

James MacDonald | Mayor

p 419.897.7115 | mayor@maumee.org

February 5, 2024

Members of Council
City of Maumee
Maumee, OH 43537

Dear Council Members:

I respectfully request your confirmation of the following appointments and re-appointments to the City of Maumee Boards and Commissions:

<u>Board/Commission</u>	<u>Name</u>	<u>New Term Ending</u>
ADA Advisory Commission (2 yr term)	Kathleen Klein	12/31/2025
	Candace Gillen	12/31/2025
	Jessica Pacynski	12/31/2024
	(replacing Scott Noonan)	
Building Standards and Appeals Board (5 yr term)	Daniel Calverley	12/31/2028
	Russ McEwen	12/31/2028
MMT JEDZ Board (2 yr term)	Dan Arnold	12/31/2025
	Rich Carr	12/31/2025
S.A.I.L. Board (3 yr term)	Thomas Wagener	12/31/2026
Volunteer Fireman's Dependents Board (1 yr term)	Scott Noonan	12/31/2024
	Phil Leinbach	12/31/2024

Council's confirmation on the above appointments and re-appointments would be greatly appreciated.
Thank you,

Sincerely,



James MacDonald
Mayor



Dear Local Legislative Authority Official:

Please find enclosed the legislative notice that is being sent to you regarding the applied for liquor permit as captioned on the notice. You **must**, within 30 days from the "mailed" date listed on the notice under the bar code:

- Notify the Division whether you object and want a hearing; or
- Ask for your one-time only, 30-day extension.
 - Any requests for a one-time, 30-day extension will be reviewed by the Division upon timely receipt. If granted, your additional 30-days runs from the expiration of the original 30-day period.

To be considered **timely**, your above response **MUST** be faxed, emailed, or mailed to the Division no later than the postmark deadline date stated on the form. To speed up processing times and reduce paper, the Division respectfully asks that you either fax or email your response. Please send your response to:

FAX: (614) 644 – 3166

EMAIL: Liquordocs@com.ohio.gov

MAIL: Ohio Division of Liquor Control
Attn: Licensing Unit
6606 Tussing Road
PO Box 4005
Reynoldsburg, Ohio 43068-9005

To find out who has disclosed an ownership interest in the permit application to us you can:

- Visit com.ohio.gov/liquorinfo. Select the "Search who has disclosed an ownership interest" tab. Where asked, enter the permit number listed on the legislative notice; or
- Contact your police department or county sheriff (if you are a township fiscal officer or county clerk). We also sent them detailed ownership information to review for any criminal background issues involving the disclosed persons.

We have resources for you at com.ohio.gov/govhelp. Never miss out on when renewal objections are due! Sign-up for our emails at com.ohio.gov/stayinformed.

Thank you in advance for your cooperation,

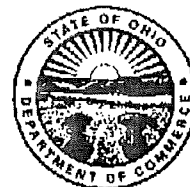
Division Licensing Section

(rev. 12/29/2023)

Office Hours
8:00 a.m. - 5:00 p.m.
For Questions call
(614) 644-3156

Ohio Department of Commerce - Division of Liquor Control
6606 Tussing Road, Reynoldsburg, Ohio 43068-9005
<http://www.com.ohio.gov/liqr>

10/11
3814
\$100.00



**APPLICATION FOR CHANGE OF LLC MEMBERSHIP INTERESTS
PROCESSING FEE \$100.00**

CAUTION: ALLOW 10 TO 12 WEEKS FOR PROCESSING

PERMIT HOLDER REQUESTS APPROVAL OF THE DIVISION OF LIQUOR CONTROL OF THE FOLLOWING:

Permit Holder Name: Parkway Catering, LLC		Permit Premises Address: 2592 Parkway Plaza, Maumee, Ohio 43537
Liquor Permit Number(s): 6699600-0010	Federal Tax ID Number: [REDACTED]	

Email Address: **G Z I L B A @ A O L . C O M**

Attorney's Name, Address and Telephone Number (If represented):
Jeffrey C. Zilba, 6135 Trust Dr., Suite 115, Holland, OH 43528

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

PLEASE COMPLETE ALL AREAS OF SECTION A & B BELOW

Section A - PREVIOUS List of managing members and all persons with a 5% or greater membership or voting interest in the LLC

NAME	SOCIAL SECURITY # OR FEDERAL TAX ID #	OFFICE HELD	INTEREST	BIRTHDATE
1) Carol J. Zilba	[REDACTED]	Vice President	<input checked="" type="checkbox"/> Managing Member <input checked="" type="checkbox"/> Voting interest <u>51</u> % <input checked="" type="checkbox"/> Membership interest <u>51</u> %	[REDACTED]
2) George C. Zilba	[REDACTED]	Treasurer	<input checked="" type="checkbox"/> Managing Member <input checked="" type="checkbox"/> Voting interest <u>49</u> % <input checked="" type="checkbox"/> Membership interest <u>49</u> %	[REDACTED]
3)	[REDACTED]		<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest _____ %	[REDACTED]
4)	[REDACTED]		<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest _____ %	[REDACTED]

Section B - REVISED List of managing members and all persons with a 5% or greater membership or voting interest in the LLC

NAME	SOCIAL SECURITY # OR FEDERAL TAX ID #	OFFICE HELD	INTEREST	BIRTHDATE
1) George C. Zilba	[REDACTED]	President	<input checked="" type="checkbox"/> Managing Member <input checked="" type="checkbox"/> Voting interest <u>100</u> % <input checked="" type="checkbox"/> Membership interest <u>100</u> %	[REDACTED]
2)	[REDACTED]		<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest _____ %	[REDACTED]
3)	[REDACTED]		<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest _____ %	[REDACTED]
4)	[REDACTED]		<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest _____ %	[REDACTED]

NOTICE TO LEGISLATIVE
AUTHORITY

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

TO

66996000010 PERMIT NUMBER		STCK TYPE	PARKWAY CATERING LLC DBA PARKWAY PLACE 2592 PARKWAY PLAZA 1ST FL MAUMEE OH 43537	
ISSUE DATE				
05 11 2023 FILING DATE				
D51 D6 PERMIT CLASSES				
48 TAX DISTRICT	044	A	F30547 RECEIPT NO.	

FROM 12/28/2023

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



MAILED *01/09/2024*
12/28/2023 mg

RESPONSES MUST BE POSTMARKED NO LATER THAN. *02/09/2024*
01/29/2024 mg

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES **A STCK 6699600-0010**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING.

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

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

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF MAUMEE CITY COUNCIL
400 CONANT ST
MAUMEE OHIO 43537-3366



James MacDonald | Mayor

p 419.897.7115 | mayor@maumee.org

February 2, 2024
Maumee City Council
400 Conant Street
Maumee, Ohio 43537

Dear Members of Council:

I have received the attached application concerning the creation of a Community Entertainment District (CED) for the Uptown Area of Maumee.

As mentioned in the application, the proposed CED will cover 105.86 acres of land and will promote investment in the area by increasing the number of available liquor licenses available within this district. Note that the City of Maumee is the applicant in this matter, as we own property within this district.

As required by Ohio Revised Code section 4301.80, I am submitting this application to City Council along with a recommendation to approve the creation of the Uptown Maumee Community Entertainment District. I ask for Council's approval of the attached application finding that this CED will promote economic development in our City by attracting various new business investment and increased customer traffic to the area. If this District is approved the liquor licenses that will be available are D-5j permits which may be issued to the owner or the operator of a retail food establishment or a food service operation licensed under Chapter 3717. of the Revised Code to sell beer and intoxicating liquor at retail, only by the individual drink in glass and from the container, for consumption on the premises where sold and to sell beer and intoxicating liquor in the same manner and amounts not for consumption on the premises where sold as may be sold by the holders of D-1 and D-2 permits. The holder of a D-5j permit may exercise the same privileges, and shall observe the same hours of operation, as the holder of a D-5 permit. Anyone applying for a permit, must receive approval of the Ohio Department of Liquor Control.

Therefore, I request Council to authorize the Administration to cause the placement of advertisements and take actions required by Ohio Revised Code section 4301.80 to enable City Council to approve this application no later than its regular meeting on March 4, 2024.

Mayor James MacDonald



Patrick Burtch, Ph.D. | City Administrator

p 419.897.7103 | c 734.777.0624 | pburtch@maumee.org

February 1, 2024

Uptown Maumee Community Entertainment District Application

To: Honorable Mayor James MacDonald
400 Conant Street
Maumee, Ohio 43537

Dear Mayor MacDonald,

As required by Ohio Revised Code Section 4301.80 (B), please find the following information and application provided to enable the creation and designation of a Community Entertainment District (CED) in the Uptown area of the City of Maumee.

Applicant Name and Address

City of Maumee
400 Conant Street
Maumee, Ohio 43537

Map of Proposed District

The attached Exhibit "A" serves as the map of the proposed district which encompasses 105.86 acres of land zoned C1, R1, R2, and R3. The proposed Community Entertainment district is as follows: Anthony Wayne Trail from Gibbs Street to Allen Street to West Harrison Street to East Harrison Street to include the inner streets of West and East Wayne Street, West and East Dudley Street, West and East John Street, West and East William Street, West and East Harrison Street and south on Conant Street from Anthony Wayne Trail, to a location past Front Street. Also included will be the property owned by the City of Maumee which is located along the Maumee River from the White Street parking area to the area near the southerly end of Ford Street. It should be noted that the proposed district is entirely inside the jurisdiction of the City of Maumee. The current property owners of land inside the proposed CED are as follows:
Applicant-City of Maumee. Additional property owners in district include:

Buehrer Group Architecture & Engineering
Home Health Care
Dibling Warehouse
JM Designs Screen-printing
Merger Holdings LLC – Offices
Scott S. Kelly – Dentist

Key Bank
Maumee Indoor Theater
Sunshine Art Gallery
Dales Bar and Grill
The Village Idiot
Georgettes
Buster Browns
Brew House
Elks
Jacky's Depot
City of Maumee
St. Paul's Evangelical Church
St. Joseph Church
Dibling Floor
Conant Street Investors
Cabinet Impressions
Candy Shop/Ice cream
Bob Miller Interiors
Maumee Bait
Cigar Affair
In Bloom Florists
Always Promoting
Bob Miller Interiors
Small Box Music
Maumee Bait and Tackle
Red Wing Shoes
Uptown Fondue & Wine Bar
Banter Room Bar

Statement of the Nature and Types of Businesses in the Proposed CED

The Ohio Revised Code, in Section 4301.80 (A) a Community Entertainment District is defined as follows:

"As used in this section, "community entertainment district" means a bounded area that includes or will include a combination of entertainment, retail, educational, sporting, social, cultural, or arts establishments within close proximity to some or all of the following types of establishments within the district, or other types of establishments similar to these:

- (1) Hotels;
- (2) Restaurants;
- (3) Retail sales establishments;
- (4) Enclosed shopping centers;
- (5) Museums;
- (6) Performing arts theaters;
- (7) Motion picture theaters;
- (8) Night clubs;
- (9) Convention facilities;
- (10) Sports facilities;

- (11) Entertainment facilities or complexes;
- (12) Any combination of the establishments described in division (A)(l) to (11) of this section that provide similar services to the community.

The proposed area, which is the subject of the proposed CED, currently contains multiple businesses and will include proposed businesses which are or will be engaged in commercial activity and the activities set forth in ORC 4301.80. At present this area includes restaurants, a motion picture theater, night clubs, retail sales establishments, and many other complementary businesses. Adjacent and surrounding this area are other retail establishments, hotels, and restaurants. At this time about 70% of the acreage that is developable in the district is developed. It is anticipated that the development of the balance of the acreage within this CED will occur in the next one to fifteen years.

Evidence that land Uses in the Proposed CED are in Accord with the City's Master Plan or Zoning Map

There is a myriad of evidence supporting the fact that the land uses in the proposed CED are in accord with the City's Master Plan and/or Zoning Map. As it currently exists, the zoning for this district allows a variety of uses including the uses set forth in set forth in ORC 4301.80 and the current proposed uses for this CED.


Surveyor or Engineer Certificate

The attached certificate, Exhibit D, establishes that the area encompassed by the proposed CED contains no less than twenty contiguous acres.

Handling and processing fee

The handling and processing fee in the amount of \$25. is enclosed herewith.

Respectfully submitted,

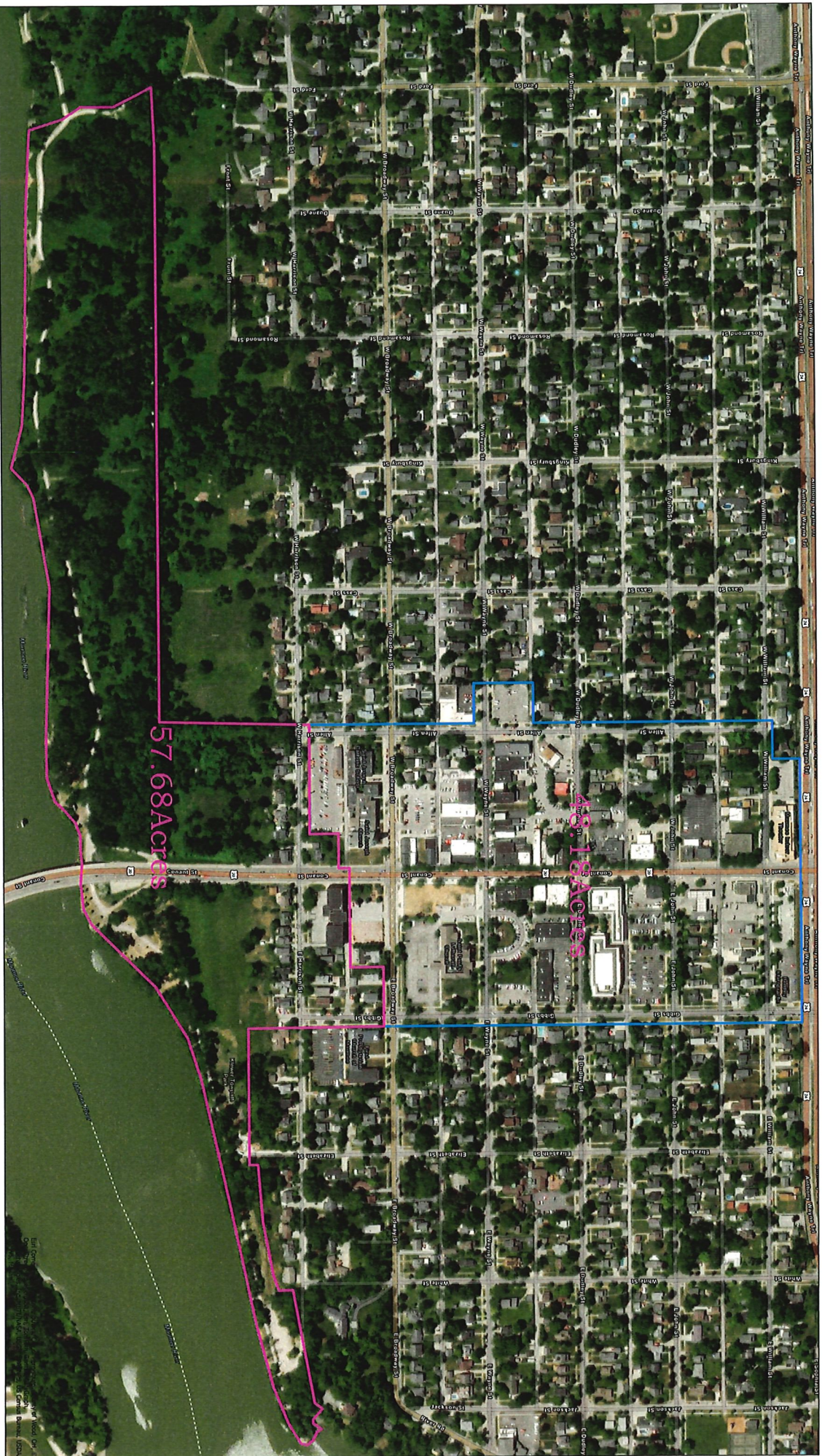


City of Maumee

by: City Administrator Patrick Burtch

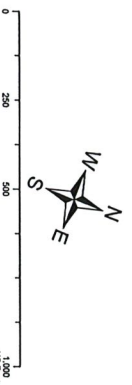
EXHIBIT LIST

- Exhibit "A" Map of proposed Community Entertainment District
- Exhibit "B" The current City of Maumee Zoning Map and code
- Exhibit "C" Comprehensive Plan and Updates
- Exhibit "D" Certificate per RC 4301.80(B)(6)



Community Entertainment District
Zone 12
Boundary Map

- Legend
- Community Entertainment District
 - DORA
 - Proposed District



FXH.A

1125.02 R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT.

The R-1 Single-Family Residential District is designed to accommodate single-family dwellings on lots with areas of 12,000 square feet or greater. Certain public/semi-public uses intended to serve single-family residential development are permitted. The R-1 District will be mapped to protect existing low-density single-family neighborhoods that satisfy the following minimum requirements and for areas that will develop in the future.

