BILL NO. R-20-07-23

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 4051 Kraft Pkwy, Fort Wayne, Indiana 46808 (Clear Choice Glass/Don Saylor Investments)

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 five full-time, and two part-time permanent jobs for a total additional annual payroll of $166,000, with the average additional, annual job salary being $26,200 and retain one full-time permanent job with a total current payroll of $70,200; and

WHEREAS, the total estimated project cost is $1,100,000; and

WHEREAS, a recommendation has been received from the Committee on Finance; 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 a deduction of the assessed value of real estate improvements to be made between June 1, 2020 and February 28, 2021.

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 redevelopment or rehabilitation, all contained in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably expected to result from the proposed described redevelopment or rehabilitation.

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

(a) If the proposed development does not occur, the approximate current year tax rates for this site would be $3.2510/$100.

(b) If the proposed development occurs and no deduction is granted, the approximate current year tax rate for the site would be $3.2510/$100 (the change would be negligible).

(c) If the proposed development occurs, and a deduction percentage of fifty percent (50%) is assumed, the approximate current year tax rate for the site would be $3.2510/$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 real property shall be for a period of three years.

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

Year of Deduction	Percentage
1	100%
2	66%
3	33%
4	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 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 with the deduction application. For 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 10. The performance report must contain the following information

A. The cost and description of real property improvements.

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 property deductions.

F. The tax savings resulting from the real 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 this 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 A LEGALITY

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Carol Helton, City Attorney

A parcel of land located in the Northwest One-Quarter of Section 28, Township 31 North, Range 12 East in Allen County, Indiana and more particularly described as follows:

COMMENCING at the West Quarter corner of Section 28, Township 31 North, Range 12 East in Allen County, Indiana as marked by a railroad spike found as referenced on previous survey #94185 and by Document Number 87-26826; thence North 00 degrees 11 minutes 04 seconds East (bearing basis for this description) along the West line of said Northwest One-Quarter, a distance of 835.01 feet; thence North 89 degrees 42 minutes 04 seconds East, a distance of 50.00 feet to a set five-eighths inch diameter steel pin with Firm #0026 identification cap and being the Point of Beginning.

BEGINNING at the above described point; thence North 00 degrees 11 minutes 04 seconds East parallel with the said West line, a distance of 395.01 feet to a set five-eighths inch diameter steel pin with Firm #0026 identification cap; thence North 89 degrees 42 minutes 04 Seconds East, a distance of 328.36 feet to a set five-eighths inch diameter steel pin with Firm #0026 identification cap; thence South 15 degrees 59 minutes 31 seconds West, a distance of 28.15 feet to a set five-eighths inch diameter steel pin with Firm #0026 identification cap; thence South 07 degrees 21 minutes 10 seconds West, a distance of 72.14 feet to a set five-eighths inch diameter steel pin with Firm #0026 identification cap; thence South 01 degrees 17 minutes 10 seconds East, a distance of 176.99 feet to a set five-eighths inch diameter steel pin with Firm #0026 identification cap; thence South 12 degrees 07 minutes 29 seconds East, a distance of 122.10 feet to a set five-eighths inch diameter steel pin with Firm #0026 identification cap; thence South 89 degrees 42 minutes 04 seconds West, a distance of 342.26 feet to the Point of Beginning, containing 2.90 acres, more or less.

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 Clear Choice Glass for eligible real property improvements. Clear Choice Glass will construct a new 12,000 square foot facility.**

EFFECT OF PASSAGE: **Investment of $1,100,000, the retention of 1 full-time permanent jobs with an annual payroll of $70,200 and the creation of 5 new full-time and two part-time permanent jobs with an annual payroll of $166,000.**

EFFECT OF NON-PASSAGE: **Potential loss of investment, the retention of 1 full-time permanent jobs with an annual payroll of $70,200 and the creation of 5 new full-time and two part-time permanent jobs with an annual payroll of $166,000.**

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

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