

A RESOLUTION determining SUBSTANTIAL COMPLIANCE OR NON-COMPLIANCE with Statement of Benefits (CF-1) form filing for 2015 for North American Van Lines for property at 5001 US Highway 30 West under Confirming Resolution R-08-09 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 North American Van Lines 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, North American Van Lines has filed Compliance with Statement of Benefit Forms with the Allen County Assessor's Office and the City of Fort Wayne; and

WHEREAS, North American Van Lines' approved Statement of Benefits (SB-1) form stated that **437** full-time jobs would be retained and **240** full-time jobs would be created by December 2011; and

WHEREAS, North American Van Lines' approved Statement of Benefits (SB-1) form stated **\$18,866,000** in annual payroll for the **437** full-time retained jobs and **\$8,640,000** in annual payroll would be generated by the **240** full-time jobs to be created; and

WHEREAS, North American Van Lines; 2015 Compliance with Statement of Benefits (CF-1) form filing stated that **391** jobs were retained and **zero** jobs were created; and

WHEREAS, North American Van Lines; 2015 Compliance with Statement of Benefits (CF-1) form filing stated **\$19,550,431** in annual payroll for the **391** jobs retained and **\$0** in annual payroll for the **zero** 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 **437** full-time jobs retained means retaining **327**
12 jobs; and

13 **WHEREAS**, meeting 75% of the **240** full-time jobs to be created means creating **180**
14 full-time jobs; and

15 **WHEREAS**, meeting 75% of the **\$18,866,000** in retained annual payroll means
16 **\$14,149,500** in annual payroll; and

17 **WHEREAS**, meeting 75% of the **\$8,640,000** in annual payroll to be created means
18 **\$6,480,000**; and

19 **WHEREAS**, Common Council shall determine not later than forty-five (45) days after
20 receipt of the Compliance of Statement of Benefits Form (CF-1) that North American Van
21 Lines has substantially complied with the original Statement of Benefits Form (SB-1)
22 approved by Common Council; and

23 **WHEREAS**, North American Van Lines **appeared/failed to appear** before council to
24 provide additional information on its compliance with statement of benefits.

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

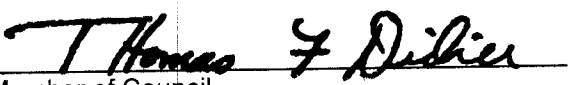
27 **SECTION 1.** That, Common Council finds that the Compliance with Statement of
28 Benefits Forms (CF-1) filed by North American Van Lines with an approved economic
29 revitalization area for 2014 are in not in substantial compliance pursuant to I.C. 6-1.1-12.1
30 and Section 153.21 of the Municipal Code of the City of Fort Wayne for failure to create 75%
of the 240 full-time jobs or 180 jobs that were stated that would be created and create 75% of
the \$8,640,000 in annual payroll or \$0 that was stated that would be generated by the
created jobs.

SECTION 2b. That North American Van Lines failed to appear and otherwise
provide additional information on its compliance with statement of benefits and has caused
Council to conclude and find that North American Van Lines is not 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

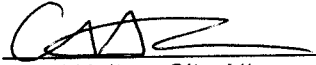
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Wayne on their 2015 filing. Council therefore directs the Community Development Division to mail written notice to North American Van Lines explaining the reasons for Council's determination and a date, time, place of a hearing to be conducted by Council for the purpose of further considering North American Van Lines' 2015 compliance with statement of benefits.

SECTION 3. 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: Resolution determining substantial compliance with a Statement of Benefits (SB-1) for 2015

DEPARTMENT REQUESTING ORDINANCE: Community Development Division

SYNOPSIS OF ORDINANCE: This resolution determines whether Compliance with Statement of Benefits (CF-1) Form filings made by North American Van Lines in May 2015 with an approved economic revitalization area are in substantial compliance pursuant to both Council policy and Indiana law.

EFFECT OF PASSAGE: Will allow property owners with existing economic revitalization area designation to continue to receive their economic revitalization area deduction (property tax abatement/phase-in) benefit if determined to be in substantial compliance or provide notice to company if determined to be in substantial non-compliance and a hearing will be scheduled

EFFECT OF NON-PASSAGE: Potential retention or loss of economic revitalization area deduction (property tax abatement/phase-in)

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

ASSIGNED TO COMMITTEE (PRESIDENT): Thomas Didier and Russ Jehl

Public Hearing Date, if applicable _____

Read the first time in full and on motion by Councilman Thomas Didier

Read the second time by title and referred to the Finance

Committee. Read the third time in full and on motion by Councilman

Thomas Didier, placed on passage by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____
BENDER	<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:

6-23-15

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-55-15 on the 23rd day of
June, 2015

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

John N. Crawford
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day
of June, 2015, at the hour of 3:00 O'clock PM. E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 25th day of June
2015, at the hour of 2:00 O'clock PM. E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

BILL NO. R-15-06-25

REPORT OF COMMITTEE ON FINANCE

JUNE 16, 2015

*THOMAS DIDIER – CHAIR
RUSS JEHL – CO-CHAIR
ALL COUNCIL MEMBERS*

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DO PASS

DO NOT PASS

ABSTAIN

NO REC

Thomas Didier
Russ Jehl
John Barber
Mark B. L.
John A. Campbell
J. Mitchell

**SANDRA E. KENNEDY
CITY CLERK**