

# COMMUNITY DEVELOPMENT COMMITTEE

July 21, 2011

There was a meeting of the **Community Development Committee** of the Lima-Allen County Regional Planning Commission held on **Thursday, July 21, 2011**, at **4:00 p.m.** in the Conference Room of the Commission office located at 130 West North Street, Lima, Ohio.

The agenda was as follows:

1. Roll Call
2. Approval of CDC Minutes – February 17, 2011
3. Safe Community Update
4. FEMA Floodplain Map Modernization Program - Update
5. Allen County CDBG Program - Update
6. Census Update
7. Transportation Coordination Plan
8. Analysis of Impediments
9. Other
10. Adjournment

A quorum being present, Kevin Cox brought the meeting to order and proceeded with the agenda.

## 1. **ROLL CALL**

Ms. Teresa Adams	City of Lima
Mr. Sean Chapman	Village of Spencerville
Mr. Kevin Cox	Perry Township
Mr. Michael Criblez	Jackson Township
Mr. Dennis Shaffer	Village of Ft. Shawnee (representing Chief Ben Kehres)
Mr. Mitchell Kingsley	Village of Bluffton
Ms. Jennifer Palmer	Village of Lafayette
Mr. Dan Reiff	Allen County
Ms. Amy Sackman-Odum	City of Lima
Mr. Troy Strayer	Village of Elida
Mr. Brad Swick	Allen County

## **STAFF**

Mr. Thomas Mazur	Lima-Allen County Regional Planning Commission
Ms. Evelyn Smith	Lima-Allen County Regional Planning Commission
Ms. LeeAnn Sypherd	Lima-Allen County Regional Planning Commission
Mr. Brett Porter	Lima-Allen County Regional Planning Commission

## 2. **APPROVAL OF CDC MINUTES – February 17, 2011**

### **Motion 09 (07-21-11) CDC**

Sean Chapman made the motion to approve the CDC minutes of February 17, 2011. Seconded by Michael Criblez; motion carried.

## 3. **SAFE COMMUNITY UPDATE**

Evelyn Smith presented a handout of the FFY 2011 Safe Communities 3<sup>rd</sup> Quarter Update and reported that the grant requires specific goals be addressed over the federal fiscal year. The goals are established by the Ohio Department of Public Safety (ODPS). Grantees are required

**3. SAFE COMMUNITY UPDATE (Continued)**

to develop and implement tasks designed to accomplish the goals established by ODPS. Evelyn Smith reported that the items in bold print are the goals established by ODPS of which there are five. These goals have not changed over the past few years and are the same for FFY 2012. Evelyn Smith reported that staff has completed the application for the ODPS Grant for FFY 2012. At this time, staff has been informed that there is funding available for FFY 2012. Evelyn Smith reported that the items listed under the bold print reflect the tasks accomplished by staff and the local Safe Communities partners who include law enforcement, fire and EMS, hospitals, etc. in the 3<sup>rd</sup> Quarter. The local McDonald's presented approximately 6,000 coupons for the I'm Buckling It campaign(s) to promote seat belt use. Evelyn Smith reported that the ODPS allocates enough funds for staff time, some fringe costs, and some supplies as well as some other direct costs such as fees for the Allen County Fair booth. Evelyn Smith reported that staff worked with local high schools during the prom/graduation season; especially with Allen East High School. After the loss of four students, Allen East High School has become an invaluable partner to work with in promoting seat belt use as well as alcohol awareness. Evelyn Smith reported that staff continues to work with the Elida High School Driver Education Program. Staff also participated in a live remote at the 4-Wheel Jamboree in May with Holly Geaman from WLIO. Evelyn Smith reported that one of the goals of the grant is to promote motorcycle safety; local partners St. Rita's Medical Center and Motorcycle Ohio manned a booth at the National Motorcycle Races at the Allen County Fairgrounds. Evelyn Smith reported that staff conducts coalition meetings throughout the grant year as well as the Fatal Review Committee meetings. The Fatal Review Committee consists of many partners such as the Allen County Coroner, the Allen County Engineer's Office (ACEO), the Ohio Department of Transportation (ODOT), local law enforcement, local EMS, the hospitals, etc. who are truly concerned about reducing the number of crashes within Allen County. Amy Odum asked if the Fatal Review Team meetings occur directly after a fatality or are the meetings held quarterly. Thomas Mazur replied that the team must wait for the accident report to be released which on average takes approximately 30 to 45 days. Amy Odum asked how many fatalities have occurred in Allen County this year. Evelyn Smith replied that there have been nine or ten fatalities this year which is considerably higher than the four that occurred last year; the lowest number of fatal crashes recorded since records have been kept. Evelyn Smith reported that the second page of the handout reveals the breakdown of the submitted reimbursement claim. The reimbursement claim was submitted on July 15, 2011. Evelyn Smith reported that the last quarter of the federal fiscal year typically requires the use of more funds due to the Allen County Fair booth and the Annual Recognition Awards Banquet in September.

