

**A RESOLUTION determining SUBSTANTIAL COMPLIANCE OR NON-COMPLIANCE with Statement of Benefits (CF-1) form filing for 2020 for Craftline Graphics, Inc. for property at 3522 W. Ferguson Road, Fort Wayne, IN 46809 under Confirming Resolution R-4-11 with an "Economic Revitalization Area" approved under I.C. 6-1.1-12.1**

**WHEREAS**, Common Council has previously designated and declared by Declaratory Resolution and Confirming Resolution with approved Statement of Benefits (hereinafter "SB-1") forms, certain property for **Craftline Graphics, Inc.** 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; and

**WHEREAS**, property owners whose SB-1 form was approved after July 1, 1991 who file a deduction application under Sections 3 and 4.5 of I.C. 6-1.1-12.1 and Section 153.21 of the Municipal Code of the City of Fort Wayne, Indiana, must file a Compliance with Statement of Benefits Form (hereinafter "CF-1") with the City of Fort Wayne and in some cases either the Allen County Auditor, the Allen County Assessor, or both, showing information on the extent to which there has been compliance with the approved SB-1 form for the project; and

**WHEREAS**, **Craftline Graphics, Inc.** has filed CF-1 forms with the **City of Fort Wayne and the Allen County Assessor**; and

**WHEREAS**, **Craftline Graphics, Inc.'s** approved SB-1 form stated that **137** full-time and **250** part-time jobs would be retained and **32** full-time jobs would be created by September 30, 2011; and

**WHEREAS**, **Craftline Graphics, Inc.'s** approved SB-1 form stated **\$5,349,063** in annual payroll for the **137** full-time and **250** part-time retained jobs and **\$960,000** in annual payroll would be generated by the **32** full-time jobs to be created; and

**WHEREAS**, **Craftline Graphics, Inc.'s 2020** CF-1 form filing stated that **189** jobs were retained and **zero** jobs were created; and

**WHEREAS**, **Craftline Graphics Inc.'s 2020** CF-1 form filing stated **\$7,671,249** in annual payroll for the **189** jobs retained and **\$0.00** in annual payroll for the **zero** jobs created; and

1           **WHEREAS**, Common Council designated the City of Fort Wayne Community  
2 Development Division as the entity for the administration, application, processing and  
3 monitoring of Economic Revitalization Areas under Section 153.13 of the Municipal Code  
4 of the City of Fort Wayne; and

5           **WHEREAS**, Common Council has defined substantial compliance under Section  
6 153.21 of the Municipal Code of the City of Fort Wayne as:

- 7           1. Meeting 75% or more of the numbers of full-time and/or part-time jobs stated  
8 to be created or retained as delineated in the original Statement of Benefits  
9 Form (SB-1) approved by Common Council; and
- 10           2. Meeting 75% or more of the total payroll stated to be created or retained as  
11 delineated in the original Statement of Benefits Form (SB-1) approved by  
12 Common Council; and

13           **WHEREAS**, meeting 75% of the **137** full-time and **250** part-time jobs retained  
14 means retaining **102** full-time and **187** part-time jobs; and

15           **WHEREAS**, meeting 75% of the **32** full-time jobs to be created means creating **24**  
16 full-time jobs; and

17           **WHEREAS**, meeting 75% of the **\$5,349,063** in retained annual payroll means  
18 **\$4,011,797** in retained annual payroll; and

19           **WHEREAS**, meeting 75% of the **\$960,000** in annual payroll to be created means  
20 **\$720,000** in created annual payroll; and

21           **WHEREAS**, Common Council may determine not later than forty-five (45) days  
22 after receipt of the CF-1 form that **Craftline Graphics, Inc.** has either failed to  
23 substantially comply or has substantially complied with the original SB-1 form approved  
24 by Common Council; and

25           **WHEREAS**, Common Council made a determination on **July 28, 2020** that  
26 **Craftline Graphics, Inc.** was not in substantial compliance as a result of its failure to  
27 create at least **24** jobs and at least **\$720,00** in annual payroll created, and that the failure  
28 to substantially comply was not caused by factors beyond the control of **Craftline  
29 Graphics, Inc.**; and

30           **WHEREAS**, Council directed the Community Development Division to mail written  
notice to **Craftline Graphics, Inc.** explaining the reasons for Council's determination and  
a date, time, place of a hearing to be conducted by Council for the purpose of further  
considering **Craftline Graphics, Inc.'s** compliance with Statement of Benefits; and

**WHEREAS**, the aforementioned notice was properly prepared and served upon  
**Craftline Graphics, Inc.**; and

1           **WHEREAS, Craftline Graphics, Inc. [appeared/failed to appear]** before  
2 Common Council to provide additional information concerning compliance.

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

5           **SECTION 1.** That, Common Council finds that the CF-1 form filed by **Craftline**  
6 **Graphics, Inc.** with an approved Economic Revitalization Area for **2020** are not in  
7 substantial compliance pursuant to I.C. 6-1.1-12.1 and Section 153.21 of the Municipal  
8 Code of the City of Fort Wayne for failure to retain **137** full-time and **250** part-time jobs or  
9 **102** full-time and **187** part-time jobs stated and retain 75% of the **\$5,349,063** in retained  
10 annual payroll or **\$4,011,797** in retained annual payroll state and create 75% of the **32**  
11 full-time jobs or **24** jobs that were stated that would be created and create 75% of the  
12 **\$960,000** in annual payroll or **\$720,000** that was stated that would be generated by the  
13 created jobs.