- (a) Permitted Uses. Within the R-1 Residential District, a structure or premises shall be erected or used only for the following purposes:
- (1) Agriculture, horticulture, viticulture and growing of garden crops; but no livestock or poultry shall be housed or maintained.
 - (2) Child day care home, Type B.
 - (3) Group adult care facility for three (3) to five (5) unrelated adults pursuant to ORC Chapter 3722.
 - (4) Group Foster Home pursuant to ORC Chapter 5103.
 - (5) Group MR/DD residential facility for one (1) to eight (8) persons pursuant to ORC Chapter 5123.
 - (6) Home occupation (refer to Chapter 1131).
 - (7) Publicly owned and operated parks, playgrounds and community centers; provided that no commercial enterprise or amusement park is conducted on the premises, except permitted temporary uses.
 - (8) Public structures not otherwise defined and regulated by this code or parking areas erected, leased or used by any department of a municipal, county, state or federal government. However, no outdoor storage of equipment or materials is permitted.
 - (9) Public libraries.
 - (10) Water, storm and sewage pumping stations.
 - (11) Schools; primary, intermediate and secondary; both public and private.
 - (12) Single-family dwellings.
 - (13) Accessory structures and uses.
- (b) Conditional Uses. Refer to Chapter 1134 (Conditional Use Regulations) for the process of obtaining a conditional use permit. The following conditional uses may be approved, provided they meet the general standards found in Section 1134.03 (General Standards for Conditional Uses) and any listed specific conditions in Section 1134.08 (Supplemental Requirements for Specified Conditional Uses):
- (1) Adult day care centers.
 - (2) Adult group homes.
 - (3) Bed and breakfast facilities.
 - (4) Cemetery or mausoleum.
 - (5) Child day care home, Type A.
 - (6) Place of religious worship.
 - (7) Electric and telephone towers.
 - (8) Gas regulator and meter stations.
 - (9) Nursing homes.
 - (10) Parking areas: Extension of parking into contiguous zoning district parking areas.
 - (11) Parking areas: Joint use of an off-street parking area.
 - (12) Public utility control facilities or structures.
 - (13) Public or private clubs, including golf courses and country clubs, swimming pools, racquet courts, yacht clubs and accessory uses, except driving ranges, miniature golf courses, pitch and putt courses operated for commercial purposes. No on site storage or maintenance of boats will be permitted.
- (c) Lot Size and Yard Area Requirements. Minimum lot size and yard area requirements as set forth in Section 1125.14 shall apply to all structures hereafter erected, relocated, reconstructed or structurally altered within the R-1 Residence District.

- (d) Minimum and Maximum Floor Area Requirements and Bulk Regulations. Minimum floor area requirements and bulk regulations as set forth in Section 1125.14 shall apply to all structures hereafter erected, relocated, reconstructed or structurally altered within the R-1 Residential District.
- (e) Off-Street Parking, Loading and Storage Regulations. Off-street parking, loading and storage regulations as set forth in Chapter 1141 shall apply to all uses established within the R-1 Residential District.
- (f) Signs Permitted. Signs shall be permitted in the R-1 Residential District in accordance with Chapter 1143.
(Ord. 088-2019. Passed 5-6-19.)

1125.03 R-2 SINGLE-FAMILY RESIDENTIAL DISTRICT.

The R-2 Single-Family Residential District is designed to accommodate single-family dwellings on lots with areas of 7,500 square feet or greater. The R-2 District will be mapped to protect existing low-density single-family neighborhoods that satisfy the following minimum requirements and for areas that will develop in the future. Certain public/semi-public uses intended to serve single-family residential development are permitted.

- (a) Permitted Uses. Within the R-2 Residential District, a structure or premises shall be erected or used only for the following purposes:
 - (1) Child day care home, Type B.
 - (2) Dwelling: Single-family dwellings.
 - (3) Group adult care facility for three (3) to five (5) unrelated adults pursuant to ORC Chapter 3722.
 - (4) Group Foster Home pursuant to ORC Chapter 5103.
 - (5) Group MR/DD residential facility for one (1) to eight (8) persons pursuant to ORC Chapter 5123.
 - (6) Home occupation (refer to Chapter 1131).
 - (7) Publicly owned and operated parks, playgrounds and community centers; provided that no commercial enterprise or amusement park is conducted on the premises, except permitted temporary uses.
 - (8) Public structures not otherwise defined and regulated by this code or parking areas erected, leased or used by any department of a municipal, county, state or federal government. However, no outdoor storage of equipment or materials is permitted.
 - (9) Public libraries.
 - (10) Water, storm and sewage pumping stations.
 - (11) Schools; primary, intermediate and secondary; both public and private.
 - (12) Accessory structures and uses.
- (b) Conditional Uses. Refer to Chapter 1134 (Conditional Use Regulations) for the process of obtaining a conditional use permit. The following conditional uses may be approved, provided they meet the general standards found in Section 1134.03 (General Standards for Conditional Uses) and any listed specific conditions in Section 1134.08 (Supplemental Requirements for Specified Conditional Uses):
 - (1) Adult day care centers.
 - (2) Adult group homes.
 - (3) Bed and breakfast facilities.
 - (4) Cemetery or mausoleum.
 - (5) Child day care home, Type A.
 - (6) Place of religious worship.
 - (7) Dwelling: Zero lot line dwellings (one zero lot line when two units adjoin and share a common wall).
 - (8) Electric and telephone towers.
 - (9) Gas regulator and meter stations.
 - (10) Hospitals, clinics, convalescent homes, and similar institutions.
 - (11) Nursing homes.

- (12) Parking areas: Extension of parking into contiguous zoning district parking areas.
- (13) Parking areas: Joint use of an off-street parking area.
- (14) Public utility control facilities or structures.
- (15) Public or private clubs, including golf courses and country clubs, swimming pools, racquet courts, yacht clubs and accessory uses, except driving ranges, miniature golf courses, pitch and putt courses operated for commercial purposes. No on site storage or maintenance of boats will be permitted.
- (c) Lot Size and Yard Area Requirements. Minimum lot size and yard area requirements as set forth in Section 1125.14 shall apply to all structures hereafter erected, relocated, reconstructed or structurally altered within the R-2 Residential District.
- (d) Minimum and Maximum Floor Area Requirements and Bulk Regulations. Minimum floor area requirements and bulk regulations as set forth in Section 1125.14 shall apply to all structures hereafter erected, relocated, reconstructed or structurally altered within the R-2 Residential District.
- (e) Off-Street Parking, Loading and Storage Regulations. Off-street parking, loading and storage regulations as set forth in Chapter 1141 shall apply to all uses established within the R-2 Residential District.
- (f) Signs Permitted. Signs shall be permitted in the R-2 Residential District in accordance with Chapter 1143.

(Ord. 088-2019. Passed 5-6-19.)

1125.05 R-3 TWO-FAMILY RESIDENTIAL DISTRICT.

The R-3 Two-Family Residential District is designed to accommodate two-family dwellings on lots with minimum areas of 3,000 square feet per dwelling unit. Single-family dwellings on comparable lots and certain public/semi-public uses intended to serve the residential development are permitted. The R-3 District is intended to reflect existing mixtures of single and two-family dwellings, and single-family dwellings large enough to be converted for two-family occupancy without adverse impact upon the neighborhood.

- (a) Permitted Uses. Within the R-3 Residential District, a structure or premises shall be erected or used only for the following purposes:
 - (1) Child day care home, Type B.
 - (2) Dwelling: Single-family dwellings.
 - (3) Dwelling: Two-family dwellings.
 - (4) Group adult care facility for three (3) to five (5) unrelated adults pursuant to ORC Chapter 3722.
 - (5) Group Foster Home pursuant to ORC Chapter 5103.
 - (6) Group MR/DD residential facility for one (1) to eight (8) persons pursuant to ORC Chapter 5123.
 - (7) Home occupation (refer to Chapter 1131).
 - (8) Publicly owned and operated parks, playgrounds and community centers; provided that no commercial enterprise or amusement park is conducted on the premises, except permitted temporary uses.
 - (9) Public libraries.
 - (10) Public structures not otherwise defined and regulated by this code or parking areas erected, leased or used by any department of a municipal, county, state or federal government. However, no outdoor storage of equipment or materials is permitted.
 - (11) Water, storm and sewage pumping stations.
 - (12) Schools; primary, intermediate and secondary; both public and private.
 - (13) Accessory structures and uses.
- (b) Conditional Uses. Refer to Chapter 1134 (Conditional Use Regulations) for the process of obtaining a conditional use permit. The following conditional uses may be approved, provided they meet the general standards found in Section 1134.03 (General Standards for Conditional Uses) and any listed specific conditions in Section 1134.08 (Supplemental Requirements for Specified Conditional Uses):

- (1) Adult day care centers.
 - (2) Adult group homes.
 - (3) Bed and breakfast facilities.
 - (4) Cemetery or mausoleum.
 - (5) Child day care home, Type A.
 - (6) Place of religious worship.
 - (7) Dwelling: Zero lot line dwellings (one zero lot line when two units adjoin and share a common wall).
 - (8) Electric and telephone towers.
 - (9) Gas regulator and meter stations.
 - (10) Group adult care facility for six (6) to sixteen (16) unrelated adults pursuant to ORC Chapter 3722.
 - (11) MR/DD Residential Facility providing accommodations for nine (9) to sixteen (16) unrelated adults pursuant to ORC Chapter 5123.
 - (12) Hospitals, clinics, convalescent homes, and similar institutions.
 - (13) Nursing homes.
 - (14) Parking areas: Extension of parking into contiguous zoning district parking areas.
 - (15) Parking areas: Joint use of an off-street parking area.
 - (16) Public utility control facilities or structures.
 - (17) Public or private clubs, including golf courses and country clubs, swimming pools, racquet courts, yacht clubs and accessory uses, except driving ranges, miniature golf courses, pitch and putt courses operated for commercial purposes. No on site storage or maintenance of boats will be permitted.
- (c) Conversions. An existing single-family dwelling may be converted to contain dwelling units for not more than two (2) families, provided the following requirements are satisfied:
- (1) Prior to conversion, the subject dwelling contains a gross floor area of 1,600 square feet, exclusive of basement.
 - (2) A minimum of 800 square feet of gross floor area is provided for each dwelling unit after conversion.
 - (3) Prior to conversion, the subject premise is in conformance with all lot, yard and bulk regulations required by the R-3 District for single-family dwellings.
 - (4) After conversion, the subject premise conforms to all lot, yard and bulk regulations required by the R-3 District for two-family dwellings.
 - (5) After conversion, the subject premises shall retain the appearance of a single-family residence with no major structural alterations to the exterior of the building, other than to provide the required means of ingress and egress for the units.
- (d) Lot Size and Yard Area Requirements. Minimum lot size and yard area requirements as set forth in Section 1125.14 shall apply to all structures hereafter erected, relocated, reconstructed or structurally altered within the R-3 Residence District.
- (e) Minimum and Maximum Floor Area Requirements and Bulk Regulations. Minimum floor area requirements and bulk regulations as set forth in Section 1125.14 shall apply to all structures hereafter erected, relocated, reconstructed or structurally altered within the R-3 Residence District.
- (f) Off-Street Parking, Loading and Storage Regulations. Off-street parking, loading and storage regulations as set forth in Chapter 1141 shall apply to all uses established within the R-3 Residential District.
- (g) Signs Permitted. Signs shall be permitted in the R-3 Residential District in accordance with Chapter 1143.

(Ord. 088-2019. Passed 5-6-19.)

1125.09 C-3 UPTOWN COMMERCIAL DISTRICT.

The C-3 Uptown Commercial District is designed to accommodate a variety of retail stores, office structures, service establishments and related activities to satisfy the convenience and service needs of the City residents and consumers beyond the corporate limits. The C-3 Uptown Commercial District contains structures of architectural and historical interest, which are of irreplaceable value to the City. As the name

infers, the C-3 Uptown Commercial District is unique and represents the original core of the commercial district of the City. This district is intended to preserve and protect the unique character of the area by establishing certain standards and review procedures that will ensure harmonious development.

(a) Permitted Uses. Within the C-3 Uptown Commercial District, a structure or premises shall be erected or used only for the following purposes:

- (1) Bars and taverns.
- (2) Bed and breakfasts.
- (3) Clubs and lodges for private use.
- (4) Dwellings above the first floor.
- (5) Financial Institutions such as banks, savings and loans and credit unions, without drive in or drive-through facilities.
- (6) Manufacturing and processing incidental to a retail business conducted on the premises, provided such activities do not occupy greater than fifty (50) percent of the total floor area and conform to the performance standards outlined in paragraph (g) hereof.
- (7) Massage studios.
- (8) Messenger and telegraph service stations.
- (9) Museums and community centers.
- (10) Offices for governmental purposes, including police and fire stations.
- (11) Offices for professional services, trades or businesses.
- (12) Publicly owned and operated parks, playgrounds and community centers; provided that no commercial enterprise or amusement park is conducted on the premises, except permitted temporary uses.
- (13) Printing, binding, typesetting and publishing houses.
- (14) Public libraries.
- (15) Public or private parking lots and ramps.
- (16) Public structures not otherwise defined and regulated by this code or parking areas erected, leased or used by any department of a municipal, county, state or federal government. However, no outdoor storage of equipment or materials is permitted.
- (17) Indoor commercial recreational facilities.
- (18) Restaurants and coffee shops with sit-down service without drive-in or drive-through facilities or delivery services in excess of one delivery vehicle.
- (19) Small scale: retail centers, sales establishments, and service establishments.
- (20) Retail stores and outlets similar in character to uses listed herein.
- (21) Water, storm and sewage pumping stations.
- (22) Schools; primary, intermediate and secondary; both public and private.
- (23) Veterinary clinics, but no outdoor pens or runways and no boarding of animals.
- (24) Accessory structures and uses.

(b) Conditional Uses. Refer to Chapter 1134 (Conditional Use Regulations) for the process of obtaining a conditional use permit. The following conditional uses may be approved, provided they meet the general standards found in Section 1134.03 (General Standards for Conditional Uses) and any listed specific conditions in Section 1134.08 (Supplemental Requirements for Specified Conditional Uses):

- (1) Bus shelters.
- (2) Place of religious worship.
- (3) Dwelling: Single-family dwellings.
- (4) Dwelling: Two-family dwellings.
- (5) Dwelling: Multiple family dwellings.
- (6) Electric and telephone substation towers.
- (7) Gas regulator and meter stations.
- (8) Nightclub.
- (9) Parking Areas: Extension of parking into contiguous zoning district parking areas.
- (10) Parking Areas: Joint use of an off-street parking area.
- (11) Public utility control facilities or structures.
- (12) Educational institutions.
- (13) Theaters, cinemas, and similar places of amusement.
- (14) Towers and transmitting equipment for radio and television substations.
- (15) Vending machines in an outdoor location.

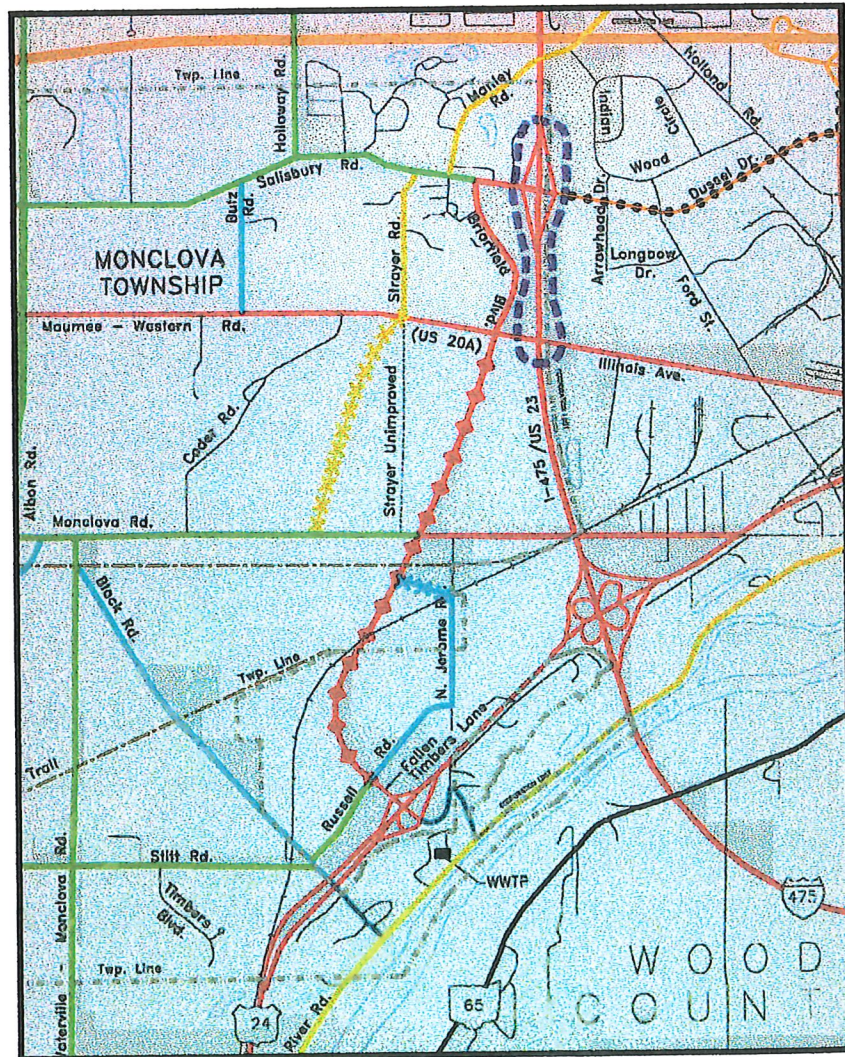
(16) Automobile Service Stations - fuel and convenience.

