

AGENDA

April 12, 2021

**CONSISTENT WITH THE TERMS OF ST. JOSEPH COUNTY
PUBLIC HEALTH ORDER 1-2021
FACEMASKS ARE REQUIRED**

Meetings of Standing Committees
Council Conference Room
6:45PM

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL
COUNCIL CHAMBERS/CITY HALL
7:00PM

WebEx Telephone Number:408418-9388
Meeting Number (access code):129 753 0582
Meeting Password:KsxpRJ2Up73

Livestream #1:
<https://www.facebook.com/cityofmishawaka/>
Livestream #2: @MichianaAccessTV on Facebook
Livestream #3: Michiana Access TV
(Comcast and AT&T U-Verse Channel 99)

To connect on-line join using Microsoft Lync or Microsoft Skype for Business

Dial: 1297530582.mishawaka@lync.webex.com

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of the Minutes of the Regular Meeting of March 15, 2021
5. Petitions, Communications, Remonstrance and Memorials

Appeal 2021-04 Use Variance to allow Tattoo Studio -
110-112 N. Main St.

Petition 2021-03 Rezone from C-1 to R-1 - 1803 Lincoln Way
West

6. Report of Special Committee

7. Ordinances on First Reading

8. Resolutions

- R2021-07 2020 Tax Abatement Compliance Report
- R2021-08 Confirming Resolution for Real Property Tax
Abatement for Wellpet, LLC 1011 W. 11th Street
- R2021-09 Confirming Resolution for Personal Property Tax
Abatement for Wellpet, LLC 1011 W. 11th Street

9. Ordinances on Second Reading

- P.O NO. 2021-12 Penn PUD Amendment to allow an 8' High Anti-
Climb Screening Fence to Surround the new
Juday Creek Water Treatment Plant - Lot 2 of
Juday Creek Business Park - Vacant Land

10. Privilege of the Floor - Non-Agenda Items

11. Unfinished Business

12. New Business

13. Adjournment -

This meeting will be aired via Live stream:

Livestream #1:

<https://www.facebook.com/cityofmishawaka/>

Livestream #2: @MichianaAccessTV on Facebook

**Livestream #3: Michiana Access TV
(Comcast and AT&T U-Verse Channel 99)**

At this time, I know of no other business to come before the Council.

Deborah S. Block, IAMC, MMC, City Clerk

The City of Mishawaka acknowledges its responsibility to comply with the Americans with Disabilities Act of 1990. In order to assist individuals with disabilities who require special services (i.e. sign interpretative services, alternative audio/visual devices, and amanuenses) for participation in or access to City sponsored public programs, services and/or meetings, the City requests that individuals make requests for these services forty-eight(48)

hours ahead of the scheduled program, service and/or meeting. To make arrangements contact Susan Kile, ADA Coordinator, at (574) 258-1615.

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

March 15, 2021

Be it remembered that the Common Council of the City of Mishawaka, Indiana met in the Council Chambers of the Mishawaka City Hall and via telephone on Monday, March 15, 2021 at 7:00PM. The meeting was called to order by President Gregg Hixenbaugh. All were asked to stand for the Pledge of Allegiance, followed by a moment of silence to remember the lives lost due to COVID-19.



Roll Call.

Present: Mrs. DeMaegd, Mr. Banicki, Mr. Hazen, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Compton, Mrs. Voelker, Mr. Hixenbaugh.

Others Present: Clerk Block and Mike Trippel, Council Attorney.

Minutes for the Regular Meeting of March 1, 2021 were approved as received from the Clerk's Office.

Clerk Block read a letter from the City Plan Commission regarding their recommendations from their March 9, 2021 meeting.

Clerk Block read the following proposed ordinances by title and assigned committee.

PROPOSED ORDINANCE NO. 2021-12

AN ORDINANCE AMENDING CHAPTER 137 OF THE MUNICIPAL CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME AMENDED, COMMONLY KNOWN AS "THE ZONING ORDINANCE OF 1966" OF THE CITY OF MISHAWAKA, INDIANA.

Penn PUD Amendment to allow an 8' High Anti-Climb Screening Fence to Surround the new Juday Creek Water Treatment Plant – Lot 2 of Juday Creek Business Park – Vacant Land

(Assigned to Land Use Planning Committee)

Clerk Block read the following resolutions by title and opened the public hearing.

RESOLUTION R2021-04

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA APPROVING AN AGREEMENT EXTENDING THE ST. JOSEPH COUNTY HOUSING CONSORTIUM AND AUTHORIZING THE EXECUTION THEREOF

Ken Prince, City Planner, spoke in favor of **RESOLUTION R2021-04**. Mr. Prince stated they had been a part of the consortium for many years and this was the same agreement they were

renewing since he had been actively involved. Mr. Prince stated he believed this was their third renewal and since he had been there the wording had not changed, but the dates were changing. Mr. Prince stated the housing consortium itself felt low income housing was run by South Bend with St. Joseph County and Mishawaka being members. Mr. Prince stated it primarily dealt with low income housing and the distribution of federal home funds. Mr. Prince stated other projects included Mary Phillips school when it was redone. Mr. Prince stated there were not many changes in the new agreement and he would be happy to answer any questions.

Myron Larimer, CFO of South Bend Area Realtors, spoke in favor of **RESOLUTION R2021-04**. Mr. Larimer stated he wanted to encourage the council to approve the resolution and affordable housing was important to their community across the board. Mr. Larimer stated it was a known fact that children who grow up in an owned home would be much more likely to be successful in school, be successful in life and it held families and communities together. Mr. Larimer concluded asking the council for their consideration.

Question was called for at 7:08PM for **RESOLUTION R2021-04**  **Vote: Motion carried by unanimous roll call vote (summary: Yes = 9).**

Yes: Mrs. DeMaegd, Mr. Banicki, Mr. Hazen, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Compton, Mrs. Voelker, Mr. Hixenbaugh. The resolution passed

RESOLUTION R2021-05

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA DECLARING A CERTAIN AREA IN THE CITY OF MISHAWAKA, INDIANA TO BE AN ECONOMIC REVITALIZATION AREA Declaratory Resolution for Tax Abatement for WellPet, LLC – 1121 W. 11th Street

Ken Prince, City Planner, spoke in favor of **RESOLUTION R2021-05**. Mr. Prince stated the declaratory was the first step of a two-step process and if approved, this allowed for the advertising of the confirming resolutions as part of the notice that was sent between the first and second resolution that goes to taxing entities that may have had interest in the abatement process. Mr. Prince stated this would only be for the new increase of assessed value associated with the improvement and the company would continue to pay the taxes of the previous unabated amount of the assessed valuation in both property and machinery. Mr. Prince stated with the comments as it stood, the staff would be preparing it as a standard 180-60-40-20 application and if there was a feeling amongst the council to change the percentages, a number of years ago the legislature changed the rules and allowed them to change those percentages based on any given need. Mr. Prince stated based on Mr. Hixenbaugh's communication, they would prepare it in that matter unless they heard otherwise. Mr. Prince stated he would answer any question the council had and would rely on WellPet to give the actual presentation on the project.

Mr. Bellovich asked if there was any language in the provision itself for a possibility of a claw back if the equipment installed did not work. Mr. Prince stated there was a claw back if they did

not do what they say they were going to do and if they did what they say they would and there was still a smell, there would be no provision to the claw back at that point. Mr. Prince stated specifically if they would not install the equipment they said they would then claw back the provision. Mr. Bellovich asked if they would talk about this on an annual basis like they did with the other abatements. Mr. Prince stated for the duration of the abatement they would.

Mr. Compton asked would the next meeting be the time they could make changes to the abatement from what was recommended. Mr. Prince stated that was correct and they had the ability as the council to amend the percentages. Mr. Compton clarified asking if it was the next meeting where they would be able to do so. Mr. Prince stated that was correct.

Mr. Hixenbaugh stated to Mr. Prince as he and Mr. Compton discussed and as mentioned in his comments, there was flexibility in regard to the percentage of abatement that was granted in each individual year. Mr. Hixenbaugh stated there was also flexibility with regard to the length of time with the staff proposing a 5-year abatement that could go up to 10 if he was not mistaken with regard to the law, but that would be somewhat outside the scope of their own local precedent with regard to how they treat similar issues and asked if all of this was correct. Mr. Prince stated it was correct. Mr. Hixenbaugh then made a comment to follow up on Mr. Bellovich's comments and stated he continued to believe that the commitment on the part of WellPet to abate the odor issue discussed in the chambers and other conversations of local government over many years that it was a critical component of this. Mr. Hixenbaugh stated WellPet was a good corporate citizen of Mishawaka, but on behalf of the community and the neighborhoods, the remediation of the odor issue was critical. Mr. Hixenbaugh stated he agreed with Mr. Prince there was a provision to make the odor issue specifically part of the review and if this passed, it would be his intention to ask WellPet to update them on an annual basis with regard to where they were at and to give them an opportunity to compare the projections of how they would be able to abate the odor issue with the actual implementation of the odor control equipment. Mr. Hixenbaugh also stated with regard to the resolution in front of them that evening and the confirmatory resolutions, there were a couple of findings they had to make under the statute. Mr. Hixenbaugh stated one was that whether any other benefits about information was requested are benefits that could be reasonably expected to result from the proposed described redevelopment or rehabilitation and he thought that the information they received on the odor control issue fell into that category. Mr. Hixenbaugh stated the other finding they had to make was whether the totality of the benefits was sufficient to justify deduction. Mr. Hixenbaugh stated WellPet was a valued corporate resident of Mishawaka, but without the remediation of that issue he would be hard pressed personally to find the benefit of the tax abatement justifies the deduction without the odor control component being there as part of the totality of the benefits that they as the community would receive from this. Mr. Hixenbaugh stated he agreed with Mr. Prince's earlier statement, but he thought that it would be appropriate for the council to take a long hard look at how this project would better the quality of life in the community and in that neighborhood in particular. Mr. Hixenbaugh stated that odor control issue was critical to him with regard to the justification for the consideration of the proposal. Mr. Prince stated on behalf of the administration they had been working on this for years and he had been encouraging this.

Mr. Prince stated they had been pleased with what WellPet had put forward and the success would be if they did not have to update the council on a yearly basis, because it would be regularly apparent and that was their goal. Mr. Hixenbaugh stated that would be ideal and he appreciated the work Mr. Prince, Mr. Hinkle, Mayor Wood, and others had done to try to continue to partner with WellPet to address the decision on behalf of the community and in his mind, the council and administration spoke with one voice with regard to the issue and it was of critical importance to the community that they address this. Mr. Hixenbaugh concluded thanking Mr. Prince again for his work.

Doc Mitchell, 50638 Edgewood Park, spoke in favor of **RESOLUTION R2021-05**. Mr. Mitchell stated he wanted to address the council and ask for their consideration for the abatement of the WellPet project. Mr. Mitchell stated this would assist them as they work to become better neighbors in the neighborhoods of the southern Mishawaka area and help them to continue to employ people of the city for years to come.

Mr. Hixenbaugh made a comment and general reminder that they were very gracious along with Mr. Toshjohn spent some time with them in an informational session and he believed the PowerPoint they did was very well done. Mr. Hixenbaugh asked if they could send that through to the council. Clerk Block stated they did send it and apologized. Clerk Block stated she would send it out to the council and Mr. Hixenbaugh stated that was alright and also thanked the gentleman for all they had done.

Mr. Compton stated they had council members where he believed it was their first abatement and stated this was a two-step process and he wanted to make sure they understood what they were doing and how it worked. Mr. Compton stated he knew his first time he was confused on why they were doing it twice. Mrs. DeMaged thanked Mr. Compton.

Mr. Hixenbaugh asked Mr. Emmons if he thought there would be a chance that the neighbors who lived in closer proximity to WellPet would be interested in having another meeting with representatives of WellPet to learn more about the proposal. Mr. Emmons stated Mr. Hixenbaugh and he had been in contact with the Berkley area and people to the East all the way up to Main Street and they were interested in meeting. Mr. Emmons stated he told them they would get with those individuals in the beginning of April for a meeting to allow for the weather to break and people would be more apt to get out. Mr. Emmons also mentioned contacting Marian as well and whether they would combine the meeting or have two separate meetings. Mr. Hixenbaugh stated he had reached out to representatives of Marian High School and made them aware of the meeting that evening as well as a meeting in the near future and told them he would give them an update when anything was scheduled. Mr. Emmons stated he had spoken to a number of people in the community about the informational meeting and what WellPet had proposed and what the new equipment would do. Mr. Emmons stated everyone he had talked with seemed very pleased and were hopeful this would be a solution to cure the problem for good. Mr. Emmons stated there were also interested in listening to WellPet to get a few more minor points that may have

been missed and to convince them that it would be a very workable solution. Mr. Hixenbaugh thanked Mr. Emmons for his work on that.

Question was called for at 7:21 PM for **RESOLUTION R2021-05**  **Vote: Motion carried by unanimous roll call vote (summary: Yes = 9).**

Yes: Mrs. DeMaegd, Mr. Banicki, Mr. Hazen, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Compton, Mrs. Voelker, Mr. Hixenbaugh. The resolution passed

RESOLUTION R2021-06

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA APPROVING THE REQUEST FOR THE INDIANA STATE BOARD OF ACCOUNTS TO EXAMINE THE FINANCIAL STATEMENTS PREPARED IN ACCORDANCE TO GAAP – GENERALLY ACCEPTED ACCOUNTING PRACTICES Approving the SBOA Audit of GAAP

Rebecca Miller, City Controller, spoke in favor of **RESOLUTION R2021-06**. Ms. Miller stated this was a request by the State Board of Accounts who were requiring them now that the legislative body must request of them to perform an audit based on GAAP. Ms. Miller stated as the council knew, they always prepared financial statements with GAAP and they did audit them based on that and the only difference was that now they must request for them to do their audit that way as a formality.

Mr. Hixenbaugh stated he had the pleasure of sitting in on the pre-conference and post-conference at the time of the last audit and Mr. Hixenbaugh stated Ms. Miller and her staff had been congratulated for the great job they do to make sure they had accurate, reliable and dependable accounting practices in place. Mr. Hixenbaugh personally thanked Ms. Miller and her staff for their work. Ms. Miller stated she would pass that on.

Question was called for at 7:24PM for **RESOLUTION R2021-06**  **Vote: Motion carried by unanimous roll call vote (summary: Yes = 9).**

Yes: Mrs. DeMaegd, Mr. Banicki, Mr. Hazen, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Compton, Mrs. Voelker, Mr. Hixenbaugh. The resolution passed

NEW BUSINESS

Mr. Hixenbaugh announced that their regular council meeting for April 5, 2021 had been changed to April 12, 2021 in light of spring break in most of the local school corporations.

Mr. Mammolenti announced they would be hosting their Twin Branch neighborhood watch meeting Wednesday March 17th at 7PM. Mr. Mammolenti stated their guest speaker would be Richard Freeman.

Mr. Hixenbaugh began speaking of the passing of Gregg Smith who tragically passed Monday March 10, 2021 unexpectedly. Mr. Hixenbaugh stated he was known to several of the council and someone who was a well-respected educator and more importantly a family man and an all-around great guy. Mr. Hixenbaugh stated all of their thoughts and prayers to out to Gregg's family as well as his friends and colleagues. Mr. Hixenbaugh stated he would be remised if he did not note that at the funeral that past Saturday, their friend and colleague who was very close to Gregg Smith, Mr. Mammolenti, was asked to take on a task that few looked forward to in speaking in memory of his friend. Mr. Hixenbaugh stated although Mr. Mammolenti was not speaking on behalf of the council, he was pleased to report that he not only represented himself, his family and his friend with great dignity and honor in his remarks but he also represented the council and the community very well with regard to the great job he did in remembrance of his friend. Mr. Hixenbaugh extended Mr. Mammolenti their condolences and thanked him for everything he had done for Gregg Smith's family.

Mr. Hixenbaugh next stated as most of them were aware, they had just passed the one-year anniversary of the pandemic. Mr. Hixenbaugh stated to say that this had been an unprecedented year in the history of the United States, as well as the city of Mishawaka was an understatement. Mr. Hixenbaugh stated he made mention earlier of the fact that at present, more than 534,000 Americans had lost their lives as the result of the pandemic. Mr. Hixenbaugh stated in light of the fact they had just eclipsed the one-year anniversary, he went back and looked for some information as to what the death toll was on March 15, 2020 and at that time, depending on the source, there were about 41 to 65 deaths in the United States. Mr. Hixenbaugh stated just based on those sheer numbers as well as the experience all of them had shared throughout this time, the pandemic had been a life altering event for everyone who resided in the United States as well as the city of Mishawaka. Mr. Hixenbaugh stated as tough as the year had been, he did not think they could go too long without recognizing the people who stepped up and had done great things in the community to help all get through it. Mr. Hixenbaugh noted the great work done by first responders, as well as all city employees who had worked throughout the pandemic to make sure the city services had continued to be delivered without interruption. Mr. Hixenbaugh stated local health care workers had been vital to make sure all of them had been safe and worked tirelessly under stressful circumstances throughout. Mr. Hixenbaugh stated their teachers, school staff and students had really risen to the occasion. Mr. Hixenbaugh if you compared the experience locally to other communities, as difficult as it had been, the students in Mishawaka had an opportunity to be physically present in schools much longer than other communities and that was a testament to the hard work of the teachers, staff, administrators, students and parents who made up their local school corporations. Mr. Hixenbaugh stated any number of other essential workers such as those who were grocery store workers, drug store workers, and to restaurant workers who provided takeout delivery had also risen to the occasion to provide great service to the community. Mr. Hixenbaugh stated the city administration had really stepped up to provide good leadership and guidance throughout the pandemic and appreciated the work they had done. Mr. Hixenbaugh acknowledged the work done by his colleagues on the city council and the City Clerk. Mr. Hixenbaugh stated they had continued to conduct their meetings, sometimes with a fair number of them participating remotely, but they had continued to meet throughout to do the people's

business throughout the time of trial and appreciated the support and work each of them had done. Last but not least, Mr. Hixenbaugh acknowledged the citizens of Mishawaka and how they had risen to the occasion as well. Mr. Hixenbaugh stated this had not been an easy process and not anything that anyone had enjoyed or would want to go through again, but he believed they as a community had done everything they could to get through it in the best possible way and everyone had played their part in terms of making everything work. Mr. Hixenbaugh stated they all had heard and saw almost on a daily basis that the end appeared to be in sight, but they were not there yet. Mr. Hixenbaugh stated while they celebrated where they were at and the signs of hope, he believed it was important to continue to follow the guidance of public health officials, continue to wear masks, continue to social distance, and if they could remain vigilant in the short term, he believed the summer would be much more enjoyable than it was a year before. Mr. Hixenbaugh concluded thanking all for everything they had done to help Mishawaka survive the time of trial.

Mr. Mammolenti added to the list of those who deserved to be recognized and stated the outstanding and diligent work of Assistant Chief Brian Thomas and Dr. Meglioni at the Activate Health Clinic along with her entire staff had all worked tirelessly and had done a great job communicating with the council and doing everything in their power to get any employee, first responder, etc. tested in a timely fashion.

Mr. Prince made a reminder that the Mayor's State of the City was one week from that evening and he decided to have it in the Council Chambers. Mr. Prince stated they were encouraging individuals to attend remotely with limited capacity to the Council Chambers. Clerk Block asked if there were a set time for the State of the City. Mr. Prince stated it would be at 7PM.

Mr. Hixenbaugh made an additional statement recognizing the IT Department who had been a great benefit to all of the council as they had worked through the remote meetings. Mr. Hixenbaugh appreciated the work of the entire IT staff for going over and above what they had been asked to do.

ADJOURNMENT 7:34PM

Deborah S. Block /s/
Deborah S. Block, IAMC, MMC, City Clerk

Gregg A. Hixenbaugh /s/
Gregg A. Hixenbaugh, President

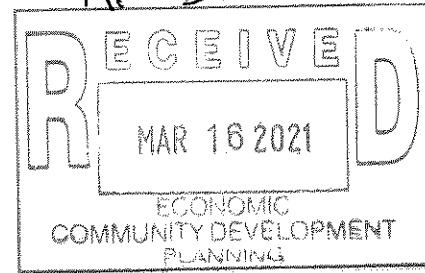
Deborah S. Block, IAMC, MMC

APR 01 2021

City Clerk
Mishawaka, IN

March 16, 2021

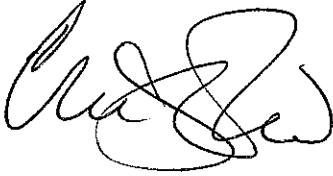
Board of Zoning Appeals
City of Mishawaka, Indiana



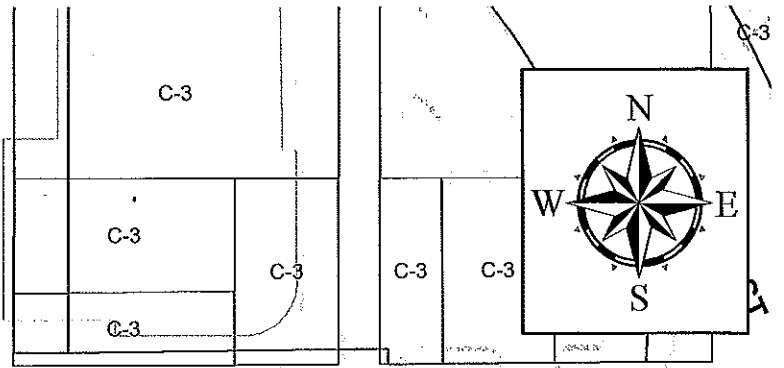
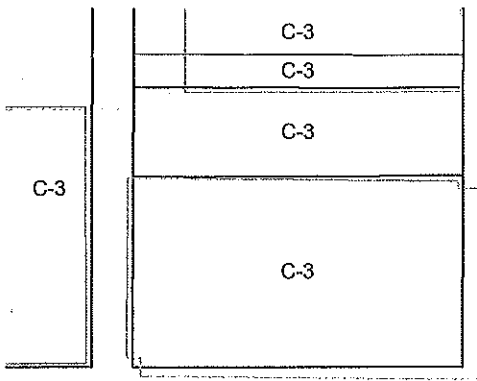
1. I, Charles J. Trippel am the owner of Trion LLC an Indiana Limited Liability Company that owns the following real estate within the City of Mishawaka, State of Indiana to-wit:

31' N END LOT 20 & 41' N END W1/2 LOT 18 & ½ VAC ALLEY N & ADJ EA 2ND ST O P
ST JOE IRON WORKS.
Common Address 110-112 N. Main St. Mishawaka, Indiana 46544
2. The above described real estate presently has a zoning classification of C-3 under the Zoning Ordinance of the City of Mishawaka.
3. Appellant currently has tenants on the first floor of the building that operate a Barber Shop and a Restaurant.
4. Appellant has entered into a conditional lease with Mr. Luis Salinas 4126 Woodvale Dr. South Bend , Indiana to operate a tattoo studio on a portion of the second floor of the above described real estate.
5. The Zoning Ordinance of the City of Mishawaka requires a use variance to operate a tattoo studio on property with a zoning classification of C-3.
6. Without the use variance appellant would not be able lease the space to Mr. Salinas and thus would create an undue financial hardship on appellant.
7. (1). Approval will NOT be injurious to the public health, safety, morals or general welfare of the community. Mr. Salinas is in the process of obtaining all City and County licenses and permits which are necessary for the safe operation of a tattoo studio.
(2). Approval will NOT negatively impact the area adjacent to the property in question. Mr. Salinas will only accept clients one at a time and only with a pre-scheduled appointment.
(3). The need for the variance does NOT arise from any condition peculiar to the property.
(4). Without the use variance appellant would not be able to lease the space to Mr. Salinas
(5). Approval would not interfere with the Mishawaka 2000 Comprehensive Plan

WHEREFORE, Appellant prays and respectfully requests a hearing on this appeal and after such hearing a positive recommendation would be made by the Board of Zoning Appeals to The Mishawaka Common Council

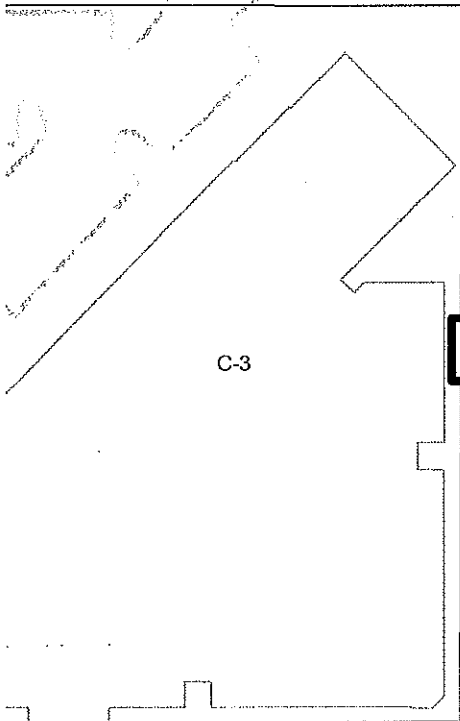
A handwritten signature in black ink, appearing to read 'Charles J. Trippel', with a large, stylized flourish at the end.

