

3
4 **A CONFIRMING RESOLUTION designating an**
5 **“Economic Revitalization Area” under I.C. 6-1.1-**
6 **12.1 for property commonly known as 4030 Piper**
7 **Drive, Fort Wayne, Indiana 46809 (Advanced**
8 **Cutting Systems, Inc.)**

9 **WHEREAS**, Common Council has previously designated and declared by
10 Declaratory Resolution the following described property as an “Economic Revitalization Area”
11 under Sections 153.13-153.24 of the Municipal Code of the City of Fort Wayne, Indiana, and
12 I.C. 6-1.1-12.1, to wit:

13 **Attached hereto as “Exhibit A” as if a part herein; and**

14 **WHEREAS**, said project will create 12 full-time, permanent jobs for a total new,
15 annual payroll of \$355,000, with the average new annual job salary being \$29,583 and retain
16 40 full-time, permanent jobs for a current annual payroll of \$1,500,000, with the average
17 current annual job salary being \$37,500; and

18 **WHEREAS**, the total estimated project cost is \$784,000; and

19 **WHEREAS**, a recommendation has been received from the Committee on Finance
20 on said Resolution; and

21 **WHEREAS**, notice of the adoption and substance of said Resolution has been
22 published in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has
23 been conducted on said Resolution; and

24 **WHEREAS**, if said Resolution involves an area that has already been designated an
25 allocation area under I.C. 36-7-14-39, The Fort Wayne Redevelopment Commission has
26 adopted a Resolution approving the designation.

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

29 **SECTION 1.** That, the Resolution previously designating the above described
30 property as an “Economic Revitalization Area” is confirmed in all respects.

SECTION 2. That, the hereinabove described property is hereby declared an
“Economic Revitalization Area” pursuant to I.C. 6-1.1-12.1, said designation to begin on the
effective date of this Resolution and shall terminate on December 31, 2021, unless otherwise
automatically extended in five year increments per I.C. 6-1.1-12.1-9.

SECTION 3. That, said designation of the hereinabove described property as an
“Economic Revitalization Area” shall apply to a deduction of the assessed value of personal

1 property for new manufacturing equipment improvements to be made between July 1, 2018
2 and December 31, 2018.

3 **SECTION 4.** That, the estimate of the number of individuals that will be employed
4 or whose employment will be retained and the estimate of the annual salaries of those
5 individuals and the estimate of the value of the new manufacturing equipment, all contained
6 in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably
7 expected to result from the proposed described installation of the new manufacturing
8 equipment.

9 **SECTION 5.** The current year approximate tax rates for taxing units within the
10 City would be:

- 11 (a) If the proposed new manufacturing equipment is not installed, the approximate
12 current year tax rates for this site would be \$3.4132/\$100.
- 13 (b) If the proposed new manufacturing equipment is installed and no deduction is
14 granted, the approximate current year tax rate for the site would be
15 \$3.4132/\$100 (the change would be negligible).
- 16 (c) If the proposed new manufacturing equipment is installed, and a deduction
17 percentage of eighty percent (80%) is assumed, the approximate current year
18 tax rate for the site would be \$3.4132/\$100 (the change would be negligible).

19 **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction
20 from the assessed value of the new manufacturing equipment shall be for a period of five
21 years.

22 **SECTION 7.** The deduction schedule from the assessed value of new
23 manufacturing equipment pursuant to I.C. 6-1.1-12.1-17 shall look like this:

24

Year of Deduction	Percentage
1	100%
2	80%
3	60%
4	40%
5	20%
6	0%

25

26 **SECTION 8.** The benefits described in the Petitioner's Statement of Benefits can be
27 reasonably expected to result from the project and are sufficient to justify the applicable
28 deductions.

1 **SECTION 9.** For new manufacturing equipment, a deduction application must
2 contain a performance report showing the extent to which there has been compliance with
3 the Statement of Benefits form approved by the Fort Wayne Common Council at the time of
4 filing. This report must be submitted to the Allen County Auditor's Office, and the City of Fort
5 Wayne's Community Development Division and must be included with the deduction
6 application. For subsequent years, the performance report must be updated and submitted
7 along with the deduction application at the time of filing.

