

QUARTERLY

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BATH TOWNSHIP

An official newsletter published by the Bath Township Board of Trustees
as a service to Bath Township residents under the authority of the Ohio Revised Code, Section 505.07.

Summary of the JEDD Public Hearing

Introduction

About 100 Bath residents attended the public hearing on July 14, 1997 to discuss the proposed Bath-Akron-Fairlawn JEDD Agreement. Notice of the hearing was made in local newspapers and in a special edition of *Quarterly*. Community members in attendance listened to a presentation by **Edward G. Kemp**, Chairman of the Blue Ribbon Commission and **Irving Sugerman**, Bath Township's JEDD Attorney. **James Olds** served as Program Moderator. Following the presentation, the audience was given the opportunity to ask questions pertaining to the proposed JEDD Agreement. The questions are outlined in bold print in this issue of *Quarterly* and summarize the major areas of concern that were addressed at the hearing.

JEDD Agreement

Will the JEDD help control commercial development in Bath?

One of the features of this Agreement is the Township's ability to control commercial development by: (1) not permitting the extension of water and sewer services, and (2) maintaining control over zoning provisions in the JEDD and throughout the entire Township. For these reasons, the JEDD provides Bath Township with the opportunity available at this time to control commercial development and preserve the rural and residential character of our community.

What are the provisions for the future JEDD development, particularly along Route 18 between Crystal Lake Road and Medina Line Road?

There are no provisions for future JEDD development in this area or any other area in Bath Township.

**We all know change is inevitable, but . . .
What can be done to keep the rural and residential character of the Bath Township that this community knows and loves?
JEDD or no JEDD?**

How can we protect all of the Cleveland-Massillon corridor from ending up in the JEDD when all a property owner has to do is request to become part of the District?

Theoretically that's possible, but under this Agreement the Township has the right to disapprove any request to extend water and sewer services as well as requests for commercial zoning. The map of the proposed JEDD clearly shows that water and sewer services will not run the entire length of Cleveland-Massillon

Road. Any request for these services, as well as requests for commercial zoning must ultimately be approved by Bath Township.

Why haven't the Trustees attempted to negotiate a JEDD with Richfield since Bath voters have indicated so strongly that they want to keep our community integrated as much as possible.

The Blue Ribbon Commission looked at that possibility and initially thought it would be a good idea. Commission members met with Richfield Village authorities and were informed that the Village could not provide the water and sewer services required. In the absence of these services, commercial property owners located in the southern tier of Bath Township would likely turn to Akron or Fairlawn very quickly and file for annexation. For this reason alone, the Commission felt that a JEDD Agreement with Richfield was not in the best interest of Bath Township.

What effect will the JEDD have on our schools?

The schools will benefit by: (1) not losing property tax revenue through annexation by Akron or Fairlawn, and (2) having water and sewer services made available to the Revere Central Campus. By agreement between the two school districts, when Akron annexes Revere School District land in Bath Township, the school district loses both students and its share of the property tax revenue. If Fairlawn annexed lands, that decision would be made by the State Board of Education.

Annexation

The last JEDD failed in 1994. How many properties have been annexed since that time?

One-hundred-fifty acres of commercially and residentially zoned properties have been annexed since 1994.

If the JEDD is approved, can Bath property still be annexed by Richfield and/or Cuyahoga Falls?

Bath Township is contiguous to Richfield and Cuyahoga Falls and will still be open to annexation. However, Akron and Fairlawn have committed in the contract to oppose any future annexation threats and the risk of annexation is diminished when water and sewer services are already available.

Incorporation

The Blue Ribbon Commission recommended that Akron and Fairlawn allow Bath to incorporate as a village. Why is this condition not in the current JEDD agreement?

If the area to be incorporated as a village is within three miles of any boundary of an existing municipal corporation, the municipality must approve the petition for incorporation. The area in Bath Township that meets the requirement for incorporation is considerably less than three miles from the boundaries of Akron and Fairlawn and they will not consent to surrendering the right of refusal granted to them by state law.

