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4 **A RESOLUTION determining SUBSTANTIAL**
5 **COMPLIANCE OR NON-COMPLIANCE with Statement**
6 **of Benefits (CF-1) form filing for 2025 for TWE**
7 **Nonwovens US, Inc. for property at 9403 Avionics**
8 **Drive, Fort Wayne, IN 46809 under Confirming**
9 **Resolution R-35-18 with an “Economic Revitalization**
10 **Area” approved under I.C. 6-1.1-12.1**

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

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

23 **WHEREAS**, TWE Nonwovens US, Inc. has filed CF-1 forms with the City of Fort
24 Wayne and the Allen County Assessor; and

25 **WHEREAS**, TWE Nonwovens US, Inc.’s approved SB-1 form stated that 86 full-
26 time jobs would be retained and 22 full-time jobs created by December 31, 2020; and

27 **WHEREAS**, TWE Nonwovens US, Inc.’s approved SB-1 form stated \$3,612,438
28 in annual payroll would be retained for the 86 full-time jobs and \$920,635 in annual
29 payroll created for the 22 full-time jobs to be created; and

30 **WHEREAS**, TWE Nonwovens US, Inc.’s 2025 CF-1 form filing stated that 86 full-
time jobs have been retained and no (0) full-time jobs have been created; and

WHEREAS, TWE Nonwovens US, Inc.’s 2025 CF-1 form filing stated \$5,538,164
in annual payroll for the 86 full-time jobs retained and \$0 in annual payroll for the 0 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

1 monitoring of Economic Revitalization Areas under Section 153.13 of the Municipal
2 Code of the City of Fort Wayne; and

3 **WHEREAS**, Common Council has defined substantial compliance under Section
4 153.21 of the Municipal Code of the City of Fort Wayne as:

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

11 **WHEREAS**, meeting 75% of the 86 full-time jobs to be retained and 22 full-time
12 jobs to be created means retaining 64 full-time jobs and creating 16 full-time jobs; and

13 **WHEREAS**, meeting 75% of the \$3,612,439 retained annual payroll means
14 \$2,709,329 in retained annual payroll and 75% of the \$920,635 in created annual payroll
15 means \$690,476 in created annual payroll; and

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

20 **WHEREAS**, Common Council made a determination on June 24, 2025 that TWE
21 Nonwovens US, Inc. was not in substantial compliance as a result of its failure to retain
22 at least 64 full-time jobs and seven part-time jobs with a retained annual payroll of at
23 least \$2,709,329 and create at least 16 new full-time jobs with at least \$690,476 in
24 created annual payroll; and

25 **WHEREAS**, Council directed the Community Development Division to mail
26 written notice to TWE Nonwovens US, Inc. explaining the reasons for Council's
27 determination and a date, time, place of a hearing to be conducted by Council for the
28 purpose of further considering TWE Nonwovens US, Inc.'s compliance with Statement
29 of Benefits; and

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

WHEREAS, TWE Nonwovens US, Inc. [appeared/~~failed to appear~~] before
Common Council on August 26, 2025 to provide additional information concerning
compliance.

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

3 **SECTION 1.** That, Common Council finds that the CF-1 form filed by TWE
4 Nonwovens US, Inc. with an approved Economic Revitalization Area for 2025 is not in
5 substantial compliance pursuant to I.C. 6-1.1-12.1 and Section 153.21 of the Municipal
6 Code of the City of Fort Wayne for failure to retain 86 full-time jobs, or 64 full-time jobs
7 and retain \$3,612,439 in annual payroll, or \$2,709,329 in annual payroll and create 75%
8 of the 22 full-time jobs, or 16 full-time jobs, to be created and create 75% of the
9 \$920,635, or \$690,476, in annual payroll that was stated that would be generated by the
10 created jobs.

11 ~~**SECTION 2a.** TWE Nonwovens US, Inc. failed to appear and otherwise testify~~
12 ~~and therefore Council confirms its determination of June 24, 2025 that TWE Nonwovens~~
13 ~~US, Inc. has failed to substantially comply pursuant to IC 6-1.1-12.1 and Section 153.21~~
14 ~~of the Municipal Code of the City of Fort Wayne as detailed in Section 1 above. Council~~
15 ~~therefore finds that TWE Nonwovens US, Inc. has failed to substantially comply and said~~
16 ~~failure was not caused by factors outside of TWE Nonwovens US, Inc.'s control. As a~~
17 ~~result of said failure, TWE Nonwovens US, Inc.'s deduction/abatement under R-35-18 is~~
18 ~~hereby terminated.~~

