

**A DECLARATORY RESOLUTION designating an
“Economic Revitalization Area” under I.C. 6-1.1-12.1
for property commonly known as 10216 Airport Drive
Fort Wayne, IN 46809 (Chuck Bivens Services
Inc./States Engineering Inc.)**

WHEREAS, Petitioner has duly filed its petition dated May 20, 2024 to have the following described properties designated and declared 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 one full-time permanent job and one part-time job with a total created annual payroll of \$75,000, and retain 12 full-time, permanent jobs and one part-time job with a total retained annual payroll of \$870,000, the average retained full-time annual job salary being \$64,884; and

WHEREAS, the total estimated project cost is \$363,395; and

WHEREAS, it appears the said petition should be processed to final determination in accordance with the provisions of said Division 6.

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

SECTION 1. That, subject to the requirements of Section 6, below, the property hereinabove described is hereby designated and declared an “Economic Revitalization Area” under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 6 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 2. That, upon adoption of the Resolution:

- (a) Said Resolution shall be filed with the Allen County Assessor;
- (b) Said Resolution shall be referred to the Committee on Finance requesting a recommendation from said committee concerning the advisability of designating the above area an “Economic Revitalization Area”;
- (c) Common Council shall publish notice in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 of the adoption and substance of this resolution and setting this designation as an “Economic Revitalization Area” for public hearing.

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 equipment improvements to be made between May 20, 2024 and December 31, 2024. 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 new manufacturing equipment, all contained in Petitioner's Statement
4 of Benefits, are reasonable and are benefits that can be reasonably expected to result from the
5 proposed described installation of new manufacturing equipment.

6 **SECTION 5.** That, the current year approximate tax rates for taxing units within the
7 City would be:

- 8 (a) If the proposed new manufacturing equipment is not installed, the approximate current
9 year tax rates for this site would be \$2.8326/\$100.
- 10 (b) If the proposed new manufacturing equipment is installed and no deduction is granted,
11 the approximate current year tax rate for the site would be \$2.8326/\$100 (the change
12 would be negligible).
- 13 (c) If the proposed new manufacturing equipment is installed and a deduction percentage
14 of eighty percent (80%) is assumed, the approximate current year tax rate for the site
15 would be \$2.8326/\$100 (the change would be negligible).

16 **SECTION 6.** That, this Resolution shall be subject to being confirmed, modified and
17 confirmed, or rescinded after public hearing and receipt by Common Council of the above
18 described recommendations and resolution, if applicable.

19 **SECTION 7.** That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the
20 deduction from the assessed value of the new manufacturing equipment shall be for a period of
21 seven years.

22 **SECTION 8.** The deduction schedule from the assessed value of new manufacturing
23 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%
7	14%
8	0%

24 **SECTION 9.** That, the benefits described in the Petitioner's Statement of Benefits can
25 be reasonably expected to result from the project and are sufficient to justify the applicable
26 deductions.

27 **SECTION 10.** That, the taxpayer is non-delinquent on any and all property tax due to
28 jurisdictions within Allen County, Indiana.


29 **SECTION 11.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has
30 received a deduction under section 3 or 4.5 of said chapter may be required to repay the deduction

1 amount as determined by the county auditor in accordance with section 12 of said chapter if the
2 property owner ceases operations at the facility for which the deduction was granted and if the
3 Common Council finds that the property owner obtained the deduction by intentionally providing
4 false information concerning the property owner's plans to continue operation at the facility.

5 **SECTION 12.** That, this Resolution shall be in full force and effect from and after its
6 passage and any and all necessary approval by the Mayor.

7 
8 Member of Council

9 APPROVED AS TO FORM AND LEGALITY

10 
11 Malak Heiny, City Attorney

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

DIGEST SHEET

TITLE OF ORDINANCE: **Declaratory Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **Chuck Bivens Services Inc./States Engineering Inc. designs, builds, installs and services foundry equipment and is requesting the designation of an Economic Revitalization Area for eligible personal property improvements. Chuck Bivens Services Inc./States Engineering Inc. will purchase and install new manufacturing equipment.**

EFFECT OF PASSAGE: **Investment of \$363,395, the creation of one new full-time permanent position and one part-time position with a total annual payroll of \$75,000 and the retention of 13 full-time permanent positions and one part-time position with an annual payroll of \$870,000.**

EFFECT OF NON-PASSAGE: **Potential loss of investment, the creation of one new full-time permanent position and one part-time position with a total annual payroll of \$75,000 and the retention of 13 full-time permanent positions and one part-time position with an annual payroll of \$870,000.**

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

ASSIGNED TO COMMITTEE (CHAIR & CO-CHAIR): **Rohli Booker and Marty Bender**

MEMORANDUM



TO: City Council
FROM: Carman Young, Economic Development Specialist
DATE: June 6, 2024
RE: Request for designation by Chuck Bivens Services, Inc./States Engineering Inc. as an ERA for personal property improvements.

