

VILLAGE OF OBETZ
RECORD OF ORDINANCES



ORDINANCE: 19-15

PASSED: February 9, 2015

AN ORDINANCE AUTHORIZING THE MODIFICATION OF THE MUNICIPAL INCOME TAX CREDIT AGREEMENT BETWEEN THE VILLAGE OF OBETZ AND ZULILY, INC. AND DECLARING AN EMERGENCY

WHEREAS, Obetz desires to increase employment opportunities and improve the economic welfare of the people of Obetz; and,

WHEREAS, when Obetz and Zulily entered into the Original Agreement on December 11, 2011, the parties were not clear as to whether or not the Income Tax Credit could be carried forward and applied to another year other than the year in which it was earned but not fully used; and,

WHEREAS, Obetz and Zulily desire to amend the Original Agreement to allow Zulily to apply Income Tax Credits earned in one year, but not fully applied during that tax year, to a future tax year (Carry Forward Credit); and,

WHEREAS, Obetz and Zulily have determined to enter into this Second Amendment to the Municipal Income Tax Credit Agreement to clarify the Original Agreement; and, to provide incentives to induce Zulily to proceed with the addition of new employees to the facilities in Obetz;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF OBETZ, STATE OF OHIO, THAT:

Section 1: The Village hereby finds and determines that an amendment to the Municipal Income Tax Credit Agreement with Zulily is necessary and appropriate and in the best interests of the Village to provide for the creation of jobs and employment opportunities and to improve the economic welfare of the people of the State of Ohio and the Village, all as authorized in Section 718.15 of the Ohio Revised Code and Article VIII, Section 13 of the Ohio Constitution.

Section 2: The amendment to the Municipal Income Tax Credit Agreement by and between the Village and Zulily, in the form presently on file with the Clerk, is hereby approved and authorized with changes therein not inconsistent with this Ordinance and not substantially adverse to this Village and which shall be approved by the Village Administrator. The Village Administrator, for and in the name of this Village, is hereby authorized to execute that amendment to the Municipal Income Tax Credit Agreement, provided further that the approval of changes thereto by that official, and their character as not being substantially adverse to the Village, shall be evidenced conclusively by the execution thereof.

Section 3: This Council further hereby authorizes the Mayor, the Village Administrator, the Law Director, or other appropriate officers of the Village to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this Ordinance.

Section 4: This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety or welfare of this Village and for the further reason that this Ordinance is required to be immediately effective in order that Zulily may proceed to increase its workforce in Obetz thereby improving the economic welfare of the people of the Village; WHEREFORE, this Ordinance shall be in full force and effect immediately upon its passage.

Passed this 9 day of February, 2015.

ATTESTS:

Stacey Bournis
Stacey Bournis, Clerk of Council

D. Greg Scott
D. Greg Scott, Mayor

Angela Kirk
Angela Kirk, Council Pres. Pro-Tem

APPROVED AS TO FORM

Eve M. Ellinger
Eve M. Ellinger, Esq., Law Director

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CERTIFICATION OF PUBLICATION

Pursuant to the Village Charter, I, Stacey E. Boumis, Clerk of Council of the Village of Obetz, Ohio, do hereby certify that Ordinance 19-15 was duly posted at 2:00 PM (time) on the 20 day of February, 2015, at the Obetz Government Center, Obetz Athletic Club, and Obetz Community Center as well as on the Obetz website.



Stacey Boumis
Stacey Boumis, Clerk

2/20/15
Date