TRION LLC
Charles J. Trippel, Member
2002 Linden Ave.
Mishawaka, IN 46544
574-258-4431
ctrippel@sbcglobal.net



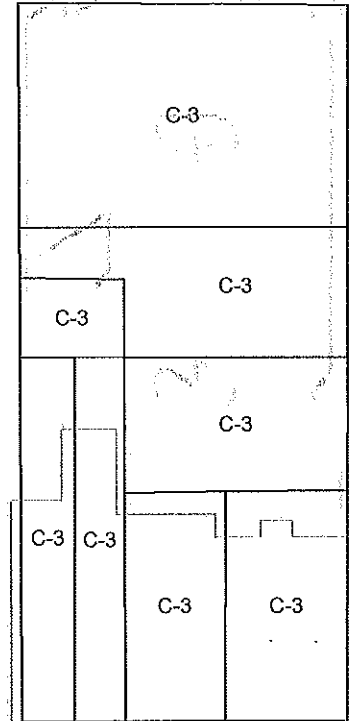
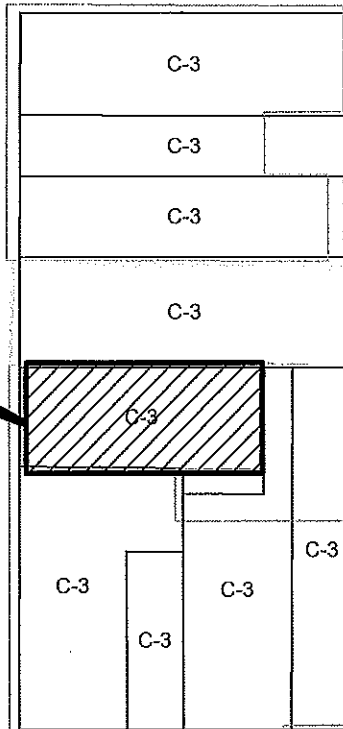
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E FIRST ST



AP 21-04

N MAIN ST



LINCOLNWAY WEST

LINCOLNWAY EAST

Location Map

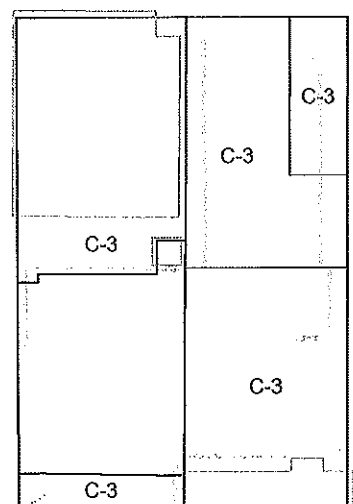
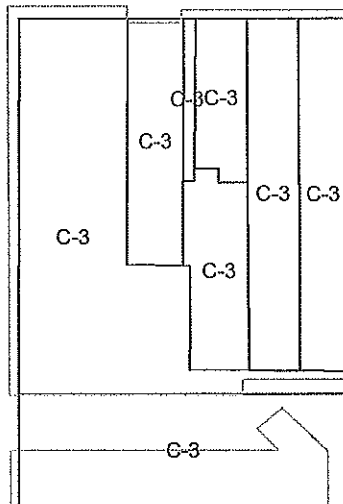
AP 21-04

TRION LLC (CHARLES TRIPPEL)

110-112 N MAIN ST

USE VARIANCE TO ALLOW
TATTOO STUDIO

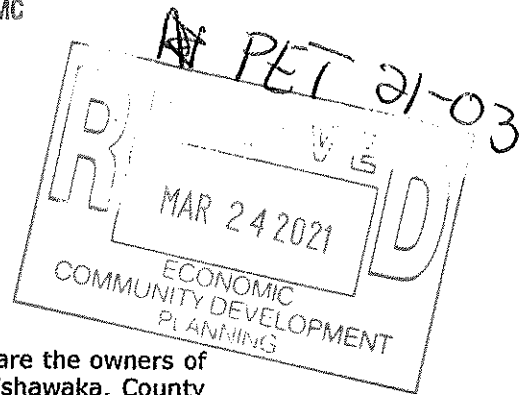
S MAIN ST



Common Council
City of Mishawaka, Indiana
and
Mishawaka City Plan Commission
City of Mishawaka, Indiana

APR 01 2021

City Clerk
Mishawaka, IN



RE: PETITION TO REZONE

The undersigned, MORGAN E MICK, respectfully show they are the owners of the following described real estate located in the City of Mishawaka, County of St. Joseph, State of Indiana, to-wit:

Lots J & 9 Milburn Place
Commonly known as 1803 Lincoln Way West

Petitioner(s) own one hundred (100%) percent of the above described parcel of land which carries a zoning classification of C-1 General Commercial District. Said property is vacant land.

Petitioner(s) desire said real estate to be rezoned to R-1 Single Family Residential District. Petitioner(s) further state that they intend to utilize said land for construction of a new single family home.

Wherefore, the petitioner(s) pray and respectfully request that the Common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after hearing, an appropriate ordinance be enacted rezoning the above described parcel of land located in the City of Mishawaka.

Signature(s) of Property Owner(s):

Printed Name:

Morgan Mick

CONTACT PERSON:

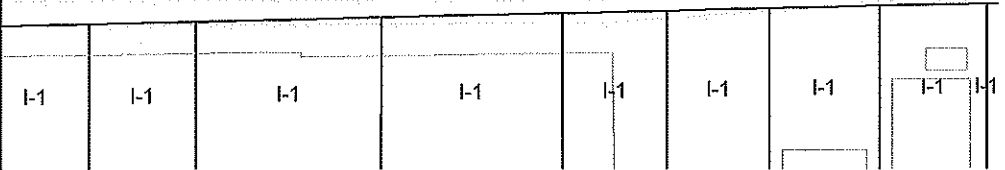
NAME Morgan Mick

ADDRESS

PHONE NUMBER 574-274-5280

FAX

EMAIL m.mick80@ymail.com



MAR 30 2021

City Clerk
Mishawaka, IN

RESOLUTION NO. 2021-07

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY
OF MISHAWAKA, INDIANA, APPROVING A REPORT OF COMPLIANCE WITH
STATEMENT OF BENEFITS FOR CERTAIN PROPERTY OWNERS**

WHEREAS, property owners who have applied for and been granted a tax abatement for either real or personal property on and after July 1, 1991, must file a report with the Mishawaka Common Council and the County Auditor reporting the extent to which there has been compliance with the goals set forth in the Statement of Benefits filed at the time of the action granting the aforesaid abatement, and

WHEREAS, seven (7) recipients of the seven (7) active tax abatements that require reporting have been found to be subject to this requirement, and each have submitted the proper reports, which have been reviewed and found to be in order.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Mishawaka, Indiana:

1. That the "Compliance with Statement of Benefits" reports submitted by the following companies are found to be in order:
 - **BD SJRMC Mishawaka Development, LLC**
 - **Long Term Care Investments V, LLC**
 - **Barak River Rock, LLC**
 - **WellPet, LLC (High Speed Packaging Line 2015)**
 - **River Walk Development Group LLC**
 - **Lippert Components Manufacturing Inc.**
 - **Jamil Packaging Corporation (Flexo Folder-Gluer 2019)**
2. That the aforesaid property owners are hereby found to be in substantial compliance, and
3. That the President of the Mishawaka Common Council is hereby authorized to approve the aforementioned reports.

ADOPTED by the Common Council of the City of Mishawaka, St. Joseph County, Indiana, on this _____ day of _____, 2021.

Gregg Hixenbaugh, President

ATTEST:

Deborah S. Block, City Clerk

PRESENTED by me to the Mayor of the City of Mishawaka, Indiana, on this _____ day of _____, 2021.

Deborah S. Block, City Clerk

APPROVED AND SIGNED by me on this _____ day of _____, 2021 at _____ o'clock, _____.m.

David A. Wood, Mayor



CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

March 30, 2021

Mr. Woody Emmons, 1st District City Council
Mr. Mike Bellovich, 2nd District City Council
Mr. Anthony Hazen, 3rd District City Council
Mrs. Kate Voelker, 4th District City Council
Mr. Michael Compton, 5th District City Council
Mr. Ron Banicki, 6th District City Council
Mr. Gregg Hixenbaugh, At-Large City Council
Mr. Matt Mammolenti, At-Large City Council
Mr. Maggie DeMaegd, At-Large City Council
Mrs. Deborah Block, City Clerk

Deborah S. Block, IAMC, MMC

MAR 30 2021

City Clerk
Mishawaka, IN

**RE: Resolution 2021-07
2020 Tax Abatement Compliance Reports**

Dear Council Members and Clerk:

Property owners who have applied for and been granted a tax abatement for either real or personal property on or after July 1, 1991, must file a report with the Mishawaka Common Council and the St. Joseph County Auditor's Office reporting the extent of compliance with the goals set forth in the Statement of Benefits filed when granting the aforesaid abatement. The Department of Local Government Finance requires one compliance form per project, thus where applicable, there are separate compliance forms for Real Estate (CF-1/Real Property) and Personal Property (CF-1/PP).

There are currently seven active tax abatements in the City of Mishawaka of which all seven require reporting for calendar year 2020. All property owners/companies have responded to our request to complete the Compliance with Statement of Benefits form. CF-1 forms/responses have been attached to this letter for your use and reference for the active tax abatement recipients that require reporting.

In summary, all seven of the active abatements which require reporting are in compliance and have exceeded, nearly met, or are working toward expectations. Construction for one of the active abatements, being the proposed River Walk multi-family residential project, has not yet begun.

Since the prior reporting period for calendar year 2019, three of the previously approved tax abatements have expired, and therefore, no longer require annual compliance reports. The expired abatements include a personal property abatement for a regrind system and associated equipment for WellPet LLC, a personal property abatement for new manufacturing equipment at the new Patrick Industries Inc. facility, and a personal property abatement for new manufacturing equipment (digital printer) and building upgrades for the Jamil Packaging Corporation.

As you are aware, the CF-1 Compliance Forms for Real Estate and Personal Property are due to the County Auditor's Office by May 15th of each year. A copy of the history of the City's tax abatements from 1986 to present has been attached for your use. This summary identifies the current and recently closed abatements and is a beneficial reference tool.

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Staff has reviewed the information submitted by all companies. The abatements are listed by the age/date of approval of the abatement oldest to newest.

- **BD Mishawaka Development LLC** (St. Joseph Regional Medical Center Office Building) – Although this medical office building is connected to the St. Joseph Regional Medical Center, it is not owned by the hospital. Healthcare Realty, a Nashville, Tennessee based real estate investment trust with a nationwide portfolio of outpatient medical facilities, acquired the property in 2013. Thus, Healthcare Realty now performs the annual compliance reporting for the prior LLC that originally obtained the tax abatement. Local property management and leasing continues to be performed by Newmark Grubb Cressy & Everett. According to the County Auditor, annual compliance reporting will be required through reporting year 2020. Therefore, this year will conclude reporting to the City. The Council will not be reviewing this abatement next year. The total number of additional employees estimated on the SB-1 in 2007 was 370 with a total estimated payroll of \$10,555,000. Per the attached CF-1, 403 employees were occupying the building as of December 31, 2020, exceeding the total employment projections set in 2007 by 33. Annual salaries in 2020 were reported as \$34,390,341, which is over three times the estimated payroll indicated in the original statement of benefits. Given that both the improvements and hiring were completed as committed, this abatement is in substantial compliance.
- **Long Term Care Investments V, LLC (5805 North Fir Road)** – The CF-1 attached is for the abatement approved in 2013 for BellTower Heath & Rehabilitation Center, a new rehabilitation and nursing center. Although approved in 2013, construction did not begin until October 2014 with completion in July 2016. This abatement was limited to 4 years for real property. According to the County Auditor, annual compliance reporting will be required through reporting year 2020 since the construction was not complete until 2016. Therefore, this year will conclude reporting to the City. The Council will not be reviewing this abatement next year. The total number of employees estimated on the SB-1 in 2013 was 61 full time equivalencies with a total estimated payroll of \$2,161,524. At present, there are 72 full time equivalent employees, which is a decrease from 74 employees in 2019 but still significantly higher than 42 employees during its first year in operation. Current combined annualized salaries were reported at \$3,180,981. With more residents being served at the facility, the number of employees has steadily increased. The estimated values of the project, as indicated on the SB-1, was \$16,500,000 with the actual construction costs being \$14,500,000. The current total assessed value for the completed project is \$6,724,600 including an improvement value of \$5,433,100 and land value of \$1,291,500. Given that both the improvements and hiring were completed as committed, this abatement is in substantial compliance.
- **Barak River Rock LLC** – The CF-1 attached is for the abatement approved in 2013 for the first phase of the River Rock Apartments, a mixed use building including apartments and first floor retail space along Mishawaka Avenue. Although approved in 2013, construction did not begin early 2015 with completion in late 2016. This abatement was limited to 5 years for real property. According to the County Auditor, annual reporting will be required through reporting year 2021 since the construction was not completed until 2016. The total employment for the project as indicated on the CF-1 is 6 jobs, which falls within the 5-8 jobs estimated on the SB-1 when the abatement was filed. As indicated in the attached correspondence, Barak River Rock employs 6 people including a managing partner, chief finance operator, regional property manager, property manager, and 2 maintenance staff. All of these employees are based in Mishawaka and are tenants at the River Rock apartment building. Although not reported on the CF-1, approximately eight additional employees are based at Tule Spa, and the Bar Method, an exercise studio. Both of these businesses are located in the street-level retail/commercial portion of the building. Total payroll, excluding the spa and exercise studio employees, was listed as \$230,802 which is higher than the approximate \$200,000 listed on the SB-1. The estimated values of the phase one construction project, as indicated on the SB-1, was \$14,000,000 to \$17,000,000 with

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actual construction costs being \$14,565,233. The current assessed value for the completed phase one project is \$9,506,800. In early 2020, construction started on phase two to include a small addition with 9 studio apartments on the east side of the north building. Phase two did not receive a real property abatement since construction began after December 31, 2018, the expiration date of the property being designated as an Economic Revitalization Area. Since the improvements for phase one of the project as envisioned on the SB-1 are complete and employment and construction cost projections were met, this abatement should be considered in substantial compliance.

- **WellPet LLC (High Speed Packaging Line 2015)** – The CF-1 attached is for the abatement approved in 2015 for the equipment associated with a high speed packaging line at WellPet's facility at 1121 W. 11th Street. Installation of the new equipment included within this abatement request began in 2016 and is in operation. This abatement was limited to 5 years for personal property. According to the County Assessor, annual reporting is required through year 2023. The net values upon completion of the project were estimated at \$17,370,388 on the SB-1 when the abatement was filed. The actual net values upon completion of the project is \$24,988,362, exceeding the estimated values by \$7,617,974. The total employment at the facility has increased beyond what was projected on the SB-1. When the abatement was filed, the total existing employment was listed at 115 with an additional 4 jobs to be added. The total employment reported was 127. This is an increase of 12 positions, 8 greater than the 4 additional positions envisioned when the original SB-1 was filed. Total payroll was listed at \$6,339,508, which is 63% higher than the \$3,898,000 listed on the SB-1. Given that the investment, employment, and payroll is higher than the projected amounts, this abatement should be considered in substantial compliance.
- **River Walk Development Group LLC** – The CF-1 attached is for the abatement approved in 2017 for a proposed multi-family residential apartment project to be constructed on a 2 acre city-owned area. The site is generally located north of the Riverwalk, east of N. Main Street, south of Mishawaka Avenue, and adjacent to Sarah Street if extended to the St. Joseph River. When originally submitted for consideration, the \$12.5-\$13.5 million project was to include a 120,000 sq. ft. building with 63 rental units. Per the attached correspondence submitted in March 2019, the developer is reevaluating the project due to changes in the market and the addition of new projects in the downtown area. The project scope and design will be based upon market and demographic research. The developer's original intent was to start construction during the second quarter of 2020. The amended development agreement between the City and the developer extended the project completion and occupancy date to March 2021. The COVID-19 pandemic has further delayed the project. The CF-1 indicates that the project is now anticipated to begin in late 2021 with an estimated completion date by the end of 2023. The most recent discussions with the developer revealed that the project may become a condominium with owner-occupied units. If the project scope changes, the development agreement will once again have to be amended and a new real property tax abatement requested. If the scope of the project remains as originally approved, a further delay in construction would also require a new abatement. The approved real property abatement expires in May 2022. Since construction on the project has yet to begin, total investment, employment, and salary cannot be evaluated at this time. Given that this project is active and progressing, this abatement should be considered in substantial compliance with the understanding that a more detailed analysis will occur in future years following completion of the project.
- **Lippert Components** – The attached correspondence, which provides an update on the project, and CF-1s are for both real and personal property abatements approved in 2017 for the renovation and improvements of the former AM General Warehousing facility located at 400 S. Byrkit Avenue. Lippert Components occupies the building as a distribution facility, a service center for recreational vehicles, and a call center. The proposed real estate improvements included in this abatement request, originally estimated as a \$7.4 million investment, have been completed. These improvements included

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renovation of the existing building, a 48,000 sq. ft. building addition (less than the anticipated 79,200 sq. ft. addition as identified in the abatement request), and other site improvements such as access drives, drainage, and additional employee and semi-truck parking areas. Actual real estate investment per the CF-1 is \$13,324,225. The amount of the deduction applicable to real estate improvements is limited to \$7,400,000 per the approved SB-1. The personal property improvements included in this abatement request, originally estimated as a \$1.625 million investment, have been purchased. The personal property investment includes new racking and general logistics distribution equipment, and new furniture and fixtures. Actual personal property investment per the CF-1 is \$9,795,957. The amount of the deduction applicable to personal property improvements is limited to \$1.8 million per the approved SB-1. *In addition to limiting the amount of deductions, the approved abatement request designated the area as an Economic Revitalization Area through July 5, 2018. Therefore, only the additional real and personal property investment completed by this date is applicable.* Since the abatement was approved for 10 years for both the real and personal property, annual reporting will be required through 2028. When the abatement was filed, the total existing employment was listed at 247 with an additional 200 jobs to be added. At present, there are 395 employees, which is a substantial increase from 21 employees in 2017 and from the 266 employees reported last year. The 2020 increase was attributable to the relocation of the call center from the Sample Street facility in South Bend. Additional jobs are anticipated based on the company's growth projections. Total payroll was listed at \$19,782,513 which is more than the \$10,354,808 listed on the SB-1 and an increase from \$13,207,833 reported last year. Given that the total investment and payroll exceeds the projected amounts with employment levels increasing annually, this abatement should be considered in substantial compliance.

- Jamil Packaging Corporation (Flexo Folder-Gluer 2019)** - The CF-1 attached is for the abatement approved in 2019 for a new folder-gluer for converting corrugated board to be located at Jamil's facility at 1420 Industrial Drive. The proposed equipment, originally estimated at \$1,546,591 on the SB-1, was installed and in operation by July 2019. Since the abatement was limited to 3 years for personal property, annual reporting is anticipated to be required through 2022. When the abatement was filed, the total existing employment was listed at 139 with an additional 12 jobs to be added. The total employment reported was 108 which is a decrease of 31 positions and 43 positions less than projected. Per the attached correspondence as submitted with the CF-1, the COVID-19 pandemic severely disrupted business operations during 2020. A major customer was temporarily lost which resulted in a temporary decrease in production during a portion of the year. Toward the end of 2020, production was restored to pre-COVID-19 levels as customers began to recover from the crisis. The company also resumed business with the major customer lost earlier in the year. While Jamil had a decrease in during 2020, hiring efforts resumed at the end of the year and employment levels are continuing to increase in 2021. It should be noted that even with the drop in employment at the end of 2020, total payroll was listed at \$5,385,366 which is 10% higher than the \$4,893,554 listed on the SB-1. Given that total payroll is higher than the project amount and employment levels, while decreasing last year due to the COVID-19 pandemic, are anticipated to increase, this abatement should be considered in substantial compliance.

This compliance review is required to be received by the Auditor no later than May 15th. If additional information is desired, or if the Council would like to review any individual abatement by committee, please contact our office at your earliest convenience so that we can arrange for the necessary participants to attend.

Thank you. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Spier", is written over a horizontal line.