BACKGROUND

PROJECT ADDRESS:	10216 Airport Drive	PROJECT LOCATED WITHIN:	N/A
PROJECT COST:	\$363,395	COUNCILMANIC DISTRICT:	3

COMPANY PRODUCT OR SERVICE:	Chuck Bivens Services Inc./States Engineering Inc. manufactures custom foundry equipment, steel fabrication, waterjet cutting and machining of custom equipment.
PROJECT DESCRIPTION:	Chuck Bivens Services Inc./States Engineering Inc. will purchase and install new personal property manufacturing equipment.

CREATED

RETAINED

JOB'S CREATED (FULL-TIME):	1	JOB'S RETAINED (FULL-TIME):	13
JOB'S CREATED (PART-TIME):	1	JOB'S RETAINED (PART-TIME):	1
TOTAL NEW PAYROLL:	\$75,000	TOTAL RETAINED PAYROLL:	\$870,000
AVERAGE SALARY (FULL-TIME NEW):	\$50,000	AVERAGE SALARY (FULL-TIME RETAINED):	\$64,884

COMMUNITY BENEFIT REVIEW

Yes No N/A

Project will encourage vacant or under-utilized land appropriate for commercial or industrial use?

Yes No N/A

Real estate to be designated is consistent with land use policies of the City of Fort Wayne?

Explain: Property to be designated is zoned I-2, General Industrial. Use of this property is consistent with the land use policies of the City of Fort Wayne.

Yes No N/A

Project encourages the improvement or replacement of a deteriorated or obsolete structure?

Yes No N/A

Project encourages the improvement or replacement of obsolete manufacturing and/or research and development and/or information technology and/or logistical distribution equipment?

Explain: New personal property manufacturing equipment will be purchased and installed.

Yes No N/A

Project will result in significant conversion of solid waste or hazardous waste into energy or other useful products?

Yes No N/A

Project encourages preservation of a historically or architecturally significant structure?

Yes No N/A

Construction will result in Leadership in Energy and Environmental Design (LEED) certification by the U.S. Green Building Council?

Yes No N/A

Construction will use techniques to minimize impact on combined sewer overflows? (i.e. rain gardens, bio swales, etc.)

Yes No N/A

ERA designation induces employment opportunities for Fort Wayne area residents?

Explain: One new full-time position and one part-time with a new total annual payroll of \$75,000 will be created and 13 full-time positions and one part-time position will be retained with a total annual payroll of \$870,000.

Yes No N/A

Taxpayer is NOT delinquent on any or all property tax due to any taxing jurisdiction within Allen County.

POLICY

Per the policy of the City of Fort Wayne, the following guidelines apply to this project:

1. The period of deduction for new personal property improvements is seven years.

Under Fort Wayne Common Council's tax abatement policies and procedures, Chuck Bivens Services Inc./States Engineering Inc. is eligible for a recommended seven year deduction on personal property manufacturing equipment improvements. Attached is a calculation of property taxes saved/paid with the deduction.

PREVIOUSLY APPROVED PHASE-INS**Confirming Resolution R-57-12**

Original Project Cost \$325,000

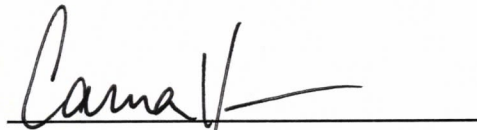
\$325,000 in personal property manufacturing equipment improvements to decrease the need to outsource work by allowing them to cut their own material in house and increase sales.

Ten year deduction personal property improvements.

Project Start Date 10/30/2012

Project End Date 01/30/2013

Signed:



Economic Development Specialist

**FORT WAYNE COMMUNITY DEVELOPMENT DIVISION
TAX ABATEMENT - ESTIMATE OF SAVINGS**

*New tax abatement percentages have been changed to reflect change in state law

Chuck Bivens Services Inc./States Engineering Inc.

REAL PROPERTY TAX ABATEMENT - 7 yr Schedule

Year	Cash Value	True Tax Value	Assessed Value	Abatement %	Tax Tax Paid		Deduction	Taxable AV	Tax Rate	Tax Paid	Tax Saved
					%	%					
1	\$363,395	\$363,395	\$363,395	100%	0%	\$0	\$363,395	0.028326	\$0	\$10,294	
2	\$363,395	\$363,395	\$363,395	85%	15%	\$54,509	\$308,886	0.028326	\$1,544	\$8,749	
3	\$363,395	\$363,395	\$363,395	71%	29%	\$258,010	\$258,010	0.028326	\$2,985	\$7,308	
4	\$363,395	\$363,395	\$363,395	57%	35%	\$207,135	\$127,188	0.028326	\$3,603	\$5,867	
5	\$363,395	\$363,395	\$363,395	43%	43%	\$156,260	\$156,260	0.028326	\$4,426	\$4,426	
6	\$363,395	\$363,395	\$363,395	29%	71%	\$105,385	\$258,010	0.028326	\$7,308	\$2,985	
7	\$363,395	\$363,395	\$363,395	14%	86%	\$50,875	\$312,520	0.028326	\$8,852	\$1,441	
8	\$363,395	\$363,395	\$363,395	0%	100%	\$0	\$363,395	0.028326	\$10,294	\$0	
										\$41,071	
TOTAL TAX SAVED REAL PROPERTY (7 yrs on 7 yr deduction)											\$39,012
TOTAL TAX PAID REAL PROPERTY (7 yrs on 7 yr deduction)											

NOTE: Above calculations assume a constant tax rate over the abatement period. Time value of money is not considered

Personal Property Abatements

Tax Abatement Review System

Chuck Bivens Services Inc./States Engineering Inc.