**Motion 10 (07-21-2011) CDC**

Teresa Adams made the motion to accept the Safe Communities Update. Seconded by Amy Odum; motion carried.

**4. FEMA FLOODPLAIN MAP MODERNIZATION PROGRAM - UPDATE**

Thomas Mazur presented a handout to the Committee and reported that the Committee received an update at the January meeting as to the status of the FEMA Floodplain Map Modernization Program. On Tuesday, February 15, 2011, staff held an open house for the general public to be able to review the results of the five year study. The study established new 100 year floodplain boundaries as well as establishing new base flood elevations. Thomas Mazur reported that in late May and again in early June, the federal government published in the Federal Register and local newspapers notification to local governments and residents that FEMA was in the process of adopting new base flood elevations. Local governments have 90 days to challenge the study. Staff has worked with the local political subdivisions to evaluate the accuracy of the locations. Thomas Mazur reported that staff has also been working with the ACEO as well as the Lima City Engineer to compose a request for an additional review of

**4. FEMA FLOODPLAIN MAP MODERNIZATION PROGRAM - UPDATE (Continued)**

certain areas within the county. To date, staff has challenged 56 locations. The handout contains examples of responses from FEMA where the challenge has been reviewed and new maps generated; some FEMA responses rejected the challenge as the area was outside of the study parameters. Thomas Mazur reported that a floodplain is a floodplain if one is told that it is a floodplain; a floodplain may exist but never been documented. Kevin Cox asked if the floodplains are based on the 100 year benchmark. Thomas Mazur responded in the affirmative and explained that the shaded areas within the floodplain represent a 1% chance of flooding each year. Thomas Mazur reported that staff has met with all of the townships to review the FEMA studies to determine if there were any challenges. Perry and Bath townships both had several challenge areas. Thomas Mazur reported that time is running out on being able to challenge the study; once the challenge period is over, challenges will not be accepted. Thomas Mazur reported that an area in south Lima was identified by SR 65 where the floodplain abruptly stopped. A request was sent to Kirk Niemeyer for additional data. Thomas Mazur reported that staff has drafted a template for new floodplain regulations based on FEMA requirements. Allen County's floodplain regulations are woefully deficient as pertains to FEMA requirements. Once the base flood elevations are updated, local communities must update their floodplain management regulations. Staff will update the unincorporated areas of the county and the local political subdivisions can utilize the template for the update to their local floodplain management regulations. Thomas Mazur reported that the 90 day time period for the challenge will be over in late August or early September; then 6 months from that time the new floodplain management regulations must be adopted. We have requested the Ohio Department of Natural Resources (ODNR) provide training to local floodplain administrators.

**Motion 11 (07-21-2011) CDC**

Dennis Shaffer made the motion to accept the FEMA Floodplain Map Modernization Program Update. Seconded by Sean Chapman; motion carried.

**5. ALLEN COUNTY CDBG PROGRAM - UPDATE**

Thomas Mazur reported that in FY 2010 three projects were funded. The Village of Spencerville street resurfacing project includes Oak Drive for approximately 1,250' and Burch Drive for approximately 550', planing and resurfacing both streets for an approximate cost of \$57,000. The Ridgewood Addition project in Bath Township includes drainage improvements on Boyer Street between Kent and 4<sup>th</sup>. The replacement includes approximately 1,000' of conduit, 530' of 12" and 450' of 30" with eleven catch basins and two manholes. The initial bid estimate was for \$211,000; the project was scaled back; the modified bid estimate was approximately \$98, 153. The bid opening was posted in the newspaper on July 14 and the actual bid opening is on July 22. Thomas Mazur reported that the City of Delphos has the Erie Street sanitary sewer project for approximately 700' of sewers and laterals, two manholes and some pavement repair for a total approximate cost of \$60,000. Thomas Mazur reported that the FY 2011 Program public hearing was held in January. The Village of Spencerville submitted a street resurfacing proposal, Bath Township submitted a proposal for another project in the Ridgewood Addition, the City of Delphos submitted a proposal for a street resurfacing project; LACCA submitted a proposal for Fair Housing management services and the county requested funding for administrative and engineering services. However the City of Delphos later came back with a large project reflecting safety issues as well as economic development. The City of Delphos anticipates rerouting the pipes for the clear wells for a manufacturer that would support approximately 35 jobs. Due to the scale of the project and the connectivity issues, staff has been in discussions with the City of Delphos as well as the Ohio Department of Development (ODOD) for feedback and comments. Initially, ODOD was looking at this project as an economic development project but there are issues pertaining to adequate water pressure, fire suppression and access to water. The second public hearing for all three projects was held

