

**A CONFIRMING RESOLUTION designating an
"Economic Revitalization Area" under I.C. 6-1.1-12.1
for property commonly known as 5501 West Highway
30, Fort Wayne, Indiana 46818 (Sweetwater Holdings,
LLC/Sweetwater Sound, Inc.)**

WHEREAS, Common Council has previously designated and declared by Declaratory Resolution the following described property 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, to wit:

Attached hereto as "Exhibit A" as if a part herein; and

WHEREAS, said project will create 1,009 full-time permanent jobs for a total additional payroll of \$55,940,450 with an average annual job salary being \$55,441 and retain 1,003 full-time permanent jobs for a current annual payroll of \$55,940,483, with the average current annual job salary being \$55,773; and

WHEREAS, the total estimated project cost is \$83,030,200; and

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

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

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

SECTION 1. That, the Resolution previously designating the above described 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 both a deduction of the assessed value of real estate improvements made between October 8, 2018 and July 31, 2020 and personal property for new logistical distribution and information technology equipment improvements to be made between August 1, 2019 and December 31, 2022.

SECTION 4. That, the estimate of the number of individuals that will be employed or whose employment will be retained and the estimate of the annual salaries of those individuals and the estimate of redevelopment or rehabilitation and estimate of the value of the new logistical distribution and information technology equipment, all contained in Petitioner's Statement of

1 Benefits are reasonable and are benefits that can be reasonably expected to result from the
2 proposed described instillation of the new logistical distribution and information technology
3 equipment

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

- 6 (a) If the proposed development does not occur, the approximate current year tax rates
7 for this site would be \$3.4092/\$100.
- 8 (b) If the proposed development does occur and no deduction is granted, the
9 approximate current year tax rate for the site would be \$3.4092/\$100 (the change
10 would be negligible).
- 11 (c) If the proposed development occurs, and a deduction percentage of fifty percent
12 (50%) is assumed, the approximate current year tax rate for the site would be \$3.
13 4092/\$100 (the change would be negligible).
- 14 (d) If the real estate and personal property for new logistical distribution and information
15 technology equipment is not installed, the approximate current year tax rates for this
16 site would be \$3.4092/\$100.
- 17 (e) If the real estate and proposed personal property for new logistical distribution and
18 information technology equipment is installed and no deduction is granted, the
19 approximate current year tax rate for the site would be \$3.4092/\$100 (the change
20 would be negligible).
- 21 (f) If the real estate and proposed personal property for new logistical distribution and
22 information technology equipment is installed and a deduction percentage of eighty
23 percent (80%) is assumed, the approximate current year tax rate for the site would
24 be \$3.4092/\$100 (the change would be negligible).

25 **SECTION 6.** That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the
26 deduction from the assessed value of the real property shall be for a period of ten years, and that
27 the deduction from the assessed value of the new logistical distribution and information
28 technology equipment shall be for a period of ten years.

29 **SECTION 7.** The deduction schedule from the assessed value of the real property
30 and personal property pursuant to I.C. 6-1.1-12.1-17 shall look like this:

Year of Deduction	Percentage
1	100%
2	95%
3	80%
4	65%
5	50%
6	40%

7	30%
8	20%
9	10%
10	5%
11	0%

SECTION 8. The deduction schedule from the assessed value of new personal property logistical distribution and information technology equipment pursuant to I.C. 6-1.1-12.1-17 shall look like this:

Year of Deduction	Percentage
1	100%
2	90%
3	80%
4	70%
5	60%
6	50%
7	40%
8	30%
9	20%
10	10%
11	0%

SECTION 9. That, the benefits described in the Petitioner’s Statement of Benefits can be reasonably expected to result from the project and are sufficient to justify the applicable deductions.

SECTION 10. For personal property, logistical distribution and information technology equipment, a deduction application must contain a performance report showing the extent to which there has been compliance with the Statement of Benefits form approved by the Fort Wayne Common Council at the time of filing. This report must be submitted to the Allen County Auditor’s Office, and the City of Fort Wayne’s Community Development Division and must be included with the deduction application. For ten subsequent years, the performance report must be updated and submitted along with the deduction application at the time of filing.

