

**A RESOLUTION determining SUBSTANTIAL COMPLIANCE OR NON-COMPLIANCE with Statement of Benefits (CF-1) form filing for 2025 for Accugear, Inc. for property at 6710 Innovation Boulevard, Fort Wayne, IN 46818 under Confirming Resolution R-10-19 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 Accugear, 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**, Accugear, Inc. has filed CF-1 forms with the City of Fort Wayne, Allen County Auditor and the Allen County Assessor; and

**WHEREAS**, Accugear, Inc.’s approved SB-1 form stated that 101 full-time jobs would be retained and 60 full-time jobs created by December 31, 2020; and

**WHEREAS**, Accugear, Inc.’s approved SB-1 form stated \$4,773,703 in annual payroll would be retained for the 101 full-time retained jobs and \$2,373,000 in annual payroll created for the sixty full-time jobs to be created; and

**WHEREAS**, Accugear, Inc.’s 2025 CF-1 form filing stated that 101 full-time jobs have been retained and zero full-time jobs have been created; and

**WHEREAS**, Accugear, Inc.’s 2025 CF-1 form filing stated \$6,734,559 in annual payroll for the 101 full-time jobs retained and zero in 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 101 full-time jobs to be retained and 60 full-time  
10 jobs to be created means retaining 76 full-time jobs and creating 45 full-time job; and

11                   **WHEREAS**, meeting 75% of the \$4,773,703 retained annual payroll means  
12 \$3,580,277 in retained annual payroll and 75% of the \$2,373,000 in created annual  
13 payroll means \$1,779,750 in created annual payroll; and

14                   **WHEREAS**, Common Council will determine no later than forty-five (45) days  
15 after 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 24, 2025 that  
19 Accugear, Inc. was not in substantial compliance as a result of its failure to retain at  
20 least 76 full-time jobs with a retained annual payroll of at least \$3,580,227 and create at  
21 least 45 new full-time jobs with at least \$1,779,750 in created annual payroll; and

22                   **WHEREAS**, Council directed the Community Development Division to mail  
23 written notice to Accugear, 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 Accugear, Inc. 's compliance with Statement of Benefits; and

26                   **WHEREAS**, the aforementioned notice was properly prepared and served upon  
27 Accugear, Inc. to appear before Council on August 26, 2025 at 5:30pm in Room 030 at  
28 Citizen's Square 200 E. Berry Street Fort Wayne, IN; and

29                   **WHEREAS**, Accugear, Inc. [appeared/~~failed to appear~~] before Common Council  
30 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:**

**SECTION 1.** That, Common Council finds that the CF-1 forms filed by  
Accugear, Inc. with an approved Economic Revitalization Area for 2025 are 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 101 full-time, or 76 full-

1 time jobs, as stated and create 75% of the 60 full-time jobs, or 45 full-time jobs, as  
2 stated and retain 75% of the \$4,773,703, or \$3,580,227, in annual payroll or create 75%  
3 of the \$2,373,000, or \$1,779,750 in annual payroll that was stated that would be  
4 generated by the created jobs.

5 ~~SECTION 2a. Accugear, Inc. failed to appear and otherwise testify and therefore~~  
6 ~~Council confirms its determination of June 24, 2025 that Accugear, Inc. has failed to~~  
7 ~~substantially comply pursuant to IC 6-1-1-12-1 and Section 153.21 of the Municipal~~  
8 ~~Code of the City of Fort Wayne as detailed in Section 1 above. Council therefore finds~~  
9 ~~that Accugear, Inc. has failed to substantially comply and said failure was not caused by~~  
10 ~~factors outside of Accugear, Inc.'s control. As a result of said failure, Accugear, Inc.'s~~  
11 ~~deduction/abatement under R-10-19 is hereby terminated.~~

12 **SECTION 2b.** That Accugear, Inc. appeared and testified at the hearing and  
13 from its testimony it was determined that notwithstanding Accugear, Inc.'s failure to  
14 substantially comply as detailed in Section 1 above that Accugear, Inc. did make  
15 reasonable efforts to substantially comply with the statement of benefits and Accugear,  
16 Inc.'s failure to substantially comply was caused by factors beyond the control of  
17 Accugear, Inc. Therefore, the continuation of Accugear, Inc.'s deduction/abatement  
18 under R-10-19 is hereby approved.

