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4 **A CONFIRMING RESOLUTION designating an**
5 **“Economic Revitalization Area” under I.C. 6-1.1-**
6 **12.1 for property commonly known as 9403**
Avionics Drive, Fort Wayne, Indiana 46809 (Vita
Nonwovens)

7 **WHEREAS**, Common Council has previously designated and declared by
8 Declaratory Resolution the following described property as an “Economic Revitalization Area”
9 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:

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

11 **WHEREAS**, said project will create nine full-time and eight part-time, permanent jobs
12 for a total new, annual payroll of \$593,740, with the average new annual job salary being
13 \$34,926 and retain thirty full-time and eighteen part-time, permanent jobs for a total current
annual payroll of \$1,467,520, with the average current, annual job salary being \$30,573; and

14 **WHEREAS**, the total estimated project cost is \$960,000; and

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

16 **WHEREAS**, notice of the adoption and substance of said Resolution has been
17 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.

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

20 **SECTION 1.** That, the Council hereby adopts a waiver of non-compliance with
21 I.C. 6-1.1-12.1 regarding the failure to designate an area as an Economic Revitalization Area
22 before the initiation of development for which for which Vita Nonwovens desires to claim an
Economic Revitalization Area deduction. Such waiver shall be in effect for real property
23 improvements during the period of April 1, 2013 through the date of this resolution and is
granted through the authority of I.C. 6-1 1-31-1 and 50 I A.C 10-4-1 (a)(2) and (3).

24 **SECTION 2.** That, the Resolution previously designating the above described
property as an “Economic Revitalization Area” is confirmed in all respects.

25 **SECTION 3.** That, the hereinabove described property is hereby declared an
26 “Economic Revitalization Area” pursuant to I.C. 6-1 1-12.1, said designation to begin on the
27 effective date of this Resolution and shall terminate on December 31, 2016, unless otherwise
28 automatically extended in five year increments per I C. 6-1 1-12.1-9.

1 **SECTION 4.** That, said designation of the hereinabove described property as an
2 "Economic Revitalization Area" shall apply to a deduction of the assessed value of the real
3 estate

4 **SECTION 5.** That, the estimate of the number of individuals that will be employed
5 or whose employment will be retained and the estimate of the annual salaries of those
6 individuals and the estimate of the value of redevelopment or rehabilitation, all contained in
7 Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably
8 expected to result from the proposed described redevelopment or rehabilitation.

9 **SECTION 6.** The current year approximate tax rates for taxing units within the
10 City would be:

11 If the proposed development does not occur, the approximate current year tax
12 rates for this site would be \$3 1850/\$100.

13 If the proposed development does occur and no deduction is granted, the
14 approximate current year tax rate for the site would be \$3.1850/\$100 (the
15 change would be negligible).

16 If the proposed development occurs, and a deduction percentage of fifty percent
17 (50%) is assumed, the approximate current year tax rate for the site would be
18 \$3.1850/\$100 (the change would be negligible).

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 real property shall be for a period of seven years.

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

24 **SECTION 9.** For real property, a deduction application must contain a
25 performance report showing the extent to which there has been compliance with the
26 Statement of Benefits form approved by the Fort Wayne Common Council at the time of
27 filing. This report must be submitted to the Allen County Auditor's Office and the City of Fort
28 Wayne's Community Development Division and must be included in the deduction
29 application. For subsequent years, the performance report must be updated each year in
30 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.

SECTION 10. The performance report must contain the following information

(a) The cost and description of real property improvements

(b) The number of employees hired through the end of the preceding calendar year
as a result of the deduction.

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- (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 property deductions.
- (f) The tax savings resulting from the real property being abated.

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

SECTION 12. 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 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.


 Member of Council

APPROVED AS TO FORM AND LEGALITY


 Carol Helton, City Attorney

Admn. Appr.

DIGEST SHEET

TITLE OF ORDINANCE: **Confirming Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **Vita Nonwovens is requesting the designation of an Economic Revitalization Area for real property improvements in the amount of \$960,000. In order to expand, Vita Nonwovens will add 19,200 square feet of manufacturing and warehousing space.**

EFFECT OF PASSAGE: **Constructing the additional manufacturing and warehousing space will allow Vita Nonwovens to stay competitive in the market and ensure future growth for the company. Nine full-time jobs will be created.**

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

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): **John Crawford and Tom Smith**

AIRPORT BUSINESS CENTER SEC I BLOCK 4

BILL NO. R-13-05-02

REPORT OF THE COMMITTEE ON FINANCE

MAY 28, 2013

JOHN CRAWFORD – CHAIR
TOM SMITH – 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 9403 Avionics Drive, Fort Wayne, Indiana 46809 (Vita Nonwovens). **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

John Crawford
Tom Smith
George Papadimitriou
John D. ...
Richard ...
Thomas ...
N. ...
J. ...

