

## RESOLUTION NUMBER 13-106

### RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WESTFIELD, INDIANA REGARDING CERTAIN TAX ABATEMENT DEDUCTIONS FOR WEAS ENGINEERING, INC.

**WHEREAS**, pursuant to Indiana Code 6-1.1-12.1, *et. seq.* (the “Act”), the City of Westfield, Indiana (the “City”) by and through its Common Council acting in its capacity as the fiscal body of the City and acting as the designating body identified in the Act (the “Council”) has the right and opportunity to abate the payment of real property taxes for real estate located within an area declared by the Council to be an Economic Revitalization Area and to also abate the payment of personal property taxes within the Economic Revitalization Area;

**WHEREAS**, pursuant to the Act, the Council may find that a particular area within the jurisdiction of the City is an Economic Revitalization Area and may by adoption of a resolution declare such area to be an Economic Revitalization Area which resolution must be confirmed, modified, or rescinded;

**WHEREAS**, the Council adopted its Resolution Number 03-08 (the “Declaratory Resolution”) on September 8, 2003 pursuant to the Act declaring the area whose boundaries are located within the corporate boundaries of the City more particularly described in Exhibit A attached hereto and made a part hereof which is also shown on the map attached hereto as Exhibit B (the “Area”) and made a part hereof as an Economic Revitalization Area in which property owners making application to the City pursuant to the Act subsequently approved by this Council pursuant to the Act may receive real property tax abatement and/or personal property tax abatement pursuant to the applicable procedures of the Act;

**WHEREAS**, the Council, after following all applicable procedures of the Act, took final action adopting Resolution Number 03-09 (the “Confirmatory Resolution”) on October 18, 2003 confirming the Declaratory Resolution, thereby establishing an Economic Revitalization Area.

**WHEREAS**, the Council, after following all applicable procedures of the Act, amended the Confirmatory Resolution by adopting Resolution Number 07-19 (the “Amended Confirmatory Resolution”) on November 12, 2007.

**WHEREAS**, Weas Engineering, Inc. (the “Applicant”) has filed with this Council a Statement of Benefits, Personal Property (Form SB-1/PP) (“Form SB-1”) which describes the proposed project (the “Project”) to be installed by the Applicant, in order to receive personal property tax abatement for the Project;

**WHEREAS**, the Project includes the installation of new manufacturing, logistical distribution, and information technology equipment consisting of production and information technology equipment in the Applicant’s facility to be constructed and located in the Area which will be utilized by the Applicant in its operations located in the Area;

**WHEREAS**, this Council has reviewed the Form SB-1;

**WHEREAS**, the improvement of the Area will be of public utility and will be to the benefit and welfare of the citizens and taxpayers of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF  
THE CITY OF WESTFIELD, INDIANA AS FOLLOWS:**

**SECTION I.** The proposed Project will be located in the Area which has been confirmed as an economic revitalization area pursuant to the Act.

**SECTION II.** Based upon the information in the Form SB-1, this Council makes the following findings:

- (1) The estimate of One Hundred Ninty-nine Thousand Dollars (\$199,000) as the value of the new manufacturing equipment to be installed is reasonable for projects of that nature.
- (2) The estimate of Forty Two Thousand (\$42,000) as the value of the new information technology equipment to be installed is reasonable for projects of that nature.
- (3) The estimate of twenty-five (25) individuals whose employment will be retained can be reasonably expected to result from the proposed Project.
- (4) The estimate of One Million Three Hundred Thousand Dollars (\$1,300,000) for the aggregate annual salaries of those individuals whose employment will be retained can be reasonably expected to result from the proposed Project.

- (5) The estimate of hiring twenty (20) new individuals who will be employed can be reasonably expected to result from the proposed Project.
- (6) The estimate of Nine Hundred Fifteen Thousand Two Hundred Dollars (\$915,200) for the aggregate annual salaries of those individuals who will be employed can be reasonably expected to result from the proposed Project.
- (7) The other benefits about which information has been presented to this Council are benefits that can be reasonably expected to result from the proposed Project.
- (8) The totality of benefits is sufficient to justify the granting of personal property tax abatement to the Applicant through the deduction provided by the Act.

**SECTION III.** The Form SB-1 submitted by the Applicant is approved.

**SECTION IV.** Personal property tax deductions for the Project are hereby approved. The period for personal property tax deductions under the Act (IC 6-1.1-12.1-4 Version b (d) (5)) for the Project shall be five (5) years utilizing such schedule provided in the Act provided, however, the effectiveness of the designation may be terminated by this Council in accordance with the Act.

**SECTION V.** Pursuant to the Act, the Council shall cause to be filed a certified copy of this Resolution with the Hamilton County Auditor.