(17) Hotels.

- (c) Lot Size and Yard Area Requirements. Minimum lot size and yard area requirements as set forth in Section 1125.14 shall apply to all structures hereafter erected, relocated, reconstructed or structurally altered within the C-3 Uptown Commercial District.
 - (d) Minimum and Maximum Floor Area Requirements and Bulk Regulations. Minimum floor area requirements and bulk regulations as set forth in Section 1125.14 shall apply to all structures hereafter erected, relocated, reconstructed or structurally altered within the C-3 Uptown Commercial District.
 - (e) Off-Street Parking, Loading and Storage Regulations. Off-street parking, loading and storage regulations as set forth in Chapter 1141 shall apply to all uses established within the C-3 Uptown Commercial District.
 - (f) Signs Permitted. Signs shall be permitted in the C-3 Uptown Commercial District in accordance with Chapter 1143.
 - (g) Performance Standards. Performance standards established in Section 1125.07 shall apply to uses established within this district.
- (Ord. 029-2022. Passed 5-16-22.)

City of Maumee Comprehensive Plan Update

June 1998



POGGEMEYER DESIGN GROUP, INC.

EXH. C

Introduction

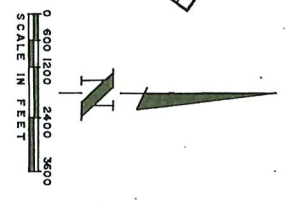
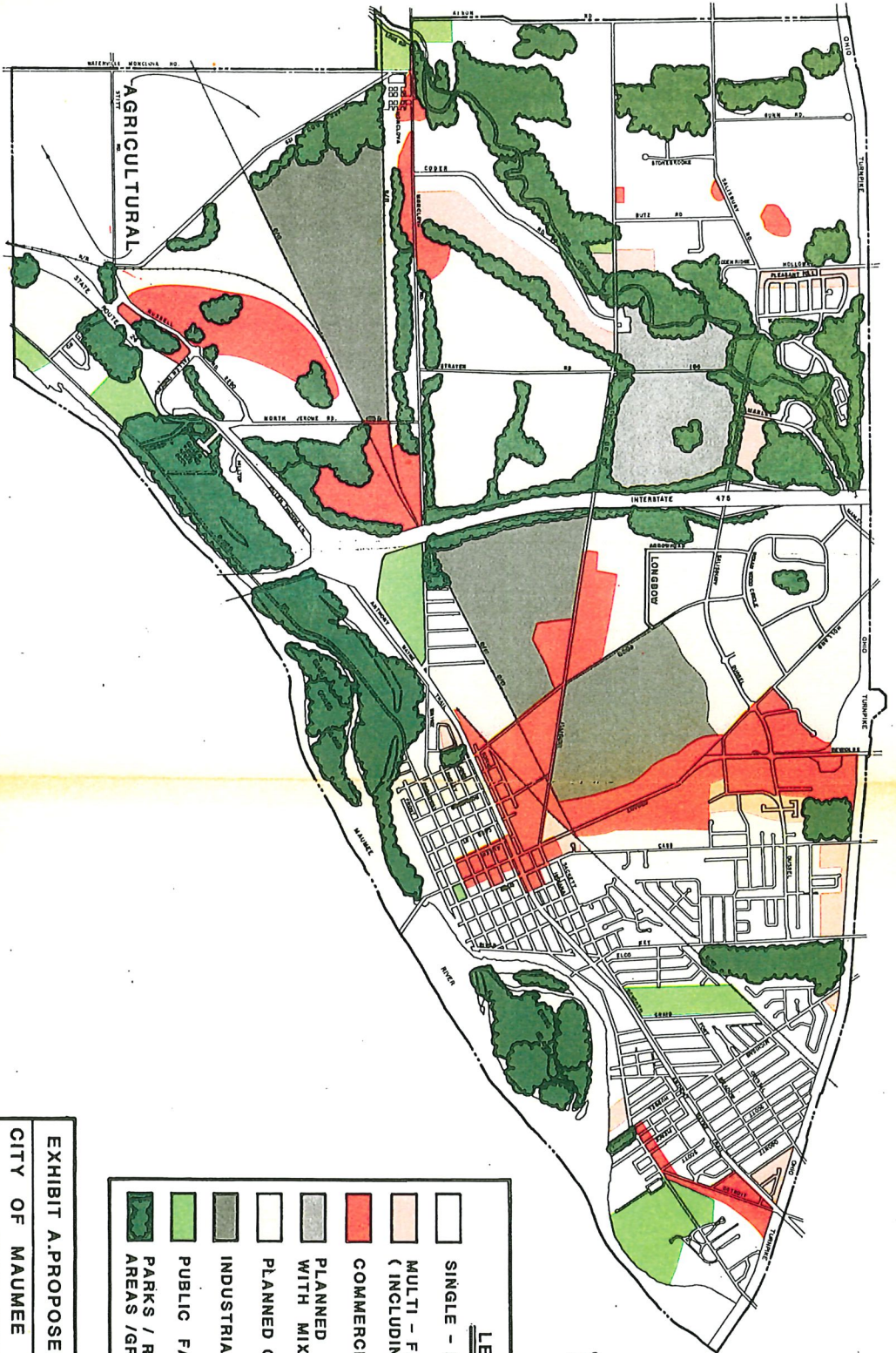
In late 1997, the City of Maumee retained the services of Poggemeyer Design Group, Inc. (PDG) to update its Comprehensive Plan, which was last updated in 1990. The original Master Plan was completed in 1975. of Toledo-owned land located west of I-475/US 23. Of primary importance to the City is current and future infrastructure, locations and types of land uses, and traffic/transportation impacts related to the proposed industrial, commercial, and residential development of this area. The City's goal with this updating process is to re-examine, as a community, the types of development that would best benefit the area as a whole, including the City of Maumee, Monclova Township, the City of Toledo, and Lucas County.

Since the last Plan Update, the City no longer has planning and platting jurisdiction in the three-mile area outside its municipal boundaries. This extra-territorial jurisdiction was rescinded by a new State Law, effective October, 1997. The Toledo-Lucas County Plan Commissions now has planning and platting jurisdiction for this land and the City has no review authority unless the land is annexed. This is important as the City plans for the future of its western boundary.

This Plan Update presents recommendations made by the Committee and approved by City Council for land uses, transportation and infrastructure improvements, and zoning and preliminary platting changes for the recently annexed area of the City. It is incorporated into and supplements the previously adopted Master Plan and Amendments.

Process

The City of Maumee appointed a Steering Committee to work with PDG to update the Comprehensive Plan. This Committee was composed of representatives of the City of Maumee, the City of Toledo, Toledo-Lucas County Plan Commissions, Lucas County Sanitary Engineer's Office, Lucas County Engineer's Office, Monclova Township, Jerome Road residents, and area commercial realtors. Four meetings were held to discuss various issues related to the future development of the annexed area. Members of the Steering Committee include those individuals listed in the following chart:



LEGEND	
[White box]	SINGLE - FAMILY RESIDENTIAL
[Light pink box]	MULTI - FAMILY RESIDENTIAL (INCLUDING CONDOS)
[Red box]	COMMERCIAL / OFFICE
[Grey box]	PLANNED INDUSTRIAL / OFFICE WITH MIXED USE RESIDENTIAL
[White box]	PLANNED OFFICE / INDUSTRIAL
[Dark grey box]	INDUSTRIAL
[Green box]	PUBLIC FACILITIES
[Dark green box]	PARKS / RECREATION / WOODDED AREAS / GREEN SPACE

EXHIBIT A. PROPOSED LAND USES

CITY OF MAUMEE COMPREHENSIVE
PLAN UPDATE - 1989

POGGEMEYER DESIGN GROUP, INC.
ENGINEERS + ARCHITECTS + PLANNERS
BOWLING GREEN, OHIO



James MacDonald | Mayor

p 419.897.7115 | mayor@maumee.org

February 2, 2024
Maumee City Council
400 Conant Street
Maumee, Ohio 43537

Dear Members of Council:

I have received the attached application concerning the creation of a Community Entertainment District (CED) in an area off of Salsbury Road in Maumee, which will be called The Pointe Community Entertainment District in Maumee.

As mentioned in the application, the proposed CED encompasses 89.14 acres of land and will promote investment in the area by increasing the number of available liquor licenses available within this district. Note that the City of Maumee is the applicant in this matter, as we own property within this district.

As required by Ohio Revised Code section 4301.80, I am submitting this application to City Council along with a recommendation to approve the creation of The Pointe Community Entertainment District. I ask for Council's approval of the attached application finding that this CED will promote economic development in our City by attracting various new business investment and increased customer traffic to the area. If this District is approved the liquor licenses that will be available are D-5j permits which may be issued to the owner or the operator of a retail food establishment or a food service operation licensed under Chapter 3717. of the Revised Code to sell beer and intoxicating liquor at retail, only by the individual drink in glass and from the container, for consumption on the premises where sold and to sell beer and intoxicating liquor in the same manner and amounts not for consumption on the premises where sold as may be sold by the holders of D-1 and D-2 permits. The holder of a D-5j permit may exercise the same privileges, and shall observe the same hours of operation, as the holder of a D-5 permit. Anyone applying for a permit, must receive approval of the Ohio Department of Liquor Control.

Therefore, I request Council to authorize the Administration to cause the placement of advertisements and take actions required by Ohio Revised Code section 4301.80 to enable City Council to approve this application no later than its regular meeting on March 4, 2024.

A handwritten signature in black ink that reads "James MacDonald". The signature is written in a cursive, flowing style.

Mayor James MacDonald

February 2, 2024

The Pointe Community Entertainment District Application

To: Honorable Mayor James MacDonald
400 Conant Street
Maumee, Ohio 43537

Dear Mayor MacDonald,

As required by Ohio Revised Code Section 4301.80 (B), please find the following information and application provided to enable the creation and designation of a Community Entertainment District (CED) in the City of Maumee.

Applicant Name and Address

1392 Arrowhead LLC
1391 Arrowhead Road
Maumee, Ohio 43537

Map of Proposed District

The attached Exhibit "A" serves as the map of the proposed district which encompasses 89.14 acres of land zoned commercial/industrial. It should be noted that the proposed district is entirely inside the jurisdiction of the City of Maumee. The current property owners of land inside the proposed CED are as follows: Applicant-1392 Arrowhead LLC. Additional property owners in district: Midland Agency of Northwest Ohio, Inc., Maumee Investors LLC, SDT 1 Properties LLC, Fox Development Group LLC, Toledo Hospital, and Beaver Creek Circle LLC This area is along Arrowhead Drive and areas south of Salsbury Road all within the City of Maumee.

Statement of the Nature and Types of Businesses in the Proposed CED

The Ohio Revised Code, in Section 4301.80 (A) a Community Entertainment District is defined as follows:

"As used in this section, "community entertainment district" means a bounded area that includes or will

include a combination of entertainment, retail, educational, sporting, social, cultural, or arts establishments within close proximity to some or all of the following types of establishments within the

district, or other types of establishments similar to these:

- (1) Hotels;
- (2) Restaurants;
- (3) Retail sales establishments;
- (4) Enclosed shopping centers;
- (5) Museums;
- (6) Performing arts theaters;
- (7) Motion picture theaters;

- (8) Night clubs;
- (9) Convention facilities;
- (10) Sports facilities;
- (11) Entertainment facilities or complexes;
- (12) Any combination of the establishments described in division (A)(l) to (11) of this section that provide similar services to the community.

The proposed area, which is the subject of the proposed CED, currently contains businesses, a restaurant and will include proposed businesses which are or will be engaged in commercial activity and the activities set forth in ORC 4301.80. The proposed businesses include restaurants, retail sales establishments, sports, and entertainment facilities and many other complementary businesses.

Adjacent and surrounding this area are other retail establishments, hotels, and restaurants. At this time about 60% of the district is developed. It is anticipated that the development of the balance of the acreage within this CED will occur in the next one to ten years.

Evidence that land Uses in the Proposed CED are in Accord with the City's Master Plan or Zoning Map

There is a myriad of evidence supporting the fact that the land uses in the proposed CED are in accord with the City's Master Plan and/or Zoning Map. As it currently exists, the zoning for this district allows a variety of uses including the uses set forth in set forth in ORC 4301.80 and the current proposed uses for this CED.

Surveyor or Engineer Certificate

The attached certificate, Exhibit D, establishes that the area encompassed by the proposed CED contains no less than twenty contiguous acres.

Handling and processing fee

The handling and processing fee in the amount of \$25. is enclosed herewith.

Respectfully submitted,

Type text here

Arrowhead Investors LLC.
1392 Arrowhead LLC

Kenneth A. Hicks Jr.
by: Kenneth Hicks Jr. its VP

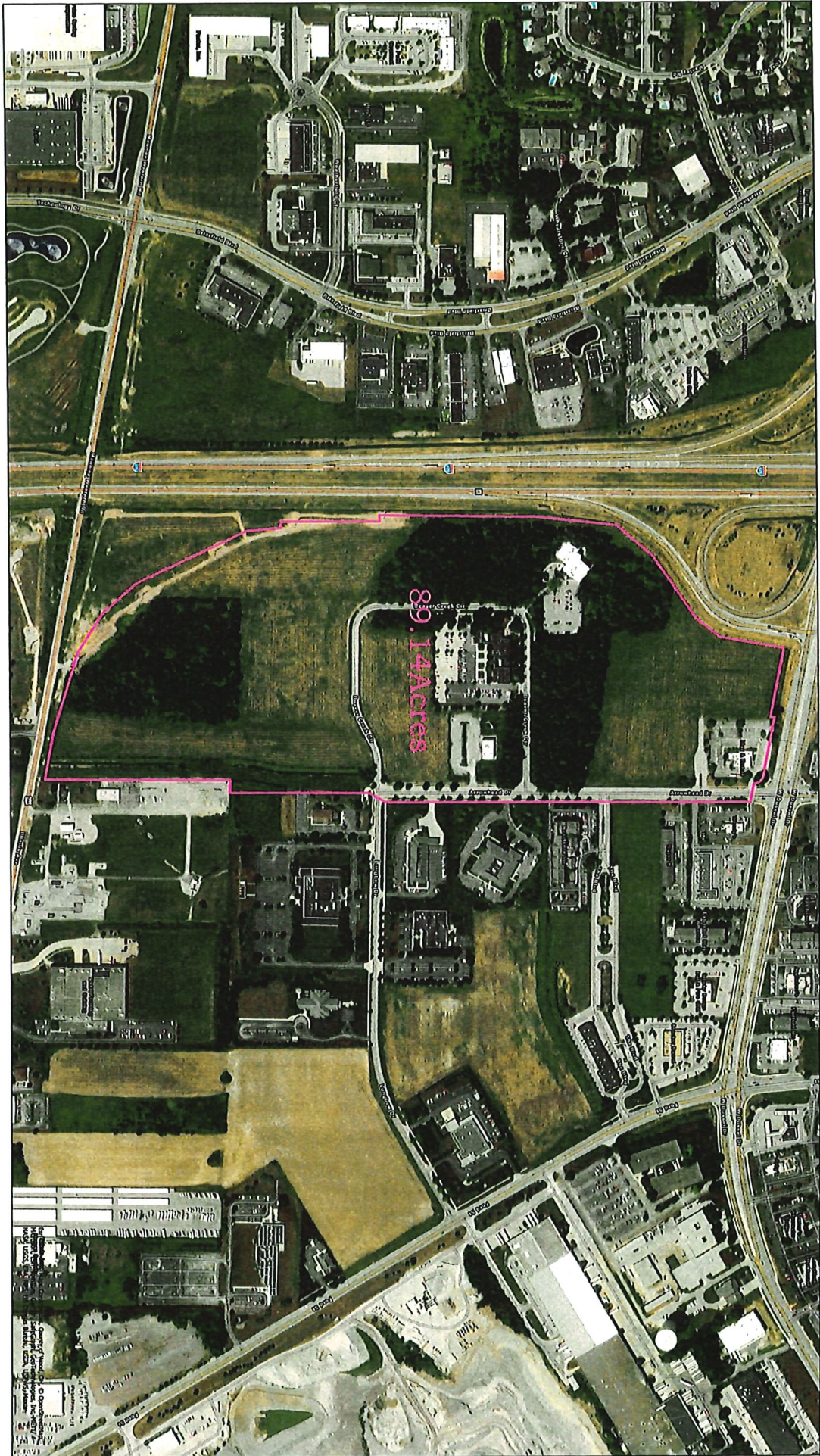
EXHIBIT LIST

Exhibit "A" Map or Survey of proposed Community Entertainment District

Exhibit "B" The current City of Maumee Zoning Map

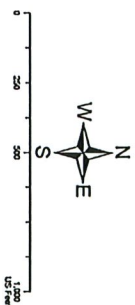
Exhibit "C" Comprehensive Plan and Updates

Exhibit "D" Certificate per RC 4301.80(B)(6)



Community Entertainment District
 Zone 3
 Boundary Map

Legend
 Community Entertainment District
 Proposed District



EXH A

1125.08 C-2 GENERAL COMMERCIAL DISTRICT.

The C-2 General Commercial District is designed to accommodate a variety of business uses including highway oriented uses and other uses that serve the total community. This district is mapped along major traffic routes and in sections of the City near the C-3 Uptown Commercial District.

