



Legislation Text

File #: 22-0600, **Version:** 1

Resolution to Approve Industrial Facilities Exemption Certificate between the City of Ann Arbor and Sartorius BioAnalytical Instruments

Attached for your review and approval is a resolution and proposed abatement agreement to grant an Industrial Facilities Exemption Certificate for Sartorius BioAnalytical Instruments (“Sartorius”) at 3874 Research Park Drive.

Sartorius is proposing the development of a new facility will house lab processing services, manufacturing and assembly of highly technical instruments, reagents, research and development, marketing, human resources, accounting, training, and a customer visitor center. Sartorius is requesting abatement of \$54,587,000 in real property improvements.

City Administration recommends approval of this abatement request based on the addition of jobs and redevelopment of a previously obsolete property, and additional criteria summarized in the attached memorandum.

Prepared by: Brett Lenart, Planning Manager

Reviewed by: Derek Delacourt, Community Services Area Administrator
Marti Praschan, Chief Financial Officer

Approved by: Milton Dohoney Jr., Interim City Administrator

Whereas, Pursuant to Section 5 of Public Act 198 of 1974 (the “Act”), as amended, Sartorius BioAnalytical Instruments (“Sartorius”) has filed an application for Industrial Facilities Exemption Certificate with respect to real property improvements within Ann Arbor Industrial Development District No. 2021-001;

Whereas, Before acting on said application, the City Council held a public hearing on April 4, 2022 at the City of Ann Arbor City Hall, at 7:00 p.m., for which hearing Sartorius, the City Assessor, a representative of each of the affected taxing units and the public were each given proper notice and were afforded an opportunity to be heard on said application;

Whereas, Construction of improvements of the facility and installation of new machinery and equipment had not begun earlier than six (6) months before March 8, 2022, the date of the acceptance by the City Clerk of the Application for the Industrial Facilities Exemption Certificate filed by Sartorius;

Whereas, At this time of granting the requested Industrial Facilities Exemption Certificate to Sartorius, the City Assessor has determined that state equalized value (SEV) of the property proposed to be exempt pursuant to the Application, considered together with the aggregate SEV of property exempt under certificates previously granted and currently in force, will not exceed 5% of an amount equal to the sum of the SEV of the City of Ann Arbor;

Whereas, At this time of granting the requested Industrial Facilities Exemption Certificate to Sartorius, the Chief Financial Officer of the City of Ann Arbor has determined that the granting of the requested

Industrial Facilities Exemption Certificate will not have the effect of substantially impeding the operation of the City of Ann Arbor;

Whereas, At this time of granting the requested Industrial Facilities Exemption Certificate to Sartorius, no objection have been filed or raised during the public hearing by any of the affected taxing units which levy ad valorem property taxes in the City of Ann Arbor that the granting of such a certificate would impair the financial soundness of their respective taxing unit;

Whereas, Sartorius has agreed to pay the City a nonrefundable application fee equal to the lesser of the City's actual costs to process the application, two percent (2%) of the total property taxes abated for the term that the industrial facilities exemption certificate is in effect or \$1000.00; and

Whereas, Sartorius acknowledges that issuance of the Industrial Facilities Exemption Certificate is determined by the Michigan State Tax Commission on receipt of an approved application by the City Council and has agreed to hold the City of Ann Arbor harmless in the event the Commission denies its Application for an Industrial Facilities Exemption Certificate and the City Council is relying on that commitment in acting on the Application;

RESOLVED, That the City Council finds and determines that the granting of this Industrial Facilities Exemption Certificate considered with the aggregate amount of Industrial Facilities Exemption Certificates previously granted and currently in force under the Act, shall not have the effect of substantially impeding the operation of the City of Ann Arbor, or impairing the financial soundness of taxing units which levy ad valorem property taxes in the City of Ann Arbor;

RESOLVED, That the City Council finds and determines that the completion of real property improvements and the new personal property to be acquired and installed is calculated to, and will at the time of issuance of the Certificate have the reasonable likelihood to create employment;

RESOLVED, That pursuant to the Act, the City Council approve the Application of Sartorius for one (1) Industrial Facilities Exemption Certificate with respect to real property improvements within Ann Arbor Industrial Development District No. 2021-001;

RESOLVED, That the Industrial Facilities Exemption Certificate when issued pursuant to Section 7 of the Act shall be and remain in force and effect for a period of 12 years subject to the terms and conditions of the Abatement Agreement on file in the City Clerk's office;

RESOLVED, That City Council approve the Abatement Agreement on file in the City Clerk's Office, and incorporated in this Resolution as if fully set forth herein;

RESOLVED, That the Mayor and City Clerk are authorized and directed to execute the Abatement Agreement, substantially in the form on file in the City Clerk's Office and subject to the approval as to form by the City Attorney;

RESOLVED, That the City Administrator be authorized to determine the amount of the nonrefundable application fee based on actual costs in processing the Application, in the amount not to exceed the City's actual costs to process the application, two percent (2%) of the total property taxes abated for the term that the industrial facilities exemption certificate is in effect or \$1000.00, whichever is less; and

RESOLVED, That the City Clerk is authorized and directed to forward the Application to the State Tax Commission for a finding pursuant to the Act, and if determined compliant with the Act, issuance of a Industrial Facilities Exemption Certificate to Sartorius.