

F

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

**BILL NO. R-12-12-02**

**CONFIRMING RESOLUTION NO. R- 2-13**

**A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as (unassigned, 4700 Block of Hillegas Road, Fort Wayne, Indiana 46818) (VOSS Automotive)**

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

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

**WHEREAS**, said project will create 23 full-time, permanent jobs for a total new, annual payroll of \$1,289,080, with the average new annual job salary being \$56,047 and retain 41 full-time, permanent jobs for a total current annual payroll of \$2,859,681, with the average current, annual job salary being \$69,748;

and **WHEREAS**, the total estimated project cost is \$5,250,000; and

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

**WHEREAS**, notice of the adoption and substance of said Resolution has been published in 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 Resolution.

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

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

**SECTION 2.** That, the hereinabove described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the 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 real estate and personal property for new manufacturing, research and development, and information technology 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, research and development, and information technology equipment, all contained in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably expected to result from the proposed described installation of the new manufacturing, research and development, and information technology equipment.

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

- 2           ... If the proposed development does not occur, the approximate current year tax rates for this  
3           site would be \$3.0261/\$100.
- 4           ... If the proposed development does occur and no deduction is granted, the approximate  
5           current year tax rate for the site would be \$3.0261/\$100 (the change would be negligible).
- 6           ... If the proposed development occurs, and a deduction percentage of fifty percent (50%) is  
7           assumed, the approximate current year tax rate for the site would be \$3.0261/\$100 (the  
8           change would be negligible).
- 9           ... If the proposed new manufacturing, research and development, and information technology  
10           equipment is not installed, the approximate current year tax rates for this site would be  
11           \$3.0261/\$100.
- 12           ... If the proposed new manufacturing, research and development, and information technology  
13           equipment is installed and no deduction is granted, the approximate current year tax rate for  
14           the site would be \$3.0261/\$100 (the change would be negligible).
- 15           ... If the proposed new manufacturing, research and development, and information technology  
16           equipment is installed and a deduction percentage of eighty percent (80%) is assumed, the  
17           approximate current year tax rate for the site would be \$3.0261/\$100 (the change would be  
18           negligible).

19           **SECTION 6.**     That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from  
20           the assessed value of the real property shall be for a period of ten years, and that the deduction from the  
21           assessed value of the new manufacturing, research and development, and information technology  
22           equipment shall be for a period of ten years.

23           **SECTION 7.**     Pursuant to I.C. 6-1.1-12.1-17, an alternative abatement schedule will be  
24           provided with the following percentage amounts each year:

25

Year	Percentage
1	100%
2	100%
3	100%
4	100%
5	100%
6	90%
7	80%
8	65%
9	50%
10	40%

26

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

29           **SECTION 9.**     For new manufacturing, research and development, and information technology  
30           equipment, a deduction application must contain a performance report showing the extent to which there

1 has been compliance with the Statement of Benefits form approved by the Fort Wayne Common Council  
2 at the time of filing. This report must be submitted to the Allen County Auditor's Office, and the City of Fort  
3 Wayne's Community Development Division and must be included with the deduction application. For  
4 subsequent years, the performance report must be updated and submitted along with the deduction  
application at the time of filing.

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

11 **SECTION 11.** The performance report must contain the following information:

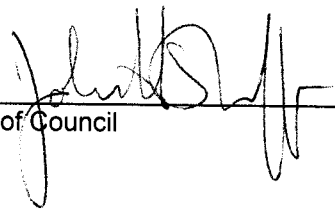
- 12 . The cost and description of real property improvements and/or new manufacturing, research  
13 and development, and information technology equipment acquired.
- 14 . The number of employees hired through the end of the preceding calendar year as a result of  
the deduction.
- 15 . The total salaries of the employees hired through the end of the preceding calendar year as a  
16 result of the deduction.
- 17 . The total number of employees employed at the facility receiving the deduction.
- 18 . The total assessed value of the real and/or personal property deductions.
- 19 . The tax savings resulting from the real and/or personal property being abated.

20 **SECTION 12.** That, the taxpayer is non-delinquent on any and all property tax due to  
21 jurisdictions within Allen County, Indiana.

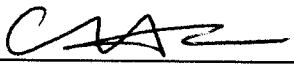
22 **SECTION 13.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has received a  
23 deduction under section 3 or 4.5 of this chapter may be required to repay the deduction amount as  
24 determined by the county auditor in accordance with section 12 of said chapter if the property owner  
25 ceases operations at the facility for which the deduction was granted and if the Common Council finds that  
26 the property owner obtained the deduction by intentionally providing false information concerning the  
27 property owner's plans to continue operation at the facility.  
28  
29  
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

**SECTION 14.** 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 A 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 Tuesday the Eighth day of January, 2013 at 5:30 o'clock P M., E.S.T.