8 **SECTION 10.** The performance report must contain the following information

- 9 (a) The cost and description of real property improvements and/or new
10 manufacturing equipment acquired.
- 11 (b) The number of employees hired through the end of the preceding calendar year
12 as a result of the deduction.
- 13 (c) The total salaries of the employees hired through the end of the preceding
14 calendar year as a result of the deduction.
- 15 (d) The total number of employees employed at the facility receiving the deduction.
- 16 (e) The total assessed value of the real and/or personal property deductions.
- 17 (f) The tax savings resulting from the real and/or personal property being abated.

18 **SECTION 11.** That, the taxpayer is non-delinquent on any and all property tax due
19 to jurisdictions within Allen County, Indiana.

20 **SECTION 12.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that
21 has received a deduction under section 3 or 4.5 of said chapter may be required to repay the
22 deduction amount as determined by the county auditor in accordance with section 12 of said
23 chapter if the property owner ceases operations at the facility for which the deduction was
24 granted and if the Common Council finds that the property owner obtained the deduction by
25 intentionally providing false information concerning the property owner's plans to continue
26 operation at the facility.

27 **SECTION 13.** That, this Resolution shall be in full force and effect from and after its
28 passage and any and all necessary approval by the Mayor.

29 _____
30 Member of Council

APPROVED AS TO FORM AND LEGALITY

Carol Helton, City Attorney

EXHIBIT A - LEGAL DESCRIPTION

Part of the Southeast Quarter of the Southeast Quarter in Section 5, Township 29 North, Range 12 East, in Allen County, Indiana, described as follows, to-wit:

BEGINNING at a point on the North line of the Southeast Quarter of the Southeast Quarter of Section 5, Township 29 North, Range 12 East, in Allen County, Indiana, said point being situated 480.0 feet North 89 degrees 13 minutes East assumed bearing and basis for all bearing of this description from the Northwest corner of the said Southeast Quarter of the Southeast Quarter of Section 5; thence North 89 degrees 13 minutes East 300.0 feet along the said North line of the Southeast Quarter of the Southeast Quarter of Section 5; thence South 01 degrees 36 minutes 11 seconds East (South 01 degrees 41 minutes East, recorded), 651.60 feet (652.7 feet, recorded) to the centerline of "C" Street in the said Southeast Quarter of the Southeast Quarter of Section 5; thence South 88 degrees 20 minutes 17 seconds West (South 88 degrees 11 minutes West, recorded), 300.0 feet along the said centerline of "C" Street; thence North 01 degrees 36 minutes 01 seconds West (North 01 degrees 41 minutes West, recorded), 656.2 feet (658.1 feet, recorded) on a line parallel to the West line of the said Southeast Quarter of the Southeast Quarter of Section 5 to the place of beginning, containing 4.514 acres of land, more or less.

EXCEPTING therefrom that part sold off to County of Allen in Document Number 81-17423 as shown at Item Number 121 and described as follows:

Part of the Southeast Quarter of the Southeast Quarter, Section 5, Township 29 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

COMMENCING at a point on the North line of the Southeast Quarter of Section 5, Township 29 North, Range 12 East, said point being situated 780.0 feet North 89 degrees 13 minutes East from the Northwest corner of said Southeast Quarter of the Southeast Quarter; thence South 01 degrees 36 minutes 11 seconds East (South 01 degrees 41 minutes East, recorded), 626.6 feet (627.7 feet, recorded) to the point of beginning; thence continuing on South and parallel to said West line, a distance of 25.0 feet to the centerline of Piper Drive, formerly "C" Street; thence South 88 degrees 20 minutes 17 seconds West (South 88 degrees 11 minutes West, recorded) 300.0 feet along said centerline of Piper Drive; thence North 01 degrees 36 minutes 01 seconds West, (North 01 degrees 41 minutes West, recorded) on a line parallel to said West line, a distance of 25.0 feet; thence East parallel to and 25.0 feet North of said centerline of Piper Drive, a distance of 300.0 feet to the point of beginning, containing 0.17 acres of land, more or less.

