

ORDINANCE NO. 100-2012

TITLE: OUI, INC. – CRA ABATEMENT – AMENDMENT

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, VIA THE PLANNING DIRECTOR, TO SUBMIT TO THE STATE OF OHIO, A SECOND AMENDED “BUSINESS APPLICATION FOR TAX INCENTIVES,” ON BEHALF OF OUI, INC., AND DECLARING AN EMERGENCY.

WHEREAS, in March 2008, Barberton City Council (Ordinance No. 73-2008) and the Ohio Department of Development approved a 10-year, 50% tax abatement for the OUI Inc. (Jenco Construction) proposed \$1.1 million project at 96 16th Street, SW; and

WHEREAS, the original application stated that the project would begin in June 2008 and be completed December 2008, with the hiring of ten full-time positions to begin June 2009 and completed in June 2012; and

WHEREAS, due to the downturn in the economy and pending water issues at the site, OUI Inc. requested an amendment to their application (Ord. No. 52-2009) with a new time frame to begin/end the project; and

WHEREAS, the water issues have been resolved and OUI Inc. is requesting a second amendment to their application for a \$1.4 million expansion.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Barberton, State of Ohio:

SECTION 1. That the Mayor, via the Planning Director, is hereby authorized and directed to submit to the State of Ohio a second amended “Business Application for Tax Incentives” on behalf of OUI Inc. for a fifty percent (50%), ten (10) year tax abatement. The amendments to their amended application would include a new time frame for the project that would begin on July 1, 2012 and be completed on July 1, 2013; the time frame for hiring ten (10) full-time employees will be two (2) years from July 2013.

SECTION 2. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, because of the necessity and desirability of assisting OUI, Inc. to facilitate timely construction of the new facility and the creation of new jobs in Barberton, and provided it receives the approval of two-thirds of the members of Council, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed _____ 2012

Clerk of Council

President of Council

Approved _____ 2012

Mayor