DATED: \_\_\_\_\_

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_, 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>8</u>	_____	_____	<u>1</u>
<u>BENDER</u>	<u>✓</u>	_____	_____	_____
<u>CRAWFORD</u>	<u>✓</u>	_____	_____	_____
<u>DIDIER</u>	<u>✓</u>	_____	_____	_____
<u>HARPER</u>	<u>✓</u>	_____	_____	_____
<u>HINES</u>	<u>✓</u>	_____	_____	_____
<u>JEHL</u>	<u>✓</u>	_____	_____	_____
<u>PADDOCK</u>	<u>✓</u>	_____	_____	_____
<u>SHOAFF</u>	_____	_____	_____	<u>1</u>
<u>SMITH</u>	<u>✓</u>	_____	_____	_____

DATED: 1-8-13

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-2-13 on the eighth day of January, 2013

ATTEST:

SEAL

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Thomas C. Henry  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the Eleventh day of January, 2013 at the hour of One 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 January 2013, at the hour of 2:00 o'clock P M., E.S.T.

Thomas C. Henry  
THOMAS C. HENRY, MAYOR

**Exhibit A**

DOCUMENT 205059508:

PART OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 31 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 31 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA, SAID POINT BEING 659.5 FEET NORTH OF THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 31 NORTH, RANGE 12 EAST, SAID POINT BEING THE NORTHWEST CORNER OF A 1.72 ACRE PARCEL OF LAND (D. & K. EIDEN); THENCE NORTH ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 31 NORTH, RANGE 12 EAST, A DISTANCE OF 843.72 FEET TO THE SOUTHWEST CORNER OF A 5.96 ACRE PARCEL OF LAND (AMERICAN LEGION); THENCE EAST WITH A DEFLECTION ANGLE TO THE RIGHT OF 94 DEGREES 33 MINUTES 30 SECONDS ALONG THE SOUTH LINE OF SAID 5.96 ACRE PARCEL, A DISTANCE OF 845.74 FEET TO THE SOUTHEAST CORNER OF SAID 5.96 ACRE PARCEL, SAID POINT BEING LOCATED ON THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY #69; THENCE SOUTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 827.2 FEET TO THE NORTHEAST CORNER OF THE AFOREMENTIONED 1.72 ACRE PARCEL; THENCE WEST ALONG THE NORTH LINE OF SAID 1.72 ACRE PARCEL AND PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 31 NORTH, RANGE 12 EAST, A DISTANCE OF 594.7 FEET TO THE POINT OF BEGINNING, CONTAINING 14.21 ACRES,

EXCEPTING DOCUMENT 206005733:

PART OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 31 NORTH, RANGE 12 EAST OF THE SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP IN ALLEN COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8" STEEL REBAR FOUND AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST (ASSUMED BEARING AND BASIS OF BEARINGS TO FOLLOW), A DISTANCE OF 659.50 FEET (DEED) ALONG THE WEST LINE OF SOUTHWEST QUARTER AND THE CENTERLINE OF HILLEGAS ROAD TO THE NORTH LINE OF AN EXISTING 1.72 ACRE TRACT DESCRIBED IN DOCUMENT NUMBER 960045933 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE CONTINUING NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 376.27 FEET ALONG SAID WEST LINE AND SAID CENTERLINE; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 544.00 FEET TO A 5/8" STEEL REBAR SET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 373.04 FEET PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER TO A 5/8" STEEL REBAR SET ON THE NORTH LINE OF SAID 1.72 ACRE TRACT; THENCE SOUTH 89 DEGREES 39 MINUTES 34 SECONDS WEST, A DISTANCE OF 544.00 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING. CONTAINING 4.679 ACRES, MORE OR LESS.

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

TITLE OF ORDINANCE: **Confirming Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **VOSS Automotive is requesting the designation of an Economic Revitalization Area for both real and personal property improvements in the amount of \$5,250,000. In order to expand, VOSS Automotive will construct a new 32,300 square foot building that will serve as the North American Headquarters. VOSS Automotive will also install a variety of manufacturing, research and development, and information technology equipment valued at approximately \$750,000.**

EFFECT OF PASSAGE: **Constructing a new North American Headquarters and installing new equipment will allow VOSS Automotive to remain competitive in the markets they serve. Twenty-three full-time jobs will be created and 41 full-time jobs will be retained.**

EFFECT OF NON-PASSAGE: **Potential loss of development and 23 full-time jobs**

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

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

BILL NO. R-12-12-02

**REPORT OF THE COMMITTEE ON FINANCE**

**JANUARY 8, 2013**

**- CHAIR**  
**- 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 (Unassigned, 4700 Block of Hillegas Road, Fort Wayne, Indiana 46818) (VOSS AUTOMOTIVE). 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

<u>MCH</u>	_____	_____	_____
<u>JOHN</u>	_____	_____	_____
<u>James D. Dwyer</u>	_____	_____	_____
<u>SPURTH</u>	_____	_____	_____
<u>Martin A. Bender</u>	_____	_____	_____
<u>John W. Caperton</u>	_____	_____	_____
<u>DR. Q</u>	_____	_____	_____
<u>Cliff Diller</u>	_____	_____	_____
_____	_____	_____	_____

SANDRA E. KENNEDY  
CITY CLERK