



CITY OF BURTON
BURTON CITY COUNCIL MEETING
OCTOBER 21, 2019
AGENDA

Council Chambers

Public Hearing

6:45 PM

4303 S. CENTER ROAD
BURTON, MI 48519

A. CALL TO ORDER

B. PRESENTATION

C. OPEN PUBLIC HEARING

1. A special city council meeting for the purpose of a public hearing to consider any objections and/or favorable comments relative to a request for an Industrial Facilities Tax Exemption Certificate for Genesee Polymers Corporation for property commonly known as 4099 S. Dort Hwy, Burton, MI

D. CLOSE PUBLIC HEARING



Burton City Council
4303 S. Center Road
Burton, MI 48519

Meeting: 10/21/19 06:45 PM
Department: Clerk's Office
Category: Discussion
Prepared By: Bette Bigsby
Department Head: Bette Bigsby

C.1

SCHEDULED

INFORMATION ITEM (ID # 4639)

DOC ID: 4639

A special city council meeting for the purpose of a public hearing to consider any objections and/or favorable comments relative to a request for an Industrial Facilities Tax Exemption Certificate for Genesee Polymers Corporation for property commonly known as 4099 S. Dort Hwy, Burton, MI

ATTACHMENTS:

- Genesee Polymer (PDF)

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form, call (517) 373-3302.

To be completed by Clerk of Local Government Unit	
Signature of Clerk	Date Received by Local Unit
STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION

All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) GENESEE POLYMERS CORPORATION		1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code)	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 4099 DET HWY 6, BURTON, MI 48529		1d. City/Township/Village (indicate which) CITY OF BURTON	1e. County GENESEE
2. Type of Approval Requested ☒ New (Sec. 2(5)) ☐ Transfer ☐ Speculative Building (Sec. 3(8)) ☐ Rehabilitation (Sec. 3(6)) ☐ Research and Development (Sec. 2(10)) ☐ Increase/Amendment		3a. School District where facility is located ATHERTON	3b. School Code 25130
		4. Amount of years requested for exemption (1-12 Years) 12	

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

CONSTRUCTION OF A NEW 31,250 SF STORAGE BUILDING ATTACHED TO AN EXISTING LAB FACILITY.

6a. Cost of land and building improvements (excluding cost of land) : * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	4,101,689 Real Property Costs
6b. Cost of machinery, equipment, furniture and fixtures : * Attach itemized listing with month, day and year of beginning of installation, plus total	N/A Personal Property Costs
6c. Total Project Costs : * Round Costs to Nearest Dollar	4,101,689 Total of Real & Personal Costs

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

Begin Date (M/D/Y)		End Date (M/D/Y)			
Real Property Improvements				☒ Owned	☐ Leased
Personal Property Improvements	N/A	N/A		☐ Owned	☐ Leased

8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. ☐ Yes ☒ No

9. No. of existing jobs at this facility that will be retained as a result of this project. **15**

10. No. of new jobs at this facility expected to create within 2 years of completion. **5**

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land) : **N/A**

b. TV of Personal Property (excluding inventory) : **N/A**

c. Total TV : **N/A**

12a. Check the type of District the facility is located in:
☒ Industrial Development District ☐ Plant Rehabilitation District

12b. Date district was established by local government unit (contact local unit)
JAN 1987

12c. Is this application for a speculative building (Sec. 3(8))?
☐ Yes ☒ No

Attachment: Genesee Polymer (4639 : Public Hearing)

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name <i>John L. Asselin Jr. AIA</i>	13b. Telephone Number <i>810-230-9311</i>	13c. Fax Number	13d. E-mail Address <i>JASSELIN@AMAGARCH.COM</i>
14a. Name of Contact Person <i>Charles R. Piskoti</i>	14b. Telephone Number <i>810-715-5018</i>	14c. Fax Number	14d. E-mail Address
▶ 15a. Name of Company Officer (No Authorized Agents) <i>Charles R. Piskoti</i>			
15b. Signature of Company Officer (No Authorized Agents) <i>CHR. Piskoti</i>		15c. Fax Number	15d. Date <i>Sept. 5, 2019</i>
▶ 15e. Mailing Address (Street, City, State, ZIP Code) <i>64099 S Dort Hwy Burton MI 48529</i>		15f. Telephone Number <i>810 715 5018</i>	15g. E-mail Address

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit ☐ Abatement Approved for ____ Yrs Real (1-12), ____ Yrs Pers (1-12) After Completion ☐ Yes ☐ No ☐ Denied (Include Resolution Denying)		16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable ☐ 1. Original Application plus attachments, and one complete copy ☐ 2. Resolution establishing district ☐ 3. Resolution approving/denying application. ☐ 4. Letter of Agreement (Signed by local unit and applicant) ☐ 5. Affidavit of Fees (Signed by local unit and applicant) ☐ 6. Building Permit for real improvements if project has already begun ☐ 7. Equipment List with dates of beginning of installation ☐ 8. Form 3222 (if applicable) ☐ 9. Speculative building resolution and affidavits (if applicable)	
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable ☐ 1. Notice to the public prior to hearing establishing a district. ☐ 2. Notice to taxing authorities of opportunity for a hearing. ☐ 3. List of taxing authorities notified for district and application action. ☐ 4. Lease Agreement showing applicants tax liability.			
16c. LUCI Code		16d. School Code	
17. Name of Local Government Body		▶ 18. Date of Resolution Approving/Denying this Application	