Derek J. Spier, AICP
Senior Planner & Economic Development Specialist

cc: Kenneth B. Prince, ASLA, AICP, City Planner & Economic Development Director
David A. Wood, Mayor

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HISTORY OF ALL TAX ABATEMENTS 1986-CURRENT

Name	Common Council Approval Date	No. of Years Real Estate	No. of Years Machinery	Retained Jobs (Proposed)	No. of New Jobs (Proposed)	No. of Retained Jobs (Actual)	No. of New Jobs (Actual)	Date of Latest CF-1 Found	Capital Investment**	Abated Through*** Collect CF-1s*	Pay*	Abatement Complete
1 Patrick Industries	October 20, 1986	10 Years			52			(-)	\$ 8,622,845.00	1997	1998	YES
2 Former Baby Place	June 7, 1988	6 Years	0	0	38.5			(-)	\$ 2,000,000.00	1995	1996	YES
3 Wheelabrator Area	December 19, 1988	10 Years		338	246			(-)	\$ 2,500,000.00	1989	2000	YES
4 National - Standard	February 21, 1989	6 Years	5 Years	15	180			(-)	\$ 10,100,000.00	1995	1996	YES
5 Thermoplastics Phase I	November 20, 1989	6 Years	5 Years	151	13			(-)	\$ 3,200,000.00	1995	1996	YES
6 Thermoplastics Phase II	November 20, 1989	6 Years	5 Years	155	13			(-)	\$ 3,200,000.00	1993	1994	YES
7 Contech Division I	July 2, 1990	6 Years	5 Years	75	75			(-)	\$ 10,952,483.00	1996	1997	YES
8 Hilti Steel	September 13, 1990	0	5 Years	n/a	14			(-)	\$ 578,000.00	1996	1997	YES
9 Penz Products Inc.	September 24, 1990	3	0	76	10			(-)	\$ 475,000.00	1994	1995	YES
10 Dodge Reliance Electrical I	January 7, 1991	0	5 Years	10	15			(-)	\$ 1,050,000.00	1996	1997	YES
11 Janco Products, Inc.	May 6, 1991	0	5 Years	10	20			(-)	\$ 220,000.00	1996	1997	YES
12 Thermoplastics Phase III	November 4, 1991	0	5 Years	150	19			(-)	\$ 2,750,000.00	1996	1997	YES
13 National Steel Corporation	December 16, 1991	10 Years	5 Years	250	130	150	51	Feb-93	\$ 10,346,394.00	2002	2003	YES
14 Maron Products, Inc.	February 3, 1992	0	5 Years	38	10	41	11	Mar-95	\$ 610,794.00	1998	1999	YES
15 Dodge Reliance Electrical II	July 6, 1992	0	5 Years	300+	0	300+	0	Mar-96	\$ 3,000,000.00	1998	1999	YES
16 Thermoplastics Phase IV	October 19, 1992	6 Years	5 Years	210	50	210	148	Mar-98	\$ 6,812,832.00	1999	2000	YES
17 Contech Division II	April 19, 1993	5 Years	5 Years	10	10	15	108	Mar-99	\$ 1,206,461.00	1999	2000	YES
18 Dana/Ristance Corp./Standard Motor Products - Wire and Cable Div.	January 3, 1994	10 Years	5 Years	80	60	42	88	Mar-05	\$ 6,067,253.00	2004	2005	YES
19 United Lino	September 6, 1994	6 Years	5 Years	77	8	77	7	Jan-01	\$ 1,262,200.00	2001	2002	YES
20 Dearborn Crane	December 5, 1994	10 Years	5 Years	26	4	26	7	May-99	\$ 612,841.00	2005	2006	YES
21 Scott Brass II	December 18, 1995	10 Years	5 Years	73	31	73	13	Mar-06, Apr-01	\$ 11,934,000.00	2006	2007	YES
22 Federal Window (Fedor)	December 18, 1995	6 Years	5 Years	8	8	2	26	Apr-02, Mar-01	\$ 1,078,181.00	2002	2003	YES
23 Maron Products, Inc. II	December 18, 1995	5 Years	5 Years	6	4	2	8	Apr-01	\$ 250,000.00	2001	2002	YES
24 Quality Dining	April 15, 1996	73	5 Years	73	109	73	70	Mar-06	\$ 5,087,402.00	2006	2007	YES
25 Baycote Metal Finishing	January 6, 1997	6 Years	5 Years	70	15	79	7	Jul-00	\$ 1,800,000.00	2003	2004	YES
26 Krizman International	January 6, 1997	6 Years	5 Years	225	20	225	20	Jul-00	\$ 1,500,000.00	2003	2004	YES
27 Troyer	March 3, 1997	3 Years	3 Years	60	40	0	0	(-)	\$ 1,100,000.00	2001	2002	YES
28 Nyloncraft Incorporated	October 20, 1997	6 Years	5 Years	378	40	341	58	Feb-02	\$ 7,598,531.00	2004	2005	YES
29 Ristance Corporation	May 19, 1997	6 Years	5 Years	139	18	0	0	(-)	\$ 3,600,000.00	2004	2005	YES
30 DeVold Manufac. Inc./Power Gear/Engineered Solutions	October 20, 1997	6 Years	5 Years	62	15	62	40	Mar-05	\$ 1,842,833.00	2004	2005	YES
31 Thermoplastics Phase V	December 1, 1997	6 Years	5 Years	299	70	299	19	Mar-00	\$ 3,181,310.00	2003	2004	YES
32 Atchison/Dodge	December 1, 1999	5 Years	5 Years	325	50	230	230	Mar-05	\$ 2,000,000.00	2006	2007	YES
33 Sampson Fiberglass	March 6, 2000	3 Years	5 Years	15	20	15	5	Feb-01	\$ 375,000.00	2004	2005	YES
34 RMG Foundry LLC	March 6, 2000	10 Years	5 Years	325	50	202	0	Feb-06	\$ 2,000,000.00	2006	2007	YES
35 WF Associates (AMG Byrrit Facility)	November 19, 2001	5 Years	5 Years	285	15	234	0	Apr-11	\$ 2,650,000.00	2011	2012	YES
36 Nyloncraft Incorporated	March 20, 2003	5 Years	5 Years	396	16	320	9	May-09	\$ 1,168,064.00	2009	2010	YES
37 Nyloncraft Incorporated	November 6, 2003	5 Years	5 Years	405	13	329	27	May-09	\$ 2,730,304.00	2009	2010	YES
38 Plastimatics Arts Corporation	August 18, 2004	3 Years	3 Years	31	4	31	16	May-06	\$ 1,450,290.00	2007	2008	YES
39 Ironwood Enterprises, LLC	September 6, 2005	5 Years	3 Years	14	49	27	34	May-09	\$ 6,000,000.00	2010	2011	YES
40 Daman Products Company	October 17, 2005	3 Years	3 Years	95	6	82	23	Feb-07	\$ 1,118,980.00	2007	2008	YES
41 Culture Systems, Inc.	December 18, 2006	3 Years	3 Years	12	7	12	2	May-08	\$ 1,200,000.00	2009	2010	YES
42 Patrick Industries (Metals Div)	June 19, 2006	5 Years	3 Years	172	26	51	5	Apr-10	\$ 4,600,000.00	2011	2012	YES
43 Jamil Packaging Corporation	August 21, 2006	5 Years	5 Years	51	5	51	5	May-10	\$ 1,250,000.00	2010	2011	YES
44 Nyloncraft Incorporated	December 6, 2007	5 Years	5 Years	340	50	291	12	Apr-13	\$ 2,185,000.00	2012	2013	YES
45 BD Mishawaka Development LLC	February 4, 2008	10 Years	5 Years	0	370	0	439	Mar-20	\$ 44,000,000.00	2020	2021	NO
46 Jamil Packaging Corporation	May 1, 2008	3 Years	3 Years	64	5	62	11	Apr-12	\$ 1,650,000.00	2012	2013	YES
47 Long Term Care Investments, LLC (Douglas)	June 1, 2009	3 Years	3 Years	0	120	0	67	Apr-12	\$ 18,000,000.00	2012	2013	YES
48 Jamil Packaging Corporation	May 16, 2011	3 Years	3 Years	73	6	73	29	Apr-16	\$ 900,000.00	2014	2015	YES
49 North American Composites (NAC)	March 5, 2012	3 Years	3 Years	0	10	0	20	Mar-19	\$ 1,577,000.00	2018	2019	YES
50 Long Term Care Investments, LLC (Fir)	October 7, 2013	4 Years	5 Years	0	61	0	74	Mar-20	\$ 14,450,000.00	2020	2021	NO
51 Barak River Rock LLC	November 6, 2013	5 Years	5 Years	0	5 to 8	0	33	Mar-20	\$ 14,565,000.00	2021	2022	NO
52 WellPet LLC	January 8, 2014	3 years	5 Years	91	6	91	33	Mar-20	\$ 1,470,500.00	2019	2020	YES
53 Dearborn Crane	May 19, 2014	3 years	5 Years	24	3	24	8	Mar-19	\$ 859,100.00	2018	2019	YES
54 WellPet LLC	April 20, 2015	5 Years	5 Years	115	4	115	9	Mar-20	\$ 1,800,000.00	2022	2023	NO
55 Barak-Group LLC (Iron Rock-Gaf6)	September 21, 2015	5 Years	5 Years	0	0	0	0	Apr-16	\$ 450,000.00	2020	2021	NO
56 Barak-Group LLC (Iron Rock-Condminiums)	September 21, 2015	5 Years	5 Years	474	30 to 50	203	TBD	Apr-16	\$ 10,000,000.00	2020	2021	NO
57 Bayer-Healthcare	October 15, 2016	40 Years	3 Years	0	84	0	178	Mar-18	\$ 12,500,000.00	2025/2026	2026	NO
58 Patrick Industries	February 15, 2017	5 Years	10 Years	0	2	0	2	Feb-20	\$ 2,048,000.00	2020	2021	NO
59 River Walk Development Group LLC (Multi-Family Residential)	June 5, 2017	10 Years	10 Years	247 (relocated)	200	0	266	Mar-20	\$ 12,500,000.00	2025 or 2026/TBD	2024	NO
60 Lippert Components	July 5, 2017	10 Years	3 Years	112	8	112	28	Mar-20	\$ 23,120,182.00	2028	2029	NO
61 Jamil Packaging Corporation	July 24, 2017	3 Years	3 Years	139	12	TBD	TBD	Mar-20	\$ 976,000.00	2020	2021	NO
62 Jamil Packaging Corporation	February 18, 2019	3 Years	3 Years	139	12	TBD	TBD	Mar-20	\$ 1,088,000.00	2022	2023	NO

*The "Abated through collect CF-1s" and "Pay" column demonstrates the number of years from the completion of the project/final installation of the equipment and not the number of years from the date the abatement was approved.

**The tax abatements highlighted above are active requiring the completion of annual compliance forms (CF-1s).

***The capital investment may be the proposed or actual levels of investment based on the current project status.

****The abated through date was determined by the St. Joseph County Auditor's and/or Assessor's Office on March 30, 2020, and revised on March 16, 2021.

According to the applicants, #58 and #61 have expired so the CF-1s were not collected for 2020 abatement compliance reporting year.

HEALTHCARE REALTY

3310 West End Avenue, Suite 700
Nashville, Tennessee 37203
P 615.269.8175
www.healthcarerealty.com

February 22, 2021

Mr. Derek J. Spier, AICP
Senior Planner & Economic Development Specialist
City of Mishawaka
Department of Planning & Community Development
600 East Third Street
Mishawaka, IN 46544-2241

Re: 611 E. Douglas Road, Mishawaka IN
Form CF-1

Dear Mr. Spier,

Enclosed please find the Compliance with Statement of Benefits form (CF-1) for Real Estate Improvements located at the above referenced address.

If you have any questions, please don't hesitate to contact me at (615) 269-8396 or by e-mail at:
ksullivan@healthcarerealty.com

Thank you,



Kim Sullivan
Associate Vice President
Asset Management

Cc: Sarah Purser



**COMPLIANCE WITH STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS**

State Form 51766 (R4 / 1-21)

Prescribed by the Department of Local Government Finance

20 20 PAY 20 21

FORM CF-1 / Real Property

PRIVACY NOTICE

The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1.1-12.1-5.3 (k) and (l).

INSTRUCTIONS:

1. This form does not apply to property located in a residentially distressed area or any deduction for which the Statement of Benefits was approved before July 1, 1991.
2. Property owners must file this form with the county auditor and the designating body for their review regarding the compliance of the project with the Statement of Benefits (Form SB-1/Real Property).
3. This form must accompany the initial deduction application (Form 322/RE) that is filed with the county auditor.
4. This form must also be updated each year in which the deduction is applicable. It is filed with the county auditor and the designating body before May 17, 2021, or by the due date of the real property owner's personal property return that is filed in the township where the property is located. (IC 6-1.1-12.1-5.3(j))
5. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (Form CF-1/Real Property).

SECTION 1		TAXPAYER INFORMATION	
Name of taxpayer	HR of Indiana, LLC	County	St. Joseph
Address of taxpayer (number and street, city, state, and ZIP code)	3310 West End Avenue, Nashville, TN 37203	DLGF taxing district number	71-022
Name of contact person	Kim Sullivan	Telephone number	(615) 269-8396

SECTION 2			LOCATION AND DESCRIPTION OF PROPERTY		
Name of designating body	Common Council of the City of Mishawaka	Resolution number	R-2008-02	Estimated start date (month, day, year)	2/11/2008
Location of property	611 East Douglas Road, Mishawaka, IN 46545			Actual start date (month, day, year)	
Description of real property improvements	Construction of a 205,573 square foot medical office building and all parking as required. Building is connected to Saint Joseph Regional Medical Center Hospital.			Estimated completion date (month, day, year)	
				Actual completion date (month, day, year)	08/01/2009

SECTION 3				EMPLOYEES AND SALARIES	
EMPLOYEES AND SALARIES		AS ESTIMATED ON SB-1		ACTUAL	
Current number of employees				403	
Salaries				34,390,342.00	
Number of employees retained					
Salaries					
Number of additional employees		370			
Salaries		10,555,000.00			

SECTION 4				COST AND VALUES	
COST AND VALUES		REAL ESTATE IMPROVEMENTS			
AS ESTIMATED ON SB-1		COST		ASSESSED VALUE	
Values before project					
Plus: Values of proposed project		46,000,000.00			
Less: Values of any property being replaced					
Net values upon completion of project		46,000,000.00			
ACTUAL		COST		ASSESSED VALUE	
Values before project					
Plus: Values of proposed project		37,765,910.00		18,216,400.00	
Less: Values of any property being replaced					
Net values upon completion of project		44,000,000.00			

SECTION 5				WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER	
WASTE CONVERTED AND OTHER BENEFITS		AS ESTIMATED ON SB-1		ACTUAL	
Amount of solid waste converted					
Amount of hazardous waste converted					
Other benefits:					

SECTION 6				TAXPAYER CERTIFICATION	
I hereby certify that the representations in this statement are true.					
Signature of authorized representative		Title		Date signed (month, day, year)	
Kim Sullivan		Associate Vice President		2/22/2021	

OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1)
THAT WAS APPROVED AFTER JUNE 30, 1991

INSTRUCTIONS: (IC 6-1.1-12.1-5.3 and IC 6-1.1-12.1-5.9)

1. Not later than forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits (Form SB-1/Real Property).
2. If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. The date of this hearing may not be more than thirty (30) days after the date this notice is mailed. A copy of the notice may be sent to the county auditor and the county assessor.
3. Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable efforts to substantially comply with the Statement of Benefits (Form SB-1/Real Property) and whether any failure to substantially comply was caused by factors beyond the control of the property owner.
4. If the designating body determines that the property owner has **NOT** made reasonable efforts to comply, then the designating body shall adopt a resolution terminating the property owner's deduction. If the designating body adopts such a resolution, the deduction does not apply to the next installment of property taxes owed by the property owner or to any subsequent installment of property taxes. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the county auditor; and (3) the county assessor.

We have reviewed the CF-1 and find that:

- ☐ the property owner **IS** in substantial compliance
- ☐ the property owner **IS NOT** in substantial compliance
- ☐ other (specify) _____

Reasons for the determination (attach additional sheets if necessary)

Signature of authorized member

Date signed (month, day, year)

Attested by:

Designating body

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance. (Hearing must be held within thirty (30) days of the date of mailing of this notice.)

Time of hearing

- ☐ AM
☐ PM

Date of hearing (month, day, year)

Location of hearing

HEARING RESULTS (to be completed after the hearing)

☐ Approved

☐ Denied (see instruction 4 above)

Reasons for the determination (attach additional sheets if necessary)

Signature of authorized member

Date signed (month, day, year)

Attested by:

Designating body

APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.

2020 Tax Info

<u>Tenant</u>	<u>Employees</u>	<u>Salaries</u>
Martin's Pharmacy	11	\$294,768
Alick's Home Medical	3	\$137,456
SJPMC	313	\$28,156,398
Cataract and Laser	17	\$1,355,398
Allied Physicians	9	\$446,052
MRI	8	\$763,743
Centre PC	29	\$2,240,315
XRC	13	\$996,213
	403	\$34,390,342



STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51767 (R/1-06)

Prescribed by the Department of Local Government Finance

FORM SB-1/RE

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 the redevelopment or rehabilitation of real property 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 6-4.1-12.1)
2. Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to initiation of the redevelopment or rehabilitation, BEFORE a deduction may be approved.
3. To obtain a deduction, Form 322 ERA, Application for Deduction from Assessed Valuation of Structures in Economic Revitalization Areas, must be filed with the County Auditor by the later of: (1) May 10; or (2) thirty (30) days after the notice of addition to assessed valuation or new assessment is mailed to the property owner at the address shown on the records of the township assessor.
4. Property owners whose Statement of Benefits was approved after June 30, 1991, must submit Form OF-1/RE annually to show compliance with the Statement of Benefits. (IC 6-4.1-12.1-5.1(b))
5. The schedules established under IC 6-4.1-12.1-4(d) effective July 1, 2000, apply to any statement of benefits filed on or after July 1, 2000. The schedules effective prior to July 1, 2000, shall continue to apply to those statement of benefits filed before July 1, 2000.

SECTION 1: TAXPAYER INFORMATION					
Name of taxpayer BD SJRMC Mishawaka Development, LLC					
Address of taxpayer (number and street, city, state, and ZIP code) 510 E. 96th. Street, Suite 250, PO Box 40509, Indpls, IN 46240					
Name of contact person David P. Durm				Telephone number 817, 808-6449	
SECTION 2: LOCATION AND DESCRIPTION OF PROPOSED PROJECT					
Name of designating body See Application				Resolution number	
Location of property Douglas Rd. Mishawaka, IN.		County St. Joseph		DLGF taxing district number	
Description of real property improvements, redevelopment, or rehabilitation, (use additional sheets if necessary) Exhibit A (See Attached)				ESTIMATED	
				Start Date 6/1/07	Completion Date 10/1/08
SECTION 3: ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT					
Current number 615	Salaries \$2,399,730	Number retained 615	Salaries \$2,399,730	Number additional 308	Salaries \$12,047,425
See attached					
SECTION 4: ESTIMATE OF TOTAL COST AND VALUE OF PROPOSED PROJECT					
NOTE: Pursuant to IC 6-4.1-12.1-5.1 (d) (2) the COST of the property is confidential.		REAL ESTATE IMPROVEMENTS			
		COST		ASSESSED VALUE	
Current values		See Attached			
Plus estimated values of proposed project		\$46,000,000			
Less values of any property being replaced					
Net estimated values upon completion of project		\$46,000,000			
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 North Rep		Date signed (month, day, year) 4/19/07	

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 Three (3) calendar years * (see below). The date this designation expires is February 4, 2011.

B. The type of deduction that is allowed in the designated area is limited to:

1. Redevelopment or rehabilitation of real estate improvements;
2. Residentially distressed areas

☒ Yes ☐ No

☐ Yes ☒ No

C. The amount of deduction applicable for redevelopment or rehabilitation is limited to \$ N/A cost with an assessed value of \$ N/A.

D. Other limitations or conditions (specify) N/A

E. The deduction for redevelopment or rehabilitation is allowed for Ten (10) years* (see below).

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. (IC 6-1.1-12-3(b))

Approved: (signature and title of authorized member)

John J. Roggeman John J. Roggeman, Pres

Telephone number

(574) 258-1616

Date signed (month, day, year)

02-04-2008

Attested by:

Deborah S. Block Deborah S. Block, City Clerk

Designated body

Mishawaka 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.

For residentially distressed areas, the deduction period may not exceed five (5) years. If the Economic Revitalization Area was designated prior to July 1, 2000, the deduction period is limited to three (3), six (6), or ten (10) years. For ERAs after June 30, 2000, the deduction period may not exceed ten (10) years. An area designated as an urban development area pursuant to an application filed after December 31, 1978, and prior to January 1, 1988, are entitled to a ten (10) year deduction.

1st Reading
2nd Reading
Passed
Failed
Continued To

RECEIVED
DEBORAH S. GLOCK, CMC
JAN 31 2008
CITY CLERK
MISHAWAKA, IN

RESOLUTION NO. R 2008- 02

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA,
INDIANA MAKING FINAL DETERMINATION AND CONFIRMING A CERTAIN
AREA IN THE CITY OF MISHAWAKA, INDIANA AS AN ECONOMIC
REVITALIZATION AREA

(BD SJRMC Mishawaka Development, LLC)

CONFIRMING RESOLUTION

WHEREAS, the Common Council of the City of Mishawaka, Indiana (the "Common Council"), did pursuant to the "Deduction for Rehabilitation or Redevelopment of Real Property in Economic Development Revitalization Areas Act" (Indiana Code 6-1.1-12.1-1 et seq.) as amended (hereinafter referred to as the "Act"), declare that the following described area in the City of Mishawaka, County of St. Joseph, State of Indiana, is an "Economic Revitalization Area":

A lot or parcels of land described as follows:

1. Tax Keys #27-1059-1178.16; #27-1059-1177.01 and #27-1059-1177 with the legal description marked 'Exhibit A' and attached hereto;

More commonly known as vacant land on East Douglas Road.

All of the above described property being located within the municipal corporate limits of the City of Mishawaka, Indiana, and

WHEREAS, this declaration was effected by Resolution No. R 2007-21 (the "Declaratory Resolution") adopted by the Common Council on the 18th day of June, 2007; and

WHEREAS, under the provisions of the Act a copy of the Declaratory Resolution was filed for public inspection at the office of the St. Joseph County Assessor's Office; and

WHEREAS, pursuant to Indiana Code 5-3-1, public notice of the adoption and substance of the Declaratory Resolution was given; as well as setting forth that a public hearing would be held on February 4, 2008 to receive and hear all remonstrance and objections from interested persons; and

WHEREAS, pursuant to the Act, a copy of said public notice along with a copy of the Statement of Benefits (the "State of Benefits") of BD SJRMC Mishawaka Development, LLC (the "Applicant") was filed with each taxing unit in whose jurisdiction the property described in the above legal description is located; and

WHEREAS, on February 4, 2008, the Common Council received and heard all remonstrance and objections to the Declaratory Resolution from interested persons and considered the evidence;

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Mishawaka, Indiana:

1. That upon conclusion of said public hearing and consideration of evidence presented, it is now determined that the area described meets the qualifications for an Economic Revitalization Area; and
2. That the Declaratory Resolution is hereby modified and confirmed as follows:
 - a) That the above described area shall be designated as an Economic Revitalization Area for a period of three (3) years beginning with the date of this resolution; and
 - b) That the property tax deduction to which the property owner is entitled shall apply to real property pursuant to Section 3 of the Act; and
 - c) That these deductions applicable for real property tax abatement and are limited to ten (10) years; and
 - d) That the estimate of the value of the redevelopment is reasonable for projects of this nature; and
 - e) That the description of the proposed redevelopment meets applicable standards for such development; and
 - f) The estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment by the Applicant; and
 - g) The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment by the Application; and
 - h) That the other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed described redevelopment; and
 - i) That the deduction will not be allowed unless the facility is constructed or rehabilitated to meet local code standards; and
 - j) That the totality of benefits is sufficient to justify the granting of this requested deduction.

SOPKO, NUSSBAUM, INABNIT & KACZMAREK

ATTORNEYS AT LAW

5TH FLOOR - PLAZA BUILDING

210 S. MICHIGAN STREET

SOUTH BEND, INDIANA 46601

TELEPHONE (574) 234-3000

FACSIMILE (574) 234-4220

E-MAIL ADDRESS: SNI@SNI-LAW.COM

OF COUNSEL

THOMAS C. SOPKO

RICHARD A. NUSSBAUM, II*

BRENT E. INABNIT**

MATTHEW R. KACZMAREK*

KEVIN E. WARREN

JOSHUA A. VISSER

NICHOLAS J. DERDA

CHRISTINA M. SHAKOUR

BENJAMIN M. REDGRAVE

HARRISON D. METZ

*ALSO ADMITTED IN MICHIGAN

**ALSO ADMITTED IN ILLINOIS



February 25, 2021

(Via Email Transmission and U.S. Mail)

Derek J. Spier, Senior Planner & Economic Development Specialist
Planning and Development Department
City of Mishawaka
600 East 3rd Street
Mishawaka, Indiana 46544

Re: Tax Abatement Compliance
Long Term Care Investments V, LLC Compliance with Statement of Benefits
5805 N. Fir Road

Dear Mr. Spier:

Enclosed please find Long Term Care Investments V, LLC's Compliance with Statement of Benefits Real Estate Improvements Form CF-1. Please contact me should you have any questions or if you need any additional information.

Very truly yours,

Brent E. Inabnit
brenti@sni-law.com

BEI:jh

Enclosures

cc: Long Term Care Investments V, LLC (w/enclosure)



COMPLIANCE WITH STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51766 (R4 / 1-21)

Prescribed by the Department of Local Government Finance

2021 PAY 2022

FORM CF-1 / Real Property

PRIVACY NOTICE

The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1.1-12.1-5.3 (k) and (l).

INSTRUCTIONS:

1. This form does not apply to property located in a residentially distressed area or any deduction for which the Statement of Benefits was approved before July 1, 1991.
2. Property owners must file this form with the county auditor and the designating body for their review regarding the compliance of the project with the Statement of Benefits (Form SB-1/Real Property).
3. This form must accompany the initial deduction application (Form 322/RE) that is filed with the county auditor.
4. This form must also be updated each year in which the deduction is applicable. It is filed with the county auditor and the designating body before May 17, 2021, or by the due date of the real property owner's personal property return that is filed in the township where the property is located. (IC 6-1.1-12.1-5.3(j))
5. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (Form CF-1/Real Property).

SECTION 1 TAXPAYER INFORMATION		
Name of taxpayer Long Term Care Investments V, LLC		County St. Joseph
Address of taxpayer (number and street, city, state, and ZIP code) 1620 N. Ironwood Drive, South Bend, Indiana 46635		DLGF taxing district number 036
Name of contact person Andrew W. Place		Telephone number (574) 259-4858
SECTION 2 LOCATION AND DESCRIPTION OF PROPERTY		
Name of designating body City of Mishawaka Common Council	Resolution number 2013-18	Estimated start date (month, day, year) 10/21/2013
Location of property 5805 N. Fir Road, Granger, Indiana 46530		Actual start date (month, day, year) 10/1/2014
Description of real property improvements Construction of a new one-story Skilled Nursing Care Facility consisting of 55,880 sq. ft., containing 84 beds, and having an estimated cost of \$14-\$15 million plus \$1.5 million for fixtures and furniture.		Estimated completion date (month, day, year) 5/1/2016
		Actual completion date (month, day, year) 7/31/2016
SECTION 3 EMPLOYEES AND SALARIES		
EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	0	72 Full Time Equiv.
Salaries	0.00	3,180,981.00
Number of employees retained	0	0
Salaries	0.00	0.00
Number of additional employees	61 Full Time	0
Salaries	2,161,524.00	0.00
SECTION 4 COST AND VALUES		
COST AND VALUES	REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE
Values before project	0.00	48,600.00
Plus: Values of proposed project	16,500,000.00	
Less: Values of any property being replaced	10,000.00	
Net values upon completion of project	16,490,000.00	
ACTUAL	COST	ASSESSED VALUE
Values before project	0.00	52,200.00
Plus: Values of proposed project	14,500,000.00	5,433,100.00
Less: Values of any property being replaced	10,000.00	10,000.00
Net values upon completion of project	14,490,000.00	5,423,100.00
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER		
WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted	0.00	0.00
Amount of hazardous waste converted	0.00	0.00
Other benefits:	0.00	0.00
SECTION 6 TAXPAYER CERTIFICATION		
I hereby certify that the representations in this statement are true.		
Signature of authorized representative 	Title Attorney	Date signed (month, day, year) 2/25/2021

**OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1)
THAT WAS APPROVED AFTER JUNE 30, 1991**

INSTRUCTIONS: (IC 6-1.1-12.1-5.3 and IC 6-1.1-12.1-5.9)

1. Not later than forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits (Form SB-1/Real Property).
2. If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. The date of this hearing may not be more than thirty (30) days after the date this notice is mailed. A copy of the notice may be sent to the county auditor and the county assessor.
3. Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable efforts to substantially comply with the Statement of Benefits (Form SB-1/Real Property) and whether any failure to substantially comply was caused by factors beyond the control of the property owner.
4. If the designating body determines that the property owner has **NOT** made reasonable efforts to comply, then the designating body shall adopt a resolution terminating the property owner's deduction. If the designating body adopts such a resolution, the deduction does not apply to the next installment of property taxes owed by the property owner or to any subsequent installment of property taxes. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the county auditor; and (3) the county assessor.

We have reviewed the CF-1 and find that:

☐ the property owner **IS** in substantial compliance

☐ the property owner **IS NOT** in substantial compliance

☐ other (specify) _____

Reasons for the determination (attach additional sheets if necessary)

Signature of authorized member

Date signed (month, day, year)

Attested by:

Designating body

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance. (Hearing must be held within thirty (30) days of the date of mailing of this notice.)

Time of hearing

☐ AM
☐ PM

Date of hearing (month, day, year)

Location of hearing

HEARING RESULTS (to be completed after the hearing)

☐ Approved

☐ Denied (see instruction 4 above)

Reasons for the determination (attach additional sheets if necessary)

Signature of authorized member

Date signed (month, day, year)

Attested by:

Designating body

APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.

Derek Spier

From: Andrew Kolomiets <a.kolomiets@insite-dev.com>
Sent: Wednesday, March 10, 2021 4:25 PM
To: Derek Spier
Cc: Scott Sivan
Subject: Re: Tax Abatement Compliance (CF-1s for 2020 pay 2021) - River Rock Apartments

>>> FROM EXTERNAL SENDER <<<

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Derek,

We currently employ 6 employees dedicated to RR:

- Managing partner
- CFO
- Regional property director
- Property manager
- 2 maintenance staff

Design and development coordinator left the company.

To the best of my knowledge, Tule Spa and the Bar Method went back to the staffing levels of 2020 pre-pandemic.

3 EMPLOYEES + 5 EMPLOYEES = 8 ADDITIONAL
(PER APPLICANT AND BAR METHOD WEBSITE BASED
ON NUMBER OF INSTRUCTORS)

Best regards,

INSITE
DEVELOPMENT

Andrew Kolomiets
INSITE Development, LLC
117 W. Grove St., Suite 103
Mishawaka, IN 46545
office (574) 855-2072
cell (574) 350-8869
www.insite-dev.com
www.riverrocklife.com
www.rgsliving.com
www.thehawksatrivierart.com

On Wed, Mar 10, 2021 at 1:11 PM Derek Spier <dspier@mishawaka.in.gov> wrote:

Good afternoon Andrew-

For last year's tax abatement compliance reporting, you had provided the below information which was included in our report.

This year's CF-1, as provided, indicated that you have 6 employees with a combined total salary of \$230,802.

Can you please update the below information provided last year to reflect the current 6 employees?

Today, there are still 7 people in our Insite Office located at 112 W Mishawaka Ave:

- Managing Partner
- Chief Financial Officer
- Senior Property Manager
- Design & Development Assistant
- Property Maintenance Supervisor – 3 total

You mentioned that Tule' had 2 employees at Tule' Spa (124 W. Mishawaka Ave.) The Bar Method, an exercise studio (132 W. Mishawaka Ave.), which was operation at this time last year, had 3 employees. Please verify these employment levels are still accurate, and any other businesses and number of employees operating in the commercial spaces.

Thanks, and let me know if you have any questions.

Best,

Best regards,

Derek Spier, AICP



COMPLIANCE WITH STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51766 (R3 / 2-13)

Prescribed by the Department of Local Government Finance

20 20 PAY 20 21

FORM CF-1 / Real Property

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 form does not apply to property located in a residentially distressed area or any deduction for which the Statement of Benefits was approved before July 1, 1991.
2. Property owners must file this form with the county auditor and the designating body for their review regarding the compliance of the project with the Statement of Benefits (Form SB-1/Real Property).
3. This form must accompany the initial deduction application (Form 322/RE) that is filed with the county auditor.
4. This form must also be updated each year in which the deduction is applicable. It is filed with the county auditor and the designating body before May 15, or by the due date of the real property owner's personal property return that is filed in the township where the property is located. (IC 6-1.1-12.1-5.1(b))
5. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (Form CF-1/Real Property).

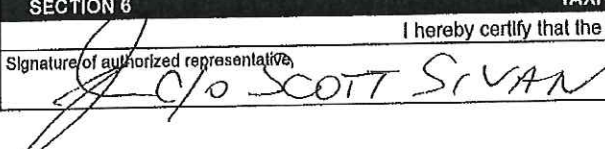
SECTION 1 TAXPAYER INFORMATION		
Name of taxpayer	County	
Barak River Rock LLC	St. Joseph	
Address of taxpayer (number and street, city, state, and ZIP code)	DLGF taxing district number	
117 W Grove St. ste#103, Mishawaka, IN 46545	71-023	
Name of contact person	Telephone number	
Scott Sivan, Managing Partner	(574) 855 2072	

SECTION 2 LOCATION AND DESCRIPTION OF PROPERTY		
Name of designating body	Resolution number	Estimated start date (month, day, year)
Common Council of the City of Mishawaka	R2013-21	09/01/2015
Location of property	Actual start date (month, day, year)	
126 W Mishawaka Ave, Mishawaka, IN 46545	01/04/2016	
Description of real property improvements	Estimated completion date (month, day, year)	
Construction of a multi-family rental complex	08/31/2016	
	Actual completion date (month, day, year)	
	01/11/2017	

SECTION 3 EMPLOYEES AND SALARIES		
EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	5-8	6
Salaries	200,000.00	230,802.00
Number of employees retained		
Salaries		
Number of additional employees		
Salaries		

SECTION 4 COST AND VALUES		
COST AND VALUES	REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE
Values before project		
Plus: Values of proposed project		
Less: Values of any property being replaced		
Net values upon completion of project		
ACTUAL	COST	ASSESSED VALUE
Values before project	155,000.00	177,300.00
Plus: Values of proposed project	14,565,233.00	9,380,600.00
Less: Values of any property being replaced	155,000.00	177,300.00
Net values upon completion of project	14,565,233.00	9,388,600.00

SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER		
WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted		
Amount of hazardous waste converted		
Other benefits:		

SECTION 6 TAXPAYER CERTIFICATION		
I hereby certify that the representations in this statement are true.		
Signature of authorized representative	Title	Date signed (month, day, year)
 SCOTT SIVAN	Managing Partner	02/15/2021

**OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1)
THAT WAS APPROVED AFTER JUNE 30, 1991**

INSTRUCTIONS: (IC 6-1.1-12.1-5.1 and IC 6-1.1-12.1-5.9)

1. Not later than forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits (Form SB-1/Real Property).
2. If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. The date of this hearing may not be more than thirty (30) days after the date this notice is mailed. A copy of the notice may be sent to the county auditor and the county assessor.
3. Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable efforts to substantially comply with the Statement of Benefits (Form SB-1/Real Property) and whether any failure to substantially comply was caused by factors beyond the control of the property owner.
4. If the designating body determines that the property owner has **NOT** made reasonable efforts to comply, then the designating body shall adopt a resolution terminating the property owner's deduction. If the designating body adopts such a resolution, the deduction does not apply to the next installment of property taxes owed by the property owner or to any subsequent installment of property taxes. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the county auditor; and (3) the county assessor.

We have reviewed the CF-1 and find that:

- ☐ the property owner **IS** in substantial compliance
- ☐ the property owner **IS NOT** in substantial compliance
- ☐ other (specify) _____

Reasons for the determination (attach additional sheets if necessary)

Signature of authorized member

Date signed (month, day, year)

Attested by:

Designating body

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance. (Hearing must be held within thirty (30) days of the date of mailing of this notice.)

Time of hearing

☐ AM
☐ PM

Date of hearing (month, day, year)

Location of hearing

HEARING RESULTS (to be completed after the hearing)

☐ Approved

☐ Denied (see instruction 4 above)

Reasons for the determination (attach additional sheets if necessary)

Signature of authorized member

Date signed (month, day, year)

Attested by:

Designating body

APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.



COMPLIANCE WITH STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51765 (R5 / 1-21)

Prescribed by the Department of Local Government Finance

PRIVACY NOTICE

This form contains confidential
information pursuant to
IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6.

FORM CF-1/PP

JANUARY 1, 2021

- INSTRUCTIONS:**
1. Property owners whose Statement of Benefits was approved must file this form with the local Designating Body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
 2. This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1, and May 17, 2021, unless a filing extension under IC 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between January 1, and the extended due date of each year.
 3. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance (CF-1).

SECTION 1

TAXPAYER INFORMATION

Name of taxpayer WELLPET	County St. Joseph
Address of taxpayer (street and number, city, state and ZIP code) 1011 West 11th Street Mishawaka IN 46544	DLGF taxing district number 71-023
Name of contact person Terry Peterson	Telephone number

SECTION 2

LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body MISHAWAKA COMMON COUNCIL	Resolution number R2015-14	Estimated start date (month, day, year) 07/01/2015
Location of property 1121 West 11th Street MISHAWAKA IN 46544		Actual start date (month, day, year) / /
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired. SEE ATTACHED "High Speed Packaging Line Overview 2015"		Estimated completion date (month, day, year) 11/01/2015
		Actual completion date (month, day, year) / /

SECTION 3

EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	115	127
Salaries	3,898,000	6,339,508
Number of employees retained	115	115
Salaries	3,898,000	3,898,000
Number of additional employees	4	12
Salaries	200,000	2,441,508

SECTION 4

COST AND VALUES

	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project	15,570,388							
Plus: Values of proposed project	1,800,000							
Less: Values of any property being replaced								
Net values upon completion of project	17,370,388							
ACTUAL	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project	23,187,291	6,928,106						
Plus: Values of proposed project	1,801,071	540,321						
Less: Values of any property being replaced								
Net values upon completion of project	24,988,362	7,468,427						

NOTE: The COST of the property is confidential pursuant to IC 6-1.1-12.1-5.6 (c).

SECTION 5

WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted		
Amount of hazardous waste converted		
Other benefits:		

SECTION 6

TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative Terry Peterson	Title Controller	Date signed (month, day, year) 2/22/2021
--	---------------------	---

INSTRUCTIONS: (IC 6-1.1-12-5.9)

1. Within forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits.
2. If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. If a notice is mailed to a property owner, a copy of the written notice will be sent to the County Assessor and the County Auditor.
3. Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable effort to substantially comply with the Statement of Benefits and whether any failure to substantially comply was caused by factors beyond the control of the property owner.
4. If the designating body determines that the property owner has **NOT** made reasonable effort to comply, then the designating body shall adopt a resolution terminating the deduction. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the county auditor; and (3) the county assessor.

We have reviewed the CF-1 and find that:			
☐ the property owner IS in substantial compliance ☐ the property owner IS NOT in substantial compliance ☐ other (specify) _____			
Reasons for the determination (attach additional sheets if necessary)			
Signature of authorized member			Date signed (month, day, year)
Attested by:		Designating body	
If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance.			
Time of hearing	☐ AM ☐ PM	Date of hearing (month, day, year)	Location of hearing
HEARING RESULTS (to be completed after the hearing)			
☐ Approved ☐ Denied (see instruction 5 above)			
Reasons for determination (attach additional sheets if necessary)			
Signature of authorized member			Date signed (month, day, year)
Attested by:		Designating body	
APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]			
A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.			



STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51784 (R3/12-13)

Prescribed by the Department of Local Government Finance

FORM SB-1/PP

PRIVACY NOTICE

Any information concerning the cost of the property and special services paid to individual employees by the property owner is confidential per IC 5-4.1-12.1-9.1.

INSTRUCTIONS

- 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.
- The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.
- 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 16 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.
- Property owners whose Statement of Benefits was approved, must submit Form CP-1/PP annually to show compliance with the Statement of Benefits (IC 5-4.1-12.1-5.6).
- For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 5-4.1-12.1-7)

SECTION 1: TAXPAYER INFORMATION	
Name of taxpayer WellPet LLC	Name of contact person Michelle Tatgenhorst
Address of taxpayer (number and street, city, state, and ZIP code) 1011 West 11th Street	Telephone number (874) 269-7834

SECTION 2: LOCATION AND DESCRIPTION OF PROPOSED PROJECT			
Name of designating body Mishawaka Common Council	Resolution number (e) 7-1-023		
Location of property 1121 West 11th Street, Mishawaka, IN 46644	County St. Joseph	BLG taxing district number 7-1-023	
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.) SEE ATTACHED "High Speed Packaging Line Overview 2016"	ESTIMATED		
	START DATE		
	COMPLETION DATE		
	Manufacturing Equipment		
	R & D Equipment		
Logist Dist Equipment			
IT Equipment			

SECTION 3: ESTIMATE OF EMPLOYERS AND SALARIES AS RESULT OF PROPOSED PROJECT					
Current number 115	Salaries \$3,898,000	Number retained 115	Salaries \$3,898,000	Number added 4	Salaries \$200,000

SECTION 4: ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT								
NOTE: Pursuant to IC 5-4.1-12.1-5.1 (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	15,670,388.1							
Plus estimated values of proposed project	1,800,000.01							
Less values of any property being replaced								
Net estimated values upon completion of project	16,705,833.1							

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: SIGNATURE AND CERTIFICATION	
I hereby certify that the representations in this statement are true.	
Signature of authorized representative Michelle Tatgenhorst	Date signed (month, day, year) 03/17/2016
Printed name of authorized representative Michelle Tatgenhorst	Title Controller

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 (5) Five calendar years* (see below). The date this designation expires is 12-31-2019.

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 \$ 1,800,000 or is determined by the assessor cost with an assessed value of \$1,800,000.

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) None

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 is allowed for:

- ☒ Year 1 ☒ Year 2 ☒ Year 3 ☐ Year 4 ☐ Year 5 (see below*)
☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9 ☐ Year 10

I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? ☐ Yes ☐ No
 If yes, attach a copy of the abatement schedule to this form.
 If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

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 by (signature and title of authorized member of designating body) <u>Dale "Woody" Emmons</u>	Telephone number <u>(574) 258-1616</u>	Date signed (month, day, year) <u>04-20-2015</u>
Printed name of authorized member of designating body <u>Dale "Woody" Emmons, President</u>	Name of designating body <u>Mishawaka Common Council</u>	
Attested by (signature and title of attester) <u>Deborah S. Block</u>	Printed name of attester <u>Deborah S. Block, City Clerk</u>	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

(1) The total amount of the taxpayer's investment in real and personal property.

(2) The number of new full-time equivalent jobs created.

(3) The average wage of the new employees compared to the state minimum wage.

(4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.



COMPLIANCE WITH STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51766 (R3 / 2-13)

Prescribed by the Department of Local Government Finance

20 20 PAY 20 21

FORM CF-1 / Real Property

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 form does not apply to property located in a residentially distressed area or any deduction for which the Statement of Benefits was approved before July 1, 1991.
2. Property owners must file this form with the county auditor and the designating body for their review regarding the compliance of the project with the Statement of Benefits (Form SB-1/Real Property).
3. This form must accompany the initial deduction application (Form 322/RE) that is filed with the county auditor.
4. This form must also be updated each year in which the deduction is applicable. It is filed with the county auditor and the designating body before May 15, or by the due date of the real property owner's personal property return that is filed in the township where the property is located. (IC 6-1.1-12.1-5.1(b))
5. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (Form CF-1/Real Property).

SECTION 1		TAXPAYER INFORMATION	
Name of taxpayer River Walk Development LLC		County St. Joseph	
Address of taxpayer (number and street, city, state, and ZIP code) 117 W Grove St. ste#103, Mishawaka, IN 46545		DLGF taxing district number 71023	
Name of contact person Scott Sivan, Managing Partner		Telephone number (574) 855 2072	
SECTION 2		LOCATION AND DESCRIPTION OF PROPERTY	
Name of designating body Common Council of the City of Mishawaka		Resolution number 2017-08	Estimated start date (month, day, year) Dec 2021
Location of property Vacant land at 100 Block of East Mishawaka Ave		Actual start date (month, day, year)	
Description of real property improvements Construction of a multi-family complex		Estimated completion date (month, day, year) Dec 2023	
		Actual completion date (month, day, year)	
SECTION 3		EMPLOYEES AND SALARIES	
EMPLOYEES AND SALARIES		AS ESTIMATED ON SB-1	ACTUAL
Current number of employees		2	2
Salaries		75,000.00	47,388.00
Number of employees retained			
Salaries			
Number of additional employees			
Salaries			
SECTION 4		COST AND VALUES	
COST AND VALUES		REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1		COST	ASSESSED VALUE
Values before project		0.00	
Plus: Values of proposed project		12,500,000.00	
Less: Values of any property being replaced		0.00	
Net values upon completion of project		12,500,000.00	
ACTUAL		COST	ASSESSED VALUE
Values before project			
Plus: Values of proposed project			
Less: Values of any property being replaced			
Net values upon completion of project			
SECTION 5		WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER	
WASTE CONVERTED AND OTHER BENEFITS		AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted			
Amount of hazardous waste converted			
Other benefits:			
SECTION 6		TAXPAYER CERTIFICATION	
I hereby certify that the representations in this statement are true.			
Signature of authorized representative SCOTT SIVAN		Title Managing Partner	Date signed (month, day, year) 02/15/2021

**OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1)
THAT WAS APPROVED AFTER JUNE 30, 1991**

INSTRUCTIONS: (IC 6-1.1-12.1-5.1 and IC 6-1.1-12.1-5.9)

1. Not later than forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits (Form SB-1/Real Property).
2. If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. The date of this hearing may not be more than thirty (30) days after the date this notice is mailed. A copy of the notice may be sent to the county auditor and the county assessor.
3. Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable efforts to substantially comply with the Statement of Benefits (Form SB-1/Real Property) and whether any failure to substantially comply was caused by factors beyond the control of the property owner.
4. If the designating body determines that the property owner has **NOT** made reasonable efforts to comply, then the designating body shall adopt a resolution terminating the property owner's deduction. If the designating body adopts such a resolution, the deduction does not apply to the next installment of property taxes owed by the property owner or to any subsequent installment of property taxes. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the county auditor; and (3) the county assessor.

We have reviewed the CF-1 and find that:			
☐ the property owner IS in substantial compliance ☐ the property owner IS NOT in substantial compliance ☐ other (specify) _____			
Reasons for the determination (attach additional sheets if necessary)			
Signature of authorized member			Date signed (month, day, year)
Attested by:		Designating body	
If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance. (Hearing must be held within thirty (30) days of the date of mailing of this notice.)			
Time of hearing	☐ AM ☐ PM	Date of hearing (month, day, year)	Location of hearing
HEARING RESULTS (to be completed after the hearing)			
☐ Approved ☐ Denied (see instruction 4 above)			
Reasons for the determination (attach additional sheets if necessary)			
Signature of authorized member			Date signed (month, day, year)
Attested by:		Designating body	
APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]			
A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.			



February 23, 2021

Derek J. Spier, Senior Planner & Economic Development Specialist
City of Mishawaka
600 East Third St
Mishawaka, IN 46544

RE: 2020 Tax Abatement Compliance
Lippert Components Manufacturing, Inc.
400 S. Byrkit Avenue, Mishawaka, IN

Dear Mr. Spier:

Enclosed are the completed 2020 Real Property and Personal Property Form CF-1s for compliance with the existing tax abatements with the City of Mishawaka.

Included on the 2020 Form CF-1s, you will see a total headcount of 395 employees earning total salaries of \$19,782,513. This is a substantial increase over the 266 employees and \$13,207,833 of salaries that we reported in the previous year. The 2020 increase was attributable to the relocation of our call center from the Sample St facility in South Bend to the Byrkit facility. We continue to explore opportunities to expand headcount at this facility, including but not limited to, expanding our 2nd shift operation, and increasing the number of call center employees at this facility.

Lippert's total fixed asset investment at the facility has greatly exceeded the commitments. Through the end of the investment window, we invested \$23,120,182 in real and personal property improvements compared to our commitment of \$9,025,000. We expect to continue to make more investments as needed to grow the facility and make it a great place to work.

While we understand that we are still short on our employment commitments, we have made great strides to attaining this goal and remain fully committed to our investment in Mishawaka and our continued partnership with the city as we continue to grow.

Upon review, please let me know if you would like to discuss any of the information contained within these reports.

Sincerely,

Thomas J. Bauters, CPA
Assistant Treasurer and Tax Director

Enclosures



COMPLIANCE WITH STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51766 (R4 / 1-21)

Prescribed by the Department of Local Government Finance

20 21 PAY 20 22

FORM CF-1 / Real Property

PRIVACY NOTICE

The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1.1-12.1-5.3 (k) and (l).

INSTRUCTIONS:

1. This form does not apply to property located in a residentially distressed area or any deduction for which the Statement of Benefits was approved before July 1, 1991.
2. Property owners must file this form with the county auditor and the designating body for their review regarding the compliance of the project with the Statement of Benefits (Form SB-1/Real Property).
3. This form must accompany the initial deduction application (Form 322/RE) that is filed with the county auditor.
4. This form must also be updated each year in which the deduction is applicable. It is filed with the county auditor and the designating body before May 17, 2021, or by the due date of the real property owner's personal property return that is filed in the township where the property is located. (IC 6-1.1-12.1-5.3(j))
5. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (Form CF-1/Real Property).

