

RESOLUTION NO.: 2007-R14
SPONSOR: MAYOR CROGHAN
INTRODUCED: FEBRUARY 27, 2007 **ASSIGNED TO:** FINANCE

A RESOLUTION ACCEPTING AN AMENDMENT TO THE ENTERPRISE ZONE AGREEMENT BETWEEN THE CITY OF GREEN, SUMMIT COUNTY, 1475 PLACE LIMITED AND FEDEX CUSTOM CRITICAL, INC., AND DECLARING AN EMERGENCY.

WHEREAS, the City of Green, Summit County, 1475 Place Limited and FedEx Custom Critical, Inc. entered into an Enterprise Zone Agreement on the 10th day of April, 2001; and

WHEREAS, pursuant to the terms of the original Enterprise Zone Agreement, the real and personal property tax incentives commenced during tax year 2002 (collection year 2003); and

WHEREAS, the new FedEx Custom Critical, Inc. headquarters was not fully constructed and operational until calendar year 2003; thus, the parties entered into Addendum #1 to the Enterprise Zone Agreement on approximately the 14th day of October, 2003 establishing that the exemption date for the real and property incentives began July 1, 2003 and expired on June 30, 2008; and

WHEREAS, at the 2006 meeting of the Tax Incentive Review Council, the Summit County Fiscal Office informed the City of Green that the Enterprise Zone Tax Incentives must run on a tax year/calendar year timetable; and

WHEREAS, the Tax Incentive Review Council recommended adjustments to the beginning and end dates of the incentives granted in the Enterprise Zone Agreement as follows:

Real Property: January 1, 2004 to December 31, 2008 (currently July 1, 2003 to June 30, 2008)
Personal Property: January 1, 2003 to December 31, 2007 (currently July 1, 2003 to June 30, 2008)

WHEREAS, the City of Green believes a further Addendum should be made to the Enterprise Zone Agreement to insure that 1475 Place Limited and FedEx Custom Critical, Inc. receive the full five (5) year exemption originally granted to them and so that the written agreement accurately reflects the applicable tax years.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO THAT:

SECTION ONE:

Green City Council approves Addendum #3 to the Enterprise Zone Agreement between the City of Green, Summit County, 1475 Place Limited and FedEx Custom Critical, Inc. A copy of this proposed Addendum is attached to this Resolution as Exhibit "A".

SECTION TWO:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION THREE:

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green. Provided that this legislation receives the affirmative vote of three-fourths of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: MARCH 27, 2007


Molly Kapeluck, Clerk


Bruce Manwaring,
Council President

APPROVED: MARCH 27, 2007

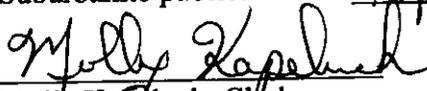

Daniel L. Croghan, Mayor
R BRUCE MANWARING, Acting Mayor

COPIED _____
CITY ZONE PARK ROAD ENG
MAY PLAN FIRE

ENACTED EFFECTIVE: MARCH 27, 2007

ON ROLL CALL: Colopy - YEA Croce - A.S. ST France - YEA Manwaring - YEA
Padrutt - YEA Ridgeway - YEA Smole - YEA Adopted 6-0

Suburbanite publication on APRIL 2 and APRIL 9, 2007


Molly Kapeluck, Clerk

2/6/2007 2:21 PM Approved as to form and content by Stephen J. Pruneski, Law Director 

ADDENDUM #3 TO SUMMIT COUNTY ENTERPRISE ZONE AGREEMENT

This Addendum ("Addendum") is made between the City of Green, Summit County, 1475 Place Limited and FedEx Custom Critical, Inc.

WHEREAS, on April 10, 2001, the City of Green, the County of Summit, 1475 Place Limited and FedEx Custom Critical, Inc. entered into a Summit County Enterprise Zone Agreement ("Agreement"); and

WHEREAS, on October 14, 2003, and October 25, 2005, the parties executed Addendums to that Agreement; and

WHEREAS, the parties now desire to amend that Agreement to incorporate recommendations made by the Tax Incentive Review Council regarding the beginning and end dates of the incentives granted in the Agreement.

1. The Agreement is amended to adjust the beginning and ending dates of the incentives granted as follows:

Real Property: January 1, 2004 to December 31, 2008 (currently July 1, 2003 to June 30, 2008)
Personal Property: January 1, 2003 to December 31, 2007 (currently July 1, 2003 to June 30, 2008)

The City of Green, County of Summit, 1475 Place Limited and FedEx Custom Critical further agree that any and all other sections, provisions and requirements of the original Enterprise Zone Agreement and Addendums not inconsistent with this Addendum shall remain in full force and effect.

The parties have executed this Addendum this _____ day of _____, 2007.

CITY OF GREEN:

Approved as to form:

By Dan Croghan, its Mayor

Stephen J. Pruneski, Law Director

SUMMIT COUNTY:

Approve as to form:

By James B. McCarthy, its Executive

Karen M. Doty, Law Director

1475 PLACE LIMITED:

FEDEX CUSTOM CRITICAL:

By David J. Schipper
Its Managing Member

By John G. Pickard
Its President and CEO