SANDRA E. KENNEDY
CITY CLERK

Sarah A. Rogers

From: fwn legals [fwnlegals@fwn.fortwayne.com]
Sent: Wednesday, May 15, 2013 9:28 AM
To: Sarah A. Rogers
Subject: RE: TAX ABATEMENTS

Please note below is your requested schedule and cost.

*If there is a **discrepancy**. Please let me know soon as possible.*

***Invoices/Proof of Pubs/Affidavits are mailed out on Thursday
a week after the last run date...*

Your ad is scheduled to run as follows:

Ad #: 1059299

Date: 5/17

Publication: JG & NS

Cost: \$56.28

Terrie Brown-Smith

Legal Sales Coordinator

260-461-8246

From: Sarah A. Rogers [mailto:Sarah.Rogers@cityoffortwayne.org]

Sent: Wed 5/15/13 8:18 AM

To: fwn legals

Subject: TAX ABATEMENTS

Good morning, Terrie,

Would you please place the attached Tax AbateMENTS in both the Fort Wayne Journal Gazette and News Sentinel on Saturday, May 17, 2013.

Thank you, Terrie.

**NOTICE OF PUBLIC HEARINGS
FORT WAYNE COMMON COUNCIL**

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT PUBLIC HEARINGS ON MAY 28, 2013 AT 5:30 P.M., IN ROOM 030 – COUNCIL DISCUSSION ROOM – GARDEN LEVEL, CITIZENS SQUARE , 200 E. BERRY, FORT WAYNE INDIANA 46802; DESIGNATING ECONOMIC REVITALIZATION AREAS UNDER SECTION I.C. 6-1.1-12.1 FOR THE FOLLOWING PROPERTIES:

R-13-05-02

COMMONLY KNOWN AS 9403 AVIONICS DRIVE, FORT WAYNE, INDIANA 46809 (VITA NONWOVENS)

R-13-05-04

COMMONLY KNOWN AS 711 E.TILLMAN ROAD, FORT WAYNE, INDIANA 46816 (HOUSING OPPORTUNITY PROGRAM, INC/HILLCREST POINTE, L.P.)

R-13-05-07

COMMONLY KNOWN AS 206 E. RUDISILL BLVD., FORT WAYNE, INDIANA 46806 (CIRCLE CITY RENTALS, LLC D/B/A AARON'S)

R-13-05-10

COMMONLY KNOWN AS 2100 W. STATE BLVD., FORT WAYNE, INDIANA 46808 (DANA LIGHT AXLE PRODUCTS, LLC)

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTIONS SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, MAY 28, 2013 @5:30 P.M.

IF CONFIRMED, SAID DESIGNATION SHALL EXPIRE DECEMBER 31, 2016.

ALL INTERESTED PERSONS ARE INVITED TO ATTEND AND BE HEARD AT THE PUBLIC HEARING.

“REASONABLE ACCOMMODATIONS” FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND FEDERAL LAW. ANY PERSON NEEDING A “REASONABLE ACCOMMODATION” SHOULD NOTIFY THE PUBLIC INFORMATION OFFICE (260) 427-1120, TTY (260) 1200, AT LEAST SEVENTY-TWO HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK

May 15, 2013

**Legal Sales Coordinator/Classified Advertising
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802**

Please give the attached Notice of Public Hearing full coverage on the date of Friday, May 17, 2013, in the News Sentinel and Journal Gazette.

**Bill No. R-13-05-02
Bill No. R-13-05-04
Bill No. R-13-05-07
Bill No. R-13-05-10**

Please send us 2 copies of the Publisher's Affidavit from both Newspapers.

Thank you.

Sincerely

**Sandra E. Kennedy
City Clerk**

Public Hearing Date, if applicable

May 28, 2013

Read the first time in full and on motion by Councilman John Crawford
Read the second time by title and referred to the Finance Committee
Committee. Read the third time in full and on motion by Councilman
Crawford, placed on passage by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	9			
BENDER	✓			
CRAWFORD	✓			
DIDIER	✓			
HARPER	✓			
HINES	✓			
JEHL	✓			
PADDOCK	✓			
SHOAFF	✓			
SMITH	✓			

DATED:

May 28th 2013 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-13-02 on the 28th day of
May, 2013

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

T. Thomas Didier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day
of May, 2013, at the hour of 2:00 o'clock P.M. E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 30th day of MAY
2013, at the hour of 10:30 o'clock

THOMAS C. HENRY
THOMAS C. HENRY, MAYOR