

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 5105 Industrial Road, Fort Wayne, Indiana 46825 (Mill Supplies, Inc./L&A Capital, LLC)

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 retain 42 full-time and two part-time permanent jobs with a total current payroll of \$2,080,500, with the average current, annual salary of \$47,329; and

WHEREAS, the total estimated project cost is \$800,000; 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 May 1, 2020 and September 30, 2020.

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 five 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:

13

Year of Deduction	Percentage
1	100%
2	80%
3	60%
4	40%
5	20%
6	0%

14
15
16
17
18

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

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

1 not file a personal property tax return in the taxing district in which the property is located, the
2 information must be provided by May 15.


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

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


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

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

21 **SECTION 13.** 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.

23 
24 _____
25 Member of Council

26 APPROVED AS TO FORM AND LEGALITY

27 
28 _____
29 Carol Helton, City Attorney
30

LEGAL DESCRIPTION (Doc. # 97-6569)

Part of the Northwest Quarter of Section 23, Township 31 North, Range 12 East, Allen County, Indiana, described as follows:

Beginning on the West line of the East half of said North west Quarter at a point situated 30.0 feet North of the Southwest corner of said East half, said point being also the point of intersection of said West line with the North right-of-way line of Ley Road as dedicated in Deed Record 579, pages 398-401, in the Office of the Recorder of Allen County, Indiana, thence North, on and along said West line, a distance of 303.0 feet, thence Easterly, by interior angle of 89 degrees, 43 minutes and parallel to the South line of said East Half, a distance of 5528.4 feet to a point on the West right-of-way line of Industrial Road, said right-of-way line having been established by a dedication recorded in Document No. 79-26742 in the Office of said Recorder, thence southerly, by an interior angle of 90 degrees, 18 minutes, on and along said West right-of-way line as situated 45.0 feet (measured at right angles) West of and parallel to the centerline of said Industrial Road, a distance of 303.0 feet to the point of intersection of said West right-of-way line with the North right-of-way line of Ley Road; thence Westerly, by interior angle of 89 degrees, 42 minutes, on and along said Northerly right-of-way line as situated 30.0 feet (measured at right angles) Northerly of and parallel to the South line of the East Half of said Northeast Quarter, a distance of 528.49 feet to the point of beginning, containing 3.678 acres.

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

CONFIRMING RESOLUTION NO. R-20-08-29

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON SEPTEMBER 8, 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:

**5105 Industrial Road, Fort Wayne, Indiana 46825
Mill Supplies, Inc./L&A Capital, LLC**

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY SEPTEMBER 8, 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 - 1392306

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

55 lines, 1 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:

8/28/2020

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: August 28, 2020

ATTACH COPY OF ADVERTISEMENT HERE

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LANA R. KEESLING
CITY CLERK
8-28 1392306 hspaxlp

BILL NO. R-20-08-29

REPORT OF COMMITTEE ON FINANCE

September 8, 2020

Jason Arp Chair

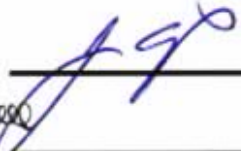
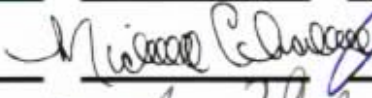


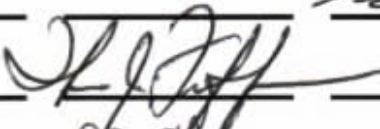
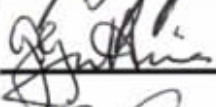
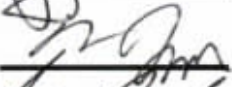
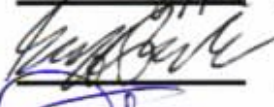

Sharon Tucker Co-Chair

All Council Members

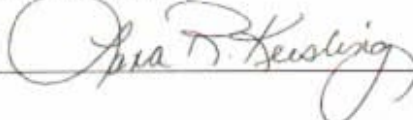
A Confirming Resolution designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 5105 Industrial Road, Fort Wayne, Indiana 46825

Mill Supplies, Inc./L&A Capital, LLC

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>
<u>ARP</u>			
<u>CHAMBERS</u>			
<u>DIDIER</u>			
<u>ENSLEY</u>			
<u>FREISTROFFER</u>			
<u>HINES</u>			
<u>JEHL</u>			
<u>PADDOCK</u>			
<u>TUCKER</u>			

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: September 8, 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 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 type="checkbox"/>	<input checked="" 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 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"/>
TUCKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>


DATED: September 8, 2020


LANA R. KEESLING, CITY CLERK

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

Resolution No. R-20-08-29 on the 8th day of September, 2020

ATTEST:


LANA R. KEESLING
CITY CLERK


PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th
of September 2020, at the hour of 10:30 o'clock A.M. E.S.T.


LANA R. KEESLING, CITY CLERK

Approved and signed by me this 9TH day of SEPTEMBER
2020, at the hour of 10:30 o'clock AM. E.S.T.


THOMAS C. HENRY, MAYOR

FORT WAYNE, INDIANA
RECEIVED
SEP 09 2020
LANA R. KEESLING
CITY CLERK