

A RESOLUTION determining SUBSTANTIAL COMPLIANCE OR NON-COMPLIANCE with Statement of Benefits (CF-1) form filing for 2024 for Hoffmaster Group, Inc. for property at 7310 Innovation Boulevard, Fort Wayne, IN 46818 under Confirming Resolution R-112-18 with an “Economic Revitalization Area” approved under I.C. 6-1.1-12.1

WHEREAS, Common Council has previously designated and declared by Declaratory Resolution and Confirming Resolution with approved Statement of Benefits (hereinafter “SB-1”) forms, certain property for Hoffmaster Group, Inc. 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; and

WHEREAS, property owners whose SB-1 form was approved after July 1, 1991 who file a deduction application under Sections 3 and 4.5 of I.C. 6-1.1-12.1 and Section 153.21 of the Municipal Code of the City of Fort Wayne, Indiana, must file a Compliance with Statement of Benefits Form (hereinafter “CF-1”) with the City of Fort Wayne and in some cases either the Allen County Auditor, the Allen County Assessor, or both, showing information on the extent to which there has been compliance with the approved SB-1 form for the project; and

WHEREAS, Hoffmaster Group, Inc. has filed CF-1 forms with the City of Fort Wayne and the Allen County Assessor; and

WHEREAS, Hoffmaster Group, Inc.’s approved SB-1 form stated that 98 full-time jobs would be retained and 156 full-time jobs created by February 28, 2021; and

WHEREAS, Hoffmaster Group, Inc.’s approved SB-1 form stated \$3,023,216 in annual payroll would be retained for the 98 full-time retained jobs and \$4,873,560 in annual payroll created for the 156 full-time jobs to be created; and

WHEREAS, Hoffmaster Group, Inc.’s 2024 CF-1 form filing stated that 67 full-time jobs have been retained and zero full-time jobs have been created; and

WHEREAS, Hoffmaster Group, Inc.’s 2024 CF-1 form filing stated \$3,445,350 in annual payroll for the 67 full-time jobs retained and no annual payroll for the zero full-time jobs created; and

WHEREAS, Common Council designated the City of Fort Wayne Community Development Division as the entity for the administration, application, processing and monitoring of Economic Revitalization Areas under Section 153.13 of the Municipal Code of the City of Fort Wayne; and

1 **WHEREAS**, Common Council has defined substantial compliance under Section
2 153.21 of the Municipal Code of the City of Fort Wayne as:

- 3 1. Meeting 75% or more of the numbers of full-time and/or part-time jobs stated
4 to be created or retained as delineated in the original Statement of Benefits
5 Form (SB-1) approved by Common Council; and
- 6 2. Meeting 75% or more of the total payroll stated to be created or retained as
7 delineated in the original Statement of Benefits Form (SB-1) approved by
8 Common Council; and

9 **WHEREAS**, meeting 75% of the 98 full-time jobs to be retained and 156 full-time
10 jobs to be created means retaining 73 full-time jobs and creating 117 full-time jobs; and

11 **WHEREAS**, meeting 75% of the \$3,023,216 retained annual payroll means
12 \$2,267,412 in retained annual payroll and 75% of the \$4,873,560 in created annual payroll
13 means \$3,655,170 in created annual payroll; and

14 **WHEREAS**, Common Council will determine no later than forty-five (45) days after
15 receipt of the CF-1 form that an approved business has either failed to substantially
16 comply or has substantially complied with the original SB-1 form approved by Common
17 Council; and

18 **WHEREAS**, Common Council made a determination on June 25, 2024 that
19 Hoffmaster Group, Inc. was not in substantial compliance as a result of its failure to retain
20 at least 73 full-time jobs with a retained annual payroll of at least \$2,267,412 and create
21 at least 117 new full-time jobs with at least \$3,655,170 in created annual payroll; and

22 **WHEREAS**, Council directed the Community Development Division to mail written
23 notice to Hoffmaster Group, Inc. explaining the reasons for Council's determination and a
24 date, time, place of a hearing to be conducted by Council for the purpose of further
25 considering Hoffmaster Group, Inc.'s compliance with Statement of Benefits; and

26 **WHEREAS**, the aforementioned notice was properly prepared and served upon
27 Hoffmaster Group, Inc. to appear before Council on August 6, 2024 at 5:30pm in Room
28 030 at Citizen's Square 200 E. Berry Street Fort Wayne, IN; and

29 **WHEREAS**, Hoffmaster Group, Inc. [appeared/failed to appear] before Common
30 Council on August 6, 2024 to provide additional information concerning compliance.