- (a) Permitted Uses. Within the C-2 General Commercial District, a structure or premises shall be erected or used only for the following purposes:
- (1) Any use permitted in the C-1 Neighborhood Commercial District.
 - (2) Arcade.
 - (3) Automobile repair garages.
 - (4) Automotive Sales and Service (light).
 - (5) Bars and taverns.
 - (6) Funeral homes.
 - (7) Hotels (see Section 1127.08(h)).
 - (8) Licensed Medical Marijuana Dispensaries. Except in C-M.
 - (9) Massage studios.
 - (10) Meeting halls.
 - (11) Extended Stay Hotel/Motel (see Section 1127.08(h)).
 - (12) Night Clubs.
 - (13) Office and showroom of building and home repair contractors.
 - (14) Public structures not otherwise defined and regulated by this code or parking areas erected, leased or used by any department of a municipal, county, state or federal government.
 - (15) Recreational indoor commercial facilities.
 - (16) Public or private clubs, including golf courses and country clubs, swimming pools, racquet courts, yacht clubs and accessory uses. Also driving ranges, miniature golf courses, pitch and putt courses operated for commercial purposes. No on site storage or maintenance of boats will be permitted.
 - (17) Recreational outdoor commercial facilities
 - (18) Restaurants, with or without drive-in and/or drive-thru service.
 - (19) Retail centers, sales establishments, and service establishments.
 - (20) Sales and service of motor vehicles (light).
 - (21) Hospital.
 - (22) Car Wash.
 - (23) Schools: primary, intermediate and secondary; both public and private including Educational institutions.
 - (24) Theaters, Cinemas, and Similar Places of Amusement.
 - (25) Wholesale sales and display of merchandise, provided merchandise is stored elsewhere.
 - (26) Accessory structures and uses.
- (b) Conditional Uses. Refer to Chapter 1134 (Conditional Use Regulations) for the process of obtaining a conditional use permit. The following conditional uses may be approved, provided they meet the general standards found in Section 1134.03 (General Standards for Conditional Uses) and any listed specific conditions in Section 1134.08 (Supplemental Requirements for Specified Conditional Uses):
- (1) Automobile service stations - fuel and service, with or without car washes.
 - (2) Automobile service stations - fuel, service and convenience with or without car washes.
 - (3) Bus shelters.
 - (4) Electric and telephone towers.
 - (5) Gas regulator and meter stations.
 - (6) Kiosk in a large-scale retail center only, or used or operated by an occupant of the principal structure, or on a lot as an extension of the permitted principal use.
 - (7) Mini-warehouses, subject to Section 1134.08(m).
 - (8) Nightclub.
 - (9) Parking Areas: Extension of parking into contiguous zoning district parking areas.
 - (10) Parking Areas: Joint use of an off-street parking area.
 - (11) Public utility control facilities or structures.
 - (12) Sales and storage yards for building materials.
 - (13) Sales, rentals and storage of machinery and heavy equipment, subject to Section 1125.08(g).
 - (14) Storage of goods or materials in an outdoor area, not otherwise permitted.

- (15) Towers and transmitting equipment for radio and television substations.
- (16) Vending machines in an outdoor location.
- (17) Sweepstake terminal café.
- (18) Place of Religious Worship
- (19) Dwellings above the first floor
- (c) Lot Size and Yard Area Requirements. Minimum lot size and yard area requirements as set forth in Section 1125.14 shall apply to all structures hereafter erected, relocated, reconstructed or structurally altered within the C-2 General Commercial District.
- (d) Minimum and Maximum Floor Area Requirements and Bulk Regulations. Minimum floor area requirements and bulk regulations as set forth in Section 1125.14 shall apply to all structures hereafter erected, relocated, reconstructed or structurally altered within the C-2 General Commercial District.
- (e) Off-Street Parking, Loading and Storage Regulations. Off-street parking, loading and storage regulations as set forth in Chapter 1141 shall apply to all uses established within the C-2 General Commercial District.
- (f) Signs Permitted. Signs shall be permitted in the C-2 General Commercial District in accordance with Chapter 1143.
- (g) Performance Standards. All property in this district is subject to the general standards and regulations of this chapter and to the following additional standards:
 - (1) Except as specifically provided in this section, no outdoor storage and/or sale of goods or display of merchandise is permitted, except for fresh produce or living plant material or sales of daily newspapers.
 - (2) The outdoor storage of vehicles offered for sale on the premises is permitted in light automotive sales and service establishments. The outdoor storage of dismantled or junked vehicles is not permitted at such establishments. Outdoor storage of parts, materials or damaged stock is permitted, but shall be opaquely screened by solid fencing and landscaping. No outdoor storage of any type is permitted within a required yard.
 - (3) Automobile service stations and automobile repair garages shall not provide for any outdoor storage of parts, materials, or damaged vehicles unless screened by fencing and landscaping. Such storage shall not be conducted within a required yard. No dismantled or junked vehicles shall be stored on the premises.
 - (4) All activities of offices and showrooms of building and home repair contractors shall be conducted within an enclosed building and no outdoor storage of supplies and equipment shall be permitted. No more than fifty percent of the gross floor area may be used for processing and fabricating.
 - (5) Any manufacturing, assembling, packaging or distribution of products used, constructed, established, altered or enlarged in the C-2 District after the effective date of this chapter shall be operated so as to comply with the following standards. No use already established on the effective date of this chapter shall be altered or modified so as to conflict with, or further conflict with, the applicable standards established hereinafter for the C-2 District:
 - A. All operations, servicing and processing shall be conducted within completely enclosed structures, except for off-street parking of passenger motor vehicles.
 - B. All storage or equipment display shall be within completely enclosed structures or opaquely screened by a solid wall or solid fence and landscaping, with solid entrance and exit gates, not less than six (6) feet in height.
 - C. No emission of toxic or noxious matter, which is injurious to human health, comfort or enjoyment of life and property or to animals or plant life, shall be permitted. Where such emissions could be produced as a result of accident or equipment malfunction, adequate safeguards considered suitable for safe operation in the industry involved shall be taken.
 - D. The emission, from all sources within any zoning lot, of smoke or other air pollutants is subject to the standards and regulations of the City air pollution ordinances. Dust and other types of air pollution borne by the wind from such sources as storage areas, yards and roads within the boundaries of any lot shall be kept to a minimum by appropriate landscaping, paving, oiling or other acceptable means.

- E. The emission of odors or odor-causing substances which can be detected without the use of instruments at or beyond the lot lines is prohibited.
- F. Vibrations, which can be detected without the use of instruments at or beyond the lot lines, are prohibited.
- (6) Medical Marijuana Dispensaries shall comply with 3796 of the Ohio Revised Code and Part Seven of the Maumee Codified Ordinances.
- (h) Hotels and Extended Stay Hotels/Motels.
 - (1) Hotels and Extended Stay Hotels/Motels shall be required to enter into a Development Agreement prior to the issuance of a Zoning Permit or Site Plan approval. The following requirements must be contained in the Development Agreement:
 - A. Minimum of five (5) stories.
 - B. Must have a flat roof with a minimum parapet height of four (4) feet or one (1) foot higher than the tallest roof top equipment, whichever is higher.
 - C. Minimum staffing 24/7 of two (2) persons, with one person always at the front desk.
 - D. Maximum height for light poles of eighteen (18) feet above grade with all lighting fixtures facing downward.
 - E. Interior connectivity to closest public sidewalk or trail.
 - F. Covered entrance for vehicle loading and unloading.
 - G. No on-site parking of semi-trailers.
 - H. No exterior vinyl materials or vinyl windows.
 - I. No Hotel or Extended stay Hotel/Motel shall be converted to another use.
 - J. Other than in rooms licensed and permitted for Extended Stay by the State of Ohio and the City of Maumee, no person shall remain as a guest on the property in excess of 30 consecutive days, and no person shall be permitted to change rooms or re-register as a guest without having vacated the property for a minimum of five (5) days, or one-hundred and twenty (120) hours.
 - K. A maximum occupancy of four (4) adults per guest room.
 - L. No maintenance of vehicles in the parking area. No vehicles shall remain on-site with flat tires, expired or no registration, in any state which renders them illegal to operate on a public road, or inoperable.
 - (2) In addition to the above requirements, the City Administrator may require additional supplemental requirements as part of the Development Agreement including, but not limited to, the following:
 - A. Minimum of six (6) stories for Extended Stay Hotels/Motels.
 - B. Maximum number of rooms licensed and permitted for Extended Stay by the State of Ohio and the City of Maumee shall be no more than 20% of total number of rooms for any new or remodeled Extended Stay Hotel/Motel.
 - C. Minimum overall height.
 - D. Balconies supported by the building structure on a minimum of twenty-five (25) percent of the total rooms.
 - E. Exterior patio/seating area secluded by screening and landscaping.
 - F. Laundry equipment in all rooms.
 - G. Interior countertops and vanities must be hard-surfaced material and non-stainable due to liquids or heat (i.e., granite).
 - H. Landscaping in addition to that required in Chapter 1145.
(Ord. 012-2022. Passed 3-7-22; Ord. 029-2022. Passed 5-16-22.)

1125.10 C-4 OFFICE, LABORATORY, AND RESEARCH DISTRICT.

The Office, laboratory, and Research District is intended to provide for a compatible mix of office and training facilities in a campus style development.

- (a) Permitted Uses. Within the C-4 Office, Laboratory, and Research District, a structure or premises may be erected or used only for the following purposes:
 - (1) Adult day care centers.
 - (2) Banks, savings and loans, and financial institutions.
 - (3) Businesses and facilities engaged in research activities.
 - (4) Business support services establishment.
 - (5) Child day care centers.
 - (6) Corporate retreat center or training facility.

- (7) Data processing centers.
 - (8) Facilities for training personnel engaged in electronic equipment servicing, electronic equipment servicing and furnishing telephone company supplies.
 - (9) Manufacturing or assembling or repairing of electrical and electronic products, components, and equipment.
 - (10) Meeting hall.
 - (11) Hotels. (See Section 1125.10(h)).
 - (12) Extended Stay Hotels/Motels. (See Section 1125.10(h)).
 - (13) Offices for administrative and executive use for personnel engaged in general administrative, supervisory, purchasing, accounting and other functions related to office operations.
 - (14) Offices for professional services, trades, or businesses.
 - (15) Public structures not otherwise defined and regulated by this code or parking areas erected, leased or used by any department of a municipal, county, state or federal government. However, no outdoor storage of equipment or materials is permitted.
 - (16) Research, engineering, testing and laboratories.
 - (17) School: primary, intermediate and secondary; both public and private including Educational Institution.
 - (18) Hospitals and clinics.
 - (19) Independent Living Facility
 - (20) Assisted Living Facility
 - (21) Accessory structures and uses.
 - (22) Dwellings: Multiple-family dwellings (see Section 1125.10 (g))
- (b) Conditional Uses. Refer to Chapter 1134 (Conditional Use Regulations) for the process of obtaining a conditional use permit. The following conditional uses may be approved, provided they meet the general standards found in Section 1134.03 (General Standards for Conditional Uses) and any listed specific conditions in Section 1134.08 (Supplemental Requirements for Specified Conditional Uses):
- (1) Bus shelters.
 - (2) Electric and telephone towers.
 - (3) Gas regulator and meter stations.
 - (4) Parking Areas: Extension of parking into contiguous zoning district parking areas.
 - (5) Parking Areas: Joint use of an off-street parking area.
 - (6) Public utility control facilities or structures.
 - (7) Indoor commercial recreational facilities.
 - (8) Towers and transmitting equipment for radio and television substations.
 - (9) Vending machines in an outdoor location.
- (c) Lot Size and Yard Area Requirements. Minimum floor area requirements as set forth in Section 1125.14 shall apply to all structures hereafter erected, relocated, reconstructed or structurally altered within the C-4 Office, Laboratory, and Research District.
- (d) Minimum and Maximum Floor Area Requirements and Bulk Regulations. Minimum floor area requirements and bulk regulations as set forth in Section 1125.14 shall apply to all structures hereafter erected, relocated, reconstructed or structurally altered within the C-4 Office, Laboratory, and Research District.
- (e) Off-Street Parking, Loading and Storage Regulations. Off-street parking, loading and storage regulations as set forth in Chapter 1141 shall apply to all uses established within the C-4 Office, Laboratory, and Research District.
- (f) Signs Permitted. Signs shall be permitted in the C-4 Office, Laboratory, and Research District in accordance with Chapter 1143.
- (g) Multiple-family dwellings. A multiple-family dwelling constructed in a C-4 zoning district must meet the same requirements as a multiple-family dwelling unit constructed in an R-4 zoning district including all requirements for multiple-family dwellings contained in Chapters 1135, 1136, 1141, and 1145. Building and site design, materials and landscaping must be compatible with surrounding structures and area and shall be approved at the discretion of the Zoning Administrator (or designee). Building must be a minimum of four (4) stories. First floor finished ceiling height must be a minimum of twelve (12) feet and minimum nine (9) foot finished ceiling height in each story above the first. The preference is for commercial use of the first floor and residential use above the first floor. Dwellings may be on the first floor but

first floor construction must allow for easy conversion to accommodate the occupancy of other C-4 permitted uses. Any first floor occupancy other than residential must be compatible with the residential use of the building and shall be approved at the discretion of the Zoning Administrator (or designee).

(h) Hotels and Extended Stay Hotels/Motels.

(1) Hotels and Extended Stay Hotels/Motels shall be required to enter into a Development Agreement prior to the issuance of a Zoning Permit or Site Plan approval. The following requirements must be contained in the Development Agreement:

- A. Minimum of five (5) stories.
- B. Must have a flat roof with a minimum parapet height of four (4) feet or one (1) foot higher than the tallest roof top equipment, whichever is higher.
- C. Minimum staffing 24/7 of two (2) persons, with one person always at the front desk.
- D. Maximum height for light poles of eighteen (18) feet above grade with all lighting fixtures facing downward.
- E. Interior connectivity to closest public sidewalk or trail.
- F. Covered entrance for vehicle loading and unloading.
- G. No on-site parking of semi-trailers.
- H. No exterior vinyl materials or vinyl windows.
- I. No Hotel or Extended stay Hotel/Motel shall be converted to another use.
- J. Other than in rooms licensed and permitted for Extended Stay by the State of Ohio and the City of Maumee, no person shall remain as a guest on the property in excess of thirty (30) consecutive days, and no person shall be permitted to change rooms or re-register as a guest without having vacated the property for a minimum of five (5) days, or one-hundred and twenty (120) hours.
- K. A maximum occupancy of four (4) adults per guest room.
- L. No maintenance of vehicles in the parking area. No vehicles shall remain on-site with flat tires, expired or no registration, in any state which renders them illegal to operate on a public road, or inoperable.

(2) In addition to the above requirements, the City Administrator may require additional supplemental requirements as part of the Development Agreement including, but not limited to, the following:

- A. Minimum of six (6) stories for Extended Stay Hotels/Motels.
- B. Maximum number of rooms licensed and permitted for Extended Stay by the State of Ohio and the City of Maumee shall be no more than twenty percent (20%) of total number of rooms for any new or remodeled Extended Stay Hotel/Motel.
- C. Minimum overall height.
- D. Balconies supported by the building structure on a minimum of twenty-five (25) percent of the total rooms.
- E. Exterior patio/seating area secluded by screening and landscaping.
- F. Laundry equipment in all rooms.
- G. Interior countertops and vanities must be hard-surfaced material and non-stainable due to liquids or heat (i.e., granite).
- H. Landscaping in addition to that required in Chapter 1145.

(Ord. 029-2022. Passed 5-16-22.)

1125.11 C-M COMMERCIAL-INDUSTRIAL DISTRICT.

The C-M Commercial-Industrial District is intended to provide for a compatible mix of commercial and industrial uses in a commercial-industrial park-like site, provided the owners and developers of property in the site establish an architectural committee, which committee shall formulate a plan and standards for development of the site, as set forth in subsection (h) hereof. Such site shall contain not less than 30 acres. Non-contiguous parcels and lots may be included in an original established site, provided that the acreage of such non-contiguous parcels and lots shall not be used in calculating the minimum requirement of 200 acres for a site and provided further that all other requirements of this Zoning Code are met. Contiguous parcels and lots may be added to an established site, provided that all other requirements of this Zoning Code are met. Non-contiguous parcels and lots may be added to an established site, provided that such non-contiguous parcels and lots are situated in the same plat in which all or part of an established site is located, or in a plat

which is contiguous to a plat in which all or part of an established site is located, and provided further that all other requirements of this Zoning Code are met.

- (a) Permitted Uses: Within the C-M Commercial-Industrial District, a structure or premises may be erected or used only for the following purposes:
 - (1) Any use permitted within the C-2 and C-4 Commercial Districts. (Excluding Medical Marijuana Facilities)
 - (2) Any use permitted within the M-1 Controlled Industrial District. (Excluding Medical Marijuana Facilities)
- (b) Conditional Uses: Conditional uses listed within the C-2 General Commercial District, if not otherwise permitted, may be permitted under the procedure contained in Chapter 1134.
- (c) Lot Size and Yard Area Requirements: Minimum floor area requirements as set forth in Section 1125.14 shall apply to all structures hereafter erected, relocated, reconstructed or structurally altered within the C-M Commercial-Industrial District.
- (d) Minimum and Maximum Floor Area Requirements and Bulk Regulations: Minimum floor area requirements and bulk regulations as set forth in Section 1125.14 shall apply to all structures hereafter erected, relocated, reconstructed or structurally altered within the C-M Commercial-Industrial District.
- (e) Off-Street Parking, Loading and Storage Regulations: Off-street parking, loading and storage regulations as set forth in Chapter 1141 shall apply to all uses established within the C-M Commercial-Industrial District.
- (f) Signs Permitted: Signs shall be permitted in the C-M Commercial-Industrial District in accordance with Chapter 1143.
- (g) Performance Standards: The performance standards set forth at Section 1125.08 (g) shall apply to the C-M Commercial-Industrial District.
- (h) Architectural Committee. An architectural committee shall be established in all areas zoned C-M and shall provide a plan setting forth standards for: landscaping and mounding; yard requirements; sign requirements; and structure design and materials. Such committee shall, no less than once each year, file a written report with the Administrator of the City as to the aforesaid plan, standards and amendments thereto. Such plans, standards and amendments thereto shall be no less restrictive than those standards established by this Zoning Code. The City and its officers and employees shall not be responsible for enforcing the plan, standards or amendments thereto established by such architectural committee.
- (i) Multiple-family dwellings. A multiple-family dwelling constructed in a C-M zoning district must meet the same requirements as a multiple-family dwelling unit constructed in an R-4 zoning district including all requirements for multiple-family dwellings contained in Chapters 1135, 1136, 1141, and 1145. Building and site design, materials and landscaping must be compatible with surrounding structures and area and shall be approved at the discretion of the Zoning Administrator (or designee) and any Architectural Review Committee, if required. Building must be a minimum of four (4) stories. First floor finished ceiling height must be a minimum of twelve (12) feet and minimum nine (9) foot finished ceiling height in each story above the first. The preference is for compatible office or commercial use of the first floor with residential above the first floor. Dwellings may be on the first floor but first floor construction must allow for easy conversion to accommodate the occupancy of other C-M permitted uses. Any first floor occupancy other than residential must be compatible with the residential use of the building and shall be approved at the discretion of the Zoning Administrator (or designee).

(Ord. 113-2020. Passed 12-21-20.)

1125.12 M -1 CONTROLLED INDUSTRIAL DISTRICT.

The M-1 Controlled Industrial District is intended to provide for industrial uses having a minimal impact upon the surrounding environment in areas that are suitable for industrial development by reason of their location and the availability of adequate utility and transportation systems. Industrial uses that can be operated in a clean and quiet manner, subject only to those regulations and performance standards necessary to prohibit congestion and for the protection of adjacent residential and business activities are permitted. It is anticipated that uses established in this district will be developed in an industrial park-like setting.

- (a) Permitted Uses. Within the M-1 Controlled Industrial District, a structure or premises may be erected or used only for the following purposes:
- (1) Commercial radio and television transmitting stations and antenna towers.
 - (2) Compounding, processing and packaging of meat, dairy and food products, exclusive of slaughtering.
 - (3) Laundries, dry cleaning and dyeing plants.
 - (4) Machine shops and tool and die shops.
 - (5) Machinery and heavy equipment rental, sales and storage.
 - (6) Medical Marijuana Cultivators, Processers and Testing Laboratories. Except in C-M.
 - (7) Manufacturing or assembling, or repairing of electrical and electronic products, components and equipment.
 - (8) Moving and storage companies.
 - (9) Offices and service centers.
 - (10) Other manufacturing, processing, assembling or compounding operations possessing characteristics similar to those industrial uses listed in this section, which can be operated in compliance with the performance standards of this section.
 - (11) Printing, publishing, binding and typesetting plants.
 - (12) Public structures not otherwise defined and regulated by this code or parking areas erected, leased or used by any department of a municipal, county, state or federal government.
 - (13) Public utilities as follows:
 - A. Electric substations, equipment structures, transmission lines and towers.
 - B. Telephone substations, distribution centers and transmission equipment structures.
 - C. Gas regulator and meter stations.
 - D. Water filtration plants.
 - E. Water pumping stations.
 - F. Sanitary sewage treatment plants.
 - G. Sanitary sewage pumping stations.
 - (14) Recycling facilities (with all operations and storage within an enclosed building).
 - (15) Research and engineering laboratories.
 - (16) Schools; primary, intermediate and secondary; both public and private.
 - (17) Sign painting and manufacturing.
 - (18) Truck and motor freight terminals.
 - (19) Automobile repair garages.
 - (20) Automotive Sales and Service (heavy).
 - (21) Recreational Vehicle Sales and Service.
 - (22) Manufactured Home, Mobile Home, Modular Home Sales.
 - (23) Agricultural Vehicle or Equipment Sales and Service.
 - (24) Wholesale bakeries and bottling works.
 - (25) Wholesale establishments, warehouses and storage facilities.
 - (26) Kennels.
 - (27) Accessory structures and uses.
 - (28) Dwellings: Multiple-family dwellings (see Section 1125.12 (g)(13))
- (b) Conditional Uses. Refer to Chapter 1134 (Conditional Use Regulations) for the process of obtaining a conditional use permit. The following conditional use may be approved, provided it meets the general standards found in Section 1134.03 (General Standards for Conditional Uses) and any listed specific conditions in Section 1134.08 (Supplemental Requirements for Specified Conditional Uses):
- (1) Airport, landing field, or landing pad for aircraft.
 - (2) Parking Areas: Extension of parking into contiguous zoning district parking areas, subject to Section 1134.08.
 - (3) Parking Areas: Joint use of an off-street parking area, subject to Section 1134.08.
 - (4) Public utility control facilities or structures.
 - (5) Sweepstake terminal cafe.
 - (6) Jail / Correction Facility
 - (7) Mini-warehouses subject to Section 1134.08(m).
- (c) Lot Size and Yard Area Requirements. Minimum lot size and yard area requirements as set forth in Section 1125.14 shall apply to all structures hereafter erected, relocated, reconstructed or

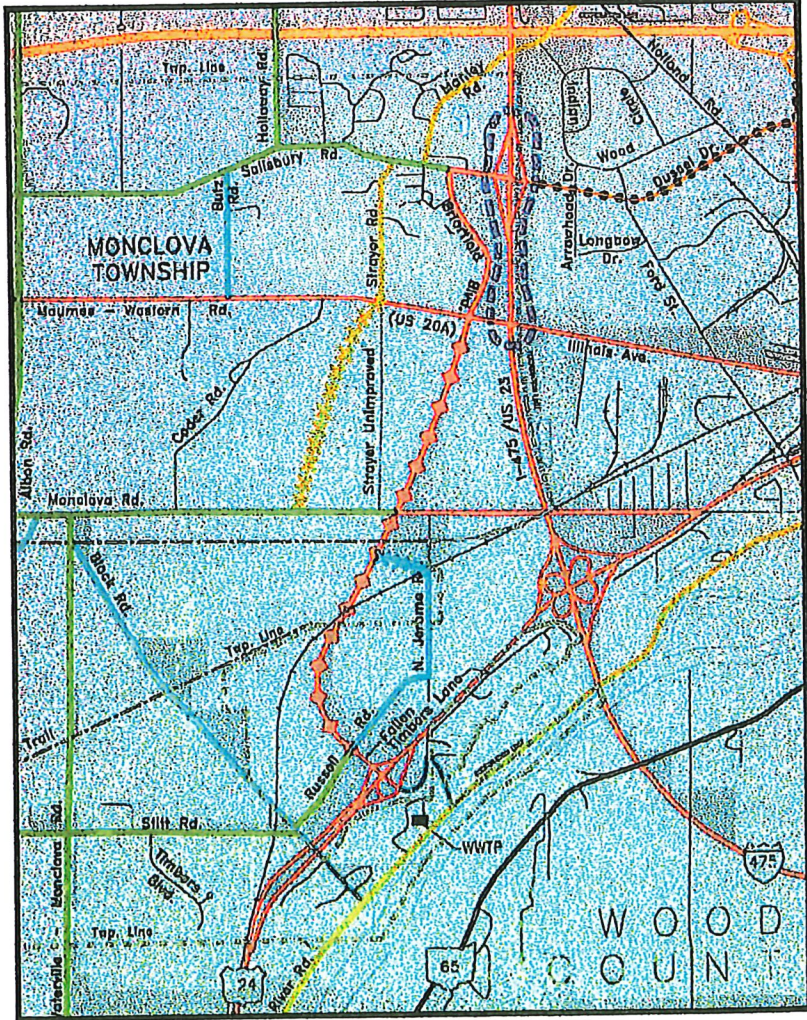
structurally altered within the M -I Controlled Industrial District.

- (d) Minimum and Maximum Floor Area Requirements and Bulk Regulations. Minimum floor area requirements and bulk regulations as set forth in Section 1125.14 shall apply to all structures hereafter erected, relocated, reconstructed or structurally altered within the M-1 Controlled Industrial District.
- (e) Off-Street Parking, Loading and Storage Regulations. Off-street parking, loading and storage regulations as set forth in Chapter 1141 shall apply to all uses established within the M-1 Controlled Industrial District.
- (f) Signs Permitted. Signs shall be permitted in the M -1 Controlled Industrial District in accordance with Chapter 1143.
- (g) Performance Standards. Any use constructed, established, altered or enlarged in the M-1 Controlled Industrial District shall be operated in a manner that complies with the following standards. No existing use shall be altered or modified so as to conflict with the standards established herein.
 - (1) All manufacturing, assembling, processing, packaging and compounding shall be conducted within completely enclosed structures.
 - (2) Except as otherwise specified in this section, no outdoor storage of inventory, processing equipment, raw materials, or partially finished goods shall be permitted unless effectively screened in accordance with Chapter 1145 (Minimum Landscape Requirements).
 - (3) Noise from any operation conducted on the premises, either continuous or intermittent, shall be subject to the provisions of Chapter 543 of the General Offenses Code.
 - (4) No structure shall be used for residential purposes, except that a watchman may reside on the premises.
 - (5) No manufacturing emission or disposal of toxic or noxious matter which is injurious to human health, comfort or enjoyment of life and property , or to animal and plant life shall be permitted, including radioactive materials, flammable or explosive substances and other hazardous chemical products.
 - (6) The emission from all sources within the district of smoke or other air pollutants as defined by the Ohio Environmental Protection Agency shall not violate the respective air quality standards of the Ohio EPA.
 - (7) The emission of odors or odor-causing substances, which can be detected at or beyond the district boundary, is prohibited.
 - (8) Vibrations, which can be detected without the use of instruments at or beyond the property lines, are prohibited.
 - (9) Exterior lighting fixtures shall be shaded wherever necessary to avoid casting direct light upon property located within any residence district.
 - (10) In interpreting the above standards, either the Building and Zoning Inspector or the applicant may request an interpretation from the Planning Commission.
 - A. For the purposes of such interpretation the Planning Commission may consider a written report on the expected performance of the subject use by a qualified consultant appointed by the applicant, as well as a qualified consultant appointed by the Commission. Fees for such consulting services shall be paid by the applicant.
 - B. Failure of the Planning Commission to give an interpretation within forty-five (45) calendar days from of the date the request is first heard shall be considered an interpretation favorable to the applicant.
 - (11) Automotive sales and service (heavy), recreational vehicle sales and service, manufactured, mobile and modular home sales and service and agricultural vehicle or equipment sales and service may include outside storage of vehicles, equipment and structures for sale or rent, provided such vehicles or equipment shall not be stored or displayed in any required yard.
 - (12) Medical Marijuana Cultivators, Processers and Testing Laboratories shall comply with Chapter 3796 of the Ohio Revised Code and Part Seven of the Maumee Codified Ordinance.
 - (13) Multiple-family dwellings. A multiple-family dwelling constructed in an M-1 zoning district must meet the same requirements as a multiple-family dwelling unit constructed in an R-4 zoning district including all requirements for multiple-family dwellings contained in Chapters 1135, 1136, 1141, and 1145. Building and site design, materials and landscaping must be compatible with surrounding structures and area and shall be

approved at the discretion of the Zoning Administrator (or designee). Building must be a minimum of four (4) stories. First floor finished ceiling height must be a minimum of twelve (12) feet and minimum nine (9) foot finished ceiling height in each story above the first. The preference is for compatible office or industrial use of the first floor with residential above the first floor. Dwellings may be on the first floor but first floor construction must allow for easy conversion to accommodate the occupancy of other M-1 permitted uses. Any first floor occupancy other than residential must be compatible with the residential use of the building and shall be approved at the discretion of the Zoning Administrator (or designee). (Ord. 012-2022. Passed 3-7-22.)

City of Maumee Comprehensive Plan Update

June 1998



POGGEMEYER DESIGN GROUP, INC.

EXH. C

Introduction

In late 1997, the City of Maumee retained the services of Poggemeyer Design Group, Inc. (PDG) to update its Comprehensive Plan, which was last updated in 1990. The original Master Plan was completed in 1975. of Toledo-owned land located west of I-475/US 23. Of primary importance to the City is current and future infrastructure, locations and types of land uses, and traffic/transportation impacts related to the proposed industrial, commercial, and residential development of this area. The City's goal with this updating process is to re-examine, as a community, the types of development that would best benefit the area as a whole, including the City of Maumee, Monclova Township, the City of Toledo, and Lucas County.

Since the last Plan Update, the City no longer has planning and platting jurisdiction in the three-mile area outside its municipal boundaries. This extra-territorial jurisdiction was rescinded by a new State Law, effective October, 1997. The Toledo-Lucas County Plan Commissions now has planning and platting jurisdiction for this land and the City has no review authority unless the land is annexed. This is important as the City plans for the future of its western boundary.

This Plan Update presents recommendations made by the Committee and approved by City Council for land uses, transportation and infrastructure improvements, and zoning and preliminary platting changes for the recently annexed area of the City. It is incorporated into and supplements the previously adopted Master Plan and Amendments.

Process

The City of Maumee appointed a Steering Committee to work with PDG to update the Comprehensive Plan. This Committee was composed of representatives of the City of Maumee, the City of Toledo, Toledo-Lucas County Plan Commissions, Lucas County Sanitary Engineer's Office, Lucas County Engineer's Office, Monclova Township, Jerome Road residents, and area commercial realtors. Four meetings were held to discuss various issues related to the future development of the annexed area. Members of the Steering Committee include those individuals listed in the following chart:



0 600 1200 2400 3600
SCALE IN FEET



LEGEND	
[White box]	SINGLE - FAMILY RESIDENTIAL
[White box]	MULTI - FAMILY RESIDENTIAL (INCLUDING CONDOS ?)
[Orange box]	COMMERCIAL / OFFICE
[Red box]	PLANNED INDUSTRIAL / OFFICE WITH MIXED USE RESIDENTIAL
[Light green box]	PLANNED OFFICE / INDUSTRIAL
[Dark green box]	INDUSTRIAL
[Light green box]	PUBLIC FACILITIES
[Dark green box]	PARKS / RECREATION / WOODDED AREAS / GREEN SPACE

EXHIBIT A. PROPOSED LAND USES
CITY OF MAUMEE COMPREHENSIVE
PLAN UPDATE -1989
FOGGEWEYER DESIGN GROUP, INC.
ENGINEERS ARCHITECTS
200 W. MAIN ST. S. JAVIERES
BOWLING GREEN, OHIO

ad

City of
MAUMEE

MEMO TO: Mayor and City Councilmembers
FROM: Patrick H. Burtch, City Administrator
DATE: February 5, 2024
SUBJECT: Authorize entering an agreement with Fenson Contracting of Fort Jennings, Ohio to perform sanitary sewer improvements in the Kingsbury/W. Broadway area.

Recommendation:

Authorize an agreement with Fenson Contracting, LLC for the Kingsbury St Sanitary Sewer Improvements project in an amount not to exceed \$210,000.00.

Attached is a memo from Matthew Miles, Capital Projects Manager discussing history, background and budgetary considerations for the above referenced project. As posited by the Capital Projects Manager, this agreement is necessary to reduce the infiltration of stormwater and lead to the removal of regulator 303 as directed by the Ohio EPA Directors Final Findings and Orders.

City Administration recommends authorizing this agreement. Your consideration and concurrence is appreciated.

PHB

City of Maumee DEPARTMENTAL REPORT

MEMO TO: Patrick Burtch, City Administrator

FROM: Matthew Miles, Capital Projects Manager

DATE: February 5, 2024

RECOMMENDATION: Authorize an agreement with Fenson Contracting, LLC for the Kingsbury St Sanitary Sewer Improvements project in an amount not to exceed \$210,000.00.

