

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 3426 & 3320 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 create 145 full-time permanent jobs with an annual pay roll of \$7,201,000 and an average annual salary of \$49,662 and retain 400 full-time permanent jobs with a total current payroll of \$29,137,000 with the average current, annual salary of \$72,842; and

WHEREAS, the total estimated project cost is \$146,000,000; 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 July 1, 2021 and December 31, 2023 and personal property for new manufacturing, logistical distribution and information technology equipment improvements to be made between July 1, 2021 and December 31, 2023.

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 expected to result

1 from the proposed described instillation of the new manufacturing, logistical and distribution and
2 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 approximate
8 current year tax rate for the site would be \$3.2510/\$100 (the change would be
9 negligible).
- 10 (c) If the proposed development occurs, and a deduction percentage of fifty percent (50%)
11 is assumed, the approximate current year tax rate for the site would be \$3.2510/\$100
12 (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 and
17 distribution and information technology is installed and no deduction is granted, the
18 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 and
21 distribution and information technology equipment is installed and a deduction
22 percentage of eighty percent (80%) is assumed, the approximate current year tax rate
23 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 and
29 personal property pursuant to I.C. 6-1.1-12.1-17 shall look like this:

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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%

1 **SECTION 8.** The deduction schedule from the assessed value of new manufacturing,
2 logistical and distribution and information technology equipment pursuant to I.C. 6-1.1-12.1-17
3 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%

10 **SECTION 9.** That, the benefits described in the Petitioner's Statement of Benefits can
11 be reasonably expected to result from the project and are sufficient to justify the applicable
12 deductions.

13 **SECTION 10.** For personal property, manufacturing, logistical and distribution and
14 information technology equipment, a deduction application must contain a performance report
15 showing the extent to which there has been compliance with the Statement of Benefits form
16 approved by the Fort Wayne Common Council at the time of filing. This report must be submitted
17 to the Allen County Auditor's Office, and the City of Fort Wayne's Community Development Division
18 and must be included with the deduction application. For ten subsequent years, the performance
19 report must be updated and submitted along with the deduction application at the time of filing.

20 **SECTION 11.** For real property, a deduction application must contain a performance
21 report showing the extent to which there has been compliance with the Statement of Benefits form
22 approved by the Fort Wayne Common Council at the time of filing. This report must be submitted
23 to the Allen County Auditor's Office and the City of Fort Wayne's Community Development Division
24 and must be included in the deduction application. For ten subsequent years, the performance
25 report must be updated each year in which the deduction is applicable at the same time the property
26 owner is required to file a personal property tax return in the taxing district in which the property for
27 which the deduction was granted is located. If the taxpayer does not file a personal property tax
28 return in the taxing district in which the property is located, the information must be provided by
29 May 15.

30 **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.
- B. The number of employees hired through the end of the preceding calendar year as a result of the deduction.

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

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

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

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

16 _____
17 Member of Council

18 APPROVED AS TO FORM A LEGALITY

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20 Carol Helton, City Attorney
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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, construct a 240,000 square foot addition and purchase and install new personal property equipment.**

EFFECT OF PASSAGE: **Investment of \$146,000,000, the creation of 145 new full-time permanent jobs with an annual payroll of \$7,201,000 and the retention of 400 full-time permanent jobs with an annual payroll of \$29,137,000.**

EFFECT OF NON-PASSAGE: **Potential loss of investment, the creation of 145 new full-time permanent jobs with an annual payroll of \$7,201,000 and the retention of 400 full-time permanent jobs with an annual payroll of \$29,137,000.**

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): **Jason Arp and Glynn Hines**