

A RESOLUTION determining SUBSTANTIAL COMPLIANCE OR NON-COMPLIANCE with Statement of Benefits (CF-1) form filing for 2017 for PR Investments, LLC/Regan Presser Corporation for Summit Dental Group for property at 9121 Illinois Road, Fort Wayne, IN 46804 under Confirming Resolution R-101-15 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 PR Investments, LLC/Regan Presser Corporation for Summit Dental Group 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, PR Investments, LLC/Regan Presser Corporation for Summit Dental Group has filed Compliance with Statement of Benefit Forms with the Allen County Assessor's Office and the City of Fort Wayne; and

WHEREAS, PR Investments, LLC/Regan Presser Corporation for Summit Dental Group' approved Statement of Benefits (SB-1) form stated that **30** full-time jobs would be retained and **10** full-time jobs would be created by June 2016; and

WHEREAS, PR Investments, LLC/Regan Presser Corporation for Summit Dental Group' approved Statement of Benefits (SB-1) form stated **\$1,850,000** in annual payroll for the **30** full-time retained jobs and **\$805,200** in annual payroll would be generated by the **10** full-time jobs to be created; and

WHEREAS, PR Investments, LLC/Regan Presser Corporation for Summit Dental Group; 2017 Compliance with Statement of Benefits (CF-1) form filing stated that **28** jobs were retained and **three** jobs were created; and

WHEREAS, PR Investments, LLC/Regan Presser Corporation for Summit Dental Group; 2017 Compliance with Statement of Benefits (CF-1) form filing stated **\$1,834,998** in annual payroll for the **28** jobs retained and **\$34,376** in annual payroll for the **three** jobs created; and

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

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

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

WHEREAS, meeting 75% of the **30** full-time jobs retained means retaining **22** jobs; and

WHEREAS, meeting 75% of the **10** full-time jobs to be created means creating **seven** full-time jobs; and

1 **WHEREAS**, meeting 75% of the **\$1,834,998** in retained annual payroll means **\$1,387,500**
in annual payroll; and

2 **WHEREAS**, meeting 75% of the **\$805,200** in annual payroll to be created means
\$603,900; and

3 **WHEREAS**, Common Council shall determine not later than forty-five (45) days after
4 receipt of the Compliance of Statement of Benefits Form (CF-1) that PR Investments, LLC/Regan
Presser Corporation for Summit Dental Group has substantially complied with the original
Statement of Benefits Form (SB-1) approved by Common Council; and

5 **WHEREAS**, PR Investments, LLC/Regan Presser Corporation for Summit Dental Group
failed to appear before council to provide additional information on its compliance with statement
6 of benefits.

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

8 **SECTION 1.** That, Common Council finds that the Compliance with Statement of
Benefits Form (CF-1) filed by PR Investments, LLC/Regan Presser Corporation for Summit Dental
9 Group with an approved economic revitalization area for 2017 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
10 failure to create 75% of the **30** full-time jobs or **22** jobs that were stated that would be created and
create 75% of the **\$1,850,000** in annual payroll or **\$603,900** that was stated that would be
generated by the created jobs.

11 ~~**SECTION 2a.** PR Investments, LLC/Regan Presser Corporation for Summit Dental
Group appeared before council and provided additional information on its compliance with
statement of benefits and from this information it was determined that notwithstanding, PR
12 Investments, LLC/Regan Presser Corporation for Summit Dental Group's failure to substantially
comply by its failure to create seven jobs or more and \$603,900 in annual payroll or more from the
13 jobs created, that PR Investments, LLC/Regan Presser Corporation for Summit Dental Group did
make reasonable efforts to substantially comply with the statement of benefits and PR
14 Investments, LLC/Regan Presser Corporation for Summit Dental Group's failure to substantially
comply was caused by factors beyond the control of PR Investments, LLC/Regan Presser
15 Corporation for Summit Dental Group. Therefore, the continuation of PR Investments,
LLC/Regan Presser Corporation for Summit Dental Group's deduction/abatement under R-101-15
16 is hereby approved.~~

