

4 **A RESOLUTION considering a Waiver of Noncompliance for**
5 **a Late-Filed Application for the Deduction from Assessed**
6 **Valuation of Structures in Economic Revitalization Areas**
7 **(Form 322/RE) for 4202 Piper Drive, Fort Wayne, Indiana**
8 **46809 (Fort Wayne Metals Research Products Corp./Quoin**
9 **Enterprises, LLC)**

10 **WHEREAS**, Common Council has previously designated and declared by Declaratory
11 Resolution and Confirming Resolution property at 4202 Piper Drive for Fort Wayne Metals
12 Research Products Corp./Quoin Enterprises, LLC (Confirming Resolution R-85-17) under
13 Sections 153.13-153.24 of the Municipal Code of the City of Fort Wayne, Indiana, and I.C. 6-1.1-
14 9 and 12.1; and

15 **WHEREAS**, the original Statement of Benefits and economic revitalization area
16 designation application submitted by Fort Wayne Metals Research Products Corp./Quoin
17 Enterprises, LLC and approved under Confirming Resolution R-85-17 was for \$3,500,00 in real
18 property improvements; and

19 **WHEREAS**, construction of the real property improvements for Fort Wayne Metals
20 Research Products Corp./Quoin Enterprises, LLC are in progress and the applicant is in progress
21 of completing its pledge to construct the real property improvements; and

22 **WHEREAS**, Fort Wayne Metals Research Products Corp./Quoin Enterprises, LLC's
23 application for deduction from assessed valuation of structures in economic revitalization areas
24 (322/RE) for 2019 was not filed in a timely manner with the Allen County Auditor; and

25 **WHEREAS**, Fort Wayne Metals Research Products Corp./Quoin Enterprises, LLC has
26 requested a waiver of noncompliance which the Common Council has the power and authority to
27 approve, under I.C. 6-1.1-12.1-11.3; and

28 **WHEREAS**, Fort Wayne Metals Research Products Corp./ Quoin Enterprises, LLC did
29 file its CF-1 paperwork for real property and for personal property timely and, per the information
30 provided, Common Council found Fort Wayne Metals Research Products Corp./ Quoin
Enterprises, LLC in substantial compliance with their previously filed Statement of Benefits on
June 25, 2019 under Resolution R-23-19; and

WHEREAS, I.C. 6-1.1-12.1-11.3 permits tax abatement noncompliance events such as
the untimely filing of deduction application paperwork to be waived; and

WHEREAS, a public hearing of the Common Council has been held on the waiver.

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

~~**SECTION 1. OPTION A** That Fort Wayne Metals Research Products Corp./ Quoin Enterprises, LLC's request for a waiver of clerical and technical errors and nonconformities with its annual deduction compliance filing requirements is hereby denied and as such the previously approved deduction real property is terminated. This termination shall have no impact on the personal property for manufacturing, research and development, and information technology equipment property abatement approved under Confirming Resolution R-85-17; said personal property phase in for manufacturing, research and development, and information technology equipment shall continue.~~

SECTION 1. OPTION B That all clerical and technical errors and nonconformities of Fort Wayne Metals Research Products Corp./ Quoin Enterprises, LLC's annual deduction compliance filing requirements that are waivable under State and local law, including without limitation those errors and nonconformities described in I.C. 6-1.1-12.1-11.3, are hereby waived. The Allen County Auditor shall be supplied with a copy of this Resolution, upon passage, and is instructed to apply the deduction.

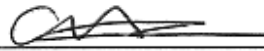
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SECTION 2. That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.



Member of Council

APPROVED AS TO FORM AND LEGALITY



Carol Helton, City Attorney

4 **A RESOLUTION ~~approving~~ considering a Waiver of**
5 **Noncompliance for a Late-Filed Application for the**
6 **Deduction from Assessed Valuation of Structures in**
7 **Economic Revitalization Areas (Form 322/RE) for 4202 Piper**
8 **Drive, Fort Wayne, Indiana 46809 (Fort Wayne Metals**
9 **Research Products Corp./Quoin Enterprises, LLC)**

10 **WHEREAS**, Common Council has previously designated and declared by Declaratory
11 Resolution and Confirming Resolution property at 4202 Piper Drive for Fort Wayne Metals
12 Research Products Corp./Quoin Enterprises, LLC (Confirming Resolution R-85-17) under
13 Sections 153.13-153.24 of the Municipal Code of the City of Fort Wayne, Indiana, and I.C. 6-1.1-
14 12.1; and

