

A RESOLUTION determining SUBSTANTIAL COMPLIANCE with Statement of Benefits (CF-1) form filing for 2014 for Trelleborg Sealing Solutions, Inc. for property at 5503 Distribution Drive under Confirming Resolution R-32-10 with an "Economic Revitalization Area" approved under I.C. 6-1.1-12.1

WHEREAS, Common Council has previously designated and declared by Declaratory Resolution and Confirming Resolution with approved Statement of Benefits (SB-1) forms property for Trelleborg Sealing Solutions, Inc. 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; and

WHEREAS, property owners whose Statement of Benefits (SB-1) form was approved after July 1, 1991 who file a deduction application under Sections 3 and 4.5 of I.C. 6-1.1-12.1 and Section 153.21 of the Municipal Code of the City of Fort Wayne, Indiana, must file a Compliance with Statement of Benefits Form (CF-1) with the Allen County Auditor, the Allen County Assessor and the City of Fort Wayne showing information on the extent to which there has been compliance with the approved Statement of Benefits for the project; and

WHEREAS, Trelleborg Sealing Solutions, Inc. has filed Compliance with Statement of Benefit Forms with the Allen County Assessor's Office and the City of Fort Wayne; and

WHEREAS, Trelleborg Sealing Solutions, Inc.'s approved Statement of Benefits (SB-1) form stated that 320 full-time jobs would be retained and 46 full-time jobs would be created by December 2013; and

WHEREAS, Trelleborg Sealing Solutions, Inc.'s approved Statement of Benefits (SB-1) form stated \$15,089,000 in annual payroll for the retained jobs and \$1,657,000 in annual payroll would be generated by the created jobs; and

WHEREAS, Trelleborg Sealing Solutions, Inc.'s 2014 Compliance with Statement of Benefits (CF-1) form filing stated that 320 jobs were retained and 20 jobs were created; and

WHEREAS, Trelleborg Sealing Solutions, Inc.'s 2014 Compliance with Statement of Benefits (CF-1) form filing stated \$15,089,900 in annual payroll for the 320 jobs retained and \$2,518,236 in annual payroll for the 20 jobs created; and

WHEREAS, Common Council designated the City of Fort Wayne Community Development Division as the entity for the administration, application, processing and

1 monitoring of Economic Revitalization Areas under Section 153.13 of the Municipal Code of
2 the City of Fort Wayne; and

3 **WHEREAS**, Common Council has defined substantial compliance under Section
4 153.21 of the Municipal Code of the City of Fort Wayne as:

- 5 1. Meeting 75% or more of the numbers of full-time and/or part-time jobs stated to
6 be created or retained as delineated in the original Statement of Benefits Form
7 (SB-1) approved by Common Council; and
- 8 2. Meeting 75% or more of the total payroll stated to be created or retained as
9 delineated in the original Statement of Benefits Form (SB-1) approved by
10 Common Council; and

11 **WHEREAS**, meeting 75% of the 320 retained jobs means retaining 240 jobs; and

12 **WHEREAS**, meeting 75% of the 46 jobs to be created means creating 35 jobs; and

13 **WHEREAS**, meeting 75% of the \$15,089,900 in retained annual payroll means
14 \$11,317,425 in annual payroll retained; and

15 **WHEREAS**, meeting 75% of the \$1,657,000 in annual payroll to be created means
16 \$1,242,750 in annual payroll created; and

17 **WHEREAS**, Common Council shall determine not later than forty-five (45) days after
18 receipt of the Compliance of Statement of Benefits Form (CF-1) that Trelleborg Sealing
19 Solutions, Inc. has substantially complied with the original Statement of Benefits Form (SB-1)
20 approved by Common Council; and

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

23 **SECTION 1.** That, Common Council finds that Trelleborg Sealing Solutions, Inc.
24 Compliance with Statement of Benefits information evidenced that Trelleborg Sealing
25 Solutions, Inc. failed to comply in that it did not create 75% of the 46 full-time jobs that were
26 stated that would be created.

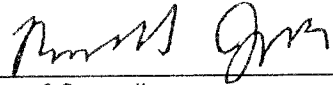
27 **SECTION 2.** Further, Common Council finds Trelleborg Sealing Solutions, Inc.
28 failure to substantially comply was caused by factors beyond the control of the applicant for
29 the following reasons:

- 30 1. Meeting the job creation goals has taken a little longer than projected.
1. Trelleborg Sealing Solutions, Inc. has leased an additional 10,000 square
feet of space at their existing facility.
2. Trelleborg Sealing Solutions, Inc. is in the process of hiring 28 employees by
the end of July 2914.

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SECTION 3. In light of the fact that failure to substantially comply was determined to be outside Trelleborg Sealing Solutions, Inc.'s control, Common Council finds that Trelleborg Sealing Solutions, Inc. is in substantial compliance pursuant to I.C. 6-1.1-12.1 and Section 153.21 of the Municipal Code of the City of Fort Wayne on their 2014 filing.

SECTION 4. 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

Public Hearing Date, if applicable _____

Read the first time in full and on motion by Councilman Jehl

Read the second time by title and referred to the Finance

Committee. Read the third time in full and on motion by Councilman 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>1</u>	_____	_____
BENDER	<input checked="" type="checkbox"/>	_____	_____	_____
CRAWFORD	<input checked="" type="checkbox"/>	_____	_____	_____
DIDIER	<input checked="" type="checkbox"/>	_____	_____	_____
HARPER	<input checked="" type="checkbox"/>	_____	_____	_____
HINES	<input checked="" type="checkbox"/>	_____	_____	_____
JEHL	<input checked="" type="checkbox"/>	_____	_____	_____
PADDOCK	_____	<input checked="" type="checkbox"/>	_____	_____
SHOAFF	<input checked="" type="checkbox"/>	_____	_____	_____
SMITH	<input checked="" type="checkbox"/>	_____	_____	_____

DATED: 6-24-14 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-40-14 on the 24th day of June, 2014

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

Martin A. Bender
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of June, 2014, at the hour of 2 o'clock PM E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 30th day of June 2014, at the hour of 7.00 o'clock PM E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

BILL NO. R-14-06-35 - AS Amended

COMMITTEE ON FINANCE

JUNE 17, 2014

*RUSS JEHL - CHAIR
JOHN CRAWFORD - CO-CHAIR
ALL COUNCIL MEMBERS*

A RESOLUTION determining Substantial Compliance with Statement of Benefits (CF-1) form filing for 2014 for Trelleborg Sealing Solutions, Inc. for property at 5503 Distribution Drive under Confirming Resolution R-32-10 with an "Economic Revitalization Area" approved under I.C. 6-1.1-12.1. **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

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**SANDRA E. KENNEDY
CITY CLERK**