

RESOLUTION 54-07

A RESOLUTION REQUESTING THAT THE OHIO DEPARTMENT OF DEVELOPMENT AMEND WAYNE COUNTY'S ENTERPRISE ZONE #115C, AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Enterprise Zone Act ("the Act"), under Ohio Revised Code Section 5709.61 through 5709.69 has authorized counties, with the consent and agreement of affected municipalities and townships therein, to designate areas as Enterprise Zones and to execute agreements with certain enterprises for the purpose of establishing, expanding, renovating, or occupying facilities and hiring new employees and preserving jobs within said zones in exchange for specified local tax incentives granted by the county;

WHEREAS, the City Council of Orrville ("the Council") upon due consideration desires to implement said Act and to designate an Enterprise Manager within the boundaries of Orrville ("the Municipality") to promote the economic welfare of said Municipality;

WHEREAS, it is necessary for the Council to formally request from the County Commissioners of Wayne County, Ohio, ("the Board") the inclusion of the Municipality in an Enterprise Zone proposal and to include such an ordinance in a petition to the Director of the Department of Development of the State of Ohio to certify the area described as such a zone;

WHEREAS, the Council finds and determines that designation of the zone pursuant to the Ohio Revised Code Section 5709.632 will promote the economic welfare of the residents of the Municipality by creating new jobs and retaining and preserving existing jobs and employment opportunities within such areas and is in the best interest of said Municipality;

WHEREAS, the Council understands that the Board of County Commissioners is required by law to administer all Enterprise Zone and agreements within the County and will therefore appoint a designee to be responsible for 1) the establishment and operation of the Tax Incentive Review Council as specified in Ohio Revised Code Section 5709.85, 2) to ensure that the Enterprise Zone Agreements contain the information required in Ohio Revised Code Section 5709.631, including but not limited to a description of the project, the amount to be invested, the number of jobs created and/or retained, the annual new payroll associated with these jobs, and the specific percentage and term of the tax exemptions being granted toward real and/or personal property, 3) to forward copies of all Enterprise Zone Incentive Agreements to both the Ohio Department of Development and the Ohio Department of Taxation within fifteen days after the agreement is entered into, as specified in the Ohio Revised Code, 4) to notify affected school boards of proposed projects a minimum of fourteen days prior to formal local legislative consideration and to include comments by the school board as part of the review process as required under Ohio Revised Code Section 5709.83, 5) to maintain a centralized record of all aspects of the Zone, including copies of the agreements, a list of the members of the Tax Incentive Review Council, and a summary of the Tax Incentive Review Council's annual review of each agreement, and 6) to submit a comprehensive annual zone activities on or before March 31 of each year pursuant to Section 5709.68;

WHEREAS, the Council is requesting an amendment of an Enterprise Zone which includes part of the municipal corporation and meets the population and boundary requirements to be certified as an Enterprise Zone under Section 5709.632;

WHEREAS, the Board of County Commissioners will have primary responsibility for negotiating and administering Enterprise Zone Agreements. It is the intention of the Board to involve affected Municipalities in the negotiation process and to receive the consent and approval of the affected Municipality prior to formal approval by the Board; and

WHEREAS, the Council hereby agrees to the establishment of a Tax Incentive Review Council or Councils pursuant to Ohio Revised Code Section 5709.85 and will appoint two representatives to said Council within sixty days after the state Development Director certifies the zone.

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby authorizes the County to include the portion of the Municipality described in Exhibit A in the Enterprise Zone; and

BE IT FURTHER RESOLVED that the Clerk of the Board of County Commissioners, of Wayne County, Ohio is hereby authorized to include this resolution in the petition to the Director of the Department of Development of the State of Ohio.

Passed this _____ day of _____ 2007.

President of Council

Attest:

Clerk of Council

Approved:

Mayor

Date_____