**SECTION VI.** This Resolution shall be in full force and effect immediately upon its adoption.

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ADOPTED AND PASSED THIS 11<sup>TH</sup> DAY OF MARCH, 2013, BY THE WESTFIELD COMMON COUNCIL, HAMILTON COUNTY, INDIANA.

WESTFIELD COMMON COUNCIL

Voting For

Voting Against

Abstain

  
\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
Jim Ake

  
\_\_\_\_\_  
John Dippel

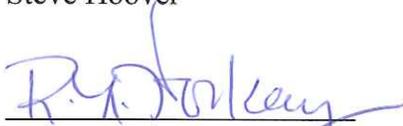
\_\_\_\_\_  
John Dippel

\_\_\_\_\_  
John Dippel

  
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Steve Hoover

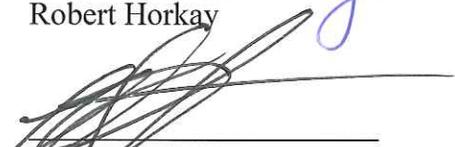
\_\_\_\_\_  
Steve Hoover

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Steve Hoover

  
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Robert Horkay

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Robert Horkay

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Robert Horkay

  
\_\_\_\_\_  
Robert Smith

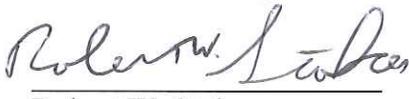
\_\_\_\_\_  
Robert Smith

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Robert Smith

  
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Cindy Spoljaric

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Robert W. Stokes

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Robert W. Stokes

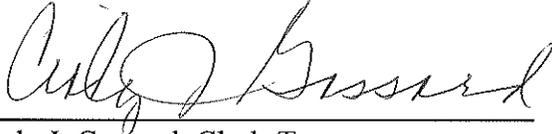
\_\_\_\_\_  
Robert W. Stokes

ATTEST:

  
\_\_\_\_\_  
Cindy J. Gossard, Clerk-Treasurer

I hereby certify that RESOLUTION 13-106 was delivered to the Mayor of

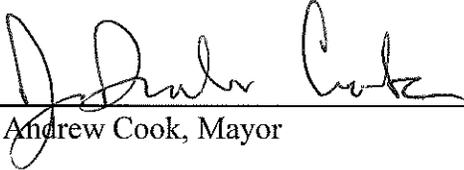
Westfield on the 12 day of Mar, 2013, at 11:20a m.



Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE Resolution 13-106

this 13 day of March, 2013.



J. Andrew Cook, Mayor

I hereby VETO Resolution 13-106

this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
J. Andrew Cook, Mayor

This resolution prepared by:  
Jennifer Miller, AICP  
Economic and Community Development Department  
City of Westfield

