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4 **A CONFIRMING RESOLUTION designating an**
5 **“Economic Revitalization Area” under I.C. 6-1.1-12.1**
6 **for property commonly known as 9107 Yeager Lane,**
7 **Fort Wayne, Indiana 46809 (Smith Brothers of Berne,**
8 **Inc.)**

9 **WHEREAS**, Common Council has previously designated and declared by Declaratory
10 Resolution the following described property as an “Economic Revitalization Area” under Sections
11 153.13-153.24 of the Municipal Code of the City of Fort Wayne, Indiana, and I.C. 6-1.1-12.1, to wit:

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

13 **WHEREAS**, said project will create 70 full-time, permanent jobs for a total created, annual
14 payroll of \$3,304,050, with the average created annual job salary being \$47,200 and retain 20 full-
15 time, permanent jobs for a total retained annual payroll of \$809,266, with the average retained,
16 annual job salary being \$40,463; and

17 **WHEREAS**, the total estimated project cost is \$1,211,961; and

18 **WHEREAS**, a recommendation has been received from the Committee on Finance on said
19 Resolution; and

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

23 **WHEREAS**, if said Resolution involves an area that has already been designated an
24 allocation area under I.C. 36-7-14-39, The Fort Wayne Redevelopment Commission has adopted
25 a Resolution approving the designation.

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

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

30 **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, 2026, 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 a deduction of the assessed value of personal
property for new manufacturing, logistical distribution and informational technology equipment
improvements to be made between May 15, 2022 and October 15, 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.

1 **SECTION 4.** That, the estimate of the number of individuals that will be employed or
2 whose employment will be retained and the estimate of the annual salaries of those individuals and
3 the estimate of the value of the new manufacturing, logistical distribution and informational
4 technology equipment, all contained in Petitioner's Statement of Benefits are reasonable and are
5 benefits that can be reasonably expected to result from the proposed described installation of the
6 new manufacturing, logistical distribution and informational technology equipment.

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

- 9 (a) If the proposed new manufacturing, logistical distribution and informational technology
10 equipment is not installed, the approximate current year tax rates for this site would be
11 \$3.1458/\$100.
12 (b) If the proposed new manufacturing, logistical distribution and informational technology
13 equipment is installed and no deduction is granted, the approximate current year tax
14 rate for the site would be \$3.1458/\$100 (the change would be negligible).
15 (c) If the proposed new manufacturing, logistical distribution and informational technology
16 equipment is installed, and a deduction percentage of eighty percent (80%) is
17 assumed, the approximate current year tax rate for the site would be \$3.1458/\$100
18 (the change would be negligible).

19 **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from
20 the assessed value of the new manufacturing, logistical distribution and informational technology
21 equipment shall be for a period of ten years.

22 **SECTION 7.** The deduction schedule from the assessed value of new manufacturing,
23 logistical distribution and informational technology equipment pursuant to I.C. 6-1.1-12.1-17 shall
24 look like this:

25

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%

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

28 **SECTION 9.** For new manufacturing, logistical distribution and informational technology
29 equipment, a deduction application must contain a performance report showing the extent to which
30

1 there has been compliance with the Statement of Benefits form approved by the Fort Wayne
2 Common Council at the time of filing. This report must be submitted to the Allen County Auditor's
3 Office, and the City of Fort Wayne's Community Development Division and must be included with
4 the deduction application. For subsequent years, the performance report must be updated and
submitted along with the deduction application at the time of filing.

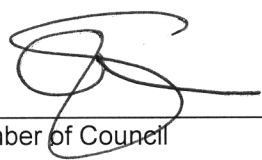
5 **SECTION 10.** The performance report must contain the following information

- 6 (a) The cost and description of real property improvements and/or new
7 manufacturing equipment acquired.
8 (b) The number of employees hired through the end of the preceding calendar year
9 as a result of the deduction.
10 (c) The total salaries of the employees hired through the end of the preceding
11 calendar year as a result of the deduction.
12 (d) The total number of employees employed at the facility receiving the deduction.
13 (e) The total assessed value of the real and/or personal property deductions.
14 (f) The tax savings resulting from the real and/or personal property being abated.


