

ORDINANCE NO. 104-23

**AN ORDINANCE CONSENTING TO AN ENTERPRISE ZONE TAX
ABATEMENT AGREEMENT BETWEEN THE CITY OF AVON, THE BOARD OF
LORAIN COUNTY COMMISSIONERS, ADVANCED POLYMER COATINGS, INC.,
AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF AVON TO
EXECUTE AN ENTERPRISE ZONE AGREEMENT WITH THIS ENTITY AND
AUTHORIZING AND DIRECTING THE CLERK OF COUNCIL TO TRANSMIT A
CERTIFIED COPY OF THIS ORDINANCE ALONG WITH THE ENTERPRISE ZONE
AGREEMENT TO THE BOARD OF LORAIN COUNTY COMMISSIONERS
FOR FURTHER CONSIDERATION BY THE BOARD
AND DECLARING AN EMERGENCY**

WHEREAS, pursuant to Ordinance No. 44-94, the City of Avon requested that the Board of County Commissioners of Lorain County petition the Director of the Department of Development of the State of Ohio to certify a portion of the City of Avon described in the Exhibits to Ordinance No. 44-94 as Urban Jobs and Enterprise Zone (Rural); and

WHEREAS, on April 7, 1994, the Board of Lorain County Commissioners, by Resolution No. 94-260, petitioned the Director of Development of the State of Ohio to certify a portion of the City of Avon described in the Exhibits to Ordinance No. 44-94 of the City of Avon as a Urban Jobs and Enterprise Zone (Rural); and

WHEREAS, effective May 24, 1994, the Director of Development of the State of Ohio approved an amendment of the Urban Jobs and Enterprise Zone (Rural) and certified a portion of the City of Avon as described in the Exhibits to Ordinance No. 44-94 as an Urban Jobs and Enterprise Zone (Rural) under Section 5709.63 of the Ohio Revised Code; and

WHEREAS, Advanced Polymer Coatings, Inc. an Ohio corporation, has submitted an Enterprise Zone Tax Abatement Proposal setting forth the outline of a plan to construct an addition to its existing manufacturing facility of approximately 20,000 square feet on Permanent Parcel Numbers 04-00-021-000-301 (hereinafter referred to as the Project within the Urban Jobs and Enterprise Zone (Rural) in the City of Avon, to hire new employees, and preserve employment opportunities for existing employees of Advanced Polymer Coatings, Inc. in the City of Avon Enterprise Zone, and has requested that the City of Avon grant one or more tax abatement incentives as set forth in Section 5709.62 of the Ohio Revised Code in exchange for implementation of the aforementioned plan; and

WHEREAS, a Public Hearing was duly publicized according to law and was held on October 2, 2023, at 7:30 p.m.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That the Mayor is hereby authorized and directed to execute, on behalf of the City of Avon, an Enterprise Zone Agreement with Advanced Polymer Coatings, Inc., in substantially the form as set forth in [Exhibit A](#) attached hereto and made a part hereof.

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Section 2 - That the Clerk of Council is hereby directed to immediately transmit a certified copy of this Ordinance, along with the Enterprise Zone Agreement to the Board of Lorain County Commissioners for further consideration by the Board.

Section 3 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted 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 actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 - That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health, safety and welfare of Avon residents, for the purpose of consenting to an enterprise zone agreement with Advanced Polymer Coatings, Inc. to make additional employment available and to preserve employment opportunities at Advanced Polymer Coatings, Inc. located in the City of Avon; therefore, this ordinance is hereby declared to be an emergency and shall take effect and be in full force immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks, Clerk of Council

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Posted: _____
Electronically and at City Hall as
Provided by Council

Prepared By:

John A. Gasior, Esq.
Law Director, City of Avon