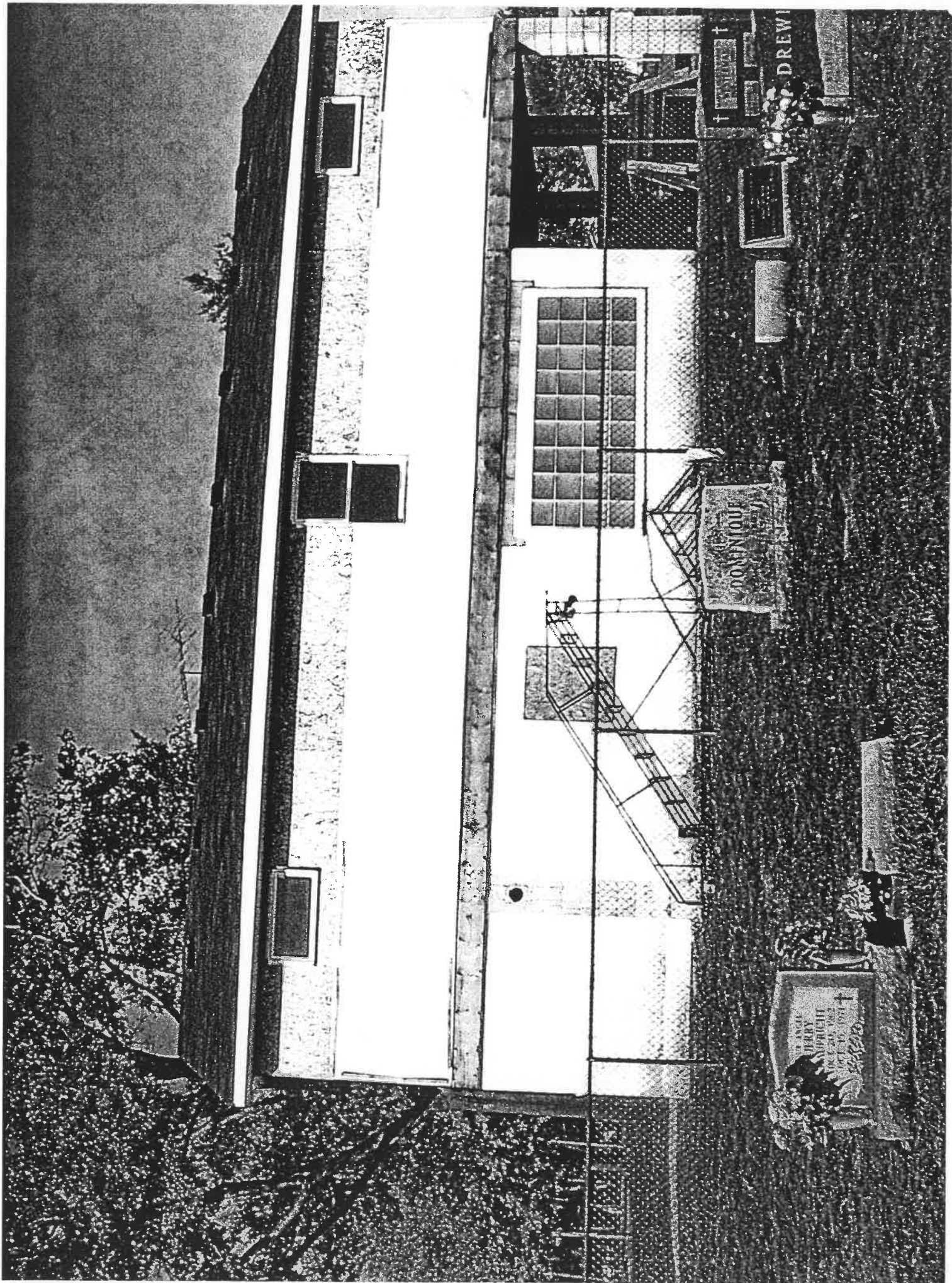
If you need further assistance from this department in this matter, do not hesitate to contact me at 419-337-0915.

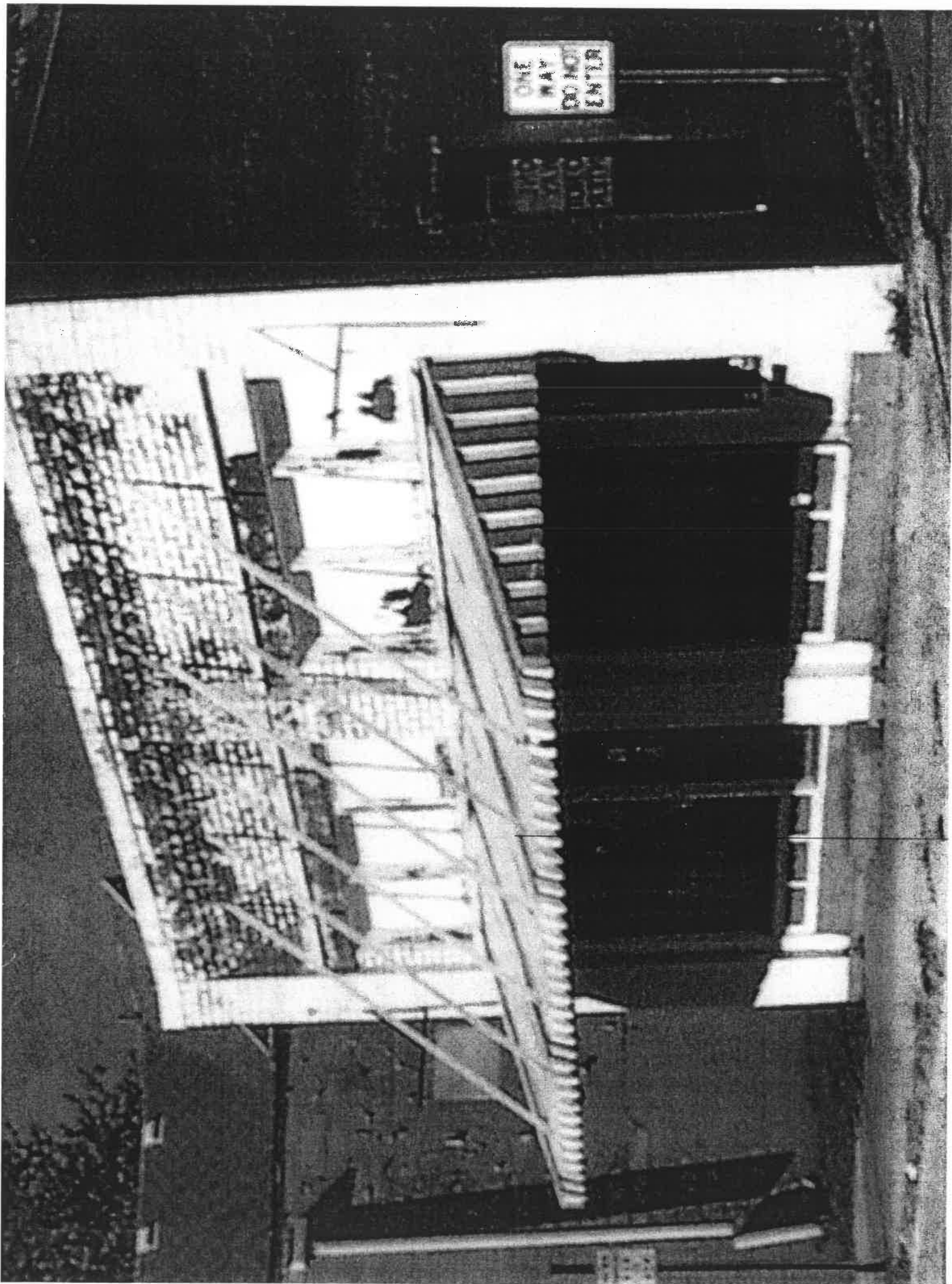
Sincerely,

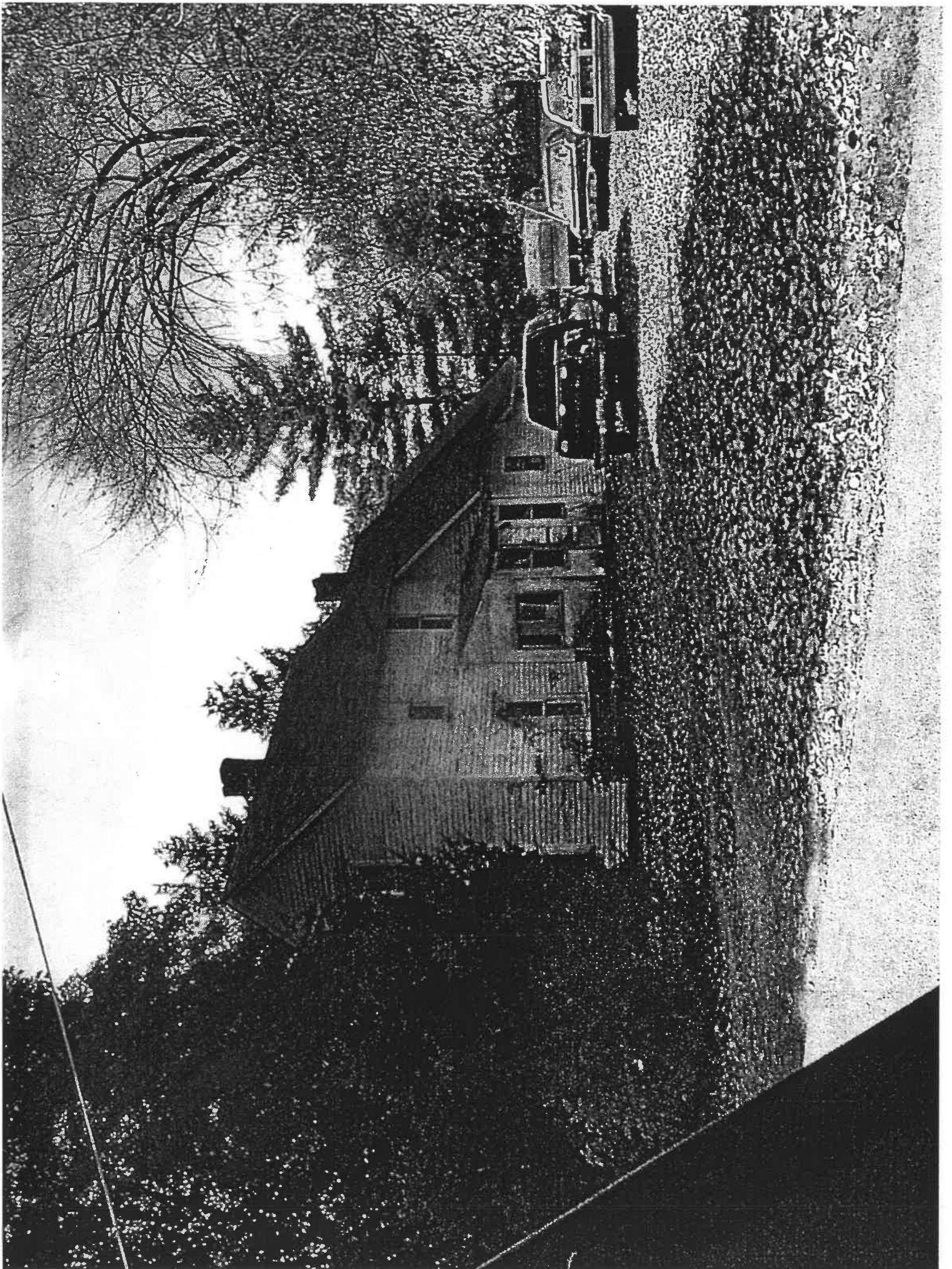

Jeff Crisenbery, RS

Enclosure





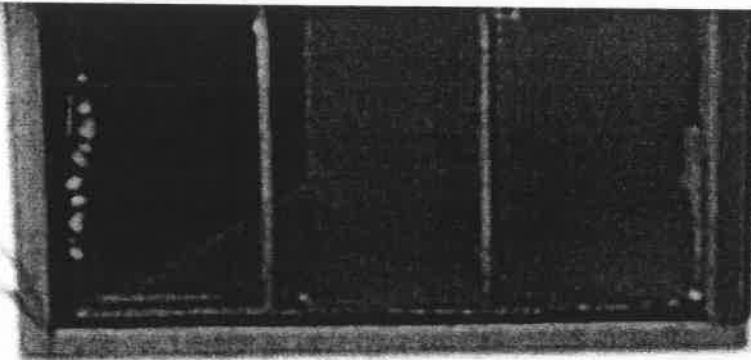
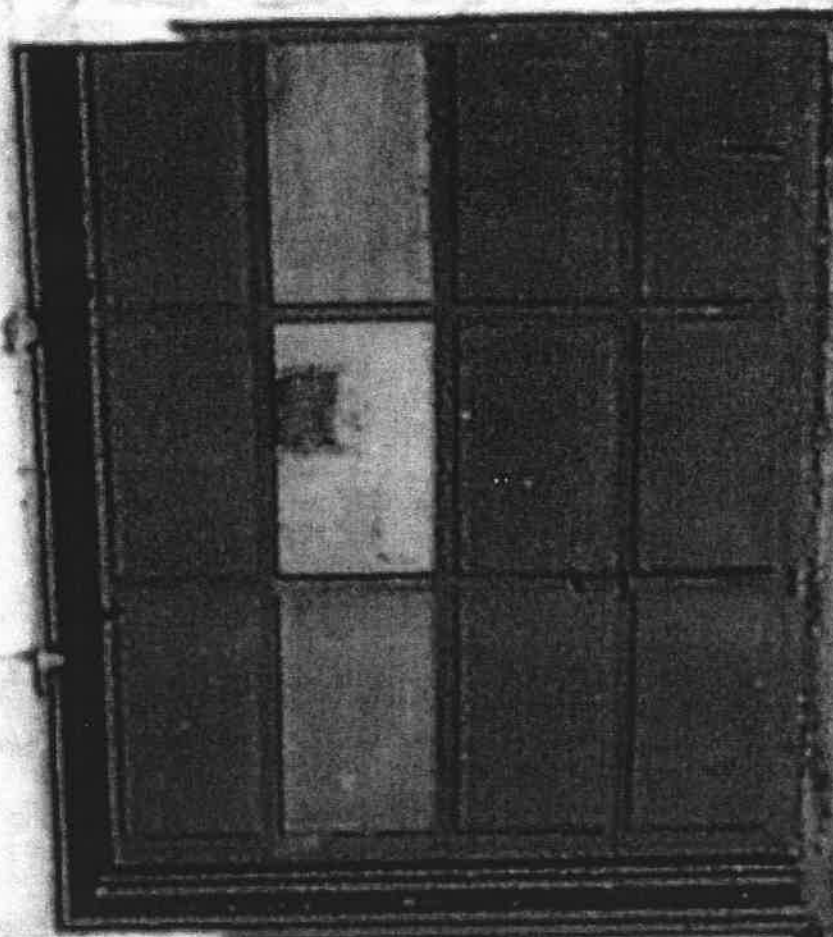




WESTERN

MACHINE

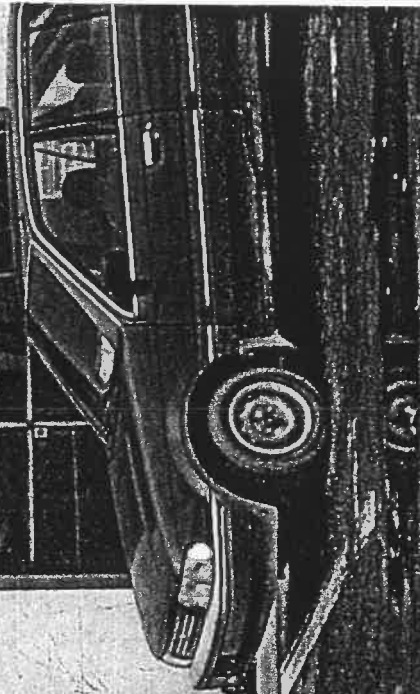
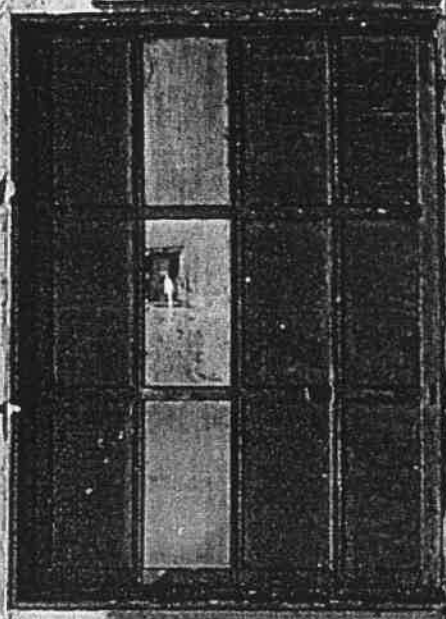
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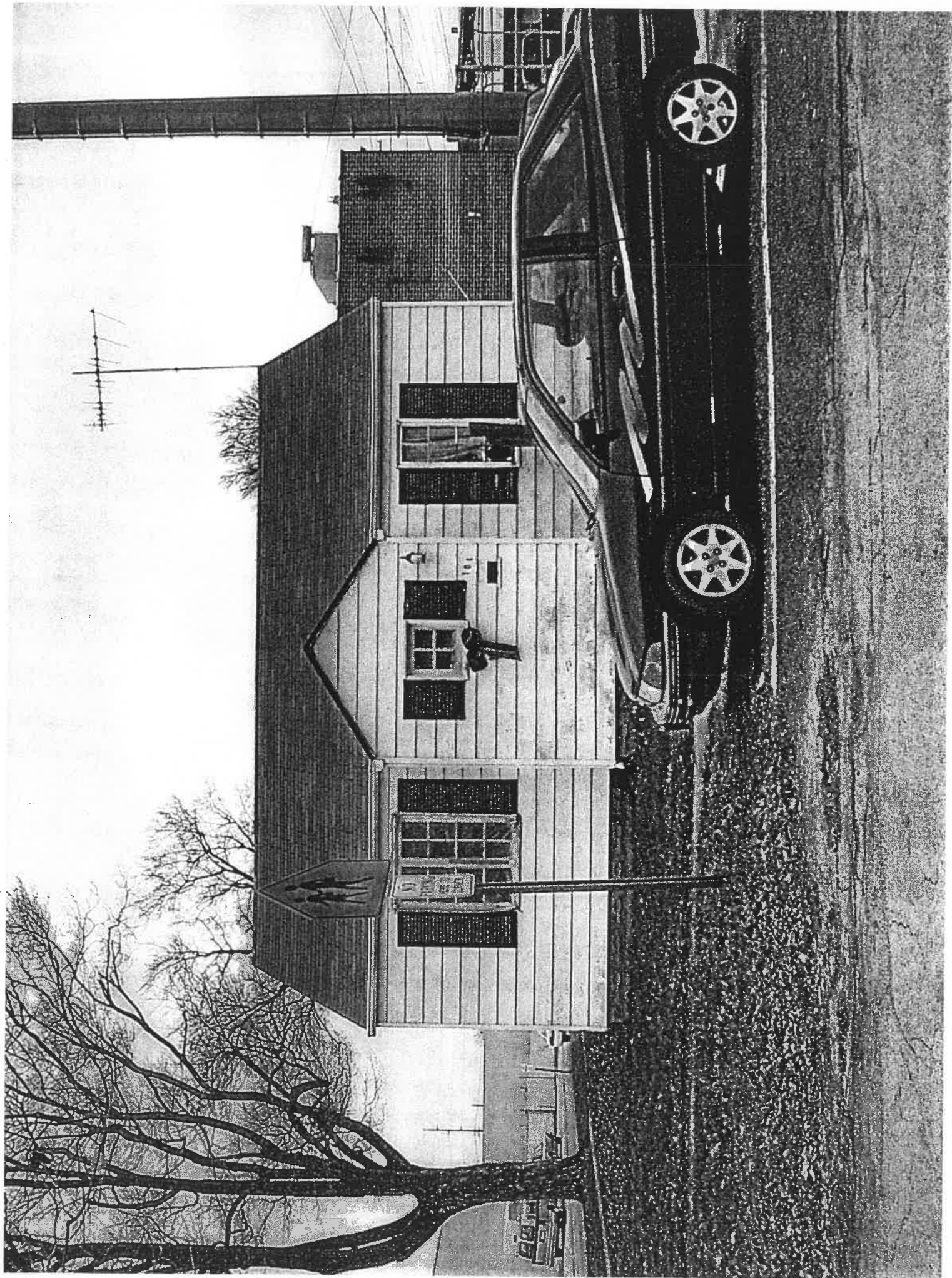