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

SECTION 1. That, Common Council finds that the CF-1 form filed by Hoffmaster
Group, Inc. with an approved Economic Revitalization Area for 2024 is not in substantial
compliance pursuant to I.C. 6-1.1-12.1 and Section 153.21 of the Municipal Code of the
City of Fort Wayne for failure to retain 75% of the 98 full-time, or 73 full-time jobs, as stated

1 and create 75% of the 156 full-time jobs, or 117 full-time jobs, as stated and retain 75%
2 of the \$3,023,216, or \$2,267,412, in annual payroll or create 75% of the \$4,873,560, or
3 \$3,655,170, in annual payroll that was stated that would be generated by the created jobs.

4 ~~SECTION 2a. Hoffmaster Group, Inc. failed to appear and otherwise testify and
5 therefore Council confirms its determination of June 25, 2024 that Hoffmaster Group, Inc.
6 has failed to substantially comply pursuant to IC 6-1-1-12.1 and Section 159.21 of the
7 Municipal Code of the City of Fort Wayne as detailed in Section 1 above. Council therefore
8 finds that Hoffmaster Group, Inc. has failed to substantially comply and said failure was
9 not caused by factors outside of Hoffmaster Group, Inc.'s control. As a result of said
10 failure, Hoffmaster Group, Inc.'s deduction/abatement under R-112-18 is hereby
11 terminated.~~

12 ~~SECTION 2b. That Hoffmaster Group, Inc. appeared and testified at the hearing
13 and from its testimony it was determined that notwithstanding Hoffmaster Group, Inc.'s
14 failure to substantially comply as detailed in Section 1 above that Hoffmaster Group, Inc.
15 did make reasonable efforts to substantially comply with the statement of benefits and
16 Hoffmaster Group, Inc.'s failure to substantially comply was caused by factors beyond the
17 control of Hoffmaster Group, Inc. Therefore, the continuation of Hoffmaster Group, Inc.'s
18 deduction/abatement under R-112-18 is hereby approved.~~

19 **SECTION 2c.** That Hoffmaster Group, Inc. appeared and testified at the hearing
20 and from its testimony it was determined in addition to Hoffmaster Group, Inc.'s failure to
21 substantially comply as detailed in Section 1 above, that Hoffmaster Group, Inc. did not
22 make reasonable efforts to substantially comply with the statement of benefits and
23 Hoffmaster Group, Inc.'s failure to substantially comply was not caused by factors beyond
24 the control of Hoffmaster Group, Inc. As a result of said failure, Hoffmaster Group, Inc.'s
25 deduction/abatement under R-112-18 is hereby terminated.

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

28 
29 Member of Council

30 APPROVED AS TO FORM A LEGALITY


Malak Heiny, City Attorney

DIGEST SHEET

TITLE OF ORDINANCE: **Resolution Confirming Substantial Compliance or Non-Compliance with a Statement of Benefits (SB-1) for 2024**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **This resolution confirms that Compliance with Statement of Benefits (CF-1) Form filings made by Hoffmaster Group, Inc. in May 2024 with an approved economic revitalization area are either in substantial compliance or non-compliance pursuant to both Council policy and Indiana law.**

EFFECT OF PASSAGE: **Potential retention or loss of economic revitalization area deduction (property tax abatement/phase-in).**

EFFECT OF NON-PASSAGE:

