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BILL NO. R-13-12-05

CONFIRMING RESOLUTION NO. R-5-14

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 4528 Hillegas Road, Fort Wayne, Indiana 46818 (Midwest Salt of Fort Wayne LLC)

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 result in the occupation of an eligible vacant building under I.C. 6-1.1-12.1-4.8; and

WHEREAS, said project will create five full-time and one part-time, permanent jobs for a total new, annual payroll of \$233,000, with the average new annual job salary being \$38,833; and

WHEREAS, the total estimated project cost is \$40,000; 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; and

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 occupation of an eligible vacant building.

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 occupation of the eligible vacant building, all contained in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably expected to result from the proposed described occupation of the eligible vacant building.

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

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... If the proposed occupation of the eligible vacant building does not occur, the approximate current year tax rates for this site would be \$3.1821/\$100.

... If the proposed occupation of the eligible vacant building occurs and no deduction is granted, the approximate current tax rate for the site would be \$3.1821/\$100 (the change would be negligible).

... If the proposed occupation of the eligible vacant building occurs, and a deduction percentage of fifty percent (50%) is assumed, the approximate current year tax rate for this would be \$3.1821/\$100 (the change would be negligible).

SECTION 6. That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from the assessed value of the eligible vacant building shall be for a period of one year.

SECTION 7. The deduction schedule from the assessed value of the vacant building pursuant to I.C. 6-1.1-12.1-17 shall look like this:

Year of Deduction	Percentage
1	100%

SECTION 8. 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 9. For the eligible vacant building, 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 Community Development Division and must be included in the deduction application. For subsequent years, the performance report must be updated each year in 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:

- The cost and description of real property improvements
- The number of employees hired through the end of the preceding calendar year as a result of the deduction.
- The total salaries of the employees hired through the end of the preceding calendar year as a result of the deduction.
- The total number of employees employed at the facility receiving the deduction.
- The total assessed value of the real and/or personal property deductions.
- The tax savings resulting from the real and/or personal property being abated.

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

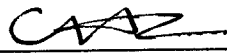
SECTION 12. That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has received a deduction under section 3 or 4.5 of this chapter may be required to repay the deduction amount as determined by the county auditor in accordance with section 12 of said chapter if the property owner ceases 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 A LEGALITY



Carol Helton, City Attorney

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE: **Confirming Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **Midwest Salt of Fort Wayne LLC is requesting the designation of an Economic Revitalization Area for the occupation of an eligible vacant building. Midwest Salt of Fort Wayne LLC will occupy and make repairs to a vacant building for their new startup business which will specialize in the warehousing, distributing, and sale of salt products.**

EFFECT OF PASSAGE: **Occupying the vacant structure will allow Midwest Salt of Fort Wayne LLC to start their new salt business while also providing employment for area citizens. Five full-time jobs and one part-time job will be created.**

EFFECT OF NON-PASSAGE: **Potential loss of development, five full-time jobs, and one part-time job.**

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

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

BILL NO. R-13-12-05

REPORT OF THE COMMITTEE ON FINANCE

JANUARY 14, 2014

ALL COUNCIL MEMBERS

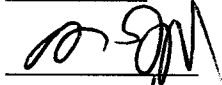
A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 4528 Hillegas Road, Fort Wayne, Indiana 46818 (Midwest Salt of Fort Wayne LLC). **HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE**

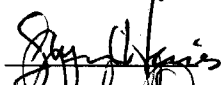
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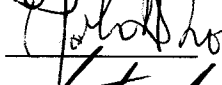
DO NOT PASS

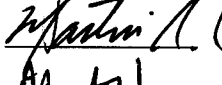
ABSTAIN

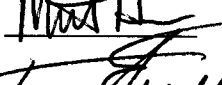
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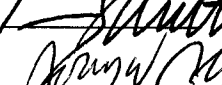


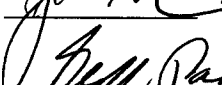


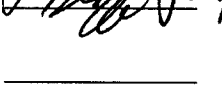














SANDRA E. KENNEDY
CITY CLERK

Public Hearing Date, if applicable 1-14-14

Read the first time in full and on motion by Councilman Tom Smith
Read the second time by title and referred to the Finance Committee
Committee. Read the third time in full and on motion by Councilman
Russell Jehl, placed on 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> </u>	<u> </u>	<u>1</u>
BENDER	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
CRAWFORD	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
DIDIER	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>
HARPER	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
HINES	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
JEHL	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
PADDOCK	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
SHOAFF	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
SMITH	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>

DATED: 1-14-14 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-5-14 on the 14th day of
January, 2014

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

Robert A. Bender
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 17th day
of January, 2014, at the hour of 3:00 o'clock P.M. E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 17th day of January
2014, at the hour of 4:00 o'clock P.M. E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR