

COMMITTEE SESSION

AGENDA

FORT WAYNE COMMON COUNCIL

MARCH 25, 2008

5:30 P.M. **COMMITTEE SESSION**
COMMON COUNCIL
CONFERENCE ROOM 128

5:30 P.M. **LEGAL PUBLIC HEARINGS**
COMMON COUNCIL
CONFERENCE ROOM 128

PRESIDING OVER THE STANDING
COMMITTEE OF THE COMMON COUNCIL

THOMAS F. DIDIER
PRESIDENT

SECRETARY OF THE COMMITTEE
SESSION OF THE COMMON COUNCIL

SANDRA E. KENNEDY
CITY CLERK

LEGAL ADVISOR TO MEMBERS
OF THE COMMON COUNCIL

JOSEPH G. BONAHOOM
COUNCIL ATTORNEY

BENDER_____ , BROWN_____ , DIDIER_____ ,
GOLDNER_____ , HARPER_____ , HINES_____ ,
PAPE_____ , SHOAFF_____ , SMITH_____ ,

ORDER OF THE AGENDA

1. ROLL CALL

2. LEGAL PUBLIC HEARINGS – PAGE 3

3. PRIOR APPROVAL REQUEST – PAGE 4

**4. DISCUSSION OF PENDING
ORDINANCES AND RESOLUTIONS – PAGES 5 THRU 8**

LEGAL PUBLIC HEARINGS

5:30 P.M.

FINANCE COMMITTEE

Mitch Harper - Chair
Thomas E. Smith - Co-Chair
All Council Members

R-08-03-09

A CONFIRMING RESOLUTION designating an “Economic Resolution designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 7817 Honeywell Drive, Fort Wayne, Indiana 46825 (Collins Painting & Design, LLC)

Total cost of \$1,287,000 – Both real and personal property Improvements. They will purchase new technology equipment. Three full-time jobs will be created and five full-time jobs will be Retained

R-08-03-11

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 3811 Illinois Road, Fort Wayne, Indiana 46804 (Fort Wayne Associates/Centennial Wireless)

Total cost of \$1,007,000 – Both real and personal property Improvements. Additional parking for employees and purchase new information technology equipment. 40 full-time jobs will be created

R-08-03-13

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 7729 Westfield Drive, Fort Wayne, Indiana 46825 (Paramount Properties, LLC)

Total cost of \$521,000 – For real property improvements – they will construct a 4,500 square foot office building – Two full-time and two-part jobs will be created

PRIOR APPROVAL REQUEST

PUBLIC WORKS COMMITTEE

Glynn A. Hines - Chair

Liz Brown - Co-Chair

All Council Members

PRIOR APPROVAL REQUEST - Maplecrest Road Extension; State Route 930 to Lake Avenue; Utility Relocation and Reimbursement Agreement with Indiana Michigan Power Co. in the amount of \$124,457

**ORDINANCES AND RESOLUTIONS UP FOR
DISCUSSION**

FINANCE COMMITTEE

*Mitch Harper - Chair
Thomas E. Smith - Co-Chair
All Council Members*

ACTION

R-08-03-09

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” property 7817 Honeywell Drive, (Collins Painting & Design, LLC)

Total cost of \$1,287,000 – For real and personal property improvements – They will construct a 22,000 square foot warehouse and office building. New information technology equipment will be purchased. Three full-time jobs will be created and five full-time jobs will be retained

R-08-03-11

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” property 3811 Illinois Road (Fort Wayne Associates/Centennial Wireless)

Total cost of \$1,007,000 – For real and personal property improvements – they will renovate Parkwest Shopping Center – provide additional parking for employees – 40 full-time jobs will be created

FINANCE COMMITTEE

CONTINUED

ACTION

R-08-03-13

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” property 7729 Westfield Drive (Paramount Properties, LLC)

Total cost of \$521,000 – For real property improvements – They will construct 4,500 square foot office building – Two full-time and two-part jobs will be created

R-08-03-21

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 2520 Lake Avenue, Fort Wayne, Indiana 46805 (MD Imaging)

