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4 **A CONFIRMING RESOLUTION designating an “Economic
5 Revitalization Area” under I.C. 6-1.1-12.1 for property
6 commonly known as 4455 & 4453 Airway Avenue, Fort
7 Wayne, Indiana 46809 (HardHell Industries, LLC)**

8 **WHEREAS**, Common Council has previously designated and declared by Declaratory
9 Resolution the following described property as an “Economic Revitalization Area” under Sections
10 153.13-153.24 of the Municipal Code of the City of Fort Wayne, Indiana, and I.C. 6-1.1-12.1, to wit:

11 **Attached hereto as “Exhibit A” as if a part herein; and**

12 **WHEREAS**, said project result in a 50,000 square foot speculative building; and

13 **WHEREAS**, the total estimated project cost is \$4,300,000; and

14 **WHEREAS**, projects involving the redevelopment or rehabilitation of a speculative
15 building are eligible to receive a ten-year phase-in without adhering to the City’s Review System;
16 and

17 **WHEREAS**, a recommendation has been received from the Committee on Finance; and

18 **WHEREAS**, notice of the adoption and substance of said Resolution has been published
19 in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been
20 conducted on said Resolution.

21 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY
22 OF FORT WAYNE, INDIANA:**

23 **SECTION 1.** That, the Resolution previously designating the above described property
24 as an “Economic Revitalization Area” is confirmed in all respects.

25 **SECTION 2.** That, the hereinabove described property is hereby declared an
26 “Economic Revitalization Area” pursuant to I.C. 6-1.1-12.1, said designation to begin on the
27 effective date of this Resolution and shall terminate on December 31, 2026, unless otherwise
28 automatically extended in five year increments per I.C. 6-1.1-12.1-9.

29 **SECTION 3.** That, said designation of the hereinabove described property as an
30 “Economic Revitalization Area” shall apply to a deduction of the assessed value of real estate
improvements to be made between June 1, 2022 and December 31, 2023. Should any delays
occur, an updated timeframe will be communicated to the Allen County Assessor and Allen County
Auditor by Community Development staff in writing.

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.

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

3 (a) If the proposed development does not occur, the approximate current year tax rates
4 for this site would be \$3.1458/\$100.

5 (b) If the proposed development occurs and no deduction is granted, the approximate
6 current year tax rate for the site would be \$3.1458/\$100 (the change would be
7 negligible).

8 (c) If the proposed development occurs, and a deduction percentage of fifty percent (50%)
9 is assumed, the approximate current year tax rate for the site would be \$3.1458/\$100
10 (the change would be negligible).

11 **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from
12 the assessed value of the real property shall be for a period of ten years.

13 **SECTION 7.** The deduction schedule from the assessed value of the real property
14 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%

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

17 **SECTION 9.** For real property, a deduction application must contain a performance report
18 showing the extent to which there has been compliance with the Statement of Benefits form
19 approved by the Fort Wayne Common Council at the time of filing. This report must be submitted
20 to the Allen County Auditor's Office, and the City of Fort Wayne's Community Development Division
21 and must be included with the deduction application. For subsequent years, the performance
22 report must be updated each year in which the deduction is applicable at the same time the property
23 owner is required to file a personal property tax return in the taxing district in which the property for
24 which the deduction was granted is located. If the taxpayer does not file a personal property tax
25 return in the taxing district in which the property is located, the information must be provided by
26 May 15.

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

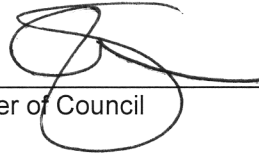
28 A. The cost and description of real property improvements.
29
30

- 1 B. The number of employees hired through the end of the preceding calendar year as a
2 result of the deduction.
3 C. The total salaries of the employees hired through the end of the preceding calendar
4 year as a result of the deduction.
5 D. The total number of employees employed at the facility receiving the deduction.
6 E. The total assessed value of the real property deductions.
7 F. The tax savings resulting from the real property being abated.

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

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

16 **SECTION 13.** That, this Resolution shall be in full force and effect from and after its
17 passage and any and all necessary approval by the Mayor.