15 **WHEREAS**, the original Statement of Benefits and economic revitalization area
16 designation application submitted by Fort Wayne Metals Research Products Corp./Quoin
17 Enterprises, LLC and approved under Confirming Resolution R-85-17 was for \$3,500.00 in real
18 property improvements; and

19 **WHEREAS**, construction of the real property improvements for Fort Wayne Metals
20 Research Products Corp./Quoin Enterprises, LLC are in progress and the applicant is in progress
21 of completing its pledge to construct the real property improvements; and

22 **WHEREAS**, representatives of Fort Wayne Metals Research Products Corp./Quoin
23 Enterprises, LLC have informed the City of Fort Wayne that their Fort Wayne Metals Research
24 Products Corp./Quoin Enterprises, LLC's application for deduction from assessed valuation of
25 structures in economic revitalization areas (322/RE) for 2019 was not filed in a timely manner
26 with the Allen County Auditor; and

27 **WHEREAS**, this oversight was an unusual occurrence for Fort Wayne Metals Research
28 Products Corp./Quoin Enterprises, LLC; and

29 **WHEREAS**, the Common Council finds that Fort Wayne Metals Research Products
30 Corp./Quoin Enterprises, LLC working towards completing its pledge to construct the real
property improvements; and

WHEREAS, the Common Council acknowledges that Fort Wayne Metals Research
Products Corp./Quoin Enterprises, LLC has requested a waiver of noncompliance which the
Common Council has the power and authority to approve, under I.C. 6-1.1-12.1-9.5 and I.C. 6-
1.1-12.1-11.3; and

WHEREAS, Fort Wayne Metals Research Products Corp./Quoin Enterprises, LLC did file its CF-
1 paperwork for real property and for personal property timely and, per the information provided,
Common Council found Fort Wayne Metals Research Products Corp./Quoin Enterprises, LLC in
substantial compliance with their previously filed Statement of Benefits on June 25, 2019 under
Resolution R-23-19; and

WHEREAS, the Common Council intends that Fort Wayne Metals Research Products
Corp./Quoin Enterprises, LLC receive the tax abatement benefits to which they would have been
entitled had no non-compliance event occurred, so long as the waiver of non-compliance and the
granting of those benefits does not prejudice the City of Fort Wayne; and

WHEREAS, the Common Council has concluded that granting of the ERA deduction for
2018 payable 2019 tax year would not create a strain on the City of Fort Wayne's fiscal budget;
and

WHEREAS, I.C. 6-1.1-12.1-9.5 and I.C. 6-1.1-12.1-11.3 permits tax abatement
noncompliance events such as the untimely filing of deduction application paperwork to be
waived; and

WHEREAS, the non-compliance event has been corrected and a public hearing of the
Common Council has been held on the waiver.

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

3 SECTION 1. OPTION A That Fort Wayne Metals Research Products Corp./ Quoin Enterprises,
4 LLC's request for a waiver of clerical and technical errors and nonconformities with its annual
5 deduction compliance filing requirements is hereby denied and as such the previously approved
6 deduction real property is terminated. This termination shall have no impact on the personal
7 property for manufacturing, research and development, and information technology equipment
8 property abatement approved under Confirming Resolution R-86-17, said personal property
9 phase-in for manufacturing, research and development, and information technology equipment
10 shall continue.

11 SECTION 1. OPTION B That all clerical and technical errors and nonconformities of Fort Wayne
12 Metals Research Products Corp./ Quoin Enterprises, LLC's annual deduction compliance filing
13 requirements that are waivable under State and local law, including without limitation those errors
14 and nonconformities described in I.C. 6-1.1-12.1-11.3, are hereby waived. The Allen County
15 Auditor shall be supplied with a copy of this Resolution, upon passage, and is instructed to apply
16 the deduction.