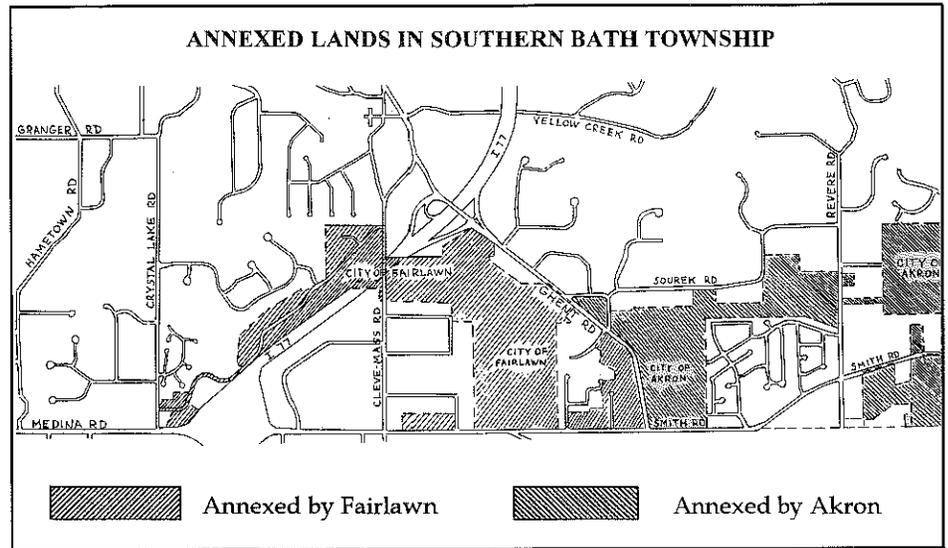
Contract Duration

Why does the JEDD Contract have to be for 100 years? A lot can happen in that time. Why not make it for a shorter term, say 25 years?

The length of the contract is consistent with Akron's existing JEDD contracts with Copley, Coventry and Springfield. Attempts to negotiate a different term in the contract were unsuccessful.

Water and Sewer

The Proposed JEDD map does not indicate that the water and sewer mains will run the entire length of Cleveland-Massillon Road. How will water and sewer get from the southern part of the Township to the northern part of the Township?



Akron's existing water main will be extended from the Coliseum. It will go on Oak Hill and west on Everett Road to serve the JEDD in the northern part of the community and the Revere Central Campus. The sewer main that serves the northern JEDD area will come from the north.

Since the Revere Central Campus will receive water and sewer services, will school employees be subject to the 2% income tax?

No, under the terms of the contract, the Revere Central Campus will have access to water and sewer services, but will not be subject to the 2% income tax. The Revere School District has previously contracted with Richfield for sewer services.

Who pays for that water line on Oak Hill and Everett Road? Are all the property owners going to pay for that?

Akron is going to pay the cost for extending the water main. Property owners will be charged a tap-in fee only if they choose to tap-in. If they don't tap-in, they don't pay.

How will the JEDD Agreement benefit Bath residents who presently receive Akron water?

Residential areas within the Township will pay Akron rates plus 22.5% instead of the current surcharge of 60%. Customers in the JEDD will pay Akron rates plus 10%.

I understand that 75% of Bath residents must agree to request water and sewer services from Akron under the JEDD Agreement, but what's to keep Summit County from extending water and sewer lines into Bath Township?

This question is best answered in two parts.

The 75% actually refers to ownership of front footage in a given area and the intent is for that area to be a neighborhood and not an individual residence.

Summit County no longer owns water and sewer lines in our area. Sometime ago, the County swapped its Montrose lines for Akron's Hudson lines.

ATTENTION RESIDENT REVERE ROAD AT OLENTANGY DRIVE

The Township is seeking residents living near Revere Road and Olentangy Drive to serve on a neighborhood park committee. If you are interested in volunteering to review surveys, study feasibility, hire a consultant, and create a park plan, please call or write Trustee Elaina Goodrich at the Township Hall at 666-4007.

Financial

Are there conditions that must be met for the Township to receive the \$2,000,000 from Akron and Fairlawn?

The money must be used for the acquisition, preservation and enhancement of open space on the former Firestone property and the property must maintain existing zoning without annexation.

The contract states that the \$2 million will be paid to Bath or its designee. Why don't we eliminate the word designee and just have the money paid to Bath?

Bath Township may choose, for one reason or another, to assign payment of the money to some other entity and that is why the term "designee" is in the contract.

Does the \$3.8 million that Bath voters previously approved have to be used toward the former Firestone property? Can we now use that amount toward the purchase of other properties as they become available?

The \$3.8 million is for the purchase and improvement of a nature preserve. It is not specifically for the Firestone property, but the Trustees have stated publicly that is the primary intent.

