

**A RESOLUTION Considering a Waiver of Non-Compliance for a Late-Filed Application for the Deduction from Assessed Valuation of Structures in Economic Revitalization Areas (Form 322/RE) and Determination of Substantial Compliance or Non-Compliance with Statement of Benefits Approved under R-32-21 for 5402 Moeller Road, Fort Wayne, Indiana 46806 (Precision Ft. Wayne, LLC)**

**WHEREAS**, Common Council has previously designated and declared by Declaratory Resolution and Confirming Resolution property at 5402 Moeller Road for Precision Ft. Wayne, LLC (Confirming Resolution R-32-21) 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 as an economic revitalization area; and

**WHEREAS**, The original Statement of Benefits and economic revitalization area designation application submitted by Precision Ft. Wayne, LLC was approved on June 22, 2021 with a waiver of non-compliance under Confirming Resolution R-32-21 and was for \$4,000,000 in real property improvements; and

**WHEREAS**, The approved waiver of non-compliance was required because the project was complete at the time the application was submitted on May 14, 2021; and

**WHEREAS**, The application was submitted prior the annual compliance filing deadline but was approved after the annual filing deadline and as such, a waiver is required for the filing of Compliance with Statement of Benefits (Form CF-1/Real Property) and Application for the Deduction from Assessed Valuation of Structures in Economic Revitalization Areas (Form 322/RE); and

**WHEREAS**, The City has given Precision Ft. Wayne, LLC notice to file their Compliance with Statement of Benefits (Form CF-1/Real Property) and Application for the Deduction from Assessed Valuation of Structures in Economic Revitalization Areas (Form 322/RE) and to submit an application for a waiver of non-compliance; and

**WHEREAS**, Precision Ft. Wayne, LLC's 2021 Compliance with Statement of Benefits (Form CF-1/Real Property) and application for a waiver of non-compliance has been filed with the City; and

**WHEREAS**, Precision Ft. Wayne, LLC's Compliance with Statement of Benefits (Form CF-1/Real Property) and Application for the Deduction from Assessed Valuation of Structures in Economic Revitalization Areas (Form 322/RE) has been filed with the Allen County Auditor; and

**WHEREAS**, the Common Council acknowledges that Precision Ft. Wayne, LLC has requested a waiver of non-compliance which the Common Council has the power and authority to approve, under I.C. 6-1.1-12.1-9.5); and

**WHEREAS**, Precision Ft. Wayne, LLC has fulfilled its pledge and completed \$4,000,000 in real property improvements; and

1                   **WHEREAS**, Based on the CF-1 statement of benefits recently submitted, Precision Ft.  
2 Wayne, LLC has established that they have substantially complied with its approved statement of  
3 benefits; and

4                   **WHEREAS**, I.C. 6-1.1-12.1-9.5 permits tax abatement noncompliance events such as  
5 the untimely filing of statement of benefits (CF-1) paperwork to be waived; and

6                   **WHEREAS**, if Common Council approves the waiver of non-compliance for the late filed  
7 Compliance with Statement of Benefits (Form CF-1/Real Property) and Application for the  
8 Deduction from Assessed Valuation of Structures in Economic Revitalization Areas (Form  
9 322/RE), then Common Council will also determine substantial compliance or non-compliance  
10 with statement of benefits; and

11                   **WHEREAS**, a public hearing of the Common Council has been held on the waiver.  
12 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT**  
13 **WAYNE, INDIANA:**

14 **[OPTION 1]**

15 **SECTION 1.** That, Precision Ft. Wayne, LLC's request for a waiver of clerical and technical  
16 errors and non-conformities with its Compliance with Statement of Benefits (Form CF-1/Real  
17 Property) and Application for the Deduction from Assessed Valuation of Structures in Economic  
18 Revitalization Areas (Form 322/RE) requirements is hereby denied and as such the phase-in  
19 granted under Confirming Resolution R-32-21 for real property is terminated.

20 **SECTION 2.** That this Resolution shall be in full force and effect from and after its passage and  
21 any and all necessary approved by the Mayor.

22 **[OPTION 2]**

23 **SECTION 1.** That all clerical and technical errors and nonconformities of Precision Ft. Wayne,  
24 LLC's Compliance with Statement of Benefits (Form CF-1/Real Property) and Application for the  
25 Deduction from Assessed Valuation of Structures in Economic Revitalization Areas (Form  
26 322/RE) requirements that are waivable under State and local law, including without limitation  
27 those errors and nonconformities described in I.C. 6-1.1-12.1-9.5 are hereby waived.

