



Rochester Hills Master

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File Number: 2006-0716

File ID: 2006-0716

Type: Exemptions

Status: To Council

Version: 3

Reference: N/A

Controlling Body: Planning/Developm
ent

File Created Date : 09/25/2006

File Name: Avon Gear Industrial Facilities Certificate

Final Action:

Title label: Request for Approval for Avon Gear Company to relocate equipment subject to Industrial
Facilities Exemption Certificate #2006-567 to Shelby Township.

Notes: See 2006-0715

Version 1 - To set the Public Hearing for Oct. 18, 2006 was passed on 10/4/06 (RES0345-2006).

Sponsors:

Enactment Date:

Attachments: Agenda Summary Equip.pdf ,Avon Gear Letter.pdf
,101807 Agenda Summary.pdf ,Financial Analysis.pdf
,Development Agreement.pdf ,Public Hearing
Notice.pdf ,Tax Abatement Packet.pdf ,100406
Agenda Summary.pdf ,Public Hearing Resolution.pdf
,101807 Resolution.pdf

Enactment Number: RES0354-2006

Contact: M. Gentry PLA 656-4660

Hearing Date:

Drafter:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council Regular Meeting	10/04/2006	Adopted by Resolution				Pass
2	City Council Regular Meeting	10/18/2006	Adopted by Resolution				Pass
3	City Council Regular Meeting	12/12/2007					

Text of Legislative File 2006-0716

Title

Request for Approval for Avon Gear Company to relocate equipment subject to Industrial Facilities Exemption Certificate #2006-567 to Shelby Township.

Body

Whereas, The City of Rochester Hills and Avon Gear Co. entered into a Development Agreement (“the

Agreement”) on October 23, 2006 regarding the approval and conditions thereof for an Industrial Facilities Exemption Certificate (IFT), and

Whereas, Section 9 of the Agreement provides for penalties should Avon Gear leave the community or remove the equipment from the facility prior to the expiration of the IFT, and

Whereas, Public Act 198 of 1976, as amended, requires that communities and companies that receive approval for IFT’s enter into an agreement that identifies the responsibilities of each party.

Resolved, to exercise Section 9 of the Development Agreement between the City of Rochester Hills and Avon Gear Co. should the equipment subject to the IFT be removed from the facility and/or Avon Gear Co. relocates the operation at 2770 Research Dr. to another community, and

Be It Further Resolved, that should it become necessary to exercise Section 9 of the Development Agreement, the City will require full repayment of the abated taxes in the amount of \$15,098.07 plus an additional \$1,207.84 in interest for the 2007 tax year, and

Be It Finally Resolved, that should Avon Gear Co. not repay the abated taxes and interest as required by Section 9 of the Development Agreement, the City will place a lien on the tax rolls of the City and/or County, which lien may not be discharged until the payment thereof and which lien shall be treated in the same manner as delinquent taxes.

-OR-

Whereas, Avon Gear Co. was unable to secure a suitable facility in Rochester Hills for its needed growth, and

Whereas, Public Act 198 of 1976, as amended, permits industrial facility exemption certificates to be transferred from an originating community to another Michigan community without first receiving permission of the local board, commission or council, and

Whereas, the Board of Trustees of the Charter Township of Shelby on July 16, 2007 approved a transfer of IFT #2006-567, and

Whereas, Avon Gear Co. submitted a letter to the City of Rochester Hills on December 3, 2007 and is requesting that City Council grant its request to relocate to Shelby Township pursuant to Section 9 of the Development Agreement signed between the parties on October 23, 2006.

Resolved, to approve Avon Gear Co.’s request to relocate its operation from Rochester Hills.