

A RESOLUTION CONFIRMING SUBSTANTIAL COMPLIANCE/NON-COMPLIANCE with a Statement of Benefits (SB-1) for 2014 for CRAFTLINE GRAPHICS, INC. for property at 3522 West Ferguson Road under Confirming Resolution R-4-11 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 Craftline Graphics, 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, Craftline Graphics, Inc. has filed Compliance with Statement of Benefit Forms with the Allen County Assessor's Office and the City of Fort Wayne; and

WHEREAS, Craftline Graphics, Inc.'s approved Statement of Benefits (SB-1) forms stated that **137** full-time and **250** part-time jobs for a total of **387** jobs would be retained and **32** full-time jobs would be created by September 2011; and

WHEREAS, Craftline Graphics, Inc.'s approved Statement of Benefits (SB-1) forms stated **\$5,349,063** in annual payroll for the 137 full-time and 250 part-time retained jobs and **\$960,000** in annual payroll would be generated by the 32 full-time jobs to be created; and

WHEREAS, Craftline Graphics, Inc.'s 2014 Compliance with Statement of Benefits (CF-1) form filing stated that **352** jobs were retained and **five** jobs were created; and

WHEREAS, Craftline Graphics, Inc.'s 2014 Compliance with Statement of Benefits (CF-1) form filing stated **\$5,870,961** in annual payroll for the 352 jobs retained and **\$219,000** in annual payroll for the five 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 387 retained jobs means retaining **290** jobs; and

12 **WHEREAS**, meeting 75% of the 32 full-time jobs to be created means creating **24**
13 jobs; and

14 **WHEREAS**, meeting 75% of the \$5,349,063 in retained annual payroll means
15 **\$4,011,797** in annual payroll retained; and

16 **WHEREAS**, meeting 75% of the \$960,000 in annual payroll to be created means
17 **\$720,000** in annual payroll created; and

18 **WHEREAS**, Common Council made a determination on June 24, 2014 that Craftline
19 Graphics, Inc. was not in substantial compliance as a result of its failure to create **24** full-time
20 jobs that were stated that would be created and create **\$720,000** in annual payroll that was
21 stated that would be created and that the failure to substantially comply was not caused by
22 factors beyond the control of Craftline Graphics, Inc.; and

23 **WHEREAS**, Council directed the Community Development Division to mail written
24 notice to Craftline Graphics, Inc. explaining the reasons for Council's determination and a
25 date, time, place of a hearing to be conducted by Council for the purpose of further
26 considering Craftline Graphics, Inc.'s compliance with Statement of Benefits; and

27 **WHEREAS**, the aforementioned notice was properly prepared and served upon
28 Craftline Graphics, Inc. on July 7, 2014; and

29 **WHEREAS**, Council conducted a hearing on August 5, 2014 for the purpose of
30 further considering Craftline Graphics, Inc.'s compliance with statement of benefits; and

WHEREAS, Craftline Graphics, Inc. **appeared** at the hearing.

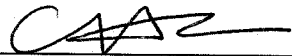
**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA:**

SECTION 1. That Craftline Graphics, Inc. appeared and testified at the hearing and
from its testimony it was determined that notwithstanding Craftline Graphics, Inc.'s failure to

1 substantially comply by its failure to create 24 jobs and create an annual payroll of \$720,000
2 or more, that Craftline Graphics, Inc. did make reasonable efforts to substantially comply with
3 the statement of benefits and Craftline Graphics, Inc.'s failure to substantially comply was
4 caused by factors beyond the control of Craftline Graphics, Inc. Therefore the continuation
5 of Craftline Graphics, Inc.'s deduction/abatement under R-4-11 is hereby approved.
6 **SECTION 2.** That, this Resolution shall be in full force and effect from and after its
7 passage and any and all necessary approval by the Mayor.

8
9
10 
Member of Council

11
12 APPROVED AS TO FORM A LEGALITY

13
14 
15 _____
16 Carol Helton, City Attorney

BILL NO. R-14-07-29

REPORT OF COMMITTEE ON FINANCE

AUGUST 5, 2014

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

A RESOLUTION Confirming Substantial Compliance/Non-Compliance with a Statement of Benefits (SB-1) for 2014 for Craftline Graphics, Inc. for the property at 3522 West Ferguson Road under Confirming Resolution R-4-11 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

John Crawford
Russ Jehl
John D. Hoff
M. Ha

Thomas F. Baker
R. N.
Greg D.
Robert A. Bender

SANDRA E. KENNEDY
CITY CLERK

Public Hearing Date, if applicable _____

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
John Crawford, placed on passage by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>5</u>	_____	_____	_____
BENDER	<u>1</u>	_____	_____	<u>✓</u>
CRAWFORD	<u>✓</u>	_____	_____	_____
DIDIER	_____	_____	_____	<u>✓</u>
HARPER	<u>✓</u>	_____	_____	_____
HINES	<u>✓</u>	_____	_____	_____
JEHL	<u>✓</u>	_____	_____	_____
PADDOCK	_____	<u>✓</u>	_____	_____
SHOAFF	_____	_____	_____	<u>✓</u>
SMITH	<u>✓</u>	_____	_____	_____

DATED:

8-12-14

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-62-14 on the 12th day of
August, 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 13th day
of August, 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 14th day of August
2014, at the hour of 10:00 o'clock A.M. E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR