

NOTICE OF MEETING

Huber Heights
City Councilmember

Mark Campbell

**Chair of the
Administration Committee**

Has scheduled a
meeting to discuss:

- Miami County (West) TIF District –
For New Fire Station
- Liquor Permit #89481810015 – TJ
Chumps – 7050 Executive
Boulevard

Wednesday,
December 17,
2014
at or about
5:30 P.M.
in City Council's
Conference
Room.

Distributed – December 16, 2014



**CITY OF HUBER HEIGHTS
STATE OF OHIO
Administrative Committee Meeting
December 17, 2014
5:30 P.M.
City Hall – 6131 Taylorsville Road –
City Council Conference Room**

1. **Members Present:**

2. **Guests Present:**

3. **Approval of Minutes:**

4. **Topics of Discussion:**

- Miami County (West) TIF District - For New Fire Station
- Liquor Permit #89481810015 - TJ Chumps - 7050 Executive Boulevard

5. **Recommendations / Actions:**

6. **Adjournment:**



CITY OF HUBER HEIGHTS CITY COUNCIL MEETING SIGN-IN SHEET

Meeting: Administration Committee	Location: City Council Conference Room
Presiding Officer: Chair Mark Campbell	Date/Time: Dec. 17, 2014 at 5:30 P.M.

City of Huber Heights
6131 Taylorsville Rd.
Huber Heights, OH 45424

937.233.1423
937.233.1272 fax

www.hhoh.org

NAME	ORGANIZATION	PHONE NUMBER
<i>Anthony C. ...</i>	CLERK OF COUNCIL	237-5832
MARK CAMPBELL	council	233-1423
<i>Terry Winton</i>		236-0937
<i>Steven Matthews</i>	DDV	225-2281
<i>Rob Schommer</i>	CITY MANAGER	737-5827
<i>Mark Stewart</i>	FIRE DIVISION	233-1564
<i>Judy Blankenship</i>	Council	233-9391
<i>Richard Shaw</i>	Citizen	829-1209
<i>Glenn Otto</i>	Citizen	554-6772
<i>Ed Lyons</i>	Council	233-1423
<i>Mr Dale</i>	Council	233-1423
<i>Mark Lightner</i>	Police Chief	237-3608
<i>Kristy Lightner</i>	Citizen	6053837
<i>Karen Kalps</i>	Council	233-1423
<i>Jan Vargo</i>	"	"
<i>Tom Mema</i>	MAYOR	985-6275
<i>Jane Deeter</i>	Citizen	667-6369
<i>Ken Conaway</i>	Ken Conaway LLC	614-571-0614
<i>Jim Bell</i>	City	237-5826
<i>John Russer</i>	IAFF	626-2323
<i>Mrs Kalps</i>	CITIZENS	233-0252
<i>Alan ...</i>	LAW DIRECTOR	223-1130
<i>Don Jones</i>	CITY	5834
<i>Jenny Smith</i>	Resident	unavailable
<i>Dracy Dudley</i>	Council	901.8055

**CITY OF HUBER HEIGHTS
STATE OF OHIO**

Administration Committee Meeting Minutes

1. **Name of Body:** Administration Committee

2. **Date:** December 17, 2014

3. **Time:** 5:30 P.M.

4. **Place:** City Hall – 6131 Taylorsville Road
City Council Conference Room

5. **Members Present:**

Mark Campbell, Chair, Administration Committee

Karen Kaleps, Administration Committee

Jan Vargo, Administration Committee

Tracy Dudley, Administration Committee (Arrived at 7:11 P.M.)

Judy Blankenship, Councilmember

Ed Lyons, Councilmember

Lu Dale, Councilmember

Tom McMasters, Mayor

6. **Guests Present:**

City Staff Present: Jim Bell, Don Jones, Rob Schommer, Mark Ashworth,
Mark Lightner, Alan Schaeffer, and Anthony Rodgers.

Guests Present: Terry Walton, Steven Matthews, Melissa McGhee,
Kristy Lightner, Jane Deeter, John Russell, Ints Kaleps, Janell Smith,
Richard Shaw, Glenn Otto, and Ken Conaway.

7. **Approval of Minutes**

There were no minutes for approval at this meeting.

8. **Topics of Discussion:**

- Miami County (West) TIF District – For New Fire Station
- Liquor Permit #89481810015 – TJ Chumps – 7050 Executive Boulevard

9. **Recommendations / Actions:**

Mr. Campbell, Chair, convened the Administration Committee meeting at 5:36 P.M. Mr. Campbell stated that a reordering of the agenda items for the meeting would be necessary to accommodate some of the meeting participants' schedules. The Administration Committee unanimously agreed to the reordering of the agenda for this reason.

Liquor Permit #89481810015 – TJ Chumps – 7050 Executive Boulevard

Anthony Rodgers said that there was a new liquor permit for approval for TJ Chumps at 7050 Executive Boulevard (see attached). The Police Division and Fire Division have reviewed the liquor permit application and have no objection to the approval of this new liquor permit.

After discussion, the Administration Committee unanimously agreed to recommend that the motion to approve the new liquor permit for TJ Chumps at 7050 Executive Boulevard be prepared and placed on the agenda for the December 29, 2014 City Council Special Meeting for approval.