This Resolution is to be introduced and Voted upon for passage tonight at the Regular Session

R-08-03-19

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 7900 West Jefferson Boulevard, Fort Wayne, Indiana 46804 (MD Imaging)

This Resolution is to be introduced and Voted upon for passage tonight at the Regular Session

R-08-03-17

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 8301 North Clinton Park Drive, Fort Wayne, Indiana 46825 (Aptimise Composites, LLC)

This Resolution is to be introduced and Voted upon for passage tonight at the Regular Session

ACTION

R-08-03-15

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 5202 & 5232 St. Joe Road, Fort Wayne, Indiana 46805 (Place Acquisition, LLC)

This Resolution is to be introduced and Voted upon for passage tonight at the Regular Session

REGULATIONS COMMITTEE

*Tim Pape - Chair
Marty Bender - Co-Chair
All Council Members*

Z-08-02-01

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. J-19 (Sec. 22 of Wayne Township) Councilmanic District #4 5200 Bluffton Road

PUBLIC WORKS COMMITTEE

*Glynn A. Hines - Chair
Liz Brown - Co-Chair
All Council Members*

No Ordinances or Resolutions up for discussion

CITY UTILITIES COMMITTEE

John Shoaff - Chair
Karen Goldner - Co-Chair
All Council Members

ACTION

No Ordinances or Resolutions up for discussion

REGULAR SESSION

AGENDA

FORT WAYNE COMMON COUNCIL

MARCH 25, 2008

REGULAR SESSION
IMMEDIATELY FOLLOWING COMMITTEE SESSION
COMMON COUNCIL CHAMBERS ROOM 126

PRESIDING OVER THE STANDING
COMMITTEE OF THE COMMON COUNCIL

THOMAS F. DIDIER
PRESIDENT

SECRETARY OF THE REGULAR
SESSION OF THE COMMON COUNCIL

SANDRA E. KENNEDY
CITY CLERK

LEGAL ADVISOR TO MEMBERS
OF THE COMMON COUNCIL

JOSEPH H. BONAHOOM
COUNCIL ATTORNEY

BENDER_____, BROWN_____, DIDIER_____,
GOLDNER_____, HARPER_____, HINES_____,
PAPE_____, SHOAFF_____, SMITH_____

ORDER OF THE AGENDA

PRESENTATION OF NATIONAL COLORS

SERGEANT-AT-ARMS

ROLL CALL

SANDRA E. KENNEDY
CITY CLERK

PRESIDENT'S REPORT AND COMMENTS

THOMAS F. DIDIER
PRESIDENT

INTRODUCTION OF ORDINANCES AND RESOLUTIONS – PAGES 3 THRU 7

PASSAGE OF ORDINANCES AND RESOLUTIONS – PAGES 8 THRU 12

MISCELLANEOUS BUSINESS

CHAIR OPEN FOR COMMENTS – FROM CITIZENS AND COUNCIL MEMBERS

RETIREMENT OF COLORS

ADJOURNMENT

**ORDINANCES AND RESOLUTIONS
UP FOR INTRODUCTION**

FINANCE COMMITTEE

*Mitch Harper - Chair
Thomas E. Smith - Co-Chair
All Council Members*

ACTION

R-08-03-21

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 2520 Lake Avenue, Fort Wayne, Indiana 46805 (MD Imaging)

**Total cost of \$260,000 – Personal property improvements,
Will purchase technology equipment – 34 full-time and 31
Part time jobs will be retained**

To be passed this evening

R-08-03-22

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 2520 Lake Avenue, Fort Wayne, Indiana 46805 (MD Imaging)

**Total cost of \$260,000 – Personal property improvements,
will purchase technology equipment – 34 full-time and 31
part-time jobs will be retained**

Public Hearing – 4-08-08 – 5:30 P.M.