SUMMARY

Authorize entering an agreement with Fenson Contracting, LLC for sewer mainline installation on Kingsbury Street.

BUDGETARY CONSIDERATIONS

Funding for this agreement will be from the 2023 capital improvements budget for sanitary sewer.

HISTORY, BACKGROUND and DISCUSSION of the ISSUE

TD Engineering, Inc. was retained by the City to provide design and bidding services relative to sanitary sewer mainline improvements in the area of Kingsbury and W. Broadway. This project is designed to replace approximately 415 feet of 20" (formerly combined) sewer pipe with a new 8" sanitary sewer line, install 2 new manholes, and provide new sanitary taps to the adjacent properties. The installation of the new sanitary main will eliminate the need for regulator 303 and allow for its subsequent removal aiding in the City's effort to maintain compliance with the Ohio EPA's Director's Final Findings and Orders. An initial request for bids was published for this project in September, 2023 and no responsive bids were received. A second request for bids was published per state guidelines in December, 2023 and responses were received one company January 24, 2024. TD Engineering reported during their review having worked directly with the apparent low bidder, Fenson Contracting, LLC of Fort Jennings, Ohio, on two projects in other communities without issue. TD Engineering and this office therefore recommend awarding the contract to Fenson Contracting, LLC.

POSITIONS

Requested action is for Maumee City Council to authorize an agreement with Fenson Contracting, LLC to perform sanitary sewer improvements.



**SW Ohio Office
6146 Lakota Dr
Cincinnati, OH 45243
(513) 607-8397**

**NW Ohio Office
3909 Woodmont Rd
Toledo, OH 43613
(419) 265-2400**

January 24, 2024

Mr. Matt Miles
Capital Projects Manager
City of Maumee
400 Conant Street
Maumee, OH 43537

Re: Maumee Kingsbury St. Sanitary Sewer Improvements (Rebid)
Bid Results
Project No. 2023007

Dear Mr. Miles:

On Tuesday, January 23, 2024, bids were received at the City of Maumee until 10:00 a.m. for the rebid of the Kingsbury Street Sanitary Sewer Improvements project in Maumee. At that time and place one (1) bid was received. The results of the bidding are tabulated on the attached sheet for your review.

The low bidder is Fenson Contracting, LLC from Fort Jennings, Ohio in the amount of \$210,000.00. This bid is below the engineer's estimate of \$214,000.00. We have reviewed the bid by Fenson Contracting, LLC. I have personally worked with Fenson Contracting on a couple of projects: one was a storm sewer that they successfully completed in 2019 in the Village of Van Buren, and another other project is a storm sewer in the Village of Pemberville that they recently began constructing. Fenson listed S&S Directional Boring as the subcontractor to perform the directional boring portion of the work for the new 8-inch sanitary sewer. S&S Directional Boring specializes in directional boring and is very capable. Based on our review, Fenson Contracting has sufficient size and experience to construct this project.

In reviewing the bid package submitted by Fenson Contracting, LLC we noted that they provided the required forms with the bid, however there are some informalities in the submittal that are noted below:

1. Fenson Contracting provided signed forms but dated them 1/24/2024, which is one day after the bid opening date of 1/23/2024. This occurred on the following items:
 - A. Section 00410 – Bid Form
 - B. Section 00430 – Bid Security
 - C. Section 00435 – Certification of Non-Segregated Facilities
 - D. Section 00440 – Non-Collusion Affidavit
 - E. Section 00450 – Corporate Resolution
 - F. Section 00451 – Qualifications Statement
 - G. Section 00460 – Affidavit of Compliance with Section 3517.13 of ORC

January 24, 2024

- H. Section 00470 – Affidavit of Compliance ORC 9.24 - Unresolved Findings for Recovery
- I. Section 00490 – Ohio Equal Employment Opportunity Requirements

- 2. For Section 00470 – Affidavit of Compliance ORC 9.24 - Unresolved Findings for Recovery, Fenson Contracting submitted a signed form for this Section but did not provide a “Certified Search” of the Auditor of State’s website that was requested to be provided. After the bid opening, we went to the Auditor of State’s website and performed a Certified search, and Fenson Contracting was not found to be on the list showing any findings for recovery.

Based on our review, we recommend that the City of Maumee award the contract to the low bidder, Fenson Contracting, LLC, if the informalities can be waived.

If you have any questions or need any additional information, please contact me at your earliest convenience at 419-265-2400.

Yours truly,

TD Engineering, LLC



Steven J. Darmofal, P.E.
Principal Engineer/Member

Attachment

**MAUMEE KINGSBURY ST. SANITARY SEWER IMPROVEMENTS (REBID)
 BID TABULATION**

BID OPENING - JANUARY 23, 2024

ENGINEER: TD ENGINEERING, LLC, TOLEDO, OH ENGINEER'S ESTIMATE: \$214,000		PROJECT NUMBER: 2023007			Engineer's Estimate		FENSON CONTRACTING, LLC FORT JENNINGS, OH	
ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	
1	Remove Ex. 24" Sanitary Sewer	24	FT	\$445.00	\$10,680.00	\$443.00	\$1,032.00	
2	Remove and Replace Ex. 12" C Sanitary Sewer	30	FT	\$300.00	\$9,000.00	\$220.00	\$6,600.00	
3	8" Sanitary Sewer (Installed by Directional Drilling)	415	FT	\$165.00	\$68,475.00	\$220.00	\$91,300.00	
4	6" B Sanitary Sewer Tap	51	FT	\$229.00	\$11,679.00	\$167.00	\$8,517.00	
5	6" C Sanitary Sewer Tap	112	FT	\$193.00	\$21,616.00	\$132.00	\$14,784.00	
6	Type 2 Sanitary Manhole (MH #2)	1	LUMP	\$14,250.00	\$14,250.00	\$10,050.00	\$10,050.00	
7	Type 3 Drop Sanitary Manhole (MH #1)	1	LUMP	\$17,500.00	\$17,500.00	\$13,000.00	\$13,000.00	
8	Attach Vertical Fill Pipe to Ex. 24" Sanitary Sewer to be Abandoned	2	EACH	\$5,500.00	\$11,000.00	\$4,400.00	\$8,800.00	
9	Temporary Sanitary Sewer Bypass	1	LUMP	\$20,000.00	\$20,000.00	\$13,300.00	\$13,300.00	
10	Non-Reinforced Concrete Driveway Replacement	87	SQ. YD	\$120.00	\$10,440.00	\$151.00	\$13,137.00	
11	Restoration	1	LUMP	\$5,000.00	\$5,000.00	\$6,000.00	\$6,000.00	
12	Maintaining Traffic, As Per Plan	1	LUMP	\$3,700.00	\$3,700.00	\$12,500.00	\$12,500.00	
13	Soil Erosion and Sediment Control	1	LUMP	\$5,000.00	\$5,000.00	\$1,900.00	\$1,900.00	
14	Clearing and Grubbing	1	LUMP	\$4,160.00	\$4,160.00	\$8,300.00	\$8,300.00	
15	Video Recording	1	LUMP	\$1,500.00	\$1,500.00	\$780.00	\$780.00	
	TOTAL BID AMOUNT				\$214,000.00		\$210,000.00	

NOTICE OF AWARD

Date of Issuance: FEBRUARY 5, 2023
Owner: CITY OF MAUMEE Owner's Project No.: _____
Engineer: TD ENGINEERING, LLC Engineer's Project No.: 2023007
Project: KINGSBURY ST. SANITARY SEWER IMPROVEMENTS
Contract Name: KINGSBURY ST. SANITARY SEWER IMPROVEMENTS
Bidder: FENSON CONTRACTING, LLC.
Bidder's _____

You are notified that Owner has accepted your Bid dated JANUARY 10, 2024 for the above Contract, and that you are the Successful Bidder and are awarded a Contract for:

MAUMEE KINGSBURY ST. SANITARY SEWER IMPROVEMENTS

The Contract Price of the awarded Contract is \$ 210,000.00 dollars (\$ _____). Contract Price is subject to adjustment based on the provisions of the Contract, including but not limited to those governing changes, Unit Price Work, and Work performed on a cost-plus-fee basis, as applicable.

Three (3) unexecuted counterparts of the Agreement accompany this Notice of Award, and one copy of the Contract Documents accompanies this Notice of Award, or has been transmitted or made available to Bidder electronically.

Drawings will be delivered separately from the other Contract Documents.

You must comply with the following conditions precedent within 15 days of the date of receipt of this Notice of Award:

- 1. Deliver to Owner **three (3)** counterparts of the Agreement, signed by Bidder (as Contractor).
- 2. Deliver with the signed Agreement(s) the Contract security (such as required performance and payment bonds) and insurance documentation, as specified in the Instructions to Bidders and in the General Conditions, Articles 2 and 6.
- 3. Other conditions precedent (if any): [**Describe other conditions that require Successful Bidder's compliance**]

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within 10 days after you comply with the above conditions, Owner will return to you one fully signed counterpart of the Agreement, together with any additional copies of the Contract Documents as indicated in Paragraph 2.02 of the General Conditions.

Owner: CITY OF MAUMEE
By (signature): _____
Name (printed): James MacDonald
Title: Mayor
Copy: Engineer



MEMO TO: Mayor and City Councilmembers

FROM: Patrick H. Burtch, City Administrator

DATE: February 5, 2024

SUBJECT: Authorize the extension of the Conant Street landscape island 364 approximate feet to the South.

Recommendation:

Authorize the extension of the current landscape island approximately 364 lineal feet to the south at the approximate cost of \$184,979 based on existing unit prices in the Helms current contract.

City of Maumee DEPARTMENTAL REPORT

MEMO TO: Mayor Jim MacDonald and City Councilmembers

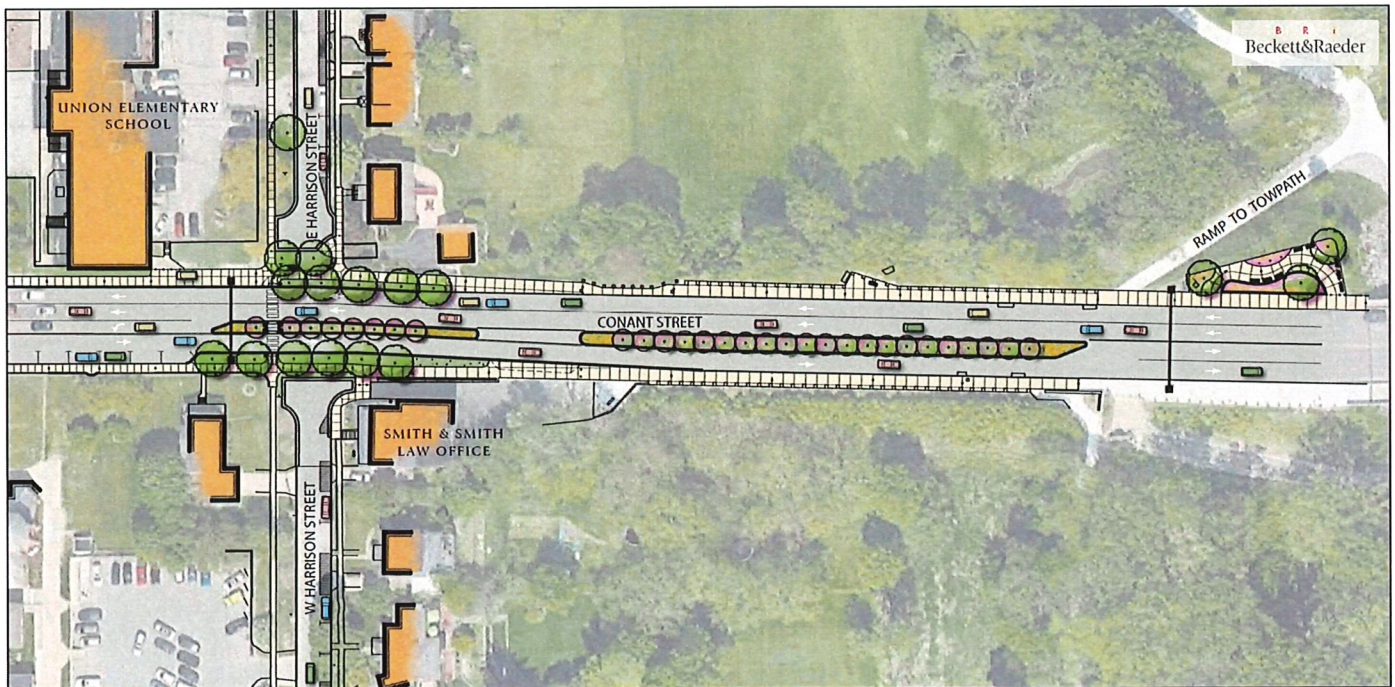
FROM: Patrick H. Burtch, City Administrator

DATE: February 5, 2024

RECOMMENDATION: Authorize the extension of the Conant Street landscape island 364 approximate feet to the South.

SUMMARY

This Maumee Uptown revision is necessitated by the rapid acceleration in vehicle speed past the Conant Street island at Harrison traveling south. Staff's request is for City Council to authorize the extension of the current landscape island approximately 364 lineal feet to the south to accommodate the length by which motorist feel comfortable increasing their speed traveling to Perrysburg.



BUDGETARY CONSIDERATIONS

The construction cost estimate for this extension including curb, landscaping trees, electrical, irrigation, and lighted bollards:

Construction Cost: \$184,979 based on existing unit prices in the Helms current contract

If authorized, Administration will include an increase in the 2024 capital budget which has yet to be forwarded to the City Council.

HISTORY, BACKGROUND and DISCUSSION of the ISSUE

As you are aware, the City of Maumee's uptown project is specifically designed to reduce traffic speeds and to afford a more appropriate balance between vehicles and pedestrian mobility, and safety. Unfortunately, consideration of this project failed to assume the significant speeds by which motorists would accelerate toward the Maumee Perrysburg Bridge once leaving the single South bound lane just past Harrison and Conant. As a result, our concern is not only that these vehicles are increasing their speed so rapidly approaching the curve on the bridge, but that pedestrians are far more at risk because of that acceleration.

Our traffic engineer was consulted regarding the extension of the island and believes that no additional back up of traffic will result since the number of lanes traveling north will remain the same coming from Perrysburg. It will simply reduce the speed at which motorists will be able to travel for a longer period of time, which should be enough to reduce potential hazards to motorists traveling over the bridge to the South.

POSITIONS

Your consideration in this matter is greatly appreciated.

CHAPTER 1336
Historic Maumee Uptown Business District

- 1336.01 Purpose.**
- 1336.02 Definitions.**
- 1336.03 Establishment.**
- 1336.04 Certificate of appropriateness required.**
- 1336.05 Appeal of Denial of Certificate**
- 1336.06 Filing of application with Board.**
- 1336.07 Standards of appropriateness.**
- 1336.08 Procedure of Board on an Appeal.**
- 1336.09 Certificate of appropriateness issued or denied after appeal**
- 1336.10 Demolition of structures.**
- 1336.11 Construction of chapter.**

1336.01 PURPOSE.

The purpose of this chapter is to preserve and maintain the character of the Historic Maumee Uptown Business District so as to reflect the best elements of the ages and eras of the founding and the development of Maumee to preserve property values and to promote the general welfare through benefits resulting from an attractive and well-balanced community by regulating within the Historic Maumee Uptown Business District the construction, reconstruction, and/or alteration of any exterior architectural features of any structure, or the demolition of structures within said district.

1336.02 DEFINITIONS.

For the purpose of this chapter, the following terms, phrases, words, and their derivations shall have the meanings given herein:

(a) "Appropriate" means that any exterior architectural feature when constructed, reconstructed or altered will not be so obviously incongruous with either the architectural appeal or functional plan of the structures already existing, or in the course of completion, in the Maumee Historic Business District as to cause a substantial depreciation in property values within the immediate neighborhood.

(b) "Board" means the Administrative Board of the City under Chapter 1303.

(c) "City" means the City of Maumee, County of Lucas, State of Ohio.

(d) "Exterior architectural feature" means the architectural style, general design, arrangement, texture and material of such portion of the exterior of a structure which is exposed to public view from a public street, way or place.

(e) "Structure" means a combination of materials to form a construction that is stable, including but not limited to construction adapted or adaptable to occupancy for public, institutional, residence, business or storage purposes and all constructions ancillary or adjacent thereto. "Structure" shall be construed as if followed by the words "or part thereof".

1336.03 ESTABLISHMENT.

There is hereby formally establishes the Historic Uptown Maumee Business District, also referred to and also known as the Downtown Maumee Historic District which shall consist of the area bounded on the north by the centerline of the Anthony Wayne Trail, on the east by the centerline of Allen Street as extended in a southerly direction to the corporate limits, on the west by the centerline of Gibbs Street as extended in a southerly direction to the corporate limits.