5. **ALLEN COUNTY CDBG PROGRAM – UPDATE** (Continued)

earlier this week. Thomas Mazur reported that the projects were submitted to the Allen County Commissioners for consideration. Dan Reiff reported that the Commissioners are viewing the Delphos project as more of a safety issue primarily due to the water pressure. This is an issue pertaining to the company staying in the City of Delphos and expanding its operations. Thomas Mazur asked Amy Odum if the City of Lima has completed its CDBG Program Public Hearings. Amy Odum replied that the hearings will be completed on Monday.

**Motion 12 (07-21-2011) CDC**

Amy Odum made the motion to accept the Allen County CDBG Program Update. Seconded by Brad Swick; motion carried.

6. **CENSUS UPDATE**

Thomas Mazur presented to Committee members a handout of 2010 Census Data products schedule and reported that staff has been receiving requests for 2010 Census data for the past few months. The last time this committee met was during the time that the Redistricting Data was released. The data revealed total population, total housing units and total population over the age of 18. Thomas Mazur reported that staff has been notified that on July 28 Standard Form (SF) 1 data will be released. The 2010 Census data will not include the amount of detail included in prior census tabulations. The 2010 Census included eight questions; the social service agencies, housing advocates, hospitals, etc. will not receive the data they require. These agencies will more than likely have to buy the data. Amy Odum reported that the Census Bureau will be relying heavily on the American Community Survey (ACS) for the missing data. Thomas Mazur reported that ACS data is sample data. The sample size for communities the size of City of Lima is approximately 1 in 300. In the past, the sample size was approximately 1 in 7. Thomas Mazur reported that staff will be forced to use the ACS data and due to the small size of the community, the ACS data will not be released each year but every five years. Staff will now be using 2005-2009 data for many reports. Amy Odum reported that a Housing and Urban Development (HUD) webinar was hosted yesterday. HUD has an online mapping tool that will pre-fill CDBG, Neighborhood Stabilization Program (NSP), etc. forms with the local political subdivisions demographic data. The City of Lima attendees to the webinar attempted to pull up the City of Lima and there was no data for the City. The samples are so sparse and so inconsistent; this will cause issues with applications due to the lack of data. Thomas Mazur reported that this situation is fine for the larger cities because they will get new data each year. Amy Odum reported that in the past the census data could be taken by tract and the tract could be divided by tract for qualifications for certain programs. Now the entire population of the tract will be averaged for income which could have severe implications for programs to the low to moderate income. Thomas Mazur reported that the ACS used to be issued at the same time as the Census and the data was more comprehensive and comparisons could be made and changes identified. Amy Odum stated that small communities will be hurt by these new systems. Thomas Mazur reported that small communities will be “forced” to use annual income surveys in order to gather definitive quantitative housing and income data. Smaller communities have already begun to budget for income surveys due to the lack of Census data. Thomas Mazur reported that staff does not have any new data yet. Staff anticipates having some new data by the end of August. Teresa Adams asked about the letter that the City of Lima sent to City Council members about the Redistricting Data. Amy Odum replied that the Redistricting Data has been released. Amy Odum stated that this situation with the Census data may push regionalism which is small jurisdictions grouping together to share services and resources.

## **7. TRANSPORTATION COORDINATION PLAN**

Thomas Mazur reported that staff has been involved in meetings with the Allen County Transit Authority (ACRTA), the Allen County Board of Developmental Disabilities (ACBDD) and the Area Agency on Aging-3 (AAA-3). There is a possibility of ACRTA purchasing some new transit vehicles; the discussions pertained to expanding ACRTA's service routes out to Shawnee Township, the Village of Bluffton and the Village of Harrod. These service routes are based on some reallocation of funds by the federal government, actions that ACRTA is taking internally, and some "new" funds from ODOT called Clean and Green funds. The Clean and Green funds are at 100% federal, no local match required. Thomas Mazur reported that the MPO will transfer some Congestion Mitigation Air Quality (CMAQ) funds to ACRTA at 100% federal. The new rural routes to the smaller communities are targeted to begin sometime in September. More information will be forthcoming at the next scheduled CDC meeting. No action is required at this time.