Attached hereto is an original application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time, and that any leases show sufficient tax liability.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

Michigan Department of Treasury
State Tax Commission
PO Box 30471
Lansing, MI 48909

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

Instruction for Completing Form 1012, Industrial Facilities Tax Exemption (IFT) Application

The completed original application form 1012 and all required attachments, **MUST** be filed with the clerk of the local unit of government where the facility is or will be located. Complete applications must be received by the State Tax Commission by October 31 to ensure processing and certification for the following tax year. Applications received after the October 31 deadline will be processed as expeditiously as possible.

Please note that attachments listed on the application in number 16a are to be retained by the local unit of government, and attachments listed in number 16b are to be included with the application when forwarding to the State Tax Commission (STC).

(Before commencement of a project the local unit of government must establish a district, or the applicant must request in writing a district be established, in order to qualify for an IFT abatement. Applications and attachments must be received by the local unit of government **within six months of commencement of project.**)

The following information is required on separate documents attached to form 1012 by the applicant and provided to the local unit of government (city, township or village). (Providing an accurate school district where the facility is located is vital.)

1. Legal description of the real property on which the facility is or will be located. Also provide property identification number if available.
2. Personal Property Requirements: Complete list of new machinery, equipment, furniture and fixtures which will be used in the facility. The list should include description, **beginning date of installation** or expected installation by **month/day/year**, and costs or expected costs (see sample). Detail listing of machinery and equipment **must match amount shown** on question 6b of the application. Personal property applications must have attached a certified statement/affidavit as proof of the beginning date of installation (see sample).
3. Real Property Requirements: Proof of date the construction started (groundbreaking). Applicant must include one of the following if the project has already begun; building permit, footings inspection report, or certified statement/affidavit from contractor indicating exact date of commencement.

4. Complete copy of lease agreement as executed, if applicable, verifying lessee (applicant) has direct ad valorem real and/or personal property tax liability. The applicant must have real and/or personal property tax liability to qualify for an IFT abatement on leased property. If applying for a real property tax exemption on leased property, the lease must run the full length of time the abatement is granted by the local unit of government. Tax liability for leased property should be determined before sending to the STC.

The following information is required of the local unit of government: [Please note that only items 2, 4, 5, 6, & 7 below are forwarded to the State Tax Commission with the application, along with items 2 & 3 from above. The original is required by the STC. The remaining items are to be retained at the local unit of government for future reference. **(The local unit must verify that the school district listed on all IFT applications is correct.)**]

1. A copy of the notice to the general public and the certified notice to the property owners concerning the establishment of the district.
2. Certified copy of the resolution establishing the Industrial Development District (IDD) or Plant Rehabilitation District (PRD), which includes a legal description of the district (see sample). If the district was not established prior to the commencement of construction, the local unit shall include a certified copy or date stamped copy of the written request to establish the district.
3. Copy of the notice and the certified letters to the taxing authorities regarding the hearing to approve the application.
4. Certified copy of the resolution approving the application. The resolution must include the number of years the local unit is granting the abatement and the statement "the granting of the Industrial Facilities Exemption Certificate shall not have the effect of substantially impeding the operation of (governmental unit), or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in (governmental unit – see sample).

5. **Letter of Agreement (signed by the local unit of government and the applicant per P.A. 334 of 1993 (see sample).**
6. **Affidavit of Fees (signed by the local unit of government and the applicant), (Bulletin 3, January 16, 1998). This statement may be incorporated into the Letter of Agreement (see sample).**
7. **Treasury Form 3222 (if applicable - Fiscal Statement for Tax Abatement Request.**

The following information is required for rehabilitation applications in addition to the above requirements:

1. A listing of existing machinery, equipment, furniture and fixtures which will be replaced or renovated. This listing should include description, beginning date of installation or expected installation by month/day/year, and costs or expected costs.
2. A rehabilitation application must include a statement from the Assessor showing the taxable valuation of the plant rehabilitation district, separately stated for real property (EXCLUDING LAND) and personal property. Attach a statement from the assessor indicating the obsolescence of the property being rehabilitated.

The following information is required for speculative building applications in addition to the above requirements:

1. A certified copy of the resolution to establish a speculative building.
2. A statement of non-occupancy from the owner and the assessor. Please refer to the following Web site for P.A. 198 of 1974:

Please refer to the following Web site for P.A. 198 of 1974: **www.legislature.mi.gov/**. For more information and Frequently Asked Questions, visit our Web site at **www.michigan.gov/propertytaxexemptions**.

For guaranteed receipt by the State Tax Commission, it is recommended that applications and attachments are sent by certified mail.