	Points Possible	Points Awarded
INVESTMENT (30 points possible)		
Total new investment in equipment		
Over \$5,000,000	10	
\$1,000,000 to \$4,999,999	8	
\$500,000 to \$999,999	6	
\$0 to \$499,999	4	4
Investment per employee (both jobs created and retained)		
\$35,000 or more	10	
\$18,500 to \$34,999	8	8
\$6,250 to \$18,499	6	
\$1,250 to \$6,249	4	
less than \$1,249	2	
Estimated local income taxes generated from jobs retained		
\$80,000 or more	5	
\$30,000 to \$79,999	4	
\$10,000 to \$29,999	3	3
\$5,000 to \$9,999	2	
less than \$5,000	1	
Estimated local income taxes generated from jobs created (Double points for start-up)		
\$30,000 or more	5	
\$10,000 to \$29,999	4	
\$5,000 to \$9,999	3	
\$3,000 to \$4,999	2	
less than \$3,000	1	1
ECONOMIC BASE (20 points possible)		
Location Quotient in designated Occupation Code (use majority Occupation Code of all created and retained jobs)		
Greater than 1.0	5	
Estimated Percent of Business done outside Allen County		
Greater than 75%	15	15
50% to 74%	10	
25% to 49%	5	
JOBS (20 points possible)		
Total number of permanent jobs retained		
Over 250	10	
100 to 249	8	
50 to 99	6	
25 to 49	4	
10 to 24	2	2
1 to 9	1	
Total number of permanent jobs created (Double for start-up)		
Over 100	10	
50-99	8	
25-49	6	
10-24	4	
1 to 9	2	2
WAGES (20 points possible)		
Median salary of the jobs created and/or retained		
Over \$47,999	20	20
\$43,000 to \$47,999	16	
\$38,000 to \$42,999	12	
\$33,000 to 37,999	8	
\$28,000 to \$32,999	4	
under \$28,000	0	

BENEFITS (10 points possible)

Major Medical Plan	7	7
Pension, Tuition Reimbursement, Life Insurance, Dental Insurance, Disability Insurance,	3	3

SUSTAINABILITY

Construction uses green building techniques (ie LEED Certification)	5
Construction uses techniques to minimize impact on Combined Sewer Overflows (CSOs)	5

Total 65

Length of Abatement
20 to 39 points - 3 year abatement
40 to 59 points - 5 year abatement
60 to 69 points - 7 year abatement
70 to 100 points - 10 year abatement

* If average annual salary of the full-time jobs created by listed occupation is 10% or greater than the current average salary for Allen County and is eligible for a 7 or 10 year abatement, then the applicant is eligible for an alternate deduction schedule.

Personal Property Deduction Schedules	Alternative Deduction Personal Property Schedules
10 year	10 Year
Year 1: 100%	Year 1: 100%
Year 2: 90%	Year 2: 100%
Year 3: 80%	Year 3: 100%
Year 4: 70%	Year 4: 100%
Year 5: 60%	Year 5: 100%
Year 6: 50%	Year 6: 90%
Year 7: 40%	Year 7: 80%
Year 8: 30%	Year 8: 65%
Year 9: 20%	Year 9: 50%
Year 10: 10%	Year 10: 40%
Year 11: 0%	
7 year	7 Year
Year 1: 100%	Year 1: 100%
Year 2: 85%	Year 2: 100%
Year 3: 71%	Year 3: 100%
Year 4: 57%	Year 4: 100%
Year 5: 43%	Year 5: 100%
Year 6: 29%	Year 6: 71%
Year 7: 14%	Year 7: 43%
Year 8: 0%	
5 year	
Year 1: 100%	
Year 2: 80%	
Year 3: 60%	
Year 4: 40%	
Year 5: 20%	
Year 6: 0%	
3 year	
Year 1: 100%	
Year 2: 66%	
Year 3: 33%	
Year 4: 0%	

CITY OF FT. WAYNE

MAY 20 2024 *CH*

12/2019

COMMUNITY DEVELOPMENT



ECONOMIC REVITALIZATION AREA APPLICATION CITY OF FORT WAYNE, INDIANA

APPLICATION IS FOR: (Check appropriate box(es))

