

**A CONFIRMING RESOLUTION designating an
"Economic Revitalization Area" under I.C. 6-1.1-12.1
for property commonly known as 3426 Wells Street,
Fort Wayne, Indiana 46808 (Dreyer's Grand Ice Cream,
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 retain 402 full-time permanent jobs with a total current payroll of \$21,477,388 with the average current, annual salary of \$53,426; and

WHEREAS, the total estimated project cost is \$41,000,000; and

WHEREAS, a recommendation has been received from the Committee on Finance concerning 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, 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 both a deduction of the assessed value of real estate improvements made between November 1, 2020 and December 31, 2022 and personal property for new manufacturing, logistical and distribution and information technology equipment improvements to be made between November 1, 2020 and December 31, 2020.

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 redevelopment or rehabilitation and estimate of the value of the new manufacturing, logistical and distribution and information technology equipment, all contained in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably

1 expected to result from the proposed described instillation of the new manufacturing, logistical
2 and distribution and information technology equipment

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

- 5 (a) If the proposed development does not occur, the approximate current year tax rates
6 for this site would be \$3.2510/\$100.
- 7 (b) If the proposed development does occur and no deduction is granted, the
8 approximate current year tax rate for the site would be \$3.2510/\$100 (the change
9 would be negligible).
- 10 (c) If the proposed development occurs, and a deduction percentage of fifty percent
11 (50%) is assumed, the approximate current year tax rate for the site would be
12 \$3.2510/\$100 (the change would be negligible).
- 13 (d) If the real estate and personal property for new manufacturing, logistical and
14 distribution and information technology is not installed, the approximate current year
15 tax rates for this site would be \$3.2510/\$100.
- 16 (e) If the real estate and proposed personal property for new manufacturing, logistical
17 and distribution and information technology is installed and no deduction is granted,
18 the approximate current year tax rate for the site would be \$3.2510/\$100 (the change
19 would be negligible).
- 20 (f) If the real estate and proposed personal property for new manufacturing, logistical
21 and distribution and information technology equipment is installed and a deduction
22 percentage of eighty percent (80%) is assumed, the approximate current year tax
23 rate for the site would be \$3.2510/\$100 (the change would be negligible).

24 **SECTION 6.** That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the
25 deduction from the assessed value of the real property shall be for a period of ten years, and that
26 the deduction from the assessed value of the new manufacturing, logistical and distribution and
27 information technology equipment shall be for a period of ten years.

28 **SECTION 7.** The deduction schedule from the assessed value of the real property
29 and personal property pursuant to I.C. 6-1.1-12.1-17 shall look like this:

Year of Deduction	Percentage
1	100%
2	95%
3	80%
4	65%
5	50%
6	40%
7	30%
8	20%
9	10%
10	5%
11	0%

SECTION 8. The deduction schedule from the assessed value of new manufacturing, logistical and distribution 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	90%
3	80%
4	70%
5	60%
6	50%
7	40%
8	30%
9	20%
10	10%
11	0%

SECTION 9. That, 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 10. For personal property, manufacturing, logistical and distribution and information technology 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 ten subsequent years, the performance report must be updated and submitted along with the deduction application at the time of filing.

SECTION 11. For real property, 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 in the deduction application. For ten subsequent years, the performance report must be updated each year in which the deduction is applicable at the same time the property owner is required to file a personal property tax return in the taxing district in which the property for which the deduction was granted is located. If the taxpayer does not file a personal property tax return in the taxing district in which the property is located, the information must be provided by May 15.

SECTION 12. The performance report must contain the following information:

- A. The cost and description of real property improvements and/or purchase of real estate and new personal property for new manufacturing, logistical distribution, and information technology equipment.

- 1 B. The number of employees hired through the end of the preceding calendar year as a
2 result of the deduction.
3 C. The total salaries of the employees hired through the end of the preceding calendar
4 year as a result of the deduction.
5 D. The total number of employees employed at the facility receiving the deduction.
6 E. The total assessed value of the real and/or personal property deductions.
7 F. The tax savings resulting from the real and/or personal property being abated.

8 **SECTION 13.** That, the taxpayer is non-delinquent on any and all property tax due to
9 jurisdictions within Allen County, Indiana.

10 **SECTION 14.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has
11 received a deduction under section 3 or 4.5 of this chapter may be required to repay the
12 deduction amount as determined by the county auditor in accordance with section 10 of said
13 chapter if the property owner ceases operations at the facility for which the deduction was
14 granted and if the Common Council finds that the property owner obtained the deduction by
15 intentionally providing false information concerning the property owner's plans to continue
16 operation at the facility.

17 **SECTION 15.** That, this Resolution shall be in full force and effect from and after its
18 passage and any and all necessary approval by the Mayor.

19 _____
20 Member of Council

21 APPROVED AS TO FORM A LEGALITY

22 _____
23 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 eligible real and personal property improvements. Dreyer's Grand Ice Cream, Inc. will make real property updates its current facility in preparation for the purchase and installation of new personal property.**

EFFECT OF PASSAGE: **Investment of \$41,400,000, the retention of 402 full-time permanent jobs with an annual payroll of \$21,477,388.**

EFFECT OF NON-PASSAGE: **Potential loss of investment, the retention of 402 full-time permanent jobs with an annual payroll of \$21,477,388.**

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): **Jason Arp and Sharon Tucker**