## **8. ANALYSIS OF IMPEDIMENTS**

Thomas Mazur presented handouts to Committee members and reported that staff received a letter from the ODOD stating that the Analysis of Impediments was incomplete and did not meet HUD specifications. Staff requested a copy of a recommended, approved plan as a template to follow. The plan received was sparse. Thomas Mazur reported that staff is working on updates and revisions which will be presented to the internal committee structure and the Allen County Commissioners for approval. The document will then be forwarded on to ODOD for review and comment. The handout titled Section 1 states that if a political subdivision desires to receive federal funds for housing programs the document must be in place. Thomas Mazur reported that staff has been working on providing ODOD with the information requested using the Census and ACS data available. The initial report was written and approved before the 2010 Census; ODOD is requesting the breakdown of different types of data by census tract, political subdivision, minorities, and by housing values. Section 1 is an overview of the requirements for the Analysis of Impediments (AI). Thomas Mazur reported that Brett Porter is populating the tables contained in the second handout with ACS data. Due to the time constraints on getting the updates back to the ODOD, staff cannot wait until the end of the month to populate the data but will continue to update the census information within the document as it becomes available. Thomas Mazur reported that staff will footnote where 2005-2009 ACS data has been utilized. Table 1 reflects population data from 1960 through 2010. Brett Porter reported that if the table or illustration states 2010 then the data is through 2010. Thomas Mazur reported that the first map depicts the changes in minority population within Allen County from 2000-2009 by Census Tract. The map reveals some significant outward migration by minorities. This is not surprising as the minorities attain higher income and education levels they will move out into the more rural areas. American, Bath, Auglaize, and Monroe Townships all reveal significant increases in minority population. The tables before the map break down into percentages the changes in minority populations in census tracts. Thomas Mazur reported that the Table 23 depicts the home ownership rates and within the City of Lima as well as Bath and American Townships the percentage decline is revealing. Thomas Mazur reported that Map 9 reveals the extent of vacant units by census block in 2010 in the City of Lima. Some of the vacancies have been caused by the foreclosures. The vacant units is reflected from 2010 Census data. Amy Odum reported that one must be careful when one reads the Census data. For example, the large red area in the City of Lima includes a large proportion of apartment buildings. These buildings were under renovation and were vacant for a period of time. Brett Porter agreed and stated that that particular area is one of the most populated blocks within the City of Lima. Thomas Mazur reported that Table 28 depicts the assessed quality of residential structures. Map 10 reveals residential property; if the hue is a red or an orange, there are issues that may need to be addressed. The quality of housing is graded from A to E based on the appraisers. The home grade is based on the quality of materials and the age of the dwelling. Brett Porter reported