19 **SECTION 2b.** That TWE Nonwovens US, Inc. appeared and testified at the
20 hearing and from its testimony it was determined that notwithstanding TWE Nonwovens
21 US, Inc.'s failure to substantially comply as detailed in Section 1 above that TWE
22 Nonwovens US, Inc. did make reasonable efforts to substantially comply with the
23 statement of benefits and TWE Nonwovens US, Inc.'s failure to substantially comply
24 was caused by factors beyond the control of TWE Nonwovens US, Inc. Therefore, the
25 continuation of TWE Nonwovens US, Inc.'s deduction/abatement under R-35-18 is
26 hereby approved.

27 ~~**SECTION 2c.** That TWE Nonwovens US, Inc. appeared and testified at the~~
28 ~~hearing and from its testimony it was determined in addition to TWE Nonwovens US,~~
29 ~~Inc.'s failure to substantially comply as detailed in Section 1 above, that TWE~~
30 ~~Nonwovens US, Inc. did not make reasonable efforts to substantially comply with the~~
statement of benefits and TWE Nonwovens US, Inc.'s failure to substantially comply
was not caused by factors beyond the control of TWE Nonwovens US, Inc. As a result
of said failure, TWE Nonwovens US, Inc.'s deduction/abatement under R-35-18 is
hereby terminated.

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SECTION 3. 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 A LEGALITY



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 TWE Nonwovens USA, 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-25-08-20

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-35-18 FOR A PROPERTY COMMONLY KNOWN AS:

**9403 Avionics Drive, Fort Wayne, IN 46809
(TWE Nonwovens US, 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: R2MoLmQtjyfTfhAxxvrs

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

Bhinda McAure
Legal Clerk

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LANA R. KEESLING
CITY CLERK
8--15 hspaxlp

BILL NO. R-25-08-20

REPORT OF COMMITTEE ON FINANCE

August 26, 2025

20/



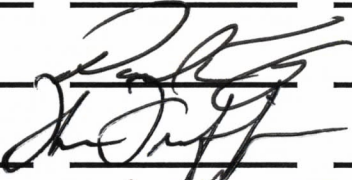
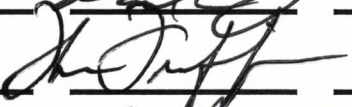

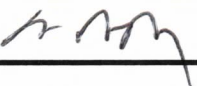
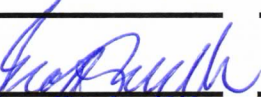
Nathan Hartman Chair

Geoff Paddock Co-Chair

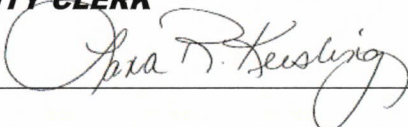
All Council Members

A Resolution determining Substantial Compliance or Non-Compliance with Statement of Benefits (CF-1) form filing for 2025 for TWE Nonwovens US, Inc. for property at 9403 Avionics Drive, Fort Wayne, IN 46809 under Confirming Resolution R-35-18 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>
BENDER			
BOOKER			
CHAMBERS			
ENSLEY			
FREISTROFFER			
HARTMAN			
JEHL			
MYERS			
PADDOCK			

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: 8-26-2025

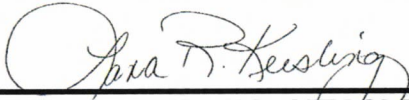
Read the first time in full and on motion by Councilperson Hartman.

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

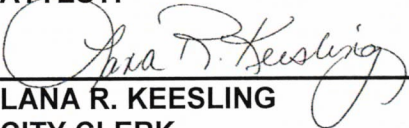


 LANA R. KEESLING, CITY CLERK

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

Resolution No. R-25-08-20 on the 26th day of August, 2025

ATTEST:



 LANA R. KEESLING
 CITY CLERK



 PRESIDING OFFICER

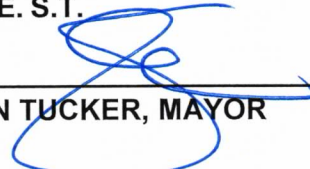
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th of August 2025, at the hour of 10:40 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 2nd day of September 2025, at the hour of 8:44 o'clock A.m. . E. S.T.

RECEIVED
 SEP 02 2025
 LANA R. KEESLING
 CITY CLERK



 SHARON TUCKER, MAYOR