FINANCE COMMITTEE

CONTINUED

ACTION

R-08-03-19

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 7900 West Jefferson Boulevard, Fort Wayne, Indiana 46804 (MD Imaging)

Total cost of \$600,000 – Personal property improvements, will purchase technology equipment – 34 full-time and 31 part-time jobs will be retained

TO BE PASSED THIS EVENING

R-08-03-20

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 7900 West Jefferson Boulevard, Fort Wayne, Indiana 46804 (MD Imaging)

Total cost of \$600,000 – Personal property improvements, Will purchase technology equipment – 34 full-time and 31 Part-time jobs will be retained

PUBLIC HEARING 4-08-08 – 5:30 P.M.

R-08-03-17

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 8301 North Clinton Park Drive, Fort Wayne, Indiana 46825 (Aptimise Composites, LLC)

Total cost of \$179,000 – Personal property improvements,, Will purchase technology equipment – 23 full-time and One full-time will be retained

TO BE PASSED THIS EVENING

FINANCE COMMITTEE

CONTINUED

ACTION

R-08-03-18

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 8301 North Clinton Park Drive, Fort Wayne, Indiana 46825 (Aptimise Composites, LLC)

Total cost of \$179,000 – Personal property improvements, Will purchase technology equipment - 23 full-time and one full-time will be retained

PUBLIC HEARING 4-08-08- 5:30 P.M.

R-08-03-15

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 5202 & 5232 St. Joe Road, Fort Wayne, Indiana 46805 (Place Acquisition, LLC)

Total cost of \$15,400,000 – Real property, they will construct a 144-unit apartment, 432 bedroom college dormitory near IPFW campus - this would help alleviate a shortage of units near the IPFW campus

TO BE PASSED THIS EVENING

R-08-03-16

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 5202 & 5232 St. Joe Road Fort Wayne, Indiana 46805 (Place Acquisition LLC)

Total cost of \$15,400,000 – Real property, they will construct a 144-unit apartment – 432 bedroom college dormitory new IPFW campus – this would help alleviate a shortage of units near the IPFW campus

PUBLIC HEARING 4-08-08 - 5:30 P.M.

REGULATIONS COMMITTEE

Tim Pape - Chair
Marty Bender - Co-Chair
All Council Members

ACTION

S-08-03-23

**AN ORDINANCE approving contract for Professional Economic Development Services between Northeast Indiana Regional Partnership and the City of Fort Wayne
Total cost of \$125,000**

G-08-03-25

**AN ORDINANCE amending Chapter 38 City Policies, of the City of Fort Wayne, Code of Ordinances
Provide electronic access to the notice through a computer Gateway - notice to be made available on the internet**

PUBLIC WORKS COMMITTEE

Glynn A. Hines - Chair

Liz Brown - Co-Chair

All Council Members

S-08-03-24

**AN ORDINANCE approving work order #11849, Maplecrest Road Extension: State Route 930 to Lake Avenue, the Utility Relocation and Reimbursement Agreement between Indiana Michigan Power and the City of Fort Wayne, Indiana, in connection with the Board of Public Works
Total cost of \$124,457**

CITY UTILITIES COMMITTEE

John Shoaff - Chair

Karen Goldner - Co-Chair

All Council Members

ACTION

No Ordinances or Resolutions up for introduction

**ORDINANCES AND RESOLUTIONS
UP FOR PASSAGE**

FINANCE COMMITTEE

*Mitch Harper - Chair
Thomas E. Smith - Co-Chair
All Council Members*

ACTION

R-08-03-09

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” property 7817 Honeywell Drive, (Collins Painting & Design, LLC)

**Total cost of \$1,287,000 – 3 full-time jobs will be created
And five full-time jobs will be retained**

R-08-03-11

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” property 3811 Illinois Road (Fort Wayne Associates/Centennial Wireless)

Total cost of \$1,007,000 – 40 full-time jobs will be created

R-08-03-13

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” property 7729 Westfield Drive (Paramount Properties, LLC)

**Total cost of \$521,000 – Two full-time and two part-time
Jobs will be created**

FINANCE COMMITTEE

CONTINUED

ACTION

R-08-03-21

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” property 2520 Lake Avenue (MD Imaging)

**Total cost \$260,000 – 34 full-time and 31 part-time will be
Retained**

R-08-03-19

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” property 7900 West Jefferson Boulevard (MD Imaging)