SECTION 11. For real property, a deduction application must contain a performance report showing the extent to which there has been compliance with the Statement of Benefits form approved by the Fort Wayne Common Council at the time of filing. This report must be submitted to the Allen County Auditor’s Office and the City of Fort Wayne’s Community Development Division and must be included in the deduction application. For ten subsequent

1 years, the performance report must be updated each year in which the deduction is applicable at
2 the same time the property owner is required to file a personal property tax return in the taxing
3 district in which the property for which the deduction was granted is located. If the taxpayer does
4 not file a personal property tax return in the taxing district in which the property is located, the
information must be provided by May 15.

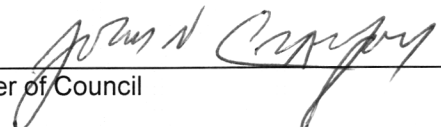
5 **SECTION 12.** The performance report must contain the following information:

- 6 A. The cost and description of real property improvements and/or purchase of real
7 estate and new personal property for new manufacturing, logistical distribution, and
information technology equipment .
8 B. The number of employees hired through the end of the preceding calendar year as a
9 result of the deduction.
10 C. The total salaries of the employees hired through the end of the preceding calendar
11 year as a result of the deduction.
12 D. The total number of employees employed at the facility receiving the deduction.
13 E. The total assessed value of the real and/or personal property deductions.
14 F. The tax savings resulting from the real and/or personal property being abated.

15 **SECTION 13.** That, the taxpayer is non-delinquent on any and all property tax due to
16 jurisdictions within Allen County, Indiana.


17 **SECTION 14.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has
18 received a deduction under section 3 or 4.5 of this chapter may be required to repay the
19 deduction amount as determined by the county auditor in accordance with section 10 of said
chapter if the property owner ceases operations at the facility for which the deduction was
20 granted and if the Common Council finds that the property owner obtained the deduction by
intentionally providing false information concerning the property owner's plans to continue
operation at the facility.

21 **SECTION 15.** That, this Resolution shall be in full force and effect from and after its
22 passage and any and all necessary approval by the Mayor.

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Member of Council

APPROVED AS TO FORM A LEGALITY



Carol Helton, City Attorney

Project Parcels

- 1. W. California Rd.**
 - a. 02-07-19-400-003.001-065**
- 2. 4835 behind Kroemer Rd.**
 - a. 02-07-19-400-005.004-065**
- 3. 4835 Kroemer Rd.**
 - a. 02-07-19-400-005.002-065**
- 4. W. Flaugh Rd.**
 - a. 02-07-19-300-005.001-065**
- 5. W. California Rd.**
 - a. 02-07-19-400-003.000-065**
- 6. 4723 Kroemer Rd.**
 - a. 02-07-19-400-005.000-065**
- 7. 5501 Us Highway 30**
 - a. 02-07-19-400-002.000-073**
- 8. 5501 Us Highway 30**
 - a. 02-07-19-400-001.000-073**

City Parcels

1. 5501 Us Highway 30 Fort Wayne, IN 46818
 - a. 02-07-19-400-002.000-073

2. 5501 Us Highway 30 Fort Wayne, IN 46818
 - a. 02-07-19-400-001.000-073

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1. 5501 Us Highway 30 Fort Wayne, IN 46818
 - a. 02-07-19-400-002.000-073

2. 5501 Us Highway 30 Fort Wayne, IN 46818
 - a. 02-07-19-400-001.000-073

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 Sweetwater Holdings, LLC/Sweetwater Sound, Inc. for eligible real and personal property improvements. Sweetwater Holdings, LLC/Sweetwater Sound, Inc. will construct a new 350,000 square foot warehouse, a 1,000 person conference center and renovate an existing warehouse to create additional sales floors as well as other miscellaneous campus improvements. New logistical distribution and information technology equipment will be purchased and installed.**