Miami County (West) TIF District – For New Fire Station

Mark Campbell distributed a copy of some campaign literature that Mayor Tom McMasters had been reportedly placing in residents' mailboxes in the northern part of the City (see attached). He said he believed that this literature contained misstatements and falsehoods about the City Council's plans related to the new proposed TIF district and other matters. Mark Campbell said that he understood that the new proposed TIF district was a non-school TIF contrary to the Mayor's statements in this literature.

Rob Schommer and Alan Schaeffer gave the Administration Committee an overview of non-school TIF districts. Both said that the proposed TIF district would keep the school districts in this area 100% whole.

Rob Schommer said that Mayor McMasters' literature contained a number of factual inaccuracies. He said Tom McMasters needs to start acting like the Mayor. Rob Schommer said he can handle disagreements but does not like misinformation and untruths.

Mark Campbell asked Mayor McMasters if he had any response to these comments and if he would be making a retraction of his statements in this literature.

Glen Otto said some of the statements in the Mayor's literature were true. He said the City has been misleading also in some regards.

Mayor Tom McMasters said that when this proposed new TIF district was last discussed in a public meeting, the TIF district had not yet been changed to a non-school TIF district.

Jan Vargo and Karen Kaleps both stated that they had strong disagreements and issues with the actions of Mayor McMasters in distributing this misinformation. Karen Kaleps said Mayor McMasters had been untruthful.

Alan Schaeffer asked Mayor McMasters what he wanted to do to resolve this situation. He asked Mayor McMasters if he planned a retraction of his statements. Alan Schaeffer said if he did not retract the remarks then the City would have to issue a statement countering the inaccuracies that the Mayor had made.

Don Jones said that the change to a non-school TIF district in this case resulted from ongoing conversations that he had with Bethel Schools officials.

Rob Schommer said the issue is what the correct information is. He asked what the City should do to deal with correcting these inaccuracies.

Janell Smith said she has never seen the At Large Councilmembers in Ward 2 and she could not recall seeing much of the Ward 2 Councilmember either.

Karen Kaleps said she begged to differ with Janell Smith on this matter.

Janell Smith said she had contacted all of these Councilmembers about a vicious dog issue in her neighborhood and none of them did anything to help the situation.

Rob Schommer said that Janell Smith was mistaken on this point. He said that City Staff and Councilmembers had met with her on this issue and that the Police Division had also responded to this situation.

Rob Schommer said if Mayor McMasters refuses to issue a retraction of his false statements then the City would have to act to do so. He said the City could respond using the City's website, the newspapers, Facebook, statements at a City Council Meeting, and through the City Manager's weekly report.

Jan Vargo said she thought that the response to the Mayor's statements should be done in the same way that the original documents were distributed. She said the Mayor's actions create bad perceptions of Huber Heights. Jan Vargo asked why the Mayor had a pre-meeting with officials from Bethel Schools about the TIF district.

Mayor Tom McMasters said that Bethel Schools was being strong armed by the City to accept the TIF district as a school TIF. He said he met with Bethel Schools officials to discuss these issues.

Rob Schommer asked Mayor McMasters if the Bethel Schools officials had used the term "strong armed."

Mayor Tom McMasters said the Bethel Schools officials had not used that term exactly.

Rob Schommer said that is another example of the Mayor's mischaracterizations of the truth.

Don Jones said that the discussions about the proposed TIF district have been going on since 2012 and he had been working cooperatively with Bethel Schools. He said the required notice of the proposed TIF district to Bethel Schools was a commitment to proceed from the City. He said the Mayor and City Staff needed to be on the same page.

Jan Vargo asked Mayor McMasters if he really believes that the City Council values the aquatic center and the music center over schools and fire stations. She said nothing could be further from the truth.

Mayor Tom McMasters said he believes that the proposed TIF district would have been a school TIF district had it not been for his intervention with Bethel Schools.

Lu Dale said Mayor McMasters has to take ownership of his statements. She said there was no consent and she is bothered greatly that his remarks were not prefaced with "I believe" or "in my opinion."

Janell Smith said she was concerned about the lack of growth at The Heights development.

Mark Campbell said he would like a presentation from MKSK and City Staff on The Heights development to the Administration Committee at a later date after the master plan for the development is complete. He said right now the Administration Committee needed to focus on the matter being discussed. Mark Campbell said there were at least six major misstatements in the Mayor's distributed literature.

Glenn Otto said Mayor McMasters should personally draft a response to correct any inaccuracies or misstatements.

Mayor Tom McMasters said he will not do it.

Mark Campbell asked Mayor McMasters if he would provide him with facts and written documentation to support the statements he made and the underlying remarks.

Mayor Tom McMasters said he would certainly be happy to provide Mark Campbell with this documentation.

Mark Campbell said Mayor McMasters demonstrated reckless behavior.

Tracy Dudley suggested that maybe the City needed to issue a press release and hold a media conference to properly correct the record.

Glenn Otto said he disagreed with Tracy Dudley's suggestion.

Tracy Dudley said a lie is a lie.