Has anyone put together a total analysis of the financial package that Bath will receive if the JEDD passes? This would give us some idea of what Bath is gaining from the JEDD Agreement.

Bath Township will receive: (1) 50% to 100% of the property taxes on lands annexed by Akron or Fairlawn since 1994 for the duration of the contract, (2) \$2 million for the acquisition, preservation and enhancement of open space in the former Firestone estate, (3) 10% of the net financial income of the JEDD for the first six years of the contract, and (4) \$7.344 million in new investment for sewer and water delivery lines paid for by the JEDD.

Income Tax

How much will the income tax increase the taxes of property owners outside of the JEDD?

It will not add anything to their taxes unless they work in the JEDD. Bath residents who do not live or work in the JEDD shall *not* be subject to the 2% income tax.

How about Bath residents who live in the JEDD, but do not work in the District, are they taxed?

Yes, on earned income. However, there are fewer than 25 residences in the JEDD since it comprises only commercially zoned property. There are no residentially zoned properties in the JEDD.

The Merger Commission worked with Kent State University to determine what amount of money would result from a 2% income tax imposed on commercially zoned property in Bath Township. The citizens of Bath have the right to know what a reasonable estimate of that number is and that number needs to be determined by an unbiased and well-documented source. It also needs to be available well before we vote on the JEDD. When will that number be available to us?

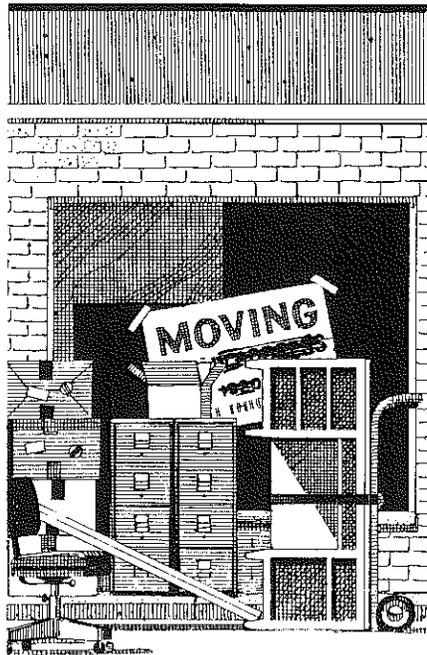
The Merger Commission worked closely with Kent State University to arrive at the estimated figure of \$5.8 million. It needs to be determined what amount of that money is incremental (new money actually resulting from the JEDD) and what amount of that money has been going to Akron or Fairlawn or some other municipality. The figures from the past several years need to be quantified in order to understand which is new money resulting from the JEDD and which is money

that Akron and Fairlawn or any other municipality are already receiving. The University of Akron's Survey Research Center is conducting the study and the estimated figure will be available before the election.

Why are we giving up the entire amount derived from the 2% income tax to Akron and Fairlawn? Why can't Bath receive a share of this amount?

The 2% income tax is an amount we do not receive and do not have the power to impose in commercial and business districts. A township does not have the legislative ability to impose an income tax by state law. The reason we're not sharing this amount is that Akron does not share the income tax revenue received through its JEDD contracts with Copley, Coventry or Springfield and attempts to negotiate that condition in to the contract were unsuccessful.

