

RESOLUTION NO. R-17-14

A RESOLUTION AUTHORIZING AN AGREEMENT WITH OHI GREENHOUSE, LLC, PROVIDING FOR A PROJECT AND TAX EXEMPTION PURSUANT TO THE STATE ENTERPRISE ZONE PROGRAM, AND MAKING DETERMINATIONS IN CONNECTION THEREWITH; REPEALING ALL PRIOR CONFLICTING ORDINANCES

WHEREAS, the State of Ohio, pursuant to its Enterprise Zone Program, provided for the establishment of Enterprise Zones, and for the provision of tax incentives to private enterprises in order to promote and encourage expansion programs by private enterprise in such Enterprise Zones, and the creation and/or preservation of jobs and economic development in connection therewith; and

WHEREAS, pursuant to said Enterprise Zone Program, this City Council by Ordinance No. 4369, passed the 20th day of November 2003, approved the designation of the geographic area within the corporation limits of the City of Wilmington as described in said Ordinance as an Enterprise Zone, and requested Clinton County Commissioners to make such designation, and the Board of County Commissioners of Clinton County by their Resolution 03-1122, designated the geographic area described in said Resolution as an Enterprise Zone, and the Director of Development of the Ohio Department of Development has made his certification and approval of said area as an Enterprise Zone within the requirements of Ohio Revised Code Sections 5709.61 through 5709.66 (hereinafter the "Act"); and

WHEREAS, the City Council has received an Application (the "Application") from GREENHOUSE, LLC (the "Enterprise") proposing to enter into an agreement with the City under the Act, which agreement would provide for the construction of a commercial greenhouse farm using hydroponic growing methods to grow a variety of produce, as described in said Application (the "Project"), in the Enterprise Zone, and pursuant to aforesaid Ordinance and County Resolution, the City desires to enter into an Enterprise Zone Agreement (the "Agreement") with the Company, and submit such Agreement for County approval; and

WHEREAS, said Application has been reviewed by this City Council and the City Council has determined that it will be in the best interests of the City and its citizens to proceed to enter an Agreement with the Enterprise providing for the Project described in said Application and for the requested tax exemption therefore, and that such Agreement and Project will carry out the purposes of the Act, and will promote the economic welfare of the City and its residents by creating employment opportunities.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, THE COUNTY OF CLINTON, AND THE STATE OF OHIO:

Section 1. The City Council hereby finds and determines that the Enterprise is qualified by financial responsibility and business experience to create employment opportunities in the Enterprise Zones, and to improve the economic climate of the City, and hereby finds and determines that the aforesaid Application complies with the requirements of the Act and is satisfactory to the City, and which Application is hereby approved.

Section 2. This City Council hereby authorizes and directs the Director of Public Service to execute an Agreement (Exhibit A, attached hereto and incorporated by reference) on behalf of the City, and with the Enterprise providing the Project, and the City Council hereby approves a tax exemption at a rate of 75% for ten (10) years of eligible real property resulting from the project. Council further hereby authorizes and directs the Director of Public Service to execute an Agreement on behalf of the City and with the Enterprise providing for the Project, and for granting by the City of the aforesaid real property tax exemption.

Section 3. This Council hereby authorizes and directs the Director of Public Service, the Director of Law or designee, and other appropriate officials of the City to take such additional steps, including discussions with the Wilmington City School District ("WCSD") regarding said Agreement, to execute such documents, and provide such information and

certifications, and such other actions as are necessary and appropriate to carry out and implement the terms and conditions of the aforesaid Agreement and the requirements and policies of the Enterprise Zone.

Section 4. The City Council 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 that all deliberations of this Council and any of its committees that resulted in those formal actions were taken in meetings open to the public in accordance with the law.

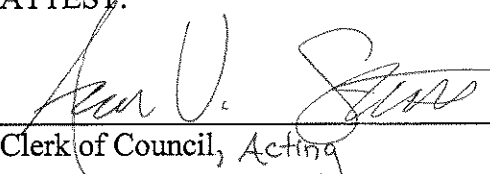
Section 5. That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Passed this 16th day of March, 2017.



President of Council

ATTEST:



Clerk of Council, Acting

Approved by me this 16th day of March, 2017.



Mayor