A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 4717 Clubview, Fort Wayne, Indiana 46804 (Phoenix America, 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 1 full-time, permanent job for a total new, annual payroll of \$23,400, with the average new annual job salary being \$23,400 and retain 27 full-time, permanent jobs for a total current annual payroll of \$1,005,479, with the average current, annual job salary being \$37,240; and

WHEREAS, the total estimated project cost is \$265,000; 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, 2016, 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:

- ... If the proposed new manufacturing equipment is not installed, the approximate current year tax rates for this site would be \$3.1537/\$100.
- ..., If the proposed new manufacturing equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$3.1537/\$100 (the change would be negligible).
- ... 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 \$3.1537/\$100 (the change would be negligible).

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

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

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

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

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

SECTION 10. That, the taxpayer is non-delinquent on any and all property tax due
to jurisdictions within Allen County, Indiana.
SECTION 11. That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that
has received a deduction under section 3 or 4.5 of said chapter may be required to repay the deduction amount as determined by the county auditor in accordance with section 12 of said
chapter if the property owner ceases operations at the facility for which the deduction was
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
AFFILOVED AS TO PORMI AND ELGAETT
Carol Helton, City Attorney

Admn.	Appr

## **DIGEST SHEET**

TITLE OF ORDINANCE:

**Confirming Resolution** 

DEPARTMENT REQUESTING ORDINANCE:

**Community Development Division** 

SYNOPSIS OF ORDINANCE: Phoenix America, Inc. is requesting the designation of an Economic Revitalization Area for personal property improvements in the amount of \$265,000. In order to expand, Phoenix America, Inc. will install new manufacturing equipment which will improve energy efficiency, lower their carbon footprint, and increase production capabilities.

EFFECT OF PASSAGE: Installing the new equipment will allow Phoenix America, Inc. to stay competitive in the market as well as grow with current customers' needs and new demand for their products. One full-time job will be created.

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): Mitch Harper and John Shoaff

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Zohrab K. Tazian, P.E. & L.S. ^^M L. Faust, L.S.



Exhibit "A"

### CERTIFICATE OF SURVEY

This document is a record of a resurvey of land and real estate prepared in conformity with established rules of surveying and made in accordance with the records or plat on file in the Recorder's office of Allen County, State of Indians, The land described exists in full dimensions as shown hereon in feet. It is tree from ancroachments by adjoining land owners unless specifically stated below, Corners were perpetuated as indicated.

#### DESCRIPTION OF REAL ESTATE

Block 11 in Engle Ridge Industrial Park, Section "C", a Subdivision of part of the West Half of the Northeast Quarter of Section 20, Township 30 North, Range 12 East, Allen County, Indiana.

This property is in Zone X, as the description plots by scale on Flood insutance Rate Map No. 18003C #265D, effective September 28, 1990.