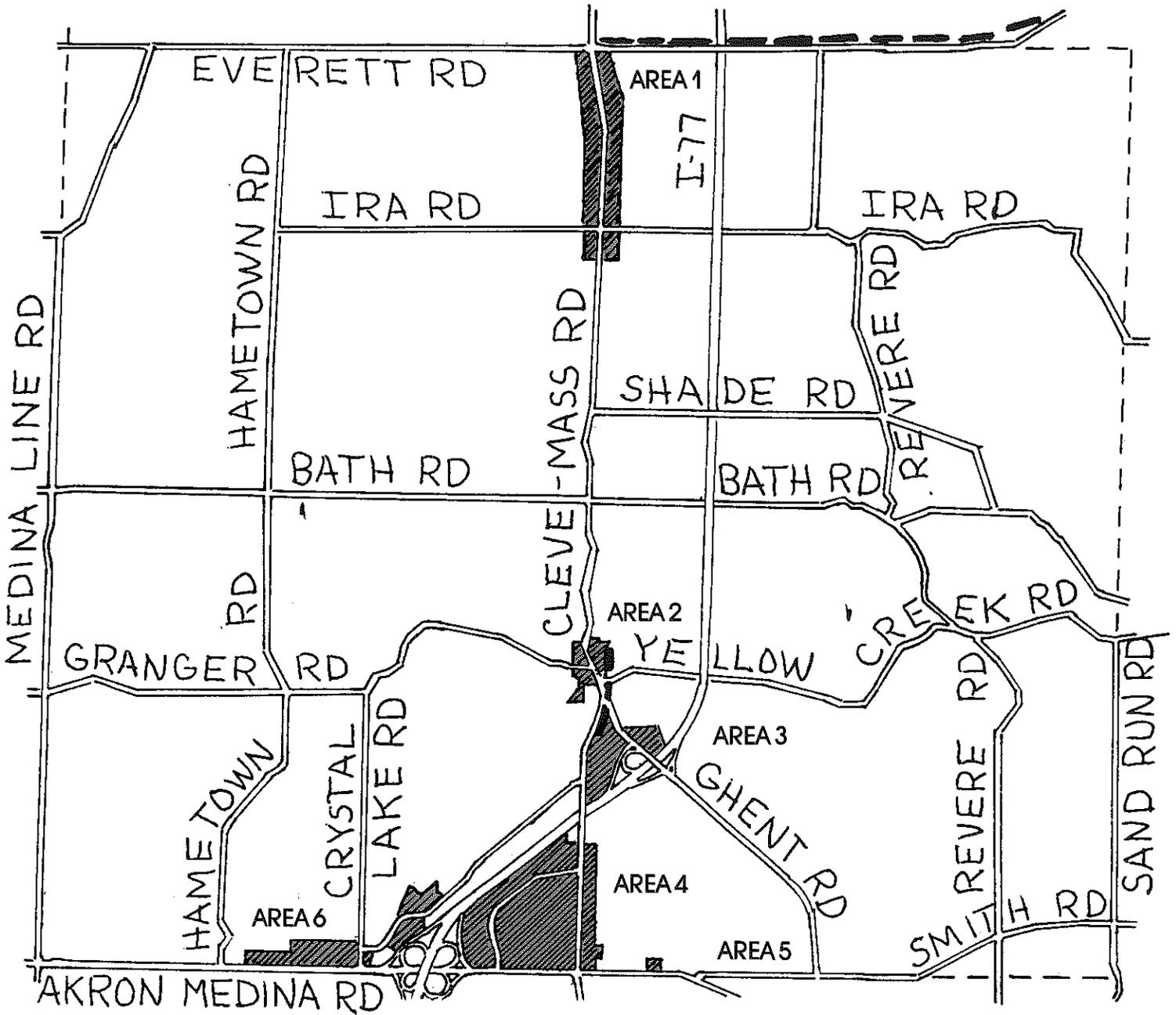
What Bath will retain under the JEDD is all property tax revenue. This includes property tax on lands in the JEDD and on certain lands that were annexed since 1994. When Township property is annexed, Bath loses the property tax revenue and its tax base erodes. Bath also loses the increase in property tax dollars that result when property is fully developed. This is significant because the Township depends on property taxes to generate 86% of its operating revenue.

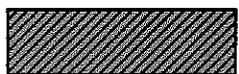


Garage Sales

- All residential sales of personal possessions are regulated by the Township Zoning Code.
- Bath residents may have two residential sales per calendar year with proper registration.
- No fee required to register.
- Four (4) signs may be displayed one (1) day before the sale in residential zoning districts only.
- Residents should contact the zoning officer before undertaking any residential garage sale.

