

3 **A CONFIRMING RESOLUTION designating an "Economic**
4 **Revitalization Area" under I.C. 6-1.1-12.1 for property**
5 **commonly known as 2314 Dunkleberg Road, Fort Wayne,**
6 **Indiana 46819 (Brightpoint)**

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

10 **Attached hereto as "Exhibit A" as if a part herein; and**

11 **WHEREAS**, said project will create two full-time jobs with a total annual payroll of \$83,200
12 and an average annual salary of \$41,600; and

13 **WHEREAS**, the total estimated project cost is \$9,100,000; and

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

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

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

20 **SECTION 1.** That, the Resolution previously designating the above described property
21 as an "Economic Revitalization Area" is confirmed in all respects.

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

26 **SECTION 3.** That, said designation of the hereinabove described property as an
27 "Economic Revitalization Area" shall apply to a deduction of the assessed value of real property
28 improvements to be made between April 1, 2023 and December 1, 2024. Should any delays occur,
29 an updated timeframe will be communicated to the Allen County Assessor and Allen County Auditor
30 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 ET Fort
Wayne IV, LLC's ("Petitioner") Statement of Benefits submitted to the City of Fort Wayne, Indiana
("City") are reasonable and are benefits that can be reasonably expected to result from the
proposed described redevelopment or rehabilitation.

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

- 1 (a) If the proposed development does not occur, the approximate current year tax rates
 2 for this site would be \$3.2648/\$100.
 3 (b) If the proposed development occurs and no deduction is granted, the approximate
 4 current year tax rate for the site would be \$3.2648/\$100 (the change would be
 5 negligible).
 6 (c) If the proposed development occurs, the deduction schedule listed below in Section 7
 7 is assumed and the approximate current year tax rate for the site would be
 8 \$3.2648/\$100 (the change would be negligible).

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

11 **SECTION 7.** The deduction schedule from the assessed value of the real property
 12 pursuant to I.C. 6-1.1-12.1-17 shall look like this:

Year of Deduction	Percentage
1	100%
2	100%
3	100%
4	100%
5	100%
6	50%
7	40%
8	30%
9	20%
10	10%
11	0%

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

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

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

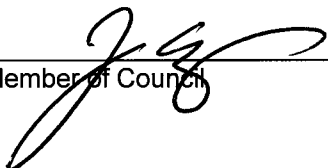
- 27 A. The cost and description of real property improvements.
 28 B. The number of employees retained and/or hired through the end of the preceding
 29 calendar year as a result of the deduction.
 30

- C. The total salaries of the employees retained and/or 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 property deductions.
- F. The tax savings resulting from the real property being abated.

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


SECTION 12. 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 12 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 13. 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



Malak Heiny, City Attorney

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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 Brightpoint for eligible real property improvements. Brightpoint will develop a residential 64 unit multi-family affordable housing apartment complex.**

EFFECT OF PASSAGE: **Investment of \$9,100,000 and the creation of two part-time jobs with at total annual payroll of \$83,000.**

EFFECT OF NON-PASSAGE: **Potential loss of investment and creation of two part-time jobs with an annual payroll of \$83,000.**

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

ASSIGNED TO COMMITTEE (CHAIR AND CO-CHAIR): **Jason Arp and Geoff Paddock**

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL**

CONFIRMING RESOLUTION NO. R-23-02-14

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON FEBRUARY 28, 2023, AT 5:30 P.M., IN ROOM 035 – COUNCIL 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:

**2314 DUNKLEBERG ROAD, FORT WAYNE, INDIANA 46819
(BRIGHTPOINT)**

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY FEBRUARY 28, 2023.

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 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***



INTERIM AD DRAFT

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

Notice ID: vczjbAWvExVE18v1X336 | **Proof Updated: Feb. 15, 2023 at 08:06am EST**
Notice Name: R-23-02-14

See Proof on Next Page

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.

FILER

Lisa Petretta
lisa.petretta@cityoffortwayne.org
(260) 427-1221

FILING FOR

Journal Gazette

Columns Wide: 1

Ad Class: Legals

02/17/2023: Other 28.44

Subtotal \$28.44

Tax % 0

Total \$28.44

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INDIANA 46819
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LANA R. KEESLING
CITY CLERK

2--17 hspaxtp

The Journal Gazette

Account Name
Gov: Fort Wayne City Clerk's Office
Notice ID: vczjbAWvExVE18v1X336

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 57

COMPUTATION OF CHARGES

57 lines, 1 column(s) wide equal:

57 equivalent lines at \$ 0.4990 cents per line \$28.44

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

Electronic processing fee \$ 0.00

TOTAL AMOUNT OF CLAIM \$28.44

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:

2/17/23 _____

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: 2/17/2023

Brenda McCall
Legal Clerk

ATTACH COPY OF ADVERTISEMENT

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LANA R. KEESLING
CITY CLERK

2--17 hspaxlp

BILL NO. R-23-02-14

REPORT OF COMMITTEE ON FINANCE

February 28, 2023

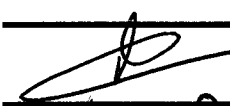
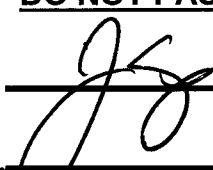
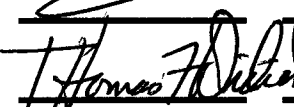
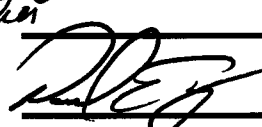
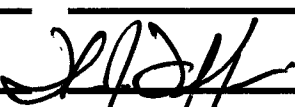
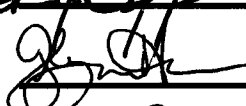
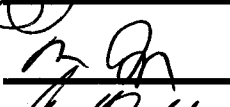
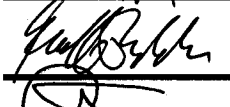
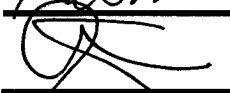
Jason Arp Chair

Geoff Paddock Co-Chair

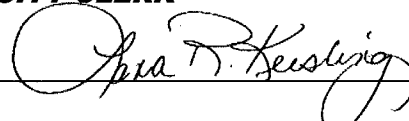
All Council Members

A Confirming Resolution designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 2314 Dunkleberg Road, Fort Wayne, Indiana 46819 (Brightpoint)

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: February 28, 2023

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

DATED: February 28, 2023




 LANA R. KEESLING, CITY CLERK

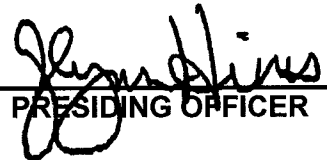
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Resolution No. R-23-02-14 on the 28th day of February, 2023

ATTEST:




 LANA R. KEESLING
 CITY CLERK



 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st of March 2023, at the hour of 3:20 o'clock P.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 9TH day of MARCH 2023, at the hour of 9:00 o'clock AM E. S.T.



 THOMAS C. HENRY, MAYOR