END OF EXHIBIT A

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE: **Confirming Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **This is to confirm the designation of an Economic Revitalization Area for Advanced Cutting Systems, Inc. who will purchase and install \$784,000 in new personal property manufacturing equipment that will support increased customer production requirements.**

EFFECT OF PASSAGE: **Investment of \$748,000, retention of 40 full-time jobs with an annual payroll of \$1,500,000 and create 12 new full-time jobs with an annual payroll of \$355,000.**

EFFECT OF NON-PASSAGE: **Potential loss of investment, retention of 40 full-time jobs with an annual payroll of \$1,500,000 and creation of 12 new full-time jobs with an annual payroll of \$355,000.**

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): **Geoff Paddock and Jason Arp**

BILL NO. R-18-05-25

REPORT OF COMMITTEE ON FINANCE

June 12, 2018

Jason Arp Chair

John Crawford Co-Chair

All Council Members

A Confirming Resolution designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 4030 Piper Drive, Fort Wayne, Indiana 46809

Advanced Cutting Systems, Inc.

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**

_____ *Lana R. Keesling*

Public Hearing Date: June 12th 2018


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

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

Read the third time in full and on motion by Councilman Arp, 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARRANDA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 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 12, 2018




 LANA R. KEESLING, CITY CLERK

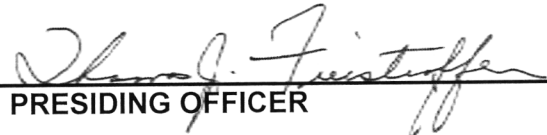
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Resolution No. R-18-05-25 on the 12th day of June, 2018

ATTEST:



 LANA R. KEESLING
 CITY CLERK



 PRESIDING OFFICER

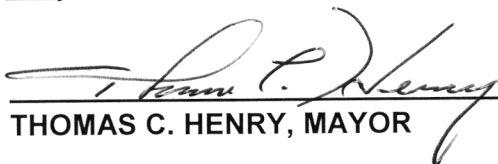
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th of June 2018, at the hour of 12:55 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 18th day of June

2018, at the hour of 10:00 O'clock AM. E.S.T.



 THOMAS C. HENRY, MAYOR

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
CONFIRMING RESOLUTION
NO. R-18-05-25**

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON JUNE 12, 2018, AT 5:30 P.M. IN ROOM 030 - COUNCIL DISCUSSION ROOM - GARDEN LEVEL CITIZENS SQUARE, 200 E. BERRY, FORT WAYNE, INDIANA 46802, DESIGNATING AN ECONOMIC REVITALIZATION AREA UNDER SECTION I.C. 6-1.1-12.1 FOR A PROPERTY COMMONLY KNOWN AS:

4030 Piper Drive,
Fort Wayne, Indiana 46809
Advanced Cutting Systems, Inc.

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, JUNE 12, 2018.

IF CONFIRMED, SAID DESIGNATION SHALL EXPIRE DECEMBER 31, 2018.

ALL INTERESTED PERSONS ARE INVITED TO ATTEND AND BE HEARD AT THE PUBLIC HEARING.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY PUBLIC INFORMATION OFFICE (260) 427-1120, TTY (260) 427-1200, AT LEAST SEVENTY-TWO HOURS PRIOR TO THE MEETING.

LANA R. KEESLING
CITY CLERK

5--25 1328013 hspaxlp

The Journal Gazette

Account # 1063561 - 1328013

Allen County, Indiana

FW City Clerk's Office

ATTACH COPY OF ADVERTISEMENT HERE

PUBLISHER'S CLAIM

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines	_____
Head -- number of lines	_____
Body -- number of lines	_____
Tail -- number of lines	_____
Total number of lines in notice	53

COMPUTATION OF CHARGES

<u>53</u> lines, <u>1</u> column(s) wide equals	
<u>53</u> equivalent lines at <u>\$ 0.460</u> cents per line	\$ 24.38
Additional charges for notices containing rule or tabular work (50 per cent of above amount)	-
Charge for extra proofs of publication (\$2.00 for each proof in excess of two)	-
TOTAL AMOUNT OF CLAIM	\$ 24.38

DATA FOR COMPUTING COST

Width of single column in picas 9.8 Size of type 7point.
Number of Insertions 1

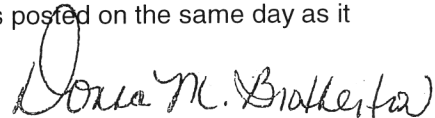
Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper 1 times.

The dates of publication being as follows:

5/25/2018

Additionally, Newspaper has a Web site and this public notice was posted on the same day as it was published in The Journal Gazette.



Donna M. Brotherton
Legal Clerk

Date: May 25, 2018

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LANA R. KEESLING
CITY CLERK

5--25

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