

A RESOLUTION determining SUBSTANTIAL COMPLIANCE OR NON-COMPLIANCE with Statement of Benefits (CF-1) form filing for 2016 for Vermeer of Indiana, Inc. (filed under JSC, LLC) for property at 3310 West Coliseum Boulevard under Confirming Resolution R-3-14 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 Vermeer of Indiana, Inc. (filed under JSC, LLC) 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, Vermeer of Indiana, Inc. (filed under JSC, LLC) has filed Compliance with Statement of Benefit Forms with the Allen County Auditor's Office and the City of Fort Wayne; and

WHEREAS, Vermeer of Indiana, Inc. (filed under JSC, LLC) approved Statement of Benefits (SB-1) form stated that **six** full-time jobs would be retained and **three** full-time and **one** part-time jobs would be created by March 2015; and

WHEREAS, Vermeer of Indiana, Inc. (filed under JSC, LLC) approved Statement of Benefits (SB-1) form stated **\$430,000** in annual payroll for the **six** full-time retained jobs and **\$205,000** in annual payroll would be generated by the **three** full-time and **one** part-time jobs to be created; and

WHEREAS, Vermeer of Indiana, Inc.'s (filed under JSC, LLC) 2016 Compliance with Statement of Benefits (CF-1) form filing stated that **six** jobs were retained and **zero** jobs were created; and

WHEREAS, Vermeer of Indiana, Inc.'s (filed under JSC, LLC) 2016 Compliance with Statement of Benefits (CF-1) form filing stated **\$410,000** in annual payroll for the **six** 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 **six** full-time jobs retained means retaining **four**
14 jobs; and

15 **WHEREAS**, meeting 75% of the **three** full-time and **one** part-time jobs to be created
16 means creating **three** jobs; and

17 **WHEREAS**, meeting 75% of the **\$430,000** in retained annual payroll means
18 **\$322,500** in annual payroll; and

19 **WHEREAS**, meeting 75% of the **\$205,000** in annual payroll to be created means
20 **\$153,750**; and

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

25 **WHEREAS**, Vermeer of Indiana, Inc. (filed under JSC, LLC) **appeared/failed to**
26 **appear** before council to provide additional information on its compliance with statement of
27 benefits.

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

30 **SECTION 1.** That, Common Council finds that the Compliance with Statement of
Benefits Form (CF-1) filed by Vermeer of Indiana, Inc. (filed under JSC, LLC) with an
approved economic revitalization area for 2016 are 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 three full-time and one part-time jobs or three jobs that were stated that
would be created and create 75% of the \$205,000 in annual payroll or \$153,750 that was
stated that would be generated by the created jobs.

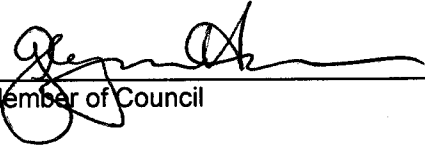
1 ~~SECTION 2a. Vermeer of Indiana, Inc. (filed under JSC, LLC) appeared before~~
2 ~~council and provided additional information on its compliance with statement of benefits and~~
3 ~~from this information it was determined that notwithstanding, Vermeer of Indiana, Inc.'s (filed~~
4 ~~under JSC, LLC) failure to substantially comply by its failure to create three jobs or more and~~
5 ~~\$453,750 in annual payroll or more from the jobs created, that Vermeer of Indiana, Inc. (filed~~
6 ~~under JSC, LLC) did make reasonable efforts to substantially comply with the statement of~~
7 ~~benefits and Vermeer of Indiana, Inc.'s (filed under JSC, LLC) failure to substantially comply~~
8 ~~was caused by factors beyond the control of Vermeer of Indiana, Inc. (filed under JSC, LLC).~~
9 ~~Therefore, the continuation of Vermeer of Indiana, Inc.'s (filed under JSC, LLC)~~
10 ~~deduction/abatement under R-5-14 is hereby approved.~~

11 ~~SECTION 2b. That Vermeer of Indiana, Inc. (filed under JSC, LLC), appeared and~~
12 ~~provided additional information on its compliance with statement of benefits and from this~~
13 ~~information it was determined, that notwithstanding, Vermeer of Indiana, Inc.'s (filed under~~
14 ~~JSC, LLC) failure to substantially comply by its failure to create three jobs or more and~~
15 ~~\$453,750 in annual payroll or more from the jobs created, that Vermeer of Indiana, Inc. (filed~~
16 ~~under JSC, LLC) did not make reasonable efforts to substantially comply with the statement~~
17 ~~of benefits and Vermeer of Indiana, Inc.'s (filed under JSC, LLC) failure to substantially~~
18 ~~comply was not caused by factors beyond the control of Vermeer of Indiana, Inc.'s (filed~~
19 ~~under JSC, LLC). Council therefore directs the Community Development Division to mail~~
20 ~~written notice to Vermeer of Indiana, Inc. (filed under JSC, LLC) explaining the reasons for~~
21 ~~Council's determination and a date, time, place of a hearing to be conducted by Council for~~
22 ~~the purpose of further considering Vermeer of Indiana, Inc.'s (filed under JSC, LLC) 2016~~
23 ~~compliance with statement of benefits.~~

24 **NOTE** SECTION 2c. That Vermeer of Indiana, Inc. (filed under JSC, LLC) failed to appear
25 and otherwise provide additional information on its compliance with statement of benefits and
26 has caused Council to conclude and find that Vermeer of Indiana, Inc. (filed under JSC, LLC)
27 is not in substantial compliance pursuant to I.C. 6-1.1-12.1 and Section 153.21 of the
28 Municipal Code of the City of Fort Wayne on their 2016 filing. Council therefore directs the
29 Community Development Division to mail written notice to Vermeer of Indiana, Inc. (filed
30 under JSC, LLC) 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 Vermeer of
Indiana, Inc.'s (filed under JSC, LLC) 2016 compliance with statement of benefits.