Real Estate Improvements

Personal Property Improvements

Vacant Commercial or Industrial Building

Total cost of real estate improvements: _____

Total cost of manufacturing equipment improvements: 363,395

Total cost of research and development equipment improvements: _____

Total cost of logistical distribution equipment improvements: _____

Total cost of information technology equipment improvements: _____

TOTAL OF ABOVE IMPROVEMENTS: 363,395

GENERAL INFORMATION

Real property taxpayer's name: Chuck Bivens Services Inc. d/b/a States Engineering

Personal property taxpayer's name: Chuck Bivens Services Inc. d/b/a States Engineering

Telephone number: 260-747-6195

Address listed on tax bill: 10216 Airport Drive, Fort Wayne, IN 46809

Name of company to be designated, if applicable: States Engineering

Year company was established: 1999

Address of property to be designated: 10216 Airport Drive, Fort Wayne, IN 46809

Real estate property identification number: 02-17-04-300-006.000-071

Contact person name: Crystal Herring

Contact person telephone number: 260-747-6195 Contact email: cherring@statesengineeringinc.com

Contact person address: 10216 Airport Drive, Fort Wayne, IN 46809

List company officer and/or principal operating personnel

NAME	TITLE	ADDRESS	PHONE NUMBER
Chuck Bivens	Owner / Manager	10413 North 200 E, Roanoke, IN 46783	260-341-5487
Crystal Herring	Owner / Office Manager	10396 S 500 W-90, Montpelier, IN 47359	260-341-3042
Nathan Bivens	Owner / Shop Supervisor	4041 West 1100 North, Huntington, IN 46750	260-341-1164

List all persons or firms having ownership interest in the applicant business and the percentage each holds:

NAME	PERCENTAGE
Chuck Bivens	60%
Crystal Herring	20%
Nathan Bivens	20%

- Yes No Are any elected officials shareholders or holders of any debt obligation of the applicant or operating business? If yes, who? (name/title) _____
- Yes No Is the property for which you are requesting ERA designation totally within the corporate limits of the City of Fort Wayne?
- Yes No Do you plan to request state or local assistance to finance public improvements?
- Yes No Is the property for which you are requesting ERA designation located in an Economic Development Target Area (EDTA)? (see attached map for current areas)
- Yes No Does the company's business include a retail component? If yes, answer the following questions:
 What percentage of floor space will be utilized for retail activities? _____
 What percentage of sales is made to the ultimate customer? _____
 What percentage of sales will be from service calls? _____

What is the percentage of clients/customers served that are located outside of Allen County? 92.7% customers / 76.8% vendors

What is the company's primary North American Industrial Classification Code (NAICs)? 333248

Describe the nature of the company's business, product, and/or service: manufacture of custom foundry equipment, steel fabrication waterjet cutting and machining of custom equipment.

Dollar amount of annual sales for the last three years:

Year	Annual Sales
2023	4,308,783
2022	3,624,311
2021	2,453,752

List the company's three largest customers, their locations and amount of annual gross sales:

Customer Name	City/State	Annual Gross Sales
Travis Pattern & Foundry	Spokane, WA	723,554.00
Nucor Fasteners	St. Joe, IN	420,948.00
Whitehall Products	Whitehall, MI	379,101.00

List the company's three largest material suppliers, their locations and amount of annual purchases:

Supplier Name	City/State	Annual Gross Purchases
Transmission & Fluid Equipment	Fort Wayne, IN	235,924.00
Alro Steel	Fort Wayne, IN	224,825.00
Carrier Vibrating Equipment	Louisville, KY	159,513.00

List the company's top three competitors:

Competitor Name	City/State
Summit Foundry Systems	New Haven, IN
Robert Sinto America	Grand Ledge, MI
Equipment Manufactures Int'l	Cleveland, OH

Describe the product or service to be produced or offered at the project site: Foundry equipment for green sand systems, custom made steel fabricated parts, waterjetted parts, machined custom parts.

Foundry equipment consists of Conveyors, Sand Aerators, Hoppers, Bucket Elevators, Storage Bins, Rotary Screens, Trenchveyors, Mold Handling lines, Ringmullors.

In order to be considered an Economic Revitalization Area (ERA), the area must be within the corporate limits of the City of Fort Wayne and must have become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent a normal development of property or use of property. It also includes any area where a facility or group of facilities that are technologically, economically, or energy obsolete is located and where the obsolescence may lead to a decline in employment and tax revenues.

How does the property for which you are requesting designation meet the above definition of an ERA?

In order to continue to meet customer demand and pursue additional business new equipment is required

REAL PROPERTY INFORMATION

Complete this section of the application if you are requesting a deduction from assessed value for real property improvements.

Describe any structure(s) that is/are currently on the property: _____

Describe the condition of the structure(s) listed above: _____

Describe the improvements to be made to the property to be designated for tax phase-in purposes: _____

Projected construction start (month/year): _____

Projected construction completion (month/year): _____

Yes No Will construction result in Leadership in Energy and Environmental Design (LEED) certification by the U.S. Green Building Council?