1336.04 CERTIFICATE OF APPROPRIATENESS REQUIRED.

No certificate or permit, including but not limited to a building permit, shall be issued for any work for which a certificate or permit is required by any provision of any ordinance or the Charter of the City, involving the construction, reconstruction or alteration of any exterior architectural feature of any structure within the Maumee Uptown Historic District that is more than seventy-five years old, unless a certificate of appropriateness has been issued by the Urban Planning Manager, City Administrator, or Board of Building Standards for such work, except as otherwise provided by Sections 1336.09 to 1336.11. Upon the issuance of any certificate or permit for any work to any applicant, such issuance shall be conclusive of the fact that either a certificate of appropriateness has been properly issued or is not required for the work covered by such certificate or permit and performed under such certificate or permit.

1336.05 CONSIDERATION OF APPLICATION.

Any application filed with any official of the City for a certificate or permit, involving but not limited to a building permit, for any work involving the construction, reconstruction, or alteration of exterior architectural features of any structure within the Uptown Historic Maumee Business for which a certificate of appropriateness is required by Section 1336.04 shall be considered by the Urban Planning Manager and City Administrator for approval, except where the application is accompanied by a certificate of appropriateness issued not more than one year prior to the date of the filing of the application or a determination by the Urban Planning Manager and City Administrator that a certificate is not required, which certificate of appropriateness or determination covers the work for which the certificate or permit is sought. Nothing contained herein shall be construed to require any application for a certificate or permit, including but not limited to a building permit, for any work not involving the construction, reconstruction or alteration of any exterior architectural feature of any structure, or for any work for which a certificate of appropriateness is not required by Section 1336.11.

The Urban Planning Manager and City Administrator shall determine within forty-five days from the date such application is filed whether a certificate of appropriateness shall be issued. The applicant for a certificate or permit shall be entitled to a receipt to be issued by the person receiving the application on behalf of the City, showing the time when such application was received, the official of the City on whose behalf the application was received and the name of the agent acting for the City.

1336.06 APPEAL OF DENIAL OF CERTIFICATE

An appeal of a denial of an application for a certificate of appropriateness may be filed with the Board. Such appeal be filed with the secretary of the Board within thirty days of a denial of a certificate of appropriateness. The Board shall determine within ninety days from the date such appeal is filed whether a certificate of appropriateness shall be issued.

1336.07 STANDARDS OF APPROPRIATENESS.

No certificate of appropriateness shall be issued for any construction, reconstruction or alteration involving any exterior architectural feature of any structure unless the Urban Planning Manager and City Administrator or in case of an appeal of an adverse decision, the Board, after an appeal is granted by a majority vote of the members present at a meeting at which a quorum is present, finds that any exterior architectural feature involved in the proposed construction, reconstruction or alteration will be appropriate, that is, any exterior architectural feature involved, when constructed, reconstructed or altered, will not be so obviously incongruous with either the architectural appeal or functional plan of the structures already existing, or in the course of

completion, in the immediate neighborhood within the Uptown Maumee Historic Business District, as to cause a substantial depreciation in property values within the immediate neighborhood.

1336.08 PROCEDURE OF BOARD ON AN APPEAL.

In making its decision on an appeal of an adverse decision of the Urban Planning Manager and City Administrator as to whether the proposed construction, reconstruction or alteration of any exterior architectural feature meets the standard of appropriateness set forth in Section 1336.07, the Board shall consider in addition to any other pertinent factors, the historical and architectural value and significance, architectural style, general design, arrangement, texture and material of the exterior architectural feature involved in relation to the exterior architectural features of other structures in the immediate neighborhood. The Board shall examine the application, all data and evidence presented by the applicant of any type whatsoever, and shall examine any evidence presented by the owners of real estate in the immediate neighborhood of the proposed construction, reconstruction or alteration; provided, however, that notice of the application need not be given to such owners. At least three members of the Board who are included in the quorum of the meeting of the Board at which an application is voted upon shall have viewed the site of the proposed construction, reconstruction or alteration of an architectural feature and this fact shall be certified in the proceedings of the Board. The Mayor may appoint an advisory committee to the Board and the Board may call upon such advisory committee or members thereof for testimony and/or opinions regarding the matter under consideration. The Board may request from the applicant such additional relevant information, plans, drawings, sketches, specifications, exterior elevations and data as it may require to make its determination. The Board may recommend to the applicant changes in the plans that the Board considers desirable to make the exterior architectural feature involved appropriate and may accept his voluntary amendment of the application to include and reflect such changes. No certificate of appropriateness shall be denied unless the applicant is granted a hearing, written notice of which shall be served upon the applicant either personally or by certified mail not less than five days in advance of the date set for the hearing. No certificate shall be denied solely by reason of the applicant's choice of color for the proposed exterior architectural feature or any part thereof. In the event the Board determines that a certificate should not be issued, the Board shall set forth on its records the precise and specific reasons for such determination and may include recommendations respecting the proposed construction, reconstruction or alteration of any exterior architectural feature to make the same appropriate.

1336.09 CERTIFICATE OF APPROPRIATENESS ISSUED OR DENIED AFTER APPEAL

In the event the Board determines, after an appeal that a certificate of appropriateness should be issued, within seven days of such determination, the secretary shall furnish a copy of the certificate of appropriateness to the applicant and if the application was not filed directly with the Board, to the official of the City originally receiving the application, and return the application to such City official for further proceedings.

In the event the Board determines that a certificate of appropriateness should not be issued after an appeal, within seven days of such determination, the secretary shall give written notice of such determination of the Board, to the applicant and to the official of the City originally receiving the application pursuant to Section 1336.06, the application shall be returned promptly to the official of the City originally receiving the application.

1336.10 DEMOLITION OF STRUCTURES.

Nothing in this chapter shall prohibit the demolition of any structure in this district upon approval of a demolition permit, but no certificate or permit for demolition of any structure within this district shall be granted without thirty days' advance written notice to the City of Maumee, which may determine whether demolition is appropriate for the structure based upon historical significance and other related factors including the structural integrity of the structure.

1336.11 CONSTRUCTION OF CHAPTER.

Nothing in this chapter shall be construed to prevent or delay, and no certificate of appropriateness is required for, any ordinary repair or maintenance work, including but not limited to painting, patching or structural repair which involves no change in material, color of the paint, design, arrangement, or texture of an exterior architectural feature. Nothing in this chapter shall be construed to prevent or delay and no certificate of appropriateness is required for, any construction, reconstruction or alteration of any feature which any duly authorized governmental authority including but not limited to the Chief Building Official, or City Administrator, may require for the public safety to correct an unsafe or dangerous condition

RESOLUTION NO. 002-2024

A RESOLUTION SUPPORTING AND PROMOTING EQUAL PAY

WHEREAS, the Council of the City of Maumee wishes to demonstrate its support for the continued efforts to eliminate pay discrimination on the basis of race, color, religion, sex, age, national origin, ancestry, or gender;

WHEREAS, 61 years after the passage of the 1963 Equal Pay Act (“EPA”), in 2008 women in the United States earned on average only 78 cents for every dollar earned by men;

WHEREAS, It is estimated that it will take 43 years, until 2058, for men and women to reach parity in pay if the pace of change in the annual earnings ratio continues at the same rate as it has since 1960;

WHEREAS, In Ohio, it is estimated that women who are employed as full-time and year-round workers earn 77% of the wages that men in the state earn; and that almost 18% of women in Ohio fall below the poverty line, including 36% of family households that are headed by women;

WHEREAS, the wage gap begins when women and others first enter the workforce, before factors such as professional experience, family or parenthood could have an impact;

WHEREAS, race, ethnicity and family status also affect women's earnings and these factors exacerbate the fact that women are more likely than men to work in lower paying jobs that offer fewer benefits;

WHEREAS, Mothers are the primary or sole source of income in nearly 40% of families, and married mothers are the primary or sole source of income for nearly two-thirds of families;

WHEREAS, one of the fastest growing Demographics is households with children that are headed by females;

WHEREAS, the wage gap between women and men increases as women get older and as women gain more education;

WHEREAS, the wage gap between women and men exists across a wide spectrum of occupations, at every educational level, and in every state and the District of Columbia;

WHEREAS, the Equal Pay Act predates Title VII and other major civil rights laws that further informed Congress’s understanding about how to construct effective anti-discrimination statutes;

WHEREAS, 15 years ago, in 2009 the US Congress passed the Lilly Ledbetter Fair Pay Act to overturn the U.S. Supreme Court’s decision in Ledbetter v. Goodyear Tire & Rubber Co.;

WHEREAS, City Council supports the recognition of Equal Pay Day on March 12, 2024, which is a symbolic day used to raise awareness around and combat the impact of pay inequalities.

Equal Pay Day is recognized on a Tuesday to illustrate how far beyond the previous work week women must work to have earned the same amount of pay as men during that time;

WHEREAS, this Resolution seeks to build public awareness of pay discrimination, continue building on the momentum of the Lilly Ledbetter Fair Pay Act and seeks to further the same fundamental goals that the City of Maumee has supported for years in a mission to eradicate discrimination and pay discrimination in the workplace.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MAUMEE THAT:

Section One. The City of Maumee continue to promote practices, procedures, and protections to ensure its' employees do not suffer pay discrimination, including discrimination on the basis of race, color, religion, sex, age, national origin, ancestry, or gender, and publicly communicates its' goals in the hope that it sets an example that would help overcome the barriers to the elimination of such pay discrimination;

Section Two. The City of Maumee supports all efforts to eradicate pay discrimination and supports laws which provide that no employer, including the state and political subdivisions thereof, shall discriminate in the payment of wages on the basis of race, color, religion, sex, age, national origin, or ancestry by paying wages to any employee at a rate less than the rate at which the employer pays wages to another employee for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar conditions, except when the payment is made pursuant to any of the following: (1) A seniority system; (2) A merit system; (3) A system which measures earnings by the quantity or quality of production;(4) A wage rate differential determined by any factor other than race, color, religion, sex, age, national origin, or ancestry including but not limited to payments based upon differences in qualifications and experiences.

Section Three. That the City of Maumee supports all efforts of the Ohio Legislature to have employers establish equitable compensation relationships and balanced classes of employees to eliminate wage disparities in employment on the basis of race, color, religion, sex, age, national origin, ancestry, and gender.

Section Four. That the City of Maumee also: supports promotion and pay transparency; encourages salary negotiations; continues to re-evaluate hiring, promotion and benefit packages; reviews and encourages parental leave; promotes and implements diversity, unconscious bias, and racial and gender equity training as well as personal awareness and encourages all employers to support and implement all of these listed practices.

Section Five. That the Clerk of this Council shall post a copy of this Resolution on the City's website

Section Six. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal

action, were in meetings open to the public, in compliance with all legal requirements, including the Maumee Charter and Ohio law.

This Resolution shall take effect at the earliest time allowed by law and as provided by the Maumee Charter.

Vote on Passage

Moved:

Second:

YEAS: NAYS:

Date of Passage: February 5, 2024

Mayor James MacDonald

ATTEST:

Municipal Clerk.

APPROVED AS TO FORM:

Law Director

RESOLUTION NO. 003 -2024

A RESOLUTION ADOPTING A STATEMENT, PURSUANT TO REVISED CODE OF OHIO 709.023, INDICATING WHAT SERVICES WILL BE PROVIDED TO THE AREA PROPOSED TO BE ANNEXED TO THE CITY OF MAUMEE BY PETITION FOR ANNEXATION FILED WITH THE BOARD OF LUCAS COUNTY COMMISSIONERS BY ISAAC LAND INVESTMENTS, TOTALING 29.94 ACRES OF LAND, AND DECLARING AN EMERGENCY.

WHEREAS, on January 26,2024, the City of Maumee received notice from Reed Hauptman that he was the authorized agent for the petitioner of the territory sought to be annexed by Isaac Land Investments, LTD, to the City of Maumee, Ohio, pursuant to a petition filed January 24,2024, with the Board of Commissioners of Lucas County, Ohio; and

WHEREAS, pursuant to the Revised Code of Ohio, Section 709.023, this Council is required to adopt a statement indicating what services, if any, City of Maumee will provide to the Territory proposed for annexation upon annexation; and

Whereas the legal description for this property is attached to the annexation petition which was filed on January 24, 2024 and said legal description is attached hereto as Exhibit A and incorporated herein by reference.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Maumee, Lucas County, Ohio, all members elected thereto concurring and as follows:

Section One. That the City of Maumee will provide the availability of water, sewer, police, fire and rescue protection to the territory, to the extent they are available, in the event the property is annexed. Water and sewer services are currently available to this property through other entities and Maumee will cooperate in authorizing and/or allowing this property to make necessary connections to said water and sewer systems. If utility extensions are required to provide services, assessments, installation costs and user fees shall be charged to property owners on a nondiscriminatory basis, according to City of Maumee legislation and policy, upon the request of the property owner. The City of Maumee will also provide zoning, planning and other related municipal services to the territory, if annexed.

That the currently available services will be provided within thirty days after the date of the granting of the annexation petition or when they become available for said property after the granting of the petition.

If a street or highway will be divided or segmented by a boundary line between the township and the municipal corporation as to create a road maintenance problem, the municipal corporation to which annexation is proposed has agreed as a condition of the annexation to assume the maintenance of that portion of the street or highway or to otherwise correct the problem. As used in this section, "street" or "highway" has the same meaning as in Section 4511.01 of the Revised Code.

If the municipal zoning permits uses in the annexed territory that Maumee determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within the township from which the territory was annexed, the legislative authority of Maumee will require, in the zoning ordinance permitting the incompatible uses, the

RESOLUTION NO. 004-2024

A RESOLUTION CONSENTING TO THE ANNEXATION OF THE AREA PROPOSED TO BE ANNEXED TO THE CITY OF MAUMEE SET FORTH IN THE PETITION FOR ANNEXATION FILED WITH THE BOARD OF LUCAS COUNTY COMMISSIONERS BY ISAAC LAND INVESTMENTS, LTD CONTAINING 29.94 ACRES OF LAND, AND DECLARING AN EMERGENCY.

WHEREAS, on January 26,2024, the City of Maumee received notice from Reed Hauptman that he was the authorized agent for the petitioner of the territory sought to be annexed by Isaac Land Investments, LTD, to the City of Maumee, Ohio, pursuant to a petition filed January 24,2024 with the Board of Commissioners of Lucas County, Ohio; and

WHEREAS, pursuant to the Revised Code of Ohio, Section 709.023, this Council may consent to a proposed annexation of land to the City of Maumee.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Maumee, Lucas County, Ohio, all members elected thereto concurring and as follows:

Section One. That the City of Maumee hereby consents to the annexation of the property set forth in the annexation petition filed on January 24,2024 with the Lucas County Commissioners by Isaac Land Investments, LTD containing 29.94 acres of land as set forth on Exhibit A.

Section Two. That the Clerk of this Council shall file with the Board of County Commissioners of Lucas County, Ohio, a certified copy of this Resolution and shall also provide petitioner with a certified copy of this Resolution.

Section Three. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including the Maumee Charter and Ohio law.

Section Four. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health, safety, property, and welfare, and for the further reason that this resolution should be effective immediately so that it will be in effect and served upon the Board of Commissioners of LUCAS County, Ohio.

Motion to Suspend the Rules and adopt as an Emergency

Moved:		Second:
YEAS:	NAYS:	
Vote on Passage		
Moved:		Second:
YEAS:	NAYS:	
Date of Passage:	February 5, 2024	

Mayor James MacDonald

ATTEST:

Municipal Clerk.

APPROVED AS TO FORM:

Law Director

ORDINANCE NO. 005 - 2024

APPROVING AND ADOPTING AMENDMENTS TO THE COMMUNITY REINVESTMENT AREA (CRA) HANDBOOK AMENDING ORDINANCE 043-2018, FOR THE CITY OF MAUMEE, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Maumee enacted legislation designating areas within the City as a "Community Reinvestment Area" pursuant to Chapter 3735 of the Ohio Revised Code; and

WHEREAS, at the time of enacting such legislation an administrative process was adopted, namely, the Community Reinvestment Area Handbook; and

WHEREAS, due to the passage of time and modifications to Chapter 3735 of the Ohio Revised Code by the Ohio Legislators it is necessary to make certain amendments to the Handbook and that the last time the Handbook was amended was in 2018 by Ordinance 043-2018.

THEREFORE, BE IT ORDAINED by the Council of the City of Maumee, Ohio, that:

SECTION 1. The Community Reinvestment Area (CRA) Handbook of the City of Maumee, Ohio, as set forth in Exhibit A to this Ordinance, and Ordinance 043-2018, be, and the same hereby are, amended, approved and the CRA Handbook as amended is adopted as the official CRA handbook of the City of Maumee, Ohio.

SECTION 2. The Finance Director and City Administrator are hereby authorized to make additional changes to the CRA Handbook, in consultation with the Law Director, which said changes, when made, will be the guidelines to be followed for Community Reinvestment Areas in Maumee.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including the Charter of Maumee and Ohio law.

SECTION 4. This Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately from and after its passage. The reason for the emergency lies in the fact that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety in that the referenced amendments CRA Handbook is needed for the orderly and effective management of any existing and future CRA agreements and for attracting developments in the City of Maumee.

Motion to declare an emergency:

Seconded:

Yeas Nays

Motion to Pass:

Seconded:

Yeas Nays

Passed as an emergency measure: February 5, 2024.

Mayor James MacDonald.

ATTEST:

Municipal Clerk.