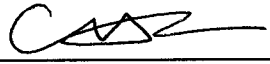
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SECTION 3. That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.



Member of Council

APPROVED AS TO FORM A LEGALITY



Carol Helton, City Attorney

DIGEST SHEET

TITLE OF ORDINANCE: Resolution determining substantial compliance with a Statement of Benefits (SB-1) for 2016

DEPARTMENT REQUESTING ORDINANCE: Community Development Division

SYNOPSIS OF ORDINANCE: This resolution determines whether Compliance with Statement of Benefits (CF-1) Form filings made by Vermeer of Indiana, Inc. (filed under JSC, LLC) in May 2016 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): Glynn Hines and John Crawford

Carman Young

From: Jay Van Tress <jay.vantress@vermeermidwest.com>
Sent: Tuesday, June 21, 2016 3:33 PM
To: Carman Young
Subject: Vermeer Midwest update for tonights meeting

Carman,

I can't make it tonight as I lead a small group for church. Our General Manager is out of state and can't attend either. However, I will let you know what progress we have made.

- 1) Of course the facility and the lot is much improved and greatly enhances that area.
- 2) We did hire a sales representative to specialize in the tub grinders and recyclers that we built our new bay for. He covers Indianapolis, Fort Wayne, and lower Michigan. Unfortunately for Fort Wayne, he moved his family to Fishers and not Fort Wayne. His name is Mike Meyers.
- 3) We did hire one new technician last year but then had one retire sooner than expected so that is a zero net gain.
- 4) We have been trying to hire another technician and the link to the ads are included below. Good technicians in our industry are hard to find.
- 5) I am confused on how quick we are expected to add people. It is hard to find good people and we know it is better to not hire someone than hire the wrong person.

Thank you for your consideration and help with this.

Best Regards,

Jay Van Tress

13402 Britton Park Rd | Fishers, IN 46038
O 317 842-1040
vermeermidwest.com



<https://vermeermidwest-openhire.silkroad.com/epostings/index.cfm?fuseaction=app.jobsearch>
<http://www.indeed.com/jobs?q=vermeer&l=Ft.+Wayne%2C+IN>

BILL NO. R-16-06-14

REPORT OF COMMITTEE ON FINANCE

DO PASS
MOTION FOR

2c

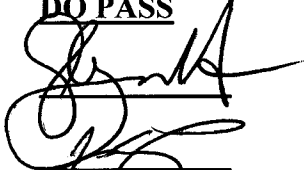

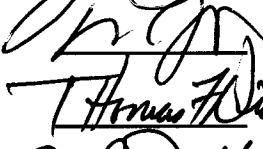
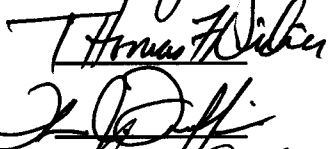


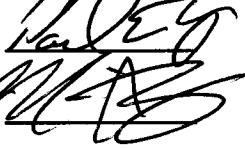
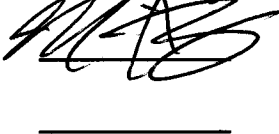
— NON COMPLIANCE —

June 21, 2016

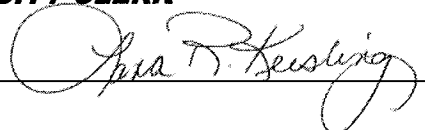
Glynn Hines, Chair
John Crawford, Co-Chair
All Council Members

A RESOLUTION determining SUBSTANTIAL COMPLIANCE OR NON-COMPLIANCE with Statement of Benefits (CF-1) form filing for 2016 for Vermeer of Indiana, Inc. (filed under JSC, LLC) for property at 3310 West Coliseum Boulevard under Confirming Resolution R-3-14 with an "Economic Revitalization Area" approved under I.C. 6-1.1-12.1

COMMITTEE ON FINANCE HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
	_____	_____	_____
	_____	_____	_____
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LANA R. KEESLING
CITY CLERK



Public Hearing Date, if applicable N/A

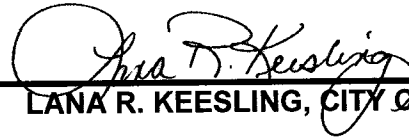
Read the first time in full and on motion by Councilman Hines.

Read the second time by title and referred to the Finance Committee.

Read the third time in full and on motion by Councilman Crawford, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARRANDA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRAWFORD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
JEHL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>


DATED: June 28, 2016



LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
 Resolution No. R-16-06-14 on the 28th day of June, 2016

ATTEST:



LANA R. KEESLING
CITY CLERK



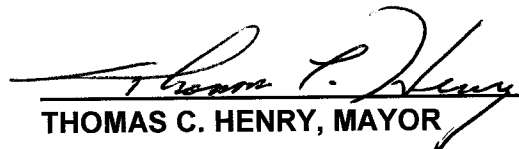
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th
 of June 2016, at the hour of 11:30 o'clock A.M. E.S.T.



LANA R. KEESLING, CITY CLERK

Approved and signed by me this 29th day of June
 2016, at the hour of 2:00 O'clock PM E.S.T.



THOMAS C. HENRY, MAYOR