

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 4051 Kraft Pkwy, Fort Wayne, Indiana 46808 (Clear Choice Glass/Don Saylor Investments)

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 five full-time, and two part-time permanent jobs for a total additional annual payroll of \$166,000, with the average additional, annual job salary being \$26,200 and retain one full-time permanent job with a total current payroll of \$70,200; and

WHEREAS, the total estimated project cost is \$1,100,000; and

WHEREAS, a recommendation has been received from the Committee on Finance; 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 a deduction of the assessed value of real estate improvements to be made between June 1, 2020 and February 28, 2021.

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 \$3.2510/\$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 \$3.2510/\$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 \$3.2510/\$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 three 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 | 66% |
| 3 | 33% |
| 4 | 0% |

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

16 **SECTION 9.** For real property, a deduction application must contain a performance
 17 report showing the extent to which there has been compliance with the Statement of Benefits
 18 form approved by the Fort Wayne Common Council at the time of filing. This report must be
 19 submitted to the Allen County Auditor's Office, and the City of Fort Wayne's Community
 20 Development Division and must be included with the deduction application. For subsequent
 21 years, the performance report must be updated each year in which the deduction is applicable at
 22 the same time the property owner is required to file a personal property tax return in the taxing
 23 district in which the property for which the deduction was granted is located. If the taxpayer does
 24 not file a personal property tax return in the taxing district in which the property is located, the
 25 information must be provided by May 15.

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

- 27 A. The cost and description of real property improvements.
- 28 B. The number of employees hired through the end of the preceding calendar year as a
 29 result of the deduction.

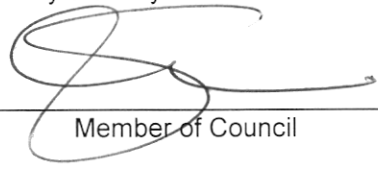
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- C. The total salaries of the employees hired through the end of the preceding calendar year as a result of the deduction.
- D. The total number of employees employed at the facility receiving the deduction.
- E. The total assessed value of the real property deductions.
- F. The tax savings resulting from the real property being abated.

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

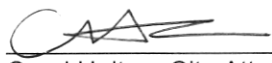
SECTION 12. That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has received a deduction under section 3 or 4.5 of this chapter may be required to repay the deduction amount as determined by the county auditor in accordance with section 12 of said chapter if the property owner ceases operations at the facility for which the deduction was 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.

SECTION 13. 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 A LEGALITY



Carol Helton, City Attorney

A parcel of land located in the Northwest One-Quarter of Section 28, Township 31 North, Range 12 East in Allen County, Indiana and more particularly described as follows:

COMMENCING at the West Quarter corner of Section 28, Township 31 North, Range 12 East in Allen County, Indiana as marked by a railroad spike found as referenced on previous survey #94185 and by Document Number 87-26826; thence North 00 degrees 11 minutes 04 seconds East (bearing basis for this description) along the West line of said Northwest One-Quarter, a distance of 835.01 feet; thence North 89 degrees 42 minutes 04 seconds East, a distance of 50.00 feet to a set five-eighths inch diameter steel pin with Firm #0026 identification cap and being the Point of Beginning.

BEGINNING at the above described point; thence North 00 degrees 11 minutes 04 seconds East parallel with the said West line, a distance of 395.01 feet to a set five-eighths inch diameter steel pin with Firm #0026 identification cap; thence North 89 degrees 42 minutes 04 Seconds East, a distance of 328.36 feet to a set five-eighths inch diameter steel pin with Firm #0026 identification cap; thence South 15 degrees 59 minutes 31 seconds West, a distance of 28.15 feet to a set five-eighths inch diameter steel pin with Firm #0026 identification cap; thence South 07 degrees 21 minutes 10 seconds West, a distance of 72.14 feet to a set five-eighths inch diameter steel pin with Firm #0026 identification cap; thence South 01 degrees 17 minutes 10 seconds East, a distance of 176.99 feet to a set five-eighths inch diameter steel pin with Firm #0026 identification cap; thence South 12 degrees 07 minutes 29 seconds East, a distance of 122.10 feet to a set five-eighths inch diameter steel pin with Firm #0026 identification cap; thence South 89 degrees 42 minutes 04 seconds West, a distance of 342.26 feet to the Point of Beginning, containing 2.90 acres, more or less.