EXHIBIT A

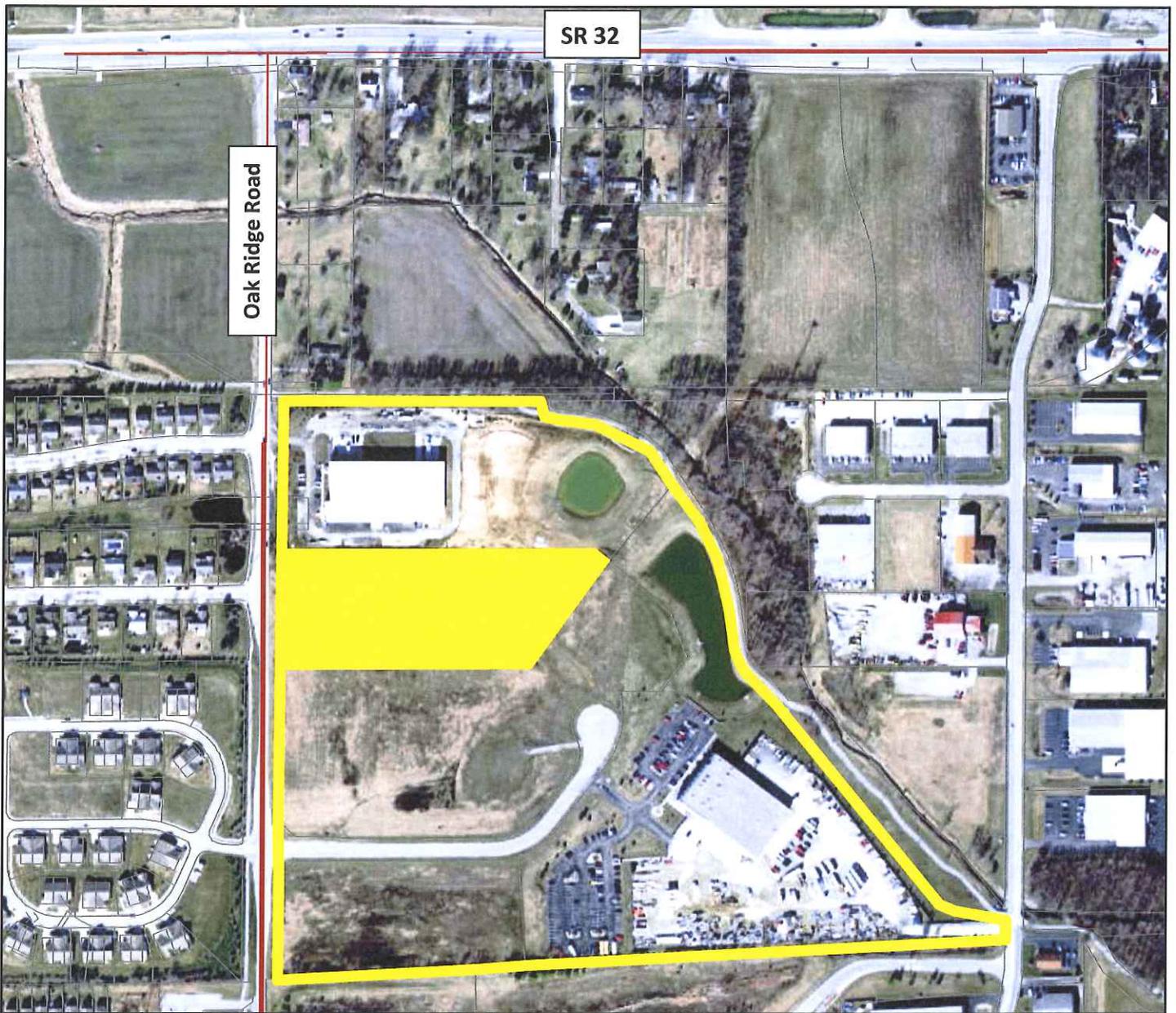
Legal Description of Area

Commitment Number: 13-0089

Part of Lot 4 Custom Commerce Park, a subdivision in Hamilton County, Indiana, as per First Amendment to the Secondary Plat of Custom Commerce Park recorded March 24, 2011 as Instrument No. 2011015213, in the Office of the Recorder of Hamilton County, Indiana and being located within the Northwest Quarter of Section 1, Township 18 North, Range 3 East, described as follows.

Beginning at the northwest corner of said Lot 4, thence South 89 degrees 54 minutes 18 seconds East (an assumed bearing) 842.75 feet along the north line of said lot; thence South 50 degrees 24 minutes 48 seconds East 44.33 feet along said north line to the centerline of a 100 foot Marathon Ashland High Pressure Pipeline Easement, recorded as Instrument No. 200658449; thence South 39 degrees 35 minutes 10 seconds West 411.59 feet along said centerline; thence North 89 degrees 54 minutes 18 seconds West 617.08 feet parallel with the north line of said Lot 4 to the west line of said lot; thence North 00 degrees 24 minutes 18 seconds East 345.83 feet along said west line to the Point of Beginning, containing 6.00 acres, more or less. NOTE: The acreage calculation is included for descriptive purposes only.

EXHIBIT B



Legend

-  Economic Revitalization Area (the "Area")
-  Weas Engineering, Inc. (the "Project")





**STATEMENT OF BENEFITS  
PERSONAL PROPERTY**

State Form 51764 (R2 / 12-11)

Prescribed by the Department of Local Government Finance

**FORM SB-1 / PP**

**PRIVACY NOTICE**

The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1.1-12.1-5.1 (c) and (d).

**INSTRUCTIONS:**

1. This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body **BEFORE** a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction. "Projects" planned or committed to after July 1, 1987, and areas designated after July 1, 1987, require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)
2. Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to installation of the new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment, **BEFORE** a deduction may be approved
3. To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between March 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between March 1 and the extended due date of that year.
4. Property owners whose Statement of Benefits was approved after June 30, 1991, must submit Form CF-1 / PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
5. The schedules established under IC 6-1.1-12.1-4.5(d) and (e) apply to equipment installed after March 1, 2001, unless an alternative deduction schedule is adopted by the designating body (IC 6-1.1-12.1-17).

