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4 **A CONFIRMING RESOLUTION designating an "Economic  
5 Revitalization Area" under I.C. 6-1.1-12.1 for property  
6 commonly known as 101 Three Rivers North, Fort Wayne,  
7 Indiana 46802 (Three Rivers Apartments LLC)**

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

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

13 **WHEREAS**, said project will create one full-time permanent job and retain 13 full-time  
14 and five part-time permanent jobs with a total current payroll of \$510,000, with the average  
15 current, annual salary of \$28,333; and

16 **WHEREAS**, the total estimated project cost is \$4,964,400; and

17 **WHEREAS**, a recommendation has been received from the Committee on Finance; and

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

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

23 **SECTION 1.** That, the Resolution previously designating the above described  
24 property as an "Economic Revitalization Area" is confirmed in all respects.

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

29 **SECTION 3.** That, said designation of the hereinabove described property as an  
30 "Economic Revitalization Area" shall apply to a deduction of the assessed value of real estate  
improvements to be made between August 1, 2019 and August 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 the value of redevelopment or rehabilitation, all contained in Petitioner's  
Statement of Benefits are reasonable and are benefits that can be reasonably expected to result  
from the proposed described redevelopment or rehabilitation.

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

- 1 (a) If the proposed development does not occur, the approximate current year tax rates  
2 for this site would be \$3.4283/\$100.
- 3 (b) If the proposed development occurs and no deduction is granted, the approximate  
4 current year tax rate for the site would be \$3.4283/\$100 (the change would be  
5 negligible).
- 6 (c) If the proposed development occurs, and a deduction percentage of fifty percent  
7 (50%) is assumed, the approximate current year tax rate for the site would be  
8 \$3.4283/\$100 (the change would be negligible).

9 **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from  
10 the assessed value of the real property shall be for a period of ten years.

11 **SECTION 7.** The deduction schedule from the assessed value of the real property  
12 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%

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

25 **SECTION 9.** For real property, a deduction application must contain a performance  
26 report showing the extent to which there has been compliance with the Statement of Benefits  
27 form approved by the Fort Wayne Common Council at the time of filing. This report must be  
28 submitted to the Allen County Auditor's Office, and the City of Fort Wayne's Community  
29 Development Division and must be included with the deduction application. For subsequent  
30 years, the performance report must be updated each year in which the deduction is applicable at  
the same time the property owner is required to file a personal property tax return in the taxing

1 district in which the property for which the deduction was granted is located. If the taxpayer does  
2 not file a personal property tax return in the taxing district in which the property is located, the  
3 information must be provided by May 15.

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

- 5 A. The cost and description of real property improvements.
- 6 B. The number of employees hired through the end of the preceding calendar year as a  
7 result of the deduction.
- 8 C. The total salaries of the employees hired through the end of the preceding calendar  
9 year as a result of the deduction.
- 10 D. The total number of employees employed at the facility receiving the deduction.
- 11 E. The total assessed value of the real property deductions.
- 12 F. The tax savings resulting from the real property being abated.

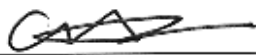
13 **SECTION 11.** That, the taxpayer is non-delinquent on any and all property tax due to  
14 jurisdictions within Allen County, Indiana.

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

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

24   
25 \_\_\_\_\_  
26 Member of Council

27 APPROVED AS TO FORM A LEGALITY

28   
29 \_\_\_\_\_  
30 Carol Helton, City Attorney



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 Three Rivers Apartments LLC for eligible real property improvements. Three Rivers Apartments LLC will make upgrades to a downtown residential apartment complex built in 1966.**

EFFECT OF PASSAGE: **Investment of \$4,964,400, retention of 13 full-time permanent jobs and five part-time jobs with an annual payroll of \$510,000, the creation of one new full-time permanent job.**

EFFECT OF NON-PASSAGE: **Potential loss of investment, the retention of 13 full-time permanent jobs and five part-time jobs with an annual payroll of \$510,000, the creation of one new full-time permanent job.**

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 - 1366925

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	55

### COMPUTATION OF CHARGES

<u>55</u> lines, <u>1</u> column(s) wide equals	
<u>55</u> equivalent lines at \$ <u>0.473</u> cents per line	\$ 26.02
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)	-
<b>TOTAL AMOUNT OF CLAIM</b>	<b>\$ 26.02</b>

### 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*

Donna M. Brotherton  
Legal Clerk

Date: August 16, 2019

**NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
CONFIRMING  
RESOLUTION NO. R-19-08-26**

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON AUGUST 27, 2019, 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. 5-1.1-12.1 FOR A PROPERTY COMMONLY KNOWN AS:

101 Three Rivers North,  
Fort Wayne,  
Indiana 46802  
Three Rivers Apartments  
LLC

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY AUGUST 27, 2019.

IF CONFIRMED, SAID DESIGNATION SHALL EXPIRE DECEMBER 31, 2019.

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

8-16 1366925 hspaxlp

# The Journal Gazette

Account # 1063561 - 1366925

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LANA R. KEESLING  
CITY CLERK  
8-16 1366925 hspaxlp

**BILL NO. R-19-08-26**

**REPORT OF COMMITTEE ON FINANCE**

**August 27, 2019**

***Russ Jehl 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 101 Three Rivers North, Fort Wayne, Indiana 46802 (Three Rivers Apartments LLC)

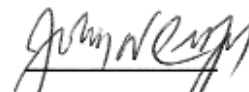
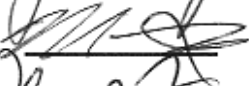
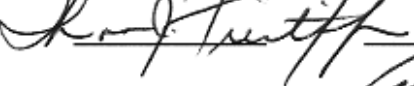
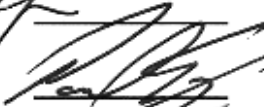

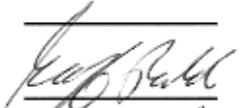

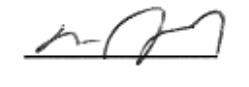
**COMMITTEE ON FINANCE HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance**

DO PASS

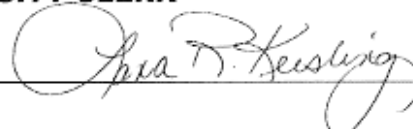
DO NOT PASS

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 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 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"/>

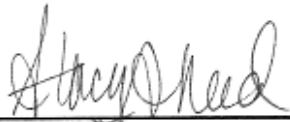
DATED: August 27, 2019



STACY A. REED, DEPUTY CITY CLERK

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

Resolution No. R-19-08-26 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.



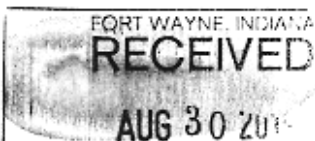
STACY A. REED, DEPUTY CITY CLERK

Approved and signed by me this 29<sup>th</sup> day of AUGUST

2019, at the hour of 5:00 o'clock PM E.S.T.



THOMAS C. HENRY, MAYOR



LANA R. KEESLING  
CITY CLERK