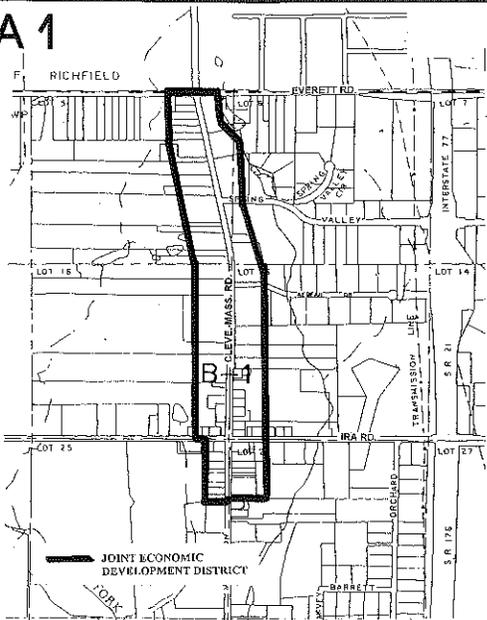
Proposed JEDD



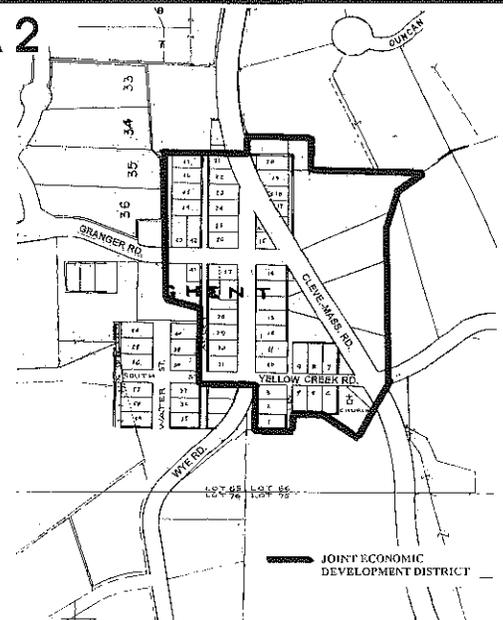
 JEDD   Water main extension

- JEDD area shown in green and includes only commercially zoned properties.
- Entire JEDD comprises less than 4% of Bath's 16,000 acres.
- Refer to page 4 for detailed illustration of property located within the JEDD.
- Bath residents who are unsure if their property is located within the JEDD (highlighted in green) are encouraged to call the Bath Administrative Office for further clarification.

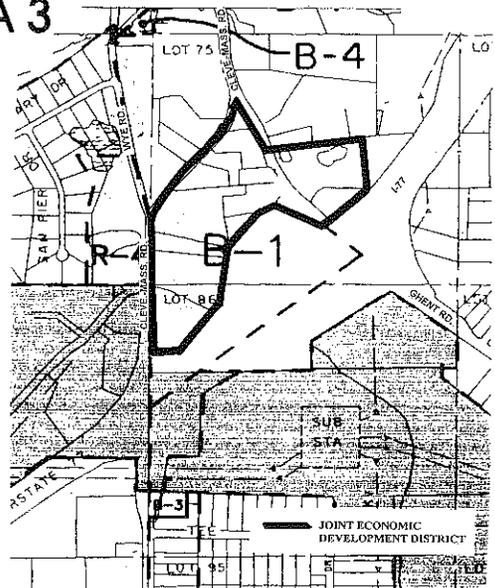
AREA 1



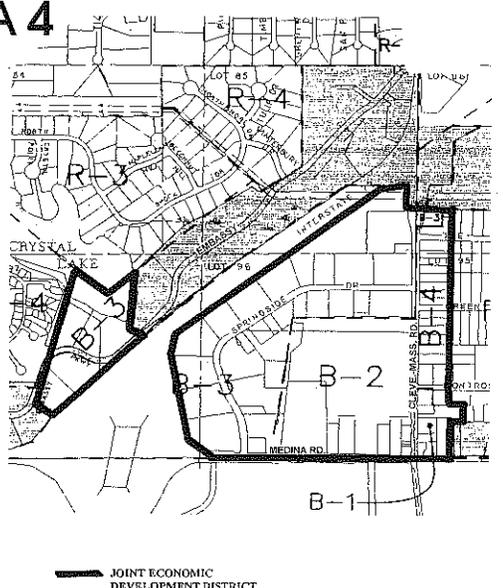
AREA 2



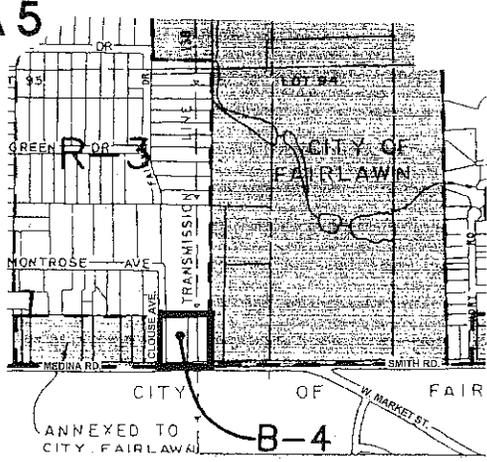
AREA 3



AREA 4



AREA 5



AREA 6