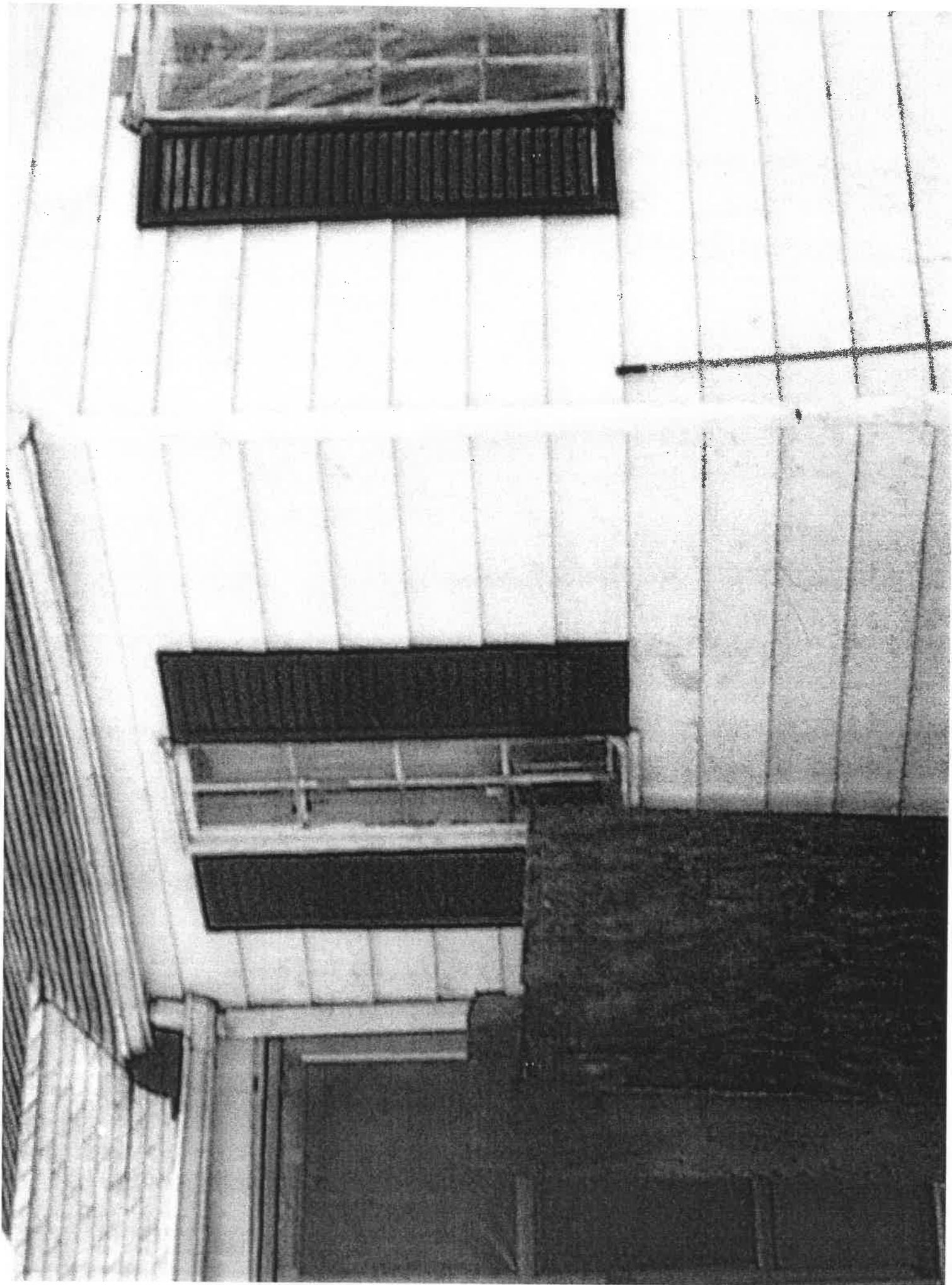
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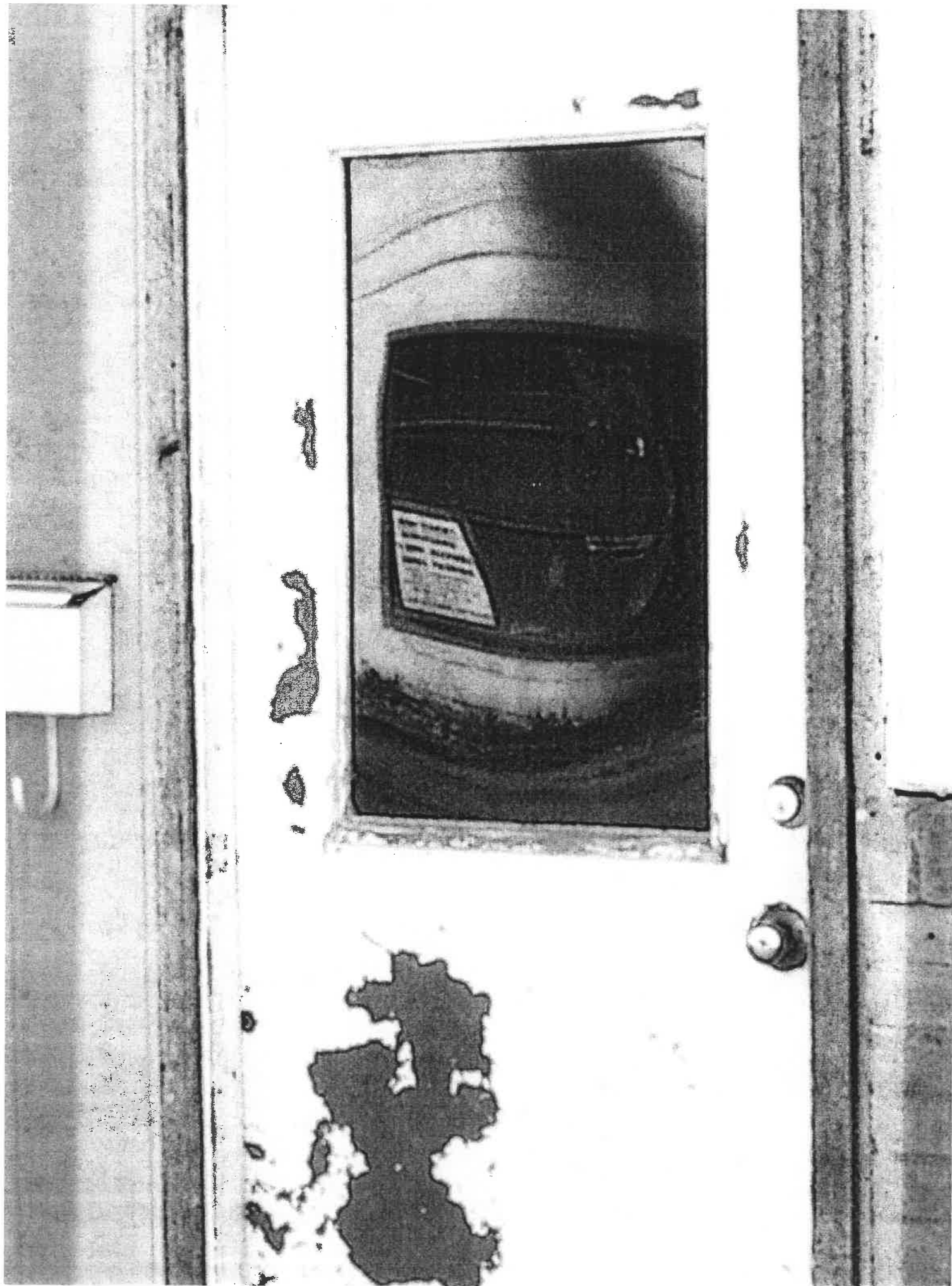
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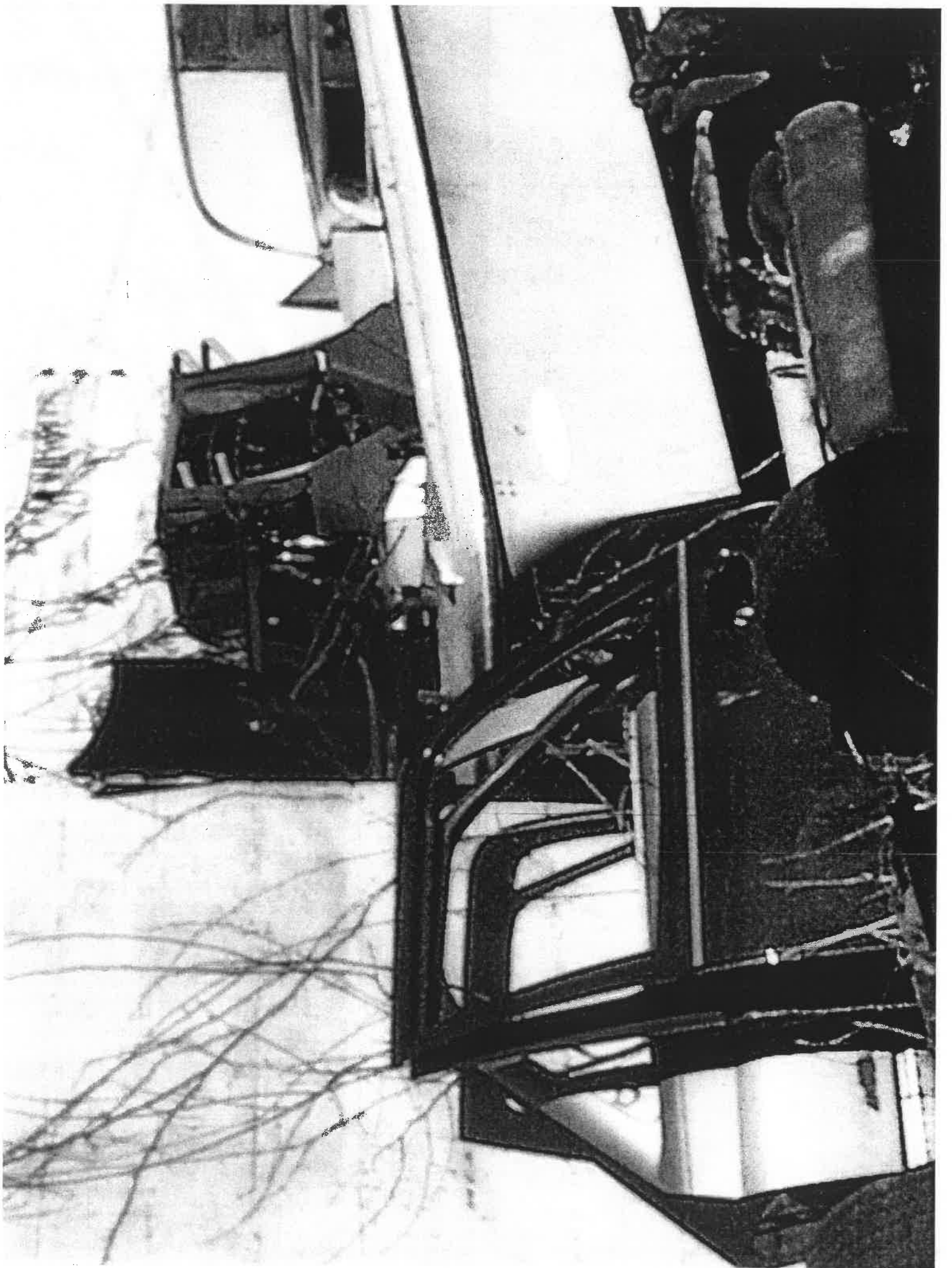
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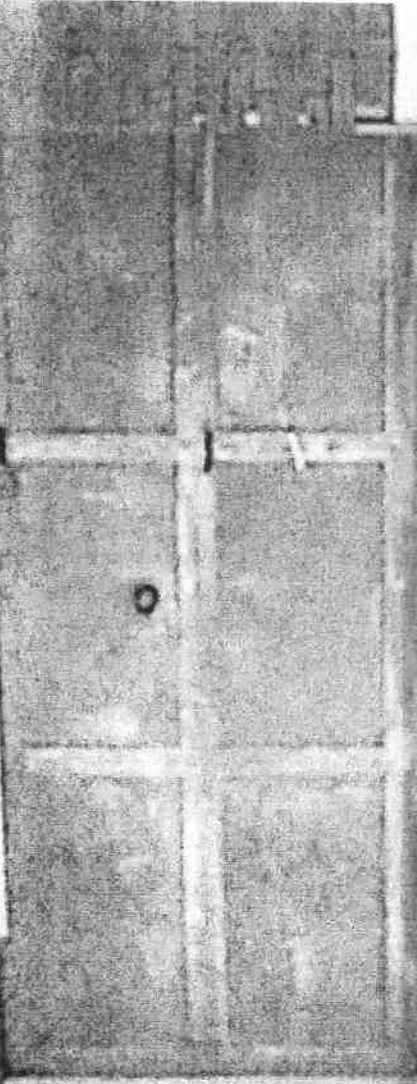