**8. ANALYSIS OF IMPEDIMENTS (Continued)**

that Table 29 reveals the median value of owner occupied unites and utilizes ACS data. Thomas Mazur reported that staff is working on actual homes sales by census tract and/or political subdivision in 2010. Dan Reiff asked where staff gathers the information pertaining to value, etc. because the Board of Revision is utilizing 2006, 2007 and 2008 appraisal information which was at the height of the housing boom. In 2009 is when the bottom fell out of the housing market thereby creating a decline in housing values. Homes will be values now on 2009, 2010 and 2011 appraisal information which may be much lower than previously. Thomas Mazur replied that staff uses Fair Market Value as assigned by the appraisers in the Allen County Auditors database as of 2010. Staff reviews the sales prices in 2010 and the appraised valuation in 2010. Dan Reiff stated that the issue is that the appraisers may have used 2006, 2007 and 2008 valuations to set the appraised values and the homes may not be worth that much now. Michael Criblez asked if the sales prices and the appraised prices have been close. Michael Criblez asked if the homeowner receives a rebate if the two are not close. Dan Reiff responded in the negative and stated that that is the task of the Board of Revisions; homeowners can bring their concerns to the Board. Thomas Mazur reported that Table 45 Zoning Regulations raises some issues. Table 45 reflects the political subdivisions that have zoning regulations. Staff reviewed each political subdivision to determine if the entity used Euclidean Zoning, Pyramidal Zoning or if staff was unable to determine which type of zoning, a possibility of a combination of both. Pyramidal Zoning is based on the idea that if zoning can be applied to residential properties it can be applied to all. Euclidean Zoning separates zoning into "little boxes". Thomas Mazur reported that from a Fair Housing perspective, the federal government is looking for political subdivisions attempts to make housing affordable and whether the local government's actions imply exclusivity or the inability for persons of color, disability, familial status, seniors, low-income, etc. from living where they would like to live. Thomas Mazur reported that the Ohio Revised Code implies that local governments cannot require more than 700 square feet for a housing unit. Most of the local townships and villages have "required" 1,000, 1,200, or 1,400 square feet minimum for a housing unit. Smaller units may be allowed in certain zones, they do not have to be allowed everywhere within the political subdivision. Thomas Mazur reported that for example, senior apartments in general are not much larger than 800 square feet. Whenever a political subdivision limits the minimum yard area square footage as well as the minimum unit square footage the political subdivision is placing itself in a position to encounter problems with federal government regulations. Thomas Mazur reported Table 46 reveals that minimum lot sizes are not really established due to water and sewer issues. Tables 47 and 48 reveal the HUMDA data or 2009 Home Loan Activity by Tract and Loan Type. Brett Porter reported that the local banks do not yet have the 2010 HUMDA data. Thomas Mazur reported that Table 49 reveals the Percentage of Homes Loan Denials by Reason for Denial by Type of Loan. When the revisions are completed, a breakdown of refusals by race, reason, etc. will be included. Table 50 reveals Loan Approval Rates by Type, Race and Ethnicity. Illustration 8 reveals Foreclosure Activity: 2008-2010. The actual number of foreclosure auctions has dropped locally since 2006. Amy Odum reported that an article put out by Realty Track ha stated that in the State of Ohio the law changed. Many banks had moved to foreclosure but did not complete them. The law changed to basically state that once the foreclosure process began the bank had to complete the process and transfer the property into the banks name. Another issue is that consumers are not purchasing homes therefore banks are not bothering to foreclose and place a home in the banks name because they cannot get anyone to purchase the home. Thomas Mazur asked who accepts the burden of maintaining the property. Amy Odum replied that technically the bank is the primary mortgage holder therefore the bank should be maintaining the property especially if the bank followed through with the foreclosure. If the title owners name is still on the title, then they are still responsible. Thomas Mazur asked that if the property was included in a bankruptcy, which is responsible. Amy Odum replied that it depends; if the property is abandoned outside of the bankruptcy, the former homeowner may be held responsible but sometimes the responsibility

**8. ANALYSIS OF IMPEDIMENTS (Continued)**

goes back to the bank. Many of the properties within the local political subdivisions are caught in the foreclosure mess and the political subdivisions have become responsible for maintaining the property. Thomas Mazur asked if any of the non-profit agencies could put some young people to work maintaining properties. Amy Odum replied that it could be a possibility but there is liability issues involved with this type of solution. Dan Reiff stated that due to the liability issues in many instances the property must go into tax liability and then the political subdivision can foreclose on the property for tax reasons and then the political subdivision can do something with the property. Amy Odum reported that locally there is the 294 Tax Equalization Board which simplifies and streamlines the foreclosure process for political subdivisions. The political subdivisions do have to establish a land bank in order to receive properties. Thomas Mazur reported that Map 15 depicts the Foreclosure Activity by Census Tract. The map reveals that foreclosure activity is dispersed all over the county. The final map depicts the Real Estate Broker Locations by Census Tract. The map reveals that in the tracts that have 20, 40, 60 or 70 percent minority populations there are no broker office presence. Minority populations have traditionally been underrepresented in the real estate industry. Thomas Mazur reported that there are thirty-six real estate brokers within Allen County. Staff reviewed approximately a dozen of the real estate agencies websites. None of the websites had any information or statement(s) about Fair Housing. The Fair Housing logo is included on all of the websites. There is no information, brochures or pictures pertaining to the protected classes. The real estate offices and the personnel do not have or keep any demographic information. Amy Odum stated that the tracts that lack a real estate agency presence may have a high density of non-owner occupied homes or there may be a lack of commercial corridors where realtors are allowed locate a real estate office.

**9. OTHER**

None.

**10. ADJOURNMENT**

**Motion 13 (07-21-11) CDC**

Michael Criblez made the motion that the meeting be adjourned. Seconded by Jennifer Palmer; motion carried.