14           ~~**SECTION 2a. Craftline Graphics, Inc. failed to appear and otherwise testify and**~~  
15 ~~**therefore Council confirms its determination of July 28, 2020 that Craftline Graphics,**~~  
16 ~~**Inc. has failed to substantially comply pursuant to IC 6-1.1-12.1 and Section 153.21 of**~~  
17 ~~**the Municipal Code of the City of Fort Wayne as detailed in Section 1 above. Council**~~  
18 ~~**therefore finds that Craftline Graphics, Inc. has failed to substantially comply and said**~~  
19 ~~**failure was not caused by factors outside of Craftline Graphics, Inc.'s control. As a result**~~  
20 ~~**of said failure, Craftline Graphics, Inc.'s deduction/abatement under R-4-11 is hereby**~~  
21 ~~**terminated**~~

22           **SECTION 2b.** That **Craftline Graphics, Inc.** appeared and testified at the  
23 hearing and from its testimony it was determined that notwithstanding **Craftline Graphics,**  
24 **Inc.'s** failure to substantially comply as detailed in Section 1 above that **Craftline**  
25 **Graphics, Inc.** did make reasonable efforts to substantially comply with the statement of  
26 benefits and **Craftline Graphics, Inc.'s** failure to substantially comply was caused by  
27 factors beyond the control of **Craftline Graphics, Inc.** Therefore, the continuation of  
28 **Craftline Graphics, Inc.'s** deduction/abatement under **R-4-11** is hereby approved.

29           ~~**SECTION 2c. That Craftline Graphics, Inc. appeared and testified at the hearing**~~  
30 ~~**and from its testimony it was determined in addition to Craftline Graphics, Inc.'s failure**~~  
to substantially comply as detailed in Section 1 above, that ~~**Craftline Graphics, Inc. did**~~  
not make reasonable efforts to substantially comply with the statement of benefits and  
del ~~**Craftline Graphics, Inc.'s**~~ failure to substantially comply was not caused by factors  
beyond the control of ~~**Craftline Graphics, Inc.**~~ As a result of said failure, ~~**Craftline**~~  
Graphics, Inc.'s deduction/abatement under ~~**R-4-11**~~ is hereby terminated



<b>Bill #</b>	<b>Company</b>	<b>A Didn't appear &amp; failed</b>	<b>B Appeared &amp; continue</b>	<b>C Appeared &amp; failed</b>
R-20-08-01	817 S Calhoun LLC		X	
R-20-08-02	CK Products LLC			X
R-20-08-03	Conestoga LLC		X	
R-20-08-04	Craftline Graphics, Inc		X	
R-20-08-05	David M Allen DDS & Associates dba Afdent	X		
R-20-08-07	Edy's/Dreyers		X	
R-20-08-08	Edy's/Dreyers		X	
R-20-08-09	Edy's/Dreyers		X	
R-20-08-10	ElringKlinger Manufacturing		X	
R-20-08-11	WC Holdings II , LLC		X	
R-20-08-12	Hightech Signs/Castleton Village Center Inc		X	
R-20-08-13	Indiana Oxygen Company Inc		X	
R-20-08-14	LH Carbide Corporation		X	

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

TITLE OF ORDINANCE: **Resolution Confirming Substantial Compliance or Non-Compliance with a Statement of Benefits (SB-1) for 2020**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **This resolution confirms that Compliance with Statement of Benefits (CF-1) Form filings made by Craftline Graphics, Inc. in June 2020 with an approved economic revitalization area are either in substantial compliance or non-compliance pursuant to both Council policy and Indiana law.**

EFFECT OF PASSAGE: **Potential retention or loss of economic revitalization area deduction (property tax abatement/phase-in).**

EFFECT OF NON-PASSAGE:

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

ASSIGNED TO COMMITTEE (PRESIDENT): **Jason Arp and Sharon Tucker**

**REPORT OF COMMITTEE ON FINANCE**

**August 18, 2020**

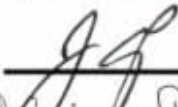

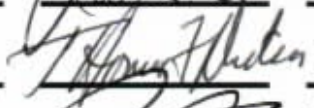


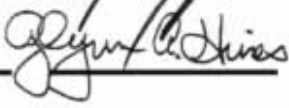
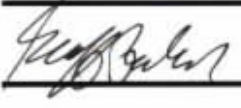

**Jason Arp Chair**

**Sharon Tucker Co-Chair**

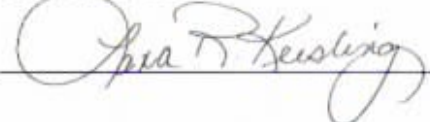
**All Council Members**

A Resolution determining SUBSTANTIAL COMPLIANCE or NON-COMPLIANCE with Statement of Benefits (CF-1) form filing for 2020 for Craftline Graphics, Inc. for property at 3522 W. Ferguson Road, Fort Wayne, IN 46809 under Confirming Resolution R-4-11 with an "Economic Revitalization Area" approved under I.C. 6-1.1-12.1

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: N/A


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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHAMBERS	<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 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"/>
TUCKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: August 25, 2020

  
LANA R. KEESLING, CITY CLERK

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

Resolution No. R-20-08-04 on the 25th day of August, 2020

ATTEST:

  
LANA R. KEESLING  
CITY CLERK

  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th  
of August 2020, at the hour of 11:00 o'clock A.M. E.S.T.

  
LANA R. KEESLING, CITY CLERK

Approved and signed by me this 28<sup>TH</sup> day of AUGUST  
2020, at the hour of 3:30 o'clock PM E.S.T.



  
THOMAS C. HENRY, MAYOR