



## Legislation Text

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**File #:** 09-0700, **Version:** 1

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Resolution Rescinding Resolution R-09-287 and Setting a Public Hearing on August 6, 2009 to Receive Public Comment on the Application of AVL Inc, Located at 1801 E. Ellsworth, for an Industrial Facilities Exemption Certificate in Industrial Development District No. 2009-030

Attached please find for Council action the necessary resolution to set a public hearing on the application of AVL Inc., for an industrial facilities exemption certificate in Industrial Development District No. 2009-030 established by City Council on July 6, 2009.

State law requires that a public hearing be scheduled by the local governing body on receipt of an application for an industrial facilities exemption certificate in an established development district. On July 6, 2009, City Council passed Resolution R-09-287 setting the public hearing for August 6, 2009 with the expectation that AVL Inc. would present their application to the Clerk on July 6, 2009 following the approval of the Industrial Development District by City Council. However, the Applicant failed to file the application for industrial facilities exemption certificate on July 6, 2009. AVL Inc. subsequently filed the application on July 7, 2009. Staff recommends that this new resolution be approved in order to comply with State law regarding timelines.

AVL Inc is requesting an abatement on \$1,200,000.00 of real property improvements and \$1,420,000.00 of personal property. If approved this will reduce AVL Inc.'s annual tax bill for the new improvements by an average of approximately \$21,300.00 for each year of the abatement. The new real and personal property investments will generate approximately \$24,900.00 in property taxes for each year during the abatement period.

Prepared by: David Petrak, City Assessor

Reviewed by: Tom Crawford, Chief Financial Officer

Approved by: Roger W. Fraser, City Administrator

Whereas, Pursuant to P.A. 198 of 1974, as amended ("Act"), after a duly noticed public hearing held on July 6, 2009, the City of Ann Arbor City Council established Industrial Development District No. 2009-030;

Whereas, Pursuant to Section 7a of the Act, on July 7, 2009, AVL Inc., filed an application with the City Clerk for an Industrial Facilities Exemption Certificate for real property improvements to be constructed and new personal property to be acquired and installed within Industrial Development District No. 2009-030;

Whereas, Before acting on said application, City Council is required to hold a public hearing at which the applicant, the City Assessor, and a representative of each of the affected taxing units and the public may be afforded an opportunity to be heard on said application;

Whereas, City Council approved Resolution R-09-287 based on AVL Inc. submission of a complete application to the City Clerk on July 6, 2009; however a complete application was not filed by AVL, Inc. until July 7, 2009, necessitating the approval of a new resolution to comply with required

procedural timelines under State law; and

Whereas, AVL Inc. had not begun construction of the real property improvements or installation of new machinery and/or equipment prior to July 7, 2009, the date of filing of the application for the Industrial Facilities Exemption Certificate;

RESOLVED, That City Council hereby rescind Resolution R-09-287;

RESOLVED, That the City Council of the City of Ann Arbor hereby sets a public hearing for Thursday August 6, 2009 at 7:00 p.m. or as soon thereafter as it may convened in the City Council Chambers, 2<sup>nd</sup> Floor, Guy Larcom Municipal Building, 100 N. Fifth Avenue, Ann Arbor, to receive comment from the applicant, City Assessor, representatives of each of the affected taxing units and the public on the application of AVL Inc., for an Industrial Facilities Exemption Certificate for real property improvements to be constructed and new personal property to be acquired and installed within Industrial Development District No. 2009-030;

RESOLVED, That the City Clerk be directed to publish notice of the public hearing in a newspaper of general circulation in the City and mail notice of the hearing to the applicant, the City Assessor, and each of the affected taxing units; and

RESOLVED, That the City Clerk shall maintain on file and make available on request copies of the application filed July 7, 2009 by AVL Inc., for an Industrial Facilities Tax Exemption Certificate.