Yes No Will construction use techniques to minimize impact on combined sewer overflows? (i.e. rain gardens, bio swales, etc.)

This project will adhere to all applicable federal, state, and municipal statutes, regulations, ordinances and codes, including but not limited to all Indiana and Allen County Building Codes and the Allen County Zoning Ordinance. Adherence to all applicable federal, state, and municipal statutes, regulations, ordinances and codes will be maintained throughout all design, permitting, contractor licensure, and construction phases of the Property owner's project. Said adherence shall be attested to on the initial tax phase-in application and each annual Compliance with Statement of Benefits Form.

PERSONAL PROPERTY INFORMATION

Complete this section of the application if you are requesting a deduction from assessed value of new manufacturing, research and development, logistical distribution or information technology equipment.

List below the equipment for which you are seeking an economic revitalization area designation.

Manufacturing equipment must be used in the direct production, manufacture, fabrication, assembly, extraction, mining, processing, refining, or finishing of other tangible personal property at the site to be designated. Research and development equipment consists of laboratory equipment, research and development equipment, computers and computer software, telecommunications equipment or testing equipment used in research and development activities devoted directly and exclusively to experimental or laboratory research and development for new products, new uses of existing products, or improving or testing existing products at the site to be designated. Logistical distribution equipment consists of racking equipment, scanning or coding equipment, separators, conveyors, fork lifts or lifting equipment, transitional moving equipment, packaging equipment, sorting and picking equipment, software for technology used in logistical distribution, is used for the storage or distribution of goods, services, or information. Information technology equipment consists of equipment, including software used in the fields of information processing, office automation, telecommunication facilities and networks, informatics, network administration, software development and fiber optics: (use additional sheets, if necessary)

- _____ Cosen Model V-2026NC Band saw with 90 degree left & right vises
- _____ Bescutter Fly speed, 5' x 10' pallet shuttle table with 12kw laser, 6 core dust collector and nesting software.
- _____
- _____
- _____

Yes No Has the above equipment for which you are seeking a designation, ever before been used for any purpose in Indiana? If yes, was the equipment acquired at an arms length transaction from an entity not affiliated with the applicant? Yes No

Yes No Will the equipment be leased?
Date first piece of equipment will be purchased (month/year): May 2024
Date last piece of equipment will be installed (month/year): December 2024

Please provide the depreciation schedule term for equipment under consideration for personal property tax phase-in:
7 years

ELIGIBLE VACANT BUILDING INFORMATION

Complete this section of the application if you are requesting a deduction from the current assessed value of a vacant building

Yes No Has the building for which you are seeking designation for tax phase-in been unoccupied for at least one year? Please provide evidence of occupation. (i.e. certificate of occupancy, paid utility receipts, executed lease agreements)

What year was the structure built? _____

Describe any structure(s) that is/are currently on the property: _____

Describe the condition of the structure(s) listed above: _____

Projected occupancy date (month/year): _____

Describe the efforts of the owner or previous owner in regards to selling, leasing or renting the eligible vacant building during the period the eligible vacant building was unoccupied including how much the building was offered for sale, lease, or rent by the owner or a previous owner during the period the eligible vacant building was unoccupied.

This project will adhere to all applicable federal, state, and municipal statutes, regulations, ordinances and codes, including but not limited to all Indiana and Allen County Building Codes and the Allen County Zoning Ordinance. Adherence to all applicable federal, state, and municipal statutes, regulations, ordinances and codes will be maintained throughout all design, permitting, contractor licensure, and construction phases of the Property owner’s project. Said adherence shall be attested to on the initial tax phase-in application and each annual Compliance with Statement of Benefits Form.

PUBLIC BENEFIT INFORMATION

EMPLOYMENT INFORMATION FOR FACILITY TO BE DESIGNATED

ESTIMATE OF EMPLOYEES AND PAYROLL FOR FORT WAYNE
FACILITY REQUESTING ECONOMIC REVITALIZATION AREA DESIGNATION

Please be specific on job descriptions. When listing the occupation codes, please avoid using the "Major Occupational Groupings" (i.e. 11-000, 13-000, 15-000, etc.) which are more general in nature. Instead, use specific occupation codes (i.e. 11-1021, 13-1081, 15-2041 etc) for each created and retained job. To fill out information on occupation and occupation code, use data available through Occupation Employment Statistics for Fort Wayne

http://www.bls.gov/oes/current/oes_23060.htm

Any information concerning the cost of the property and specific salaries paid to individual employees is confidential per Indiana Code (I.C. 6-1.1-12.1-5.1)

Current Full-Time Employment

Occupation	Occupation Code	Number of Jobs	Total Payroll
see list attached	Exhibit B		

Retained Full-Time Employment

Occupation	Occupation Code	Number of Jobs	Total Payroll
same as list attached	Exhibit B		

Additional Full-Time Employment

Occupation	Occupation Code	Number of Jobs	Total Payroll
machine operator	51-4031	1	██████

