

A RESOLUTION Considering a Waiver of Non-Compliance for Late Filed Compliance with Statement of Benefits (Form CF-1/Real Property) and Determination of Substantial Compliance or Non-Compliance with Statement of Benefits Approved under R-30-15 for 9190 Yeager Lane, Fort Wayne, Indiana 46809 (Zaremba Holdings, LLC/American Sealants, Inc.)

WHEREAS, Common Council has previously designated and declared by Declaratory Resolution and Confirming Resolution property at 9109 Yeager Lane for Zaremba Holdings, LLC/American Sealants, Inc. (Confirming Resolution R-30-15) 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, The original Statement of Benefits and economic revitalization area designation application submitted by Zaremba Holdings, LLC/American Sealants, Inc. and approved under Confirming Resolution R-30-15 was for \$2,900,00 in real property improvements and \$210,000 in personal property improvements; and

WHEREAS, Zaremba Holdings, LLC/American Sealants, Inc.'s 2026 Compliance with Statement of Benefits (Form CF-1/Real Property) was not filed in a timely manner on, or prior to, May 15, 2026 with the City of Fort Wayne; and

WHEREAS, Zaremba Holdings, LLC/American Sealants, Inc.'s tax phase-in for personal property approved under Confirming Resolution R-30-15 has expired; and

WHEREAS, the City has given Zaremba Holdings, LLC/American Sealants, Inc. notice to file their Compliance with Statement of Benefits (Form CF-1/Real Property) with the City of Fort Wayne; and

WHEREAS, the City has given Zaremba Holdings, LLC/American Sealants, Inc. notice to file their Compliance with Statement of Benefits (Form CF-1/Real Property) with the City of Fort Wayne; and

WHEREAS, the City has given Zaremba Holdings, LLC/American Sealants, Inc. notice to submit an application for a waiver of non-compliance for a late filed Compliance with Statement of Benefits (Form CF-1/Real Property); and

WHEREAS, Zaremba Holdings, LLC/American Sealants, Inc. has filed their Compliance with Statement of Benefits (Form CF-1/Real Property) with the City of Fort Wayne and submitted an application for a waiver of non-compliance for failure to file their Compliance with Statement of Benefits (Form CF-1/Real Property); and

WHEREAS, the Common Council acknowledges that Zaremba Holdings, LLC/American Sealants, Inc. has requested a waiver of non-compliance which the Common Council has the power and authority to approve, under I.C. 6-1.1-12.1-9.5); and

WHEREAS, Zaremba Holdings, LLC/American Sealants, Inc. has fulfilled its pledge to complete the project to construct a new 61,224 square foot manufacturing facility and purchase and install new personal property equipment; and

WHEREAS, Based on the Compliance with Statement of Benefits (Form CF-1/Real Property) statement of benefits submitted, Zaremba Holdings, LLC/American Sealants, Inc. has established that they have substantially complied with its approved statement of benefits; and

1 **WHEREAS**, I.C. 6-1.1-12.1-9.5 permits tax abatement non-compliance events
2 such as the untimely filed Compliance with Statement of Benefits (Form CF-1/Real
3 Property) paperwork to be waived; and

4 **WHEREAS**, if Common Council approves the waiver of non-compliance for the
5 late filed Compliance with Statement of Benefits (Form CF-1/Real Property) then
6 Common Council will also determine substantial compliance or non-compliance with
7 statement of benefits; and

8 **WHEREAS**, a public hearing of the Common Council has been held on the
9 waiver.

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

12 **[OPTION 1]**

13 ~~**SECTION 1.** That, Zaremba Holdings, LLC/American Sealants, Inc.'s request for a~~
14 ~~waiver of clerical and technical errors and nonconformities with its Compliance with~~
15 ~~Statement of Benefits (Form CF-1/Real Property) requirements is hereby denied and as~~
16 ~~such the tax phase-in granted under Confirming Resolution R 30-15 for real property is~~
17 ~~terminated.~~

18 ~~**SECTION 2.** That this Resolution shall be in full force and effect from and after its~~
19 ~~passage and any and all necessary approval by the Mayor.~~

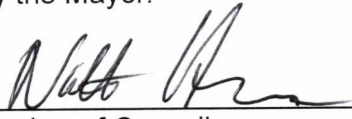
20 **[OPTION 2]**

21 **SECTION 1.** That all clerical and technical errors and nonconformities of Zaremba
22 Holdings, LLC/American Sealants, Inc.'s Compliance with Statement of Benefits (Form
23 CF-1/Real Property) requirements that are waivable under State and local law, including
24 without limitation those errors and nonconformities described in I.C. 6-1.1-12.1-9.5 are
25 hereby waived.

26 **SECTION 2. [OPTION A]** That Common Council finds that the Compliance with
27 Statement of Benefits (Form CF-1/Real Property) form filed by Zaremba Holdings,
28 LLC/American Sealants, Inc. with an approved Economic Revitalization Area for 2026 is
29 in substantial compliance pursuant to I.C. 6-1.1-12.1 and Section 153.21 of the
30 Municipal Code of the City of Fort Wayne. Therefore, the continuation of Zaremba
Holdings, LLC/American Sealants, Inc.'s tax phase-in is hereby approved. The Allen
County Auditor and Allen County Assessor shall be supplied with a copy of this
Resolution, upon passage, and are instructed to apply the tax phase-in.

~~**SECTION 2. [OPTION B]** That Common Council finds that the Compliance with~~
Statement of Benefits (Form CF-1/Real Property) forms filed by Zaremba Holdings,
LLC/American Sealants, Inc. with an approved Economic Revitalization Area with an
approved Economic Revitalization Area for 2026 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. Therefore, Zaremba Holdings, LLC/American Sealants, Inc.'s tax phase-in is
hereby terminated. The Allen County Auditor and Allen County Assessor shall be
supplied with a copy of this Resolution, upon passage, and are instructed to terminate
the tax phase-in for real and personal property.

