

1  
2 BILL NO. R-11-06-03  
3

4 DECLARATORY RESOLUTION NO. R-28-11

5 **A DECLARATORY RESOLUTION designating an**  
6 **"Economic Revitalization Area" under I.C. 6-1.1-**  
7 **12.1 for property commonly known as 9403**  
8 **Avionics Drive, Fort Wayne, Indiana 46809 (Vita**  
9 **Nonwovens)**

10 **WHEREAS**, Petitioner has duly filed its petition dated June 1, 2011 to have the  
11 following described property designated and declared an "Economic Revitalization Area"  
12 under Sections 153.13-153.24 of the Municipal Code of the City of Fort Wayne, Indiana, and  
13 I.C. 6-1.1-12.1, to wit:

14 **Attached hereto as "Exhibit A" as if a part herein;**

15 and

16 **WHEREAS**, said project will create nine full-time, permanent jobs for a total new,  
17 annual payroll of \$300,000, with the average new annual job salary being \$33,333 and retain  
18 39 full-time, permanent jobs for a total current annual payroll of \$1,130,976, with the average  
19 current, annual job salary being \$28,999; and

20 **WHEREAS**, the total estimated project cost is \$1,225,000; and

21 **WHEREAS**, it appears the said petition should be processed to final determination in  
22 accordance with the provisions of said Division 6.

23 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE**  
24 **CITY OF FORT WAYNE, INDIANA:**

25 **SECTION 1.** That, subject to the requirements of Section 6, below, the  
26 property hereinabove described is hereby designated and declared an "Economic  
27 Revitalization Area" under I.C. 6-1.1-12.1. Said designation shall begin upon the effective  
28 date of the Confirming Resolution referred to in Section 6 of this Resolution and shall  
29 terminate on December 31, 2011, unless otherwise automatically extended in five year  
30 increments per I.C. 6-1.1-12.1-9.

**SECTION 2.** That, upon adoption of the Resolution:

(a) Said Resolution shall be filed with the Allen County Assessor;

(b) Said Resolution shall be referred to the Committee on Finance requesting a  
recommendation from said committee concerning the advisability of designating  
the above area an "Economic Revitalization Area";

1  
2  
3 (c) Common Council shall publish notice in accordance with I.C. 6-1.1-12.1-2.5 and  
I.C. 5-3-1 of the adoption and substance of this resolution and setting this  
designation as an "Economic Revitalization Area" for public hearing;

4 **SECTION 3.** That, said designation of the hereinabove described property as an  
"Economic Revitalization Area" shall apply to a deduction of the assessed value of personal  
5 property for new manufacturing equipment.

6 **SECTION 4.** That, the estimate of the number of individuals that will be employed  
or whose employment will be retained and the estimate of the annual salaries of those  
7 individuals and the estimate of the value of new manufacturing equipment, all contained in  
8 Petitioner's Statement of Benefits, are reasonable and are benefits that can be reasonably  
9 expected to result from the proposed described installation of new manufacturing equipment.

10 **SECTION 5.** That, the current year approximate tax rates for taxing units within  
the City would be:

11 (a) If the proposed new manufacturing equipment is not installed, the approximate  
12 current year tax rates for this site would be \$3.0427/\$100.

13 (b) If the proposed new manufacturing equipment is installed and no deduction is  
14 granted, the approximate current year tax rate for the site would be  
\$3.0427/\$100 (the change would be negligible).

15 (c) If the proposed new manufacturing equipment is installed and a deduction  
16 percentage of eighty percent (80%) is assumed, the approximate current year  
tax rate for the site would be \$3.0427/\$100 (the change would be negligible).

17 **SECTION 6.** That, this Resolution shall be subject to being confirmed, modified  
and confirmed, or rescinded after public hearing and receipt by Common Council of the  
18 above described recommendations and resolution, if applicable.

19 **SECTION 7.** That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the  
20 deduction from the assessed value of the new manufacturing equipment shall be for a period  
of ten years.

21 **SECTION 8.** That, the benefits described in the Petitioner's Statement of Benefits  
22 can be reasonably expected to result from the project and are sufficient to justify the  
23 applicable deductions.

24 **SECTION 9.** That, the taxpayer is non-delinquent on any and all property tax due  
to jurisdictions within Allen County, Indiana.

25 **SECTION 10.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that  
26 has received a deduction under section 3 or 4.5 of said chapter may be required to repay the  
27 deduction amount as determined by the county auditor in accordance with section 12 of said  
28 chapter if the property owner ceases operations at the facility for which the deduction was  
29 granted and if the Common Council finds that the property owner obtained the deduction by  
30

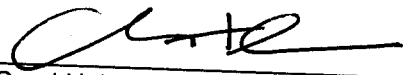
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

intentionally providing false information concerning the property owner's plans to continue operation at the facility.

**SECTION 11.** That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

  
Member of Council

APPROVED AS TO FORM AND LEGALITY

  
Carol Helton, City Attorney

Read the first time in full and on motion by Smith and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 2011, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.E.S.T.

DATED: 6-14-11

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK  
Smith  
COST and duly adopted.

Read the third time in full and on motion by \_\_\_\_\_ PASSED \_\_\_\_\_ and duly adopted, placed on its passage. by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>8</u>	_____	_____	<u>1</u>
<u>BENDER</u>	<u>✓</u>	_____	_____	_____
<u>BROWN</u>	<u>✓</u>	_____	_____	_____
<u>DIDIER</u>	<u>✓</u>	_____	_____	_____
<u>GOLDNER</u>	<u>✓</u>	_____	_____	_____
<u>HARPER</u>	<u>✓</u>	_____	_____	_____
<u>HINES</u>	<u>✓</u>	_____	_____	_____
<u>PAPE</u>	_____	_____	_____	<u>✓</u>
<u>SHOAFF</u>	<u>✓</u>	_____	_____	_____
<u>SMITH</u>	<u>✓</u>	_____	_____	_____

DATED: 6-14-11

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE (RESOLUTION) NO. R-28-11 on the 14th day of June, 2011

ATTEST:  
Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

SEAL  
Matthew Henry  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of June, 2011, at the hour of 11:30 o'clock A M.E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 15th day of June, 2011, at the hour of 2:00 o'clock \_\_\_\_\_ M.E.S.T.

Thomas C. Henry  
THOMAS C. HENRY, MAYOR