PUBLIC BENEFIT INFORMATION

Current Part-Time or Temporary Jobs

Occupation	Occupation Code	Number of Jobs	Total Payroll
51-4121	welder / fitter	1	████████

Retained Part-Time or Temporary Jobs

Occupation	Occupation Code	Number of Jobs	Total Payroll
51-4121	welder / fitter	1	████████

Additional Part-Time or Temporary Jobs

Occupation	Occupation Code	Number of Jobs	Total Payroll
material prep	51-4193	1	████████

Check the boxes below if the existing jobs and the jobs to be created will provide the listed benefits:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Pension Plan | <input checked="" type="checkbox"/> Major Medical Plan | <input type="checkbox"/> Disability Insurance |
| <input checked="" type="checkbox"/> Tuition Reimbursement | <input checked="" type="checkbox"/> Life Insurance | <input checked="" type="checkbox"/> Dental Insurance |

List any benefits not mentioned above: vacation / sick pay / vision benefits / 3% safe harbor match

When will you reach the levels of employment shown above? (month/year): December 2024

REQUIRED ATTACHMENTS

The following must be attached to the application.


1. **Statement of Benefits Form(s) (first page/front side completed)**
2. **Full legal description of property and a plat map identifying the property boundaries. (Property tax bill legal descriptions are not sufficient.) Should be marked as Exhibit A.**
3. **Check for non-refundable application fee made payable to the City of Fort Wayne.**

ERA filing fee (either real or personal property improvements)	.1% of total project cost not to exceed \$1,000
ERA filing fee (both real and personal property improvements)	.1% of total project cost not to exceed \$1,500
ERA filing fee (vacant commercial or industrial building)	\$500
ERA filing fee in an EDTA	\$200
Amendment to extend designation period	\$300
Waiver of non-compliance with ERA filing	\$1,000 + ERA filing fee
4. **Owner's Certificate (if applicant is not the owner of property to be designated) Should be marked as Exhibit B if applicable.**

CERTIFICATION

I, as the legal taxpayer and/or owner, hereby certify that all information and representations made on this application and its attached exhibits are true and complete and that no Improvement Location Permit or Structural Permit have been filed for construction of improvements, the occupation of the vacant building has not taken place and no manufacturing, research and development, logistical distribution or information technology equipment which is a part of this application been purchased and installed as of the date of filing of this application. I also certify that the taxpayer is not delinquent on any and all property tax due to taxing jurisdictions within Allen County, Indiana. I understand that any incorrect information on this application may result in a rescission of any tax phase-ins which I may receive.

I understand that I must file a correctly completed Compliance with Statement of Benefits Form (CF-1/Real Property for real property improvements, CF-1/PP for personal property improvements, and CF-1/VBD for vacant building deduction) and the Public Benefit Annual Update with the City of Fort Wayne Community Development Division in each year in which I receive a deduction. Further the CF-1/PP form must be filed with the county assessor and the CF-1/Real Property and CF-1/VBD must be filed with the county auditor. Failure to file the CF-1 form with these agencies may result in a rescission of any tax phase-in occurring as a result of this application.


 Signature of Taxpayer/Owner

CRYSTAL HERRING - manager / owner
 Printed Name and Title of Applicant

5/20/24
 Date

Return completed application to Community Development staff at 200 E. Berry Street Suite 320 Fort Wayne, IN 46802

Exhibit B

Current Full Time Employment

Occupation	Occupation code	# of jobs	total payroll
President	11-1011	1	[REDACTED]
shop supervisor	11-3051	1	[REDACTED]
office manager	11-1021	1	[REDACTED]
office assitant	43-9199	2	99,000
machinist	51-4041	1	[REDACTED]
welder / fitter	51-4121	2	104,000
electrical eng	17-2071	1	[REDACTED]
mechical eng	17-2140	2	150,000
general labor	51-4192	1	[REDACTED]
material prep	51-4193	1	[REDACTED]
		13	843,500

Retained Full Time Employment

Occupation	Occupation code	# of jobs	total payroll
President	11-1011	1	[REDACTED]
shop supervisor	11-3051	1	[REDACTED]
office manager	11-1021	1	[REDACTED]
office assitant	43-9199	2	99,000
machinist	51-4041	1	[REDACTED]
welder / fitter	51-4121	2	104,000
electrical eng	17-2071	1	[REDACTED]
mechical eng	17-2140	2	150,000
general labor	51-4192	1	[REDACTED]
material prep	51-4193	1	[REDACTED]
		13	843,500



STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51784 (R5 / 1-21)
Prescribed by the Department of Local Government Finance

CITY OF FT. WAYNE

MAY 20 2024
CR1

COMMUNITY DEVELOPMENT

FORM SB-1 / PP

PRIVACY NOTICE

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

INSTRUCTIONS:

- This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction.
- The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.
- To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between January 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between January 1 and the extended due date of that year.
- Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
- For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)