Jan Vargo said the Mayor needs to step up and acknowledge the inaccuracies he disseminated and apologize for it.

Mark Campbell said Mayor McMasters has interfered now on at least two occasions with the legislative authority of the City Council. He said he is very troubled by these actions. He said allegations have been made that the Mayor has violated the City Charter previously and has interfered with the administration of City affairs. Mark Campbell said he hopes that these actions by Mayor McMasters are not an attempt to derail the third fire station project.

Ed Lyons said it a tactic of Mayor McMasters to try and obstruct.

Don Jones distributed information and proposed legislation to approve the Miami County (West) TIF District to build a new third fire station (see attached). He said City Staff originally discussed the proposed TIF with Bethel Schools in August, 2012 and this TIF was further discussed beginning in May, 2014 as a part of the 2025 Plan with City Council as a viable funding source to allow the City to build a northern fire station and to reduce the earnings tax ask from 0.35% to 0.25%. Don Jones said this is the legislation which will create the TIF district in this area. He said the TIF area includes the area directly fronting State Route 202 at Parktowne and includes the proposed site of the new fire station. Don Jones stated that this is a 30 year non-school TIF district which keeps Bethel Schools and the JVC 100% whole. He said City Staff have provided the necessary fourteen day notice to the JVC and the Bethel Schools and City Council can proceed with the TIF district without any further action from any other entity. He said the new TIF district will provide about \$1.3 million over thirty years which will be bonded out to build the third fire station.

After discussion, the Administration Committee unanimously agreed to recommend approval of the proposed legislation to approve the Miami County (West) TIF District to build a new third fire station and requested that the legislation be placed on the agenda for the December 29, 2014 City Council Special Meeting for approval as emergency legislation with the second and third readings waived.

Rob Schommer said he would also prepare and have legislation at the December 29, 2014 City Council Special Meeting for approval to do the due diligence work for the new fire station and to approve a letter of intent for the purchase of the land for the new fire station as emergency legislation with the second and third readings waived.

After discussion, the Administration Committee unanimously agreed to recommend approval of legislation to do the due diligence work for the new fire station and to approve a letter of intent for the purchase of the land for the new fire station and requested that the legislation be prepared and placed on the agenda for the December 29, 2014 City Council Special Meeting for approval as emergency legislation with the second and third readings waived.

Other Business

There was no other business conducted at the Administration Committee meeting.

10. **Adjournment**

Mr. Campbell adjourned the Administration Committee meeting at 7:55 P.M.

AI-2810

Topics of Discussion 4.

Administration Committee Agenda

Meeting Date: 12/17/2014

Liquor Permit #89481810015 - TJ Chumps - 7050 Executive Boulevard

Submitted By: Anthony Rodgers

Department: City Council

Type of New

Liquor Permit:

**Motion/Ordinance/
Resolution No.:**

Information

Agenda Item Description

- Liquor Permit #89481810015 - TJ Chumps - 7050 Executive Boulevard

Review and Comments - Police Division

The Police Division has no objections to this liquor permit.

Review and Comments - Fire Division

The Fire Division has no objections to this liquor permit.

Fiscal Impact

Source of Funds: N/A

Cost: N/A

Recurring Cost? (Yes/No): N/A

Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

Attachments

Liquor Permit

**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

89481810015 <small>PERMIT NUMBER</small>		NEW <small>TYPE</small>	T J CHUMPS INC 7050 EXECUTIVE BLVD HUBER HGTS OH 45424	
ISSUE DATE				
12 04 2014				
FILING DATE				
D5				
<small>PERMIT CLASSES</small>				
57	083	A	A65291	
<small>TAX DISTRICT</small>		<small>RECEIPT NO.</small>		

FROM 12/08/2014

<small>PERMIT NUMBER</small>		<small>TYPE</small>		
ISSUE DATE				
FILING DATE				
<small>PERMIT CLASSES</small>				
<small>TAX DISTRICT</small>		<small>RECEIPT NO.</small>		



MAILED 12/08/2014

RESPONSES MUST BE POSTMARKED NO LATER THAN. 01/08/2015

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 NEW 8948181-0015

(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 HUBER HGTS CITY COUNCIL
6131 TAYLORSVILLE RD
HUBER HGTS OHIO 45424**

PERMIT NUMBER (CORPORATION) 8948181
T J CHUMPS INC
12 E LINDEN AV & WEST SIDE PATIO
MIAMISBURG OHIO 45342

F.T.I. NUMBER 31-1814325
STATUS (ACTIVE OR INACTIVE) ACTIVE
SHARES OUTSTANDING 500.00
ACTIVE DATE 11/13/01
INACTIVE DATE
EXCEPTION CODE TEXT
STOCK TRANSFER CODE TEXT AND DATE
--- JAMES B DUNN
TERRY BRILL

250.00 11/13/01 ACTIVE SECR-TREA
250.00 11/13/01 ACTIVE PRESIDENT

Can you make better decisions than the your current City Council?
Do you want to keep our Huber Heights Safety Services and the Bethel Schools strong?

Why don't you run, or talk your friends into running, for Huber Heights City Council?