SECTION 1		TAXPAYER INFORMATION	
Name of taxpayer Lippert Components Manufacturing, Inc.		County St. Joseph	
Address of taxpayer (number and street, city, state, and ZIP code) 3501 County Road 6 E, Elkhart, IN 46514		DLGF taxing district number 023	
Name of contact person Tom Bauters		Telephone number (574) 312-6159	
SECTION 2		LOCATION AND DESCRIPTION OF PROPERTY	
Name of designating body City of Mishawaka	Resolution number 2017-17	Estimated start date (month, day, year) 08/01/2017	
Location of property 400 S Byrkit Ave, Mishawaka, IN 46544		Actual start date (month, day, year) 08/01/2017	
Description of real property improvements Remodeling existing building, adding new addition, adding paved parking lot		Estimated completion date (month, day, year) 08/01/2019	
		Actual completion date (month, day, year) 08/01/2019	
SECTION 3		EMPLOYEES AND SALARIES	
EMPLOYEES AND SALARIES		AS ESTIMATED ON SB-1	ACTUAL
Current number of employees		247	395
Salaries		10,354,808.00	19,782,513.00
Number of employees retained		247	247
Salaries		10,354,808.00	10,354,808.00
Number of additional employees		200	148
Salaries		7,800,000.00	9,427,705.00
SECTION 4		COST AND VALUES	
COST AND VALUES		REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1		COST	ASSESSED VALUE
Values before project		1,760,341.00	
Plus: Values of proposed project		7,400,000.00	
Less: Values of any property being replaced		0.00	
Net values upon completion of project		9,160,341.00	
ACTUAL		COST	ASSESSED VALUE
Values before project		1,760,341.00	
Plus: Values of proposed project		13,324,225.00	
Less: Values of any property being replaced		0.00	
Net values upon completion of project		15,084,566.00	
SECTION 5		WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER	
WASTE CONVERTED AND OTHER BENEFITS		AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted			
Amount of hazardous waste converted			
Other benefits:			
SECTION 6		TAXPAYER CERTIFICATION	
I hereby certify that the representations in this statement are true.			
Signature of authorized representative T. Bauters, CTA		Title ASSISTANT TREASURER	Date signed (month, day, year) 02/25/2021

OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1)
THAT WAS APPROVED AFTER JUNE 30, 1991

INSTRUCTIONS: (IC 6-1.1-12.1-5.3 and IC 6-1.1-12.1-5.9)

1. Not later than forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits (Form SB-1/Real Property).
2. If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. The date of this hearing may not be more than thirty (30) days after the date this notice is mailed. A copy of the notice may be sent to the county auditor and the county assessor.
3. Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable efforts to substantially comply with the Statement of Benefits (Form SB-1/Real Property) and whether any failure to substantially comply was caused by factors beyond the control of the property owner.
4. If the designating body determines that the property owner has **NOT** made reasonable efforts to comply, then the designating body shall adopt a resolution terminating the property owner's deduction. If the designating body adopts such a resolution, the deduction does not apply to the next installment of property taxes owed by the property owner or to any subsequent installment of property taxes. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the county auditor; and (3) the county assessor.

We have reviewed the CF-1 and find that:			
☐ the property owner IS in substantial compliance			
☐ the property owner IS NOT in substantial compliance			
☐ other (specify) _____			
Reasons for the determination (attach additional sheets if necessary)			
Signature of authorized member			Date signed (month, day, year)
Attested by:		Designating body	
If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance. (Hearing must be held within thirty (30) days of the date of mailing of this notice.)			
Time of hearing	☐ AM ☐ PM	Date of hearing (month, day, year)	Location of hearing
HEARING RESULTS (to be completed after the hearing)			
☐ Approved		☐ Denied (see instruction 4 above)	
Reasons for the determination (attach additional sheets if necessary)			
Signature of authorized member			Date signed (month, day, year)
Attested by:		Designating body	
APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]			
A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.			



STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51767 (R6 / 10-14)

Prescribed by the Department of Local Government Finance

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- ☒ Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
☐ Residentially distressed area (IC 6-1.1-12.1-4.1)

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 the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
2. The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
3. To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
4. A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-6.1(b)
5. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-17

20__ PAY 20__

FORM SB-1 / Real Property

PRIVACY NOTICE

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-6.1.

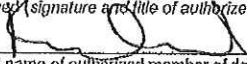
SECTION 1 TAXPAYER INFORMATION	
Name of taxpayer Lippert Components Manufacturing, Inc.	
Address of taxpayer (number and street, city, state, and ZIP code) 3501 County Road 6 East, Elkhart, IN 46514	
Name of contact person Tom Bauters	Telephone number (574) 312-6159
E-mail address tbauters@lci1.com	
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT	
Name of designating body City of Mishawaka	Resolution number
Location of property 400 South Byrkit Avenue, Mishawaka, IN 46544	County St. Joseph
DLGF taxing district number 023 - Mish	
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) Remodel existing facility 347,000 sq. ft. \$3,000,000 Construct new 79,200 sq. ft. building addition: \$3,200,000 Asphalt parking lot for 380 parking spaces and 40 semi truck spaces: \$1,200,000	
Estimated start date (month, day, year) August 1, 2017	
Estimated completion date (month, day, year) August 1, 2019	
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT	
Current number 247.00	Salaries \$10,354,808.00
Number retained 247.00	Salaries \$10,354,808.00
Number additional 200.00	Salaries \$7,800,000.00
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT	
REAL ESTATE IMPROVEMENTS	
COST	
Current values	1,780,341.00
Plus estimated values of proposed project	7,400,000.00
Less values of any property being replaced	0.00
Net estimated values upon completion of project	9,160,341.00
ASSESSED VALUE	
Current values	4,485,000.00
Plus estimated values of proposed project	7,400,000.00
Less values of any property being replaced	0.00
Net estimated values upon completion of project	9,160,341.00
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 TSBauters, CPA	Date signed (month, day, year) 06/12/2017
Printed name of authorized representative Tom Bauters	Title Assistant Treasurer & Tax Director

FOR USE OF THE DESIGNATING BODY

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

- A. The designated area has been limited to a period of time not to exceed 1 calendar years* (see below). The date this designation expires is July 5, 2018.
- B. The type of deduction that is allowed in the designated area is limited to:
 1. Redevelopment or rehabilitation of real estate improvements ☒ Yes ☐ No
 2. Residentially distressed areas ☐ Yes ☒ No
- C. The amount of the deduction applicable is limited to \$7,400,000.
- D. Other limitations or conditions (specify) _____
- E. Number of years allowed: ☐ Year 1 ☐ Year 2 ☐ Year 3 ☐ Year 4 ☐ Year 5 (* see below)
☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9 ☒ Year 10
- F. For a statement of benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?
☒ Yes ☐ No
 If yes, attach a copy of the abatement schedule to this form.
 If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

We have also 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 of designating body) 	Telephone number (574) 258-1616	Date signed (month, day, year) 7-05-2017
Printed name of authorized member of designating body Ross Deal, President	Name of designating body Mishawaka Common Council	
Attested by (signature and title of attester) 	Printed name of attester Deborah S. Block, City Clerk	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

- A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)
- B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.



COMPLIANCE WITH STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51765 (R5 / 1-21)

Prescribed by the Department of Local Government Finance

PRIVACY NOTICE
This form contains confidential
information pursuant to
IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6.

FORM CF-1 / PP

January 1, 2021

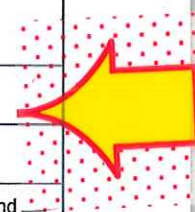
- INSTRUCTIONS:**
1. Property owners whose Statement of Benefits was approved must file this form with the local Designating Body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
 2. This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1 and May 17, 2021, unless a filing extension under IC 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between January 1 and the extended due date of each year.
 3. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance (CF-1).

SECTION 1 TAXPAYER INFORMATION									
Name of taxpayer Lippert Components Manufacturing, Inc.						County St. Joseph			
Address of taxpayer (number and street, city, state, and ZIP code) 3501 County Road 6 E, Elkhart, IN 46514						DLGF taxing district number 023			
Name of contact person Tom Bauters						Telephone number (574) 312-6159			
SECTION 2 LOCATION AND DESCRIPTION OF PROPERTY									
Name of designating body City of Mishawaka				Resolution number 2017-16		Estimated start date (month, day, year) 08/01/2017			
Location of property 400 S Byrkit Ave, Mishawaka, IN 46544						Actual start date (month, day, year) 08/01/2017			
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired. Racking, Equipment, Furniture & Fixtures						Estimated completion date (month, day, year) 08/01/2019			
						Actual completion date (month, day, year) 08/01/2019			
SECTION 3 EMPLOYEES AND SALARIES									
EMPLOYEES AND SALARIES						AS ESTIMATED ON SB-1		ACTUAL	
Current number of employees						247		395	
Salaries						10,354,808.00		19,782,513.00	
Number of employees retained						247		247	
Salaries						10,354,808.00		10,354,808.00	
Number of additional employees						200		148	
Salaries						9,427,705.00		9,427,705.00	
SECTION 4 COST AND VALUES									
		MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
AS ESTIMATED ON SB-1		COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project						109,605.00			
Plus: Values of proposed project						1,625,000.00			
Less: Values of any property being replaced						0.00			
Net values upon completion of project						1,734,605.00			
ACTUAL		COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project						109,605.00			
Plus: Values of proposed project						9,795,957.00			
Less: Values of any property being replaced						0.00			
Net values upon completion of project						9,905,562.00			
NOTE: The COST of the property is confidential pursuant to IC 6-1.1-12.1-5.6(c).									
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER									
WASTE CONVERTED AND OTHER BENEFITS						AS ESTIMATED ON SB-1		ACTUAL	
Amount of solid waste converted									
Amount of hazardous waste converted									
Other benefits:									
SECTION 6 TAXPAYER CERTIFICATION									
I hereby certify that the representations in this statement are true.									
Signature of authorized representative T. S. Bauters, CPA				Title ASSISTANT TREASURER		Date signed (month, day, year) 02/25/2021			

INSTRUCTIONS: (IC 6-1.1-12.1-5.9)

1. Within forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits.
2. If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. If a notice is mailed to a property owner, a copy of the written notice will be sent to the county assessor and the county auditor.
3. Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable effort to substantially comply with the Statement of Benefits and whether any failure to substantially comply was caused by factors beyond the control of the property owner.
4. If the designating body determines that the property owner has **NOT** made reasonable effort to comply, then the designating body shall adopt a resolution terminating the deduction. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the county auditor; and (3) the county assessor.

We have reviewed the CF-1 and find that:			
☐ the property owner IS in substantial compliance ☐ the property owner IS NOT in substantial compliance ☐ other (specify) _____			
Reasons for the determination (attach additional sheets if necessary)			
Signature of authorized member			Date signed (month, day, year)
Attested by:		Designating body	
If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance.			
Time of hearing	☐ AM ☐ PM	Date of hearing (month, day, year)	Location of hearing



HEARING RESULTS (to be completed after the hearing)			
☐ Approved ☐ Denied (see instruction 5 above)			
Reasons for the determination (attach additional sheets if necessary)			
Signature of authorized member			Date signed (month, day, year)
Attested by:		Designating body	
APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]			
A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the clerk of Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.			

**STATEMENT OF BENEFITS
PERSONAL PROPERTY**

State Form 51764 (R4 / 11-15)

Prescribed by the Department of Local Government Finance

FORM SB-1/PP**PRIVACY NOTICE**

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

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.
2. The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.
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 January 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 January 1 and the extended due date of that year.
4. Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
5. For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)

SECTION 1 TAXPAYER INFORMATION									
Name of taxpayer Lippert Components Manufacturing, Inc.				Name of contact person Tom Bauters					
Address of taxpayer (number and street, city, state, and ZIP code) 3501 County Road 6 East, Elkhart, IN 46514				Telephone number (574) 312-6159					
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT									
Name of designating body City of Mishawaka				Resolution number (s)					
Location of property 400 South Byrkit, Mishawaka, IN 46544				County St. Joseph		DLGF taxing district number 023 - Mishawaka - Penn			
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.) Racking for distribution facility - \$500,000 Equipment - \$800,000 Furniture & Fixtures - \$325,000				ESTIMATED					
				START DATE		COMPLETION DATE			
				Manufacturing Equipment					
				R & D Equipment					
				Logist Dist Equipment		08/01/2017	08/01/2019		
IT Equipment		08/01/2017	08/01/2019						
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT									
Current number 247	Salaries 10,354,808	Number retained 247	Salaries 10,354,808	Number additional 200	Salaries 7,800,000				
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						109,605	43,840		
Plus estimated values of proposed project						1,625,000			
Less values of any property being replaced									
Net estimated values upon completion of project						1,734,605			
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 Tom Bauters, CPA				Date signed (month, day, year) 6/12/2017					
Printed name of authorized representative Tom Bauters				Title Assistant Treasurer & Tax Director					

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 1 calendar years * (see below). The date this designation expires is July 5, 2018. NOTE: This question addresses whether the resolution contains an expiration date for the designated area.

B. The type of deduction that is allowed in the designated area is limited to:

- | | | | |
|--|---|-----------------------------|---|
| 1. Installation of new manufacturing equipment; | ☒ Yes | ☐ No | ☐ Enhanced Abatement per IC 6-1.1-12.1-18 |
| 2. Installation of new research and development equipment; | ☒ Yes | ☐ No | Check box if an enhanced abatement was approved for one or more of these types. |
| 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 \$ 1,800,000 cost with an assessed value of \$ _____. (One or both lines may be filled out to establish a limit, if desired.)

D. The amount of deduction applicable to new research and development equipment is limited to \$ 1,800,000 cost with an assessed value of \$ _____. (One or both lines may be filled out to establish a limit, if desired.)

E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ 1,800,000 cost with an assessed value of \$ _____. (One or both lines may be filled out to establish a limit, if desired.)

F. The amount of deduction applicable to new information technology equipment is limited to \$ 1,800,000 cost with an assessed value of \$ _____. (One or both lines may be filled out to establish a limit, if desired.)

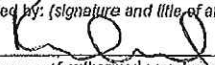
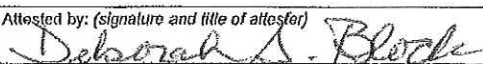
G. Other limitations or conditions (specify) The total abatement not to exceed \$1,800,000

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 is allowed for:

- | | | | | | |
|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---|---|
| ☐ Year 1 | ☐ Year 2 | ☐ Year 3 | ☐ Year 4 | ☐ Year 5 | ☐ Enhanced Abatement per IC 6-1.1-12.1-18 |
| ☐ Year 6 | ☐ Year 7 | ☐ Year 8 | ☐ Year 9 | ☒ Year 10 | Number of years approved: _____ |
| | | | | | (Enter one to twenty (1-20) years; may not exceed twenty (20) years.) |

I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? ☒ Yes ☐ No
If yes, attach a copy of the abatement schedule to this form.
If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

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 by: (signature and title of authorized member of designating body)  Ross Deal	Telephone number 574 258-1616	Date signed (month, day, year) 7-05-2017
Printed name of authorized member of designating body Ross Deal, President	Name of designating body Mishawaka Common Council	
Attested by: (signature and title of attester)  Deborah S. Block	Printed name of attester Deborah S. Block, City Clerk	
* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.		

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

Jamil Packaging Corporation



Form CF-1/PP Section 3 Employees and Salaries

The COVID-19 global health emergency disrupted business operations during 2020. In addition, Jamil Packaging temporarily lost a major customer which resulted in a temporary decrease in production needs during a portion of the year. Towards the later part of 2020, production was restored to pre COVID-19 levels as the Company's customers began to recover from the crisis. In addition, the Company resumed business with the major customer that was lost. While Jamil had a drop in total employees during 2020, as reported on the Form CF-1, the Company resumed hiring efforts at the end of the year and continues to increase their headcount in 2021.



COMPLIANCE WITH STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 61785 (R5 / 1-21)

Prescribed by the Department of Local Government Finance

PRIVACY NOTICE

This form contains confidential information pursuant to IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6.

FORM CF-1 / PP

JANUARY 1, 2021

- INSTRUCTIONS:**
1. Property owners whose Statement of Benefits was approved must file this form with the local Designating Body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
 2. This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1, and May 17, 2021, unless a filing extension under IC 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between January 1, and the extended due date of each year.
 3. With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance (CF-1).

SECTION 1 TAXPAYER INFORMATION								
Name of taxpayer Jamil Packaging Corporation						County St. Joseph		
Address of taxpayer (street and number, city, state and ZIP code) 1420 Industrial Drive Mishawaka IN 46544						DLGF taxing district number 71-022		
Name of contact person David J. Herschberger						Telephone number 574-256-2600		
SECTION 2 LOCATION AND DESCRIPTION OF PROPERTY								
Name of designating body City of Mishawaka Common Council					Resolution number R2019-03		Estimated start date (month, day, year) 05/01/2019	
Location of property 1420 Industrial Drive Mishawaka IN 46544					Actual start date (month, day, year) 06/10/2019			
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired. Gluer and related Strapper					Estimated completion date (month, day, year) 06/01/2019			
					Actual completion date (month, day, year) 07/10/2019			
SECTION 3 EMPLOYEES AND SALARIES								
EMPLOYEES AND SALARIES						AS ESTIMATED ON SB-1		ACTUAL
Current number of employees						139		108
Salaries						4,893,554		5,385,366
Number of employees retained						139		108
Salaries						4,893,554		4,893,554
Number of additional employees						12		
Salaries						336,336		
SECTION 4 COST AND VALUES								
MANUFACTURING EQUIPMENT			R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
AS ESTIMATED ON SB-1			AS ESTIMATED ON SB-1		AS ESTIMATED ON SB-1		AS ESTIMATED ON SB-1	
COST	ASSESSED VALUE		COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project	9,719,793							
Plus: Values of proposed project	1,546,591							
Less: Values of any property being replaced								
Net values upon completion of project	11,266,384							
ACTUAL			ACTUAL		ACTUAL		ACTUAL	
COST	ASSESSED VALUE		COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project	10,129,157	2,723,151						
Plus: Values of proposed project	1,088,960	642,296						
Less: Values of any property being replaced								
Net values upon completion of project	11,218,157	3,365,447						
NOTE: The COST of the property is confidential pursuant to IC 6-1.1-12.1-5.6 (c).								
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER								
WASTE CONVERTED AND OTHER BENEFITS						AS ESTIMATED ON SB-1		ACTUAL
Amount of solid waste converted								
Amount of hazardous waste converted								
Other benefits:								
SECTION 6 TAXPAYER CERTIFICATION								
I hereby certify that the representations in this statement are true.								
Signature of authorized representative <i>David J. Herschberger</i>					Title President		Date signed (month, day, year) 3-10-21	

** See attached

INSTRUCTIONS: (IC 6-1.1-12-5.9)

1. Within forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits.
2. If the property owner is found NOT to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. If a notice is mailed to a property owner, a copy of the written notice will be sent to the County Assessor and the County Auditor.
3. Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable effort to substantially comply with the Statement of Benefits and whether any failure to substantially comply was caused by factors beyond the control of the property owner.
4. If the designating body determines that the property owner has NOT made reasonable effort to comply, then the designating body shall adopt a resolution terminating the deduction. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the county auditor; and (3) the county assessor.

We have reviewed the CF-1 and find that:

- ☐ the property owner IS in substantial compliance
- ☐ the property owner IS NOT in substantial compliance
- ☐ other (specify) _____

Reasons for the determination (attach additional sheets if necessary)

Signature of authorized member

Date signed (month, day, year)

Attested by:

Designating body

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance.

Time of hearing

- ☐ AM
☐ PM

Date of hearing (month, day, year)

Location of hearing

HEARING RESULTS (to be completed after the hearing)

- ☐ Approved ☐ Denied (see instruction 5 above)

Reasons for determination (attach additional sheets if necessary)

Signature of authorized member

Date signed (month, day, year)

Attested by:

Designating body

APPEAL RIGHTS (IC 6-1.1-12.1-5.9(e))

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.



SCHEDULE OF DEDUCTION FROM ASSESSED VALUATION PERSONAL PROPERTY IN ECONOMIC REVITALIZATION AREA

State Form 52503 (R18 / 1-21)

Prescribed by the Department of Local Government Finance

JANUARY 1, 2021

FORM 103 - ERA

PRIVACY NOTICE

This form contains information
confidential pursuant to IC 6-1.1-35-9.

INSTRUCTIONS:

1. In order to receive a deduction, this schedule must be submitted with a timely filed Form 103-Long.
2. A separate schedule must be completed and attached to Form 103-Long for each approved Form SB-1 / PP for that abatement.
3. Attach a copy of the applicable approved Form CF-1 to this schedule. First-time filings must also include the SB-1 and the Resolution from the designating body.
4. For any acquisitions included herein since the last assessment date, attach a list of the newly included equipment on Form 103-EL.

SECTION 1 TAXPAYER INFORMATION			
Name of taxpayer Jamil Packaging Corporation		Name of contact person David J. Herschberger	
Full address (number and street, city, state, and ZIP code) 1420 Industrial Drive Mishawaka IN 46544		E-mail address of contact person	Telephone number 574-256-2600
County St. Joseph	Township Penn	Taxing district 71-022	Fax number 574-256-2605

SECTION 2 ECONOMIC REVITALIZATION AREA INFORMATION			
Name of body designating the Economic Revitalization Area City of Mishawaka Common Council		Resolution number R2019-03	Length of abatement (years) 3
Date designation approved (month, day, year) 02/18/2019	Date designation will terminate (month, day, year) 02/18/2021	Does resolution limit dollar amount of deduction? ☒ YES - and limit is based on equipment ☒ Cost and/or ☐ Assessed Value ☐ NO	

SECTION 3 ABATED EQUIPMENT POOLING SCHEDULE			
<i>The total cost of depreciable assets is to be reported on Form 103-Long. This schedule includes only the values attributable to the new manufacturing, research and development, logistical distribution, and/or information technology equipment under abatement per the resolution and IC 6-1.1-12.1.</i>			
The Minimum Value Ratio applies if Line 53 is greater than Line 52D on page 2 of the Form 103-Long [IC 6-1.1-12.1-4.5(g)]	Box 1 - Enter amount shown on Line 53 of Form 103-Long 3,365,447	Box 2 - Enter amount shown on Line 52D of Form 103-Long 3,195,271	Box 3 - Divide Box 1 by Box 2 (carry ratio 5 decimal places) 1.05326

POOL NUMBER 1 (1 TO 4 YEAR LIFE)								
	103 Schedule A Column C Adjusted Cost	TTV %	True Tax Value	Minimum Value Ratio (if applicable) (5 decimal places)	Year	Year*	Percent	Deduction Claimed
13	1-2-20 to 1-1-21	\$	65%	\$	1.05326	1	%	\$
14	1-2-19 to 1-1-20		50%		1.05326	2		
15	1-2-18 to 1-1-19		35%		1.05326	3		
16A	1-2-17 to 1-1-18		20%		1.05326	4		
16B	1-2-16 to 1-1-17		20%		1.05326	5		
16C	3-2-15 to 1-1-16		20%		1.05326	6		
16D	3-2-14 to 3-1-15		20%		1.05326	7		
16E	3-2-13 to 3-1-14		20%		1.05326	8		
16F	3-2-12 to 3-1-13		20%		1.05326	9		
16G	3-2-11 to 3-1-12		20%		1.05326	10		
17	TOTAL POOL NUMBER 1	\$	--	\$	--	--	--	\$

POOL NUMBER 2 (5 TO 8 YEAR LIFE)								
	103 Schedule A Column C Adjusted Cost	TTV %	True Tax Value	Minimum Value Ratio (if applicable) (5 decimal places)	Year	Year*	Percent	Deduction Claimed
18	1-2-20 to 1-1-21	\$	40%	\$	1.05326	1	100%	\$
19	1-2-19 to 1-1-20	1,088,960	56%	609,818	1.05326	2	66	423,916
20	1-2-18 to 1-1-19		42%		1.05326	3	33	
21	1-2-17 to 1-1-18		32%		1.05326	4		
22	1-2-16 to 1-1-17		24%		1.05326	5		
23	3-2-15 to 1-1-16		18%		1.05326	6		
24A	3-2-14 to 3-1-15		15%		1.05326	7		
24B	3-2-13 to 3-1-14		15%		1.05326	8		
24C	3-2-12 to 3-1-13		15%		1.05326	9		
24D	3-2-11 to 3-1-12		15%		1.05326	10		
25	TOTAL POOL NUMBER 2	\$ 1,088,960	--	\$ 609,818	--	--	--	\$ 423,916

SUB-TOTAL- POOLS 1 and 2 (Total lines 17 and 25. Enter to the right and on Page 2)	\$ 423,916
--	------------

SECTION 3 (continued)

ABATED EQUIPMENT POOLING SCHEDULE
POOL NUMBER 3 (9 TO 12 YEAR LIFE)

		103 Schedule A Column C Adjusted Cost	TTV %	True Tax Value	Minimum Value Ratio (if applicable) (5 decimal places)	Year	Year*	Percent	Deduction Claimed
26	1-2-20 to 1-1-21	\$	40%	\$	1.05326	1		%	\$
27	1-2-19 to 1-1-20		60%		1.05326	2			
28	1-2-18 to 1-1-19		55%		1.05326	3			
29	1-2-17 to 1-1-18		45%		1.05326	4			
30	1-2-16 to 1-1-17		37%		1.05326	5			
31	3-2-15 to 1-1-16		30%		1.05326	6			
32	3-2-14 to 3-1-15		25%		1.05326	7			
33	3-2-13 to 3-1-14		20%		1.05326	8			
34	3-2-12 to 3-1-13		16%		1.05326	9			
35	3-2-11 to 3-1-12		12%		1.05326	10			
37	TOTAL POOL NUMBER 3	\$	--	\$	--	--	--	--	\$

POOL NUMBER 4 (13 YEAR AND LONGER LIVES)

		103 Schedule A Column C Adjusted Cost	TTV %	True Tax Value	Minimum Value Ratio (if applicable) (5 decimal places)	Year	Year*	Percent	Deduction Claimed
38	1-2-20 to 1-1-21	\$	40%	\$	1.05326	1		%	\$
39	1-2-19 to 1-1-20		60%		1.05326	2			
40	1-2-18 to 1-1-19		63%		1.05326	3			
41	1-2-17 to 1-1-18		54%		1.05326	4			
42	1-2-16 to 1-1-17		46%		1.05326	5			
43	3-2-15 to 1-1-16		40%		1.05326	6			
44	3-2-14 to 3-1-15		34%		1.05326	7			
45	3-2-13 to 3-1-14		29%		1.05326	8			
46	3-2-12 to 3-1-13		25%		1.05326	9			
47	3-2-11 to 3-1-12		21%		1.05326	10			
51	TOTAL POOL NUMBER 4	\$	--	\$	--	--	--	--	\$

SUB-TOTAL- POOLS 3 and 4 (Total lines 37 and 51. Enter at right and below)

\$

SPECIAL TOOLING

Round all figures to the nearest \$1. Report only the cost of abated special tools, dies, jigs, etc. (50 IAC 4.2-6-2)				True Tax Value (Included on Form 103-T)		Abatement			Deduction Claimed
						Year	Year*	Percent	
S1	1-2-20 to 1-1-21	\$	30%		The Minimum Value Ratio Is Not Applicable To Special Tooling	1		%	\$
S2	1-2-19 to 1-1-20		3%			2			
S3	1-2-18 to 1-1-19		3%			3			
S4	1-2-17 to 1-1-18		3%			4			
S5	1-2-16 to 1-1-17		3%			5			
S6	3-2-15 to 1-1-16		3%			6			
S7	3-2-14 to 3-1-15		3%			7			
S8	3-2-13 to 3-1-14		3%			8			
S9	3-2-12 to 3-1-13		3%			9			
S10	3-2-11 to 3-1-12		3%			10			
S11	TOTAL SPECIAL TOOLS	\$	--		--	--	--	--	\$

SUB-TOTAL POOLS 1 and 2 (from Page 1)

\$ 423,916

SUB-TOTAL POOLS 3 and 4 (from above)

SUB-TOTAL SPECIAL TOOLING (from above - line S11)

TOTAL ALL POOLS AND SPECIAL TOOLING

\$ 423,916

LIMIT ON AMOUNT OF ABATEMENT STATED IN RESOLUTION

Cost \$ 1,546,591 AV \$ 1,546,591

AMOUNT OF DEDUCTION CLAIMED - Lesser of resolution limit on abatement or total all pools.
(Carry deduction forward to the Summary Section on page 1 of the Form 103-Long.)

