

3 **A RESOLUTION determining SUBSTANTIAL**  
4 **COMPLIANCE OR NON-COMPLIANCE with Statement**  
5 **of Benefits (CF-1) form filing for 2024 for Paul Walters,**  
6 **LLC/Paul A. Walters for property at 4725 Arden Drive,**  
7 **Fort Wayne, IN 46804 under Confirming Resolution R-**  
8 **60-17 with an “Economic Revitalization Area”**  
9 **approved under I.C. 6-1.1-12.1**

10 **WHEREAS**, Common Council has previously designated and declared by  
11 Declaratory Resolution and Confirming Resolution with approved Statement of Benefits  
12 (hereinafter “SB-1”) forms, certain property for Paul Walters, LLC/Paul A. Walters as an  
13 “Economic Revitalization Area” under Sections 153.13-153.24 of the Municipal Code of  
14 the City of Fort Wayne, Indiana, and I.C. 6-1.1-12.1; and

15 **WHEREAS**, property owners whose SB-1 form was approved after July 1, 1991  
16 who file a deduction application under Sections 3 and 4.5 of I.C. 6-1.1-12.1 and Section  
17 153.21 of the Municipal Code of the City of Fort Wayne, Indiana, must file a Compliance  
18 with Statement of Benefits Form (hereinafter “CF-1”) with the City of Fort Wayne and in  
19 some cases either the Allen County Auditor, the Allen County Assessor, or both, showing  
20 information on the extent to which there has been compliance with the approved SB-1  
21 form for the project; and

22 **WHEREAS**, Paul Walters, LLC/Paul A. Walters has filed CF-1 forms with the City  
23 of Fort Wayne, Allen County Auditor and the Allen County Assessor; and

24 **WHEREAS**, Paul Walters, LLC/Paul A. Walters’s approved SB-1 form stated that  
25 four (4) full-time jobs would be retained, six (6) full-time jobs and one (1) part-time job  
26 created by June 30, 2020; and

27 **WHEREAS**, Paul Walters, LLC/Paul A. Walters’s approved SB-1 form stated  
28 \$230,200 in annual payroll would be retained for the four (4) full-time retained jobs and  
29 \$174,800 in annual payroll created for the six (6) full-time jobs and one (1) part-time to be  
30 created; and

**WHEREAS**, Paul Walters, LLC/Paul A. Walters’s 2024 CF-1 form filing stated that  
four (4) full-time jobs have been retained and two (2) full-time jobs have been created;  
and

**WHEREAS**, Paul Walters, LLC/Paul A. Walters’s 2024 CF-1 form filing stated  
\$251,000 in annual payroll for the four (4) full-time jobs retained and \$5,000 in annual  
payroll for the two (2) full-time jobs created; and

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

5                   **WHEREAS**, Common Council has defined substantial compliance under Section  
6 153.21 of the Municipal Code of the City of Fort Wayne as:

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

13                   **WHEREAS**, meeting 75% of the four (4) full-time jobs to be retained and seven  
14 (7) full-time jobs to be created means retaining three (3) full-time jobs and creating five  
15 (5) full-time jobs; and

16                   **WHEREAS**, meeting 75% of the \$230,200 retained annual payroll means  
17 \$172,650 in retained annual payroll and 75% of the \$174,800 in created annual payroll  
18 means \$131,100 in created annual payroll; and

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

23                   **WHEREAS**, Common Council made a determination on June 25, 2024 that Paul  
24 Walters, LLC/Paul A. Walters was not in substantial compliance as a result of its failure to  
25 retain at least three full-time jobs and at least \$230,220 in retained annual payroll and  
26 create at least four full-time jobs and at least \$131,100 in annual payroll created; and

27                   **WHEREAS**, Council directed the Community Development Division to mail written  
28 notice to Paul Walters, LLC/Paul A. Walters explaining the reasons for Council's  
29 determination and a date, time, place of a hearing to be conducted by Council for the  
30 purpose of further considering Paul Walters, LLC/Paul A. Walters's compliance with  
Statement of Benefits; and

**WHEREAS**, the aforementioned notice was properly prepared and served upon  
Paul Walters, LLC/Paul A. Walters to appear before Council on August 6, 2024 at 5:30pm  
in Room 030 at Citizen's Square 200 E. Berry Street Fort Wayne, IN; and

1                   **WHEREAS**, Paul Walters, LLC/Paul A. Walters [appeared/failed to appear] before  
2 Common Council on August 6, 2024 to provide additional information concerning  
3 compliance.

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

6                   **SECTION 1.** That, Common Council finds that the CF-1 form filed by Paul  
7 Walters, LLC/Paul A. Walters with an approved Economic Revitalization Area for 2024 is  
8 not in substantial compliance pursuant to I.C. 6-1.1-12.1 and Section 153.21 of the  
9 Municipal Code of the City of Fort Wayne for failure to create 75% of the \$174,800, or  
10 \$131,100, in annual payroll that was stated that would be generated by the created jobs.