SECTION 1		TAXPAYER INFORMATION							
Name of taxpayer <b>Weas Engineering, Inc.</b>									
Address of taxpayer (number and street, city, state, and ZIP code) <b>17819 Commerce Drive, Westfield, IN, 46074</b>									
Name of contact person <b>Andy Weas</b>						Telephone number <b>(317) 867-4477</b>			
SECTION 2		LOCATION AND DESCRIPTION OF PROPOSED PROJECT							
Name of designating body <b>Westfield Common Council</b>						Resolution number (s)			
Location of property <b>Custom Commerce Park, Westfield, IN</b>				County <b>Hamilton</b>		DLGF taxing district number <b>015</b>			
Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment. (use additional sheets if necessary)  <b>Manufacturing, R&amp;D, logistical distribution and information technology equipment including but not limited to the items listed in Exhibit A</b>				ESTIMATED					
				START DATE		COMPLETION DATE			
				Manufacturing Equipment					
				R & D Equipment					
				Logist Dist Equipment					
IT Equipment									
SECTION 3		ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT							
Current number <b>25</b>	Salaries <b>1,300,000.00</b>	Number retained <b>25</b>	Salaries <b>1,300,000.00</b>	Number additional <b>20</b>	Salaries <b>915,200.00</b>				
SECTION 4		ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT							
NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.		MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
		COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Current values									
Plus estimated values of proposed project		<b>199,000.00</b>						<b>42,000.00</b>	
Less values of any property being replaced									
Net estimated values upon completion of project									
SECTION 5		WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER							
Estimated solid waste converted (pounds) _____				Estimated hazardous waste converted (pounds) _____					
Other benefits:									
SECTION 6		TAXPAYER CERTIFICATION							
I hereby certify that the representations in this statement are true.									
Signature of authorized representative 				Title <b>President, Weas Engineering, Inc.</b>		Date signed (month, day, year) <b>3/6/13</b>			

**FOR USE OF THE DESIGNATING BODY**

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

A. The designated area has been limited to a period of time not to exceed \_\_\_\_\_ calendar years \* (see below). The date this designation expires is \_\_\_\_\_.

- B. The type of deduction that is allowed in the designated area is limited to:
- 1. Installation of new manufacturing equipment;  Yes  No
  - 2. Installation of new research and development equipment;  Yes  No
  - 3. Installation of new logistical distribution equipment.  Yes  No
  - 4. Installation of new information technology equipment;  Yes  No

C. The amount of deduction applicable to new manufacturing equipment is limited to \$ \_\_\_\_\_ cost with an assessed value of \$ \_\_\_\_\_.

D. The amount of deduction applicable to new research and development equipment is limited to \$ \_\_\_\_\_ cost with an assessed value of \$ \_\_\_\_\_.

E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ \_\_\_\_\_ cost with an assessed value of \$ \_\_\_\_\_.

F. The amount of deduction applicable to new information technology equipment is limited to \$ \_\_\_\_\_ cost with an assessed value of \$ \_\_\_\_\_.

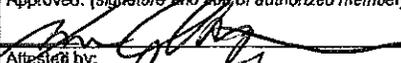
G. Other limitations or conditions (specify) \_\_\_\_\_

H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction on or after July 1, 2000, is allowed for:

- 1 year  6 years
  - 2 years  7 years
  - 3 years  8 years
  - 4 years  9 years
  - 5 years \*\*  10 years \*\*
- \*\* For ERA's established prior to July 1, 2000, only a 5 or 10 year schedule may be deducted.

I. Did the designating body adopt an alternative deduction schedule per IC 6-1.1-12.1-17?  Yes  No  
If yes, attach a copy of the alternative deduction schedule to this form.

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved: (signature and title of authorized member)	Telephone number	Date signed (month, day, year)
	(317) 867-2222	03/11/13
Attested by:	Designated body	
	City of Westfield Common Council	

\* If the designating body limits the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.1-12.1-4.5

**Weas Engineering Estimated 5 year investment**

Items	Value	Life Span (years)
<b><u>Machinery &amp; Equipment</u></b>		
floor scale	\$ 8,000	10
mix kettle	\$ 20,000	30
new mezzanine for prod	\$ 25,000	20
racks for prod	\$ 10,000	20
load cells for kettles	\$ 40,000	10
air compressor	\$ 15,000	20
amine room mezzanine & racks	\$ 20,000	20
bulk tanks for KOH and SBS	\$ 6,000	10
pumps	\$ 5,000	5
lab equipment	\$ 50,000	10
<b>Total</b>	<b>\$ 199,000</b>	
<b><u>IT</u></b>		
servers	\$ 10,000	5
PC's/laptops	\$ 5,000	5
security system	\$ 20,000	20
phones	\$ 7,000	20
<b>Total</b>	<b>\$ 42,000</b>	
<b><u>TOTAL 5-YEAR INVESTMENT</u></b>	<b><u>\$ 241,000</u></b>	