Total cost of \$600,000 – 34 full-time and 31 part-time will Be retained

R-08-03-17

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” property 8301 North Clinton Park Drive (Aptimise Composites, LLC)

Total cost of \$179,000 – 23 full-time and one part-time job Will be retained

R-08-03-15

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” property 5202 & 5232 St. Joe Road (Place Acquisition, LLC)

Total cost of \$15,400,000 – will construct a 144-unit Apartment complex near the IPFW campus to serve Mainly the students attending IPFW

FINANCE COMMITTEE

CONTINUED

ACTION

DO PASS S-08-03-01

AN ORDINANCE authorizing and providing for the issuance by the City of Fort Wayne, Indiana of its Economic Development Revenue Bonds, Series 2008 (Artek, Inc. Project) for the purpose of financing the costs of certain equipment for the borrower;

authorizing the execution, delivery and performance of a first supplement to bond purchase and loan agreement and related documents with respect to said bonds; and approving and authorizing other actions in respect thereto

**Total cost of \$1,800,000 – purchase of new equipment
At 3311 Enterprise Road**

DO PASS S-08-03-06

AN ORDINANCE approving the awarding purchase of Self-Contained Breathing Apparatus by the City of Fort Wayne, Indiana, for the Fort Wayne Fire Department

Total cost of \$519,799

DO PASS S-08-03-14

AN ORDINANCE approving the awarding of extension of I.T.B. No. 2604 mowing of residential & commercial properties for the Neighborhood Code Enforcement and Property Management

Total cost of \$402,229

REGULATIONS COMMITTEE

*Tim Pape - Chair
Marty Bender - Co-Chair
All Council Members*

ACTION

Z-08-02-01

AN ORDINANCE amending the City of Fort Wayne Zoning Map No.

J-19 (Sec. 22 of Wayne Township – Councilmanic District #4
5200 Bluffton Road

DO PASS R-08-03-05

A RESOLUTION authorizing certain official of the City of Fort Wayne, City Utilities, to accept pension liability and execute and deliver documents related to the Indiana State Public Employees Retirement Fund on behalf of the City of Fort Wayne

PUBLIC WORKS COMMITTEE

*Glynn A. Hines - Chair
Liz Brown - Co-Chair
All Council Members*

No Ordinances or Resolutions up for passage

CITY UTILITIES COMMITTEE

*John Shoaff - Chair
Karen Goldner - Co-Chair
All Council Members*

ACTION

DO PASS S-08-03-07

**AN ORDINANCE approving the need for services of consultants,
for the Upper Ely Run Interceptor Project – Board of Public
Works**

Total cost of will be in excess of \$100,000

DO PASS R-08-02-25

**A RESOLUTION approving the professional services agreement
with Aqua Indiana for the operations and maintenance of the
Northern Potable Water and Wastewater System**

**Total cost of no more than \$400,000 without additional
Approvals from this Common Council**

**PREPARED BY THE OFFICE
OF THE CITY CLERK**

**SANDRA E. KENNEDY
CITY CLERK**

BILL NO. G-08-03-25

GENERAL ORDINANCE NO. G-

**AN ORDINANCE AMENDING CHAPTER 38 CITY
POLICIES, OF THE CITY OF FORT WAYNE
CODE OF ORDINANCES**

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

**SECTION 1. That Chapter 38: CITY POLICIES, of Fort
Wayne Code of Ordinances be amended as follows by adding a new
Section 38:04 as follows:**

Section 38:04 OPEN GOVERNMENT

**(A) Public notice of meetings by the governing body of any
Public agency of the City of Fort Wayne shall be given as
Prescribed, and in accordance with, IC 5-14-1.5-5.**

**(B) In addition, a public agency of the City of Fort Wayne shall
Provide electronic access the notice through a computer gateway
of the City of Fort Wayne so such notice is made available on the
internet.**

**SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage and any and all necessary approval
by the Mayor.**

Council Member

Approved as to form and Legality

DECLARATORY RESOLUTION NO. R-_____

A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 5202 & 5232 St. Joe Road, Fort Wayne, Indiana 46805 (Place Acquisition, LLC)