This month Huber Heights **City Council plans to divert Bethel School money** into City coffers by creating a new TIF district over the development at the west end of Parktowne Blvd. The City provided very little infrastructure support to this development yet council originally said they wanted to take 75% of the Bethel School's property tax on the improvement of this property in order to pay for infrastructure. Now Council tells us they want that money to build a Firehouse on the north end of the City. Remember the residents of Huber Heights voted for a tax levy in 2008 to pay for a Firehouse at the North end of the City. Not only that but the current Carriage Trails TIF is expected to raise so much money that this year City Council decided to shift the cost of paying the \$9 million dollar Aquatic Center debt from the Montgomery County TIF to the Carriage Trails TIF. The problem hasn't been that the City didn't have enough money to pay for a new Firehouse, the problem has been our Council members believe Aquatic and Music Centers are higher priorities than Firehouses and Schools.



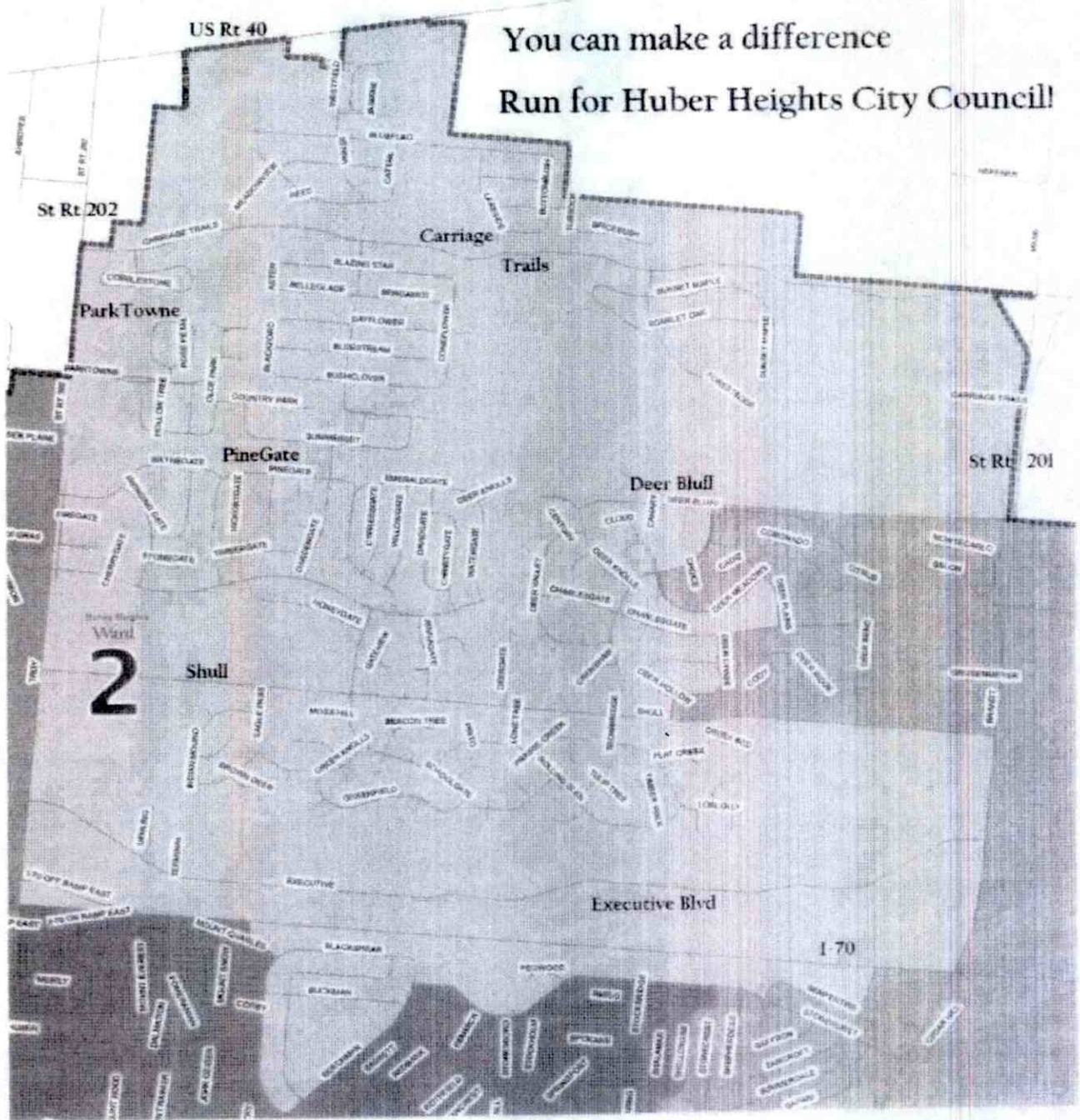
If you are a Miami County resident east of 202, you can run at large or you can run to fill the Ward 2 seat. It only takes 50 valid signatures and \$45 dollars to get on the ballot. To get on the ballot you must file your petitions before Feb 4, 2015.

Contact either the
Miami County (937) 440- 3900 or
Montgomery County (937) 225-5656
Board of Elections for details.

