BILL NO. R-19-10-06

CONFIRMING RESOLUTION NO. R-________

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 5005 Industrial Road, Fort Wayne, Indiana 46825 (Sutton-Garten Company)

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 two full-time, permanent jobs for a total created, annual payroll of $90,240, with the average created annual job salary being $45,120 and retain one full-time, permanent job; and

WHEREAS, the total estimated project cost is $292,711; 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; and

WHEREAS, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, The Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

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, 2021, 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 and information technology equipment improvements to be made between September 19, 2019 and October 31, 2019.

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 and information technology equipment.

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

(a) If the proposed new manufacturing and information technology equipment is not installed, the approximate current year tax rates for this site would be $3.2934/$100.

(b) If the proposed new manufacturing and information technology equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be $3.2934/$100 (the change would be negligible).

(c) If the proposed new manufacturing and information technology equipment is installed, and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be $3.2934/$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 five years.

SECTION 7. The deduction schedule from the assessed value of new manufacturing and information technology equipment pursuant to I.C. 6-1.1-12.1-17 shall look like this:

Year of Deduction	Percentage
1	100%
2	80%
3	60%
4	40%
5	20%
6	0%

SECTION 8. 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 9. For new manufacturing equipment and information technology 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 10. 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 11. That, the taxpayer is non-delinquent on any and all property tax due to jurisdictions within Allen County, Indiana.

SECTION 12. 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 13. That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

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Member of Council

APPROVED AS TO FORM AND LEGALITY

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Carol Helton, City Attorney

Exhibit "A"

Part of the East Half of the Southwest Quarter of Section 23, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Beginning at a point 574.6 feet East and 2141.7 feet North of the Southwest corner of the East Half of the Southwest Quarter of Section 23, Township 31 North, Range 12 East, Allen County, Indiana; thence North and parallel to the West line of the East half of the Southwest Quarter of Section 23, Township 31 North, Range 12 East, a distance of 200 feet; thence West and parallel to the South line of the East Half of the Southwest Quarter of Section 23, Township 31 North, Range 12 East a distance of 320 feet; thence South and parallel to the West line of the East of the Southwest Quarter of Section 23, Township 31 North, Range 12 East, a distance of 200 feet; thence East and parallel to the South line of the East Half of the Southwest Quarter of Section 23, Township 31 North, Range 12 East, a distance of 320 feet to the point of beginning, containing 1.47 acres.

End of Exhibit "A"

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 Sutton-Garten Company for eligible personal property improvements. Sutton-Garten Company will purchase and install personal property equipment to assist in the production of dry ice, renting and selling equipment for dry ice blasting/cleaning and selling equipment, supplies and personal protection equipment relating to welding.**

EFFECT OF PASSAGE: **Investment of $292,711, the retention of one full-time permanent job and the creation of two new full-time permanent jobs with an annual payroll of $90,240.**

EFFECT OF NON-PASSAGE: **Potential loss of investment, the retention of one full-time permanent job and the creation of two new full-time permanent jobs with an annual payroll of $90,240.**

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): **Russ Jehl and Jason Arp**