

4 **A CONFIRMING RESOLUTION designating an**  
5 **“Economic Revitalization Area” under I.C. 6-1.1-**  
6 **12.1 for property commonly known as 4717**  
7 **Clubview, Fort Wayne, Indiana 46804 (Phoenix**  
8 **America, Inc.)**

9 **WHEREAS**, Common Council has previously designated and declared by  
10 Declaratory Resolution the following described property as an “Economic Revitalization Area”  
11 under Sections 153 13-153.24 of the Municipal Code of the City of Fort Wayne, Indiana, and  
12 I C 6-1 1-12.1, to wit

13 **Attached hereto as “Exhibit A” as if a part herein; and**

14 **WHEREAS**, said project will create 1 full-time, permanent job for a total new, annual  
15 payroll of \$23,400, with the average new annual job salary being \$23,400 and retain 27 full-  
16 time, permanent jobs for a total current annual payroll of \$1,005,479, with the average  
17 current, annual job salary being \$37,240; and

18 **WHEREAS**, the total estimated project cost is \$265,000; and

19 **WHEREAS**, a recommendation has been received from the Committee on Finance  
20 on said Resolution, and

21 **WHEREAS**, notice of the adoption and substance of said Resolution has been  
22 published in accordance with I C 6-1 1-12 1-2 5 and I C. 5-3-1 and a public hearing has  
23 been conducted on said Resolution

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

26 **SECTION 1.** That, the Resolution previously designating the above described  
27 property as an “Economic Revitalization Area” is confirmed in all respects.

28 **SECTION 2.** That, the hereinabove described property is hereby declared an  
29 “Economic Revitalization Area” pursuant to I C. 6-1 1-12 1, said designation to begin on the  
30 effective date of this Resolution and shall terminate on December 31, 2016, unless otherwise  
automatically extended in five year increments per I.C 6-1.1-12.1-9.

**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  
property for new manufacturing 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 the value of the new manufacturing equipment, all contained

1 in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably  
2 expected to result from the proposed described installation of the new manufacturing  
3 equipment

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

6 If the proposed new manufacturing equipment is not installed, the approximate  
7 current year tax rates for this site would be \$3 1537/\$100

8 If the proposed new manufacturing equipment is installed and no deduction is  
9 granted, the approximate current year tax rate for the site would be  
10 \$3 1537/\$100 (the change would be negligible).

11 If the proposed new manufacturing equipment is installed, and a deduction  
12 percentage of eighty percent (80%) is assumed, the approximate current year  
13 tax rate for the site would be \$3 1537/\$100 (the change would be negligible)

14 **SECTION 6.** Pursuant to I.C. 6-1 1-12 1, it is hereby determined that the deduction  
15 from the assessed value of the new manufacturing equipment shall be for a period of ten  
16 years

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

20 **SECTION 8.** For new manufacturing equipment, a deduction application must  
21 contain a performance report showing the extent to which there has been compliance with  
22 the Statement of Benefits form approved by the Fort Wayne Common Council at the time of  
23 filing This report must be submitted to the Allen County Auditor's Office, and the City of Fort  
24 Wayne's Community Development Division and must be included with the deduction  
25 application For subsequent years, the performance report must be updated and submitted  
26 along with the deduction application at the time of filing

27 **SECTION 9.** The performance report must contain the following information

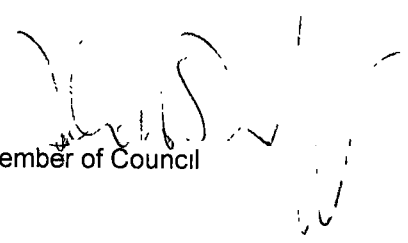
- 28 (a) The cost and description of real property improvements and/or new  
29 manufacturing equipment acquired
- 30 (b) The number of employees hired through the end of the preceding calendar year  
as a result of the deduction
- (c) The total salaries of the employees hired through the end of the preceding  
calendar year as a result of the deduction
- (d) The total number of employees employed at the facility receiving the deduction
- (e) The total assessed value of the real and/or personal property deductions.
- (f) The tax savings resulting from the real and/or personal property being abated

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**SECTION 10.** That, the taxpayer is non-delinquent on any and all property tax due to jurisdictions within Allen County, Indiana

**SECTION 11.** That, pursuant to I.C. 6-1 1-12.1-12 et al, any property owner that has received a deduction under section 3 or 4 5 of said chapter may be required to repay the deduction amount as determined by the county auditor in accordance with section 12 of said chapter if the property owner ceases operations at the facility for which the deduction was granted and if the Common Council finds that the property owner obtained the deduction by intentionally providing false information concerning the property owner's plans to continue operation at the facility.

**SECTION 12.** 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 Shoaff, 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 Room 030 - Council Discussion Garden Level - Citizens Square, Fort Wayne, Indiana, on 27<sup>th</sup> day of November, 2012, at Tuesday the 5:30 o'clock P M.E.S.T.

DATED: 11-13-12

*Sandra E. Kennedy*  
SANDRA E. KENNEDY, CITY CLERK

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

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	0			
BENDER	✓			
CRAWFORD	✓			
DIDIER	✓			
HARPER	✓			
HINES	✓			
JEHL	✓			
PADDOCK	✓			
SHOAFF	✓			
SMITH	✓			

DATED: 11-27-12

*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-74-12 on the 27<sup>th</sup> day of November, 2012

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

SEAL  
*[Signature]*  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28<sup>th</sup> day of November, 2012, at the hour of 3 o'clock P M.E.S.T.

*Sandra E. Kennedy*  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 29<sup>th</sup> day of November, 2012, at the hour of 10:30 o'clock

11 November  
A.M.E.S.T.  
*[Signature]*  
THOMAS C. HENRY, MAYOR

Admn. Appr.

DIGEST SHEET

TITLE OF ORDINANCE: **Confirming Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **Phoenix America, Inc. is requesting the designation of an Economic Revitalization Area for personal property improvements in the amount of \$265,000. In order to expand, Phoenix America, Inc. will install new manufacturing equipment which will improve energy efficiency, lower their carbon footprint, and increase production capabilities.**

EFFECT OF PASSAGE: **Installing the new equipment will allow Phoenix America, Inc. to stay competitive in the market as well as grow with current customers' needs and new demand for their products. One full-time job will be created.**

EFFECT OF NON-PASSAGE: **Potential loss of development and one full-time job**

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): **No expenditures of public funds required.**

ASSIGNED TO COMMITTEE (CO-CHAIRS): **Mitch Harper and John Shoaff**



R  
BILL NO. 8-12-11-11

## REPORT OF THE COMMITTEE OF FINANCE

SEPTEMBER 13, 2012

JOHN SHOAFF- CHAIR  
MITCH HARPER - CO-CHAIR  
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED. A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 4717 Clubview, Fort Wayne, Indiana 46804 (Phoenix America, Inc.) COMMITTEE OF FINANCE HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE

DO PASS

DO NOT PASS

ABSTAIN

NO REC

*[Handwritten signatures and initials under the "DO PASS" column]*  
John Shoaff  
Mitch Harper  
Martin A. B. C.  
John E. Higgins  
Tommy  
Bob Harper