General Conditions	\$536,880
Site Work & Excavation	\$547,900
Concrete	\$1,045,073
Masonry	\$53,070
Metals	\$836,856
Carpentry	\$24,660
Moisture Protection	\$5,000
Doors/Hardware/Glass	\$124,753
Finishes	\$93,616
Specialties	\$4,800
Mechanical	\$419,081
Electrical	\$335,000
Contingency	\$75,000

Subtotal **\$4,101,689**

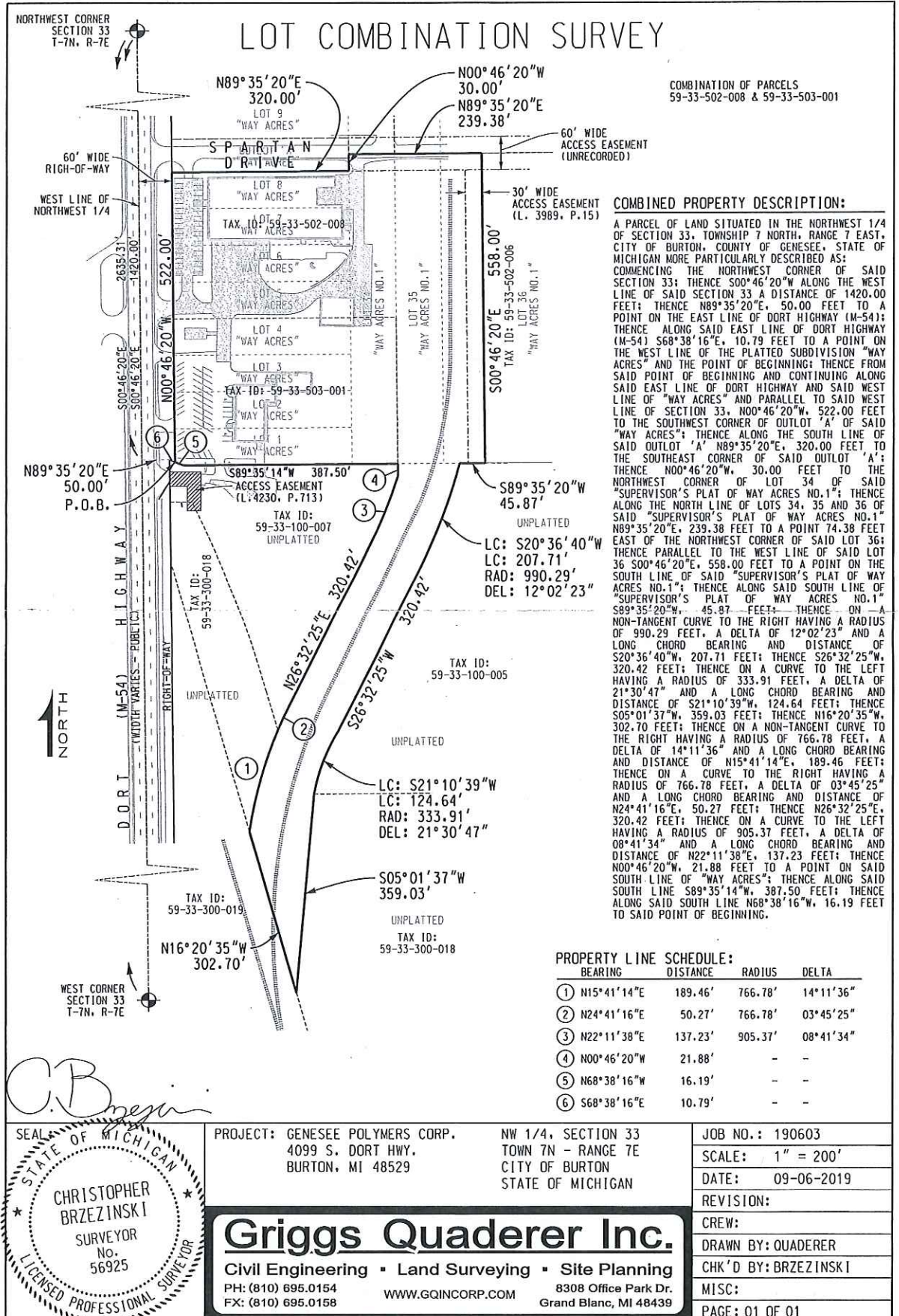
PROJECT TOTAL \$4,101,689

Attachment: Genesee Polymer (4639 : Public Hearing)

Attachment No. 1 – Applicant
Application for Industrial Facilities Tax Exemption Certificate by
Genesee Polymers Corporation

Legal Description

See Attached 11" x 17" Lot Combination Survey



Attachment No. 2 – Applicant
Application for Industrial Facilities Tax Exemption Certificate by
Genesee Polymers Corporation

List of Personal Property

Not Applicable

Attachment No. 3 – Applicant
Application for Industrial Facilities Tax Exemption Certificate by
Genesee Polymers Corporation

Proof of Date of Construction

Project has not yet begun. Anticipated start date September 16, 2019

Attachment No. 4 – Applicant
Application for Industrial Facilities Tax Exemption Certificate by
Genesee Polymers Corporation