19 ~~SECTION 2c. That Accugear, Inc. appeared and testified at the hearing and~~  
20 ~~from its testimony it was determined in addition to Accugear, Inc.'s failure to~~  
21 ~~substantially comply as detailed in Section 1 above, that Accugear, Inc. did not make~~  
22 ~~reasonable efforts to substantially comply with the statement of benefits and Accugear,~~  
23 ~~Inc.'s failure to substantially comply was not caused by factors beyond the control of~~  
24 ~~Accugear, Inc. As a result of said failure, Accugear, Inc.'s deduction/abatement under~~  
25 ~~R-10-19 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 \_\_\_\_\_  
30 Member of Council

APPROVED AS TO FORM A LEGALITY

31   
32 \_\_\_\_\_  
33 Malak Heiny, City Attorney

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 Accugear, 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 Harman & Geoff Paddock**

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

**RESOLUTION NO. R-25-08-14**

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-10-19 FOR A PROPERTY COMMONLY KNOWN AS:

**6710 Innovation Boulevard, Fort Wayne, IN 46818  
(Accugear, 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: TPS3q94vG3hFGtw7S0m2

### 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 48

#### COMPUTATION OF CHARGES

48 lines, 1 column(s) wide equal:  
48 equivalent lines at \$ 0.5260 cents per line \$25.25

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

Electronic processing fee \$0.00

TOTAL AMOUNT OF CLAIM \$ 25.25

#### 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

*Bunda McCleure*  
Legal Clerk

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LANA R. KEESLING  
CITY CLERK  
8--15 hspaxlp

**BILL NO. R-25-08-14**

**REPORT OF COMMITTEE ON FINANCE**

**August 26, 2025**

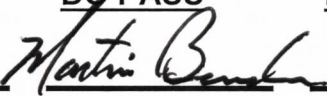




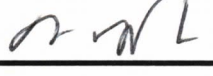
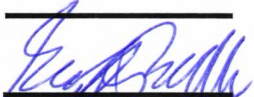
***Nathan Hartman Chair***

***Geoff Paddock Co-Chair***

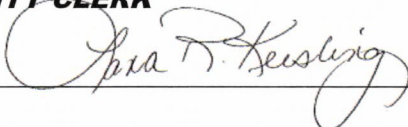
***All Council Members***

A Resolution determining Substantial Compliance or Non-Compliance with Statement of Benefits (CF-1) form filing for 2025 for Accugear, Inc. for property at 6710 Innovation Boulevard, Fort Wayne, IN 46818 under Confirming Resolution R-10-19 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>
BENDER			
BOOKER			
CHAMBERS			
ENSLEY			
FREISTROFFER			
HARTMAN			
JEHL			
MYERS			
PADDOCK			

**LANA R. KEESLING  
CITY CLERK**



Public Hearing Date: 8-26-2025

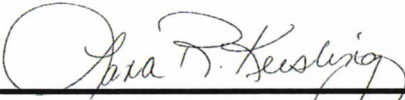
Read the first time in full and on motion by Councilperson Hartman.

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"/>

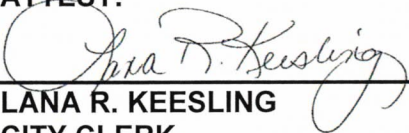
DATED: August 26, 2025

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

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

Resolution No. R-25-08-14 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. 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.

FORT WAYNE, INDIANA  
**RECEIVED**  
 SEP 02 2025  
 LANA R. KEESLING  
 CITY CLERK

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