

RESOLUTION NO.
APPROVING TAX ABATEMENT ASSISTANCE FOR
TWIN PINES METROLOGY, LTD
dba FOX VALLEY, LLC.
IN THE CITY OF STACY, MN

BE IT RESOLVED by the City of Stacy City Council (the “City”) as follows:

1. Recitals.

1.1 Twin Pines Metrology, LTD dba Fox Valley Metrology, LLC, a Minnesota limited liability company, (the “Developer”) proposes to purchase Lot 3, Block 1 of Stacy Ponds Business Park current PID number for the site is 19.00133.13 to expand their building located on Lot 2, Block 1 of Stacy Ponds Business park with a current PID number 19.00133.12 of herein (the “Property”).

1.2 Developer proposes to add an expansion of approximately 7,784 sq. ft. and renovate the existing facility on the Property and the Developer anticipates hiring not less than 15 FTE employees (at an average of \$17.00 per hour) with benefits and 2 PT employees (with an average hourly rate of \$13.00) over the next five years. The developer is also requesting fiber optics be brought into the Stacy Ponds Business Park for faster Internet speeds that are required for the business (the “Project”).

1.3 The Developer has requested assistance from the City in the form of tax abatement as allowed by Minnesota Statutes Section 469.1813 (the “Statute”).

1.4 The City’s EDA (“Authority”) has recommended approval of the Developer’s tax abatement assistance request with certain specified contingencies.

2. Findings.

2.1 The Property is not located in a tax increment financing district.

2.2 The proposed tax abatement assistance relating to the Property and the Project upon the terms and subject to the conditions and contingencies set forth in this Resolution is in the best interest of the City and meets the criteria for granting such assistance in that:

- a. The Project will increase the tax base of the City.
- b. The Project will provide additional employment opportunities in the City.
- c. Retains a business at risk of relocating outside of the City and State.
- d. Brings high speed Internet service to the Stacy Ponds Business Park.

2.3 Without the tax abatement assistance recommended for approval hereunder, it is unlikely that the Developer would complete the Project and they would develop in Wisconsin.

2.4 The tax abatement assistance provided by the City hereunder does not constitute a Business Subsidy under Minnesota Statutes 116J.993, Subd. 3(1).

2.5 The granting of the tax abatement assistance set forth herein will not cause the City to be in violation of the limits set forth in Minnesota Statutes Sections 469.1813, Subd. 8.

3. Resolution.

3.1 The City hereby agrees that upon completion of the Project the City will provide the Developer tax abatement assistance in an amount equal to the increase in property taxes received by the City as a result of the construction of the Project commencing with the first increase in such taxes and continuing thereafter until the earlier of (i) nine (9) years from such first increase date or (ii) Developers receipt of \$34,537.00 in total City tax abatement subject to the conditions, contingencies and requirements described herein.

3.2 The tax abatement assistance recommended for approval hereunder is contingent upon and subject to the following:

a. The City's receipt and review of such documentation as shall be necessary to establish that the Developer will receive the tax abatement assistance amounts for use with respect to eligible costs relating to the Project. Such documentation may consist of, but not be limited to: invoices in support of such eligible costs.

b. The execution of a tax abatement and development agreement ("Tax Abatement and Development Agreement") between the City, the County and the Developer substantially setting forth the specific terms of the tax abatement assistance granted by the City and containing such terms and provisions as shall be appropriate in the determination of the City staff, officers and consultants to carry out the intent of this Resolution including without limitation, Developer's agreement to: retain 13 FTE jobs (at \$17.00 per hour with benefits) and 1 PT job (at \$13.50 per hour) and to create 15 FTE jobs (at an average of \$17.00 per hour with benefits and 2 PT jobs (at an average of \$13.00 per hour) over the next 5 years (the "Project").

3.3 The City of Stacy Mayor and Clerk to the Board are authorized and directed with the assistance of City staff and consultants, to execute the Tax Abatement Development Agreement.

3.4 The City of Stacy Mayor and Clerk to the Board are hereby authorized and directed to take any and all such further actions consistent with this Resolution as shall be reasonably required to carry out the transactions contemplated by this Resolution.

Motion by Council Member XXXX and seconded by Council Member XXXX the resolution and upon a vote being taken thereon, the following voted:

IN FAVOR THEREOF:

OPPOSED:

Whereupon the resolution was declared duly passed and adopted.