Copy of Lease Agreement

Not Applicable

Attachment No. 1 – City
Application for Industrial Facilities Tax Exemption Certificate by
Genesee Polymers Corporation

Copy of Notice to general public and certified notice to property owners concerning district
establishment

To Be Provided by City

Attachment: Genesee Polymer (4639 : Public Hearing)

**PUBLIC HEARING NOTICE
TO THE RESIDENTS AND TAXPAYERS
OF THE CITY OF BURTON, MICHIGAN**

Pursuant to the formal request of Genesee Polymers Corporation the honorable Members of the Burton City Council of the City of Burton do hereby wish to establish a **INDUSTRIAL DEVELOPMENT DISTRICT** on premises situated in the City of Burton, Genesee County, Michigan, described as:

59-33-502-008 Owner: Genesee Polymers Corporation

N ½ OF LOT 34 & LOT 35 & W 74.88 FT OF LOT 36 SUPERVISORS PLAT OF WAY ACRES NO 1 & LOTS 5 THRU 8 WAY ACRES & A PARCEL OF LAND BEG S 88 DEG 39 MIN 45 SEC E 339.04 FT & N 14 DEG 57 MIN 30 SEC W 265 FT FROM W ¼ COR OF SEC OF SEC 33 TH N 14 DEG 57 MIN 30 SEC W 302.70 FT TH ON CURVE TO RIGHT -CHORD- N 17 DEG 04 MIN 14 SEC E 189.42 FT TH ON CURVE TO RIGHT -CHORD- N 26 DEG 02 MIN 43 SEC E 50.30 FT TH N 27 DEG 55 MIN 30 SEC E 320.42 FT TH ON CURVE TO LEFT -CHORD- N 23 DEG 36 MIN 11 SEC E 136.46 FT TH N 01 DEG 14 MIN 30 SEC E 22.87 FT TH S 89 DEG 03 MIN 30 SEC E 111.13 FT TH ON CURVE TO RIGHT -CHORD- S 21 DEG 59 MIN 11 SEC W 208.04 FT TH S 27 DEG 55 MIN 30 SEC W 320.42 FT TH ON CURVE TO LEFT -CHORD- S 22 DEG 33 MIN 44 SEC W 124.64 FT TH S 06 DEG 24 MIN 42 SEC W 359.03 FT TO PL OF BEG SEC 33 T7N R7E (12) OWNED & OCCUPIED AS ONE PARCEL FR 59-33-502-003, 59-33-502-005

59-33-503-001 Owner Genesee Polymers Corporation

LOTS 1 TO 4 INCL WAY ACRES AND S 1/2 OF LOT 34 SUPERVISORS PLAT OF WAY ACRES NO 1 FR 5900349019

59-33-100-007 Owner Genesee Polymers Corporation

A PARCEL OF LAND BEG S 0 DEG 36 MIN 45 SEC W 1420 FT & S 89 DEG 03 MIN 30 SEC E 50 FT FROM NW COR OF SEC TH S 67 DEG 18 MIN 09 SEC E 26.98 FT TH S 89 DEG 03 MIN 30 SEC E 387.50 FT TH S 1 DEG 14 MIN 30 SEC W 22.87 FT TH ON CURVE TO RIGHT -CHORD- S 23 DEG 36 MIN 11 SEC W 136.46 FT TH S 27 DEG 55 MIN 30 SEC W 320.42 FT TH ON CURVE TO LEFT -CHORD- S 26 DEG 02 MIN 43 SEC W 50.30 FT TH N 14 DEG 57 MIN 30 SEC W 73.13 FT & ON CURVE TO LEFT -CHORD- N 20 DEG 05 MIN 05 SEC W 368.05 FT & N 89 DEG 03 MIN 30 SEC W 40.58 FT TH N 0 DEG 36 MIN 45 SEC E 76 FT TO PL OF BEG SEC 33 T7N R7E 2.25 A (78)

A public hearing will be held on **Monday, October 7, 2019 at 6:45 PM** located at 4303 South Center Road, Burton, Michigan 48519 (810) 743-1500, on the establishment of the proposed Industrial Development District, at which time any owners of real property within the proposed district, and any taxing authority, other resident or taxpayer of the City of Burton shall have a right to appear and be heard.

Bette A. Bigsby, Acting City Clerk
City of Burton, Michigan

Attachment: Genesee Polymer (4639 : Public Hearing)

News Paper
9-17-19

**TO THE RESIDENTS OF THE
CITY OF BURTON**

**NOTICE OF HEARING ON THE ESTABLISHMENT OF AN
INDUSTRIAL DEVELOPMENT DISTRICT**

Notice to the public that **GENESEE POLYMERS CORPORATION, 4099 S. DORT HWY, BURTON MI 48529**, has filed with the City Clerk an Application for an Establishment of an Industrial Development District pursuant to Act 198, Public Acts of 1974, as amended.

That the City Council of the City of Burton, Genesee County, Michigan, has declared its intention to establish an Industrial Development District pursuant to Act 198, Public Acts of 1974, as amended.