WHEREAS, Petitioner has duly filed its petition dated March 7, 2008 to have the following described property designated and declared 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 nine (9) full-time, permanent jobs for a total new, annual payroll of \$171,000, with the average new annual job salary being \$19,000; and

WHEREAS, the total estimated project cost is \$15,400,000; and

WHEREAS, it appears the said petition should be processed to final determination in accordance with the provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 6, below, the property hereinabove described is hereby designated and declared an “Economic Revitalization Area” under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 6 of this Resolution and shall terminate on December 31, 2011, unless otherwise automatically extended in five year increments per I.C. 6-1.1-12.1-9.

SECTION 2. That, upon adoption of the Resolution:

(a) Said Resolution shall be filed with the Allen County Assessor;

- (b) Said Resolution shall be referred to the Committee on Finance requesting a recommendation from said committee concerning the advisability of designating the above area an “Economic Revitalization Area”;
- (c) Common Council shall publish notice in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 of the adoption and substance of this resolution and setting this designation as an “Economic Revitalization Area” for public hearing;
- (d) If this Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, then the Resolution shall be referred to the Fort Wayne Redevelopment Commission and said designation as an “Economic Revitalization Area” shall not be finally approved unless said Commission adopts a Resolution approving the petition.

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.

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. That, 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 \$2.4825/\$100.
- (b) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be \$2.4825/\$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 \$2.4825/\$100 (the change would be negligible).

SECTION 6. That, this Resolution shall be subject to being confirmed, modified and confirmed, or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 7. That, 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 10 years.

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

SECTION 10. 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 11. 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

Carol Taylor, City Attorney

**A CONFIRMING RESOLUTION designating an
“Economic Revitalization Area” under I.C. 6-
1.1-12.1 for property commonly known as
5202 & 5232 St. Joe Road Fort Wayne, Indiana
46805 (Place Acquisition LLC**

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 9 full-time, permanent jobs for a total additional payroll of \$171,000, with the average new annual job salary being \$19,000; and

WHEREAS, the total estimated project cost is \$15,400,000; 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; 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, 2011, 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.

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 \$2.4825/\$100.
- (b) If the proposed development occurs and no deduction is granted, the approximate current year tax rate for the site would be \$2.4825/\$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 \$2.4825/\$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 10 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 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 9. 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 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 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 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 A LEGALITY

Carol Taylor, City Attorney

**A DECLARATORY RESOLUTION
designating an “Economic Revitalization
Area” under I.C. 6-1.1-12.1 for property
commonly known as 8301 North Clinton
Park Drive, Fort Wayne, Indiana 46825
(Aptimise Composites, LLC)**

WHEREAS, Petitioner has duly filed its petition dated March 6, 2008 to have the following described property designated and declared 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 one full-time, permanent jobs for a total new, annual payroll of \$120,000, with the average new annual job salary being \$120,000 and retain 23 full-time and one part-time, permanent jobs for a total current annual payroll of \$534,000, with the average current, annual job salary being \$22,250; and

WHEREAS, the total estimated project cost is \$179,000; and

WHEREAS, it appears the said petition should be processed to final determination in accordance with the provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 6, below, the property hereinabove described is hereby designated and declared an “Economic Revitalization Area” under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 6 of this Resolution and shall terminate on December

31, 2011, unless otherwise automatically extended in five year increments per I.C. 6-1.1-12.1-9.

SECTION 2. That, upon adoption of the Resolution:

- (a) Said Resolution shall be filed with the Allen County Assessor;
- (b) Said Resolution shall be referred to the Committee on Finance requesting a recommendation from said committee concerning the advisability of designating the above area an “Economic Revitalization Area”;
- (c) Common Council shall publish notice in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 of the adoption and substance of this resolution and setting this designation as an “Economic Revitalization Area” for public hearing;
- (d) If this Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, then the Resolution shall be referred to the Fort Wayne Redevelopment Commission and said designation as an “Economic Revitalization Area” shall not be finally approved unless said Commission adopts a Resolution approving the petition.