\$ 423,916

Obsolescence claimed on Form 108? ☐ YES ☒ NONOTE: If obsolescence is claimed on depreciable assets, the applicable adjustment must be taken on the Abatement Deduction being claimed. Show calculations on the Form 106.
Line numbers on this form match the line numbers on the Form 103-Long. Lines were added to Pools 1 & 2 and deleted from Pools 3 & 4 to reflect the ten (10) year abatement limitation.* This column may be used when the abatement year does not correlate with the acquisition year within the pool.
An example might be when used equipment is moved into Indiana from out of state and it was granted an abatement.

**STATEMENT OF BENEFITS
PERSONAL PROPERTY**

State Form 51704 (R4 / 11-15)

Prescribed by the Department of Local Government Finance

FORM SB-1 / PP**PRIVACY NOTICE**

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

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.
2. The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.
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 January 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 January 1 and the extended due date of that year.
4. Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
5. For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)

SECTION 1		TAXPAYER INFORMATION						
Name of taxpayer	Jamil Packaging Corporation	Name of contact person	David J. Herschberger					
Address of taxpayer (number and street, city, state, and ZIP code)		Telephone number						
1420 Industrial Dr., Mishawaka, IN 46544		(574) 256-2600						
SECTION 2								
LOCATION AND DESCRIPTION OF PROPOSED PROJECT								
Name of designating body		Resolution number (s)						
City of Mishawaka Common Council								
Location of property		County	DLGF taxing district number					
1420 Industrial Dr., Mishawaka, IN 46544		St. Joseph	71022					
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.)		ESTIMATED						
		START DATE	COMPLETION DATE					
		Manufacturing Equipment	05/01/2019 06/01/2019					
		R & D Equipment						
		Logist Dist Equipment						
IT Equipment								
SECTION 3								
ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT								
Current number	Salaries	Number retained	Salaries	Number additional	Salaries			
139	4893554	139	4893554	12	336,336			
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	9,719,793							
Plus estimated values of proposed project	1,546,591							
Less values of any property being replaced	0							
Net estimated values upon completion of project	11,266,384							
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						Date signed (month, day, year)		
David A. Diroll						1/24/2019		
Printed name of authorized representative						Title		
David A. Diroll						President		

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 6-1.1-12.1-2.6, 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 2 calendar years * (see below). The date this designation expires is 2-18-2021. NOTE: This question addresses whether the resolution contains an expiration date for the designated area.

B. The type of deduction that is allowed in the designated area is limited to:

- | | | |
|--|---|---|
| 1. Installation of new manufacturing equipment; | ☒ Yes ☐ No | ☐ Enhanced Abatement per IC 6-1.1-12.1-18
Check box if an enhanced abatement was approved for one or more of these types. |
| 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 \$ 1,546,591 cost with an assessed value of \$ _____. (One or both lines may be filled out to establish a limit, if desired.)

D. The amount of deduction applicable to new research and development equipment is limited to \$ 1,546,591 cost with an assessed value of \$ _____. (One or both lines may be filled out to establish a limit, if desired.)

E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ 1,546,591 cost with an assessed value of \$ _____. (One or both lines may be filled out to establish a limit, if desired.)

F. The amount of deduction applicable to new information technology equipment is limited to \$ 1,546,591 cost with an assessed value of \$ _____. (One or both lines may be filled out to establish a limit, if desired.)

G. Other limitations or conditions (specify) \$1,546,591 is the total project cost

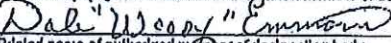
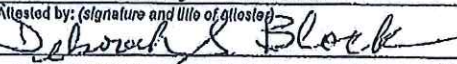
H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction is allowed for:

- | | | | | | |
|--|--|--|---------------------------------|----------------------------------|--|
| ☒ Year 1 | ☒ Year 2 | ☒ Year 3 | ☐ Year 4 | ☐ Year 5 | ☐ Enhanced Abatement per IC 6-1.1-12.1-18
Number of years approved: _____
(Enter one to twenty (1-20) years; may not exceed twenty (20) years.) |
| ☐ Year 6 | ☐ Year 7 | ☐ Year 8 | ☐ Year 9 | ☐ Year 10 | |

I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? ☒ Yes ☐ No
If yes, attach a copy of the abatement schedule to this form.

If no, the designating body is required to establish an abatement schedule before the deduction can be determined. **see council resolution R2019-05**

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 by: (signature and title of authorized member of designating body) 	Telephone number (574) 258-1616	Date signed (month, day, year) 2-18-2019
Printed name of authorized member of designating body Dale "Woody" Emmons	Name of designating body Mishawaka Common Council	
Attested by: (signature and title of attester) 	Printed name of attester Deborah S. Block, City Clerk	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

RECEIVED
DEBORAH S. BLOCK, MMC

JAN 31 2019

CITY CLERK
MISHAWAKA, IN

RESOLUTION NO. 2019-03

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA,
INDIANA DECLARING CERTAIN AREAS WITHIN THE CITY OF MISHAWAKA,
INDIANA, KNOWN AS:

1420 INDUSTRIAL DRIVE, MISHAWAKA, IN 46544

TO BE AN ECONOMIC REVITALIZATION AREA
AND ECONOMIC DEVELOPMENT TARGET AREA
FOR PURPOSES OF PERSONAL PROPERTY TAX ABATEMENT FOR
JAMIL PACKAGING CORPORATION

WHEREAS, a petition for personal property tax abatement has been filed with the City Clerk of the City of Mishawaka, Indiana for consideration by the Common Council of the City of Mishawaka, Indiana requesting 1420 Industrial Drive, Mishawaka, Indiana 46544 to be an Economic Revitalization Area and Economic Development Target Area under the provisions of Indiana Code § 6-1.1-12.1-1 et seq. (the "Act"):

A lot or parcels of land described as follows:

TAX KEY #027-1027-043620 AND 027-1001-026008, AS LEGALLY DESCRIBED IN ATTACHMENT "A" TO THIS RESOLUTION AND HEREBY INCORPORATED HEREIN.

All of the above described property being located within the municipal corporation limits of the City of Mishawaka, Indiana, and

WHEREAS, the City, through its Redevelopment Commission has conducted an investigation and prepared a report with information sufficient for the Common Council to determine that the area qualifies as an Economic Revitalization Area and Economic Development Target Area under Indiana Code § 6-1.1-12.1-1 et seq., and has further prepared maps and plats showing the boundaries and such other information regarding the area in question as required by law; and

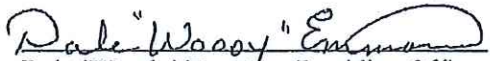
WHEREAS, the Redevelopment Commission has reviewed said report and recommended to the Common Council that the area qualifies as an Economic Revitalization Area and Economic Development Target Area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Mishawaka, Indiana, as follows:

1. The Common Council hereby determines and finds that the Petition for Personal Property Tax Abatement and the Statement of Benefits form completed by the Petitioner meet the requirements under the Act for tax abatement;

2. That the description of the proposed redevelopment or rehabilitation meets the applicable standards for such development;
3. That the estimate of the value of the redevelopment or rehabilitation is reasonable for projects of this nature;
4. That the estimate of the number of individuals who will be employed or whose employment will be retained by the Petitioner can reasonably be expected to result from the proposed described redevelopment or rehabilitation;
5. That the estimate of the annual salaries of those individuals who will be employed or whose employment will be retained by the Petitioner can be reasonably expected to result from the proposed redevelopment or rehabilitation;
6. That the other benefits are sufficient to justify the requested deduction, all of which satisfy the requirements of the Act;
7. The Common Council hereby accepts the report and recommendation of the Redevelopment Commission that the area herein described be designated as an Economic Revitalization Area and Economic Development Target Area, and hereby adopts a Resolution designating this area as an Economic Revitalization Area and Economic Development Target Area for purposes of personal property tax abatement;
8. The designation as an Economic Revitalization Area and Economic Development Target Area shall be limited to three (3) calendar years from the date of the adoption of this Resolution by the Common Council;
9. The Common Council directs the City Clerk to cause notice of the adoption of this Declaratory Resolution for the Personal Property Tax Abatement to be published pursuant to Indiana Code § 5-3-1 and Indiana Code § 6-1.1-12.1-2.5, said publication providing notice of the public hearing before the Common Council on the proposed confirming of said declaration; AND
10. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

ADOPTED by the Common Council of the City of Mishawaka, St. Joseph County,
Indiana, this 4th day of February, 2019.


Dale 'Woody' Emmons, Presiding Officer

ATTEST:


Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor of the City of Mishawaka, Indiana, on this 5th day of
February, 2019.


Deborah S. Block, IAMC, MMC, City Clerk

APPROVED AND SIGNED by me this 5 day of February, 2019, at 11:49 o'clock A.M.


David A. Wood, Mayor

· Exhibit A
· Legal Description

A part of the West Half (1/2) of the Northeast Quarter (1/4) of Section Twenty-two (22), Township Thirty seven (37) North, Range Three (3) East, Penn Township, City of Mishawaka, St. Joseph County, Indiana more particularly described as follows:

Beginning at a set pk nail at the East Right-of-Way line of Penz Industrial Drive and the Northwest corner of Parcel III. As Parcel III is recorded in the records of the St. Joseph County, Indiana Recorder's Office as Document Number 9341109, which is South 00°01'18" West (South 00°01'35" East Record) a distance of 834.44 feet and North 90°00'00" East (North 89°57'07" East Record) a distance of 670.45 feet from a found 1" rod at the northwest corner of the Northeast Quarter of said Section Twenty Two (22); thence South 89°51'49" East (South 89°53'09" East Record) Along the north line of said Parcel III a distance of 786.46 feet to a set five eighths (5/8) inch rebar with cap at the Northeast corner of Parcel V as Parcel V is recorded in the records of the St. Joseph County, Indiana Recorder's Office as Document Number 9341109; thence South 00°01'01" West (South 00°00'09" East Record) Along the East line of said Parcel V a distance of 487.26 feet (487.37 feet Record) to a set five-eighths (5/8) rebar with cap at the Southeast corner of Parcel V and South Line of the North Half (1/2) of the Northeast Quarter (1/4) of said section Twenty-Two (22) thence North 89°52'39" West (North 89°55'32" West Record) along the South line of said Parcel V and the South line of the North Half (1/2) of the Northeast Quarter (1/4) of said Section Twenty-Two (22) a distance of 1126.50 Feet to a set five-eighths (5/8) inch rebar with cap at the Southwest Corner of Parcel II as Parcel II is recorded in the records of the St. Joseph County, Indiana Recorder's Office as Document Number 9341109; thence North 00°01'18" East (North 00°01'35" West Record) along the West line of said Parcel II a distance of 331.10 feet to a set five-eighths (5/8) inch rebar with cap at the Northwest corner of said Parcel II; thence North 90°00'00" East (North 89°57'07" East Record) along the North line of said Parcel II a distance of 300.00 feet to a set pk nail at the West right-of-way line of Penz Industrial Drive; thence South 00°01'18" West (South 00°01'35" East Record) along said Right-of-way line and the East line of said Parcel II a distance of 3.69 Feet to a set pk nail at a point on a curve having a radius of 71.00 Feet; thence bearing left along said curve and right-of-way line an arc distance of 77.91 feet (chord bearing and distance = South 31°27'28" West 74.06 Feet) to a set five-eighths (5/8) inch rebar with cap at a point on a curve having a radius of 54.00 feet; thence bearing right along said curve and right-of-way line an arc distance of 144.08 feet (chord bearing and distance = South 13°32'36" East, 104.99 Feet) to a set five-eighths inch rebar with cap at a point on a curve having a radius of 14.00 feet; Thence bearing left along said curve and right-of-way line an arc distance of 21.99 feet (chord bearing and distance = South 04°58'45" East 19.80 Feet) to a set pk nail; thence South 89°52'39" East a distance of 40.00 feet to a set five-eighths inch rebar with cap at the East Right-of-way line of Penz Industrial Drive; thence North 00°01'18" East (North 00°01'35" West Record) a distance of 338.65 feet to the point of beginning, containing 11.07 acres, more or less, subject to public highway and any easements of record, if any.

FEB 14 2019

CITY CLERK
MISHAWAKA, IN

RESOLUTION NO. 2019-05

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA,
INDIANA, MAKING A FINAL DETERMINATION AND CONFIRMING THE
DESIGNATION OF AREAS WITHIN
THE CITY OF MISHAWAKA, INDIANA, KNOWN AS

1420 INDUSTRIAL DRIVE, MISHAWAKA, IN 46544

AS AN ECONOMIC REVITALIZATION AREA AND
ECONOMIC DEVELOPMENT TARGET AREA FOR
PURPOSES OF PERSONAL PROPERTY TAX ABATEMENT FOR

JAMIL PACKAGING CORPORATION

WHEREAS, the Common Council of the City of Mishawaka, Indiana, adopted a Declaratory Resolution which designated the area known as 1420 Industrial Drive, Mishawaka, Indiana 46544, to be an Economic Revitalization Area and Economic Development Target Area under the provisions of Indiana Code § 6-1.1-12.1-1 et seq. (the "Act");

A lot or parcels of land described as follows:

TAX KEY #027-1027-043620 AND 027-1001-026008, AS LEGALLY DESCRIBED IN ATTACHMENT "A" TO THIS RESOLUTION AND HEREBY INCORPORATED HEREIN. (on file in the Clerk's Office)

All of the above described property being located within the municipal corporation limits of the City of Mishawaka, Indiana, and

WHEREAS, notice of the adoption of a Declaratory Resolution and the public hearing before the Council has been published pursuant to Indiana Code § 6-1.1-12.1-2.5; and

WHEREAS, the Council held a public hearing for the purposes of hearing all remonstrances and objections from interested persons; and

WHEREAS, the Council has determined that the qualifications for an economic revitalization area and economic development target area have been met,

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Mishawaka, Indiana, as follows:

1. The Common Council hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area and Economic Development Target Area for the purposes of tax abatement. Such designations are for personal property tax abatement only and is limited to two (2) calendar

years.

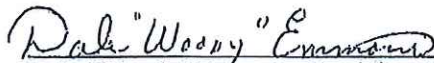
2. The Common Council hereby determines that the property owner is qualified for and is granted a personal property tax deduction; provided the same shall be limited to a period of three (3) years for personal property only in the following applicable deduction percentages:

Year 1:	100.00%
Year 2	66.67%
Year 3	33.33%

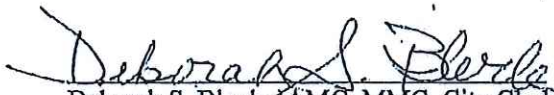
3. That the petition for tax abatement, and the Statement of Benefits submitted by Jamil Packaging Corporation comply with Indiana Code § 6-1.1-12.1-1 et seq. and are hereby approved and the President of the Mishawaka Common Council is hereby authorized to execute said "Statement" on behalf of the Common Council; and
4. That this determination is final except that an appeal may be taken and heard as provided under Indiana Code § 6-1.1-12.1-2-5 and subsections (d) and (e) of the Act.

The Common Council of the City of Mishawaka, Indiana hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area and Economic Development Target Area for the purposes of tax abatement.

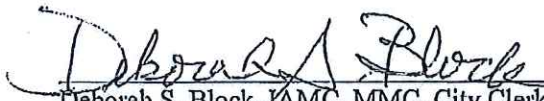
ADOPTED by the Common Council of the City of Mishawaka, Indiana, St. Joseph County, Indiana, this 18th day of February, 2019.


Dale "Woody" Emmons, Presiding Officer

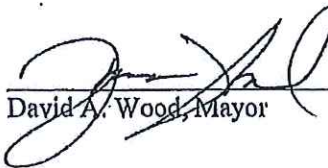
ATTEST:


Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor of the City of Mishawaka, Indiana, on this 18th day of February, 2019.


Deborah S. Block, IAMC, MMC, City Clerk

APPROVED AND SIGNED by me this 18 day of February, 2019, at 8:07 o'clock P.M.


David A. Wood, Mayor

MAR 30 2021

City Clerk
Mishawaka, IN

RESOLUTION NO. 2021-08

WellPet, LLC
1011 West 11th Street

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA,
INDIANA, MAKING A FINAL DETERMINATION AND CONFIRMING THE
DESIGNATION OF AREAS WITHIN
THE CITY OF MISHAWAKA, INDIANA, KNOWN AS

1121 WEST 11TH STREET

AS AN ECONOMIC REVITALIZATION AREA FOR
PURPOSES OF REAL PROPERTY TAX ABATEMENT

WHEREAS, the Common Council of the City of Mishawaka, Indiana, adopted a Declaratory Resolution which designated the area known as 1121 West 11th Street, Mishawaka, IN 46544, to be an Economic Revitalization Area under the provisions of Indiana Code § 6-1.1-12.1-1 et seq. (the "Act"):

A lot or parcels of land described as follows:

Tax Key #16-1161-6468; also legally described as:

A part of the southwest quarter of section 16, Township 37 North, Range 3 East, now within and part of the City of Mishawaka, which part is bounded by a line running as follows, viz:

Beginning at a point on the South line of said Section 16, 20 feet East of the Southwest corner thereof; thence East along the South line of said Section 16, 679.97 feet more or less, to the west line of Cleveland Street in the City of Mishawaka, if extended South; thence North along the west line of said Cleveland Street, if extended south 440.57 feet, more or less to the South line of Eleventh Street in the City of Mishawaka; thence West along the South line of said Eleventh Street 681.15 feet more or less to the East line of Logan Street, in the City of Mishawaka; thence South along the East line of said Logan Street 443.32 feet, more or less to the place of beginning.

More commonly known as 1121 West 11th Street

All of the above described property being located within the municipal corporation limits of the City of Mishawaka, Indiana, and

WHEREAS, notice of the adoption of a Declaratory Resolution and the public hearing before the Council has been published pursuant to Indiana Code § 6-1.1-12.1-2.5; and

WHEREAS, the Council held a public hearing for the purposes of hearing all remonstrance and objections from interested persons; and

WHEREAS, the Council has determined that the qualifications for an economic revitalization area have been met.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Mishawaka, Indiana, as follows:

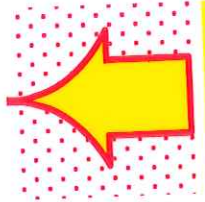
1. The Common Council hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area for the purposes of tax abatement. Such designation is for real property tax abatement only and is limited to three (3) calendar year.
2. The Common Council hereby determines that the property owner is qualified for and is granted a real property tax deduction; provided the same shall be limited to a period of five (5) years for real property only in the following applicable deduction percentages:

Year 1:	100%
Year 2	80%
Year 3	60%
Year 4	40%
Year 5	20%
3. That the petition for tax abatement, and the Statement of Benefits submitted by WellPet, LLC comply with Indiana Code § 6-1.1-12.1-1 et seq. and are hereby approved.
4. That this determination is final except that an appeal may be taken and heard as provided under Indiana Code § 6-1.1-12.1-2-5 and subsections (d) and (e) of the Act.

The Common Council of the City of Mishawaka, Indiana hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area for the purposes of tax abatement.

ADOPTED by the Common Council of the City of Mishawaka, Indiana, St. Joseph County, Indiana, this 5th day of April, 2021.

Gregg Hixenbaugh, President



ATTEST:

Deborah S. Block, City Clerk



PRESENTED by me to the Mayor of the City of Mishawaka, Indiana, on this ____ day of _____, 2021.

Deborah S. Block, City Clerk



APPROVED AND SIGNED by me this ____ day of _____, 2021, at ____ o'clock ____ M.

David A. Wood, Mayor



CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

BUILDING - COMMUNITY DEVELOPMENT - PLANNING

March 30, 2021

Mr. Woody Emmons, 1st District City Council
Mr. Mike Bellovich, 2nd District City Council
Mr. Anthony Hazen, 3rd District City Council
Mrs. Kate Voelker, 4th District City Council
Mr. Michael Compton, 5th District City Council
Mr. Ron Banicki, 6th District City Council
Mr. Gregg Hixenbaugh, At-Large City Council
Mr. Matt Mamolenti, At-Large City Council
Mr. Maggie DeMaegd, At-Large City Council
Mrs. Deborah Block, City Clerk

Deborah S. Block, IAMC, MMC

MAR 30 2021

City Clerk
Mishawaka, IN

**Re: Confirming Resolutions 2021-08 and 2021-09
Tax Abatement – WellPet LLC
Real and Personal Property Tax Abatements- 1121 W. 11th Street**

Dear Council Members and Clerk:

Attached are the Confirming Resolutions for the above referenced tax abatement requests that have been filed for consideration at your April 12th meeting. Please note that the resolutions are identical. In this case, one is required for the Real Property improvements, and a separate one is required for the Personal Property improvements.

As was previously referenced when the Council considered and approved the declaratory resolution, WellPet LLC is proposing to expand their current facility to include a new building addition that will contain drying and coating equipment along with advanced odor control equipment. WellPet has been manufacturing cat and dog food at the facility since acquiring the business in 2009.

