

A RESOLUTION determining SUBSTANTIAL COMPLIANCE OR NON-COMPLIANCE with Statement of Benefits (CF-1) form filing for 2025 for ElringKlinger Manufacturing of Indiana, Inc. for property at 2677 Persistence Drive, Fort Wayne, IN 46808 under Confirming Resolution R-15-18 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 ElringKlinger Manufacturing of Indiana, 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, ElringKlinger Manufacturing of Indiana, Inc. has filed CF-1 forms with the City of Fort Wayne and the Allen County Assessor; and

WHEREAS, ElringKlinger Manufacturing of Indiana, Inc.’s approved SB-1 form stated that 86 full-time jobs would be created by May 31, 2020; and

WHEREAS, ElringKlinger Manufacturing of Indiana, Inc.’s approved SB-1 form stated \$3,612,439 in annual payroll for the 86 full-time created to be created; and

WHEREAS, ElringKlinger Manufacturing of Indiana, Inc.’s 2025 CF-1 form filing stated that 53 jobs have been created; and

WHEREAS, ElringKlinger Manufacturing of Indiana, Inc.’s 2025 CF-1 form filing stated \$3,332,231 in annual payroll for the 53 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 120 full-time jobs to be created means creating
10 90 full-time jobs; and

11 **WHEREAS**, meeting 75% of the \$3,612,439 in created annual payroll means
12 \$2,709,329 in retained annual payroll; and

13 **WHEREAS**, Common Council may determine no later than forty-five (45) days
14 after receipt of the CF-1 form that ElringKlinger Manufacturing of Indiana, Inc. has either
15 failed to substantially comply or has substantially complied with the original SB-1 form
16 approved by Common Council; and

17 **WHEREAS**, Common Council made a determination on June 24, 2025 that
18 ElringKlinger Manufacturing of Indiana, Inc. was not in substantial compliance as a
19 result of its failure to create at least 16 full-time jobs and \$2,709,329 in annual payroll,
20 and that the failure to substantially comply was not caused by factors beyond the control
21 of ElringKlinger Manufacturing of Indiana, Inc.; and

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

27 **WHEREAS**, the aforementioned notice was properly prepared and served upon
28 ElringKlinger Manufacturing of Indiana, Inc. to appear before Council on August 6, 2025
29 at 5:30pm in Room 030 at Citizen's Square 200 E. Berry Street Fort Wayne, IN; and

30 **WHEREAS**, ElringKlinger Manufacturing of Indiana, Inc. [appeared/failed to
appear] before Common Council on August 26, 2025 to provide additional information
concerning compliance.

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

1 **SECTION 1.** That, Common Council finds that the CF-1 form filed by
2 ElringKlinger Manufacturing of Indiana, Inc. with an approved Economic Revitalization
3 Area for 2025 is not in substantial compliance pursuant to I.C. 6-1.1-12.1 and Section
4 153.21 of the Municipal Code of the City of Fort Wayne for failure to create 75% of the
5 86 full-time, jobs stated and create 75% of the \$3,612,439 in annual payroll, that was
6 stated that would be generated by the created jobs.

7 ~~**SECTION 2a.** ElringKlinger Manufacturing of Indiana, Inc. failed to appear and
8 otherwise testify and therefore Council confirms its determination of June 25, 2025 that
9 ElringKlinger Manufacturing of Indiana, Inc. has failed to substantially comply pursuant
10 to IC 6-1.1-12.1 and Section 153.21 of the Municipal Code of the City of Fort Wayne as
11 detailed in Section 1 above. Council therefore finds that ElringKlinger Manufacturing of
12 Indiana, Inc. has failed to substantially comply and said failure was not caused by
13 factors outside of ElringKlinger Manufacturing of Indiana, Inc.'s control. As a result of
14 said failure, ElringKlinger Manufacturing of Indiana, Inc.'s deduction/abatement under R-
15 15-18 is hereby terminated.~~

16 ~~**SECTION 2b.** That ElringKlinger Manufacturing of Indiana, Inc. appeared and
17 testified at the hearing and from its testimony it was determined that notwithstanding
18 ElringKlinger Manufacturing of Indiana, Inc.'s failure to substantially comply as detailed
19 in Section 1 above that ElringKlinger Manufacturing of Indiana, Inc. did make reasonable
20 efforts to substantially comply with the statement of benefits and ElringKlinger
21 Manufacturing of Indiana, Inc.'s failure to substantially comply was caused by factors
22 beyond the control of ElringKlinger Manufacturing of Indiana, Inc. Therefore, the
23 continuation of ElringKlinger Manufacturing of Indiana, Inc.'s deduction/abatement under
24 R-15-18 is hereby approved.~~