Petitioner: GENESEE POLYMERS CORPORATION
Charles R. Piskoti
4099 S. Dort Hwy
Burton, MI 48529

Parcel Number: 59-33-502-008
59-33-503-001
59-33-100-007

Please take further notice that the Burton City Council will hold a Public Hearing on **October 7, 2019 AT 6:45 pm**, at the City of Burton, 4303 South Center Road, Burton, MI 48519, to hear and consider any objections/favorable comments of the public on this application.

THIS NOTICE IS GIVEN BY ORDER OF THE CITY COUNCIL.

Bette A Bigsby, Acting City Clerk
City of Burton, Michigan

Dated September 17, 2019

Attachment: Genesee Polymer (4639 : Public Hearing)

Attachment No. 2 – City
Application for Industrial Facilities Tax Exemption Certificate by
Genesee Polymers Corporation

Establishment of Industrial Development District

To Be Provided by City

Resolution Establishing Industrial Development District (IDD 2019-01)

WHEREAS, pursuant to PA 198 of 1974, as amended, the City of Burton, Michigan has the authority to establish "Industrial Development Districts" within the City of Burton, Michigan by its own initiative [(MCL 207.554(2)); and

WHEREAS, the honorable members of the Burton City Council have determined that the proposed Industrial Development District meets the requirements set forth in section 4(3) of PA 198 of 1974, as amended [(MCL 207.554(3)); and

WHEREAS, written notice has been given by certified mail to all tax authorities and all owners of real property located within the proposed district as required by section 4(4) of PA 198 of 1974, as amended [(MCL 207.554(4)); and

WHEREAS, on October 7, 2019 a public hearing was held and all taxing authorities, residents and taxpayers of the City of Burton, Michigan were afforded an opportunity to be heard thereon; and

WHEREAS, the City of Burton, Michigan deems it to be in the public interest of the City of Burton, Michigan to establish the Industrial Development District as proposed;

NOW, THEREFORE, BE IT RESOLVED by the honorable members of the Burton City Council that the following described parcels of land situated in the City of Burton, Genesee County, and State of Michigan, to wit:

59-33-502-008 Owner: Genesee Polymers Corporation

N ½ OF LOT 34 & LOT 35 & W 74.88 FT OF LOT 36 SUPERVISORS PLAT OF WAY ACRES NO 1 & LOTS 5 THRU 8 WAY ACRES & A PARCEL OF LAND BEG S 88 DEG 39 MIN 45 SEC E 339.04 FT & N 14 DEG 57 MIN 30 SEC W 265 FT FROM W ¼ COR OF SEC OF SEC 33 TH N 14 DEG 57 MIN 30 SEC W 302.70 FT TH ON CURVE TO RIGHT -CHORD- N 17 DEG 04 MIN 14 SEC E 189.42 FT TH ON CURVE TO RIGHT -CHORD- N 26 DEG 02 MIN 43 SEC E 50.30 FT TH N 27 DEG 55 MIN 30 SEC E 320.42 FT TH ON CURVE TO LEFT -CHORD- N 23 DEG 36 MIN 11 SEC E 136.46 FT TH N 01 DEG 14 MIN 30 SEC E 22.87 FT TH S 89 DEG 03 MIN 30 SEC E 111.13 FT TH ON CURVE TO RIGHT -CHORD- S 21 DEG 59 MIN 11 SEC W 208.04 FT TH S 27 DEG 55 MIN 30 SEC W 320.42 FT TH ON CURVE TO LEFT -CHORD- S 22 DEG 33 MIN 44 SEC W 124.64 FT TH S 06 DEG 24 MIN 42 SEC W 359.03 FT TO PL OF BEG SEC 33 T7N R7E (12) OWNED & OCCUPIED AS ONE PARCEL FR 59-33-502-003, 59-33-502-005

59-33-503-001 Owner: Genesee Polymers Corporation

LOTS 1 TO 4 INCL WAY ACRES AND S 1/2 OF LOT 34 SUPERVISORS PLAT OF WAY ACRES NO 1 FR 5900349019

59-33-100-007 Owner: Genesee Polymers Corporation

A PARCEL OF LAND BEG S 0 DEG 36 MIN 45 SEC W 1420 FT & S 89 DEG 03 MIN 30 SEC E 50 FT FROM NW COR OF SEC TH S 67 DEG 18 MIN 09 SEC E 26.98 FT TH S 89 DEG 03 MIN 30 SEC E 387.50 FT TH S 1 DEG 14 MIN 30 SEC W 22.87 FT TH ON CURVE TO RIGHT -CHORD- S 23 DEG 36 MIN 11 SEC W 136.46 FT TH S 27 DEG 55 MIN 30 SEC W 320.42 FT TH ON CURVE TO LEFT -CHORD- S 26 DEG 02 MIN 43 SEC W 50.30 FT TH N 14 DEG 57 MIN 30 SEC W 73.13 FT & ON CURVE TO LEFT -CHORD- N 20 DEG 05 MIN 05 SEC W 368.05 FT & N 89 DEG 03 MIN 30 SEC W 40.58 FT TH N 0 DEG 36 MIN 45 SEC E 76 FT TO PL OF BEG SEC 33 T7N R7E 2.25 A (78)

be and here is established as an Industrial Development District pursuant to the provisions of PA 198 of 1974, as amended to be known as

Industrial Development District No. IDD-2019-01.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Burton City Council of the City of Burton, County of Genesee, Michigan at a regular meeting held on October 7, 2019.