11                   **SECTION 2a.** Paul Walters, LLC/Paul A. Walters failed to appear and otherwise  
12 testify and therefore Council confirms its determination of June 25, 2024 that Paul Walters,  
13 LLC/Paul A. Walters has failed to substantially comply pursuant to IC 6-1.1-12.1 and  
14 Section 153.21 of the Municipal Code of the City of Fort Wayne as detailed in Section 1  
15 above. Council therefore finds that Paul Walters, LLC/Paul A. Walters has failed to  
16 substantially comply and said failure was not caused by factors outside of Paul Walters,  
17 LLC/Paul A. Walters's control. As a result of said failure, Paul Walters, LLC/Paul A.  
18 Walters's deduction/abatement under R-60-17 is hereby terminated

19                   ~~**SECTION 2b.** That Paul Walters, LLC/Paul A. Walters appeared and testified at  
20 the hearing and from its testimony it was determined that notwithstanding Paul Walters,  
21 LLC/Paul A. Walters's failure to substantially comply as detailed in Section 1 above that  
22 Paul Walters, LLC/Paul A. Walters did make reasonable efforts to substantially comply  
23 with the statement of benefits and Paul Walters, LLC/Paul A. Walters's failure to  
24 substantially comply was caused by factors beyond the control of Paul Walters, LLC/Paul  
25 A. Walters Therefore, the continuation of Paul Walters, LLC/Paul A. Walters's  
26 deduction/abatement under R-60-17 is hereby approved.~~

27                   ~~**SECTION 2c.** That Paul Walters, LLC/Paul A. Walters appeared and testified at  
28 the hearing and from its testimony it was determined in addition to Paul Walters, LLC/Paul  
29 A. Walters's failure to substantially comply as detailed in Section 1 above, that Paul  
30 Walters, LLC/Paul A. Walters did not make reasonable efforts to substantially comply with  
the statement of benefits and Paul Walters, LLC/Paul A. Walters's failure to substantially  
comply was not caused by factors beyond the control of Paul Walters, LLC/Paul A.  
Walters. As a result of said failure, Paul Walters, LLC/Paul A. Walters's  
deduction/abatement under R-60-17 is hereby terminated.~~



Admn. Appr. \_\_\_\_\_

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 Paul Walters, LLC/Quality Engineering 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-24-07-15**

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-60-17 FOR A PROPERTY COMMONLY KNOWN AS:

**4725 Arden Drive, Fort Wayne, IN 46804 (Paul Walters, LLC/Paul A. Walters)**

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: NJrD6wYnZ6yV79ZfyWI | **Proof Updated: Jul. 24, 2024 at 09:11am EDT**  
Notice Name: R-24-07-15

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.

<b>FILER</b>	<b>FILING FOR</b>
Iliana Phillips	Journal Gazette
iliana.phillips@cityoffortwayne.org	
(260) 427-1221	

<b>Columns Wide:</b> 1	<b>Ad Class:</b> Legals
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07/26/2024: Government Notice	23.04
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Subtotal	\$23.04
Tax %	0
Processing Fee	\$0.00
<b>Total</b>	<b>\$23.04</b>

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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: NJrD6vwYnZ6yV79ZfyWl

### 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 45

#### COMPUTATION OF CHARGES

45 lines, 1 column(s) wide equal:  
45 equivalent lines at \$ 0.5120 cents per line \$23.04

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

Electronic processing fee \$0.00

TOTAL AMOUNT OF CLAIM \$23.04

#### 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-24-07-15**

**REPORT OF COMMITTEE ON FINANCE**

**August 6, 2024**

**Marty Bender Chair**

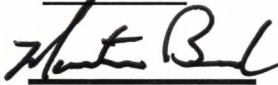

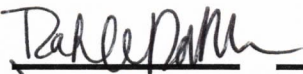



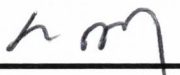
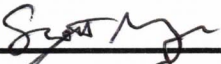
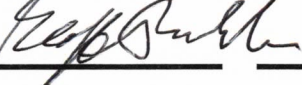
**Rohli Booker Co-Chair**

**All Council Members**

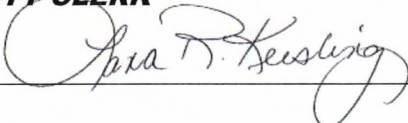
A Resolution determining Substantial Compliance or Non-Compliance with Statement of Benefits (CF-1) form filing for 2024 for Paul Walters, LLC/Paul A. Walters for property at 4725 Arden Drive, Fort Wayne, IN 46804 under Confirming Resolution R-60-17 with an "Economic Revitalization Area" approved under I.C. 6-1.1-12.1

**2 A**

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

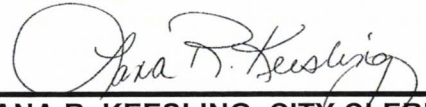
Resolution No. R-24-07-15 on the 13th day of August, 2024

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 11:48 o'clock A.M. E.S.T.

  
 \_\_\_\_\_  
 SHARON TUCKER, MAYOR