25 **SECTION 2c.** That ElringKlinger Manufacturing of Indiana, Inc. appeared and
26 testified at the hearing and from its testimony it was determined in addition to
27 ElringKlinger Manufacturing of Indiana, Inc.'s failure to substantially comply as detailed
28 in Section 1 above, that ElringKlinger Manufacturing of Indiana, Inc. did not make
29 reasonable efforts to substantially comply with the statement of benefits and
30 ElringKlinger Manufacturing of Indiana, Inc.'s failure to substantially comply was not
caused by factors beyond the control of ElringKlinger Manufacturing of Indiana, Inc. As a
result of said failure, ElringKlinger Manufacturing of Indiana, Inc.'s deduction/abatement
under R-15-18 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 2025

DEPARTMENT REQUESTING ORDINANCE: Community Development Division

SYNOPSIS OF ORDINANCE: This resolution confirms that Compliance with Statement of Benefits (CF-1) Form filings made by ElringKlinger Manufacturing Indiana, Inc. in May 2025 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): Nathan Hartman & Geoff Paddock

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

RESOLUTION NO. R-25-08-13

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON AUGUST 26, 2025, 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-15-18 FOR A PROPERTY COMMONLY KNOWN AS:

**2677 Persistence Drive, Fort Wayne, IN 46808
(ElringKlinger Manufacturing of Indiana, Inc.)**

ALL INTERESTED PERSONS ARE INVITED TO ATTEND AND BE HEARD AT THE PUBLIC HEARING.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), THE CITY OF FORT WAYNE WILL MAKE REASONABLE ACCOMMODATIONS TO PEOPLE WITH DISABILITIES. ANY PERSON WITH SPECIAL NEEDS SHOULD CONTACT THE ADA COORDINATOR, HEATHER VANWAGNER AT 260-427- 1176 AT LEAST 72 HOURS BEFORE THE SCHEDULED MEETING TO DISCUSS NECESSARY SPECIAL ACCOMMODATIONS.

*LANA R. KEESLING
CITY CLERK*

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LANA R. KEESLING
CITY CLERK
8--15 hspaxlp

The Journal Gazette

Allen County, Indiana

Account Name
Gov: Fort Wayne City Clerk's Office
Notice ID: f1hZzf3HdcwSAjqYK0lh

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 49

COMPUTATION OF CHARGES

49 lines, 1 column(s) wide equal:
49 equivalent lines at \$ 0.5260 cents per line \$25.77

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

Electronic processing fee \$0.00

TOTAL AMOUNT OF CLAIM \$25.77

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:

8/15/25 _____ _____
_____ _____ _____

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: 08/15/2025



Legal Clerk

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LANA R. KEESLING
CITY CLERK
8--15 hspaxlp

BILL NO. R-25-08-13

REPORT OF COMMITTEE ON FINANCE

August 26, 2025

20

Nathan Hartman Chair

Geoff Paddock Co-Chair

All Council Members

A Resolution determining Substantial Compliance or Non-Compliance with Statement of Benefits (CF-1) form filing for 2025 for ElringKlinger Manufacturing of Indiana, Inc. for property at 2677 Persistence Drive, Fort Wayne, IN 46808 under Confirming Resolution R-15-18 with an "Economic Revitalization Area" approved under I.C. 6-1.1-12.1

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>Martin Bender</u>		
<u>BOOKER</u>	<u>Todd Booker</u>	<u>Todd Booker</u>	
<u>CHAMBERS</u>			
<u>ENSLEY</u>			
<u>FREISTROFFER</u>	<u>Jim Freistroffer</u>	<u>Jim Freistroffer</u>	<u>287</u>
<u>HARTMAN</u>	<u>Nathan Hartman</u>	<u>Nathan Hartman</u>	<u>44</u>
<u>JEHL</u>	<u>2001</u>		
<u>MYERS</u>			
<u>PADDOCK</u>	<u>Geoff Paddock</u>		

**LANA R. KEESLING
CITY CLERK**

Lana R. Keesling

Public Hearing Date: 8-26-2025

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

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

Read the third time in full and on motion by Councilperson Hartman, 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

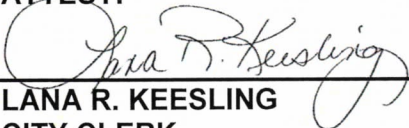
DATED: August 26, 2025


LANA R. KEESLING, CITY CLERK

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

Resolution No. R-25-08-13 on the 26th day of August, 2025

ATTEST:

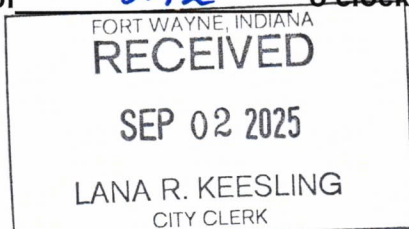

LANA R. KEESLING
CITY CLERK

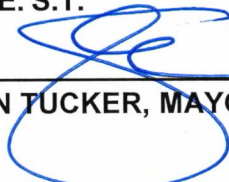

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th
of August 2025, at the hour of 10:40 o'clock A.M. 27th
E.S.T.


LANA R. KEESLING, CITY CLERK

Approved and signed by me this 2nd day of September 2025, at the
hour of 8:42 o'clock A.M. E.S.T.




SHARON TUCKER, MAYOR