

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Special Session on Monday, July 11, 2016, at 5:00 P.M. in the Council Chambers of the Centerville Municipal Building. The meeting was opened with an Invocation, and the Pledge of Allegiance to the Flag of the United States of America, with Mayor Compton presiding. Councilmembers and staff were present as follows:

Deputy Mayor	Belinda Kenley
Councilmembers	John Beals
	Mark Engert
	John Palcher
	Joanne Rau
Clerk of Council	Carin Andrews
City Manager	Gregory Horn
Finance Director	Jonathan Hudson
City Planner	Andrew Rodney
Public Work Director	Doug Spitler
City Engineer	Jim Brinegar
Municipal Attorney	Scott Liberman

Mr. Palcher made a motion to excuse Councilmember Serr from this evenings meeting. It was seconded by Mrs. Kenley and passed with six ayes.

Mayor Compton confirmed with Mrs. Andrews that there were no official communications. He welcomed our newly appointed Finance Director, Jonathan Hudson.

No Mayors report, Council Member Reports, Planning Commission Report or Standing Committee Reports were presented. Mayor Compton moved to the Consent Agenda.

Mayor Compton explained that the Consent Agenda contains routine procedural and administrative matters the Council had discussed in Work Sessions. Councilmembers read the following Consent Agenda Items into record.

- A. Ordinance 13-16, An Ordinance Determining To Proceed With The Improvement Of Public Streets and Easements By Constructing And Installing Various Public Improvements On Certain Property Within The City, And all Necessary Appurtenances, be set for Public Hearing On July 18, 2016.
- B. Ordinance 14-16, An Ordinance Amending Ordinance Number 14-08, Chapter 1216, The Unified Development Ordinance, As Amended, To Rezone 3.22 Acres Of Land, More Or Less, Located At 9240 Yankee Street, From WT-A, Washington Township Agriculture, And R-1C, Single-Family Residential With A Lifestyle Community Overlay Zone Classification To R-PD, Residential Planned Development Zone Classification, be set for Public Hearing On August 15, 2016.

Mr. Beals inquired as to whether the property described in Ordinance 14-16 was the vacant lot north of Bethany Commons where there had once been a house. Mr. Rodney responded in the affirmative.

Deputy Mayor Kenley sponsored the above Consent Agenda and moved for its approval. Mrs. Rau seconded the motion. The motion passed with 6 ayes.

#### CITIZENS' COMMENTS

Mr. George Oberer of Oberer Developers addressed Council and thanked the members for holding the Special meeting so that the necessary legislation could be passed in a timely manner to proceed with the Special Assessment Financing for the Cornerstone infrastructure.

#### NEW BUSINESS

##### RESOLUTION 52-16: REIMBURSEMENT AGREEMENT FOR SPECIAL ASSESSMENT FINANCING PHASE III CORNERSTONE

Mr. Horn explained that the City received bids for public improvements for the next phase of the Cornerstone Development approximately 120 days ago. After staff was authorized to enter into the bid agreement with Double Jay Construction, the developer asked to utilize Special Assessment Financing. Council agreed to cooperate in this matter; the contract had not been executed and was put on hold. The Law Director for the City worked with the developers counsel to follow the series of actions to finalize the contract using Special Assessment Financing. The parties disseminated an approved Supplemental Memorandum of Understanding, and all property owners consented to waiving any requirements. The City received the required letter of credit and this, along with the above mentioned documents, are on file in the Clerk's Office. Earlier at this meeting the Ordinance to Proceed was set for Public Hearing at the July 18, 2016 Council Meeting.

Mr. Beals sponsored Resolution 52-16, A Resolution Authorizing The City Manager To Enter Into A Reimbursement Agreement As To Special Assessment Financing For Phase III Infrastructure With Cornerstone Developers, LTD., Regarding Phase III Public Improvements, and moved that it be passed. Mrs. Kenley seconded the motion. The motion passed with 6 ayes.

##### RESOLUTION 53-16: NECESSITY OF INFRASTRUCTURE IMPROVEMENTS CORNERSTONE PHASE III

Actions required for this evening include a Resolution of Necessity stating how the property owners will reimburse the developer for the infrastructure improvements. The City is the conduit for the financing.

Mr. Beals sponsored Resolution 53-16, A Resolution Declaring It Necessary To Improve Public Streets And Easements By Constructing And Installing Various Public Improvements On Certain Property Within The City, And All Necessary Appurtenances, and moved that it be passed. Mr. Palcher seconded the motion. The motion passed with 6 ayes.

EMERGENCY ORDINANCE 12-16: EXTENSION OF TIME FOR EXECUTION OF BID  
DOUBLE JAY CONSTRUCTION FOR CORNERSTONE PHASE III

Mr. Liberman explained the bid documents submitted for this project require the City to enter into a contract within 120 days of the acceptance of the bid. Because of the delay caused by accommodating Special Assessment Financing, the 120-day limit is approaching. Double Jay Construction, the contractor awarded the infrastructure bid, has been contacted and is willing to accept a 30-day extension. The City does not need a regular Ordinance, because the contract will be executed within the next 75 days, prior to the expiration of the emergency ordinance.

Mrs. Rau inquired about how this will impact the completion date for the project. The original completion date was September 30, 2016, but completion will now be pushed into the next year. Mr. Spitler did not anticipate additional costs due to the delay, but asphalt prices could rise.

Mr. Beals asked whether pushing the completion date out a full 120 days was reasonable given the temperature requirements for laying asphalt. Mr. Spitler reiterated the importance that outside temperatures play for the ability to lay asphalt. In general, weather conditions are unpredictable.

Mr. Horn agreed there was a certain degree of risk for the developer with the construction completion time for access and occupancy for Phase 3. Mayor Compton addressed Mr. Oberer inquiring as to whether he understood these issues. Mr. Oberer replied such risks are always a consideration in his business.

Deputy Mayor Kenley sponsored Emergency Ordinance 12-16, An Emergency Ordinance Authorizing And Directing The City Manager To Allow The Extension Of The Bid Validity Date For Up To 150 Days Following The Date Of Bid Opening For The Cornerstone Of Centerville, North On-Site Public Improvements Phase 3 Roadway Improvements Project, and moved that it be passed. Mr. Beals seconded the motion. The motion passed with 6 ayes.

There being neither further citizen comments nor New Business, Mayor Compton adjourned the meeting. The next regular meeting of the Centerville City Council was scheduled for July 18, 2016 at 7:30 p.m. in the Council Chambers.

Approved: \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
Clerk of Council