Bette A. Bigsby, Acting City Clerk
City of Burton, Michigan

Minutes of a regular meeting of the Burton City Council of the City of Burton, Michigan, held on October 7, 2019 at the City of Burton Council Chambers, Burton City Hall, 4303 South Center Road, Burton, Michigan 48519 at 7:00 p.m.

PRESENT:

ABSENT:

The following preamble and resolution were offered by _____, and supported by _____.

Attachment No. 3 – City
Application for Industrial Facilities Tax Exemption Certificate by
Genesee Polymers Corporation

Copies of certified letters to Taxing Authorities regarding hearing to approve the application

To Be Provided by City

Attachment: Genesee Polymer (4639 : Public Hearing)

**PUBLIC NOTICE TO THE RESIDENTS AND TAXPAYERS OF THE
CITY OF BURTON, MICHIGAN**

**NOTICE OF HEARING TO CONSIDER THE ISSUANCE OF AN
INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE**

WHEREAS, the Members of the Burton City Council of the City of Burton adopted by proper Resolution on Monday October 7, 2019, the establishments of an INDUSTRIAL DEVELOPMENT DISTRICT including, but not limited to, the following described property wit:

Parcel Number: 59-33-502-008
59-33-503-001
59-33-100-007

Commonly Known As: 4099 S. Dort Hwy.

NOW PLEASE TAKE NOTICE that the Burton City Council will meet on the 21st of October 2019 at 6:45pm in Burton City Council Chamber, Burton City Hall, 4303 South Center Road, Burton Michigan 48519, for the purpose of hearing each taxing unity which levies ad valorem taxes with-in the district and any other resident or taxpayer of the City of Burton, Michigan, regarding the petition of Genesee Polymers Corporation requesting an Industrial Facilities Tax Exemption Certificate. This notice is given by order of the Burton City Council and pursuant to Public Act 198 of 1974, as amended. Inquiries regarding the review of the petition on file may be made to Bette A. Bigsby, Acting City Clerk at (810) 743-1500.

Bette A Bigsby, Acting City Clerk
City of Burton, Michigan

Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)☐ Return Receipt (electronic)☐ Certified Mail Restricted Delivery☐ Adult Signature Required☐ Adult Signature Restricted Delivery

Postage

\$

Total Postage and Fees

\$

Sent To

Street, Apt. No., or PO Box No.

City, State, ZIP+4

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

GUSD - OFFICE OF FINANCE

4415 W. Maple Ave

Flint, MI 48509

PS Form 3800, June 2002

See Reverse for Instructions

U.S. Postal ServiceTMCERTIFIED MAILTM RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

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Certified Fee

Return Receipt Fee

(Endorsement Required)

Restricted Delivery Fee

(Endorsement Required)

Total Postage & Fees

\$

Postmark

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Street, Apt. No., or PO Box No.

City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions

Michigan Department of Treasury

Treasury Building

410 W. Allegan St

Lansing, MI 48922

PS Form 3800, June 2002

See Reverse for Instructions

U.S. Postal ServiceTMCERTIFIED MAILTM RECEIPT

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Return Receipt Fee

(Endorsement Required)

(6) Hearing public : 69397 (4639) Attachment: Genesee Polymer

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For delivery information visit our website at www.usps.com

OFFICIAL USE

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Certified Fee

Return Receipt Fee

(Endorsement Required)

Restricted Delivery Fee

(Endorsement Required)

Total Postage & Fees

\$

Postmark

Here

Sent To

Street, Apt. No., or PO Box No.

City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions

Mass Transportation Authority

Controller's Office

4445 Oak Hill

Flint, MI 48503

PS Form 3800, June 2002

See Reverse for Instructions

U.S. Postal ServiceTMCERTIFIED MAILTM RECEIPT

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OFFICIAL USE

Postage

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Certified Fee

Return Receipt Fee

(Endorsement Required)

Restricted Delivery Fee

(Endorsement Required)

Total Postage & Fees

\$

Postmark

Here

Sent To

Street, Apt. No., or PO Box No.

