



Legislation Details (With Text)

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On agenda: 4/29/2013 **Final action:** 5/2/2013

Title: To authorize the Director of Development to amend the Enterprise Zone Agreement with Tarrier Foods Corp. and Tarrier Holdings, Inc. in order to clarify the date by which no real property exemption shall extend; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|----------|--------|
| 5/2/2013 | 1 | ACTING CITY CLERK | Attest | |
| 5/1/2013 | 1 | MAYOR | Signed | |
| 4/29/2013 | 1 | COUNCIL PRESIDENT | Signed | |
| 4/29/2013 | 1 | Columbus City Council | Approved | Pass |

BACKGROUND: Columbus City Council, by Ordinance 2032-2011, passed on December 12, 2011, authorized the Director of Development to enter into an Enterprise Zone Agreement (Agreement) with Tarrier Foods Corp. and Tarrier Holdings, Inc. for a tax abatement of seventy-five percent (75%) for a period of ten (10) years in consideration of: the company's \$3,000,000 investment in real property acquisition; \$3,000,000 investment in real property improvements on Parcel Number 560-233421; an investment of approximately \$200,000 for machinery and equipment; the retention of 33 full-time permanent positions with an annual payroll of approximately \$1,260,000; and the creation of 17 new full-time permanent positions with an annual payroll of approximately \$436,800. The Agreement was made and entered into on January 25, 2012.

There exists a need to amend the Agreement in order to clarify the date by which no real property exemption shall extend. The Agreement currently states that no real property exemption shall commence after 2013 nor extend beyond 2021. The Agreement should state that no real property exemption shall commence after 2013 nor extend beyond 2022, in order to reflect the full ten year term. All other commitments made within the Agreement are to remain unchanged with this amendment, being requested as emergency legislation.

FISCAL IMPACT: No funding is required for this legislation.

To authorize the Director of Development to amend the Enterprise Zone Agreement with Tarrier Foods Corp. and Tarrier Holdings, Inc. in order to clarify the date by which no real property exemption shall extend; and to declare an emergency.

WHEREAS, the Columbus City Council authorized the designation of the Enterprise Zone by legislation, Ordinance 779-85, dated April 22, 1985; and Subsequently amended the Zone by Ordinances 2722-85 in 1986; 2080-89 in 1989; 1949-92, 2609-92 and 2249-92 in 1992; 1079-94 and 1228-94 in 1994; 2196-95 and 2817-95 in 1995; 533-99 in 1999; 1785-00 in 2000; 1464-02 in 2002; and 225-03 in 2003; and 0032-2012 in 2012; and

WHEREAS, the Director of the Development Department of the State of Ohio determined that the Columbus Enterprise Zone as amended by the aforementioned Ordinances continued to contain the characteristics set forth in Section 5709.61 (A) of the Ohio Revised Code and recertified said Zone in 1986, December 20, 1989, September 28, 1992, October 22, 1992, December 17, 1992, May 31, 1994, June 24, 1994, June 16, 1995, October 5, 1995, December 19, 1995, April 1, 1999, September 25, 2000, January 27, 2003 and most recently on August 19, 2003 and most recently on April 3, 2012 as an “urban jobs and enterprise zone” under Chapter 5709 of the Ohio Revised Code; and

WHEREAS, Tarrier Holdings, Inc. plans to invest approximately \$3,000,000 in real property acquisition and \$3,000,000 in real property improvements on Parcel Number 560-233421; and

WHEREAS, Tarrier Foods will invest approximately \$200,000 in machinery and equipment and will be the primary tenant for the project; and

WHEREAS, Tarrier Foods will retain 33 full-time positions with an annual payroll of approximately \$1,260,000; and

WHEREAS, Tarrier Foods will create 17 new permanent full-time positions with an annual payroll of approximately \$436,800; and

WHEREAS, the Columbus City Council authorized the Director of Development to enter into an Enterprise Zone Agreement with Tarrier Foods Corp. and Tarrier Holdings, Inc. for a tax abatement of seventy-five percent (75%) for a period of ten (10) years.; and

WHEREAS, an emergency exists in the usual daily operation of the Columbus Department of Development in that it is immediately necessary to seek an amendment of the Enterprise Zone Agreement for Tarrier Foods Corp. and Tarrier Holdings, Inc. from Columbus City Council to clarify the date by which no real property exemption shall extend, thereby preserving the public health, peace, property and safety; **NOW THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Development is authorized to amend the Enterprise Zone Agreement with Tarrier Foods Corp. and Tarrier Holdings, Inc. to reflect the proposed clarification of the date by which no real property exemption shall extend. The Agreement should state that no real property exemption shall commence after 2013 nor extend beyond 2022, in order to reflect the full ten year term.

Section 2. That City Council hereby finds and determines that the project meets all the requirements of the City Act.

Section 3. That the amendment to the City of Columbus Enterprise Zone Agreement be signed by Tarrier Foods Corp. and Tarrier Holdings, Inc. within 90 days of passage of this ordinance, or this ordinance and the abatement authorized herein shall be null and void.

Section 4. That for reasons stated in the preamble hereto, which is hereby made a part hereof, the ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after the passage if the Mayor neither approves nor vetoes the same.