EFFECT OF PASSAGE: **Investment of \$83,030,200, creation of 1,009 full-time jobs with an annual additional payroll of \$55,940,450 and retention of 1,003 full-time jobs with an annual payroll of \$55,940,483.**

EFFECT OF NON-PASSAGE: **Potential loss of investment, creation of 1,009 full-time jobs with an annual additional payroll of \$55,940,450 and retention of 1,003 full-time jobs with an annual payroll of \$55,940,483.**

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): **John Crawford and Jason Arp**

The Journal Gazette

Account # 1063561 - 1344824
FW CITY CLERK'S OFFICE

Allen County, Indiana

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	<u>54</u>

COMPUTATION OF CHARGES

<u>54</u> lines, <u>1</u> column(s) wide equals	
<u>54</u> equivalent lines at <u>\$ 0.460</u> cents per line	\$ 24.84
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	<u>\$ 24.84</u>

DATA FOR COMPUTING COST

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

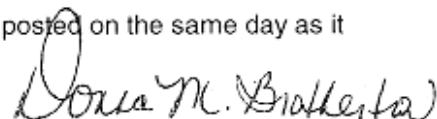
Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

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:

11/16/2018

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: November 16, 2018

ATTACH COPY OF ADVERTISEMENT HERE

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
CONFIRMING RESOLUTION
NO. R-18-11-21**

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON NOVEMBER 27, 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:

5501 West Highway 30,
Fort Wayne, Indiana 46818
Sweetwater Holdings, LLC/
Sweetwater Sound, Inc

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY NOVEMBER 27, 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

11--16 1344824 nspaxlp

The Journal Gazette

Account # 1063561 - 1344824
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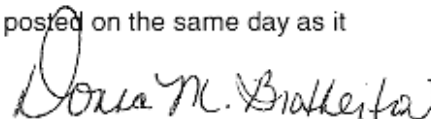
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LANA R. KEESLING
CITY CLERK
11-16 1344824 hspaxlp

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*LANA R. KEESLING
CITY CLERK*

BILL NO. R-18-11-21

REPORT OF COMMITTEE ON FINANCE

November 27, 2018

John Crawford Chair

Jason Arp 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 5501 West Highway 30, Fort Wayne, Indiana 46818

Sweetwater Holdings, LLC/Sweetwater Sound, 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

John Crawford
Thomas Hillier
Arp

John Crawford
Jason Arp

MA
Scott
Keefe

Arp

**LANA R. KEESLING
CITY CLERK**

Lana R. Keesling

Public Hearing Date: 11/27/2018

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

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 type="checkbox"/>	<input checked="" 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 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 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: November 27, 2018



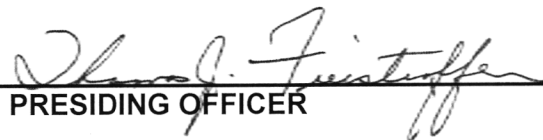
 LANA R. KEESLING, CITY CLERK

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

Resolution No. R-18-11-21 on the 27th day of November, 2018



 LANA R. KEESLING
 CITY CLERK



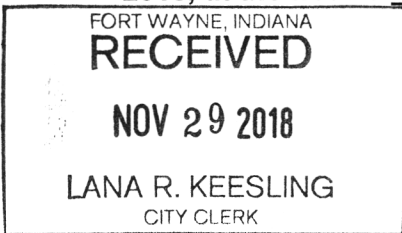
 PRESIDING OFFICER

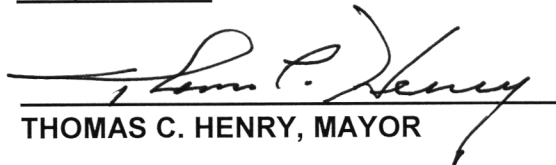
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th of November 2018, at the hour of 9:25 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 28TH day of November 2018, at the hour of 2:00 O'clock PM . E.S.T.





 THOMAS C. HENRY, MAYOR