

3 **A CONFIRMING RESOLUTION** designating an "Economic  
4 **Revitalization Area**" under I.C. 6-1.1-12.1 for property  
5 commonly known as 8222 Bluffton Road, Fort Wayne, Indiana  
6 46809 (Arrotin Investments, LLC for Arrotin Plastic Materials,  
7 Inc.)

8 **WHEREAS**, Common Council has previously designated and declared by Declaratory Resolution  
9 the following described property as an "Economic Revitalization Area" under Sections 153.13-153.24 of  
10 the Municipal Code of the City of Fort Wayne, Indiana, and I.C. 6-1.1-12.1, to wit:

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

12 **WHEREAS**, said project will create 25 full-time, permanent jobs for a total additional annual  
13 payroll of \$592,800, with the average new annual job salary being \$23,712 and retain 25 full-time,  
14 permanent jobs for a current annual payroll of \$845,000, with the average current annual job salary being  
15 \$33,800; and

16 **WHEREAS**, the total estimated project cost is \$945,000; and

17 **WHEREAS**, a recommendation has been received from the Committee on Finance concerning  
18 said Resolution; and

19 **WHEREAS**, notice of the adoption and substance of said Resolution has been published in  
20 accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been conducted on said  
21 Resolution.

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

24 **SECTION 1.** That, the Resolution previously designating the above described property as an  
25 "Economic Revitalization Area" is confirmed in all respects.

26 **SECTION 2.** That, the hereinabove described property is hereby declared an "Economic  
27 Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this  
28 Resolution and shall terminate on December 31, 2011, unless otherwise automatically extended in five  
29 year increments per I.C. 6-1.1-12.1-9.

30 **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 real estate and personal property  
for new manufacturing and logistical distribution equipment.

**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 individuals and the estimate  
of redevelopment or rehabilitation and estimate of the value of the new manufacturing and logistical  
distribution equipment, all contained in Petitioner's Statement of Benefits are reasonable and are benefits

1 that can be reasonably expected to result from the proposed described installation of the new  
2 manufacturing and logistical distribution equipment.

3 **SECTION 5.** The current year approximate tax rates for taxing units within the City would be:

- 4 (a) If the proposed development does not occur, the approximate current year tax rates for this  
5 site would be \$3.1590/\$100.
- 6 (b) If the proposed development does occur and no deduction is granted, the approximate  
7 current year tax rate for the site would be \$3.1590/\$100 (the change would be negligible).
- 8 (c) If the proposed development occurs, and a deduction percentage of fifty percent (50%) is  
9 assumed, the approximate current year tax rate for the site would be \$3.1590/\$100 (the  
10 change would be negligible).
- 11 (d) If the proposed new manufacturing equipment is not installed, the approximate current year  
12 tax rates for this site would be \$3.1590/\$100.
- 13 (e) If the proposed new manufacturing equipment is installed and no deduction is granted, the  
14 approximate current year tax rate for the site would be \$3.1590/\$100 (the change would be  
15 negligible).
- 16 (f) If the proposed new manufacturing equipment is installed and a deduction percentage of  
17 eighty percent (80%) is assumed, the approximate current year tax rate for the site would be  
18 \$3.1590/\$100 (the change would be negligible).
- 19 (g) If the proposed new logistical distribution equipment is not installed, the approximate current  
20 year tax rates for this site would be \$3.1590/\$100.
- 21 (h) If the proposed new logistical distribution equipment is installed and no deduction is granted,  
22 the approximate current year tax rate for the site would be \$3.1590/\$100 (the change would  
23 be negligible).
- 24 (i) If the proposed new logistical distribution equipment is installed and a deduction percentage  
25 of eighty percent (80%) is assumed, the approximate current year tax rate for the site would  
26 be \$3.1590/\$100 (the change would be negligible).

27 **SECTION 6.** That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from  
28 the assessed value of the real property shall be for a period of seven years, and that the deduction from  
29 the assessed value of the new manufacturing and logistical distribution equipment shall be for a period of  
30 seven years.

**SECTION 7.** That, the benefits described in the Petitioner's Statement of Benefits can be  
reasonably expected to result from the project and are sufficient to justify the applicable deductions.

**SECTION 8.** For new manufacturing and logistical distribution equipment, a deduction  
application must contain a performance report showing the extent to which there has been compliance  
with the Statement of Benefits form approved by the Fort Wayne Common Council at the time of filing.  
This report must be submitted to the Allen County Auditor's Office, and the City of Fort Wayne's

1 Community Development Division and must be included with the deduction application. For subsequent  
2 years, the performance report must be updated and submitted along with the deduction application at the  
3 time of filing.

4 **SECTION 9.** For real property, a deduction application must contain a performance report  
5 showing the extent to which there has been compliance with the Statement of Benefits form approved by  
6 the Fort Wayne Common Council at the time of filing. This report must be submitted to the Allen County  
7 Auditor's Office and the City of Fort Wayne's Community Development Division and must be included in  
8 the deduction application. For subsequent years, the performance report must be updated each year in  
9 which the deduction is applicable at the same time the property owner is required to file a personal  
10 property tax return in the taxing district in which the property for which the deduction was granted is  
11 located. If the taxpayer does not file a personal property tax return in the taxing district in which the  
12 property is located, the information must be provided by May 15.

13 **SECTION 10.** The performance report must contain the following information:

- 14 A. The cost and description of real property improvements and/or new manufacturing and  
15 logistical distribution equipment acquired.
- 16 B. The number of employees hired through the end of the preceding calendar year as a result of  
17 the deduction.
- 18 C. The total salaries of the employees hired through the end of the preceding calendar year as a  
19 result of the deduction.
- 20 D. The total number of employees employed at the facility receiving the deduction.
- 21 E. The total assessed value of the real and/or personal property deductions.
- 22 F. The tax savings resulting from the real and/or personal property being abated.

23 **SECTION 11.** That, the taxpayer is non-delinquent on any and all property tax due to  
24 jurisdictions within Allen County, Indiana.

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

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**SECTION 13.** That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

*Elizabeth M. Brown*  
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Member of Council

APPROVED AS TO FORM A LEGALITY

*Carol Helton, City Attorney*  
\_\_\_\_\_  
Carol Helton, City Attorney  
*by CES*

Read the first time in full and on motion by Brown, 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 Tuesday the 9<sup>th</sup> day of August, 2011, at 5:30 o'clock P M.E.S.T.

DATED: 7-26-11

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

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

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>9</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: 8-9-11

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-50-11 on the 9<sup>th</sup> day of August, 2011

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

SEAL  
Mitchell Henry  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11<sup>th</sup> day of August, 2011, at the hour of 12 o'clock P M.E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 11<sup>th</sup> day of August, 2011, at the hour of 5:30 o'clock P M.E.S.T.

Thomas C. Henry  
THOMAS C. HENRY, MAYOR