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 AND LEGALITY



Malak Henry, City Attorney



INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **Journal Gazette**.

Notice ID: tZDLjHgpNDlawcE1UFdB | **Proof Updated: Aug. 12, 2026 at 08:49am EDT**
Notice Name: R-26-08-27

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.

FILER

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

FILING FOR

Journal Gazette

Columns Wide: 1

Ad Class: Legals

08/14/2026: Government Notice 28.08

Subtotal	\$28.08
Tax %	0
Processing Fee	\$0.00
Total	\$28.08

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
RESOLUTION NO. R-26-08-27**

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON AUGUST 25, 2026, AT 5:30 P.M. IN ROOM 035 - COUNCIL COURTROOM - GARDEN LEVEL CITIZENS SQUARE, 200 E. BERRY, FORT WAYNE, INDIANA 46802; CONSIDERING A WAIVER OF NON-COMPLIANCE FOR LATE-FILED COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1/REAL PROPERTY) AND DETERMINATION OF SUBSTANTIAL COMPLIANCE OR NON-COMPLIANCE WITH STATEMENT OF BENEFITS APPROVED UNDER R-30-15 FOR A PROPERTY COMMONLY KNOWN AS:

**9190 Yeager Lane, Fort Wayne, Indiana
46809 (Zaremba Holdings, LLC/American Sealants, 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.

JOHN D. MCGAULEY
CITY CLERK
8--14 hspaxlp

The Journal Gazette

Allen County, Indiana

Account Name

Gov: Fort Wayne City Clerk's Office

Notice ID: tZDLjHgpNDlawcE1UFdB

PUBLISHER'S CLAIM**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

52

COMPUTATION OF CHARGES52 lines, 1 column(s) wide equal:52 equivalent lines at \$ 0.5400 cents per line

\$28.08

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

\$

Electronic processing fee

\$0.00

TOTAL AMOUNT OF CLAIM

\$28.08

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:

8/14/26

Additionally, Newspaper has a Web site and this public notice was posted on the same day as it
was published in The Journal Gazette.

8/14/26

Date: _____

_____
Legal Clerk

ATTACH COPY OF ADVERTISEMENT

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JOHN D. MCGAULEY
CITY CLERK
8--14 hspaxlp

BILL NO. R-26-08-27

REPORT OF COMMITTEE ON FINANCE

August 25, 2026

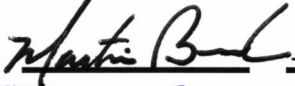
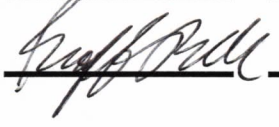
Nathan Hartman Chair

Geoff Paddock Co-Chair

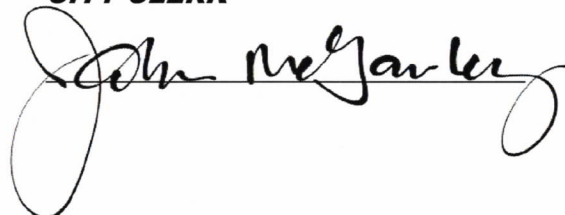
All Council Members

A Resolution considering a Waiver of Non-Compliance for Late Filed Compliance with Statement of Benefits (Form CF-1/Real Property) and Determination of Substantial Compliance or Non-Compliance with Statement of Benefits Approved under R-30-15 for 9190 Yeager Lane, Fort Wayne, Indiana 46809 (Zaremba Holdings, LLC/American Sealants, Inc.)

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			

**JOHN D. MCGAULEY
CITY CLERK**



Public Hearing Date: 08/25/2026

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	☒	☐	☐	☐
BOOKER	☒	☐	☐	☐
CHAMBERS	☒	☐	☐	☐
ENSLEY	☒	☐	☐	☐
FREISTROFFER	☒	☐	☐	☐
HARTMAN	☒	☐	☐	☐
JEHL	☒	☐	☐	☐
MYERS	☐	☐	☐	☒
PADDOCK	☒	☐	☐	☐

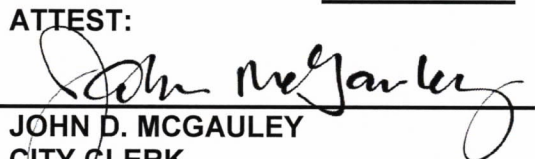
DATED: August 25, 2026

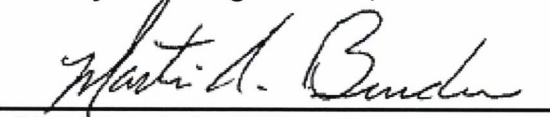

JOHN D. MCGAULEY, CITY CLERK

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

Resolution No. R-26-08-27 on the 25th day of August, 2026

ATTEST:

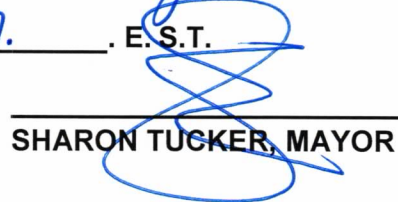

JOHN D. MCGAULEY
CITY CLERK


PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th
of August 2026, at the hour of 11:55 o'clock A.M. E.S.T.


JOHN D. MCGAULEY, CITY CLERK

Approved and signed by me this 26th day of August 2026, at the
hour of 3:32 o'clock P.M. E.S.T.


SHARON TUCKER, MAYOR

Fort Wayne Indiana
Office of the City Clerk

AUG 26 2026

RECEIVED