Approved as to form by: _____
Law Director

City of Maumee

COMMUNITY REINVESTMENT GUIDELINES

INTRODUCTION

In an effort to encourage investment in the City's tax base, the City of Maumee has designated a Community Reinvestment Area (CRA) pursuant to Ohio law. A Community Reinvestment Area is an area of land in which property owners can receive tax incentives for investing in real property improvements. This program is a direct incentive tax exemption program benefiting property owners who renovate existing or construct new buildings. In the City of Maumee, tax incentives can be offered if program guidelines are met, and a substantial investment is made. Jobs must be either created or retained. Each agreement with a business within the CRA relating to jobs, investment, and tax incentives must be submitted to Maumee City Council for its approval. Maumee will apply the CRA provisions set forth in the Ohio Revised Code in entering into agreements with eligible property owners.

PURPOSE

The purpose of the Community Reinvestment Area is to encourage as much investment and job creation as possible within the boundaries of the CRA. Retaining jobs is also a priority. Ohio's CRA Program was created to promote the revitalization of areas where investment has been discouraged by offering tax exemptions for any increased property valuation that would result from renovation of existing structures or new construction activities within the area. Each agreement negotiated with a local business shall be designed to encourage capital investment while creating or retaining jobs. In return, the City of Maumee will agree to provide the real property tax incentives necessary, under the circumstances of each transaction, to allow the project to go forward.

ELIGIBLE BUSINESSES

The owner of real property located in the CRA and eligible for exemption from taxation under a resolution adopted pursuant to Section 3735.66 of the Revised Code may file an application for an exemption from real property taxation for new construction or remodeling in conformance with Ohio law.

INCENTIVES OFFERED

The incentives that can be offered locally are only in terms of new real property taxes related to a specific project. The City of Maumee permits up to 100% abatement for a period of up to fifteen (15) years. All CRA Agreements must ensure that at least 25% of the amount of taxes estimated that would have been charged on the improvements if the exemption had not taken place are made up by other taxes or payments available to the school district. Upon notice of a project which does not meet this standard, the affected Board of Education may approve the

project even though the new revenues do not equal at least 25% from a prospective business by the municipality, county, or State of Ohio.

INCOME TAX SHARING

In a municipality which has a local income tax, any project which will generate a new annual payroll of two million dollars (\$2,000,000) or more for commercial or industrial CRA Projects, or One Million Dollars (\$1,000,000) for non-CRA property tax abatements such as a TIF or Enterprise zone, the municipality and the Board of Education must negotiate a revenue sharing agreement outlining the manner and procedure of the agreed upon compensation. The Director of Development will adjust the payroll threshold in September of each year, for CRA agreements entered into after April 4, 2023, based upon the gross domestic product (GDP) deflator. If the municipal corporation and the Board of Education cannot reach an agreement within six months of the formal legislative approval of the Community Reinvestment Area Agreement, then the Board of Education shall be compensated with 50% of the local income tax generated by the new employees. Sample procedures to arrive at this compensation agreement are defined outlined in Exhibit A, which is attached.

SCHOOL BOARD NOTIFICATION

The Ohio Community Reinvestment Area Program requires that the affected Board of Education, including any vocational/technical school district, is notified a minimum of 14 calendar days prior to formal review of the agreement by the local legislative authority. If a CRA Agreement does not meet 25% of the new revenue requirement, then the local legislative authority must request the Board of Education's approval a minimum of 45 days prior to the scheduled local legislative review. The Board of Education has the express ability to waive the notice provision or to approve the project which would end the notice period prospectively. Please note that the affected School Board must waive the notice period by formal Board action.

RELOCATION NOTICE

Any project which includes the relocation of any or all of the operations of another facility located within the State of Ohio must provide the local legislative authority of the county or municipality from which the relocation will occur, notice of a minimum of 30 days prior to the formal review or approval of the CRA Agreement. The formal notice must include a copy of the draft CRA Agreement to be considered.

If a company that has a CRA agreement discontinues operations and relocates to a new location within the state, no new CRA agreement can be entered into for three years.

As set forth in ORC Section 3735.673, If a person operating in a political subdivision intends to relocate or relocates part or all of its operations to another political subdivision and has entered into or intends to enter into an agreement under section 3735.671 of the Revised Code with that political subdivision, the legislative authority of the political subdivision to which that person intends to relocate or relocates

shall serve the legislative authority of the subdivision from which that person intends to relocate or relocates with notice of the person's intention to relocate, accompanied by a copy of the agreement to be entered into or entered into pursuant to section 3735.671 of the Revised Code and a statement of the person's reasons for relocation. The legislative authority also shall serve such notice on the director of development. In both cases, service shall be by personal service or certified mail, return receipt requested, not later than thirty days prior to the day of the first public meeting at which the agreement is deliberated by the legislative authority of the political subdivision to which the person intends to relocate or relocates. With the approval of the director of development, service shall be not later than fifteen days prior to the day of the first public meeting of the legislative authority at which the agreement is deliberated. The legislative authority required to serve notice shall seek such approval by applying to the director at the earliest possible time prior to that meeting. The director may approve the later service if the director determines that earlier notice is not possible or would be likely to jeopardize realization of the project. If approval for a later notice is applied for, the legislative authority need not serve notice to the director as otherwise required by this section. If the legislative authority required to serve such notice fails to do so as prescribed by this section, the legislative authority shall not enter into an agreement under that section with that person. This section applies only to relocations of operations that result or would result in the reduction of employment or the cessation of operations at a place of business in this state.

GUIDELINES

I. Degree of Investment Required

Only commercial and industrial projects that intend to make a substantial investment in real property shall be eligible to receive the benefits available under the Program. The amount of investment needed to qualify as a substantial investment shall depend on the facts and circumstances of each applying business. As a general guideline, a real property investment of at least \$1 million is recommended. The term of those exemptions shall be negotiated on a case-by-case basis in advance of construction or remodeling occurring according to the rules outlined in the ORC Section 3765.67.

II. Impact on Jobs

Any business applying for the available incentives, in addition to the other requirements herein, must agree by contract that its project will result in the creation of at least fifteen (15) new full-time jobs or an equivalent of part-time jobs, or will preserve employment opportunities for at least fifteen (15) full-time existing employees.

III. Other Requirements

In addition to the guidelines set forth herein, any business applying for tax incentives must comply with all other applicable local, county, and state regulations pertaining to the Community Reinvestment Area Program. Applicants must submit all information required by the City of Maumee or the State of Ohio. The above guidelines are subject to the provisions of the Community Reinvestment statutes, Section 3735 et seq., of the

Ohio Revised Code and regulations promulgated thereunder and as may be amended by the State of Ohio in the future.

In tax sharing zones, the CRA will be the preferred incentive when the granting of such incentive is possible.

Application must be made prior to construction or remodeling. Project may begin after legislative action by the City.

IV. Duplication of Public Benefits

Companies receiving incentives under the Community Reinvestment Area are not eligible for grants under the City's Job Creation and Retention Grant Program. Also, companies locating on property in the City's tax sharing zones may not be eligible to receive incentives under the Community Reinvestment Area unless acceptable alternatives to the tax sharing agreements are agreed upon by all parties.

V. Duration

The base level maximum duration for eligible projects shall be 10 years. At Maumee City Council's discretion, projects may be granted CRA benefits for up to a 15 year period.

The period may be up to thirty years, if the commercial or industrial structure is situated on the site of a megaproject and is owned and occupied by a megaproject operator as defined in division (A)(12) of section 122.17 of the Revised Code, or is not situated on the site of a megaproject but is owned and occupied by a megaproject supplier that meets the requirements described in division (A)(13)(b) of section 122.17 of the Revised Code.

PRINCIPAL ONLY

Only those individuals who are principally involved as an owner or manager of a business interested in the Community Reinvestment Area tax incentives may negotiate with the City of Maumee regarding the specific incentives available under the terms of any investment agreement.

HOUSING COUNCIL

A Community Reinvestment Area Housing Council shall be created in accordance with Ohio Revised Code 3735.69.

TAX INCENTIVE REVIEW COUNCIL

Pursuant to state law, a Tax Incentive Review Council (TIRC) must be created to annually monitor compliance with the terms of any CRA agreements. The TIRC shall be created and operate in accordance with Ohio Revised Code 5709.85.

The TIRC shall review all agreements annually to determine whether the businesses have complied with the terms of their agreements and shall make written recommendations regarding the continuation of each agreement to the City Council as to continuing, modifying, or terminating said agreement based upon the performance of the agreement.

ANNUAL REPORTING REQUIREMENTS

Each designated Ohio Community Reinvestment Area must be reported annually (by March 31) to the Ohio Development Services Agency (ODSA) regarding the status of all CRA activities and must provide information outlined in Ohio Revised Code (ORC) Section 3735.672. ODSA will distribute to each designated Housing Officer a copy of the report format approximately ten (10) weeks prior to the submittal date. The Housing Officer must coordinate the collection and compilation of the information and certify that it is the most current and accurate information available. A copy of this report must be forwarded to the local affected Board of Education.

NEGOTIATE AGREEMENTS

The City may designate a team of individuals responsible for the actual negotiation of agreements and any applicable tax or revenue sharing provisions. Once the City Council approves a Community Reinvestment Area Agreement for a particular project, it shall be forwarded to the Ohio Departments of Development, Taxation, and County Auditor as required by Ohio law

CONTINUING OBLIGATION

During the term of any approved Agreement, the business involved must continue to cooperate with City officials by providing any information requested to ensure compliance with the terms of the Community Reinvestment Area Agreements.

SUNSET

Maumee City Council reserves the right to re-evaluate the designation of the Maumee Community Reinvestment Area at which time Council may direct the Housing Officer not to accept any new applications for exemptions as described in Section 3735.67 of the ORC. Any agreements negotiated prior to that time, and providing tax incentives for a period extending beyond the deadline shall remain in full force and effect until the end of the term or termination of the agreements.

Companies requesting tax incentives must submit, with their application, a check for \$750 made payable to the Ohio Development Services Agency. This fee is non-refundable. .

Each project is subject to an annual monitoring fee as established by the City of Maumee. This fee may be waived by the City of Maumee on specific projects.

GENERAL APPLICATION PROCESS

An application for Community Reinvestment Area benefits will be processed through the following steps:

1. The business must file an application with the Housing Officer on a State form provided by the city. Issue a one-time application fee in an amount set by Development to apply toward its cost to administer the CRA program payable to the Ohio Development Services Agency, must be submitted with the Application for the Ohio Development Services Agency Community Reinvestment Area Program.
2. After the Housing Officer determines that the project is eligible, the negotiation team will meet and recommend an abatement level and tax or revenue sharing agreement, if required.
3. Based on the recommendation of the negotiation team, a proposed "Community Reinvestment Area Agreement" will be prepared and submitted to City Council for approval.
 - a. Required notice shall be provided to the Board(s) of Education prior to Council action. This notice should include a copy of the Application and the draft CRA Agreement.
 - i. 14-business day notice is required if less than 75% abatement
 - ii. 45-business day notice if more than 75% abatement (unless waived by Board of Education)
 - b. Relocation notice will also be provided prior to Council action, if necessary. A copy of the draft CRA Agreement to be considered should accompany the notice.
4. Upon approval of the proposed Agreement by both the City, an executed Agreement will be sent to the Ohio Departments of Development, Taxation, and County Auditor as required by Ohio law.
5. The Housing Officer shall make an annual inspection of the properties within the Community Reinvestment Area for which an exemption has been granted under Section 3735.67 of the Revised Code

6. The project will be reviewed annually by the Tax Incentive Review Council (TIRC) for conformance with the Agreement. The Housing Officer will provide staff assistance for the TIRC in obtaining and reviewing necessary facts as to conformance with the Agreement. An annual processing fee may be required. Failure to comply with the Agreement may result in loss of the incentives.

EXHIBIT A

A SAMPLE AGREEMENT ON POLICIES AND PROCEDURES BETWEEN THE CITY OF MAUMEE AND THE BOARD OF EDUCATION CONCERNING REVENUE SHARING ASSOCIATED WITH TAX INCENTIVE PROJECTS.

1) NEGOTIATION TEAM & REVENUE SHARING ARRANGEMENT

To facilitate an orderly and effective determination of tax incentives to be offered to a business proposing to locate or expand in the City of Maumee, a negotiation team may be created.

2) COMPOSITION OF THE NEGOTIATION TEAM

The negotiation team may consist of three (3) members as described below:

- A. SCHOOL BOARD: By formal action, each Board of Education shall designate one (1) representative, and a designated alternate.
- B. JOINT VOCATIONAL SCHOOL: By formal action, the Joint Vocational School shall designate one (1) representative, and a designated alternate.
- C. CITY OF MAUMEE: The Housing Officer shall be appointed by Council to serve and coordinate meetings of the negotiation team.

In addition to the members indicated above, non-voting individuals, including legal counsel or consultants, may be present at meetings to assist with technical issues and implementation of the decisions of the negotiation team.

3) MEETINGS OF THE NEGOTIATION TEAM

People appointed to serve as members of the negotiation team must be able to meet on short notice. All meetings shall be private and where possible, members should meet before formal meetings with a company. Initial meetings of the negotiation team may be called by the Housing Officer following receipt of the required application from a company. Subsequent meetings will also be called by the Housing Officer.

4) PROCEDURES FOR NOTIFICATION AND REVIEW

When an application for Community Reinvestment Area tax abatement has been received, the Housing Officer may establish a meeting time(s) to begin negotiations. The Officer will provide team members with copies of the Community Reinvestment Area application, tax analysis, and any other information deemed relevant at the earliest opportunity.

5) ROLE OF TEAM MEMBERS

The role of the negotiation team is to recommend a level of tax incentives deemed necessary to carry out the economic development objectives of the City of Maumee with due regard for all

fiscal consequences. Team members should consider not just the percentage and term of an agreement, but other negotiable items, as well as local hiring commitments, training or mentoring programs, donations of equipment to schools, and other relevant items. All agreements must be approved by the Council and State of Ohio before becoming effective.

For all projects in which the resulting new payroll is projected to exceed one million dollars, the negotiation team shall propose a revenue sharing agreement consistent with the requirements of ORC 5709.82. The owner of the property may be included as a party to such an agreement.

6) REVENUE SHARING PROCESS

According to the Ohio Revised Code (Section 5709.82), when a Community Reinvestment Area Agreement involves a project that will generate more than two million dollars, as adjusted under division (E) of ORC 5709.82 there must be a negotiated sharing of revenue between the municipality and the involved school district. If an agreement cannot be reached, provisions of State law require that new income tax revenue must be shared on a 50/50 basis. Implementing such a 50/50 sharing of income tax revenue, however, is complicated and may be very time consuming given various provisions of State law. Preferably, a revenue sharing agreement can be recommended by the negotiation team and prepared as a separate instrument to be executed by City Council and the Board of Education. Such a revenue sharing agreement, therefore, would supersede the 50/50 income tax sharing requirements and result in a less complicated and more clearly defined level of compensation to the school district.

If the team is unable to reach a recommendation on a revenue sharing agreement before the need to act on a recommended level of tax abatement to offer to an industry, the team may postpone action on a recommended revenue sharing agreement. However, unless a revenue sharing agreement is reached within six months of the executed Community Reinvestment Area Agreement, the 50/50 income tax sharing arrangement, as called for in the Ohio Revised Code, shall be in effect.

The team will comply with ORC Section 5709.82 titled- Compensating school district for revenues lost due to tax exemptions.

7) REVENUE SHARING AGREEMENTS

Unless otherwise specified in a revenue sharing agreement, the following considerations will be included in all revenue sharing agreements:

- A. The owner of exempted property may be included as a party to the revenue sharing agreement. A revenue sharing agreement may include provisions obligating the owner to compensate the school district by paying cash or providing an acceptable gift, loan, or other property to the school district. Such an obligation is enforceable by the Board of Education. The value of acceptable gifts, loans, or other property, shall be enumerated in the revenue sharing agreement and counted toward the total required compensation to the school district.

- B. The revenue sharing agreement shall require that any compensation to the school district be made annually over the life of the tax incentives. The payments shall be payable on the thirty-first day of December of the tax year in which the tax incentives commence and on that day for each subsequent tax year during which the tax abatement agreement is in effect, unless otherwise specified in the revenue sharing agreement.
- C. The overall goal of the revenue sharing agreement is that the schools receive a contribution on each tax incentive project. This contribution can be an amount equal to the difference between what the business enterprise would have paid in taxes if the project were not abated and the net revenues that the schools would have received for that project if it were not abated.

Contributions paid to the schools could be cash, goods, services, personal property tax, or unabated real property tax, or any combination of the above. Should inadequate funds be available from these sources, the City has the option of utilizing a portion of the new payroll income taxes generated by the abated project to fill the gap, or any other source of funds that it sees fit.

All industrial and commercial CRA agreements must ensure that at least 25% of the amount of the taxes estimated that would have been charged on the improvements if the exemption had not taken place are made up by other taxes or payments available to the school district.

NOTE: This formula and resultant revenue sharing payments are negotiable on a case-by-case basis.

8) INCOME TAX SHARING AGREEMENTS

Should a revenue sharing agreement not be reached, ORC applies regarding the 50/50 sharing of new municipal income tax generated.