



# Rochester Hills

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## Master

**File Number: 2010-0495**

**File ID:** 2010-0495

**Type:** Exemptions

**Status:** Public Hearing

**Version:** 2

**Reference:** 2010-0495

**Controlling Body:** City Council  
Regular Meeting

**File Created Date :** 11/12/2010

**File Name:** Otto Bock IFT

**Final Action:**

**Title label:** Request for Approval of an Industrial Facilities Exemption Certificate by Otto Bock for a period of five (5) years

**Notes:** 11/22/10 CC Reg Mtg - RES0269-2010

**Sponsors:**

**Enactment Date:**

**Attachments:** Agenda Summary.pdf, Development Agreement Draft.pdf, Exhibit A 2008 Tax Exemption Chart.pdf, Application.pdf, Application Question 6a.pdf, Application Section 6b.pdf, Otto Bock Brief History.pdf, 5 Year Analysis.pdf, 112210 Agenda Summary.pdf, 112210 Resolution.pdf

**Enactment Number:**

**Contact:** M. Gentry PLA 656-4660

**Hearing Date:**

**Drafter:**

**Effective Date:**

### History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council Regular Meeting	11/22/2010	Adopted by Resolution				Pass
2	City Council Regular Meeting	12/13/2010					

### Text of Legislative File 2010-0495

#### Title

Request for Approval of an Industrial Facilities Exemption Certificate by Otto Bock for a period of five (5) years

#### Body

**Whereas**, an Industrial Development District was established on September 6, 2006 at 2923 Technology Drive, also known as Parcel Number 15-30-477-012, and further described as:

THE SOUTH 133 FEET OF LOT 33 AND THE NORTH 142 FEET OF LOT 34, "ROCHESTER HILLS EXECUTIVE PARK" AS RECORDED IN LIBER 199, PAGES 26-30, OAKLAND COUNTY PUBLIC RECORDS. LYING IN THE SOUTHWEST 1/4 OF SECTION 29, AND THE SOUTHEAST 1/4 OF SECTION 30, TOWN 3

NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN. CONTAINING 132,000 SQUARE FEET, OR 3.03 ACRES; and

**Whereas**, IFT #2006-428 was transferred to ThyssenKrupp Materials NA, Inc. on September 15, 2008 for real property only located at the same facility; and

**Whereas**, ThyssenKrupp Materials NA, Inc. has vacated the building as of November 1, 2010; and

**Whereas**, Otto Bock Polyurethane Technologies, Inc. is proposing to lease the building at 2923 Technology Dr., and has applied for a State of Michigan MEGA tax credit which requires a local match, and the match is a proposed tax abatement of real and personal property; and

**Whereas**, the MEGA Board is proposed to act on the MEGA request on December 14, 2010; and

**Whereas**, Otto Bock Polyurethane Technologies Inc. filed an application for an Industrial Facilities Exemption Certificate for real and personal property on November 4, 2010; and

**Whereas**, in its application, Otto Bock Polyurethane Technologies, Inc. has indicated that it plans to significantly alter and reconstruct the portion of real property that is subject to Industrial Facilities Exemption Certificate #2006-428; and

**Whereas**, a Public Hearing regarding this request was held at City Council's Regular Meeting of December 13, 2010 in which the taxing authorities, applicant and public were given an opportunity to be heard; and

**Whereas**, the Rochester Hills City Council has reviewed the application and made the following findings:

- a. The granting of the Industrial Facilities Exemption Certificate, considered together with the aggregate amount of Industrial Facilities Exemption Certificates previously granted and currently in force, does not have the effect of substantially impeding the operation of the City of Rochester Hills or impairing the financial soundness of a taxing unit which levies an ad valorem property tax in the City of Rochester Hills in which the facility is located.
- b. Completion of the facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to create employment.
- c. Completion of the facility does not constitute merely the addition of machinery and equipment for the purpose of increasing productive capacity, but rather is primarily for the purpose and will primarily have the effect of providing a new facility on industrial property.
- d. The construction of the industrial facility meets the objectives of job creation within the established industrial corridor of the City of Rochester Hills.

**Resolved**, that pursuant to Section 9, (1) and (2) of Act 198 of Public Acts of 1974, as amended, the City Council of the City of Rochester Hills hereby approves the request of Otto Bock Polyurethane Technologies, Inc. for an Industrial Facilities Exemption Certificate for a period of five (5) years for real and personal property; and

**Be It Further Resolved**, that the accompanying agreement between Otto Bock Polyurethane Technologies, Inc. and the City of Rochester Hills is hereby approved and is to be sent to the Department of Treasury and the State Tax Commission along with this resolution no later than January 31, 2011; and

**Be It Further Resolved**, that the Mayor is authorized to sign the agreement after review by the City Attorney's office as to form; and

**Be It Finally Resolved**, that the City Council requests that the State Tax Commission terminate Industrial Facility Exemption Certificate #2006-428 for the reasons stated above and requests that City Administration submit this request in writing along with a copy of this resolution to the State Tax Commission no later than

January 31, 2011.