17 ~~SECTION 1. That, Common Council hereby waives all clerical and technical errors and~~
18 ~~nonconformities that are waiveable under State and local law, including without limitation those~~
19 ~~errors and nonconformities described in I.C. 6-1.1-12.1-9.5 and I.C. 6-1.1-12.1-11.3.~~

20 ~~SECTION 2. As authorized by I.C. 6-1.1-12.1-9.5(d), the Common Council will permit Fort~~
21 ~~Wayne Metals Research Products Corp./Quoin Enterprises, LLC to receive the real property~~
22 ~~economic revitalization area deductions for 2019 payable 2020 under Confirming Resolution R-~~
23 ~~85-17. The Allen County Auditor shall be supplied with a copy of this Resolution, upon passage,~~
24 ~~and instructed to apply the deduction amounts in accordance with this schedule.~~

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

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Member of Council

APPROVED AS TO FORM AND LEGALITY

Carol Helton, City Attorney

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4 **A RESOLUTION approving a Waiver of Noncompliance for a**
5 **Late-Filed Application for the Deduction from Assessed**
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7 **(Form 322/RE) for 4202 Piper Drive, Fort Wayne, Indiana**
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16 designation application submitted by Fort Wayne Metals Research Products Corp./Quoin
17 Enterprises, LLC and approved under Confirming Resolution R-85-17 was for \$3,500,00 in real
18 property improvements; and

19 **WHEREAS**, construction of the real property for Fort Wayne Metals Research Products
20 Corp./Quoin Enterprises, LLC are in progress; and

21 **WHEREAS**, representatives of Fort Wayne Metals Research Products Corp./Quoin
22 Enterprises, LLC have informed the City of Fort Wayne that their application for deduction from
23 assessed valuation of structures in economic revitalization areas (322/RE) for 2019 was not filed
24 in a timely manner; and

25 **WHEREAS**, this oversight was an unusual occurrence for Fort Wayne Metals Research
26 Products Corp./Quoin Enterprises, LLC; and

27 **WHEREAS**, the Common Council finds that Fort Wayne Metals Research Products
28 Corp./Quoin Enterprises, LLC working towards completing its pledge to construct the real
29 property improvements; and

30 **WHEREAS**, the Common Council acknowledges that Fort Wayne Metals Research
Products Corp./Quoin Enterprises, LLC has requested a waiver of noncompliance which the
Common Council has the power and authority to approve, under I.C. 6-1.1-12.1-9.5 and I.C. 6-
1.1-12.1-11.3; and

WHEREAS, the Common Council intends that Fort Wayne Metals Research Products
Corp./Quoin Enterprises, LLC receive the tax abatement benefits to which they would have been
entitled had no non-compliance event occurred, so long as the waiver of non-compliance and the
granting of those benefits does not prejudice the City of Fort Wayne; and

WHEREAS, the Common Council has concluded that granting of the ERA deduction for
2018 payable 2019 tax year would not create a strain on the City of Fort Wayne's fiscal budget;
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WHEREAS, I.C. 6-1.1-12.1-9.5 and I.C. 6-1.1-12.1-11.3 permit tax abatement
noncompliance events such as the untimely filing of deduction application paperwork to be
waived; and

WHEREAS, the non-compliance event has been corrected and a public hearing of the
Common Council has been held on the waiver.

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

SECTION 1. That, Common Council hereby waives all clerical and technical errors and
nonconformities that are waiveable under State and local law, including without limitation those
errors and nonconformities described in I.C. 6-1.1-12.1-9.5 and I.C. 6-1.1-12.1-11.3.

SECTION 2. As authorized by I.C. 6-1.1-12.1-9.5(d), the Common Council will permit Fort
Wayne Metals Research Products Corp./Quoin Enterprises, LLC to receive the real property

1 economic revitalization area deductions for 2019 payable 2020 under Confirming Resolution R-
2 85-17. The Allen County Auditor shall be supplied with a copy of this Resolution, upon passage,
and instructed to apply the deduction amounts in accordance with this schedule.

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

5 _____
6 Member of Council

7 APPROVED AS TO FORM AND LEGALITY

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Carol Helton, City Attorney

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Admn. Appr. _____

DIGEST SHEET

TITLE OF RESOLUTION: Resolution Approving a Waiver of Non-compliance for a Late-Filed Application for the Deduction from Assessed Valuation of Structures (Form 322/RE) for Fort Wayne Metals Research Products Corp./Quoin Enterprises, LLC.

DEPARTMENT REQUESTING RESOLUTION: Community Development Division

SYNOPSIS OF RESOLUTION: This is to approve a waiver of non-compliance for late-filed real property deduction forms and statement of benefits for Fort Wayne Metals Research Products Corp./Quoin Enterprises, LLC.

EFFECT OF PASSAGE: Approval of this resolution and granting of a waiver of non-compliance will allow Fort Wayne Metals Research Products Corp./Quoin Enterprises, LLC to retain their real property economic revitalization area deductions.