Next month the City will award a \$65,000 no-bid contract to the same corporation that we hired to operate the Music Center. At the beginning of 2014 we hired this corporation to help us find a company to operate the Music Center. Instead of finding a new company they recommended themselves. Council agreed to a \$225,000 per year, ten year contract, that has no criteria for them to meet. Council thought this was alright because, "this company really loves doing this kind of work and wouldn't want to hurt their reputation by not doing a good job". Now six months after we put them on contract Council still has not seen an Organizational Chart or the Operations Manual. These are critical components needed to get the Music Center up and running and require council approval. Council doesn't seem concerned. Instead of demanding the things already on contract Council is prepared to give them another \$65,000 a year contract. It wouldn't surprise me if next Council gets a recommendation for them to get another no bid contract to run the concession stands. I expect the obligatory Council rubber stamp and I bet we don't see any real cost or performance comparisons.

Obviously, I need help on council. If you are capable of understanding the importance of solid contracts, bid processes and know that Schools and Safety Services are the keys to keeping a city strong, how about considering running for City Council?

Tom McMasters



You can make a difference
Run for Huber Heights City Council!

Talk to your neighbors and friends about it.

Contact the Board of Elections now. Get your petitions in before Feb 4, 2014

Help improve our City!

Paid for. Produced and Distributed by Tom McMasters 985-6275

AI-2811

Administration Committee Agenda

Meeting Date: 12/17/2014
 Miami County (West) TIF - For Fire Station
Submitted By: Donnie Jones
Department: Economic Development
Council Committee Review?: Administration Committee
Date(s) of Committee Review: 12/17/2014
Audio-Visual Needs: None **Emergency Legislation?:** Yes
Motion/Ordinance/Resolution No.:

Information

Agenda Item Description or Legislation Title

- Miami County (West) TIF District - For New Fire Station

Purpose and Background

City Staff originally discussed the proposed TIF with Bethel Schools in August of 2012. This TIF was further discussed beginning in May of 2014 as a part of the 2025 Plan discussed with City Council as a viable funding source to allow the City to build a northern fire station and to reduce the earnings tax ask to from 0.35% to 0.25%. This is the legislation which will create the TIF district in this area. The TIF area includes the area directly fronting State Route 202 at Parktowne and includes the proposed site of the new Fire House. This is a 30 year Non-School TIF which keeps the Bethel Schools and the JVC 100% whole. We have provided the necessary 14 day notice to the JVC and the Bethel Schools and council may take proceed without any action from any other entity.

Fiscal Impact

Source of Funds: N/A
Cost: N/A
Recurring Cost? (Yes/No): N/A
Funds Available in Current Budget? (Yes/No): N/A

Financial Implications:

This will generate approximately \$1.3 million in new TIF revenue over the life of the TIF to be used to help fund a new fire station in the north part of the City which will be located within the TIF district.

Attachments

- Ordinance
- Map
- Notices

CITY OF HUBER HEIGHTS
STATE OF OHIO

ORDINANCE NO. 2014-O-

DECLARING THE IMPROVEMENT TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND AND PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS INTO THAT FUND; SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS DIRECTLY BENEFITING THE PARCELS; AUTHORIZING MAKE-WHOLE COMPENSATION PAYMENTS TO THE BETHEL LOCAL SCHOOL DISTRICT AND THE MIAMI VALLEY CAREER TECHNOLOGY CENTER, AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Sections 5709.40 to 5709.43 (collectively, the "*TIF Statutes*") authorize the legislative authority of a municipal corporation, by ordinance, to declare the improvement to parcels of real property located within the municipal corporation to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, establish a municipal public improvement tax increment equivalent fund for the deposit of those service payments, provide for the distribution of the applicable portion of such service payments to the city, local, or exempted village, and joint vocational school district, and specify public infrastructure improvements made, to be made or in the process of being made that directly benefit, or that once made will directly benefit, those parcels; and

WHEREAS, this City Council has determined to declare the improvements to certain parcels of real property, which parcels are further described in Section 1, to be a public purpose; and

WHEREAS, this City Council desires to provide for the construction and/or installation of the public infrastructure improvements described in Section 2; and

WHEREAS, this City Council has determined that a portion of the service payments shall be paid to the Bethel Local School District (the "*Bethel Local School District*") and to the Miami Valley Career Technology Center (the "*Miami Valley Career Technology Center*"), each in an amount equal to the real property taxes that the respective school districts would have been paid if the Improvement (as defined in Section 3) to each Parcel had not been exempted from taxation pursuant to this Ordinance; and

WHEREAS, notice of this proposed Ordinance has been delivered to the Boards of Education of the Bethel Local School District and the Miami Valley Career Technology Center in accordance with and within the time period prescribed in Ohio Revised Code Sections 5709.40 and 5709.83;

NOW, THEREFORE, BE IT ORDAINED by the Council of Huber Heights, Ohio that:

Section 1. Parcels of Real Property. The parcels of real property subject to the exemption granted by this Ordinance are identified and depicted in **EXHIBIT A** attached hereto (each, as currently or subsequently configured, individually, a "*Parcel*" and collectively, the "*Parcels*").