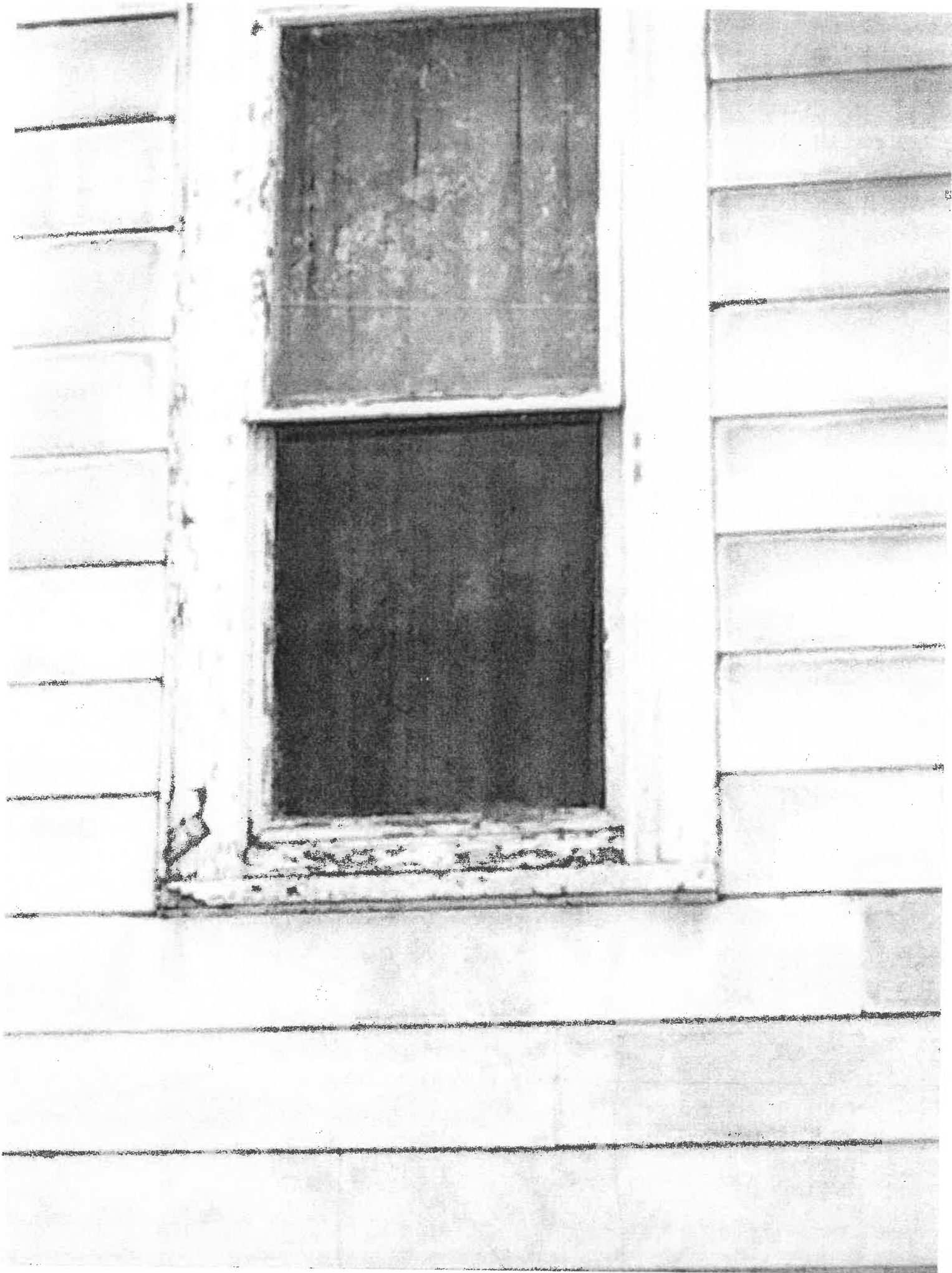


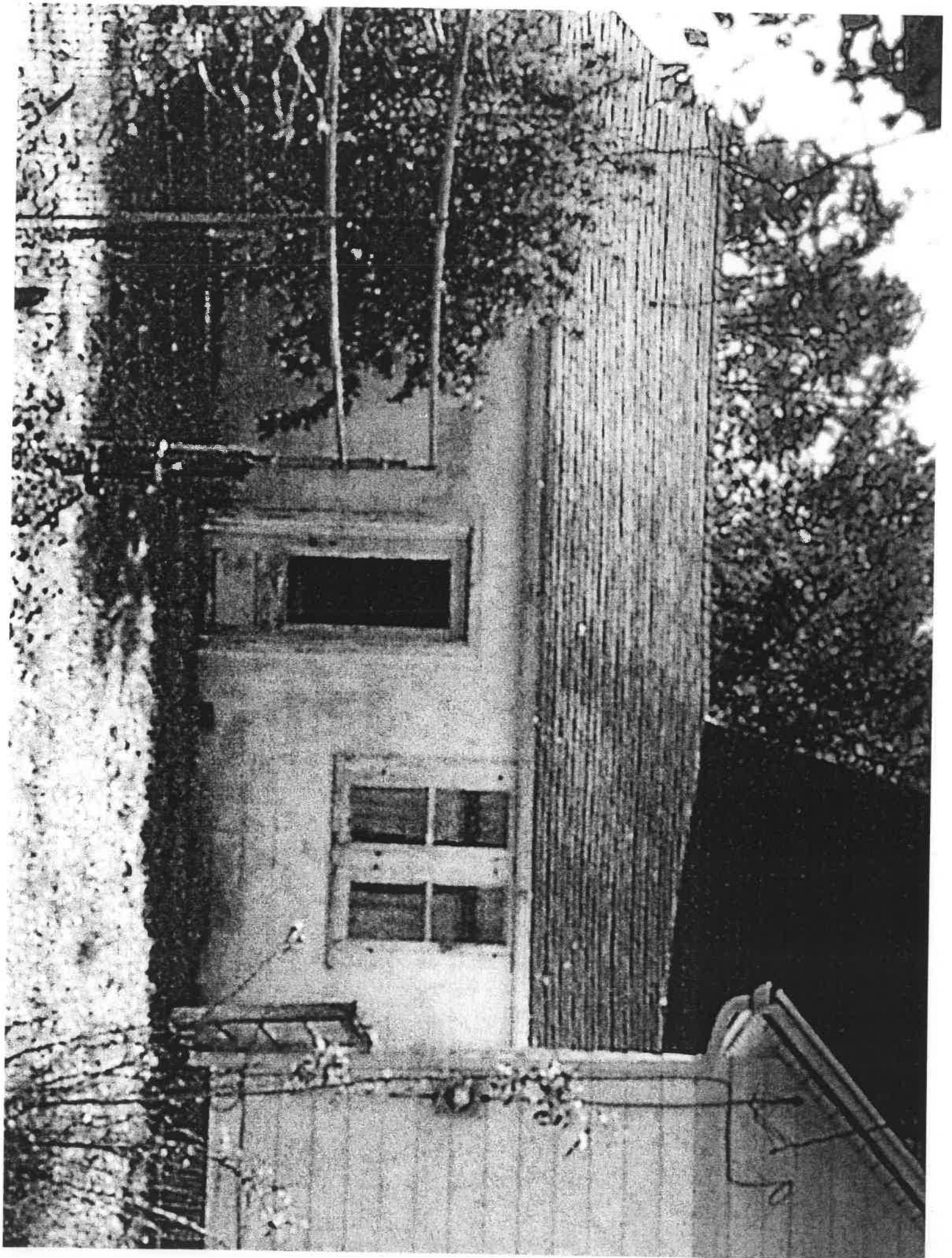


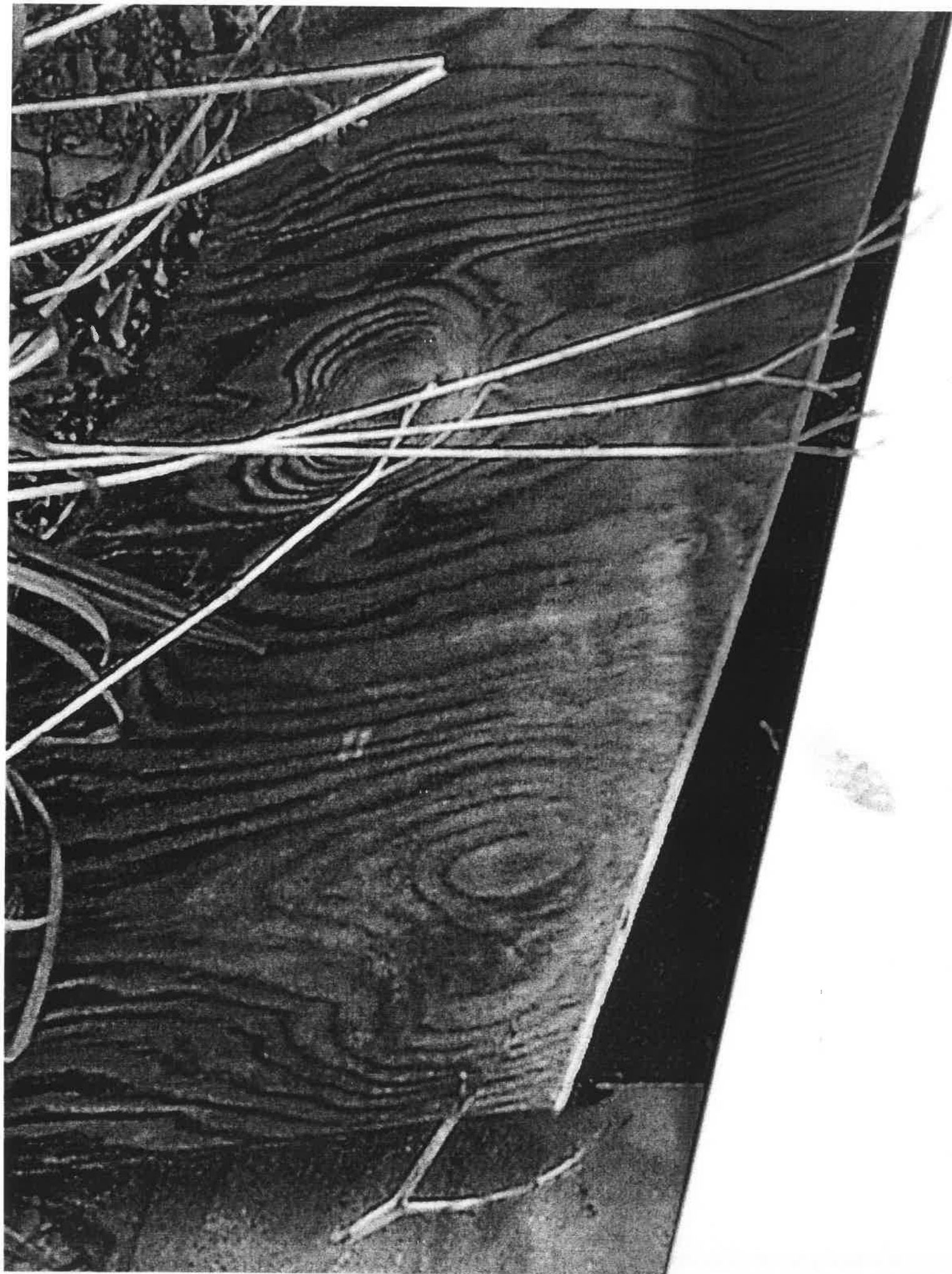


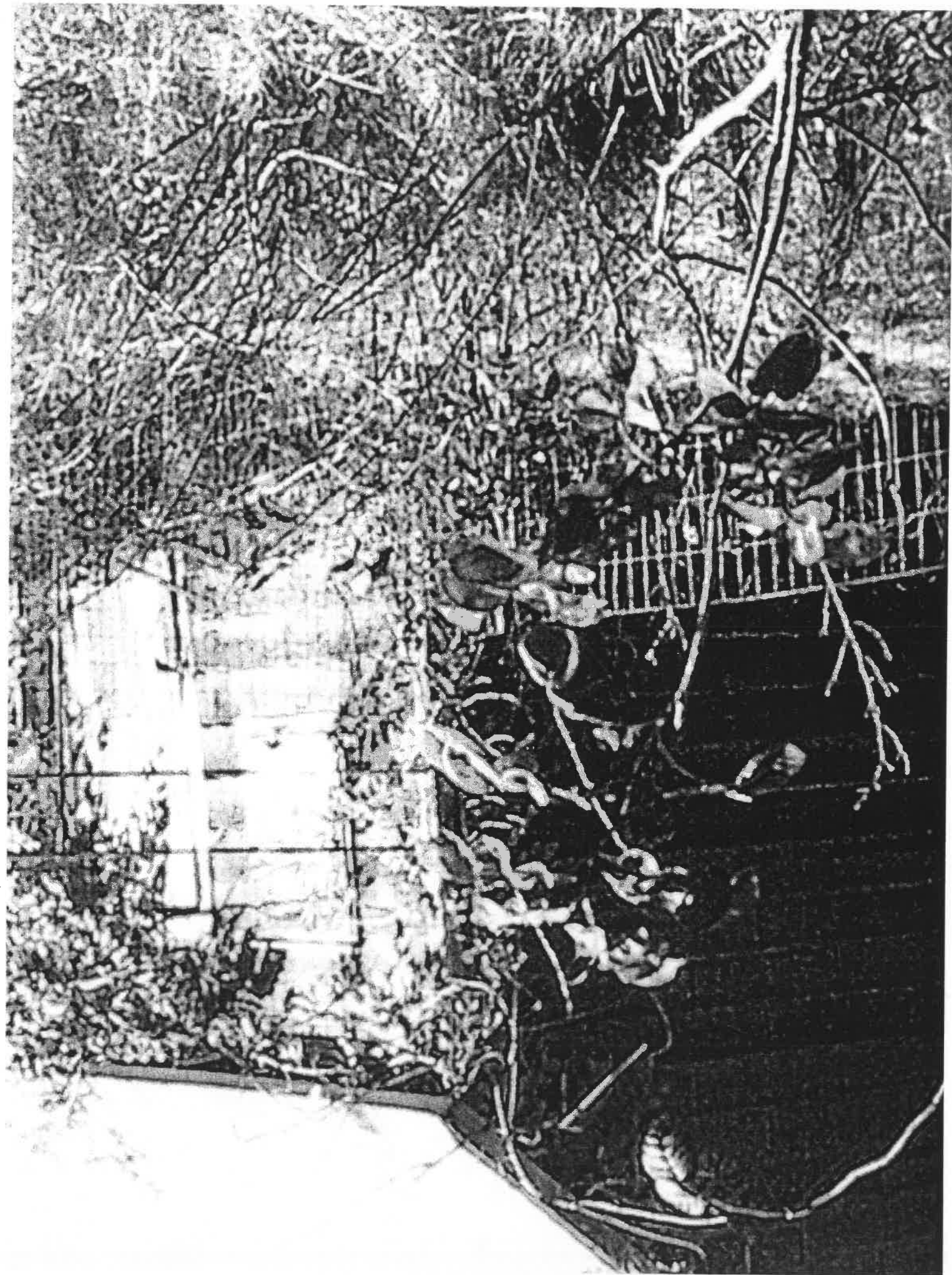
FRESH CUT
LAWN SERVICE, LLC
Lawn Mowing & More Services
Lawn Mowing
825-5296

