

A RESOLUTION determining SUBSTANTIAL COMPLIANCE OR NON-COMPLIANCE with Compliance with Statement of Benefits (CF-1) form filing for 2015 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, a total of **387** 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 2015 Compliance with Statement of Benefits (CF-1) form stated that **323** jobs were retained and **zero** jobs were created; and

WHEREAS, Craftline Graphics, Inc.'s 2015 Compliance with Statement of Benefits (CF-1) form stated that **\$6,352,708** in annual payroll for the **323** jobs retained and **\$0** in annual payroll for the **zero** jobs created; and

1 **WHEREAS**, Common Council designated the City of Fort Wayne Community
2 Development Division as the entity for the administration, application, processing and
3 monitoring of Economic Revitalization Areas under Section 153.13 of the Municipal Code of
4 the City of Fort Wayne; and

5 **WHEREAS**, Common Council has defined substantial compliance under Section
6 153.21 of the Municipal Code of the City of Fort Wayne as:

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

13 **WHEREAS**, meeting 75% of the **387** retained jobs means retaining **290** jobs; and

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

16 **WHEREAS**, meeting 75% of the **\$5,349,063** in retained annual payroll means
17 **\$4,011,797** in annual payroll retained; and

18 **WHEREAS**, meeting 75% of the **\$960,000** in annual payroll to be created means
19 **\$720,000** in annual payroll created; and

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

24 **WHEREAS**, Craftline Graphics, Inc. **appeared/failed to appear** before council to
25 provide additional information on its compliance with statement of benefits.

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

28 **SECTION 1.** That, Common Council finds that the Compliance with Statement of
29 Benefits Form (CF-1) filed by Craftline Graphics, Inc. with an approved economic
30 revitalization area for 2015 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 Wayne for failure to create 75% of
the 32 jobs that was stated that would be created or 24 jobs and for failure to create 75% of
the \$960,000 in annual payroll or \$720,000 in annual payroll that was stated that would be
created.

SECTION 2a. Craftline Graphics, Inc. appeared before council and provided
additional information on its compliance with statement of benefits and from this information
it was determined that notwithstanding Craftline Graphics, Inc.'s failure to substantially

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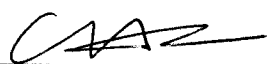
comply by its failure to create 24 jobs and \$720,000 in annual payroll or more from the jobs created, that Craftline Graphics, Inc. did make reasonable efforts to substantially comply with the statement of benefits and Craftline Graphics, Inc.'s failure to substantially comply was caused by factors beyond the control of Craftline Graphics, Inc. Therefore, the continuation of Craftline Graphics, Inc.'s deduction/abatement under R-4-11 is hereby approved.

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 or non-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 Craftline Graphics, Inc. in 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 Russ Jahl
Read the second time by title and referred to the Finance Committee
Committee. Read the third time in full and on motion by Councilman
Russ Jahl, placed on passage by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
TOTAL VOTES	<u>9</u>	_____	_____	_____
BENDER	<u>✓</u>	_____	_____	_____
CRAWFORD	<u>✓</u>	_____	_____	_____
DIDIER	<u>✓</u>	_____	_____	_____
HARPER	<u>✓</u>	_____	_____	_____
HINES	<u>✓</u>	_____	_____	_____
JEHL	<u>✓</u>	_____	_____	_____
PADDOCK	<u>✓</u>	_____	_____	_____
SHOAF	<u>✓</u>	_____	_____	_____
SMITH	<u>✓</u>	_____	_____	_____

DATED: 7-28-15 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-67-15 on the 28th day of
July, 2015

ATTEST:
Sandra E. Kennedy
SANDRA E. KENNEDY,
CITY CLERK
John W. Crawford
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day
of July, 2015, at the hour of 11:30 O'clock Am. E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 29th day of JULY
2015, at the hour of 3:00 O'clock Pm. E.S.T.
Thomas C. Henry
THOMAS C. HENRY, MAYOR

BILL NO. R-15-07-07

REPORT OF COMMITTEE ON FINANCE

JULY 21, 2015

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

A RESOLUTION CONFIRMING determining Substantial Compliance or Non-Compliance with Statement of Benefits (CF-1) for form filing for 2015 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. **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

[Handwritten signature]

[Handwritten signatures: Martin A. Byrd, John A. Crump, Tom Didier, Russ Jehl, Greg Pugh]

**SANDRA E. KENNEDY
CITY CLERK**