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

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

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

25 
26 _____
27 Member of Council

28 APPROVED AS TO FORM AND LEGALITY

29 
30 _____
Malak Heiny, 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 Smith Brothers of Berne, Inc. for eligible personal property improvements. Smith Brothers of Berne, Inc. is expanding its production to Fort Wayne, IN and will occupy a building constructed to shell finish and vacant since 2019. Smith Brothers of Berne, Inc. will purchase and install new manufacturing, logistical distribution and information technology equipment.**

EFFECT OF PASSAGE: **Investment of \$1,211,961, the retention of 20 full-time permanent jobs with an annual payroll of \$809,266 and the creation of 70 new full-time permanent jobs with an annual payroll of \$3,304,050.**

EFFECT OF NON-PASSAGE: **Potential loss of investment, the retention of 20 full-time permanent jobs with an annual payroll of \$809,266 and the creation of 70 new full-time permanent jobs with an annual payroll of \$3,304,050.**

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

Allen County, Indiana

PUBLISHER'S CLAIM

Account Name
Gov: Fort Wayne City Clerk's Office
Notice ID: Zcpw6aayU7KBOFMhBZA

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

ATTACH COPY OF ADVERTISEMENT

COMPUTATION OF CHARGES

56 lines, 1 column(s) wide equal: \$27.94
56 equivalent lines at \$ 0.4990 cents per line
 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 5-1-10-1, 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

Blonde McCall
 Legal Clerk



NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
CONFIRMING RESOLUTION NO. R-22-
04-31

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONSIDER AND VOTE ON AN ORDINANCE TO CONFIRM THE DESIGNATION OF A PUBLIC HEARING AREA FOR THE REVITALIZATION AREA AND PROPERTY COMMONLY KNOWN AS:

9107 Yeager Land, Fort Wayne, Indiana
Smith Brothers of Bama, Inc.

COMMON COUNCILS WILL CONDUCT THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, RECALLED AND CONFIRMED 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 KNOWN DISABLING CONDITION WILL BE PROVIDED IN ACCORDANCE WITH THE AMERICAN WITH DISABILITIES ACT. PERSONS NEEDING A REASONABLE ACCOMMODATION SHOULD NOTIFY PUBLIC INFORMATION OFFICE (260) 447-2700 AT LEAST SEVENTY-TWO HOURS PRIOR TO THE MEETING.

LANA R. KEESLING
CITY CLERK
4-29 hspaxlp



BILL NO. R-22-04-31

REPORT OF COMMITTEE ON FINANCE

May 10, 2022

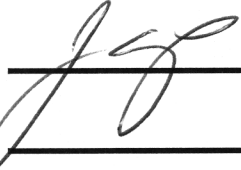





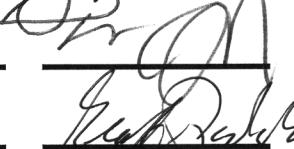


Sharon Tucker Chair

Russ Jehl Co-Chair

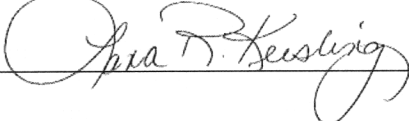
All Council Members

A Confirming Resolution designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 9107 Yeager Lane, Fort Wayne, Indiana 46809 (Smith Brothers of Berne, 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: 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: May 10, 2022

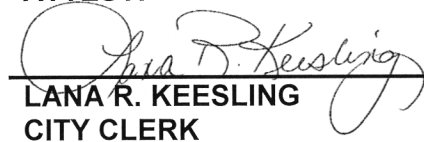


 LANA R. KEESLING, CITY CLERK

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

Resolution No. R-22-04-31 on the 10th day of May, 2022

ATTEST:



 LANA R. KEESLING
 CITY CLERK



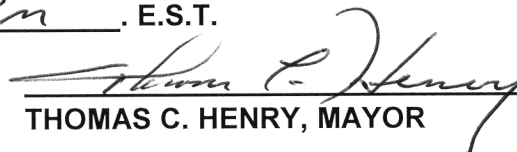
 PRESIDING OFFICER

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

FORT WAYNE, INDIANA
RECEIVED
 MAY 17 2022
 LANA R. KEESLING
 CITY CLERK