The proposed improvements will allow for the optimization of plant operations and increased production capacity with plans to add a third production line in the future. Food safety will also be enhanced as the addition will allow for a greater separation between raw ingredient processing areas and finished production packaging and storage areas. The total planned investment is approximately \$42.6 million.

Specifically, two abatements have been filed, one for the real property improvements and one for the personal property improvements in equipment. The real property improvements include an estimated \$14.7 million expansion adding an approximate 8,100 sq. ft. (90'x90') addition to the south side of the building. The addition will require approval of developmental variances from the Board of Zoning Appeals for the overall height of the structure and a reduced rear yard setback. A variance petition has been filed and will tentatively be considered by the Board of Zoning Appeals on April 13th. The personal property request includes nearly \$27.9 million primarily for new dryers, odor control equipment, and conveyance systems. A detailed listing of the new equipment to be installed is included as an attachment to the personal property tax abatement application. Construction on the building addition is expected to begin during the 2nd quarter of 2021 with equipment installation beginning in the 4th quarter of 2021. Completion on the entire project is anticipated during the 3rd quarter of 2022.

WellPet LLC has received two prior personal property tax abatements approved by the Council in 2014 and 2015. The previous requests have allowed the company to purchase equipment it would not have had the capacity to do so, along with hiring more employees than projected, and at higher wage rates.

Employment levels at the facility have increased over the years from 91 employees in 2014, to 115 employees in 2015, to 125 employees present day. Commensurate with the increase in employment, total payroll has significantly increased over these years.

With the current request, Wellpet LLC will retain 125 employees while adding 5 jobs as a direct result of the investment. The hourly wage for the four semi-skilled new positions, excluding benefits, is estimated at \$15.00. Total annual salaries for the new jobs, including one salaried position, is estimated at \$244,800. Benefits available to employees include sick, vacation, volunteer, and other paid time off; 401 (k) with company match; short and long term disability insurance; health insurance; paid holidays; and a quarterly bonus.

Similar to the two prior approved abatements, Staff is recommending a 5 year abatement for both the real and personal property tax abatement requests. During the last Council meeting when the declaratory resolution was approved, the Council stated that a standard phase-in beginning at one-hundred percentage and decreasing twenty percent annually until the end of the abatement would likely be supported.

Attached are the estimated tax impacts for both the real and personal property abatements if the 5-year tax phase-ins are approved. Projecting the tax impact with certainty is always difficult due to differences between the investment amount and assessed value, and fluctuations in tax rates and other unknown factors over the life of the abatement.

The Statement of Benefits (SB-1/Real Property) for the real property improvements projects an anticipated assessed value of \$13,235,130. Normally, the assessment is lower than the total capital investment which is listed at \$14,705,000. Staff believes the projected assessment of 90% of capital investment is high, but used this figure in the tax impact analysis as a "best guess" estimate. Historically, Staff has utilized a template that calculates estimated assessed values of 85% of the total capital investment for both real and personal property abatements. It is unlikely that the projected assessed values will be reached since the current assessed of all real estate improvements on the property is only \$2,181,500. Since the tax benefit is based upon assessed value, the phase-in would also be proportionally adjusted per the actual assessment.

The Statement of Benefits (SB-1/PP) for the personal property improvements includes an anticipated assessed value of \$19,521,103. The estimated assessment is 70% of the proposed total investment of \$27,887,290. If the assessment is determined to be lower after the equipment is installed, as anticipated, the phase-in would be proportionally adjusted per the actual assessment.

As in other abatement analyses, the following DLGF website was used to project tax revenue:

<https://gateway.ifionline.org/CalculatorsDLGF/TaxCalculator.aspx>.

This website includes a calculator where you input the location, assessed valuation, and class of property and it outputs the maximum tax for the property. This calculator was used for the below tax projections. The current 2020 tax rate payable 2021 was used. Future years did not estimate any increase or decrease over the abatement period. The property tax cap rates for St. Joseph County are also factored into this analysis.

Using the calculator, based on the 2020 tax rate, the real property improvements proposed would have a corresponding estimated tax bill of \$445,402 using 90% of the project cost to determine assessed valuation. The personal property improvements proposed would have a corresponding estimated tax bill of \$656,944 using 70% of the project cost to determine assessed valuation.

In short, if approved, the additional real property taxes associated with this project over the next five years amounts to \$2,227,010. Over that period of time, the owner would have \$1,336,206 abated and would pay \$890,804. The additional personal property taxes associated with this project over the next

five years amounts to \$3,284,720. Over that period of time, the owner would have \$1,970,832 abated and would pay \$1,313,888.

The attached tables show the anticipated annual and total amount of tax revenue abated and paid after the completion of the project on a year by year basis over the five years.

As always, please do not hesitate to contact our department if you have any questions, or require any additional information. Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. Spier", is written over a horizontal line.

Derek J. Spier, AICP

Senior Planner & Economic Development Specialist

cc: David A. Wood, Mayor
Kenneth B. Prince, ASLA, AICP
City Planner

Tax Abatement Schedule prepared for:

29-Mar-21

WellPet LLC

Real Property

Mishawaka-Penn Township 5- Year Real Property Tax Abatement Schedule*

TOTAL PROJECT IMPACT

Total estimated Project Cost: **\$14,705,700**

Base Assessed Value: **\$13,235,130**

(base assessed value is estimated at 90% of project cost)

Assume constant tax rate of: **4.4077%** *(Based on 2020 pay 2021 rate)*

<u>Year</u>	<u>Assessed Value</u>	<u>Gross Tax</u>	<u>Max Tax Bill</u>	<u>Percent Abated</u>	<u>Tax Abated</u>	<u>Tax Paid</u>
1	\$13,235,130	\$583,365	\$445,402	100%	\$445,402	\$0
2	13,235,130	583,365	\$445,402	80%	\$356,322	89,080
3	13,235,130	583,365	\$445,402	60%	\$267,241	178,161
4	13,235,130	583,365	\$445,402	40%	\$178,161	267,241
5	13,235,130	583,365	\$445,402	20%	\$89,080	356,322
				\$2,227,010	\$1,336,206	890,804

* Maximum tax bill is per the 3% property tax cap rate plus a 0.3653% property tax exempt tax rate calculated per the Indiana DLGF on-line tax bill calculator .

Total Taxes Due During Abatement:	\$2,227,010
Total Taxes Abated During Abatement:	1,336,206
Total Taxes Paid During Abatement:	890,804

* - This schedule is for estimation purposes only and assumes constant tax rates.
The true tax values will ultimately be determined by the actual
assessed valuation and the then current tax rates.



City of Mishawaka

Building – Community Development - Planning

APPLICATION FOR DESIGNATION AS AN ECONOMIC REVITALIZATION AREA

REAL PROPERTY TAX ABATEMENT

Indiana State law requires that the designation application and statement of benefits form (SB-1/RE) be submitted prior to the initiation of the project. Additionally, **final approval of the Economic Revitalization Area designation must be obtained before starting the installation of the new manufacturing equipment for which tax abatement is being requested.**

Prior to submitting the attached application to the City's Department of Planning & Community Development, all questions must be answered as completely as possible and must be signed on the Statement of Benefits Form (SB-1/RE) and last page of the application. Incomplete or unsigned applications will not be accepted. A **non-refundable application fee** of \$300.00 is required when making an application for Economic Revitalization Area designation and is payable to the **City of Mishawaka** at the time of submission.

All firms requesting Economic Revitalization Area designation are required to conduct an initial site visit with city staff members prior to a public hearing on the tax abatement request. During that visit, the company shall reveal the capital investment levels, job creation and/or retention levels and hourly wage rates the applicant has committed to the City of Mishawaka in order to receive consideration for Economic Revitalization Area designation and tax abatement deduction.

Additionally, the City of Mishawaka, by and through the Common Council, reserves the right to rescind or "claw back" an Economic Revitalization Area designation and the associated tax abatement deductions if it determines that the applicant has not made reasonable efforts to substantially comply with all of the commitments, as well as the applicant's failure to substantially comply with all of the commitments, and the applicant's failure to substantially comply with the commitments was not due to factors beyond its control.

If the City rescinds the Economic Revitalization Area designation and associated tax abatement deductions, it may require the applicant to repay the City all or a portion of the tax abatement savings received through the date of such termination. Additional details relative to the repayment of tax abatement savings shall be determined at the time of the "claw back."

Questions, applications, and fees should be directed to the:

City of Mishawaka
Building - Community Development - Planning
600 East Third Street
Mishawaka, Indiana 46544
Attention: Kenneth B. Prince, City Planner
574-258-1625
kprince@mishawaka.in.gov

1. Name of the company for which Economic Revitalization Area (ERA) designation is being requested:

WellPet LLC

2. State the name, title, address and telephone number of a company representative who may be contacted concerning this application:

Name and Title: Doug Mitchell, Director of Plant Operations

Address: 1011 West 11th Street Mishawaka IN 46544

Telephone: 574-304-7858

3. State the name, title, address and telephone number of a company representative who may be sent annual compliance surveys. Please note that the **annual survey will determine if your company is compliant with the terms of the abatement agreement and whether the abatement will continue or be terminated**, so the contact should be made aware of the survey's importance.

Name and Title: Terry Peterson, Site Controller

Address: 1011 West 11th Street Mishawaka IN 46544

Telephone: 574-303-9034

4. Location of property for which ERA designation (real property tax abatement) is being sought (this information is available through the Township Assessor's Office):

a) Street Address: 1121 West 11th Street Mishawaka IN 46544

b) Township: Penn

c) Taxing District Number: 023

d) Council District Number: District 1

e) Tax Parcel Number(s): 71-09-16-355-001.000-023

f) Current Zoning of the Property: Industrial 2

g) Case/approval number of any variance, rezoning, or approval petition(s) which is/are required or have been obtained for this project: _____

5. What is the amount of the most recent assessment attributable to (this information is available from the most recent property tax form):

Land: \$119,600

Improvements: \$2,181,500

Inventory:

Equipment: \$7,468,427

6. Has this project/tax abatement request been discussed with City of Mishawaka Staff and has a site visit been conducted? _____ Yes _____ ☒ No

7. Does your company currently conduct manufacturing operations at this location? If so, how long has your company been at this location?

Yes, there is manufacturing performed at this location. WellPet purchased the business in 2009.

a) Please provide your firm's North American Industry Classification System (NAICS) Code Classification.

NAICS Code 311111

b) Please list any special certifications/designations.

8. Does your firm have other operations in the US? In Indiana? If so, please list the location of other operations. Also please indicate the location of your firm's headquarters if not located in Mishawaka.

Firm Headquarters is located at 200 Ames Pond Dr. Tewksbury MA 01876

Additional manufacturing at Farm Fresh Kitchens located at 201 Armour Ave. Suite 500 South St. Paul MN 55073

9. What is the size of the real estate that will be developed? (in acres) 90' x 90'

10. What is the estimated construction or rehabilitation cost? \$14,705,700

11. Have building permits been obtained? *(Please note that state statute requires petitioner to file abatement application **before** obtaining permits) _____ Yes ☒ No

12. What is the anticipated date for construction to begin? Q2 2021

13. What is the anticipated date for project completion? Q3 2022

14. Profile of Company that will occupy the property for which tax abatement is being requested:

a) Are your employees represented by a union? If so, by whom? No

b) Number of current full time permanent hourly employees by skill level (include average hourly wage rate **excluding benefits and overtime**)

Skilled	70	Average hourly wage rate for skilled positions	\$18.97
Semi-skilled	29	Average hourly wage rate for unskilled positions	\$15.51
Clerical	0	Average hourly wage rate for clerical positions	0
Salaried	25	Average salary (per hour) for salaried positions	\$39.29

TOTAL NUMBER OF EXISTING EMPLOYEES (permanent and full-time) 125

- c) What benefits are offered to your company's employees? (i.e. sick time, vacation, health insurance, 401(k), other retirement benefits, profit sharing, etc.)

Company employees receive sick time, vacation time, volunteer time off, other paid time off (bereavement, jury duty, etc.), 401 (k) with company match, short term and long term disability insurance (paid for by the company), health insurance (medical, dental, vision), 9 paid holidays, and a quarterly bonus.

- d) Approximate value of benefits for existing and new employees on a per hour basis (e.g. benefits are valued at an additional \$3.00 per hour, etc.) \$8.39 / hour
- e) What is the total dollar amount spent on retained salaries? \$6,131,000
- f) Number of created full-time permanent hourly employees by skill level (include average hourly wage rate **excluding benefits and overtime**)

Skilled	0	Average hourly wage rate for skilled positions	
Semi-skilled	4	Average hourly wage rate for unskilled positions	\$15.00
Clerical	0	Average hourly wage rate for clerical positions	
Salaried	1	Average salary (per hour) for salaried positions	\$57.69

TOTAL NUMBER OF NEW EMPLOYEES (permanent and full-time) 5

Note: New employees added is the total for both real and personal property

- g) What is the total dollar amount to be spent on new salaries? \$244,800
- h) What is the blended hourly wage rate (the blended rate of hourly and salaried employees), excluding benefits and overtime, for:

Current hourly employees	\$17.95
Retained hourly employees	\$17.95
New hourly employees	\$15.00

- h) (if applicable) What is the usual market for goods or services produced by the company? List the percentage of the company's product or service that reaches:

Inside St. Joseph County:	0.0%
Outside St. Joseph County, but inside Indiana:	7.3%
Outside Indiana, but within 500 miles	11.0%
Outside of 500 miles	73.6%
Outside of the United States:	8.1%

- i) (if applicable) List the name and location (City and State) of your five largest vendors or suppliers:

1. Diversified Ingredients – Fargo ND
2. Badger Ingredients – Carefree AZ
3. Anchor Ingredients – Fargo ND
4. Crete Core – Omaha NE
5. BHJ USA – Logansport, IN

17. Describe the project for which tax abatement is being requested. Include the types of improvements that will be made, and indicate whether improvement is freestanding or an expansion to existing facility. In addition, indicate whether your company will utilize the entire project space or lease a portion of it to an outside company.

WellPet is expanding the current facility to include a new section of the building that will contain drying and coating equipment along with advanced odor control equipment. The change to the plant will allow for future growth and increased production capacity. The new design will also provide enhanced food safety by improving segregation between the raw ingredient processing areas and the finished product packaging and storage areas.

18. Briefly describe the product or service of the company/business which will occupy the property for which tax abatement is being requested.

WellPet will continue to occupy the property and continue the manufacturing of premium dog and cat food on the premises.

19. What evidence can be provided to show the positive impact the abatement will have on the **project property and surrounding area**?

The abatement for the addition to the building (including the new manufacturing equipment) will allow WellPet to continue to operate the manufacturing facility in Mishawaka and continue to provide jobs for the community. The project will also allow for future expansion and the potential to add additional equipment and jobs in the future.

20. Please give a detailed description of what the impact on your business will be if the proposed project is not undertaken (e.g. loss of jobs, contract cancellations, loss of production, change in location, etc.).

If the project is not undertaken, then the plant would not have the capabilities to increase production and future new product launches and volume could be produced by contract manufacturers and the plant would not have the ability to increase production, investment in the community, or increase the workforce.

21. Will you require any additional assistance from the City of Mishawaka?

WellPet will need assistance from the City for zoning approval for the height variance required for the new structure.

22. Have you applied for any assistance from the State of Indiana?

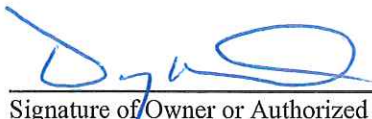
We will be applying concurrently to the State of Indiana for any additional assistance.

23. Miscellaneous Attachments Required:

- Attach the legal description of the property where the equipment is to be located, marked Exhibit A, and hereby incorporated herein.
- Attach a map and/or a plan of the property where the equipment is to be located, marked Exhibit B, and is hereby incorporated herein.

I hereby certify that the information and representations on this application for Real Property Tax Abatement are true and complete.

I understand that if this request for property tax abatement is granted that I will be required to participate in a mandatory annual compliance process. The survey will measure compliance with the project description, job creation and retention figures (and associated salaries), investment, and other information contained in the final resolution authorizing the property tax abatement. I also acknowledge that failure to respond to the mandatory annual compliance or failure to achieve investment, job creation, retention, and salary levels contained in the final resolution may result in a loss of tax abatement deductions, and may result in the repayment of tax abatement savings received.



Signature of Owner or Authorized Representative

Director of Operations

Title

3/10/21

Date

Exhibit A

A lot or parcels of land described as follows:

Tax Key #16-1161-6468; also legally described as:

A part of the southwest quarter of section 16, Township 37 North, Range 3 East, now within and part of the City of Mishawaka, which part is bounded by a line running as follows, viz:

Beginning at a point on the South line of said Section 16, 20 feet East of the Southwest corner thereof; thence East along the South line of said Section 16, 679.97 feet more or less, to the west line of Cleveland Street in the City of Mishawaka, if extended South; thence North along the west line of said Cleveland Street, if extended south 440.57 feet, more or less to the South line of Eleventh Street in the City of Mishawaka; thence West along the South line of said Eleventh Street 681.15 feet more or less to the East line of Logan Street, in the City of Mishawaka; thence South along the East line of said Logan Street 443.32 feet, more or less to the place of beginning.

More commonly known as 1121 West 11th Street

Exhibit B - 1

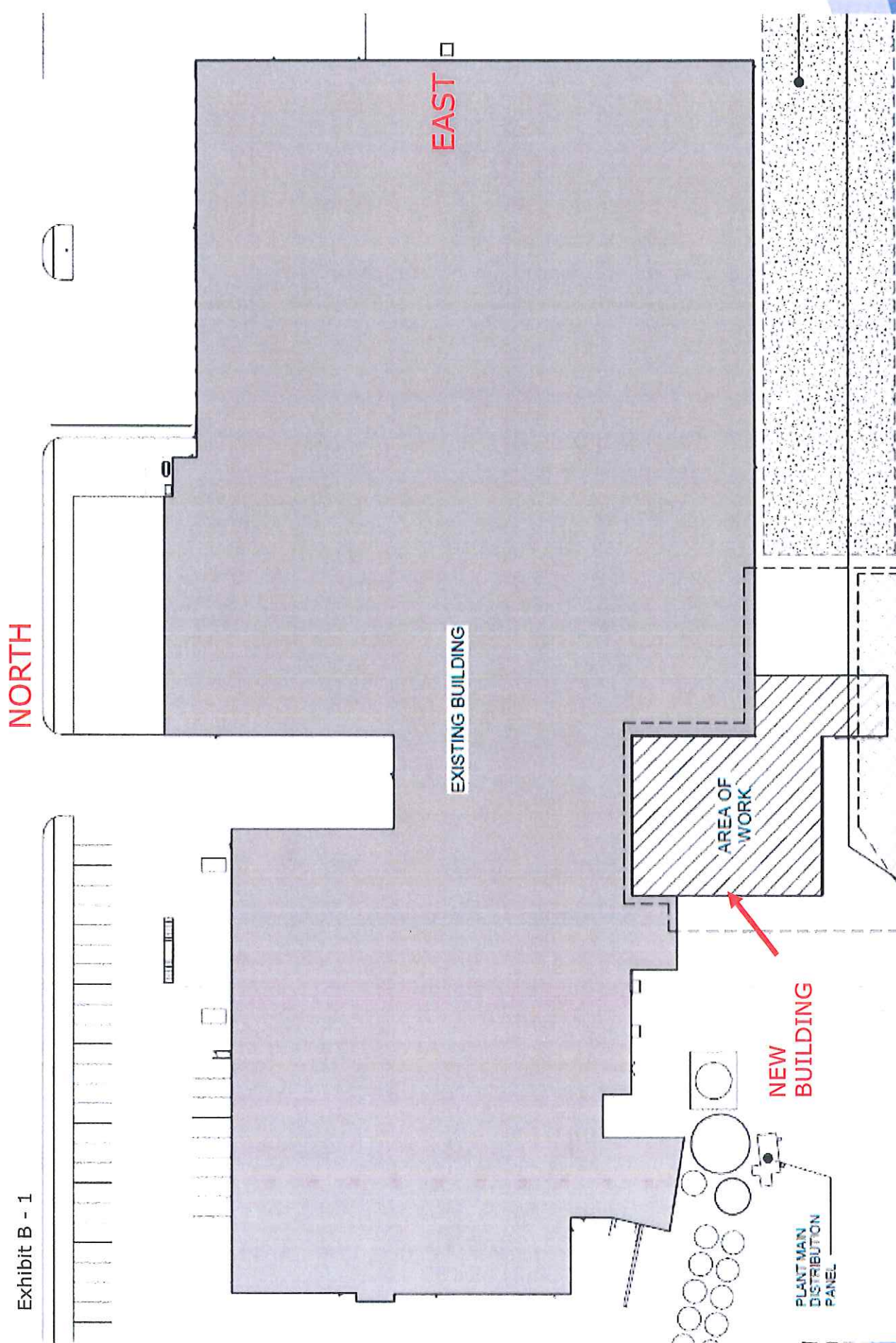


Exhibit B - 2



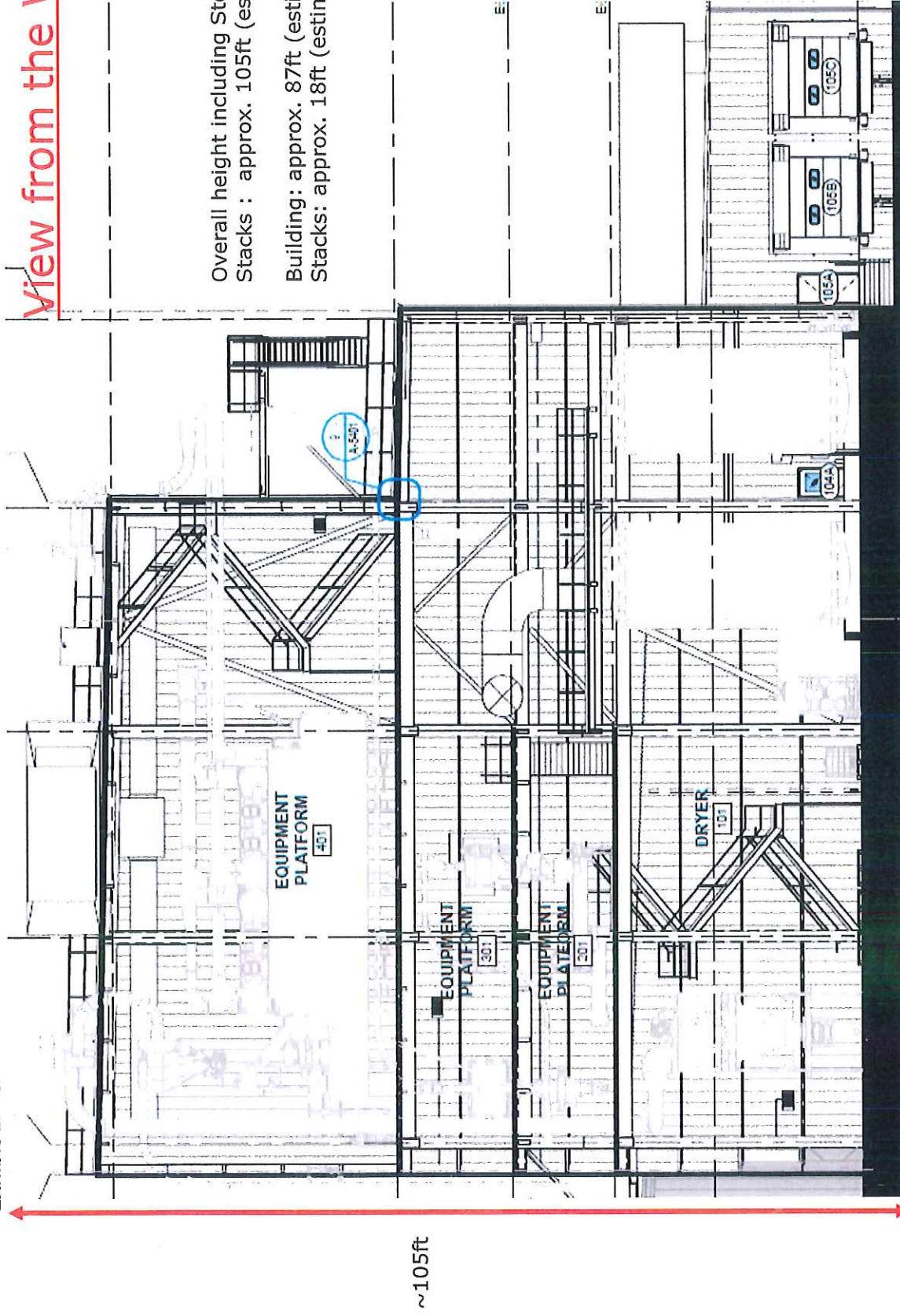
wellPet

wellPet
at the heart of all we do

Exhibit B - 3

View from the West

Overall height including Steam
Stacks : approx. 105ft (estimated)
Building: approx. 87ft (estimated)
Stacks: approx. 18ft (estimated)



