

★ **Roll Call Number**

Agenda Item Number

43

Date September 23, 2013

An Ordinance entitled, "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",

which was considered and voted for the first time upon under Roll Call No. 13- 1445 of September 9, 2013, again presented.

MOVED by _____ that this ordinance be considered and given second vote for passage.

(Second of three required readings)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

Mayor

City Clerk

ORDINANCE NO. _____

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.

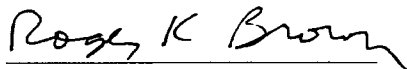
Sec. 4. The proceedings to give prior approval for partial tax exemption by this ordinance for the industrial building project of Helena Industries, Inc. are hereby determined to comply with City of Des Moines Ordinance No. 11,038.

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

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