28 **SECTION 2.** **[OPTION A]** That Common Council finds that the CF-1 form filed by Precision Ft.  
29 Wayne, LLC with an approved Economic Revitalization Area for 2021 is in substantial  
30 compliance pursuant to I.C. 6-1.1-12.1 and Section 153.21 of the Municipal Code of the City of  
Fort Wayne by virtue of creating 75% of the 20 full-time jobs or 15 full-time jobs that were stated  
to be created and creating 75% of the \$1,040,000 in annual payroll or \$780,000 in annual payroll  
that was stated that would be generated by the created jobs. Therefore, the continuation of

1 Precision Ft. Wayne, LLC's abatement is hereby approved. The Allen County Auditor shall be  
2 supplied with a copy of this Resolution, upon passage, and is instructed to apply the tax phase-  
3 in.

4 **SECTION 2. [OPTION B]** That Common Council finds that the CF-1 forms filed by Precision  
5 Ft. Wayne, LLC with an approved Economic Revitalization Area with an approved Economic  
6 Revitalization Area for 2021 are not in substantial compliance pursuant to I.C. 6-1.1-12.1 and  
7 Section 153.21 of the Municipal Code of the City of Fort Wayne for failure to create 75% of the 20  
8 full-time jobs or 15 full-time jobs that were stated to be created and creating 75% of the  
9 \$1,040,000 in annual payroll or \$780,000 in annual payroll that was stated that would be  
10 generated by the created jobs. Precision Ft. Wayne, LLC did make reasonable efforts to  
11 substantially comply with the statement of benefits and Precision Ft. Wayne, LLC's failure to  
12 substantially comply was caused by factors beyond the control of Precision Ft. Wayne, LLC.  
13 Therefore, the continuation of Precision Ft. Wayne, LLC's abatement is hereby approved. The  
14 Allen County Auditor shall be supplied with a copy of this Resolution, upon passage, and is  
15 instructed to apply the tax phase-in.

16 **SECTION 2. [OPTION C]** That Common Council finds that the CF-1 form filed by Precision Ft.  
17 Wayne, LLC with an approved Economic Revitalization Area for 2021 is not in substantial  
18 compliance pursuant to I.C. 6-1.1-12.1 and Section 153.21 of the Municipal Code of the City of  
19 Fort Wayne for failure to create 75% of the 20 full-time jobs or 15 full-time jobs that were stated  
20 to be created and creating 75% of the \$1,040,000 in annual payroll or \$780,000 in annual payroll  
21 that was stated that would be generated by the created jobs. Precision Ft. Wayne, LLC did not  
22 make reasonable efforts to substantially comply with the statement of benefits and Precision Ft.  
23 Wayne, LLC's failure to substantially comply was not caused by factors beyond the control of  
24 Precision Ft. Wayne, LLC. As a result of said failure, the abatement for Precision Ft. Wayne, LLC  
25 is hereby terminated by Common Council. The Allen County Auditor shall be supplied with a copy  
26 of this Resolution, upon passage, and is instructed to terminate the abatement for real property  
27 improvements.

28 **SECTION 3.** That, this Resolution shall be in full force and effect from and after its passage and  
29 any and all necessary approval by the Mayor.

30  
  
Member of Council

APPROVED AS TO FORM AND LEGALITY

  
\_\_\_\_\_  
Carol Helton, City Attorney

NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
(RESOLUTION NO. R-21-09-16)

ON OCTOBER 12, 2021 AT 5:30 P.M., IN THE COUNCIL CHAMBERS COURTROOM 035, CITIZENS SQUARE, FORT WAYNE, INDIANA, A PUBLIC HEARING WILL BE HELD ON THE MATTER OF A WAIVER OF NONCOMPLIANCE WITH THE PROCEDURAL REQUIREMENTS OF I.C. 6-1.1-12.1, RELATING TO THE REAL PROPERTY DEDUCTION OF PROPERTY AT 5402 MOELLER ROAD AND APPROVED UNDER RESOLUTION R-32-21 PRECISION FT. WAYNE, LLC

THE PUBLIC HEARING ON THE WAIVER WILL BE HELD PURSUANT TO I.C. 6-1.1-12.1-9.5 AND I.C. 6-1.1-12.1-11.3.