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, research and development, logistical distribution and information technology 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 new manufacturing, research and development, logistical 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 from the proposed described installation of new manufacturing,

research and development, logistical distribution and information technology equipment.

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

- (a) If the proposed new manufacturing equipment is not installed, the approximate current year tax rates for this site would be \$2.4825/\$100.
- (b) If the proposed new manufacturing equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.4825/\$100 (the change would be negligible).
- (c) 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 \$2.4825/\$100 (the change would be negligible).
- (d) If the proposed new research and development equipment is not installed, the approximate current year tax rates for this site would be \$2.4825/\$100.
- (e) If the proposed new research and development equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.4825/\$100 (the change would be negligible).
- (f) If the proposed new research and development equipment is installed and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be \$2.4825/\$100 (the change would be negligible).
- (g) If the proposed new logistical distribution equipment is not installed, the approximate current year tax rates for this site would be \$2.4825/\$100.
- (h) If the proposed new logistical distribution equipment is installed and no deduction is granted, the approximate current year tax rate

for the site would be \$2.4825/\$100 (the change would be negligible).

- (i) If the proposed new logistical distribution equipment is installed and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be \$2.4825/\$100 (the change would be negligible).
- (j) If the proposed new information technology equipment is not installed, the approximate current year tax rates for this site would be \$2.4825/\$100.
- (k) If the proposed new information technology equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.4825/\$100 (the change would be negligible).
- (l) If the proposed new 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 \$2.4825/\$100 (the change would be negligible).

SECTION 6. That, this Resolution shall be subject to being confirmed, modified and confirmed, or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 7. That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from the assessed value of the new manufacturing, research and development, logistical distribution and information technology equipment shall be for a period of five years.

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

SECTION 10. 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 11. 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

Carol Taylor, City Attorney

**A CONFIRMING RESOLUTION designating an
“Economic Revitalization Area” under I.C. 6-
1.1-12.1 for property commonly known as
8301 North Clinton Park Drive, Fort Wayne,
Indiana 46825 (Aptimise Composites, LLC)**

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 one full-time, permanent jobs for a total new, annual payroll of \$120,000, with the average new annual job salary being \$120,000 and retain 23 full-time and one part-time, permanent jobs for a current annual payroll of \$534,000, with the average current annual job salary being \$22,250; and

WHEREAS, the total estimated project cost is \$179,000; 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; 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, 2011, 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, research and development, logistical distribution, and information technology 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, research and development, logistical 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 from the proposed described installation of the new manufacturing, research and development, logistical distribution, 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 equipment is not installed, the approximate current year tax rates for this site would be \$2.4825/\$100.
- (b) If the proposed new manufacturing equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.4825/\$100 (the change would be negligible).

- (c) 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 \$2.4825/\$100 (the change would be negligible).
- (d) If the proposed new research and development equipment is not installed, the approximate current year tax rates for this site would be \$2.4825/\$100.
- (e) If the proposed new research and development equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.4825/\$100 (the change would be negligible).
- (f) If the proposed new research and development 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 \$2.4825/\$100 (the change would be negligible).
- (g) If the proposed new logistical distribution equipment is not installed, the approximate current year tax rates for this site would be \$2.4825/\$100.
- (h) If the proposed new logistical distribution equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.4825/\$100 (the change would be negligible).
- (i) If the proposed new logistical distribution equipment is installed, and a deduction percentage of eighty percent (80%) is assumed, the approximate current year tax rate for the site would be \$2.4825/\$100 (the change would be negligible).
- (j) If the proposed new information technology equipment is not installed, the approximate current year tax rates for this site would be \$2.4825/\$100.