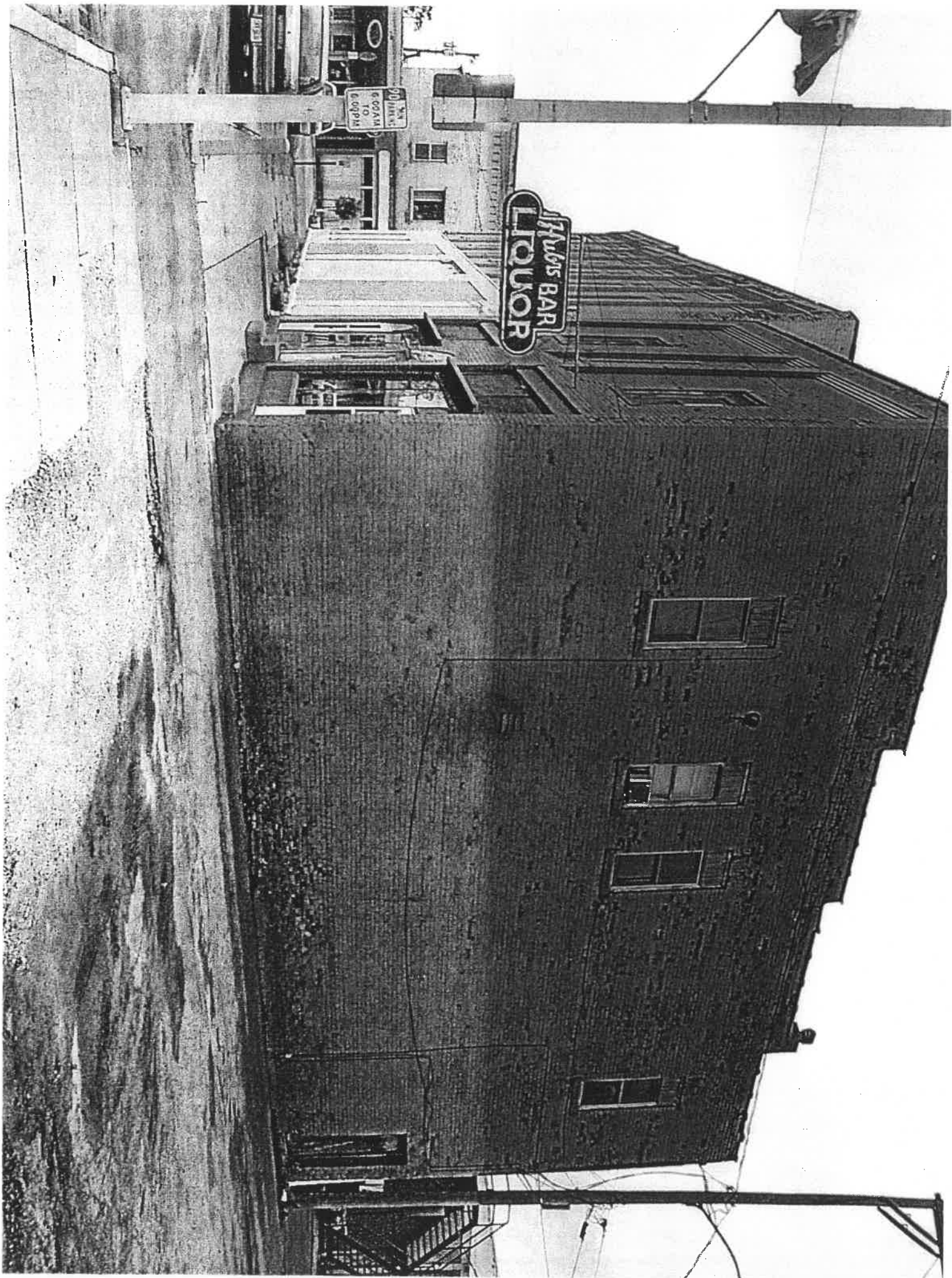






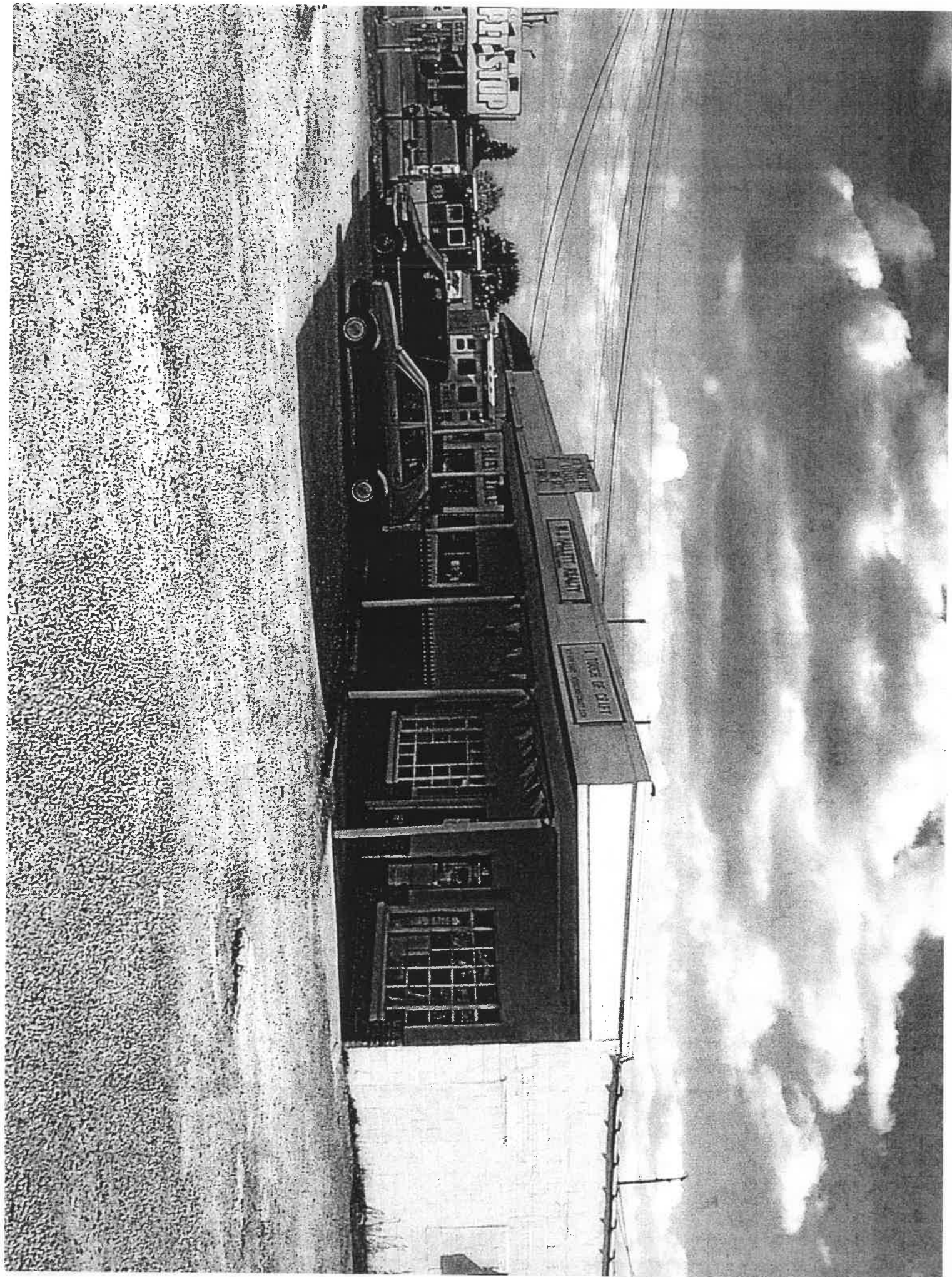


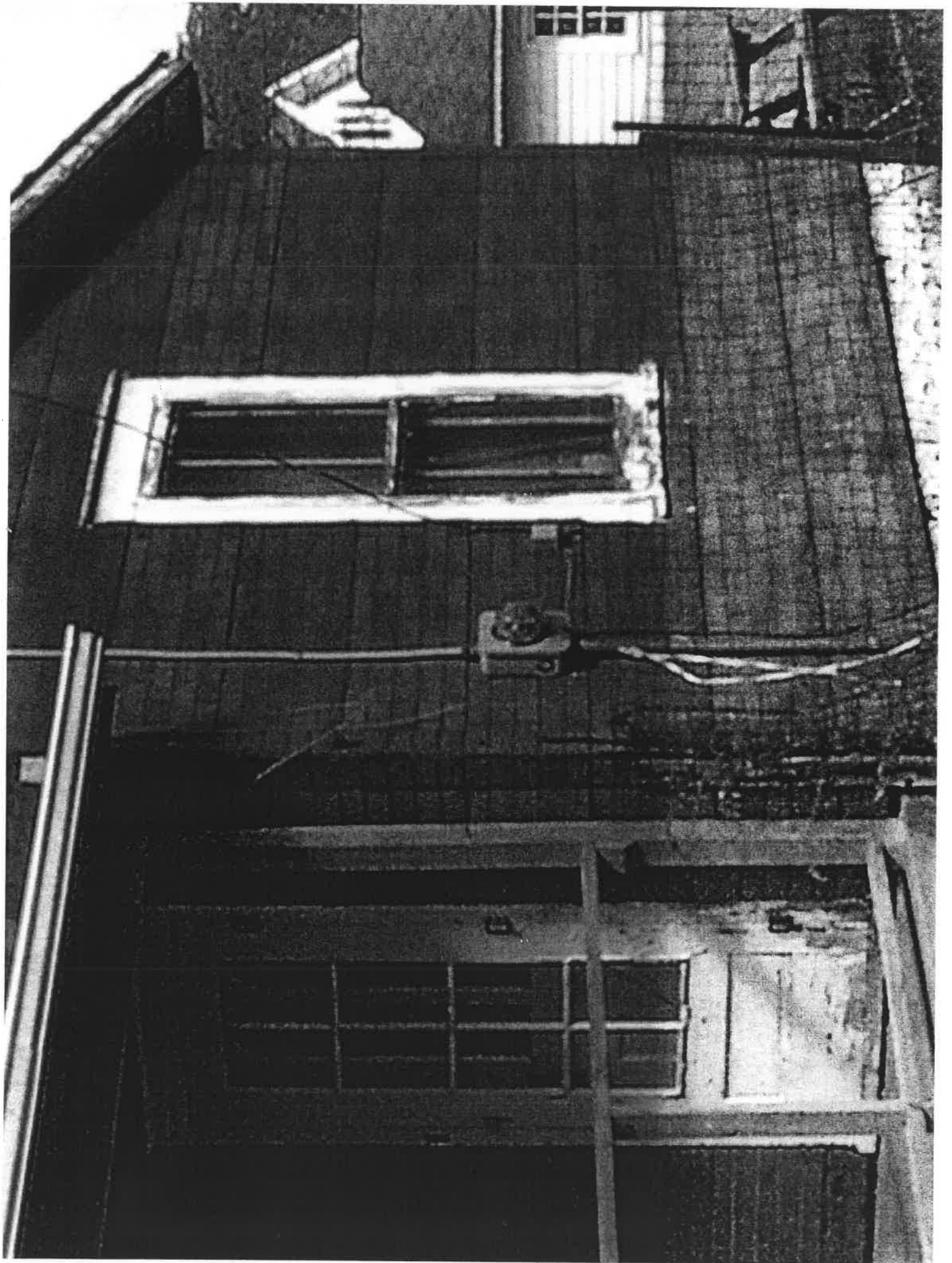


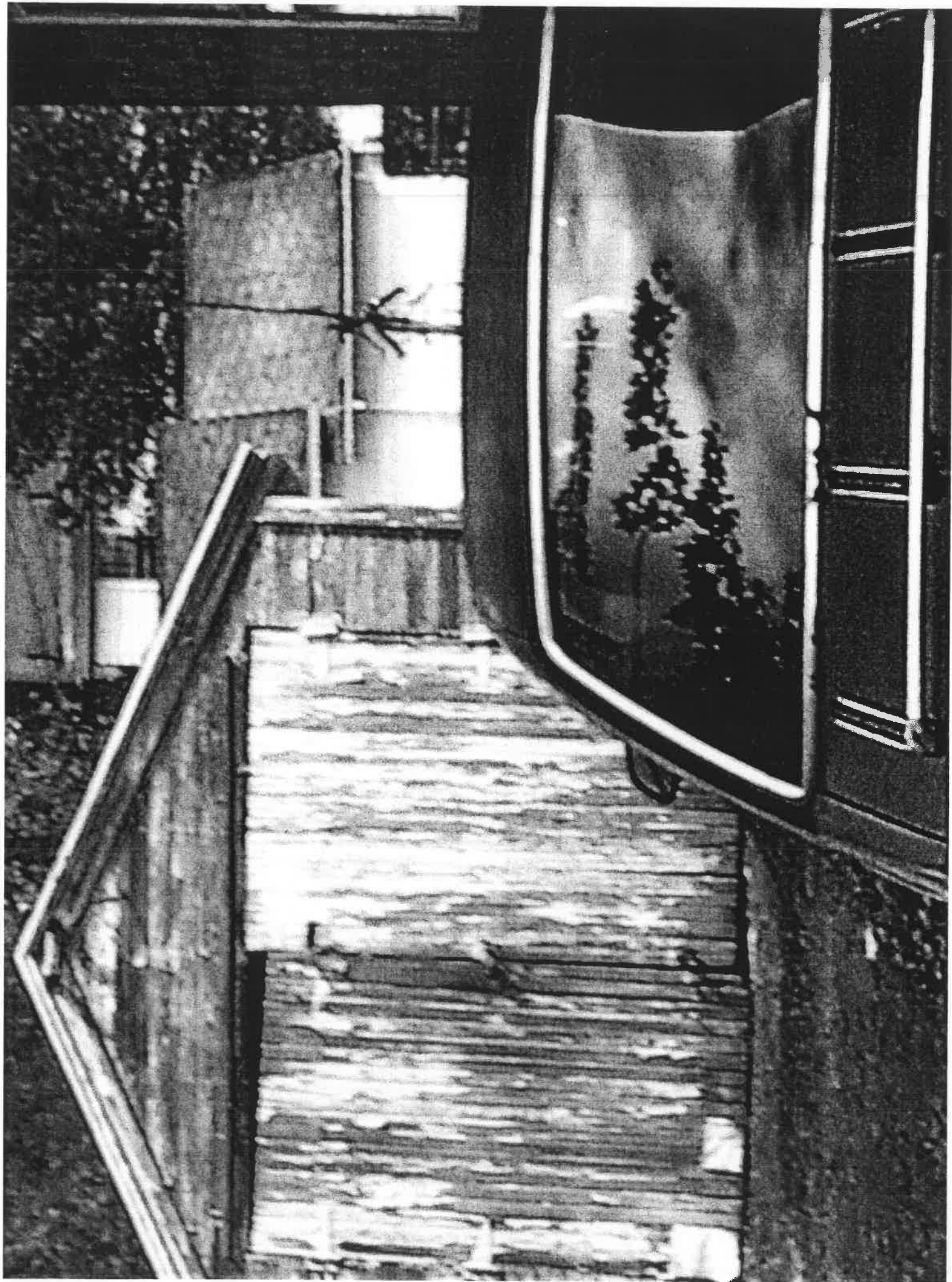


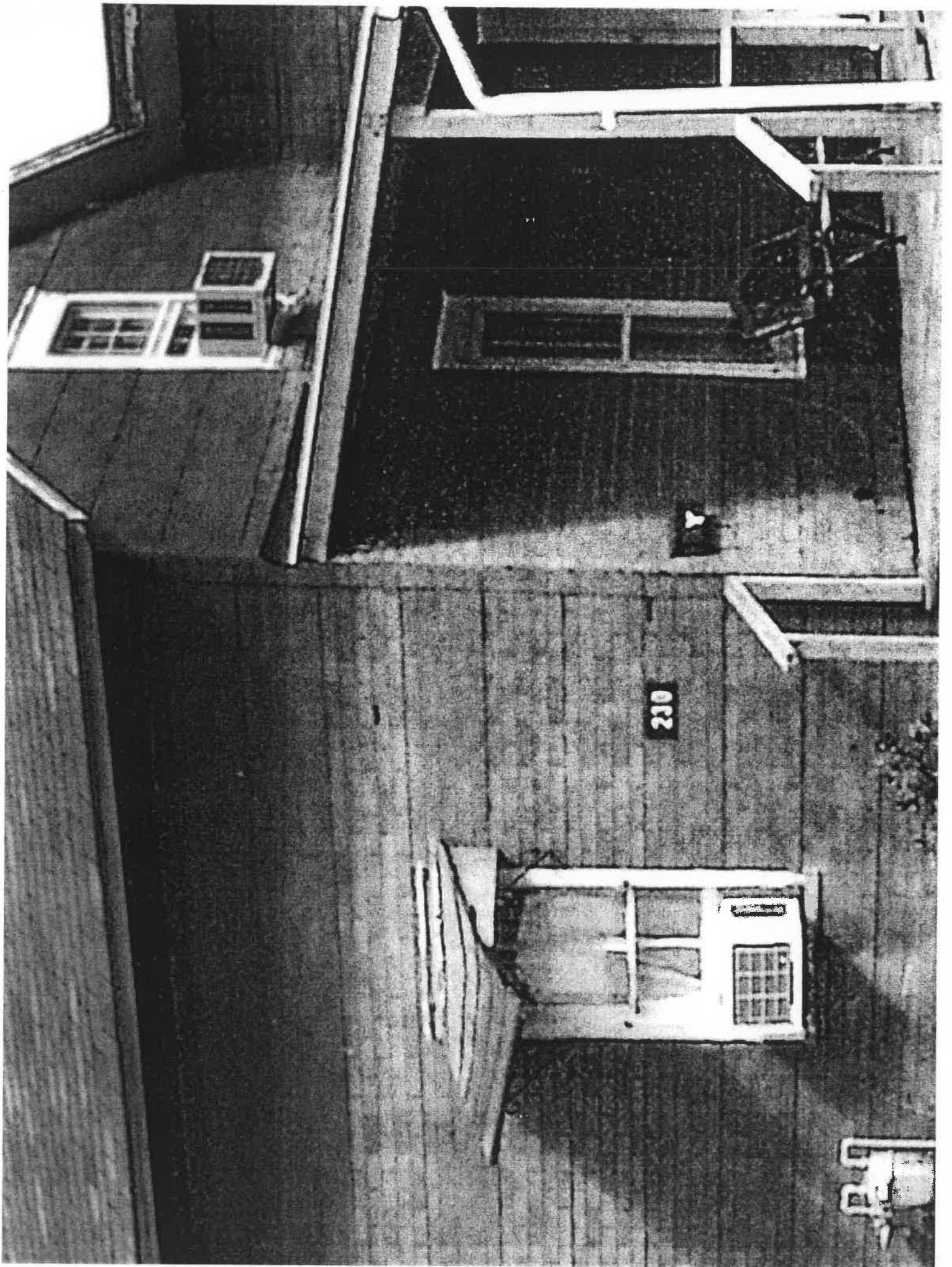


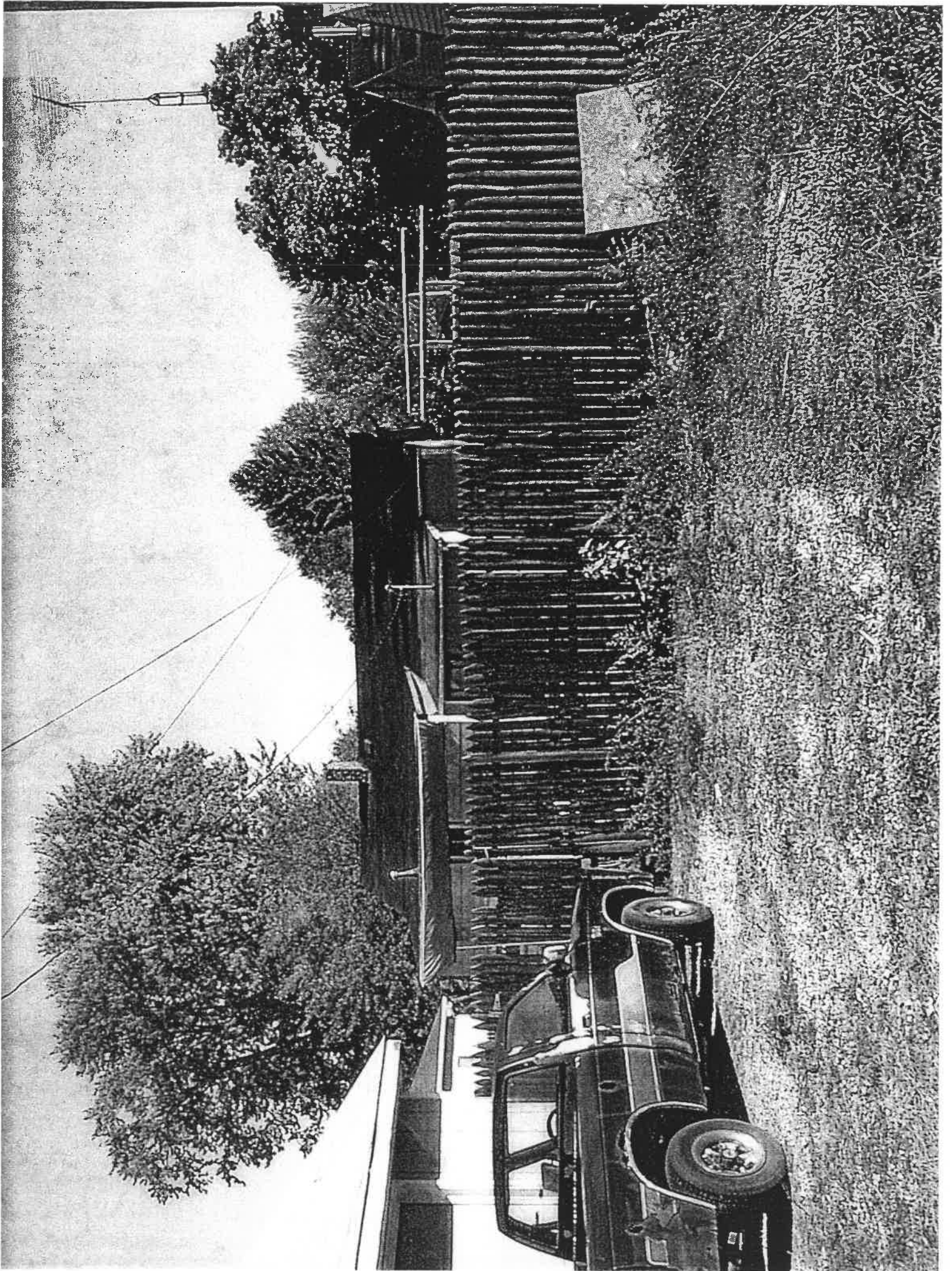




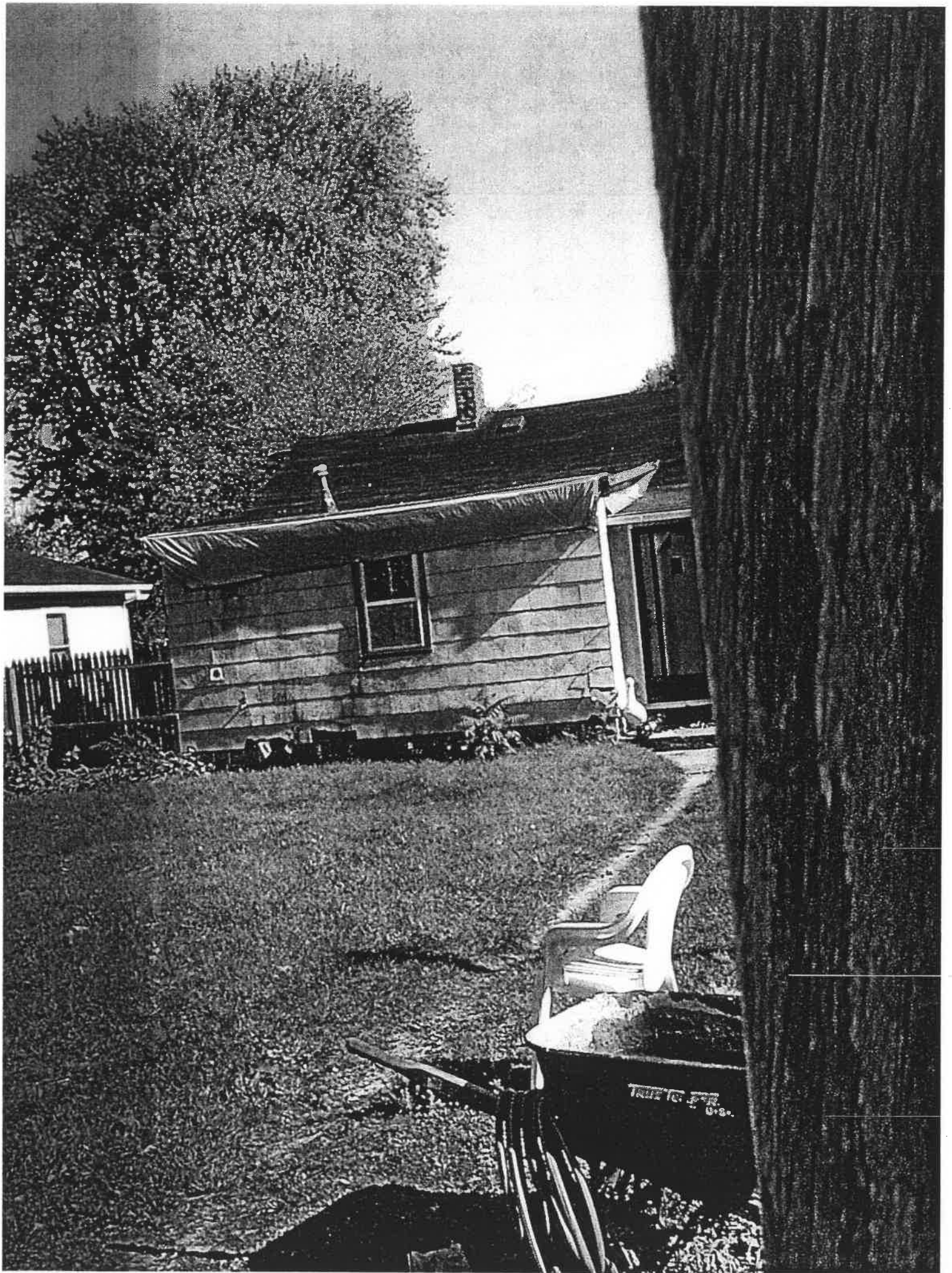




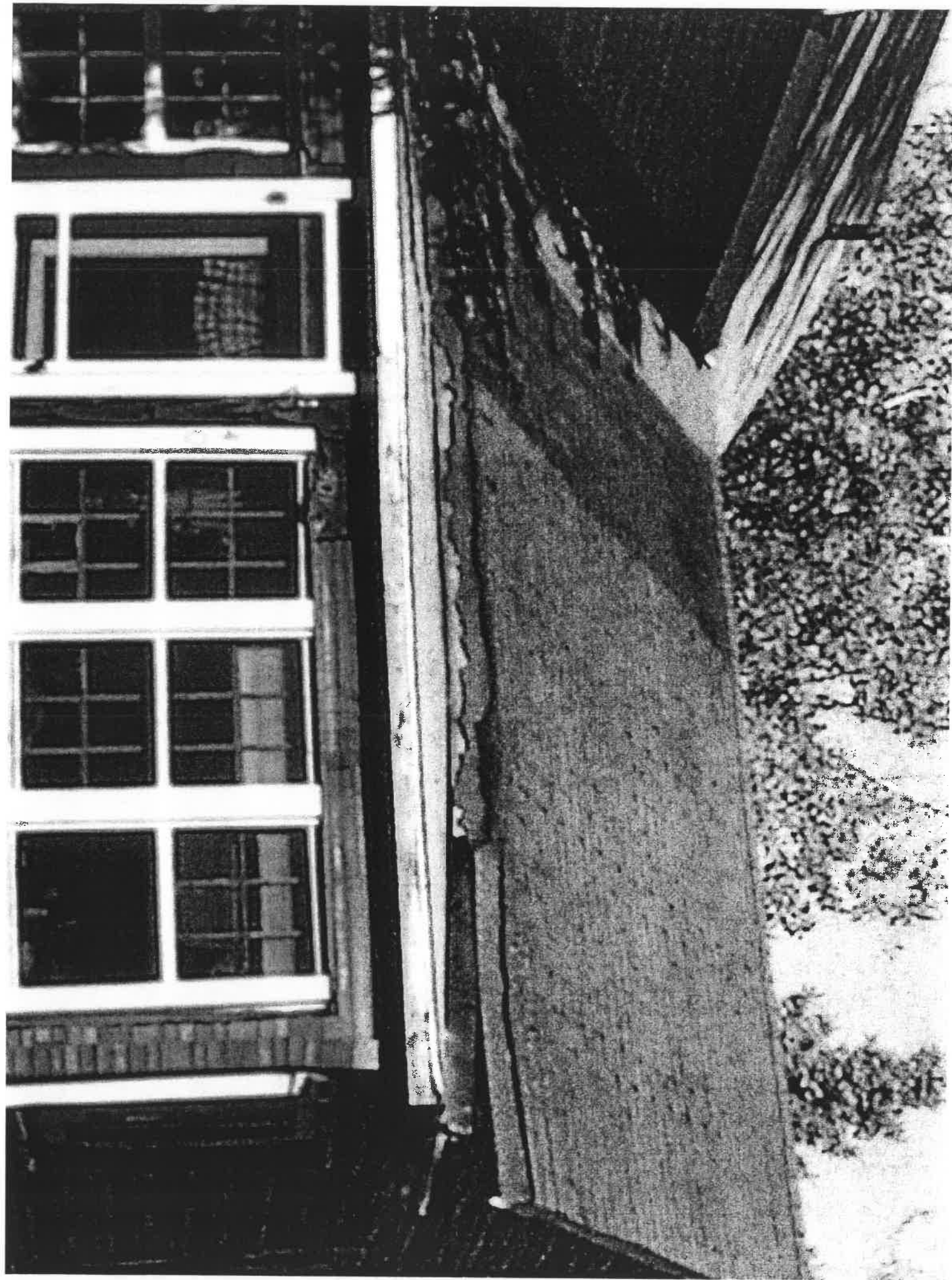


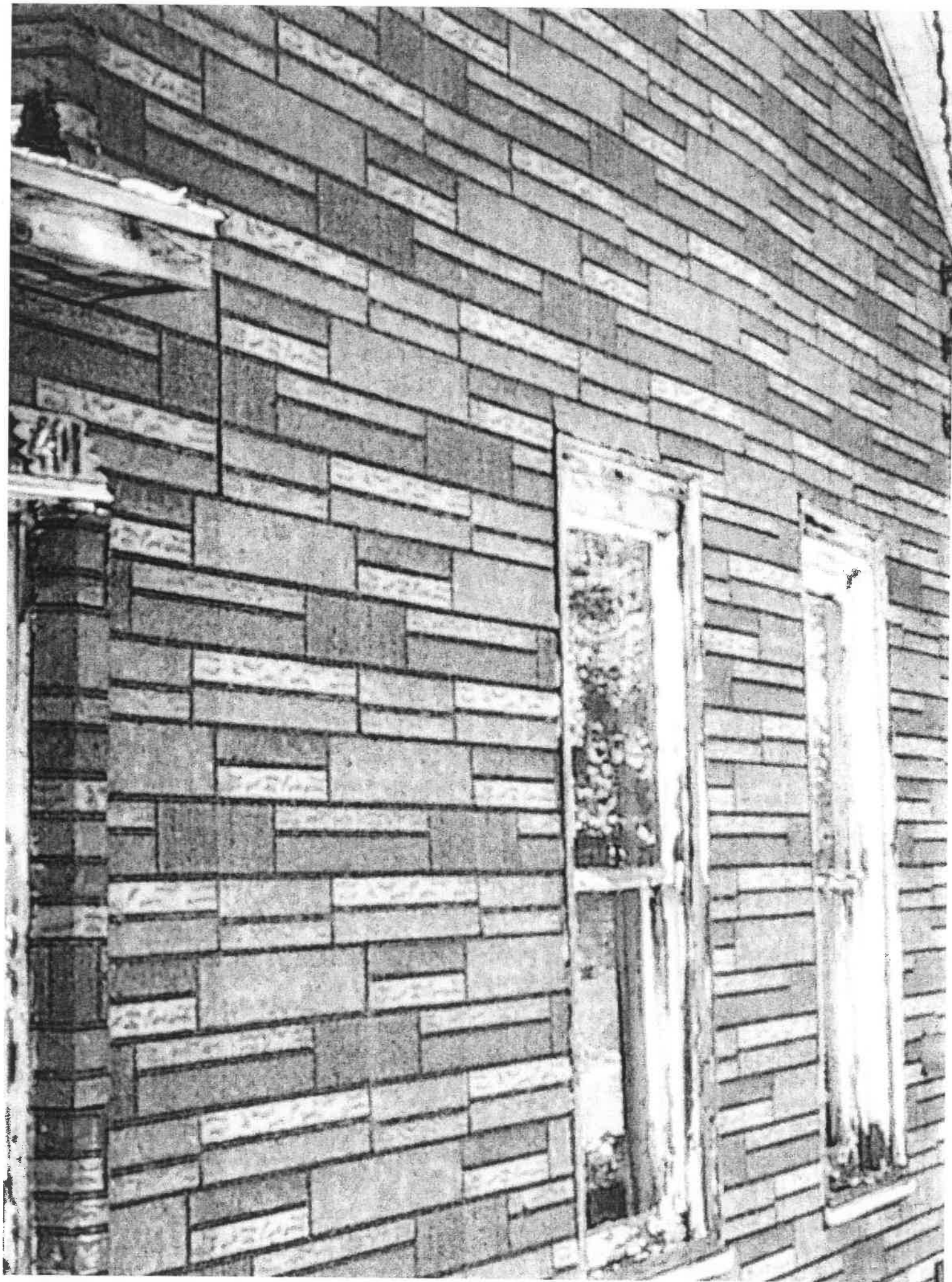


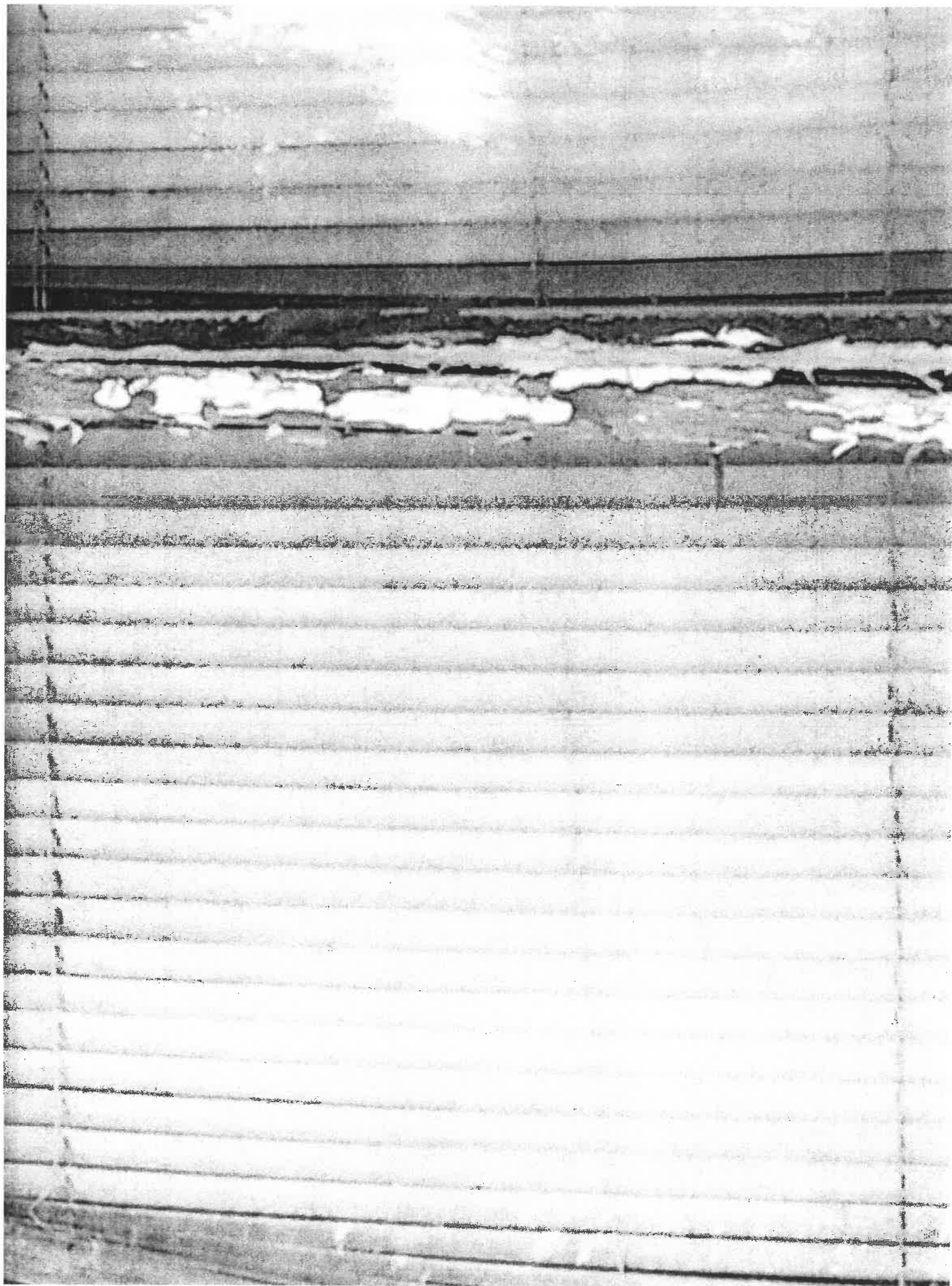


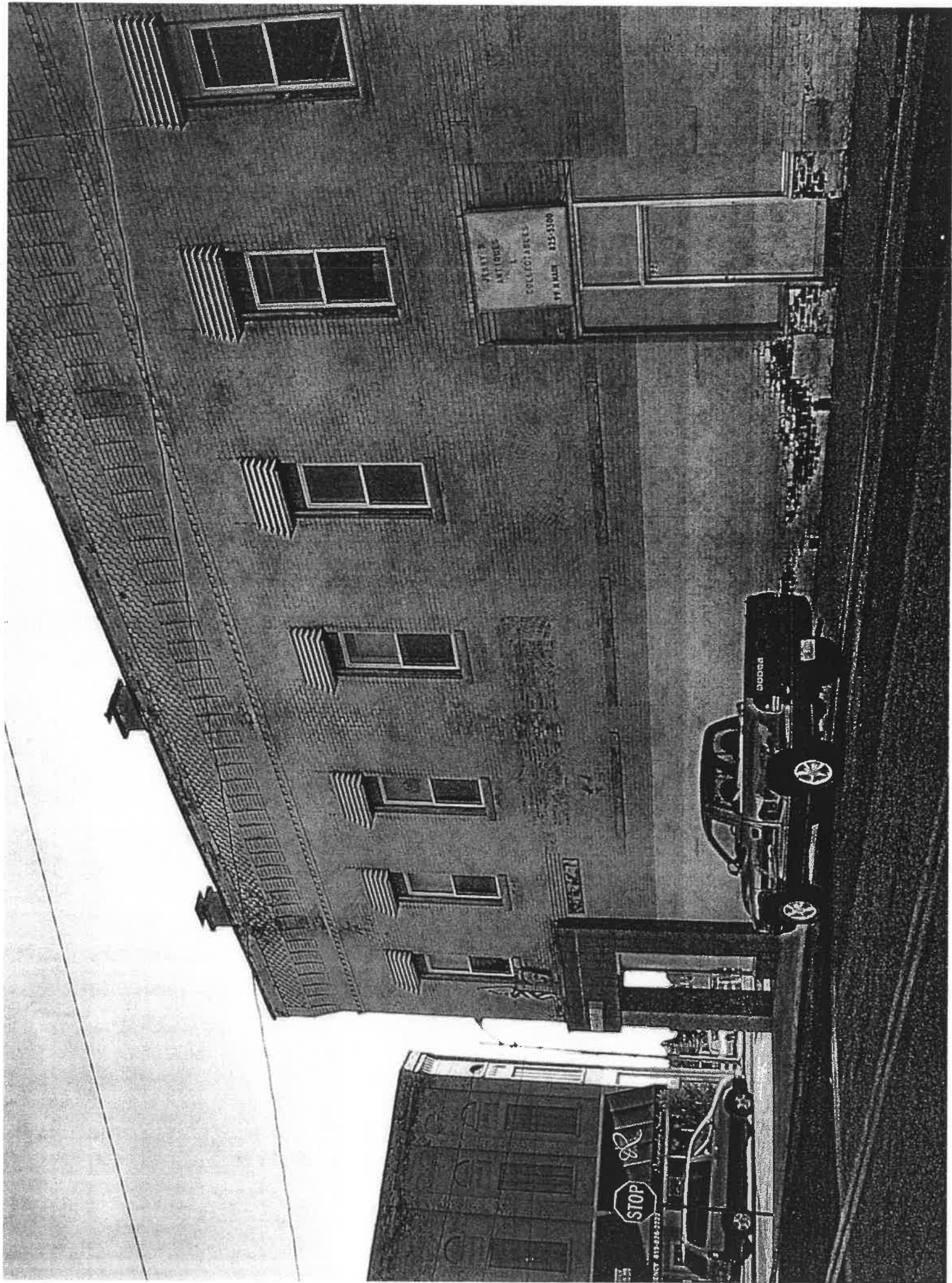


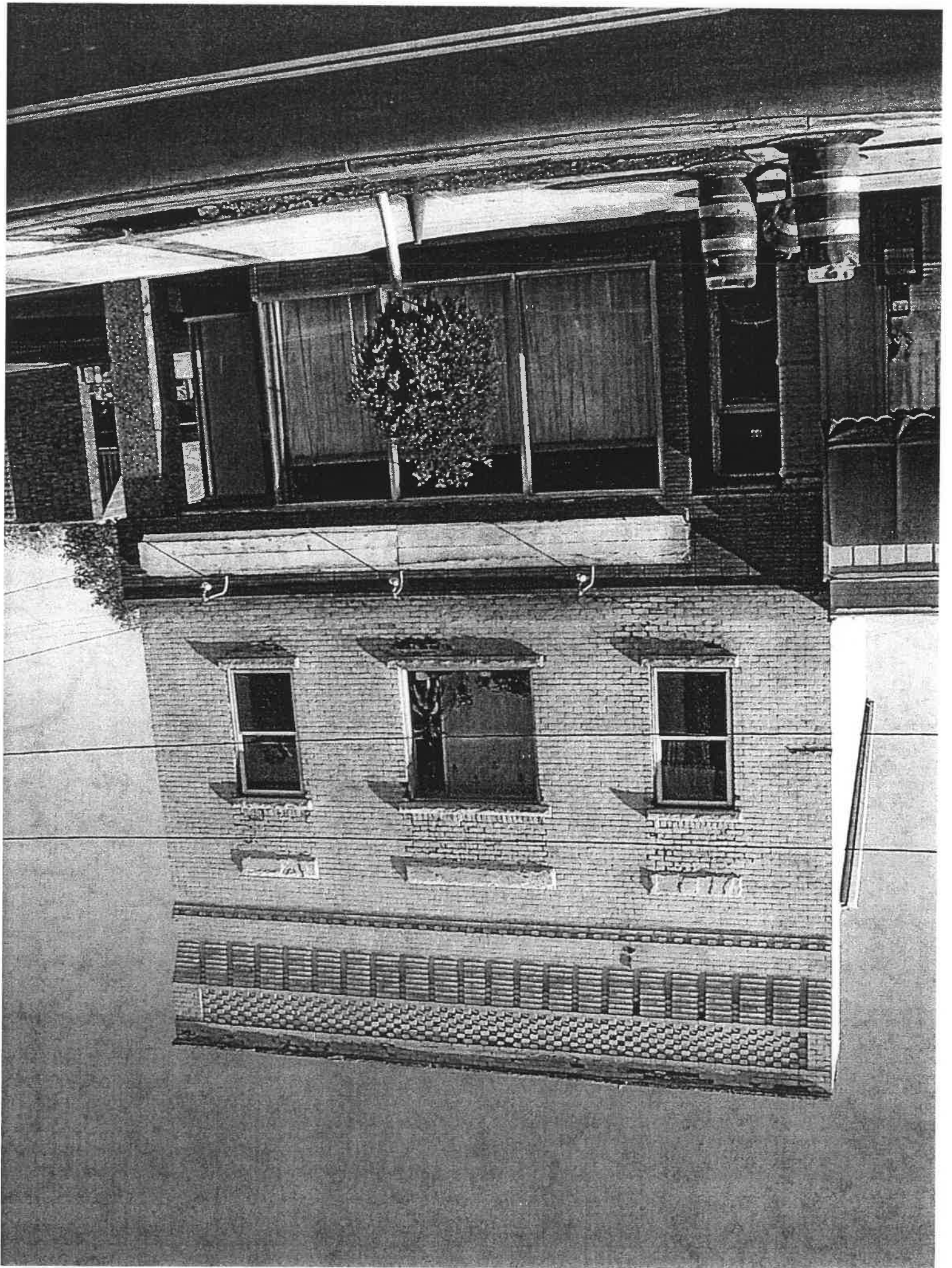




