

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 918 West Cook Road, Fort Wayne, Indiana 46825 (CWSW LLC dba Dirig Sheet Metal)

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 three full-time, permanent jobs for a total additional annual payroll of \$270,000, with the average additional, annual job salary being \$90,000 and retain 117 full-time and two part-time permanent jobs with a total current payroll of \$3,837,798, with the average current, annual salary of \$32,608; and

WHEREAS, the total estimated project cost is \$1,443,767; 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 August 1, 2017 and June 30, 2018 and personal property for new manufacturing equipment improvements to be made between April 1, 2018 and December 31, 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 redevelopment or rehabilitation and estimate of the value of the new manufacturing equipment, all contained in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably expected to result from the proposed described instillation of the new manufacturing equipment.

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

- (a) If the proposed development does not occur, the approximate current year tax rates for this site would be \$3.2510/\$100.
- (b) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be \$3.2510/\$100 (the change would be negligible).
- (c) If the proposed development occurs, and a deduction percentage of fifty percent (50%) is assumed, the approximate current year tax rate for the site would be \$3.2510/\$100 (the change would be negligible).
- (d) If the real estate and personal property for new manufacturing equipment is not installed, the approximate current year tax rates for this site would be \$3.2510/\$100.

- (c) If the real estate and proposed personal property for new manufacturing equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$3.2510/\$100 (the change would be negligible).
- (f) If the real estate and proposed personal property for new manufacturing equipment is installed and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be \$3.2510/\$100 (the change would be negligible).

SECTION 6. That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from the assessed value of the real property shall be for a period of five years, and that the deduction from the assessed value of the new manufacturing equipment shall be for a period of five years.

SECTION 7. The deduction schedule from the assessed value of the real property 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%

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	85%
3	71%
4	57%
5	43%
6	29%

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.

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

- 2 A. The cost and description of real property improvements and/or purchase of real
3 estate and new personal property for new manufacturing, logistical distribution, and
4 information technology equipment.
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 and/or personal property deductions.
11 F. The tax savings resulting from the real and/or personal property being abated.

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

14 **SECTION 14.** 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 10 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 15.** 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.

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Member of Council

APPROVED AS TO FORM A LEGALITY



Carol Helton, City Attorney

EXHIBIT A

DESCRIPTION OF REAL ESTATE:

Part of the West Half of the Southwest Quarter of Section 11, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to-wit:

Commencing on the East line of said West Half at a point situated 45.0 feet, North 00 degrees 10 minutes 01 seconds West (deed bearing and is used as the basis for the bearings in this description) from the Southeast corner of said West Half; thence North 89 degrees 37 minutes 35 seconds West, and parallel to the South line of said Southwest Quarter, a distance of 734.58 feet to the True Point of Beginning; thence North 89 degrees 37 minutes 35 seconds West continuing parallel to said South line, a distance of 578.21 feet to a point on the West line of said Southwest Quarter; thence North 00 degrees 02 minutes 02 seconds West, on and along said West line, a distance of 600.00 feet; thence South 89 degrees 37 minutes 35 seconds East and parallel to said South line, a distance of 657.48 feet; thence South 00 degrees 22 minutes 25 seconds West, a distance of 525.00 feet to the point of curvature of a regular curve to the right having a radius of 75.00 feet; thence Southwesterly, on and along the arc of said curve, an arc distance of 117.81 feet, being subtended by a long chord having a length of 108.07 feet and a bearing of South 45 degrees 22 minutes 25 seconds West to the True Point of Beginning, as said in previous deeds to contain 8.999 acres of land, more or less.

Property Address: 918 W. Cook Rd., Fort Wayne IN

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. CWSW LLC dba Dirig Sheet Metal will construct a 7,8000 square foot addition to the current facility and purchase and install new personal property manufacturing equipment.**

EFFECT OF PASSAGE: **Investment of \$1,443,767, the retention of 117 full-time permanent jobs and two part-time jobs with an annual payroll of \$3,837,789 and the creation of three new full-time permanent jobs with an annual payroll of \$270,000.**

EFFECT OF NON-PASSAGE: **Potential loss of investment, the retention of 117 full-time permanent jobs and two part-time jobs with an annual payroll of \$3,837,789 and the creation of three new full-time permanent jobs with an annual payroll of \$270,000.**

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-21-01-16

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON FEBRUARY 9, 2021, AT 5:30 P.M., IN ROOM 030 – COUNCIL DISCUSSION ROOM – 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:

**918 West Cook Road, Fort Wayne, Indiana 46825
CWSW LLC dba Dirig Sheet Metal**

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY FEBRUARY 9, 2021.

IF CONFIRMED, SAID DESIGNATION SHALL EXPIRE DECEMBER 31, 2021.

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 - 1402354

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	54

COMPUTATION OF CHARGES

54 lines, 1 column(s) wide equals
54 equivalent lines at \$ 0.499 cents per line \$ 26.95

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 \$ 26.95

DATA FOR COMPUTING COST

Width of single column in picas 9.8 Size of type 7point.
Number of Insertions 2

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 2 times.

The dates of publication being as follows:

1/29/2021

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: January 29, 2021

ATTACH COPY OF ADVERTISEMENT HERE

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1--29 1402354 hspaxlp

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LANA R. KEESLING
CITY CLERK

1--29 1402354 hspaxlp

BILL NO. R-21-01-16

REPORT OF COMMITTEE ON FINANCE

February 9, 2021

Jason Arp Chair

Glynn Hines 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 918 West Cook Road, Fort Wayne, Indiana 46825

CWSW LLC dba Dirig Sheet Metal

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		<i>Jason Arp</i>	
CHAMBERS	<i>(P)</i>		
DIDIER	<i>Thomas Didier</i>		
ENSLEY		<i>[Signature]</i>	
FREISTROFFER			
HINES	<i>Glynn Hines</i>		
JEHL	<i>[Signature]</i>		
PADDOCK	<i>[Signature]</i>		
TUCKER			

**LANA R. KEESLING
CITY CLERK**

Lana R. Keesling

Public Hearing Date: February 9, 2021


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

DATED: February 9, 2021



LANA R. KEESLING, CITY CLERK

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

Ordinance No. R-21-01-16 on the 9th day of February, 2021

ATTEST:


LANA R. KEESLING
CITY CLERK


PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th of February 2021, at the hour of 9:50 o'clock A.M. E.S.T.


LANA R. KEESLING, CITY CLERK

Approved and signed by me this 10TH day of February 2021, at the hour of 4:30 o'clock Pm . E.S.T.


THOMAS C. HENRY, MAYOR