Section 2. Public Infrastructure Improvements. This City Council hereby designates the public infrastructure improvements described in **EXHIBIT B** attached hereto (the "*Public Infrastructure Improvements*") and any other public infrastructure improvements hereafter designated by ordinance as public infrastructure improvements made, to be made or in the process of being made by the City that directly benefit, or that once made will directly benefit, the Parcels.

Section 3. Authorization of Tax Exemption. This City Council hereby finds and determines that 100% of the increase in assessed value of each Parcel subsequent to the effective date of this Ordinance (which increase in assessed value is hereinafter referred to as the "*Improvement*" as defined in Ohio Revised Code Section 5709.40(A)) is hereby declared to be a public purpose and shall be exempt from taxation in accordance with Ohio Revised Code Section 5709.40(B) for a period commencing for each Parcel with the first tax year that begins after the effective date of this Ordinance and in which an Improvement attributable to a new structure on that Parcel first appears

on the tax list and duplicate of real and public utility property were it not for the exemption granted by this Ordinance and ending on the earlier of (a) thirty (30) years after such commencement or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Statutes.

Section 4. Service Payments. Pursuant to Ohio Revised Code Section 5709.42, the owner of each Parcel is hereby required to and shall make service payments in lieu of taxes with respect to the Improvement allocable thereto to the Treasurer of Miami County, Ohio (the "*County Treasurer*") on or before the final dates for payment of real property taxes. The service payments in lieu of taxes shall be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and collected against that Improvement if it were not exempt from taxation pursuant to Section 3 of this Ordinance, including any penalties and interest (collectively, the "*Service Payments*"). The Service Payments, and any other payments with respect to each Improvement that are received by the County Treasurer in connection with the reductions required by Ohio Revised Code Sections 319.302, 321.24, 323.152 and 323.156, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the "*Property Tax Rollback Payments*"), shall be allocated, distributed and deposited in accordance with Section 6 of this Ordinance.

Section 5. TIF Fund. This City Council hereby establishes, pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.43, a municipal public improvement tax increment equivalent fund which shall be designated as the "Miami County North Firehouse Tax Increment Equivalent Fund" (the "*TIF Fund*"). The TIF Fund shall be maintained in the custody of the City and shall receive all distributions to be made to the City pursuant to Section 6 of this Ordinance. Those Service Payments and Property Tax Rollback Payments received by the City with respect to the Improvement of each Parcel and so deposited pursuant to Ohio Revised Code Section 5709.42 shall be used solely for the purposes authorized in the TIF Statutes or this Ordinance. The TIF Fund shall remain in existence so long as such Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the TIF Fund shall be dissolved and any incidental surplus funds remaining therein transferred to the City's General Fund, all in accordance with Ohio Revised Code Section 5709.43.

Section 6. Distributions. Pursuant to the TIF Statutes, the County Treasurer is requested to allocate and distribute the Service Payments and Property Tax Rollback Payments as follows:

(a) to the Bethel Local School District, an amount equal to the amount the Bethel Local School District would otherwise have received as real property tax payments (including the applicable portion of any Property Tax Rollback Payments) derived from the Improvement to each Parcel if the Improvement had not been exempt from taxation pursuant to this Ordinance;

(b) to the Miami Valley Career Technology Center, an amount equal to the amount the Miami Valley Career Technology Center would otherwise have received as real property tax payments (including the applicable portion of any Property Tax Rollback Payments) derived from the Improvement to each Parcel if the Improvement had not been exempt from taxation pursuant to this Ordinance; and

(c) to the City, all remaining amounts for further deposit into the TIF Fund for payment of costs of the Public Infrastructure Improvements, including, without limitation, debt charges on any securities of the City issued to pay or reimburse financing costs or costs of those Public Infrastructure Improvements.

All distributions required under this Section 6 are requested to be made at the same time and in the same manner as real property tax distributions.

Section 7. Further Authorizations. This City Council hereby authorizes and directs the City Manager, the Director of Finance, the City Attorney, the Economic Development Director, the Clerk of Council or other appropriate officers of the City to make such arrangements as are necessary and proper for collection of the Service Payments and the Property Tax Rollback Payments. This City Council further hereby authorizes and directs the City Manager, the Director of Finance, the City Attorney, the Economic Development Director, the Clerk of Council or other appropriate officers of the City to prepare and sign all documents and instruments and to take any other actions as may be appropriate to implement this Ordinance.

Section 8. Tax Incentive Review Council. The applicable Tax Incentive Review Council, with the membership of that Council to be constituted in accordance with Section 5709.85 of the Ohio Revised Code, shall, in accordance with Section 5709.85 of the Ohio Revised Code, review annually all exemptions from real property taxation granted by this Ordinance and any other such matters as may properly come before that Council, all in accordance with Ohio Revised Code Section 5709.85.

Section 9. Filings with Ohio Development Services Agency. Pursuant to Ohio Revised Code Section 5709.40(I), the City Manager is hereby directed to deliver a copy of this Ordinance to the Director of the Ohio Development Services Agency within fifteen days after its effective date. Further, and on or before March 31 of each year that the tax exemption authorized by Section 3 remains in effect, the Economic Development Director or other authorized officer of the City is directed to prepare and submit to the Director of the Ohio Development Services Agency the status report required under Ohio Revised Code Section 5709.40(I).