18 
19 _____
20 Member of Council

21 APPROVED AS TO FORM A LEGALITY

22 
23 _____
24 Malak Heiny, City Attorney

25
26
27
28
29
30

Admn. Appr. _____

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 for HardHell Industries, LLC. HardHell Industries, LLC will construct a 50,000 square foot speculative building.**

EFFECT OF PASSAGE: **Investment of \$4,300,000 and the construction of a 50,000 square foot speculative building.**

EFFECT OF NON-PASSAGE: **Potential loss of investment.**

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): **No expenditures of public funds required.**

ASSIGNED TO COMMITTEE (CO-CHAIRS): **Sharon Tucker and Russ Jehl**

The Journal Gazette

Account Name
Gov: Fort Wayne City Clerk's Office
Notice ID: HGnQwy3S6RnTmsigpcYk

Allen County, Indiana

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

56 lines, 1 column(s) wide equal:

56 equivalent lines at \$ 0.4990 cents per line \$27.94

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

Electronic processing fee \$0.00

TOTAL AMOUNT OF CLAIM \$27.94

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.

The dates of publication being as follows:

4/29/22 _____

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: 4/29/2022

Bruce McCune
Legal Clerk

ATTACH COPY OF ADVERTISEMENT

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
CONFIRMING RESOLUTION NO. R-22-
04-19

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON MAY 10, 2022, AT 10:00 AM IN ROOM 034, COMMON COUNCIL COURTROOM GARDEN LEVEL, CITIZENS SQUARE, 200 E. BERRY, FORT WAYNE, INDIANA 46802. THE AGENDA ITEM IS ECONOMIC REVITALIZATION AREA UNDER SECTION TC 6-1-1-12 FOR A PROPERTY COMMONLY KNOWN AS:

4455 & 4453 Alway Avenue, Fort Wayne, Indiana 46805
HardHoll Industries, LLC

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED PROPERTY SHOULD BE REDESIGNED OR MODIFIED AND CONFIRMED OR RESCINDED ON TUESDAY, MAY 10, 2022.

IF CONFIRMED, SAID DESIGNATION SHALL EXPIRE DECEMBER 31, 2026.

ALL INTERESTED PERSONS ARE INVITED TO ATTEND AND BE HEARD AT THE PUBLIC HEARING.

REASONABLE ACCOMMODATIONS FOR PERSONS WITH A KNOWN DISABILITY WILL BE PROVIDED UPON REQUEST IN ACCORDANCE WITH STATE AND FEDERAL LAW. ANY PERSON NEEDING A REASONABLE ACCOMMODATION SHOULD CONTACT THE PUBLIC INFORMATION OFFICE AT 421.120, TTY 420.477.700, AT LEAST SEVENTY-TWO HOURS PRIOR TO THE MEETING.

LANA R. KEESLING
CITY CLERK
4-29 hspaxdp

BILL NO. R-22-04-19

REPORT OF COMMITTEE ON FINANCE

May 10, 2022

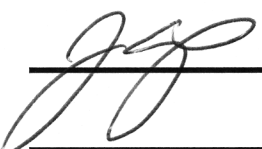





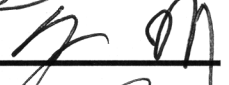


Sharon Tucker Chair

Russ Jehl Co-Chair

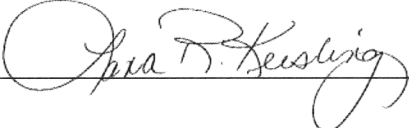
All Council Members

A Confirming Resolution designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 4455 & 4453 Airway Avenue, Fort Wayne, Indiana 46809 (HardHell Industries, 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: May 10, 2022

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

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

Read the third time in full and on motion by Councilperson Tucker, 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: May 10, 2022



 LANA R. KEESLING, CITY CLERK

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

Resolution No. R-22-04-19 on the 10th day of May, 2022

ATTEST:



 LANA R. KEESLING
 CITY CLERK



 PRESIDING OFFICER

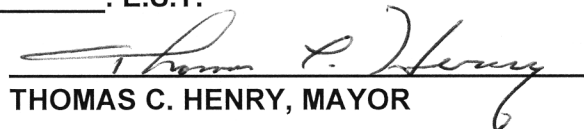
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th of May 2022, at the hour of 9:10 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 17TH day of MAY 2022, at the

hour of 1:00 o'clock Pm E.S.T.



 THOMAS C. HENRY, MAYOR

hour of 1:00
RECEIVED
 MAY 17 2022
 LANA R. KEESLING
 CITY CLERK