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 THE CITY OF FORT WAYNE PUBLIC INFORMATION OFFICE (260) 427-1120 (72) HOURS PRIOR TO THE PUBLIC HEARING.



# INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **The Journal Gazette**.

Notice ID: LOCpWite3TjUmtfhE9x | **Proof Updated: Sep. 29, 2021 at 08:16am EDT**  
Notice Name: R-21-09-16

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

<b>FILER</b>	<b>FILING FOR</b>
Tammy Robinson	The Journal Gazette
tammy.robinson@cityoffortwayne.org	

<b>Columns Wide:</b> 1	<b>Ad Class:</b> Legals
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10/01/2021: Other	19.96
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Subtotal	\$19.96
Tax %	0.00
<b>Total</b>	<b>\$19.96</b>

NOTICE OF PUBLIC HEARING  
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10-1 hspaxlp

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# The Journal Gazette

Allen County, Indiana

Account Name  
Gov: Fort Wayne City Clerk's Office  
Notice ID: LOCpWite3TjUmftfhE9x

### 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 40

#### COMPUTATION OF CHARGES

40 lines, 1 column(s) wide equal:  
40 equivalent lines at \$ 0.4990 cents per line \$ 19.96

Additional charges for notices containing rule or tabular work  
(50 percent of above amount) \$ \_\_\_\_\_

Electronic processing fee \$ 0.00

TOTAL AMOUNT OF CLAIM \$ 19.96

#### 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:

10/1/21    \_\_\_\_\_  
\_\_\_\_\_

Additionally, Newspaper has a Web site and this public notice was posted on the same day as it was published in The Journal Gazette.

Date: 10/1/2021

Karisa Harris  
Legal Clerk

ATTACH COPY OF ADVERTISEMENT

**REPORT OF COMMITTEE ON FINANCE**

**October 12, 2021**


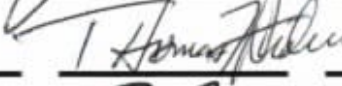
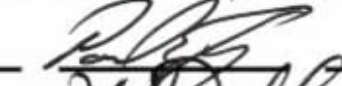


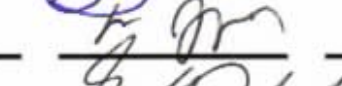


**Glynn Hines Chair**

**Jason Arp Co-Chair**

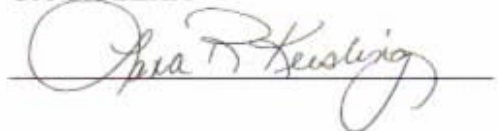
**All Council Members**

A Resolution considering a Waiver of Non-Compliance for a Late-Filed Application for the Deduction from Assessed Valuation of Structures in Economic Revitalization Areas (Form 322/RE) and Determination of Substantial Compliance or Non-Compliance with Statement of Benefits Approved under R-32-21 for 5402 Moeller Road, Fort Wayne, Indiana 46806 (*Precision Ft. Wayne, 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 12, 2021

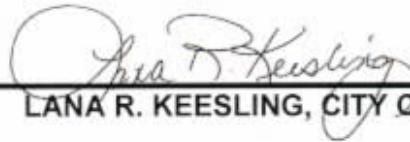
Read the first time in full and on motion by Councilperson Hines.

Read the second time by title and referred to the Finance Committee.

Read the third time in full and on motion by Councilperson Hines, 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"/>

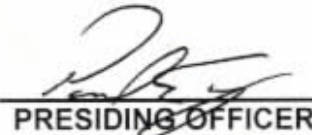
DATED: October 12, 2021

  
LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
Resolution No. R-21-09-16 on the 12th day of October, 2021

ATTEST:

  
LANA R. KEESLING  
CITY CLERK

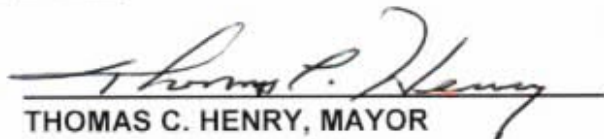
  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th  
of October 2021, at the hour of 9:55 o'clock A.M. E.S.T.

  
LANA R. KEESLING, CITY CLERK

Approved and signed by me this 13<sup>TH</sup> day of OCTOBER 2021, at the  
hour of 12:00 o'clock PM E.S.T.

FORT WAYNE, INDIANA  
**RECEIVED**  
OCT 13 2021  
LANA R. KEESLING  
CITY CLERK

  
THOMAS C. HENRY, MAYOR