Section 10. Open Meetings. This City Council finds and determines that all formal actions of this City Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Council or any of its committees, and that all deliberations of this City Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Ohio Revised Code Section 121.22.

Section 11. Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the City, and for the further reason that this Ordinance is required to be immediately effective in order to permit the City to authorize the tax exemption pursuant to Section 3 and proceed with the construction of the Public Infrastructure Improvements in order to create or preserve jobs and employment opportunities and improve the economic welfare of the people of the City and the State of Ohio; wherefore, this Ordinance shall be in full force and effect immediately upon its passage provided it receives the affirmative vote of at least two-thirds (2/3) of the members of Council holding office; otherwise, it shall take effect and be in force at the earliest period allowed by law.

Passed by Council on the _____ day of _____, 2014;
_____ Yeas; _____ Nays.

AUTHENTICATION:

Clerk of Council

Mayor

Date

Date

CERTIFICATE

The undersigned, Clerk of Council of the City of Huber Heights, Ohio, hereby certifies that the foregoing is a true and correct copy of Ordinance No. 2014-O-___ passed by the City Council of Huber Heights, on December 29, 2014.

Clerk of Council

EXHIBIT A

IDENTIFICATION AND MAP OF THE PARCELS

The shaded area on the following map specifically identifies and depicts the Parcels and constitutes part of this **EXHIBIT A**. The Parcels include, without limitation, the following tax parcels:

P48-000131

P48-000132

(as they exist in the County Auditor's records on December 1, 2014).

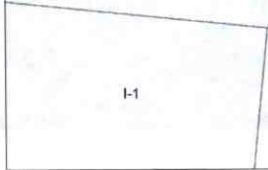
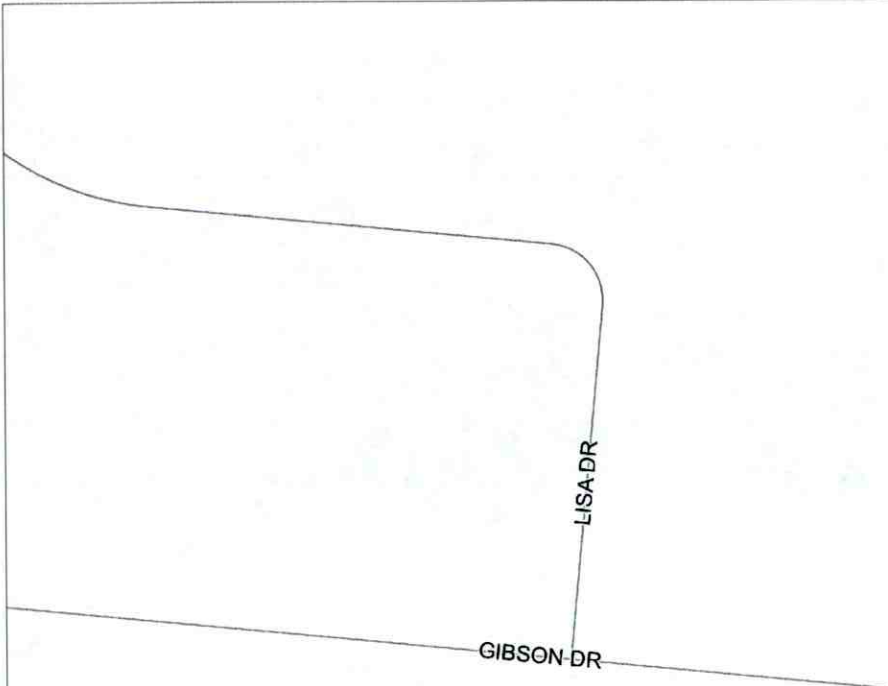
EXHIBIT B

PUBLIC INFRASTRUCTURE IMPROVEMENTS

The Public Infrastructure Improvements include the construction of the following improvements on or near the Parcels that will directly benefit the Parcels and all related costs of permanent improvements (including, but not limited to, those costs listed in Section 133.15(B) of the Ohio Revised Code):

- reconstructing and improving the existing interchanges located at Interstate 70 and State Route 201 and Interstate 70 and State Route 201, including, but not limited to, excavating, grading, paving, installing storm sewers, lighting, landscaping, traffic signalization, and also including design and other related costs, any right-of-way acquisition, erosion and sediment control measures, grading and other related work, survey work, soil engineering and construction staking, and in each case, all other costs and improvements necessary and appurtenant thereto,
- reconstructing and improving Old Troy Pike and Brandt Pike between certain termini, including, but not limited to, excavating, grading, paving, installing storm sewers, lighting, landscaping, traffic signalization, and also including design and other related costs, any right-of-way acquisition, erosion and sediment control measures, grading and other related work, survey work, soil engineering and construction staking, and in each case, all other costs and improvements necessary and appurtenant thereto, and
- constructing, furnishing and equipping a Firehouse, public parks, recreation, public safety and other facilities, including the land acquisition therefor and related site improvements thereto,

together with constructing and installing curbs and gutters, public utilities which include water mains, fire hydrants, sanitary sewer, storm sewer and water improvements, lighting, burial of utility lines, gas, electric and communications service facilities (including fiber optics), street lighting and signs, medians, viaducts, sidewalks, bikeways, and landscaping (including scenic fencing and irrigation), traffic signs and signalization, and including design and other related costs, any right-of-way or real estate acquisition, erosion and sediment control measures, grading, drainage and other related work, survey work, soil engineering, inspection fees and construction staking, any other necessary site improvements, and in each case, all other costs and improvements necessary and appurtenant thereto.



