



Legislation Text

File #: 2011-0069, **Version:** 3

Request to Consider Adoption of the Restated Resolution, to replace RES0042-2011, adopted at the March 21, 2011 Regular Meeting, which adds a whereas clause to the approval for the Industrial Facilities Exemption Certificate (IFT) for WABCO Product Development Center, 2770 Research Drive

Whereas, WABCO North America, LLC is located within an Industrial Development District under the Plant Rehabilitation and Industrial Development Districts Act of 1974, as amended; and

Whereas, the Industrial Development District is that property located at 2770 Research Dr., also known as Tax Parcel No. 15-29-352-003, and further described as:

T3N, R11E, SEC 29 & 30 ROCHESTER HILLS EXECUTIVE PARK LOT 29 11-18-87 FR 300-005 & 15-30-476-007; and

Whereas, the Industrial Development District was established on October 18, 2006; and

Whereas, WABCO North America, LLC filed an application for an Industrial Facilities Exemption Certificate on February 18, 2011 for personal property to be acquired and installed at the facility; and

Whereas, a Public Hearing regarding this request was held at the City Council's Regular Meeting of March 21, 2011 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 purposes 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; and

Whereas, the following clause (e) was not included in the Resolution passed at the March 21, 2011 meeting and is now being added:

e. the aggregate SEV of personal property exempt from ad valorem taxes within the City of Rochester Hills, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal property thus exempted.

Resolved, that pursuant to Section 9, (1) and (2) of Act 198 of Public Acts of 1974, as amended, the Rochester Hills City Council hereby approves the request of WABCO North America, LLC for an Industrial Facilities Exemption Certificate for a period of two (2) years after project completion for personal property only; and

Be It Further Resolved, that the accompanying agreement between WABCO North America, LLC 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 September 15, 2011; and

Be It Finally Resolved, that the Mayor is authorized to sign the agreement after review by the City Attorney's office as to form.