

**A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 3426 Wells Street, Fort Wayne, Indiana 46808 (Dreyer's Grand Ice Cream, Inc.)**

**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 402 full-time permanent jobs with a total current payroll of \$21,477,388 with the average current, annual salary of \$53,426; and

**WHEREAS**, the total estimated project cost is \$41,000,000; 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 November 1, 2020 and December 31, 2022 and personal property for new manufacturing, logistical and distribution and information technology equipment improvements to be made between November 1, 2020 and December 31, 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 redevelopment or rehabilitation and estimate of the value of the new manufacturing, logistical and distribution and information technology equipment, all contained in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably

1 expected to result from the proposed described instillation of the new manufacturing, logistical  
2 and distribution and information technology equipment

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

- 5 (a) If the proposed development does not occur, the approximate current year tax rates  
6 for this site would be \$3.2510/\$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 \$3.2510/\$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 \$3.2510/\$100 (the change would be negligible).
- 13 (d) If the real estate and personal property for new manufacturing, logistical and  
14 distribution and information technology is not installed, the approximate current year  
15 tax rates for this site would be \$3.2510/\$100.
- 16 (e) If the real estate and proposed personal property for new manufacturing, logistical  
17 and distribution and information technology is installed and no deduction is granted,  
18 the approximate current year tax rate for the site would be \$3.2510/\$100 (the change  
19 would be negligible).
- 20 (f) If the real estate and proposed personal property for new manufacturing, logistical  
21 and distribution and information technology equipment is installed and a deduction  
22 percentage of eighty percent (80%) is assumed, the approximate current year tax  
23 rate for the site would be \$3.2510/\$100 (the change would be negligible).

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

28 **SECTION 7.** The deduction schedule from the assessed value of the real property  
29 and personal property 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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**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, logistical and distribution and information technology 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

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. Dreyer's Grand Ice Cream, Inc. will make real property updates its current facility in preparation for the purchase and installation of new personal property.**

EFFECT OF PASSAGE: **Investment of \$41,400,000, the retention of 402 full-time permanent jobs with an annual payroll of \$21,477,388.**

EFFECT OF NON-PASSAGE: **Potential loss of investment, the retention of 402 full-time permanent jobs with an annual payroll of \$21,477,388.**

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-20-10-20**

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:

**3426 Wells Street, Fort Wayne, Indiana 46808  
Dreyer's Grand Ice Cream, Inc.**

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 - 1395626

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 . . . . 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  
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10-16 1395626 hspaxlp

**BILL NO. R-20-10-20**

**REPORT OF COMMITTEE ON FINANCE**

**October 27, 2020**

**Jason Arp Chair**

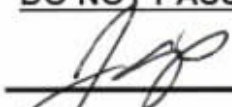

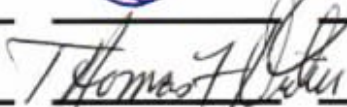

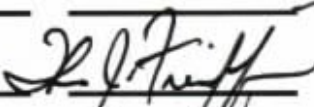

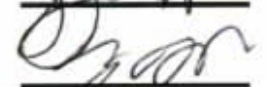
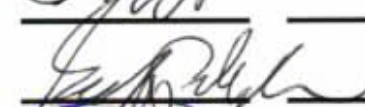

**Sharon Tucker Co-Chair**

**All Council Members**

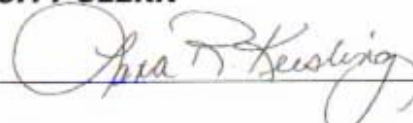
A Confirming Resolution designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 3426 Wells Street, Fort Wayne, Indiana 46808

*Dreyer's Grand Ice Cream, Inc.*

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

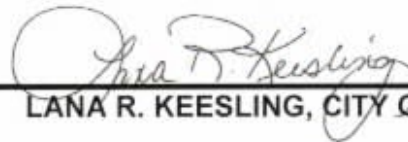
Read the first time in full and on motion by Councilperson Arp.

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

DATED: October 27, 2020




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LANA R. KEESLING, CITY CLERK

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

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

ATTEST:




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LANA R. KEESLING  
CITY CLERK




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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.

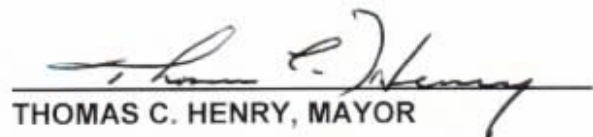



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LANA R. KEESLING, CITY CLERK

Approved and signed by me this 29<sup>TH</sup> day of OCTOBER

2020, at the hour of 2:30 o'clock PM, E.S.T.




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THOMAS C. HENRY, MAYOR

