

ORDINANCE NO. 15,233

AN ORDINANCE giving prior approval for a partial exemption from property taxation on the value to be added by new construction to industrial real estate located at 3525 Vandalia Road in accordance with Chapter 427B of the Iowa Code and of Des Moines Ordinance No. 11,038.

WHEREAS, pursuant to Chapter 427B of the Iowa Code and Ordinance No. 11,038 of the Des Moines Municipal Code, the City Council is authorized to give prior approval for a partial exemption from property taxation on the value to be added by new construction to industrial real estate; and,

WHEREAS, Helena Industries, Inc. has requested that the City Council give such prior approval to a project involving the expansion of their current chemical manufacturing operations and construction of an industrial building at 3525 Vandalia Road which project costs will be approximately \$4,700,00; and,

WHEREAS, pursuant to Section 3(2) of Ordinance No. 11,038, before the City Council may give such prior approval to a proposal, it must schedule a public hearing and provide public notice of same, and "at least thirty days after such hearing the city council, by ordinance, may give its prior approval of a tax exemption"; and,

WHEREAS, on June 24, 2013, by Roll Call No. 13-1046, the City Council scheduled the required public hearing for July 15, 2013, and authorized publication of notice thereof; and

WHEREAS, after due notice, the public hearing was held before the City Council on July 15, 2013; and,

WHEREAS, on July 15, 2013, by Roll Call No. 13-1138, the City Council closed the required public hearing and directed the Legal Department to prepare this ordinance for first consideration by the City Council, for the purpose of establishing the Council's prior approval of a partial tax exemption for the Helena Industries, Inc. project in accordance with Section 3(2) of said Ordinance No. 11,038.

NOW, THEREFORE, Be It Ordained by the City Council of the City of Des Moines, Iowa, as follows:

Section 1. The City Council finds that the industrial expansion project by Helena Industries, Inc., at 3525 Vandalia Road costing approximately \$4,700,000, is in conformance with the zoning for the City and constitutes new construction eligible for a tax exemption under Chapter 427B of the Iowa Code and City of Des Moines Ordinance No. 11,038

Sec. 2. The exemption shall be available for five years for the portion of the project otherwise qualified and for which an exemption has not previously been granted, and the amount of such exemption shall be determined in accordance with the schedule set forth in Section 2 of City of Des Moines Ordinance No. 11,038.

Sec. 3. The exemption given prior approval hereunder shall be allowed only if the new construction has been completed and found to be qualified real estate.

Sec. 4. The proceedings to give prior approval for partial tax exemption by this ordinance for the industrial building project of Helena Industries, Inc. are hereby determined to comply with City of Des Moines Ordinance No. 11,038.

Sec. 5. This ordinance shall constitute prior approval for partial tax exemption under Iowa Code Chapter 427B for the industrial expansion project of Helena Industries, Inc.

Sec. 6. The City Clerk is hereby authorized and directed to forward a certified copy of this ordinance and Ordinance No. 11,038 to the City Legal Department for release to the County Assessor for Polk County, Iowa.

Sec. 7. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 13-1730), passed by the City Council of said City at a meeting held November 4, 2013 signed by the Mayor on November 4, 2013 and published and provided by law in the Business Record on November 22, 2013. Authorized by Publication Order No. 8642 .

Diane Rauh, City Clerk