SECTION 1 TAXPAYER INFORMATION										
Name of taxpayer Chuck Bivens Services Inc. d/b/a States Engineering					Name of contact person Crystal Herring					
Address of taxpayer (number and street, city, state, and ZIP code) 10216 Airport Drive, Fort Wayne, IN 46809							Telephone number (260) 747-6195			
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT										
Name of designating body Fort Wayne Common Council							Resolution number (s)			
Location of property 10216 Airport Drive, Fort Wayne, IN 46809					County Allen		DLGF taxing district number 071			
Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment. (Use additional sheets if necessary.) Cosen model V-2026NC Band Saw with 90 degree left & right vises Bescutter fly speed 5' x 10' pallet shuttle table with 12 KW laser (6 core dust collector) with nesting software.					ESTIMATED					
							START DATE		COMPLETION DATE	
					Manufacturing Equipment		05/20/2024		12/31/2024	
					R & D Equipment					
					Logist Dist Equipment					
IT Equipment										
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT										
Current Number 14	Salaries 870,000	Number Retained 14	Salaries 870,000	Number Additional 1.5	Salaries 75,000					
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT										
NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.		MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT		
		COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	
Current values		346,895								
Plus estimated values of proposed project		20,000								
Less values of any property being replaced		3,500								
Net estimated values upon completion of project		363,395								
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER										
Estimated solid waste converted (pounds) n/a					Estimated hazardous waste converted (pounds) n/a					
Other benefits: this equipment would allow us to be more efficient when producing product and possibility of new potential clients and industries to services										
SECTION 6 TAXPAYER CERTIFICATION										
I hereby certify that the representations in this statement are true.										
Signature of authorized representative <i>Crystal Herring</i>							Date signed (month/day/year) 5/20/24			
Printed name of authorized representative CRYSTAL HERRING					Title Office Manager					

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

A. The designated area has been limited to a period of time not to exceed — calendar years * (see below). The date this designation expires is December 31, 2026. NOTE: This question addresses whether the resolution contains an expiration date for the designated area.

B. The type of deduction that is allowed in the designated area is limited to:

1. Installation of new manufacturing equipment;	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18 Check box if an enhanced abatement was approved for one or more of these types.
2. Installation of new research and development equipment;	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
3. Installation of new logistical distribution equipment.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
4. Installation of new information technology equipment;	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

C. The amount of deduction applicable to new manufacturing equipment is limited to \$ Unlimited cost with an assessed value of \$ Unlimited. (One or both lines may be filled out to establish a limit, if desired.)

D. The amount of deduction applicable to new research and development equipment is limited to \$ N/A cost with an assessed value of \$ N/A. (One or both lines may be filled out to establish a limit, if desired.)

E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ N/A cost with an assessed value of \$ N/A. (One or both lines may be filled out to establish a limit, if desired.)

F. The amount of deduction applicable to new information technology equipment is limited to \$ N/A cost with an assessed value of \$ N/A. (One or both lines may be filled out to establish a limit, if desired.)

G. Other limitations or conditions (specify) N/A

H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction is allowed for:

<input type="checkbox"/> Year 1	<input type="checkbox"/> Year 2	<input type="checkbox"/> Year 3	<input type="checkbox"/> Year 4	<input type="checkbox"/> Year 5	<input type="checkbox"/> Enhanced Abatement per IC 6-1.1-12.1-18 Number of years approved: _____ (Enter one to twenty (1-20) years; may not exceed twenty (20) years.)
<input type="checkbox"/> Year 6	<input checked="" type="checkbox"/> Year 7	<input type="checkbox"/> Year 8	<input type="checkbox"/> Year 9	<input type="checkbox"/> Year 10	

I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? Yes No
If yes, attach a copy of the abatement schedule to this form.
If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved by: (signature and title of authorized member of designating body) <u>Roth Borker</u>	Telephone number <u>(260) 427-2977</u>	Date signed (month, day, year) <u>06/11/2024</u>
Printed name of authorized member of designating body <u>ROTH BORKER</u>	Name of designating body <u>CITY COUNCIL</u>	
Attested by: (signature and title of attester) <u>Jacquelyn Mann Admin Assistant</u>	Printed name of attester <u>JACQUELYN MANN</u>	
* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.		

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. Except as provided in IC 6-1.1-12.1-18, an abatement schedule may not exceed ten (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

Exhibit A

CASE No. 03 001881

EXHIBIT A - LEGAL DESCRIPTION

PARCEL I:

Part of the West Half of the Southwest Quarter of Section 4, Township 29 North, Range 12 East, Allen County, Indiana, in particular described as follows, to-wit:

To arrive at the Point of Beginning, COMMENCE at a P.K. nail set at the Southeast corner of the tract aforesaid; thence South 88 degrees 20 minutes 00 seconds West along the South line of the tract aforesaid, a distance of 580.80 feet to a set P.K. nail; thence North 01 degrees 40 minutes 00 seconds West, a distance of 433.10 feet to a one-half inch diameter steel pin found at the Point of Beginning; thence North 01 degrees 49 minutes 24 seconds West, a distance of 226.54 feet to the Southerly right-of-way line of "C" Street as designated on the plat of Baer Field (now known as Piper Drive); thence North 88 degrees 20 minutes 24 seconds East along said Southerly right-of-way line of Piper Drive, a distance of 520.42 feet to a 5/8 inch diameter steel pin set with D&A Firm No. 0026 identification cap; thence South 01 degrees 24 minutes 55 seconds East, a distance of 226.48 feet to a found one-half inch diameter steel pin; thence South 88 degrees 20 minutes 00 seconds West, a distance of 518.80 feet to the Point of Beginning, containing 2.70 acres, more or less.