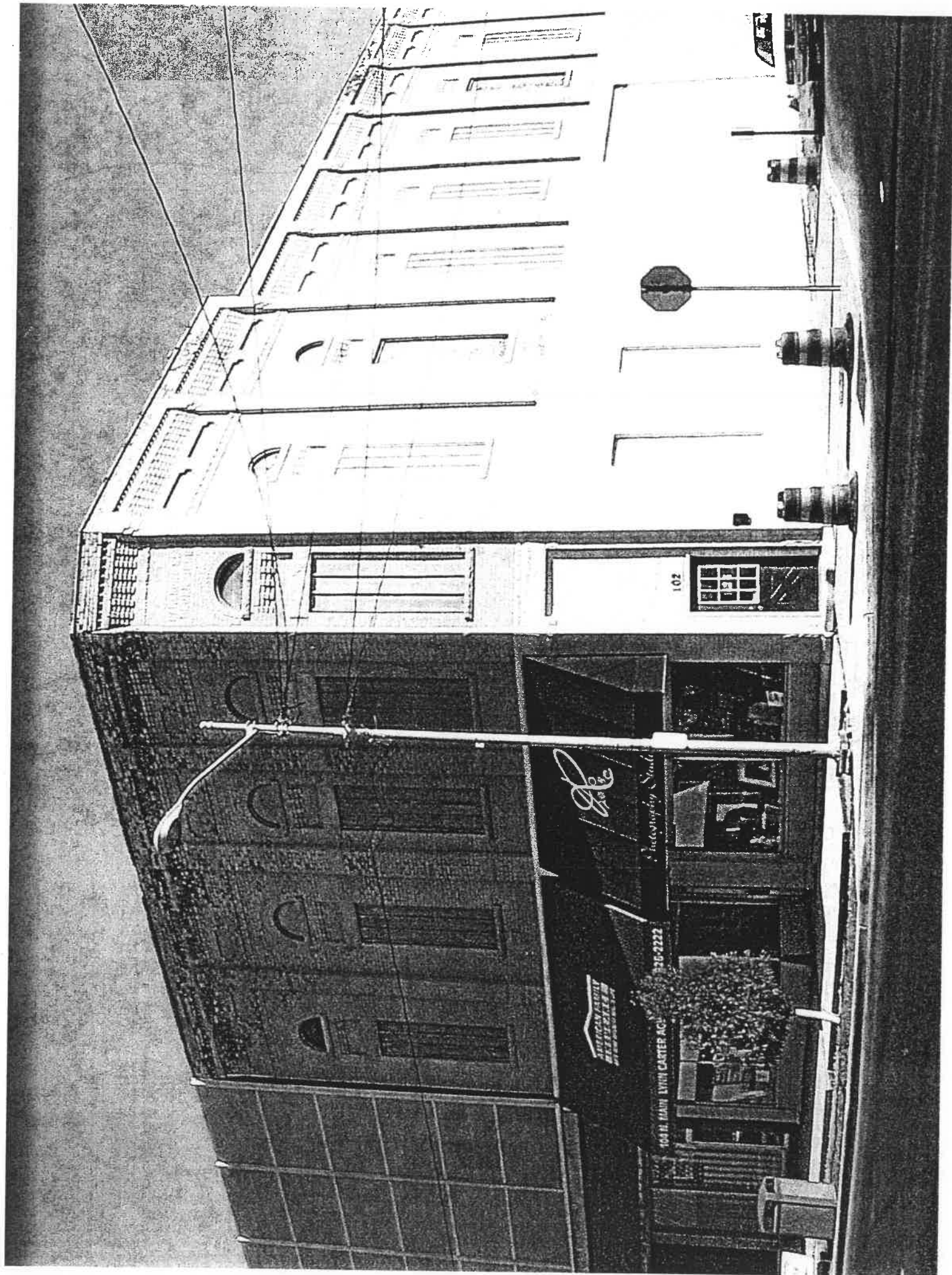


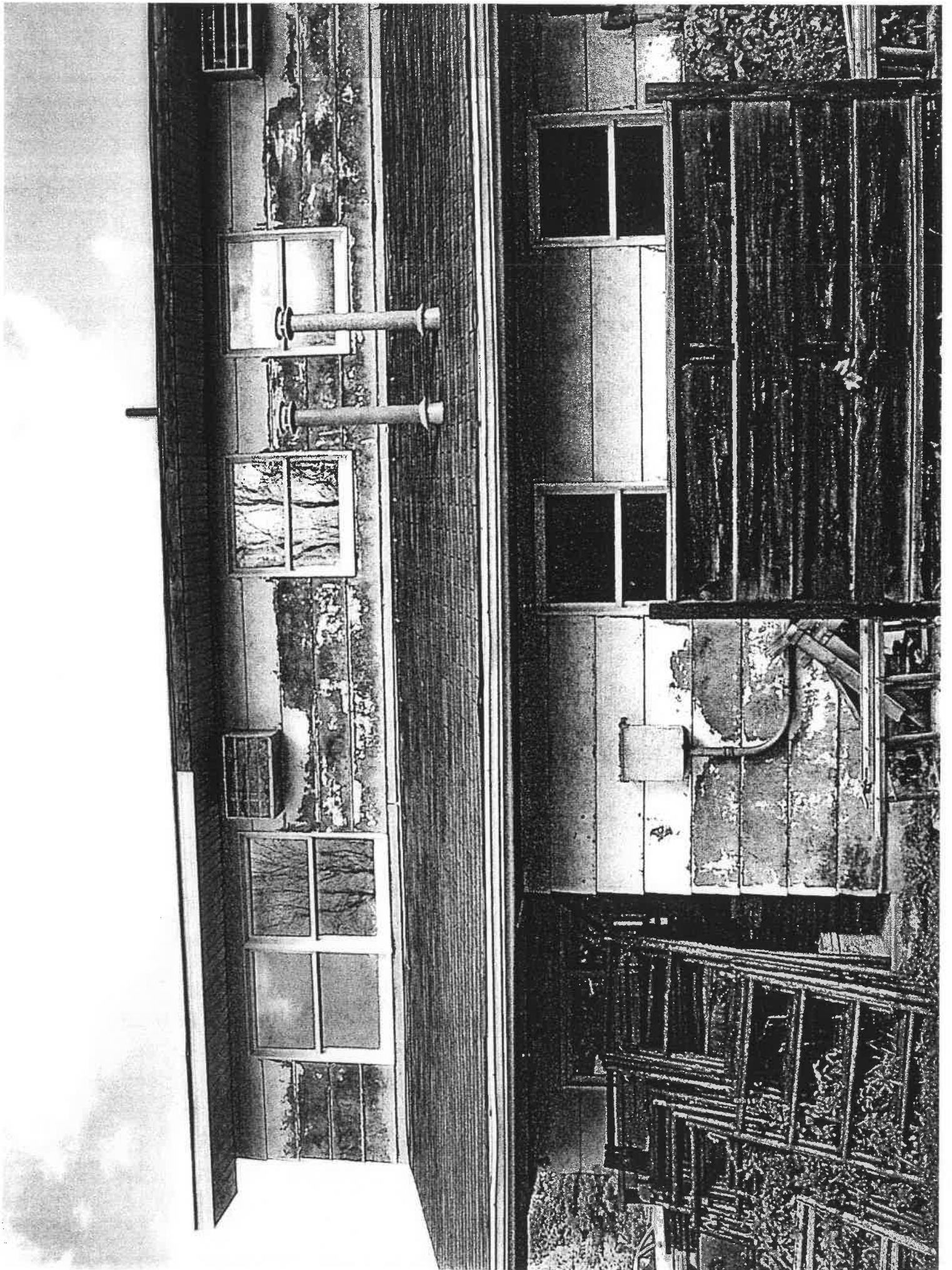


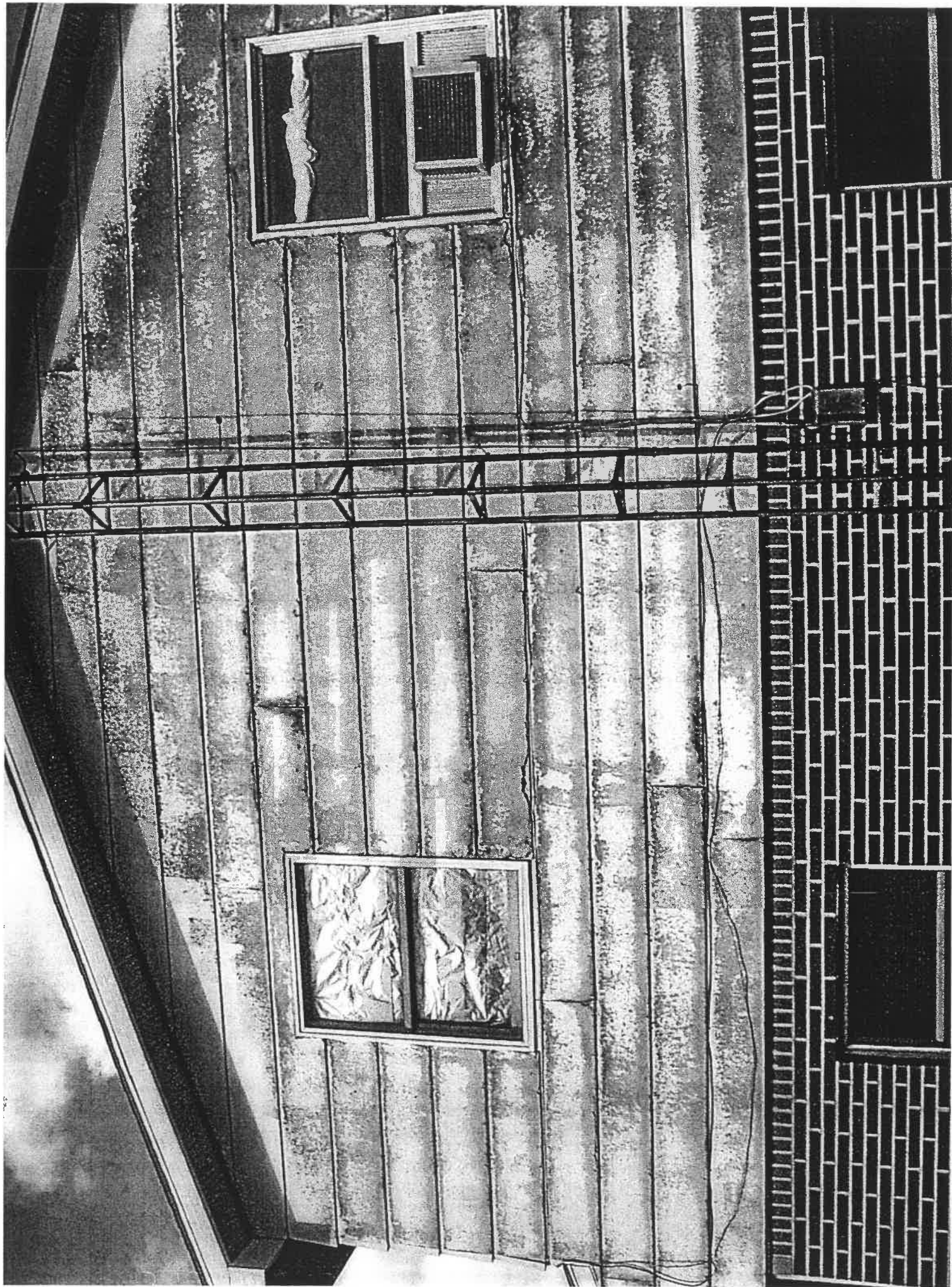


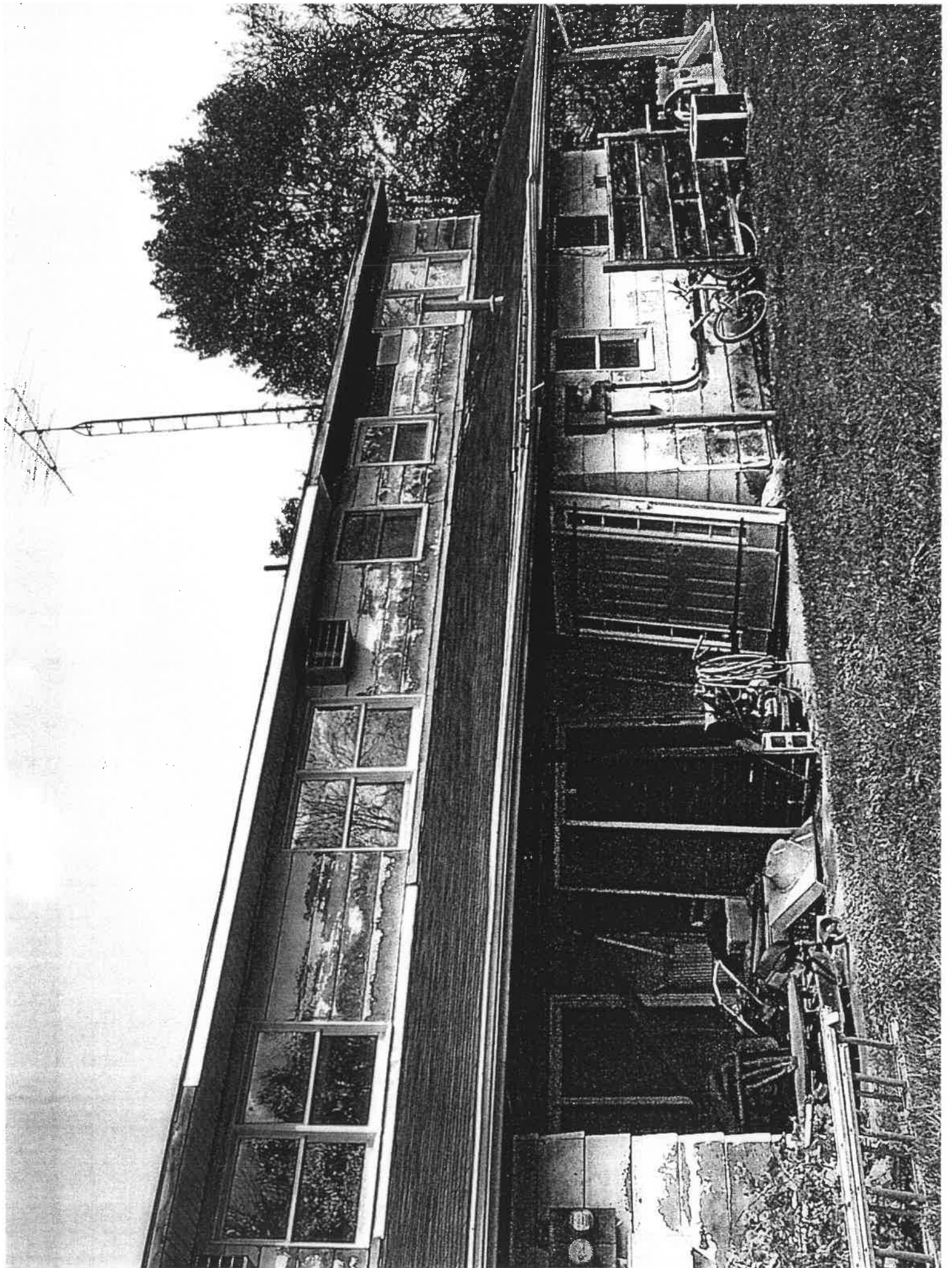


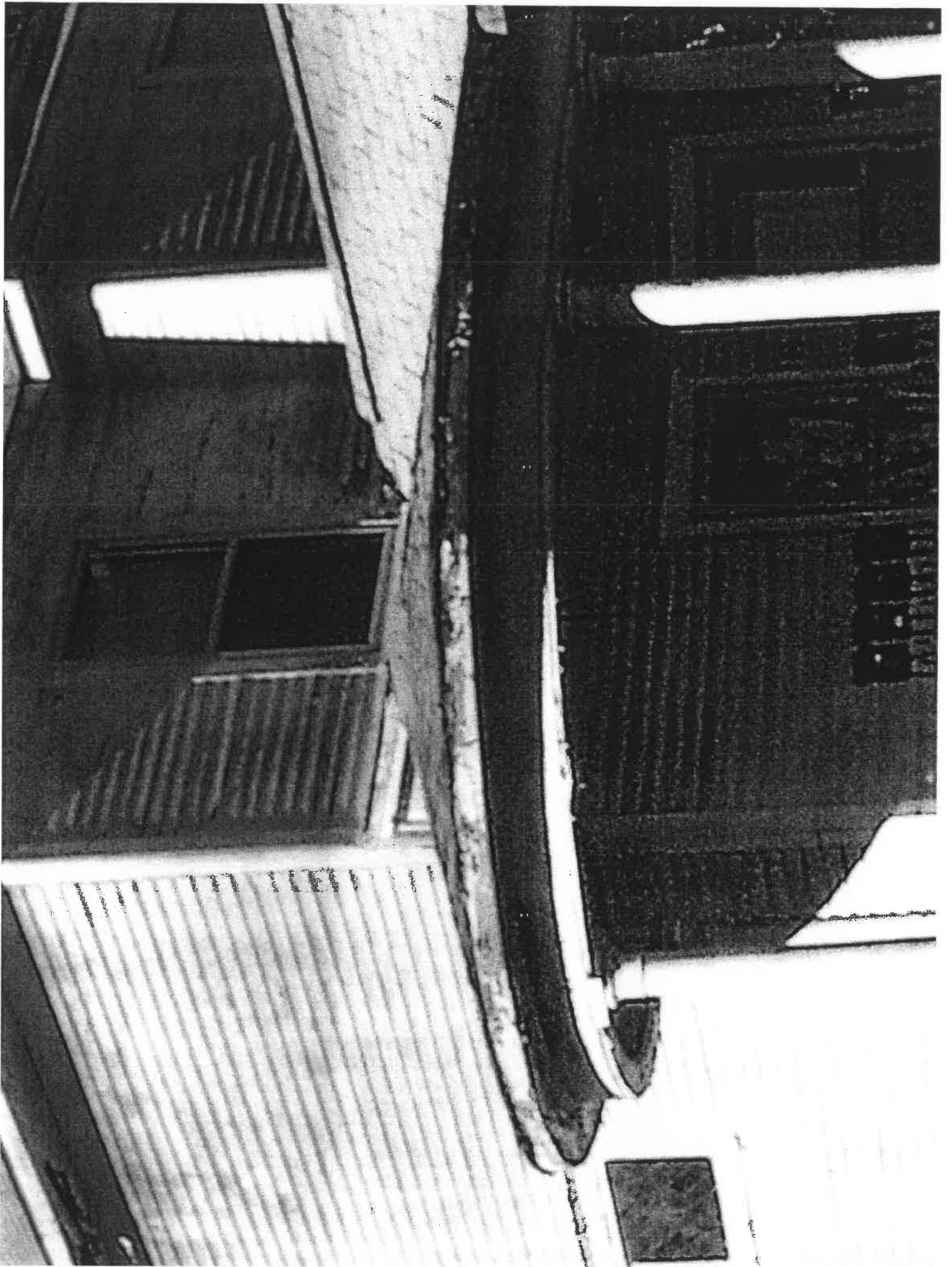


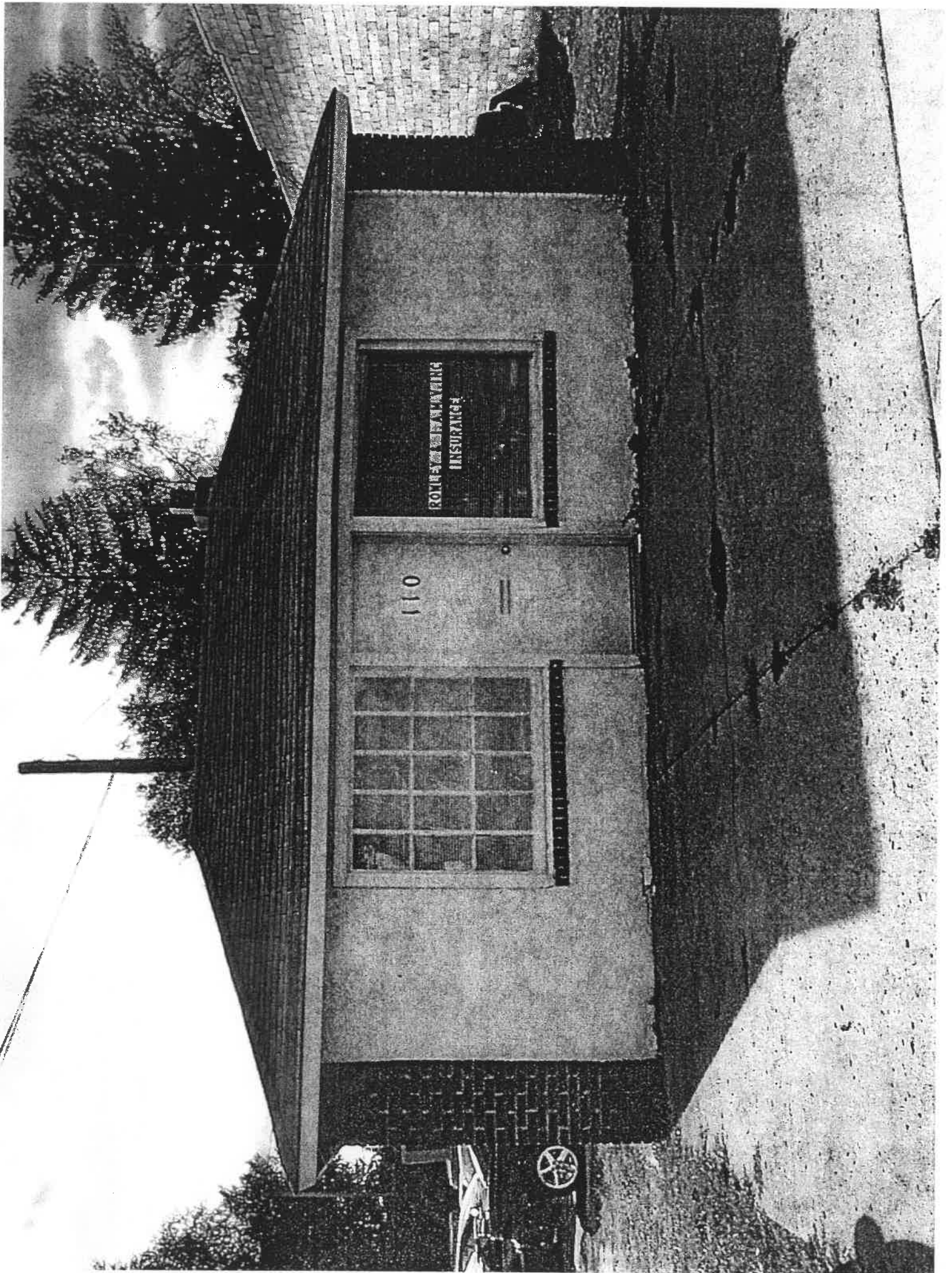


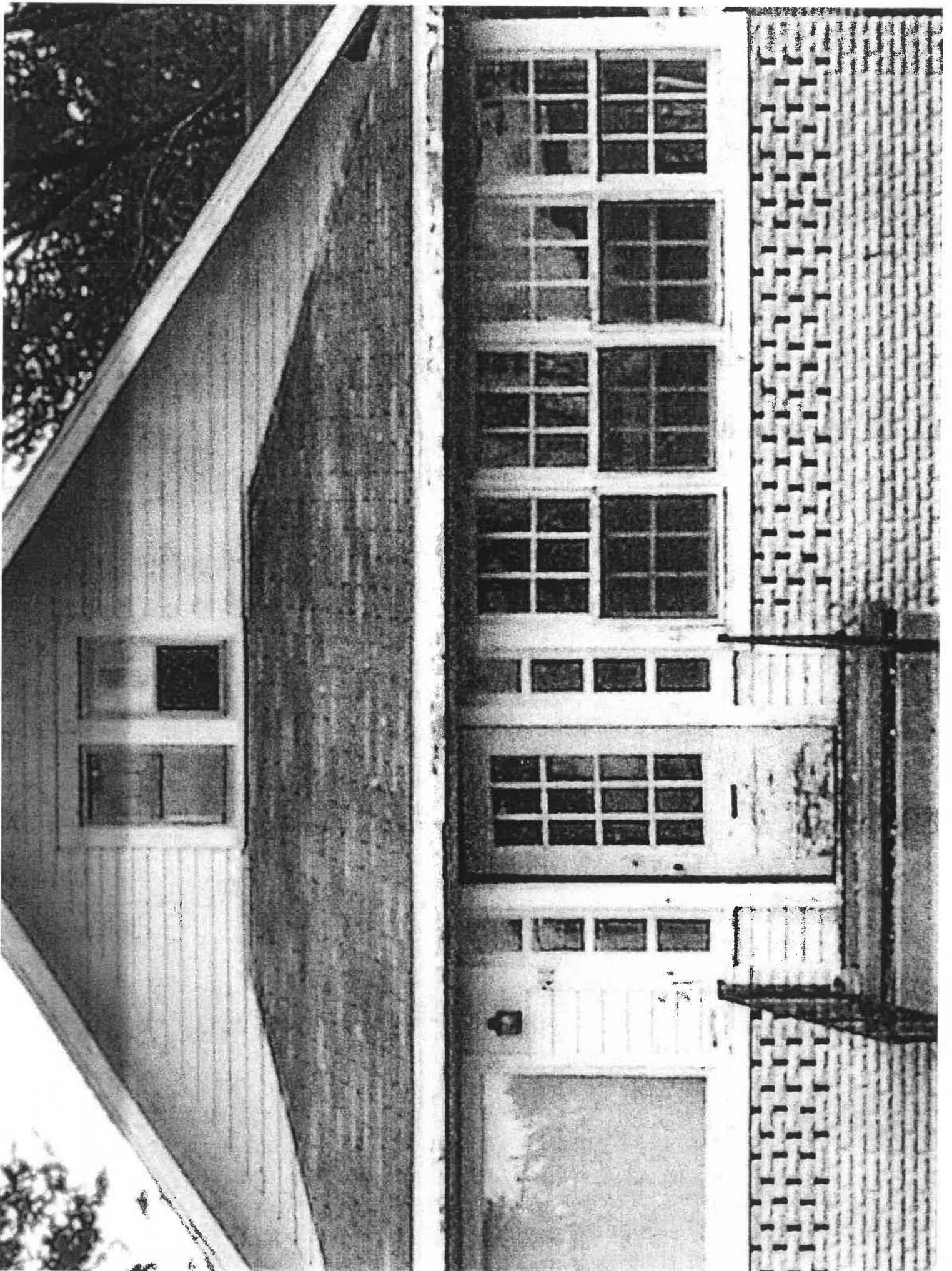


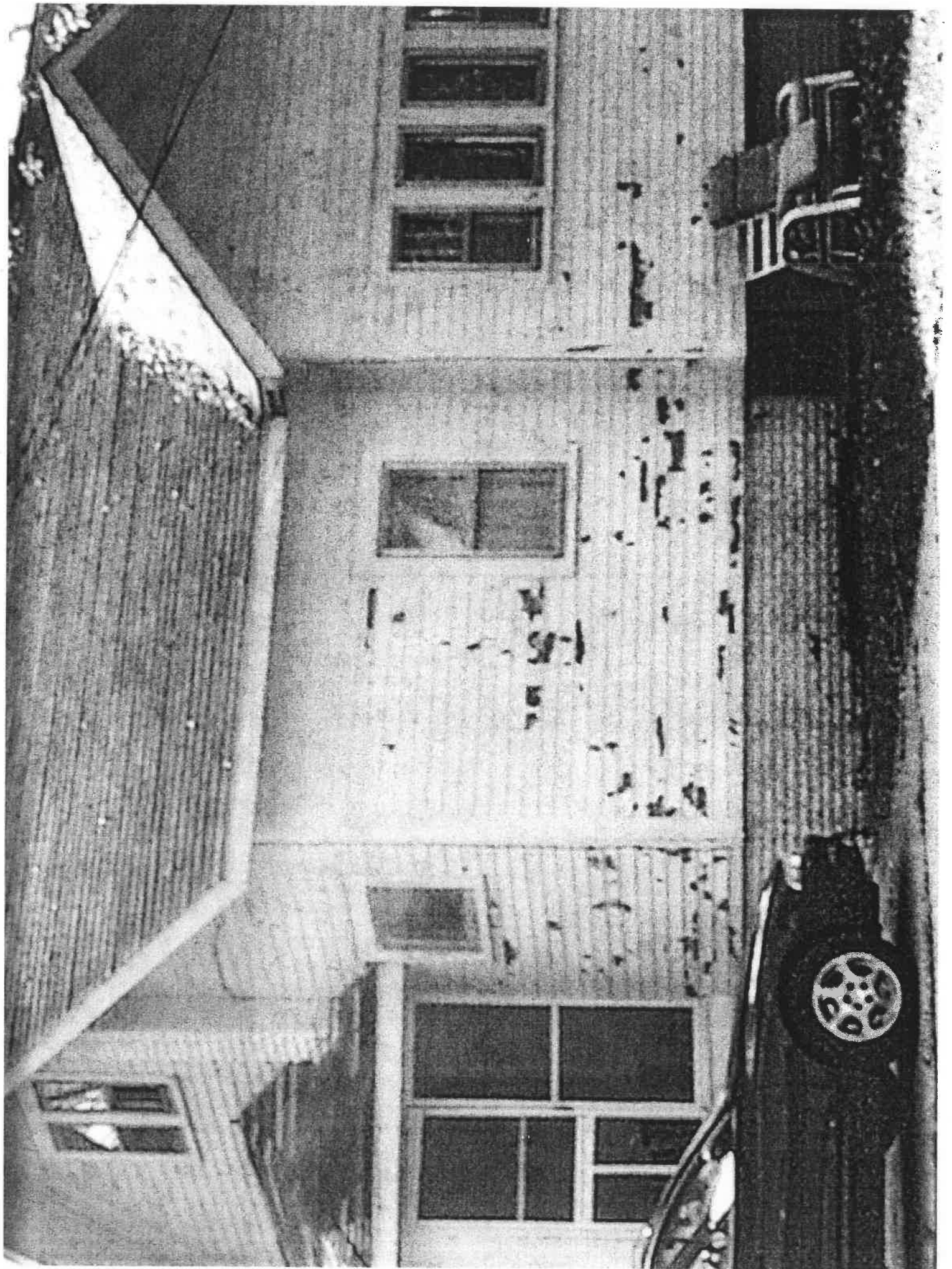




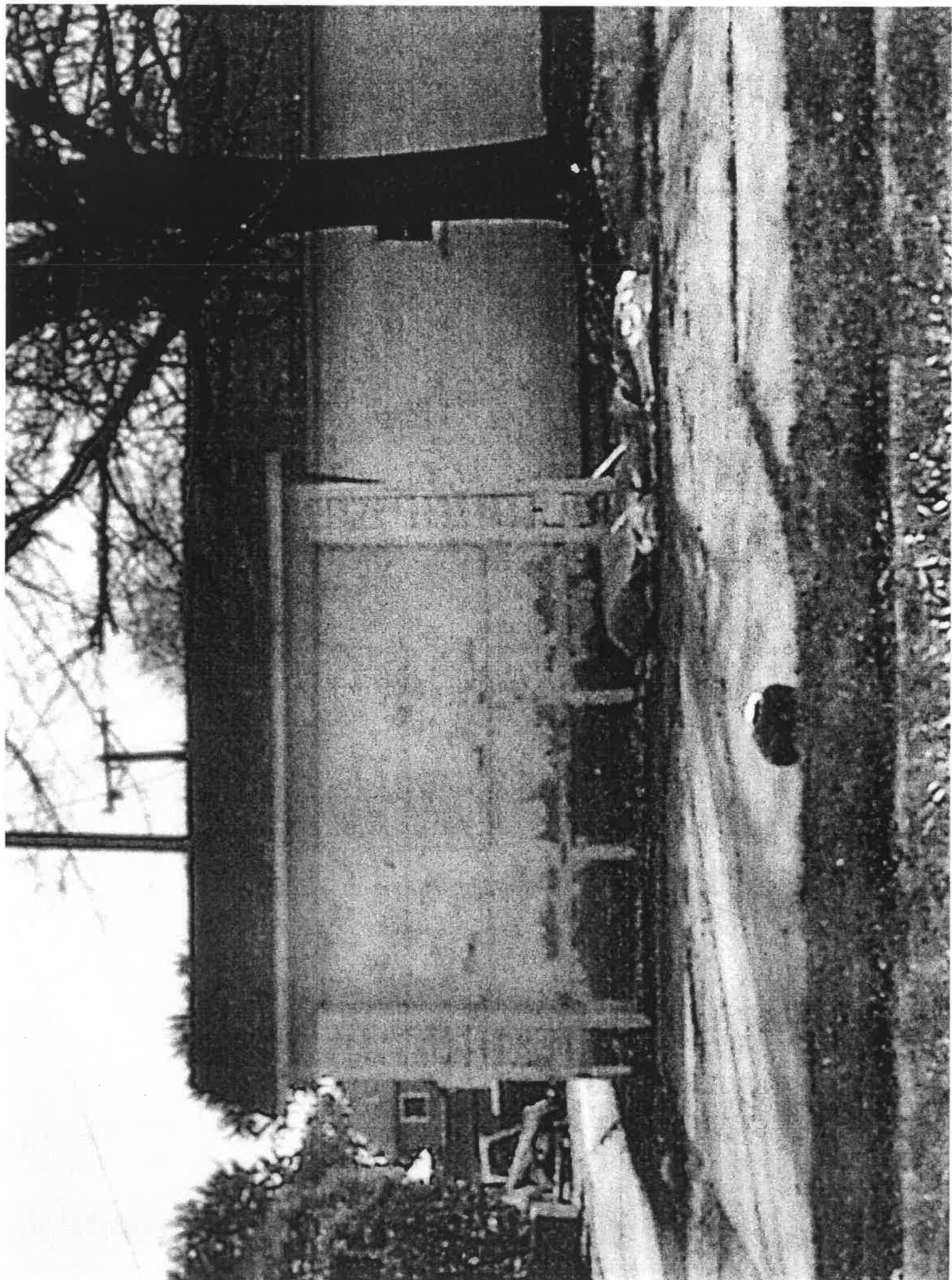


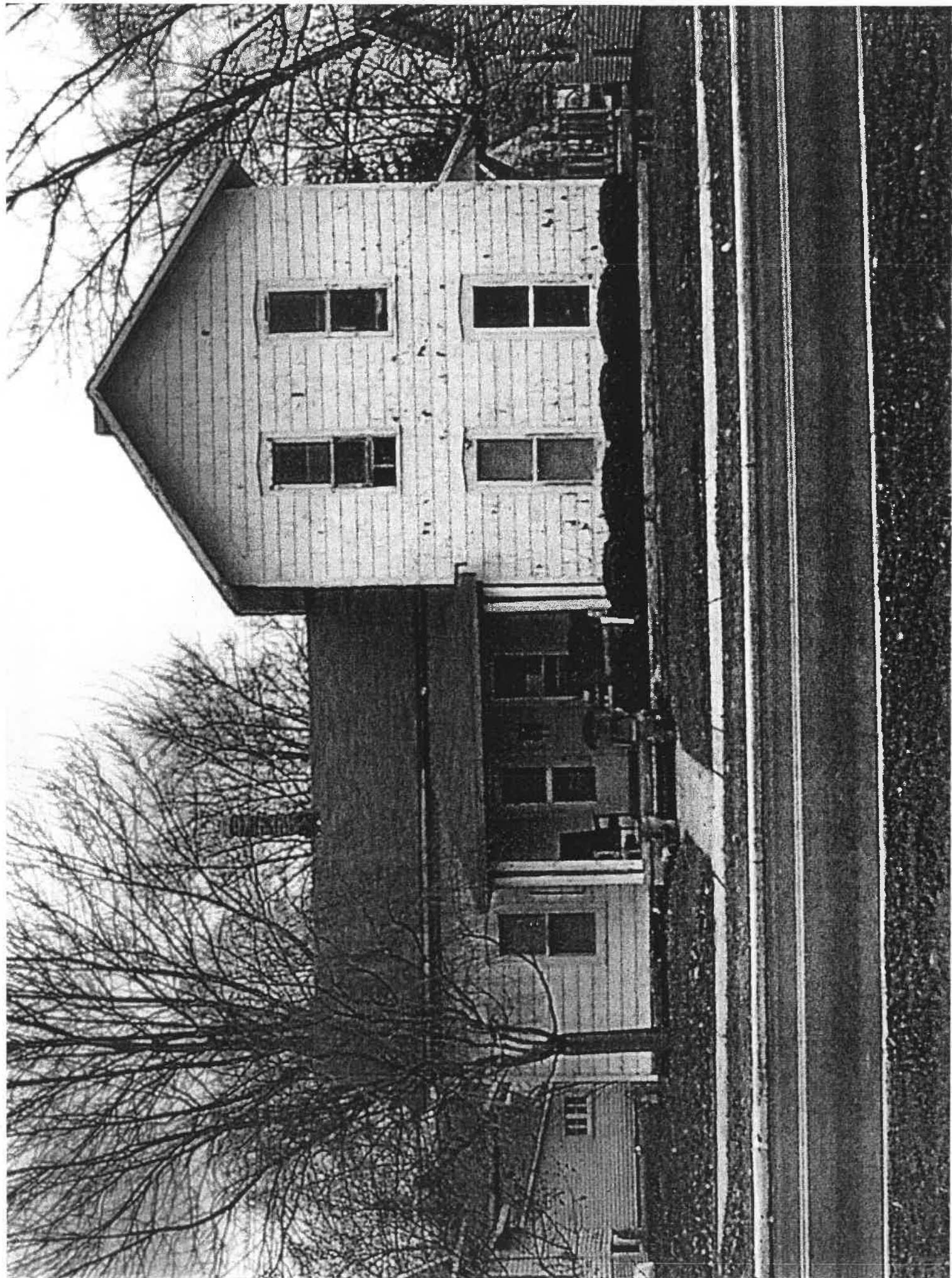


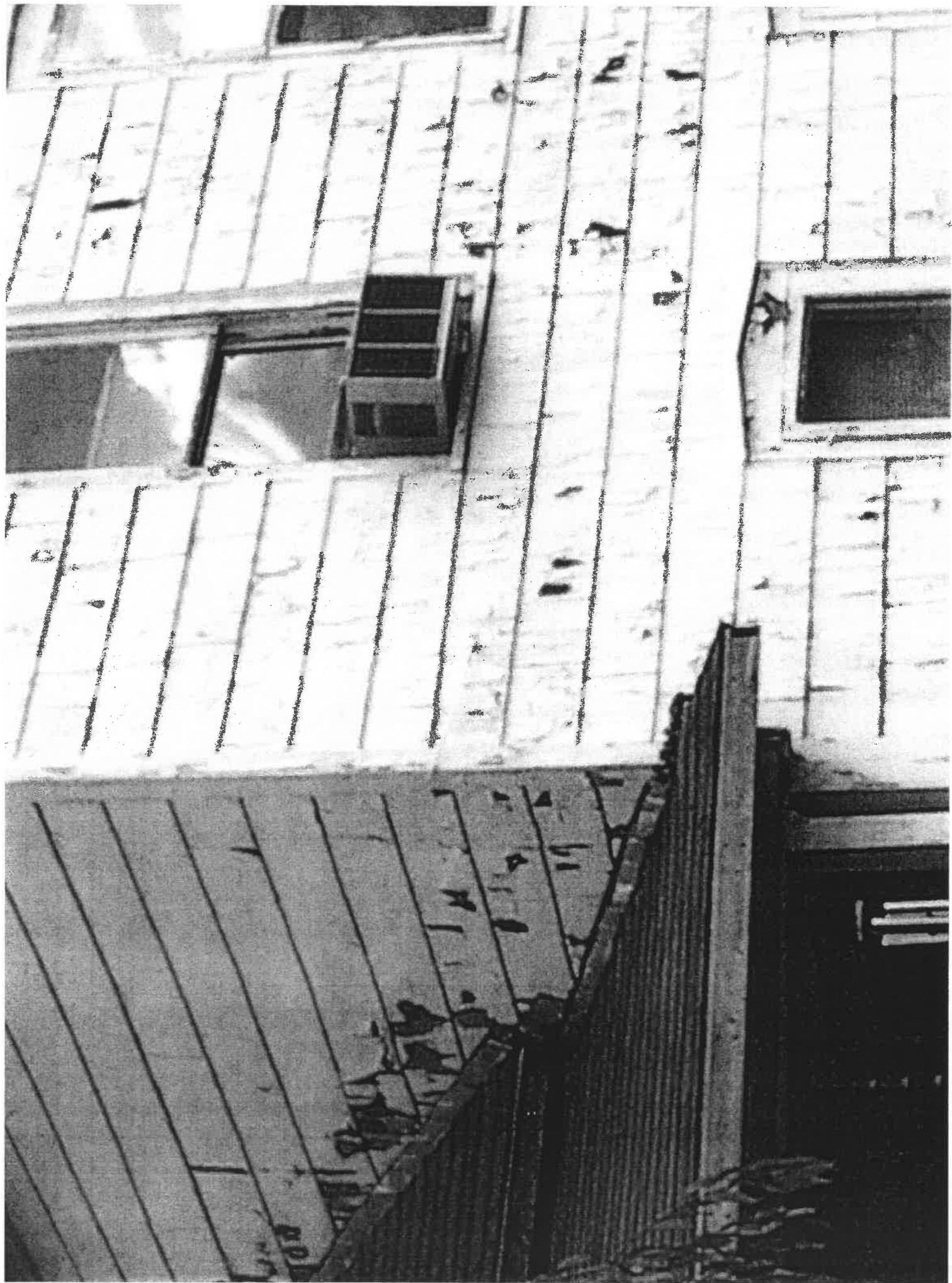