EFFECT OF NON-PASSAGE: Potential loss of future development by Fort Wayne Metals Research Products Corp./Quoin Enterprises, LLC.

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): Russ Jehl and Jason Arp

The Journal Gazette

Account # 1063561 - 1366942

FW City Clerk's Office

Allen County, Indiana

PUBLISHER'S CLAIM

ATTACH COPY OF ADVERTISEMENT HERE

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>38</u>

COMPUTATION OF CHARGES

<u>38</u> lines, <u>1</u> column(s) wide equals	
<u>38</u> equivalent lines at \$ <u>0.473</u> cents per line	\$ 17.97
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>\$ 17.97</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:

8/16/2019

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: August 16, 2019

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(RESOLUTION NO. R-19-08-20)**

ON AUGUST 27, 2019 AT 5:30 P.M. IN THE CONFERENCE ROOM 030, CITIZENS SQUARE, FORT WAYNE, INDIANA, A PUBLIC HEARING WILL BE HELD ON THE MATTER OF A WAIVER OF NONCOMPLIANCE WITH THE PROCEDURAL REQUIREMENTS OF I.C. 6-1.1-12.1, RELATING TO THE REAL PROPERTY DEDUCTION OF PROPERTY AT 4202 PIPER DRIVE FOR FORT WAYNE METALS RESEARCH PRODUCTS CORP./QUOIN ENTERPRISES, LLC

THE PUBLIC HEARING ON THE WAIVER WILL BE HELD PURSUANT TO I.C. 6-1.1-12.1-9.5 AND I.C. 6-1.1-12.1-11.3.

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 THE CITY OF FORT WAYNE PUBLIC INFORMATION OFFICE (260) 427-1120.
8-16 1366942 hspaxlp

The Journal Gazette

Account # 1063561 - 1366942

FW City Clerk's Office

Allen County, Indiana

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38 equivalent lines at \$ 0.473 cents per line \$ **17.97**

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(\$2.00 for each proof in excess of two) _____

TOTAL AMOUNT OF CLAIM \$ **17.97**

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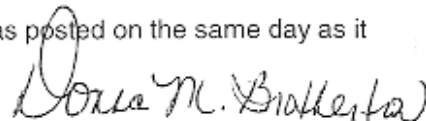
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8-16 1366942 hspaxlp

BILL NO. R-19-08-20

REPORT OF COMMITTEE ON FINANCE

August 27, 2019

Russ Jehl Chair

Jason Arp Co-Chair

All Council Members

A Resolution approving a Waiver of Noncompliance for a Late-Filed Application for the Deduction from Assessed Valuation of Structures in Economic Revitalization Areas (Form 322/RE) for 4202 Piper Drive, Fort Wayne, Indiana 46809 (Fort Wayne Metals Research Products Corp./Quoin Enterprises, LLC)

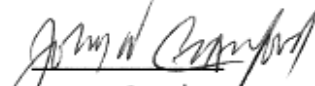


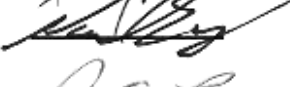

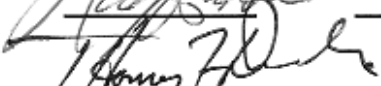
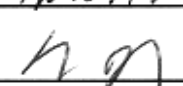
COMMITTEE ON FINANCE HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

DO PASS

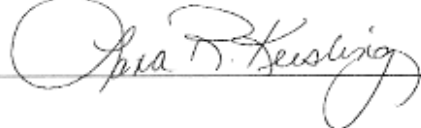
DO NOT PASS

ABSTAIN

NO REC

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**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: August 27, 2019

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

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

Read the third time in full and on motion by Councilman Jehl, 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 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: August 27, 2019



 STACY A. REED, DEPUTY CITY CLERK

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

Resolution No. R-19-08-20AA on the 27th day of August, 2019



 STACY A. REED
 DEPUTY CITY CLERK



 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th of August 2019, at the hour of 12:15 o'clock P.M. E.S.T.



 STACY A. REED, DEPUTY CITY CLERK

Approved and signed by me this 29th day of August 2019, at the hour of 4:00 o'clock Pm E.S.T.

FORT WAYNE, INDIANA
RECEIVED
 AUG 30 2019
 LANA R. KEESLING
 CITY CLERK



 THOMAS C. HENRY, MAYOR