City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions

10th Community College

Larry Gaudin, CEO

Curtis-Matt Complex

1401 E Court St

Flint, MI 48503

PS Form 3800, June 2002

See Reverse for Instructions

U.S. Postal ServiceTMCERTIFIED MAILTM RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

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OFFICIAL USE

Postage

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Certified Fee

For delivery information visit our website at www.usps.com

For delivery information visit our website at www.usps.com

Official Use

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or PO Box No. G-4195 W. Pasadena Ave
City, State, ZIP+4 Flint, MI 48507
PS Form 3800, June 2002 See Reverse for Instructions

Sent To
Bishop International Airport
Street, Apt. No.:
or PO Box No. 6-3435 W. Burton Rd
City, State, ZIP+4 Flint, MI 48507
PS Form 3800, June 2002 See Reverse for Instructions

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Sent To
Office of Genesee County Clerk
Street, Apt. No.:
or PO Box No. 900 S. Saginaw St.
City, State, ZIP+4 Flint, MI 48502
PS Form 3800, June 2002 See Reverse for Instructions

Sent To
Afterton Community School
Street, Apt. No.:
or PO Box No. 3354 S. Genesee Rd
City, State, ZIP+4 Burton, MI 48519
PS Form 3800, June 2002 See Reverse for Instructions

Attachment No. 4 – City
Application for Industrial Facilities Tax Exemption Certificate by
Genesee Polymers Corporation

Certified copy of resolution approving application

To Be Provided by City

Attachment: Genesee Polymer (4639 : Public Hearing)

**Resolution Approving Industrial Facilities Tax Exemption Certificate Application
for Genesee Polymers Corporation**

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on October 7, 2019 the City of Burton, Michigan legally established the Industrial Development District IDD 2019-01 on October 7, 2019 after a public hearing held on October 7, 2019 and

WHEREAS, Genesee Polymers Corporation has filed an application for an Industrial Facilities Exemption Certificate with respect to a new facility to be attached to an existing Lab Facility and installed within the Industrial Development IDD 2019-01; and

WHEREAS, before acting on said application, the Burton City Council held a hearing on October 21, 2019 at Burton City Hall, 4303 S. Center Road, at 6:45 p.m., at which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, construction of the facility and installation of new machinery and equipment had not begun earlier than six (6) months before October 21, 2019 the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, completion of the facility is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Burton; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Burton, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of Burton that:

1. The City Council finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974, shall not have the effect of substantially impeding the operation of the City of Burton, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Burton.

2. The application from Genesee Polymers Corporation for an Industrial Facilities Exemption Certificate, with respect to a New Facility on the following described parcel of real property situated within the Industrial Development District IDD 2019-01, to wit: 59-33-503-001 LOTS 1 to 4 INCL WAY ACRES and S ½ OF LOT 34 SUPERVISORS PLAT OF WAY ACRES NO 1, be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force for a period of 11 years after and including one year for the construction of the facility.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Burton, County of Genesee, Michigan, at a regular meeting held on October 21, 2019.

Bette A. Bigsby, Acting City Clerk
City of Burton, Michigan

Attachment No. 5 & 6 – City
Application for Industrial Facilities Tax Exemption Certificate by
Genesee Polymers Corporation

Letter of Agreement & Affidavit of Fees

To Be Provided by City

Attachment: Genesee Polymer (4639 : Public Hearing)

INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE AGREEMENT

This Industrial Facilities Exemption Certificate Agreement (the "Agreement"), is between: Genesee Polymers Corporation (the "Company"), having a business address at 4099 S. Dort Hwy. Burton MI 48529; and the City of Burton (the "City"), whose address is 4303 S. Center Rd., Burton MI 48519. In this Agreement, the City and Company are referred to as the Parties or each Party.

The Company has filed an application (the "Application"), for the granting of an Industrial Facilities Exemption Certificate (hereinafter the "IFEC"), pursuant to the Michigan Public Act 198 of 1974 (MCL 207.551 et. seg.), as amended, for the construction of a new 31,250SF storage building attached to an existing lab facility. As described in the Application, the Facility is to be constructed within an industrial development district (the "IDD"), whose creation the City approved on or about October 7, 2019.

On October 21, 2019, the Burton City Council approved the Application, for a period of eleven (11) years after and including one year for the construction of the Facility, which should result in the State Tax Commission using an IFEC that expires on December 30, 2031.

To encourage the Company's proposed investment and the City's approving the Application, and in recognition of the contribution the City will be making to the area's economic growth by approving the Application, the Company and City agree to follows:

1. GENERAL

The Company will complete its construction of the Facility as set forth in the Application (a copy of which is attached hereto, incorporated herein and marked as "Exhibit A"), within three (3) years after the date of the State Tax Commission's approval of the IFEC.

2. REDUCTION OR REVOCATION OF TAX SAVINGS

If the City approves the Application and the State Tax Commission approves and issues the IFEC, and thereafter the Company fails to construct the Facility in the IDD, then unless this occurs because of reasons beyond the Company's control (such as due to decline in sales of products manufactured by the Company or its affiliates), the following shall apply:

If the City Council has interest in pursuing the matter, the City Council shall provide reasonable notice and offer the Company the opportunity to have a public hearing at which the Company shall be permitted to explain the reasons for its failure to timely complete the Facility.

3. REVIEW AND AUDIT

The Company acknowledges and understands that to determine compliance with this Agreement, the City may review the audit information that the Company provides pursuant to Section 2 of this Agreement. Notwithstanding any provision of this Agreement, the Company shall not be required to provide the City with any information that is confidential or which the Company is prohibited by law from disclosing.

