

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, November 4, 2013, at about 9:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Special Council Meeting was opened with an Invocation given by Mayor C. Mark Kingseed and the Pledge of Allegiance with Mayor Kingseed presiding. Council Members and City Staff present were as follows:

Council Members Deputy Mayor Brooks Compton
 John Beals
 Doug Cline
 Paul Gresham
 Belinda Kenley
 James Singer

Clerk of Council Debra James
City Manager Gregory Horn
Finance Director Steven Hinshaw
City Planner Steven Feverston
Public Works Director Robert James
City Engineer Douglas Spittle
Assistant to the City Manager Kristen Gopman
Economic Development Administrator Nathan Cahall
Municipal Attorney Scott Liberman

Mayor Kingseed explained that the Consent Agenda contains procedural and administrative matters that have been discussed during Work Sessions. Council Members read the Consent Agenda items into the record, before Mr. Compton sponsored the following items and moved for their approval.

- A. An Ordinance Amending Ordinance Number 14-08, Chapter 1216 Of The Centerville Municipal Code, The Unified Development Ordinance For The City Of Centerville, Ohio, To Amend The Standards For Subdivisions And Landscaping. (Set for Public Hearing December 16, 2013)
- B. An Ordinance Amending Ordinance Number 14-08, Chapter 1216 Of The Centerville Municipal Code, The Unified Development Ordinance For The City Of Centerville, Ohio, To Amend The UDO Text And Map Amendment Provisions, Supplemental Standards For Residential Land Uses, Sign Face Materials And Definition Of Paved Surface. (Set for Public Hearing December 16, 2013)

Mr. Cline seconded the motion for the Consent Agenda. The motion passed unanimously with seven ayes.

RESOLUTION NUMBER 52-13 DEVELOPMENT AGREEMENT WITH CORNERSTONE DEVELOPERS, LTD. FOR IMPROVEMENTS FOR APPROXIMATELY 228.5 ACRES LOCATED NORTH AND SOUTH OF I-675

Mr. Horn apologized for the delay in the meeting caused by the length of the Executive Session and reported on the Development Agreement between the City of Centerville and

Cornerstone Developers, Ltd. The agreement encompasses the 228 acres, formerly known as the Dille property and hereafter known as The Cornerstone of Centerville; approximately 157 acres are north of I-675 and east of Wilmington Pike, and 71 acres are south of I-675 and east of Wilmington Pike. It is anticipated that the multi-purpose development of highway service uses, regional big box stores, offices, retail, lodging uses, owner-occupied housing and multi-family housing will take 10 to 15 years to construct and will have a value in excess of \$120 million in present value. He discussed the phasing of the development which will begin with the construction of a Costco Warehouse retail store on the southwest corner of the northern parcel and is expected to conclude with development of the later stages of Cornerstone South in the area bounded by I-675, Wilmington Pike, and the extension of Clio Road.

The Development Agreement outlined the financing of the public improvements using Tax Increment Financing for on-site as well as off-site perimeter infrastructure. Mr. Horn noted that Council approved a non-school TIF several weeks ago, but the development agreement called for an amendment to a 75-25% TIF split with the schools, a change necessitating the cooperation of the Sugarcreek-Bellbrook Schools. The agreement also talked about other possible types of financing. Because sales tax revenues are anticipated to rise substantially, the developer requested that Greene County put dollars back into this project for infrastructure. In general, Centerville will have responsibility for on-site public roadways and for perimeter improvements that include the eventual widening of Feedwire, the widening of the southern half of Brown Road, the widening of Wilmington Pike and changes in the I-675 interchange area. Centerville hopes to secure other funding sources, such as grants from the Ohio Public Works Commission. The first phase calls for approximately \$4 million to be invested in infrastructure.

Mr. Horn noted that the proposed Development Agreement had a series of exhibits. Included were the boundaries of the project, the types and connections of utilities, and a definition section. He mentioned that Cornerstone Developers requested permission to establish a Community Entertainment District which could allow the availability of different types of liquor licenses so tenants would not be in competition for the limited number of licenses that already exist in the community. The City has pledged to take that into consideration.

Mr. Horn stated the school accepting the 75-25% TIF instead of the non-school TIF is the major caveat, but there are some other possible stumbling blocks. The financing for this project would be General Obligation Bonds backed by the full faith and credit of the City; the Developer also has Letter of Credit responsibilities to meet. Collateral, in the form of liens on the unsold parcels, will help the City to secure its bonds. There are stipulations in the document that allow the City to re-examine the financial stability of the project as various phases are completed.

Mayor Kingseed expressed his deepest appreciation to Mr. Horn and the staff for their efforts in bringing the Development Agreement to the Council. Tedious negotiations over many months were required to reach this stage in formalizing the agreement.

Mr. Beals inquired about the Entertainment District and asked what types of licenses would be included. Mr. Horn explained that the Entertainment District provides flexibility for facilities like Costco to be able to sell bulk beer, wine, spirits, etc. or for a number of establishments to be able to sell these beverages by the glass or bottle. Lodging establishments, as well as restaurants, might want permits. Mr. Compton stated that the Community

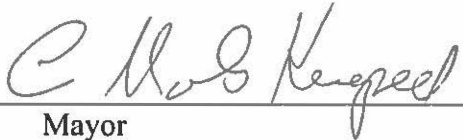
Entertainment District has a specific exclusion with respect to adult entertainment. Mr. Horn mentioned that the Developer was eager to cooperate with that restriction.

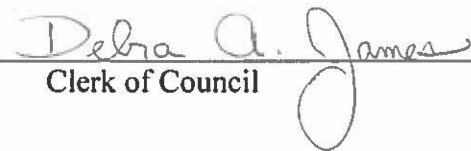
Mr. Compton moved to approve, as submitted, Resolution No. 52 -13, the "Development Agreement", including the Amendment that was discussed and reviewed by both parties for Section 6.9. He further clarified that the revised version of Section 6.9 was to be substituted for Section 6.9 shown in the distributed copies of the Development Agreement. Mrs. Kenley seconded the motion. The motion passed with six ayes; Dr. Gresham voted nay.

Mr. Oberer spoke on behalf of Cornerstone Developers to thank City staff, the Planning Commission and City Council for the time and effort expended and for the confidence being placed with the Oberer Companies. He said his firm looks forward to working with Council to complete a development in which the community can take pride.

Mr. Joe Harmon, 531 Willowhurst Street, stated his disappointment that there was not more public discussion about the Development Agreement. New directives from the State allowed the terms of the Development Agreement to be discussed in Executive Session. In his opinion, the public should have had more input before this document was finalized. He voiced concerns about the use of significant public monies to fund the internal on-site infrastructure improvements and which, additionally, will have ongoing maintenance costs passed to the taxpayers. He also said he was concerned about the section of the document that discusses green space that may at some point be conveyed to a park district. The overall tone is that the issue as well as the details were left unaddressed, so that, once again, maintenance costs could be passed to the public.

There being no further business, the meeting was adjourned.

Approved: 
Mayor

ATTEST: 
Clerk of Council