17 ~~**SECTION 2b.** That PR Investments, LLC/Regan Presser Corporation for Summit Dental
Group, appeared and provided additional information on its compliance with statement of benefits
and from this information it was determined that notwithstanding PR Investments, LLC/Regan
18 Presser Corporation for Summit Dental Group's failure to substantially comply by its failure to
create seven jobs or more and \$603,900 or more in annual payroll from the jobs created, that PR
19 Investments, LLC/Regan Presser Corporation for Summit Dental Group did not make reasonable
efforts to substantially comply with the statement of benefits and PR Investments, LLC/Regan
20 Presser Corporation for Summit Dental Group's failure to substantially comply was not caused by
factors beyond the control of PR Investments, LLC/Regan Presser Corporation for Summit Dental
21 Group. Council therefore directs the Community Development Division to mail written notice to
PR Investments, LLC/Regan Presser Corporation for Summit Dental Group explaining the
22 reasons for Council's determination and a date, time, place of a hearing to be conducted by
Council for the purpose of further considering PR Investments, LLC/Regan Presser Corporation
for Summit Dental Group's 2017 compliance with statement of benefits.—~~

23 **SECTION 2c.** That PR Investments, LLC/Regan Presser Corporation for Summit Dental
24 Group failed to appear and otherwise provide additional information on its compliance with
statement of benefits and has caused Council to conclude and find that PR Investments,
25 LLC/Regan Presser Corporation for Summit Dental Group 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 on
26 their 2017 filing. Council therefore directs the Community Development Division to mail written
notice to PR Investments, LLC/Regan Presser Corporation for Summit Dental Group explaining
27 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 PR Investments, LLC/Regan Presser Corporation
28 for Summit Dental Group's 2017 compliance with statement of benefits.

Public Hearing Date: N/A

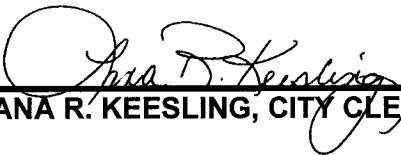
Read the first time in full and on motion by Councilman Paddock.

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

Read the third time in full and on motion by Councilman Paddock, 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: June 27, 2017




 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Ordinance No. R-17-06-33 AA on the 27th day of June, 2017

Voted Motion 2c – Failure to Appear/Non-Compliance

ATTEST:



 LANA R. KEESLING
 CITY CLERK



 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th of June 2017, at the hour of 11:45 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 30TH day of June

2017, at the hour of 10:00 O'clock Am . E.S.T.



 THOMAS C. HENRY, MAYOR

BILL NO. R-17-06-33

REPORT OF COMMITTEE ON FINANCE

June 20, 2017

Geoff Paddock Chair

Jason Arp Co-Chair

All Council Members

2C

A Resolution determining **substantial compliance or non-compliance** with Statement of Benefits (CF-1) form filing for 2017 for **PR Investments, LLC/Regan Presser Corporation for Summit Dental Group** for property at 9121 Illinois Road, Fort Wayne, IN 46804 under Confirming Resolution R-101-15 with an "Economic Revitalization Area" approved under I.C. 6-1.1-12.1

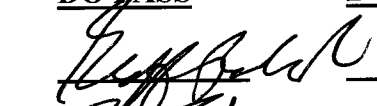

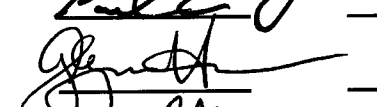
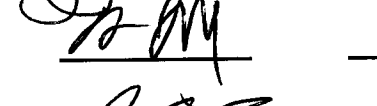
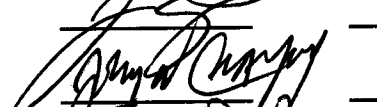
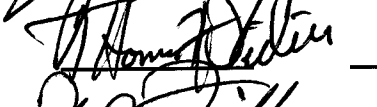

COMMITTEE ON FINANCE HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

DO PASS

DO NOT PASS

ABSTAIN

NO REC

	_____	_____	_____
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**LANA R. KEESLING
CITY CLERK**