4. EFFECTIVE DATE

This Agreement shall become effective upon the IFEC's issuance by the Michigan State Tax Commission. This Agreement shall be null and void and of no force or effect whatsoever if the

Michigan State Tax Commission either denies the issuance of the IFEC or revokes the IFEC after issuance.

5. JURISDICTION

This Agreement shall be governed by, construed and enforced in accordance with the laws of the State of Michigan. Any claim or action relating to this Agreement may only be brought before either a State of Michigan agency or commission having jurisdiction over the subject of this Agreement or a court of competent jurisdiction located in the State of Michigan.

6. COMPLIANCE WITH STC BULLETIN NO. 3 (1-16-98)

The Company and the City certify that no payment of any kind has been made or promised by the Company in exchange for favorable consideration by the City of the Company's IFEC Application.

7. SECTION HEADINGS

The section headings in this Agreement are for convenience only and shall not be construed to limit, enlarge, or affect the scope or intent of this Agreement, or the meaning of any provision herein.

8. AMENDMENTS

No amendment or modification of this Agreement will be effective unless approved and agreed to in writing by the City and the Company.

9. SEVERABILITY

If any portion of this Agreement is determined to be legally invalid or unenforceable, the remaining portions will remain valid and enforceable. It is the Parties' intent that any unenforceable provision be construed and limited by a court which considers the matter so as to render it reasonable and enforceable.

10. REMEDIES

This Agreement contains the sole remedies that are to be associated with the Application, the IFEC, or an alleged breach of this Agreement, and the foregoing supersedes any other remedies provided under Michigan Law. This Agreement shall be deemed to be written equally by each Party so that it shall not be construed against either Party.

11. AGREEMENT EXECUTION

The Parties may execute and exchange copies of this Agreement via electronic means (either electronic mail or facsimile). This Agreement shall be deemed to be fully executed, delivered and effective upon the receipt by the Parties of counterpart copies executed by each Party regardless whether transmitted via fax or electronic mail. The Parties may execute and deliver manually executed copies subsequent to the execution of the copies sent electronically, however, this Agreement shall be deemed to be fully executed upon receipt of the respective copies transmitted electronically, regardless of whether manually executed copies are executed and delivered.

Each Party acknowledges:

- i. Reading and understanding this entire Agreement
- ii. That the Parties' entire Agreement is contained herein

- iii. That it is not relying on a representation (whether written or oral, or express or implied) that has been omitted from the Agreement as set forth above
- iv. Each Party is duly authorized to execute this Agreement, in the representation capacity set forth below.

WITNESS:

Jenny Walker
Lacey Faulkner

Date: 10/17/19

GENESEE POLYMERS CORPORATION:

By: Chad R. Pankratz
 Its: President

WITNESS:

Amy Clous
Amy Clous

Date: 10/17/19

CITY OF BURTON:

By: Ann M. Abbey
 Its: Assessor

Attachment No. 7 – City
Application for Industrial Facilities Tax Exemption Certificate by
Genesee Polymers Corporation

Treasury Form 3222

To Be Provided by City

Applicant Name

Genesee Polymers

Fiscal Statement (to be completed by local unit)YES NO

Is this project:

Real Property?

☒☐

Personal Property?

☐☐

Both Real and Personal Property - New Facility?

☐☐

Both Real and Personal Property - Rehabilitation Facility?

☐☐

Both New and Replacement Facility?

☐☐

Estimated Project Investment (not assessed value):

Real Property \$4,101,689.00	Personal Property	Total \$4,101,689.00
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YES NO REMARKS

1. A. Has the proper local authority reviewed the plan?

☒☐

B. Is the project located in a certified industrial park?

☒☐

C. Is this a renovation or expansion of an existing building?

☒☐

2. Will this project require improvement of your road service?

☐☒

3. Will this project require improvement of your sanitary sewer services?

☐☒

4. Will this project require improvement of your storm sewer services?

☐☒

5. Will this project require improvement of your water services?

☐☒

6. Will this project require additional police personnel, police equipment or a need for new police building expansion?

☐☒

7. Will this project require the need for additional fire personnel, additional or specialized fire equipment or the need for a new fire building?

☐☒

8. Will this project require other costs?

☐☒

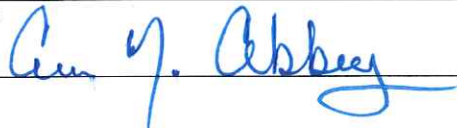
9. Are costs of infrastructure elements to be provided through Local Development Finance Authority or Tax Increment Finance Authority Bonds?

☐☒

If you answered yes to any of questions 2 through 8, the appropriate sections of the Supplement to Fiscal Statement form must be completed and accompany the IFT application. Call 517-335-7460 to obtain that form.

LOCAL UNIT CERTIFICATION

This is to certify that the following has been provided as accurately as possible.

Signature 	Name and Title of Local Governmental Unit Official City of Burton Assessor
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Attachment: Genesee Polymer (4639 : Public Hearing)