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 Clear Choice Glass for eligible real property improvements. Clear Choice Glass will construct a new 12,000 square foot facility.**

EFFECT OF PASSAGE: **Investment of \$1,100,000, the retention of 1 full-time permanent jobs with an annual payroll of \$70,200 and the creation of 5 new full-time and two part-time permanent jobs with an annual payroll of \$166,000.**

EFFECT OF NON-PASSAGE: **Potential loss of investment, the retention of 1 full-time permanent jobs with an annual payroll of \$70,200 and the creation of 5 new full-time and two part-time permanent jobs with an annual payroll of \$166,000.**

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): **Jason Arp and Sharon Tucker**

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL**

CONFIRMING RESOLUTION NO. R-20-07-23

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON AUGUST 11, 2020, AT 5:30 P.M., IN ROOM 035 – COUNCIL CHAMBERS COURTROOM – 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:

**4051 Kraft Pkwy, Fort Wayne, Indiana 46808
Clear Choice Glass/Don Saylor Investments**

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY AUGUST 11, 2020.

IF CONFIRMED, SAID DESIGNATION SHALL EXPIRE DECEMBER 31, 2020.

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*

The Journal Gazette

Account # 1063561 - 1390434

Allen County, Indiana

FW City Clerk's Office

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

0 lines, ## column(s) wide equals _____

55 equivalent lines at \$ 0.486 cents per line **\$ 26.73**

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 \$ 26.73

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:

7/31/2020

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

Pamela K. Thornton

Pamela K. Thornton
Legal Clerk

Date: July 31, 2020

ATTACH COPY OF ADVERTISEMENT HERE

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7--31 1390434 hspaxlp

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Legal Clerk

Date: July 31, 2020

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REPORT OF COMMITTEE ON FINANCE

August 11, 2020

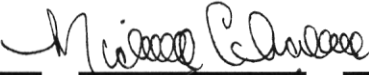
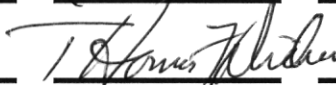

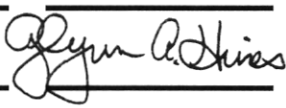



Jason Arp Chair

Sharon Tucker Co-Chair

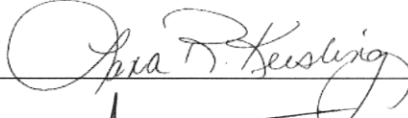
All Council Members

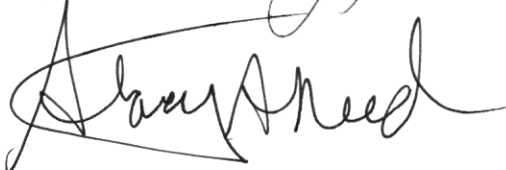
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COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

| <u>COUNCIL MEMBER</u> | <u>DO PASS</u> | <u>DO NOT PASS</u> | <u>ABSTAIN</u> |
|-----------------------|---|--|----------------|
| ARP | | | |
| CHAMBERS |  | | |
| DIDIER |  | | |
| ENSLEY | |  | |
| FREISTROFFER | | | |
| HINES |  | | |
| JEHL |  | | |
| PADDOCK |  | | |
| TUCKER |  | | |

**LANA R. KEESLING
CITY CLERK**





Public Hearing Date: 8/11/2020

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

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

Read the third time in full and on motion by Councilperson Tucker, 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| CHAMBERS | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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| 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"/> |
| TUCKER | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

DATED: August 11, 2020



STACY A. REED, DEPUTY CITY CLERK

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

Resolution No. R-20-07-23 on the 11th day of August, 2020

ATTEST:



STACY A. REED
DEPUTY CITY CLERK



PRESIDING OFFICER

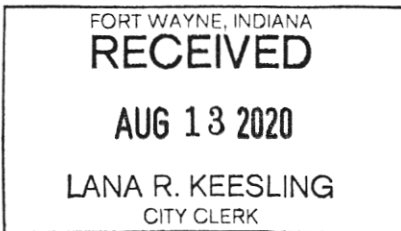
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th of August 2020, at the hour of 11:15 o'clock A.M. E.S.T.



STACY A. REED, DEPUTY CITY CLERK

Approved and signed by me this 12TH day of August

2020, at the hour of 1:00 o'clock PM E.S.T.


THOMAS C. HENRY, MAYOR