

**A CONFIRMING RESOLUTION designating an
"Economic Revitalization Area" under I.C. 6-1.1-
12.1 for property commonly known as 2623
Camino Court, Fort Wayne, Indiana 46808
(Excell Color Graphics, Inc.)**

WHEREAS, Common Council has previously designated and declared by Declaratory Resolution the following described property 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, to wit:

Attached hereto as "Exhibit A" as if a part herein; and

WHEREAS, said project will create one full-time, permanent jobs for a total new, annual payroll of \$35,000, with the average new annual job salary being \$35,000 and retain 31 full-time, permanent jobs for a current annual payroll of \$1,235,000, with the average current annual job salary being \$39,839; and

WHEREAS, the total estimated project cost is \$371,940; and

WHEREAS, a recommendation has been received from the Committee on Finance on said Resolution; and

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been conducted on said Resolution.

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

SECTION 1. That, the Resolution previously designating the above described property as an "Economic Revitalization Area" is confirmed in all respects.

SECTION 2. That, the hereinabove described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and shall terminate on December 31, 2011, unless otherwise automatically extended in five year increments per I.C. 6-1.1-12.1-9.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall apply to a deduction of the assessed value of personal property for new manufacturing equipment.

SECTION 4. That, the estimate of the number of individuals that will be employed or whose employment will be retained and the estimate of the annual salaries of those individuals and the estimate of the value of the new manufacturing equipment, all contained in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably expected to result from the proposed described installation of the new manufacturing equipment.

SECTION 5. The current year approximate tax rates for taxing units within the City would be:

- (a) If the proposed new manufacturing equipment is not installed, the approximate current year tax rates for this site would be \$3.0384/\$100.
- (b) If the proposed new manufacturing equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$3.0384/\$100 (the change would be negligible).
- (c) If the proposed new manufacturing equipment is installed, and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be \$3.0384/\$100 (the change would be negligible).

1 **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction
2 from the assessed value of the new manufacturing equipment shall be for a period of ten
3 years.

4 **SECTION 7.** The benefits described in the Petitioner's Statement of Benefits can be
5 reasonably expected to result from the project and are sufficient to justify the applicable
6 deductions.

7 **SECTION 8.** For new manufacturing equipment, a deduction application must
8 contain a performance report showing the extent to which there has been compliance with
9 the Statement of Benefits form approved by the Fort Wayne Common Council at the time of
10 filing. This report must be submitted to the Allen County Auditor's Office, and the City of Fort
11 Wayne's Community Development Division and must be included with the deduction
12 application. For subsequent years, the performance report must be updated and submitted
13 along with the deduction application at the time of filing.

14 **SECTION 9.** The performance report must contain the following information

- 15 (a) The cost and description of real property improvements and/or new
16 manufacturing equipment acquired.
17 (b) The number of employees hired through the end of the preceding calendar year
18 as a result of the deduction.
19 (c) The total salaries of the employees hired through the end of the preceding
20 calendar year as a result of the deduction.
21 (d) The total number of employees employed at the facility receiving the deduction.
22 (e) The total assessed value of the real and/or personal property deductions.
23 (f) The tax savings resulting from the real and/or personal property being abated.

24 **SECTION 10.** That, the taxpayer is non-delinquent on any and all property tax due
25 to jurisdictions within Allen County, Indiana.

26 **SECTION 11.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that
27 has received a deduction under section 3 or 4.5 of said chapter may be required to repay the
28 deduction amount as determined by the county auditor in accordance with section 12 of said
29 chapter if the property owner ceases operations at the facility for which the deduction was
30 granted and if the Common Council finds that the property owner obtained the deduction by
intentionally providing false information concerning the property owner's plans to continue
operation at the facility.

SECTION 12. 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

Carol Helton, City Attorney

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE: **Confirming Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **This is to confirm the designation of an Economic Revitalization Area for Excell Color Graphics, Inc. for personal property improvements in the amount of \$371,940. Excell Color Graphics, Inc. will purchase and install new manufacturing equipment.**

EFFECT OF PASSAGE: **In order to be more competitive in running smaller volume job orders, Excell Color Graphics will purchase new manufacturing equipment. One full-time job will be created as a result of the project.**

EFFECT OF NON-PASSAGE: **Potential loss of development and one full-time job**

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): **No expenditures of public funds required.**

ASSIGNED TO COMMITTEE (CO-CHAIRS): **Thomas E. Smith and Elizabeth M. Brown**