

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 9190 Yeager Lane, Fort Wayne, Indiana, 46809 (American Sealants, Inc./Zaremba Holdings, 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 create ten full-time, permanent jobs for a total additional annual payroll of \$373,800, with the average additional annual job salary being \$37,380 and retain 47 full-time and three part-time permanent jobs with a total current payroll of \$52,996, with the average current, annual salary of \$59,808; and

WHEREAS, the total estimated project cost is \$2,900,000; and

WHEREAS, a recommendation has been received from the Committee on Finance concerning said Resolution; 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 both a deduction of the assessed value of real estate improvements made between October 1, 2020 and July 31, 2021 and personal property for new manufacturing equipment improvements to be made between January 1, 2020 and December 31, 2024.

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 and the estimate of the value of new manufacturing equipment, all contained in Petitioner's Statement of Benefits, are reasonable

1 and are benefits that can be reasonably expected to result from the proposed described
2 redevelopment or rehabilitation and from the installation of new manufacturing equipment.

3 **SECTION 5.** That, the current year approximate tax rates for taxing units within the
4 City would be:

- 5 (a) If the proposed development does not occur, the approximate current year tax rates
6 for this site would be \$3.2476/\$100.
- 7 (b) If the proposed development does occur and no deduction is granted, the
8 approximate current year tax rate for the site would be \$3.2476/\$100 (the change
9 would be negligible).
- 10 (c) If the proposed development occurs and a deduction percentage of fifty percent
11 (50%) is assumed, the approximate current year tax rate for the site would be
12 \$3.2476/\$100 (the change would be negligible).
- 13 (d) If the proposed new manufacturing equipment is not installed, the approximate
14 current year tax rates for this site would be \$3.2476/\$100.
- 15 (e) If the proposed new manufacturing equipment is installed and no deduction is
16 granted, the approximate current year tax rate for the site would be \$3.2476/\$100
17 (the change would be negligible).
- 18 (f) If the proposed new manufacturing equipment is installed and a deduction
19 percentage of eighty percent (80%) is assumed, the approximate current year tax
20 rate for the site would be \$3.2476/\$100 (the change would be negligible).

21 **SECTION 6.** That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the
22 deduction from the assessed value of the real property shall be for a period of ten years, and that
23 the deduction from the assessed value of the new manufacturing, logistical and distribution and
24 information technology equipment shall be for a period of ten years.

25 **SECTION 7.** The deduction schedule from the assessed value of the real property
26 and personal property pursuant to I.C. 6-1.1-12.1-17 shall look like this:

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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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SECTION 8. The deduction schedule from the assessed value of new manufacturing, logistical and distribution and information technology equipment pursuant to I.C. 6-1.1-12.1-17 shall look like this:

Year of Deduction	Percentage
1	100%
2	90%
3	80%
4	70%
5	60%
6	50%
7	40%
8	30%
9	20%
10	10%
11	0%

SECTION 9. That, the benefits described in the Petitioner's Statement of Benefits can be reasonably expected to result from the project and are sufficient to justify the applicable deductions.

SECTION 10. For personal property manufacturing equipment, a deduction application must contain a performance report showing the extent to which there has been compliance with the Statement of Benefits form approved by the Fort Wayne Common Council at the time of filing. This report must be submitted to the Allen County Auditor's Office, and the City of Fort Wayne's Community Development Division and must be included with the deduction application. For ten subsequent years, the performance report must be updated and submitted along with the deduction application at the time of filing.

SECTION 11. For real property, a deduction application must contain a performance report showing the extent to which there has been compliance with the Statement of Benefits form approved by the Fort Wayne Common Council at the time of filing. This report must be submitted to the Allen County Auditor's Office and the City of Fort Wayne's Community Development Division and must be included in the deduction application. For ten subsequent 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 district in which the property for which the deduction was granted is located. If the taxpayer does not file a personal property tax return in the taxing district in which the property is located, the information must be provided by May 15.

SECTION 12. The performance report must contain the following information:

- A. The cost and description of real property improvements and/or purchase of real estate and new personal property for new manufacturing, logistical distribution, and information technology equipment.

- B. The number of employees hired through the end of the preceding calendar year as a result of the deduction.
- 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 and/or personal property deductions.
- F. The tax savings resulting from the real and/or personal property being abated.

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

SECTION 14. 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 10 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 15. 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

Exhibit A

Legal Description

Blocks 13 & 14, excepting the North 225 Feet of said Lot 14, therefrom: In Airport Business Center Section III; an addition to the City of Fort Wayne.

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 eligible real and personal property improvements. American Sealants, Inc./Zaremba Holdings, LLC will construct a 25,000 square foot addition to the current facility and purchase and install new personal property manufacturing equipment.**

EFFECT OF PASSAGE: **Investment of \$2,900,000, the retention of 47 full-time permanent jobs and three part-time jobs with an annual payroll of \$2,649,813 and the creation of ten new full-time permanent jobs with an annual payroll of \$373,800.**

EFFECT OF NON-PASSAGE: **Potential loss of investment, the retention of 47 full-time permanent jobs and three part-time jobs with an annual payroll of \$2,649,813 and the creation of ten new full-time permanent jobs with an annual payroll of \$373,800.**

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-20-10-18

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON OCTOBER 27, 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:

**9190 Yeager Lane, Fort Wayne, Indiana, 46809
American Sealants, Inc./Zaremba Holdings, LLC**

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY OCTOBER 27, 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 - 1395628

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,	56

COMPUTATION OF CHARGES

<u>56</u> lines, <u>1</u> column(s) wide equals	
<u>56</u> equivalent lines at <u>\$ 0.486</u> cents per line	\$ 27.22

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>\$ 27.22</u>
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DATA FOR COMPUTING COST

Width of single column in picas 9.8 Size of type 7point.
Number of Insertions 3

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 3 times.

The dates of publication being as follows:

10/16/2020

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: October 16, 2020

ATTACH COPY OF ADVERTISEMENT HERE

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LANA R. KEESLING
CITY CLERK
10-16 1395628 hspaxlp

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LANA R. KEESLING
CITY CLERK
10--16 1395628 hspaxlp

BILL NO. R-20-10-18

REPORT OF COMMITTEE ON FINANCE

October 27, 2020

Jason Arp Chair


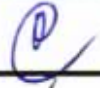
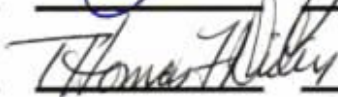


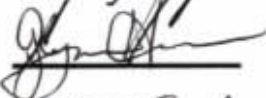
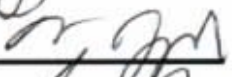


Sharon Tucker Co-Chair

All Council Members


A Confirming Resolution designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 9190 Yeager Lane, Fort Wayne, Indiana, 46809

American Sealants, Inc./Zaremba Holdings, 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>
ARP			
CHAMBERS			
DIDIER			
ENSLEY			
FREISTROFFER			
HINES			
JEHL			
PADDOCK			
TUCKER			

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: October 27, 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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: October 27, 2020



LANA R. KEESLING, CITY CLERK

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

Resolution No. R-20-10-18 on the 27th day of October, 2020

ATTEST:



LANA R. KEESLING
CITY CLERK



PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th
of October 2020, at the hour of 2:05 o'clock P.M. E.S.T.



LANA R. KEESLING, CITY CLERK

Approved and signed by me this 29TH day of OCTOBER
2020, at the hour of 2:30 o'clock PM E.S.T.



THOMAS C. HENRY, MAYOR