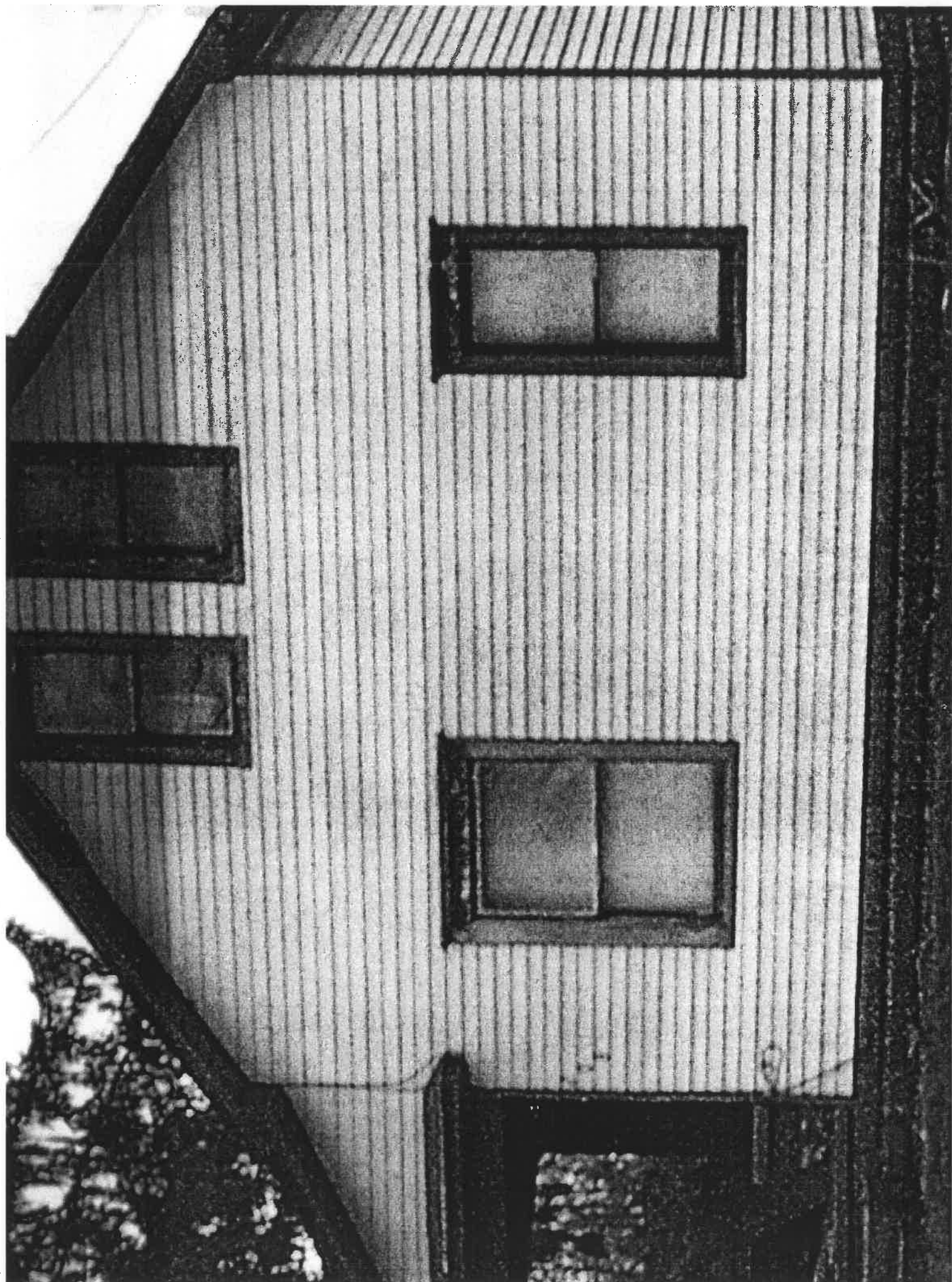


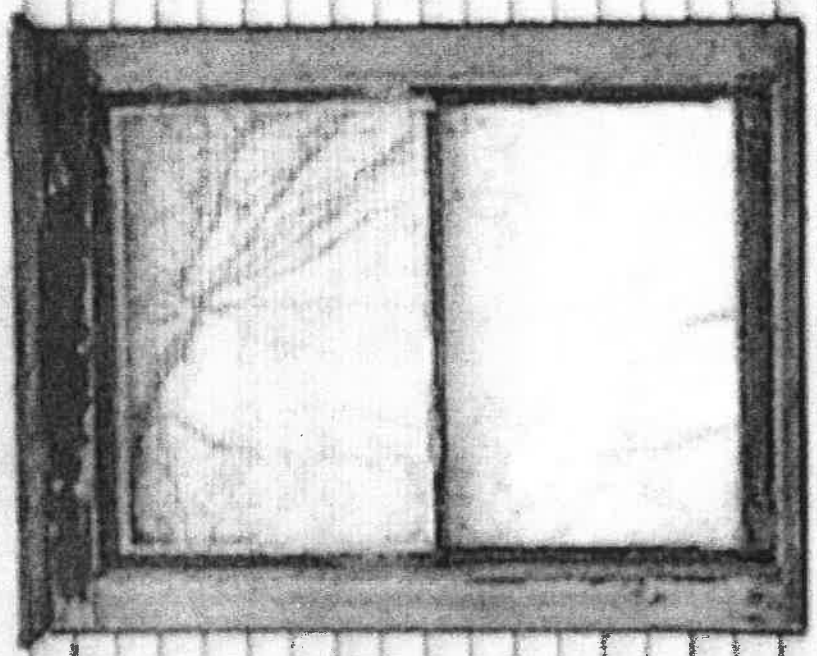








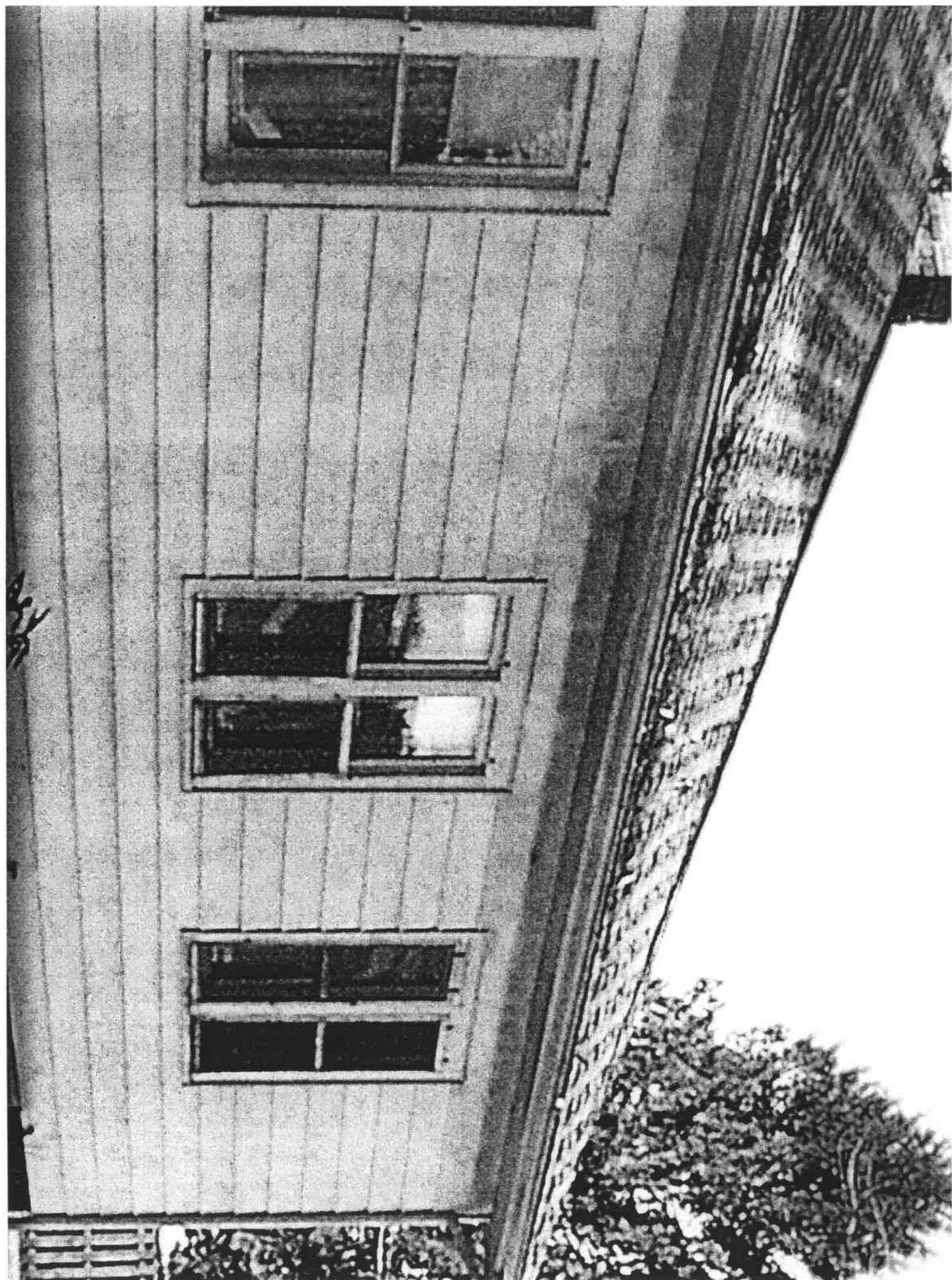


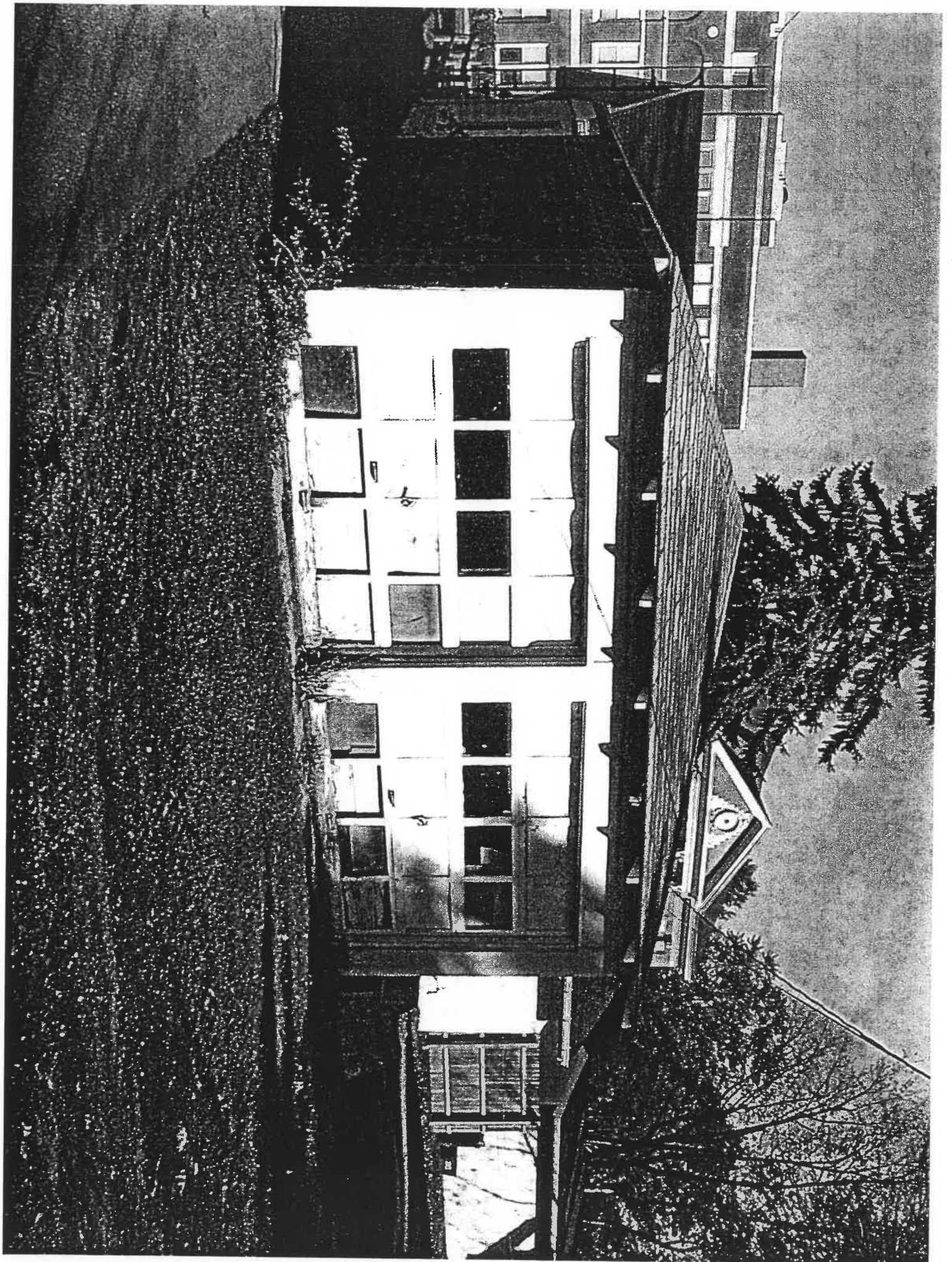


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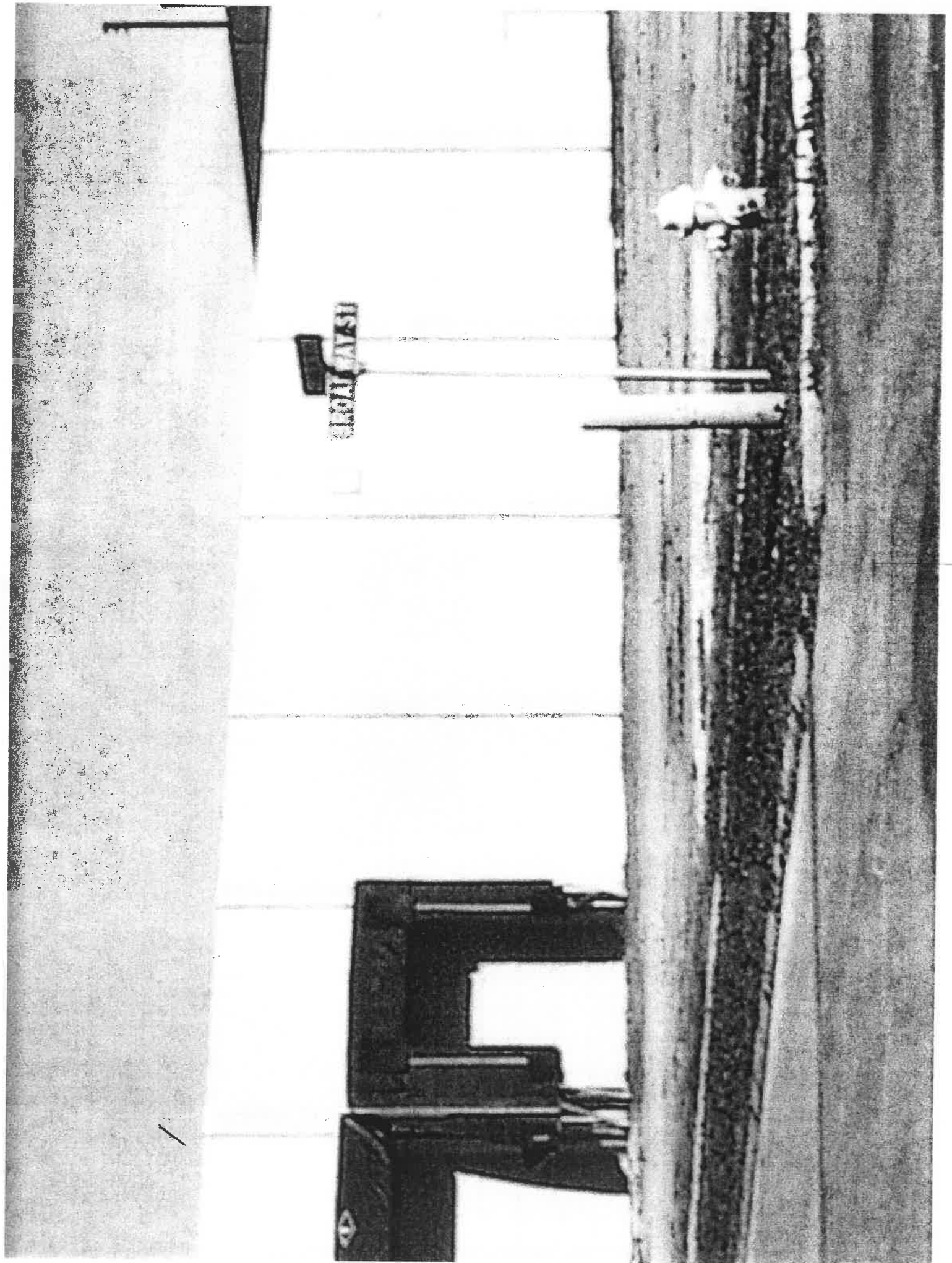
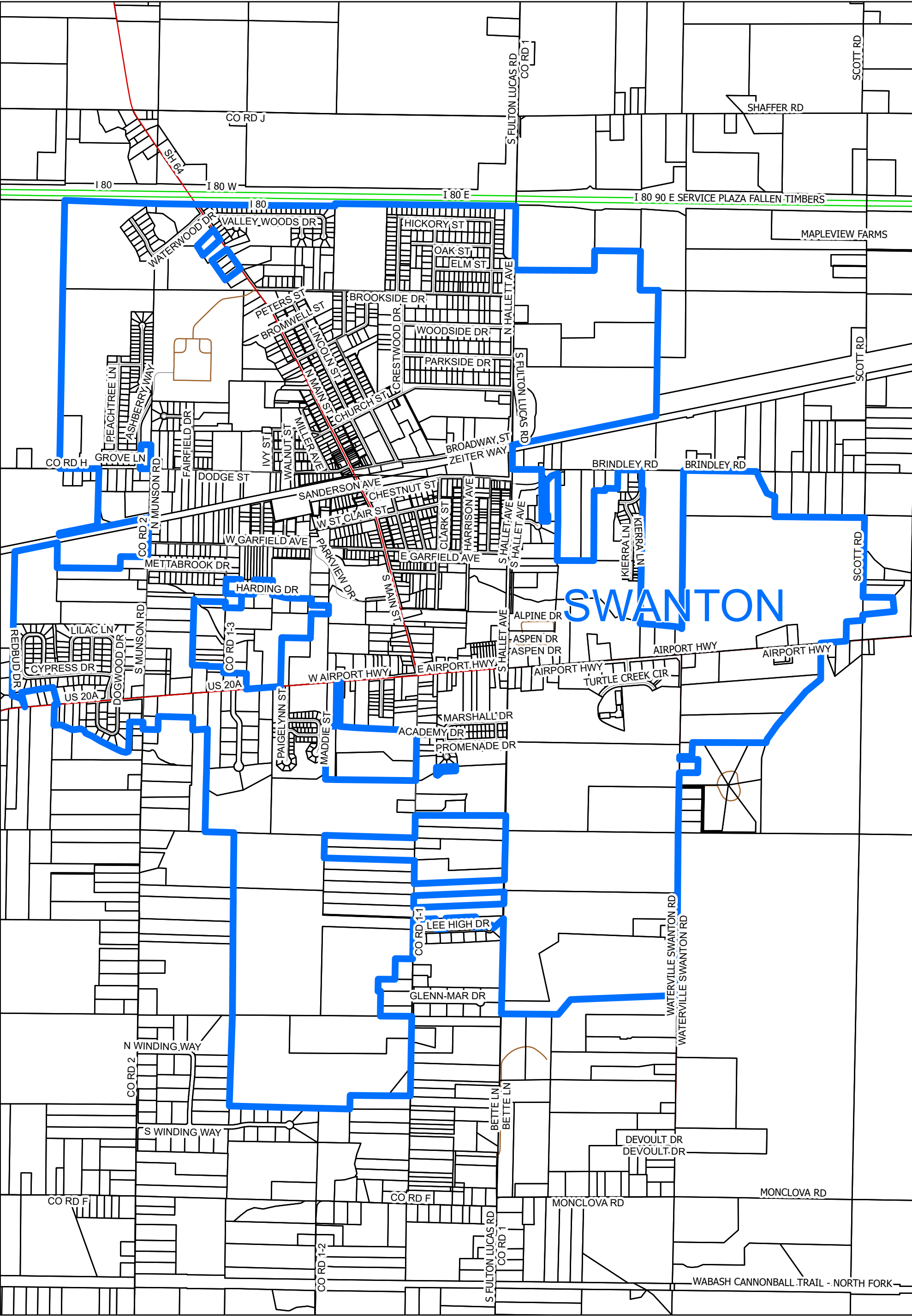


EXHIBIT B

Commencing at the Village limits at the intersection of the Ohio Turnpike and Hallett Ave. in the Village of Swanton and continuing South on Hallett to Brindley Road (including all property in the Village on the east side of Hallett Avenue); then east on Brindley Road to Scott Road; South on Scott Road to the intersection of 20A; West on St. Rt. 20A to St. Rt. 64 (including all property in the Village on the South side of St. Rt. 20A); South on St. Rt. 64 approximately 3250 feet to a point; West to the Fulton-Lucas County line; North approximately 1000 feet to a point; West approximately 1000 feet to Co. Rd. 1-1/Centerville Road; South approximately 2500 feet to a point; West approximately 2500 feet to a point; North approximately 4000 feet to a point; West approximately 250 feet to a point; North approximately 1500 feet to a point; West approximately 2500 feet to a point; North approximately 2000 feet to the Railroad tracks; East to Co. Rd. 2; North on Co. Rd. 2 to the Railroad; West approximately 500 feet to a point; North to Co. Rd. H; North to the Ohio Turnpike, and then east on the Ohio Turnpike to the point of beginning.



Community Reinvestment Area
Village of Swanton, OH

