

A RESOLUTION determining SUBSTANTIAL COMPLIANCE OR NON-COMPLIANCE with Statement of Benefits (CF-1) form filing for 2016 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) form stated that **137** full-time and **250** part-time 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) form 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 2016 Compliance with Statement of Benefits (CF-1) form filing stated that **323** jobs were retained and **zero** jobs were created; and

WHEREAS, Craftline Graphics, Inc.'s 2016 Compliance with Statement of Benefits (CF-1) form filing stated **\$6,352,708** in annual payroll for the **323** 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 **137** full-time and **250** part-time jobs retained means
12 retaining **290** jobs; and

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

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

17 **WHEREAS**, meeting 75% of the **\$960,000** in annual payroll to be created means
18 **\$720,000** in created annual payroll; 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 Craftline Graphics, Inc.
21 has substantially complied with the original Statement of Benefits Form (SB-1) approved by
22 Common Council; and

23 **WHEREAS**, Craftline Graphics, Inc. **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 Form (CF-1) filed by Craftline Graphics, Inc. with an approved economic
29 revitalization area for 2016 are not in substantial compliance pursuant to I.C. 6-1.1-12.1 and
30 Section 153.21 of the Municipal Code of the City of Fort Wayne for failure to create 75% of
the 32 full-time jobs or 24 jobs that were stated that would be created and create 75% of the
\$960,000 in annual payroll or \$720,000 that was stated that would be generated by the
created jobs.

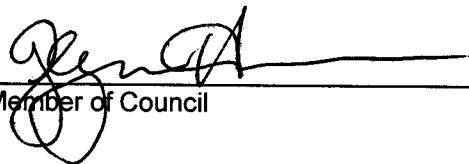
VOTE SECTION 2a. Craftline Graphics, Inc. appeared before council and provided
additional information on its compliance with statement of benefits and from this information
it was determined that notwithstanding, Craftline Graphics, Inc. 's failure to substantially
comply by its failure to create 24 jobs or more and \$720,000 in annual payroll or more from

1 the jobs created, that Craftline Graphics, Inc. did make reasonable efforts to substantially
2 comply with the statement of benefits and Craftline Graphics, Inc.'s failure to substantially
3 comply was caused by factors beyond the control of Craftline Graphics, Inc.. Therefore, the
4 continuation of Craftline Graphics, Inc.'s deduction/abatement under R-4-11 is hereby
approved.

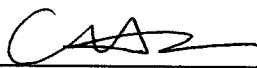
5 ~~SECTION 2b. That Craftline Graphics, Inc., appeared and provided additional~~
6 ~~information on its compliance with statement of benefits and from this information it was~~
7 ~~determined that notwithstanding Craftline Graphics, Inc.'s failure to substantially comply by~~
8 ~~its failure to create 24 jobs or more and \$720,000 in annual payroll or more from the jobs~~
9 ~~created, that Craftline Graphics, Inc. did not make reasonable efforts to substantially comply~~
10 ~~with the statement of benefits and Craftline Graphics, Inc.'s failure to substantially comply~~
11 ~~was not caused by factors beyond the control of Craftline Graphics, Inc. Council therefore~~
12 ~~directs the Community Development Division to mail written notice to Craftline Graphics, Inc.~~
13 ~~explaining the reasons for Council's determination and a date, time, place of a hearing to be~~
14 ~~conducted by Council for the purpose of further considering Craftline Graphics, Inc.'s 2016~~
15 ~~compliance with statement of benefits.~~

16 ~~SECTION 2c. That Craftline Graphics, Inc. failed to appear and otherwise provide~~
17 ~~additional information on its compliance with statement of benefits and has caused Council to~~
18 ~~conclude and find that Craftline Graphics, Inc. is not in substantial compliance pursuant to~~
19 ~~I.C. 9-1-1-12.1 and Section 150.21 of the Municipal Code of the City of Fort Wayne on their~~
20 ~~2010 filing. Council therefore directs the Community Development Division to mail written~~
21 ~~notice to Craftline Graphics, Inc. explaining the reasons for Council's determination and a~~
22 ~~date, time, place of a hearing to be conducted by Council for the purpose of further~~
23 ~~considering Craftline Graphics, Inc.'s 2010 compliance with statement of benefits.~~

24
25 **SECTION 3.** That, this Resolution shall be in full force and effect from and after
26 its passage and any and all necessary approval by the Mayor.

27
28 
Member of Council

29 APPROVED AS TO FORM A LEGALITY

30 

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 Craftline Graphics, Inc. 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

REPORT OF COMMITTEE ON FINANCE

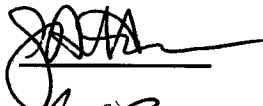



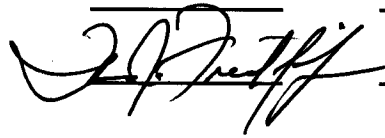



MOTION FOR 2a
— COMPLIANCE —

June 21, 2016

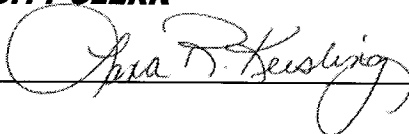
Glynn Hines, Chair
John Crawford, Co-Chair
All Council Members

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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>
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____		_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
_____	_____	_____	_____

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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-16-06-16 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