

**ORDINANCE NO. 11-2024**

**AN ORDINANCE AUTHORIZING THE EXECUTION OF A TAX INCREMENT FINANCING AGREEMENT WITH RESPECT TO THE GLENSPRINGS FUEL STATION PROJECT, AND THE EXECUTION OF ANCILLARY DEVELOPMENT RELATED DOCUMENTS, AND DECLARING AN EMERGENCY**

WHEREAS, CCA Glensprings, LLC (“Developer”) desires to enter into a *Tax Increment Financing Agreement* with the City of Springdale (as more fully set forth in Attachment A to this ordinance, the “Development Agreement”) pertaining to the development of a fuel station and convenience store (the “Project”) near the northwest corner of Glensprings Drive and Springfield Pike within the City of Springdale (the “Project Site”); and

WHEREAS, Developer anticipates that the Project will result in the creation of approximately 35 full-time equivalent permanent employees with an annual payroll of approximately \$873,000, and

WHEREAS, the costs to develop the Project have increased significantly as a result of public improvements to Glensprings Drive that are necessitated by the construction thereof (as more fully described in the Development Agreement, the “Project Public Improvements”); and

WHEREAS, the City’s Economic Development Director has recommended a 10-year, 75% real property tax exemption for the Project pursuant to Ohio Revised Code Section 5709.40(B) (the “TIF Act”), subject to the passage by this Council of a separate ordinance authorizing such exemption (the “Project TIF” and the “TIF Ordinance,” as applicable); and

WHEREAS, the parties anticipate that the service payments in lieu of taxes that will be generated by the Project TIF will be: (i) used to pay certain administration fees to the Hamilton County, Ohio Auditor, (ii) used to make payments to the Board of Education of the Princeton City Schools (the “School District”) and the Great Oaks Institute of Technology and Career Advancement (the “JVSD”), (iii) be used to reimburse the Developer for not to exceed \$500,000 of the costs incurred by Developer in constructing the Project Public Improvements, and (iv) any excess revenues under the Project TIF to be retained by the City to be applied to any lawful purpose, as expected to be more fully set forth in the TIF Ordinance; and

WHEREAS, the City has determined that it is in the best interest of the City to enter into the Development Agreement and consummate the transactions set forth therein because the City will receive substantial economic and non-economic benefits from the Project in that the Project will create jobs, stimulate economic growth in the City, and enable the Project Site to be put to its highest and best use, for the benefit of the people of the City; and

WHEREAS, Section 13 of Article VIII of the Ohio Constitution provides that, to create or preserve jobs and employment opportunities and to improve the economic welfare of the people of the State, it is a public interest and proper public purpose for the State or its political subdivisions to lend aid or credit for industry, commerce distribution and research; and

WHEREAS, the City believes that the Project is in the vital and best interests of the City and the health, safety, and welfare of its residents, and is in accordance with the public purposes and provisions of applicable federal, state and local laws and requirements; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Springdale, Ohio, \_\_\_\_\_ members elected thereto concurring:

Section 1. That the Recitals to this Ordinance are incorporated herein by reference.

Section 2. That the Mayor is hereby authorized to execute the Development Agreement with the Developer, in substantially the form attached as Attachment A to this ordinance, pertaining to the redevelopment of the Project Site with the Project. For the avoidance of doubt, this Ordinance is not intended to operate as the TIF Ordinance, and does not bind the Council to pass the TIF Ordinance. The TIF Ordinance, if passed, will be the subject to separate legislation.

Section 3. That Council authorizes the appropriate City officials to take all necessary and proper actions to fulfill the terms of this ordinance and the Development Agreement (including but not limited to execution by the Mayor of any and all ancillary agreements, amendments, all as deemed necessary or appropriate by the Mayor).

Section 4. That it is hereby found and determined that all formal actions of Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements, including Ohio Revised Code Section 121.22.

Section 5. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II(D)(3)(d) of the City's Charter, be in full force and effect immediately upon adoption. The reason for the emergency is to enable the development of the Project Site described in the Development Agreement to commence at the earliest possible time for the economic welfare of, and the provision of adequate housing opportunities for, the people of the City of Springdale.

Section 6. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to enable the parties to execute the Development Agreement as soon as possible so that Developer can promptly move forward with the Project, thereby creating a significant economic benefit and enhancement to the City at the earliest possible time.

Passed this \_\_\_\_ day of March, 2024.

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
Clerk of Council

Approved:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

### **CERTIFICATE**

The undersigned, Clerk of Council/Finance Director, City of Springdale, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. \_\_\_\_\_-2024, adopted \_\_\_\_\_, 2024.

\_\_\_\_\_  
Clerk of Council

**EXTRACT FROM MINUTES OF MEETING**

The Council of the City of Springdale, County of Hamilton, Ohio, met in regular session, at \_\_\_\_\_.m., on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, at \_\_\_\_\_, with the following members present:

There was presented and read to Council Ordinance No. \_\_\_\_\_-2024, entitled:

**AN ORDINANCE AUTHORIZING THE EXECUTION OF A TAX INCREMENT FINANCING AGREEMENT WITH RESPECT TO THE GLENSPRINGS FUEL STATION PROJECT, AND THE EXECUTION OF ANCILLARY DEVELOPMENT RELATED DOCUMENTS, AND DECLARING AN EMERGENCY.**

M\_\_\_\_. \_\_\_\_\_ then moved that Ordinance No. \_\_\_\_\_-2024 be adopted. M\_\_\_\_. \_\_\_\_\_ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

The ordinance was declared adopted \_\_\_\_\_, 2024.

**CERTIFICATE**

The undersigned, Clerk of Council of said municipality, hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of the council of said municipality, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, to the extent pertinent to consideration and adoption of the above-entitled legislation.

\_\_\_\_\_  
Clerk of Council

ATTACHMENT A  
FORM OF DEVELOPMENT AGREEMENT

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