LASER PLANE LN

I-1

ATTACHMENT A

PROPOSED TIF ORDINANCE

December __11__, 2014

To: Board of Education of the Bethel Local School District

Subject: Notice of Ohio Revised Code Section 5709.40(B)
Proposed Tax Increment Financing

This letter constitutes notice to the Board of Education of the Bethel Local School District (the "School District") of the intent of the City of Huber Heights, Ohio (the "City") to declare the Improvement (as defined in the attached Proposed TIF Ordinance) to certain parcels of real property in the City to be a public purpose under Ohio Revised Code Section 5709.40(B). The following information is provided pursuant to Ohio Revised Code Sections 5709.40 and 5709.83:

Description of Parcels to be Exempt: See Exhibit A of the attached Proposed TIF Ordinance.

Estimate of the True Value in Money of the Improvements: \$ 10,000,000.00 _____.

Period for Which the Improvement to Each Parcel Will be Exempt from Taxation: The Improvement to each Parcel will be exempt for a period commencing with the first tax year that begins after the effective date of the Proposed TIF Ordinance and in which an Improvement attributable to a new structure on the Parcel first appears on the tax list and duplicate of real and public utility property for that Parcel and ending on the earlier of (a) thirty (30) years after such exemption commenced or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of Ohio Revised Code Sections 5709.40, 5709.42 and 5709.43 and all as further described in the attached Proposed TIF Ordinance.

Percentage of the Improvement to each Parcel to be Exempt: One hundred percent (100%), provided the City will make provision in its Proposed TIF Ordinance pursuant to Ohio Revised Code Sections 5709.40 and 5709.42 that the School District shall receive, at the same time and in the same manner as real property tax payments, all amounts it would otherwise receive as real property tax payments from the Improvement to each Parcel absent the City's approval of the exemption pursuant to the Proposed TIF Ordinance. Since the School District will receive all amounts it would otherwise receive as real property tax payments from the Improvement to each Parcel, Ohio Revised Code Section 5709.40(D)(1) does not require the School District's prior approval of this TIF exemption.

The City Council intends to adopt the Proposed TIF Ordinance on: December __11__, 2014.

Sincerely,

Receipt Acknowledged by the
Bethel Local School District:

By: _____

Name: _____

Title: _____

Attachment: Proposed TIF Ordinance

By: _____

Name: Robert B. Schommer

Title: City Manager

ATTACHMENT A

PROPOSED TIF ORDINANCE

December _11_, 2014

To: Board of Education of the Miami Valley Career Technology Center

Subject: Notice of Ohio Revised Code Section 5709.40(B)
Proposed Tax Increment Financing

This letter constitutes notice to the Board of Education of the Miami Valley Career Technology Center (the "School District") of the intent of the City of Huber Heights, Ohio (the "City") to declare the Improvement (as defined in the attached Proposed TIF Ordinance) to certain parcels of real property in the City to be a public purpose under Ohio Revised Code Section 5709.40(B). The following information is provided pursuant to Ohio Revised Code Sections 5709.40 and 5709.83:

Description of Parcels to be Exempt: See Exhibit A of the attached Proposed TIF Ordinance.

Estimate of the True Value in Money of the Improvements: \$ 10,000,000.00 _____.

Period for Which the Improvement to Each Parcel Will be Exempt from Taxation: The Improvement to each Parcel will be exempt for a period commencing with the first tax year that begins after the effective date of the Proposed TIF Ordinance and in which an Improvement attributable to a new structure on the Parcel first appears on the tax list and duplicate of real and public utility property for that Parcel and ending on the earlier of (a) thirty (30) years after such exemption commenced or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of Ohio Revised Code Sections 5709.40, 5709.42 and 5709.43 and all as further described in the attached Proposed TIF Ordinance.

Percentage of the Improvement to each Parcel to be Exempt: One hundred percent (100%), provided the City will make provision in its Proposed TIF Ordinance pursuant to Ohio Revised Code Sections 5709.40 and 5709.42 that the School District shall receive, at the same time and in the same manner as real property tax payments, all amounts it would otherwise receive as real property tax payments from the Improvement to each Parcel absent the City's approval of the exemption pursuant to the Proposed TIF Ordinance.

The City Council intends to adopt the Proposed TIF Ordinance on: December _11_, 2014.

Sincerely,

By: _____

Name: Robert B. Schommer

Title: City Manager

Receipt Acknowledged by the
Miami Valley Career Technology Center:

By: _____

Name: _____

Title: _____

Attachment: Proposed TIF Ordinance