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

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

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

RESOLUTION NO. R-24-07-11

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON AUGUST 6, 2024, AT 5:30 P.M., IN ROOM 035 – COUNCIL COURTROOM – GARDEN LEVEL CITIZENS SQUARE, 200 E. BERRY, FORT WAYNE, INDIANA 46802; DETERMINING SUBSTANTIAL COMPLIANCE OR NON-COMPLIANCE WITH STATEMENT OF BENEFITS (CF-1) APPROVED UNDER R-112-18 FOR A PROPERTY COMMONLY KNOWN AS:

7310 Innovation Boulevard, Fort Wayne, IN 46818 (Hoffmaster Group, Inc.)

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: 2zk5cHwpzHc1diZ9WEcG | **Proof Updated: Jul. 24, 2024 at 09:07am EDT**
Notice Name: R-24-07-11

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

Iliana Phillips
iliana.phillips@cityoffortwayne.org
(260) 427-1221

FILING FOR

Journal Gazette

Columns Wide: 1

Ad Class: Legals

07/26/2024: Government Notice 22.53

Subtotal	\$22.53
Tax %	0
Processing Fee	\$0.00
Total	\$22.53

See Proof on Next Page

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LANA R. KEESLING
CITY CLERK

7--26 hspaxlp

The Journal Gazette

Allen County, Indiana

Account Name
Gov: Fort Wayne City Clerk's Office
Notice ID: 2zk5cHwpzHc1diZ9WEcG

PUBLISHER'S CLAIM

ATTACH COPY OF ADVERTISEMENT

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 44

COMPUTATION OF CHARGES

44 lines, 1 column(s) wide equal:
44 equivalent lines at \$ 0.5120 cents per line \$22.53

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

Electronic processing fee \$0.00

TOTAL AMOUNT OF CLAIM \$22.53

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:

7/26/24 _____ _____
_____ _____ _____

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: 7/26/2024


Legal Clerk

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LANA R. KEESLING
CITY CLERK

7--26 hspaxlp

BILL NO. R-24-07-11

REPORT OF COMMITTEE ON FINANCE

August 6, 2024

Marty Bender Chair

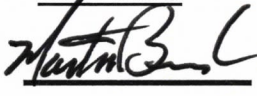
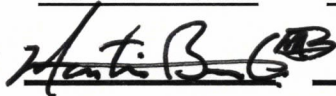




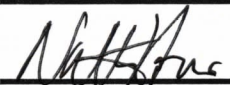
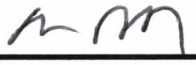
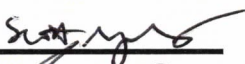

Rohli Booker Co-Chair

All Council Members

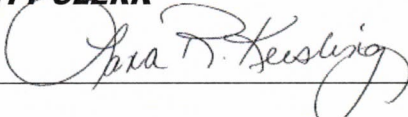
A Resolution determining Substantial Compliance or Non-Compliance with Statement of Benefits (CF-1) form filing for 2024 for Hoffmaster Group, Inc. for property at 7310 Innovation Boulevard, Fort Wayne, IN 46818 under Confirming Resolution R-112-18 with an "Economic Revitalization Area" approved under I.C. 6-1.1-12.1

Z C

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>CHAMBERS</u>			
<u>ENSLEY</u>			
<u>FREISTROFFER</u>			
<u>HARTMAN</u>			
<u>JEHL</u>			
<u>MYERS</u>			
<u>PADDOCK</u>			

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: 8/6/2024


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

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

Read the third time in full and on motion by Councilperson Bender, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
BENDER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BOOKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHAMBERS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HARTMAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MYERS	<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"/>

DATED: August 13, 2024



 LANA R. KEESLING, CITY CLERK

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

Resolution No. R-24-07-11 on the 13th day of August, 2024

ATTEST:

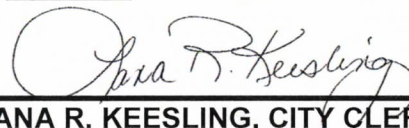


 LANA R. KEESLING
 CITY CLERK



 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th of August 2024, at the hour of 2:10 o'clock P M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 15th day of August 2024, at the hour of 11:47 o'clock A.M. E.S.T.



 SHARON TUCKER, MAYOR