- (k) If the proposed new information technology equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.4825/\$100 (the change would be negligible).
- (l) If the proposed new 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 \$2.4825/\$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, research and development, logistical distribution and information technology equipment shall be for a period of five 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, research and development, logistical 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 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, research and development, logistical distribution and information technology 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

Carol Taylor, City Attorney

**A DECLARATORY RESOLUTION designating an
“Economic Revitalization Area” under I.C. 6-1.1-
12.1 for property commonly known as 7900 West
Jefferson Boulevard, Fort Wayne, Indiana 46804
(MD Imaging)**

WHEREAS, Petitioner has duly filed its petition dated March 6, 2008 to have the following described property designated and declared 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 34 full-time and 31 part-time, permanent jobs for a total current annual payroll of \$1,730,980, with the average current, annual job salary being \$26,630; and

WHEREAS, the total estimated project cost is \$600,000; and

WHEREAS, it appears the said petition should be processed to final determination in accordance with the provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 6, below, the property hereinabove described is hereby designated and declared an “Economic Revitalization Area” under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 6 of this Resolution and shall terminate on December 31, 2011, unless otherwise automatically extended in five year increments per I.C. 6-1.1-12.1-9.

SECTION 2. That, upon adoption of the Resolution:

- (a) Said Resolution shall be filed with the Allen County Assessor;
- (b) Said Resolution shall be referred to the Committee on Finance requesting a recommendation from said committee concerning the advisability of designating the above area an “Economic Revitalization Area”;
- (c) Common Council shall publish notice in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 of the adoption and substance of this resolution and setting this designation as an “Economic Revitalization Area” for public hearing;
- (d) If this Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, then the Resolution shall be referred to the Fort Wayne Redevelopment Commission and said designation as an “Economic Revitalization Area” shall not be finally approved unless said Commission adopts a Resolution approving the petition.

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 information technology 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 new information technology 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 new information technology equipment.

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

- (a) If the proposed new information technology equipment is not installed, the approximate current year tax rates for this site would be \$3.1363/\$100.
- (b) If the proposed new information technology equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$3.1363/\$100 (the change would be negligible).
- (c) If the proposed new 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 \$3.1363/\$100 (the change would be negligible).

SECTION 6. That, this Resolution shall be subject to being confirmed, modified and confirmed, or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 7. That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from the assessed value of the new information technology equipment shall be for a period of five years.

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

SECTION 10. 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 11. 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

Carol Taylor, City Attorney

**A CONFIRMING RESOLUTION designating an
“Economic Revitalization Area” under I.C. 6-1.1-
12.1 for property commonly known as 7900 West
Jefferson Boulevard, Fort Wayne, Indiana 46804
(MD Imaging)**

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 34 full-time and 31 part-time, permanent jobs for a current annual payroll of \$1,730,890, with the average current annual job salary being \$26,630; and

WHEREAS, the total estimated project cost is \$600,000; 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; 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, 2011, 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 information technology 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 information technology 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 information technology equipment.

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

- (a) If the proposed new information technology equipment is not installed, the approximate current year tax rates for this site would be \$3.1363/\$100.
- (b) If the proposed new information technology equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$3.1363/\$100 (the change would be negligible).
- (c) If the proposed new 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 \$3.1363/\$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 information technology equipment shall be for a period of five 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 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 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 information technology 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

Carol Taylor, City Attorney

**A DECLARATORY RESOLUTION designating an
“Economic Revitalization Area” under I.C. 6-1.1-
12.1 for property commonly known as 2520 Lake
Avenue, Fort Wayne, Indiana 46805 (MD Imaging)**

WHEREAS, Petitioner has duly filed its petition dated March 6, 2008 to have the following described property designated and declared 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 34 full-time and 31 part-time, permanent jobs for a total current annual payroll of \$1,730,980, with the average current, annual job salary being \$26,630; and

WHEREAS, the total estimated project cost is \$260,000; and

WHEREAS, it appears the said petition should be processed to final determination in accordance with the provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 6, below, the property hereinabove described is hereby designated and declared an “Economic Revitalization Area” under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 6 of this Resolution and shall terminate on December 31, 2011, unless otherwise automatically extended in five year increments per I.C. 6-1.1-12.1-9.