PARCEL II:

A non-exclusive ingress and egress easement for the benefit of Parcel I over and across the following described real estate as created by Grant of Ingress and Egress easement recorded March 5, 2 003 as Document Number 203023414 described as follows:

The East 50 feet of the North 40 feet of the following described parcel:

Part of the West one-half of the Southwest Quarter of Section 4, Township 29 North, Range 12 East, in Allen County, Indiana, in particular described as follows, to-wit:

COMMENCE on the South line of said Quarter Section at a point situated 65.0 feet, South 88 degrees 20 minutes West of the Southeast corner of the West one-half of said Quarter Section; thence South 88 degrees 20 minutes West, a distance of 350.8 feet; thence Northerly by a deflection right of 89 degrees 50 minutes along the East line of 1.20 acres conveyed to Lawrence H. Lee by Deed recorded in Document Number 86-39407, a distance of 433.1 feet; thence North 88 degrees 20 minutes East, and parallel to the South line of said Quarter Section, a distance of 353.8 feet to a point situated 65.0 feet West of the East line of the West one-half of the Southwest Quarter of said Section 4; thence South and parallel to the line aforesaid, a distance of 433.1 feet to the Point of Beginning, containing 3.502 acres, more or less.

EXCEPTING THEREFROM the East 10 feet thereof conveyed to the City of Fort Wayne, for street, sidewalk and utility purposes as taken in Instrument Number 72 - 02418

**A CONFIRMING RESOLUTION designating an
“Economic Revitalization Area” under I.C. 6-1.1-
12.1 for property commonly known as 10216
Airport Drive, Fort Wayne, Indiana 46809 (Chuck
Bivens Services Inc./States Engineering Inc.)**

WHEREAS, Common Council has previously designated and declared by Declaratory Resolution the following described properties 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 one full-time permanent job and one part-time job with a total created annual payroll of \$75,000, and retain 12 full-time, permanent jobs and one part-time job with a total retained annual payroll of \$870,000, the average retained full-time annual job salary being \$64,884; and

WHEREAS, the total estimated project cost is \$363,395; and

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

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

**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, 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 equipment improvements to be made between May 20, 2024 and December 31, 2024. 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 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 installation 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 new manufacturing equipment is not installed, the approximate current year tax rates for this site would be \$2.8326/\$100.

- (b) If the proposed new manufacturing equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.8326/\$100 (the change would be negligible).
- (c) If the proposed 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 \$2.8326/\$100 (the change would be negligible).

SECTION 6. Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from the assessed value of the new manufacturing and information technology equipment shall be for a period of seven years.

SECTION 7. The deduction schedule from the assessed value of new manufacturing 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%
7	14%
8	0%

SECTION 8. 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 9. For new manufacturing 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 subsequent years, the performance report must be updated and submitted along with the deduction application at the time of filing.

SECTION 10. The performance report must contain the following information

- (a) The cost and description of real property improvements and/or new manufacturing equipment acquired.
- (b) The number of employees hired through the end of the preceding calendar year as a result of the deduction.
- (c) The total salaries of the employees 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 and/or personal property deductions.
- (f) The tax savings resulting from the real and/or personal 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 said 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 AND LEGALITY

Malak Heiny, City Attorney

BILL NO. R-24-06-12

REPORT OF COMMITTEE ON FINANCE

June 11, 2024

Rohli Booker Chair

Marty Bender Co-Chair

All Council Members

A Declaratory Resolution designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 10216 Airport Drive Fort Wayne, IN 46809 (*Chuck Bivens Services Inc./States Engineering Inc.*)

COMMITTEE ON FINANCE 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>
<u>BENDER</u>	_____	_____	_____
<u>BOOKER</u>	<u>TENWORM</u>	_____	_____
<u>CHAMBERS</u>	<u>[Signature]</u>	_____	_____
<u>ENSLEY</u>	_____	<u>[Signature]</u>	_____
<u>FREISTROFFER</u>	<u>[Signature]</u>	_____	_____
<u>HARTMAN</u>	<u>[Signature]</u>	_____	_____
<u>JEHL</u>	_____	_____	_____
<u>MYERS</u>	<u>[Signature]</u>	_____	_____
<u>PADDOCK</u>	<u>[Signature]</u>	_____	_____

**STACY REED
DEPUTY CITY CLERK**

[Signature]