SECTION 2. That, upon adoption of the Resolution:

- (a) Said Resolution shall be filed with the Allen County Assessor;
- (b) Said Resolution shall be referred to the Committee on Finance requesting a recommendation from said committee concerning the advisability of designating the above area an “Economic Revitalization Area”;
- (c) Common Council shall publish notice in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 of the adoption and substance of this resolution and setting this designation as an “Economic Revitalization Area” for public hearing;
- (d) If this Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, then the Resolution shall be referred to the Fort Wayne Redevelopment Commission and said designation as an “Economic Revitalization Area” shall not be finally approved unless said Commission adopts a Resolution approving the petition.

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 information technology 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 new information technology 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 new information technology

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

- (a) If the proposed new information technology equipment is not installed, the approximate current year tax rates for this site would be \$2.8882/\$100.
- (b) If the proposed new information technology equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.8882/\$100 (the change would be negligible).
- (c) If the proposed new 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 \$2.8882/\$100 (the change would be negligible).

SECTION 6. That, this Resolution shall be subject to being confirmed, modified and confirmed, or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 7. That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from the assessed value of the new information technology equipment shall be for a period of five years.

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

SECTION 10. 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 11. 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

Carol Taylor, City Attorney

**A CONFIRMING RESOLUTION designating an
“Economic Revitalization Area” under I.C. 6-1.1-
12.1 for property commonly known as 2520 Lake
Avenue, Fort Wayne, Indiana 46805 (MD
Imaging)**

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 34 full-time and 31 part-time, permanent jobs for a current annual payroll of \$1,730,980, with the average current annual job salary being \$26,630; and

WHEREAS, the total estimated project cost is \$260,000; 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; 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, 2011, 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 information technology 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 information technology 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 information technology equipment.

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

- (a) If the proposed new information technology equipment is not installed, the approximate current year tax rates for this site would be \$2.8882/\$100.
- (b) If the proposed new information technology equipment is installed and no deduction is granted, the approximate current year tax rate for the site would be \$2.8882/\$100 (the change would be negligible).
- (c) If the proposed new 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 \$2.8882/\$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 information technology equipment shall be for a period of five 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 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 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 information technology 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

Carol Taylor, City Attorney

BILL NO. S-08-03-23

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving CONTRACT FOR PROFESSIONAL ECONOMIC DEVELOPMENT SERVICES between NORTHEAST INDIANA REGIONAL PARTNERSHIP and the City of Fort Wayne, Indiana.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the CONTRACT FOR PROFESSIONAL ECONOMIC DEVELOPMENT SERVICES by and between NORTHEAST INDIANA REGIONAL PARTNERSHIP and the City of Fort Wayne, Indiana, is hereby ratified, and affirmed and approved in all respects, respectfully for:

CONTRACT FOR PROFESSIONAL ECONOMIC DEVELOPMENT SERVICES FOR DIRECT MARKETING EXPENSES

involving a total cost of \$125,000.00. A copy said Contract is on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol T. Taylor, City Attorney

AN ORDINANCE approving WORK ORDER #11849, MAPLECREST ROAD EXTENSION: STATE ROUTE 930 TO LAKE AVENUE, THE UTILITY RELOCATION AND REIMBURSEMENT AGREEMENT between INDIANA MICHIGAN POWER and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the WORK ORDER #11849, MAPLECREST ROAD EXTENSION: STATE ROUTE 930 TO LAKE AVENUE, THE UTILITY RELOCATION AND REIMBURSEMENT AGREEMENT by and between INDIANA MICHIGAN POWER and the City of Fort Wayne, Indiana, in connection with the Board of Public Works, is hereby ratified, and affirmed and approved in all respects, respectfully for:

All labor, insurance, material, equipment, tools, power, transportation, miscellaneous equipment, etc., necessary for Work Order #11849, Maplecrest road Extension: State Route 930 to Lake Avenue, the Utility Relocation and Reimbursement Agreement with Indiana Michigan Power Co;

involving a total cost of ONE HUNDRED TWENTY-FOUR THOUSAND, FOUR HUNDRED FIFTY-SEVEN AND NO/100 DOLLARS - (\$124,457.00).

SECTION 2. Prior Approval has been requested from Common Council on APRIL 8, 2008. Said copy is on file in the Office of the City Clerk and made available for public inspection, according to law.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol T. Taylor, City Attorney