BUILDING SECTION LOOKING EAST

wellPet
at the heart of all we do



STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51767 (R7 / 1-21)

Prescribed by the Department of Local Government Finance

20 21 PAY 20 22

FORM SB-1 / Real Property

PRIVACY NOTICE

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- ☐ Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
☐ Residentially distressed area (IC 6-1.1-12.1-4.1)

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** the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
2. The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
3. To obtain a deduction, a Form 322/RE must be filed with the county auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between January 1 and May 10 of a subsequent year.
4. A property owner who files for the deduction must provide the county auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
5. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-17

SECTION 1 TAXPAYER INFORMATION					
Name of taxpayer Wellpet					
Address of taxpayer (number and street, city, state, and ZIP code) 1011 West 11th Street Mishawaka IN 46544					
Name of contact person Terry Peterson		Telephone number (574) 259-7834		E-mail address tpeterson@wellpet.com	
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT					
Name of designating body Mishawaka Common Council				Resolution number	
Location of property 1121 West 11th Street Mishawaka IN 46544		County St Joseph		DLGF taxing district number 71-023	
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) See Attached				Estimated start date (month, day, year) 04/01/2021	
				Estimated completion date (month, day, year) 09/30/2022	
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT					
Current Number 125.00	Salaries \$6,131,000.00	Number Retained 125.00	Salaries \$6,131,000.00	Number Additional 5.00	Salaries \$244,800.00
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT					
		REAL ESTATE IMPROVEMENTS			
		COST		ASSESSED VALUE	
Current values		15,998,566.00		2,181,500.00	
Plus estimated values of proposed project		14,705,700.00		13,235,130.00	
Less values of any property being replaced					
Net estimated values upon completion of project		30,704,266.00		15,416,630.00	
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 <i>Terry Peterson</i>				Date signed (month, day, year) 3/10/2021	
Printed name of authorized representative Terry Peterson				Title Controller	

FOR USE OF THE DESIGNATING BODY

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

- 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 _____. *NOTE: This question addresses whether the resolution contains an expiration date for the designated area.*
- B. The type of deduction that is allowed in the designated area is limited to:
1. Redevelopment or rehabilitation of real estate improvements ☐ Yes ☐ No
 2. Residentially distressed areas ☐ Yes ☐ No
- C. The amount of the deduction applicable is limited to \$ _____.
- D. Other limitations or conditions (specify) _____
- E. Number of years allowed: ☐ Year 1 ☐ Year 2 ☐ Year 3 ☐ Year 4 ☐ Year 5 (* see below)
☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9 ☐ Year 10
- F. For a statement of benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?
☐ Yes ☐ No
 If yes, attach a copy of the abatement schedule to this form.
 If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

We have also 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 of designating body)	Telephone number ()	Date signed (month, day, year)
Printed name of authorized member of designating body	Name of designating body	
Attested by (signature and title of attester)	Printed name of attester	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

- A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. Except as provided in IC 6-1.1-12.1-18, the deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)
- B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. Except as provided in IC 6-1.1-12.1-18, an abatement schedule may not exceed ten (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

WellPet**Real Estate Abatement Expense Listing**

	<u>2021</u>	<u>2022</u>	<u>Total Project</u>
Dryer Building	\$ 5,400,000	\$ 4,500,000	\$ 9,900,000
Receiving Building Improvement	\$ 1,000,000	\$ 500,000	\$ 1,500,000
New Electrical System	\$ 500,000	\$ -	\$ 500,000
Meat Room Expansion	\$ -	\$ 715,000	\$ 715,000
Warehouse Modifications	\$ -	\$ 550,000	\$ 550,000
Gutter between Coating and WHS3	\$ -	\$ 475,000	\$ 475,000
Bulk Receiving Building Improvement	\$ 110,000	\$ -	\$ 110,000
Positive Air Pressure from Packaging	\$ -	\$ 600,000	\$ 600,000
Floor Improvements	\$ 118,125	\$ 237,570	\$ 355,695
Subtotal Building and Bldg Improvements	\$ 7,128,125	\$ 7,577,570	\$ 14,705,695

MAR 3 0 2021

City Clerk
Mishawaka, IN

RESOLUTION NO. 2021-09

WellPet, LLC
1011 West 11th Street

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA,
INDIANA, MAKING A FINAL DETERMINATION AND CONFIRMING THE
DESIGNATION OF AREAS WITHIN
THE CITY OF MISHAWAKA, INDIANA, KNOWN AS

1121 WEST 11TH STREET

AS AN ECONOMIC REVITALIZATION AREA FOR
PURPOSES OF PERSONAL PROPERTY TAX ABATEMENT

WHEREAS, the Common Council of the City of Mishawaka, Indiana, adopted a Declaratory Resolution which designated the area known as 1121 West 11th Street, Mishawaka, IN 46544, to be an Economic Revitalization Area under the provisions of Indiana Code § 6-1.1-12.1-1 et seq. (the "Act"):

A lot or parcels of land described as follows:

Tax Key #16-1161-6468; also legally described as:

A part of the southwest quarter of section 16, Township 37 North, Range 3 East, now within and part of the City of Mishawaka, which part is bounded by a line running as follows, viz:

Beginning at a point on the South line of said Section 16, 20 feet East of the Southwest corner thereof; thence East along the South line of said Section 16, 679.97 feet more or less, to the west line of Cleveland Street in the City of Mishawaka, if extended South; thence North along the west line of said Cleveland Street, if extended south 440.57 feet, more or less to the South line of Eleventh Street in the City of Mishawaka; thence West along the South line of said Eleventh Street 681.15 feet more or less to the East line of Logan Street, in the City of Mishawaka; thence South along the East line of said Logan Street 443.32 feet, more or less to the place of beginning.

More commonly known as 1121 West 11th Street

All of the above described property being located within the municipal corporation limits of the City of Mishawaka, Indiana, and

WHEREAS, notice of the adoption of a Declaratory Resolution and the public hearing before the Council has been published pursuant to Indiana Code § 6-1.1-12.1-2.5; and

WHEREAS, the Council held a public hearing for the purposes of hearing all remonstrance and objections from interested persons; and

WHEREAS, the Council has determined that the qualifications for an economic revitalization area have been met.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Mishawaka, Indiana, as follows:

1. The Common Council hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area for the purposes of tax abatement. Such designation is for personal property tax abatement only and is limited to three (3) calendar years.
2. The Common Council hereby determines that the property owner is qualified for and is granted a personal property tax deduction; provided the same shall be limited to a period of five (5) years for real property only in the following applicable deduction percentages:

Year 1:	100%
Year 2	80%
Year 3	60%
Year 4	40%
Year 5	20%
3. That the petition for tax abatement, and the Statement of Benefits submitted by WellPet, LLC comply with Indiana Code § 6-1.1-12.1-1 et seq. and are hereby approved.
4. That this determination is final except that an appeal may be taken and heard as provided under Indiana Code § 6-1.1-12.1-2-5 and subsections (d) and (e) of the Act.

The Common Council of the City of Mishawaka, Indiana hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area for the purposes of tax abatement.

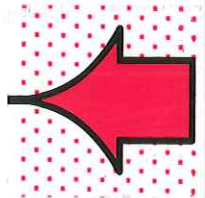
ADOPTED by the Common Council of the City of Mishawaka, Indiana, St. Joseph County, Indiana, this 5th day of April, 2021.

Gregg Hixenbaugh, President



ATTEST:

Deborah S. Block, City Clerk



PRESENTED by me to the Mayor of the City of Mishawaka, Indiana, on this ____ day of _____, 2021.

Deborah S. Block, City Clerk



APPROVED AND SIGNED by me this ____ day of _____, 2021, at ____ o'clock ____M.

David A. Wood, Mayor



CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

BUILDING - COMMUNITY DEVELOPMENT - PLANNING

March 30, 2021

Mr. Woody Emmons, 1st District City Council
Mr. Mike Bellovich, 2nd District City Council
Mr. Anthony Hazen, 3rd District City Council
Mrs. Kate Voelker, 4th District City Council
Mr. Michael Compton, 5th District City Council
Mr. Ron Banicki, 6th District City Council
Mr. Gregg Hixenbaugh, At-Large City Council
Mr. Matt Mamolenti, At-Large City Council
Mr. Maggie DeMaegd, At-Large City Council
Mrs. Deborah Block, City Clerk

Deborah S. Block, IAMC, MMC

MAR 30 2021

City Clerk
Mishawaka, IN

**Re: Confirming Resolutions 2021-08 and 2021-09
Tax Abatement – WellPet LLC
Real and Personal Property Tax Abatements- 1121 W. 11th Street**

Dear Council Members and Clerk:

Attached are the Confirming Resolutions for the above referenced tax abatement requests that have been filed for consideration at your April 12th meeting. Please note that the resolutions are identical. In this case, one is required for the Real Property improvements, and a separate one is required for the Personal Property improvements.

As was previously referenced when the Council considered and approved the declaratory resolution, WellPet LLC is proposing to expand their current facility to include a new building addition that will contain drying and coating equipment along with advanced odor control equipment. WellPet has been manufacturing cat and dog food at the facility since acquiring the business in 2009.

The proposed improvements will allow for the optimization of plant operations and increased production capacity with plans to add a third production line in the future. Food safety will also be enhanced as the addition will allow for a greater separation between raw ingredient processing areas and finished production packaging and storage areas. The total planned investment is approximately \$42.6 million.

Specifically, two abatements have been filed, one for the real property improvements and one for the personal property improvements in equipment. The real property improvements include an estimated \$14.7 million expansion adding an approximate 8,100 sq. ft. (90'x90') addition to the south side of the building. The addition will require approval of developmental variances from the Board of Zoning Appeals for the overall height of the structure and a reduced rear yard setback. A variance petition has been filed and will tentatively be considered by the Board of Zoning Appeals on April 13th. The personal property request includes nearly \$27.9 million primarily for new dryers, odor control equipment, and conveyance systems. A detailed listing of the new equipment to be installed is included as an attachment to the personal property tax abatement application. Construction on the building addition is expected to begin during the 2nd quarter of 2021 with equipment installation beginning in the 4th quarter of 2021. Completion on the entire project is anticipated during the 3rd quarter of 2022.

WellPet LLC has received two prior personal property tax abatements approved by the Council in 2014 and 2015. The previous requests have allowed the company to purchase equipment it would not have had the capacity to do so, along with hiring more employees than projected, and at higher wage rates.

Employment levels at the facility have increased over the years from 91 employees in 2014, to 115 employees in 2015, to 125 employees present day. Commensurate with the increase in employment, total payroll has significantly increased over these years.

With the current request, Wellpet LLC will retain 125 employees while adding 5 jobs as a direct result of the investment. The hourly wage for the four semi-skilled new positions, excluding benefits, is estimated at \$15.00. Total annual salaries for the new jobs, including one salaried position, is estimated at \$244,800. Benefits available to employees include sick, vacation, volunteer, and other paid time off; 401 (k) with company match; short and long term disability insurance; health insurance; paid holidays; and a quarterly bonus.

Similar to the two prior approved abatements, Staff is recommending a 5 year abatement for both the real and personal property tax abatement requests. During the last Council meeting when the declaratory resolution was approved, the Council stated that a standard phase-in beginning at one-hundred percentage and decreasing twenty percent annually until the end of the abatement would likely be supported.

Attached are the estimated tax impacts for both the real and personal property abatements if the 5-year tax phase-ins are approved. Projecting the tax impact with certainty is always difficult due to differences between the investment amount and assessed value, and fluctuations in tax rates and other unknown factors over the life of the abatement.

The Statement of Benefits (SB-1/Real Property) for the real property improvements projects an anticipated assessed value of \$13,235,130. Normally, the assessment is lower than the total capital investment which is listed at \$14,705,000. Staff believes the projected assessment of 90% of capital investment is high, but used this figure in the tax impact analysis as a "best guess" estimate. Historically, Staff has utilized a template that calculates estimated assessed values of 85% of the total capital investment for both real and personal property abatements. It is unlikely that the projected assessed values will be reached since the current assessed of all real estate improvements on the property is only \$2,181,500. Since the tax benefit is based upon assessed value, the phase-in would also be proportionally adjusted per the actual assessment.

The Statement of Benefits (SB-1/PP) for the personal property improvements includes an anticipated assessed value of \$19,521,103. The estimated assessment is 70% of the proposed total investment of \$27,887,290. If the assessment is determined to be lower after the equipment is installed, as anticipated, the phase-in would be proportionally adjusted per the actual assessment.

As in other abatement analyses, the following DLGF website was used to project tax revenue:

<https://gateway.ifionline.org/CalculatorsDLGF/TaxCalculator.aspx>.

This website includes a calculator where you input the location, assessed valuation, and class of property and it outputs the maximum tax for the property. This calculator was used for the below tax projections. The current 2020 tax rate payable 2021 was used. Future years did not estimate any increase or decrease over the abatement period. The property tax cap rates for St. Joseph County are also factored into this analysis.

Using the calculator, based on the 2020 tax rate, the real property improvements proposed would have a corresponding estimated tax bill of \$445,402 using 90% of the project cost to determine assessed valuation. The personal property improvements proposed would have a corresponding estimated tax bill of \$656,944 using 70% of the project cost to determine assessed valuation.

In short, if approved, the additional real property taxes associated with this project over the next five years amounts to \$2,227,010. Over that period of time, the owner would have \$1,336,206 abated and would pay \$890,804. The additional personal property taxes associated with this project over the next

five years amounts to \$3,284,720. Over that period of time, the owner would have \$1,970,832 abated and would pay \$1,313,888.

The attached tables show the anticipated annual and total amount of tax revenue abated and paid after the completion of the project on a year by year basis over the five years.

As always, please do not hesitate to contact our department if you have any questions, or require any additional information. Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. Spier", is written over a horizontal line.

Derek J. Spier, AICP
Senior Planner & Economic Development Specialist

cc: David A. Wood, Mayor
Kenneth B. Prince, ASLA, AICP
City Planner

Tax Abatement Schedule prepared for:

29-Mar-21

WellPet LLC

Personal Property

Mishawaka-Penn Township 5- Year Personal Property Tax Abatement Schedule*

TOTAL PROJECT IMPACT

Total estimated Project Cost: **\$27,887,290**

Base Assessed Value: **\$19,521,103**

(base assessed value is estimated at 70% of project cost)

Assume constant tax rate of: **4.4077%** (Based on 2020 pay 2021 rate)

<u>Year</u>	<u>Assessed Value</u>	<u>Gross Tax</u>	<u>Max Tax Bill</u>	<u>Percent Abated</u>	<u>Tax Abated</u>	<u>Tax Paid</u>
1	\$19,521,103	\$860,432	\$656,944	100%	\$656,944	\$0
2	19,521,103	860,432	\$656,944	80%	525,555	131,389
3	19,521,103	860,432	\$656,944	60%	394,166	262,778
4	19,521,103	860,432	\$656,944	40%	262,778	394,166
5	19,521,103	860,432	\$656,944	20%	131,389	525,555
				\$3,284,720	\$1,970,832	\$1,313,888

* Maximum tax bill is per the 3% property tax cap rate plus a 0.3653% property tax exempt tax rate calculated per the Indiana DLGF on-line tax bill calculator .

Total Taxes Due During Abatement: \$3,284,720
Total Taxes Abated During Abatement: 1,970,832
Total Taxes Paid During Abatement: 1,313,888

* - This schedule is for estimation purposes only and assumes constant tax rates.
The true tax values will ultimately be determined by the actual
assessed valuation and the then current tax rates.



City of Mishawaka

Building - Community Development - Planning

APPLICATION FOR DESIGNATION AS AN ECONOMIC REVITALIZATION AREA

PERSONAL PROPERTY TAX ABATEMENT

Indiana State law requires that the designation application and statement of benefits form (SB-1/PP) be submitted prior to the initiation of the project. Additionally, **final approval of the Economic Revitalization Area designation must be obtained before starting the installation of the new manufacturing equipment for which tax abatement is being requested.**

Prior to submitting the attached application to the City's Department of Planning & Community Development, all questions must be answered as completely as possible and must be signed on the Statement of Benefits Form (SB-1/PP) and last page of the application. Incomplete or unsigned applications will not be accepted. A **non-refundable application fee** of \$300.00 is required when making an application for Economic Revitalization Area designation and is payable to the **City of Mishawaka** at the time of submission.

All firms requesting Economic Revitalization Area designation are required to conduct an initial site visit with city staff members prior to a public hearing on the tax abatement request. During that visit, the company shall reveal the capital investment levels, job creation and/or retention levels and hourly wage rates the applicant has committed to the City of Mishawaka in order to receive consideration for Economic Revitalization Area designation and tax abatement deduction.

Additionally, the City of Mishawaka, by and through the Common Council, reserves the right to rescind or "claw back" an Economic Revitalization Area designation and the associated tax abatement deductions if it determines that the applicant has not made reasonable efforts to substantially comply with all of the commitments, as well as the applicant's failure to substantially comply with all of the commitments, and the applicant's failure to substantially comply with the commitments was not due to factors beyond its control.

If the City rescinds the Economic Revitalization Area designation and associated tax abatement deductions, it may require the applicant to repay the City all or a portion of the tax abatement savings received through the date of such termination. Additional details relative to the repayment of tax abatement savings shall be determined at the time of the "claw back."

Questions, applications, and fees should be directed to the:

City of Mishawaka
Building - Community Development - Planning
600 East Third Street
Mishawaka, Indiana 46544
Attention: Kenneth B. Prince, City Planner
574-258-1625
kprince@mishawaka.in.gov

1. Name of the firm for which tax abatement is being requested:

WellPet LLC

2. State the name, title, address and telephone number of a company representative(s) who may be contacted concerning this application:

Name and Title: Doug Mitchell, Director of Plant Operations

Address: 1011 West 11th Street Mishawaka IN 46544

Telephone: 574-303-7858

3. State the name, title, address and telephone number of a company representative(s) who may be sent annual compliance forms. Please note that the **annual forms will determine if your company is compliant with the terms of the abatement and whether the abatement will continue or be terminated**, so the contact should be made aware of the form's importance.

Name and Title: Terry Peterson, Site Controller

Address: 1011 West 11th Street Mishawaka IN 46544

Telephone: 574-303-9034

4. Location of property for which personal property tax abatement is being sought (this information is available through the Township Assessor's Office):

a) Street Address: 1121 West 11th Street Mishawaka IN 46544

b) Township: Penn

c) Taxing District Number: 023

d) Council District Number: District 1

e) Tax Parcel Number(s): 71-09-16-355-001.000-023

5. What is the amount of the most recent assessment attributable to (this information is available on the most recent property tax form):

Land: \$119,600

Improvements: \$2,181,500

Inventory:

Equipment: \$7,468,427

6. Has this project/tax abatement request been discussed with City of Mishawaka Staff and has a site visit been conducted? _____ Yes X_____ No

7. Does your firm currently conduct manufacturing operations at this location? If so, how long has your company been at this location?

Yes, there is manufacturing performed at this location. WellPet purchased the business in 2009.

a) Please provide your firm's North American Industry Classification System (NAICS) Code Classification.

NAICS Code 311111

b) Please list any special certifications/designations.

8. Does your firm have other operations in the US? In Indiana? If so, please list the location of other operations. Also please indicate the location of your firm's headquarters if not located in Mishawaka.

Firm Headquarters is located at 200 Ames Pond Dr. Tewksbury MA 01876

Additional manufacturing at Farm Fresh Kitchens located at 201 Armour Ave. Suite 500 South St. Paul MN 55073

9. What is the size of the existing facility in which the equipment will be installed?

Most of the equipment will be installed in a new addition to the building, which will be 90' x 90'.

a) What is your facility currently zoned? Industrial 2 b) Do you need rezoning? No

10. Briefly describe the product(s) manufactured by your company.

WellPet produces high quality, all natural, dry dog and cat food

11. Briefly describe the equipment to be installed by your company.

WellPet will be expanding the existing facility to optimize plant operations with plans to add a third production line in the future. The company will be installing new dryers, odor control equipment, and conveyance systems. See attached listing for further details.

12. Has new manufacturing equipment been installed (Please note that state statute requires petitioner to delay installation until after abatement has been granted)? _____ Yes X_____ No

13. What is the anticipated date for installation to begin? Q4 2021

14. What is the anticipated date for project completion? Q3 2022

***(If installation will occur over a multi-year/phased-in period or involve multiple pieces of equipment, please provide a separate detailed installation timetable and note when equipment will be ready to use in production and attach this information to the SB-1/PP.)**

15. Does the equipment being installed serve the same function as the equipment currently in place at the facility? X_____Yes _____No

a) If no, please describe the new functions to be performed by the new manufacturing equipment:

b) What is the estimated value of the equipment to be purchased for which personal property tax abatement is being requested? (If possible, please provide a written quote or estimate attached to this application.) \$27,887,290

16. Profile of firm that will occupy the property for which tax abatement is being requested:

a) Are your employees represented by a union? No If so, by whom?

b) Number of current full time permanent hourly employees by skill level (include average hourly wage rate **excluding benefits and overtime**)

Skilled	70	Average hourly wage rate for skilled positions	\$18.97
---------	----	--	---------

Semi-skilled	29	Average hourly wage rate for unskilled positions	\$15.51
--------------	----	--	---------

Clerical	0	Average hourly wage rate for clerical positions	0
----------	---	---	---

Salaried	25	Average salary (per hour) for salaried positions	\$39.29
----------	----	--	---------

TOTAL NUMBER OF TEMPORARY/ON-CALL EMPLOYEES (if any)			_____
--	--	--	-------

TOTAL NUMBER OF EXISTING EMPLOYEES (permanent and full-time)			125
--	--	--	-----

c) What benefits are offered to your company's employees? (i.e. sick time, vacation, health insurance, 401(k), other retirement benefits, profit sharing, etc.)

Company employees receive sick time, vacation time, volunteer time off, other paid time off (bereavement, jury duty, etc.), 401 (k) with company match, short term and long term disability insurance (paid for by the company), health insurance (medical, dental, vision) 9 paid holidays, and a quarterly bonus.

d) Approximate value of benefits for existing and new employees on a per hour basis (i.e. benefits are valued at an additional \$3.00 per hour, etc.) \$8.39 / hour

- e) What is the total dollar amount spent on retained salaries? \$6,131,000
- f) Number of newly created full-time permanent hourly employees by skill level (include average hourly wage rate **excluding benefits and overtime**)

Skilled	0	Average hourly wage rate for skilled positions	
Semi-skilled	4	Average hourly wage rate for unskilled positions	\$15.00
Clerical	0	Average hourly wage rate for clerical positions	
Salaried	1	Average salary (per hour) for salaried positions	\$57.69

TOTAL NUMBER OF NEW EMPLOYEES (permanent and full-time) 125

Note: New employees added is the total for both real and personal property

- g) What is the total dollar amount to be spent on new salaries? \$244.800
- h) What is the blended hourly wage rate (the blended rate of hourly and salaried employees), excluding benefits and overtime, for:

Current hourly employees	\$17.95
Retained hourly employees	\$17.95
New hourly employees	\$15.00

- f) What is the usual market for goods produced by the company? List the percentage of the company's product that reaches it:

Inside St. Joseph County:	0.0%
Outside St. Joseph County, but inside Indiana:	7.3%
Outside Indiana, but within 500 miles	11.0%
Outside of 500 miles	73.6%
Outside of the United States:	8.1%

- g) Where do your company's raw materials/supplies come from? List the percentage of the supplies that are acquired from each category:

Inside St. Joseph County:	0.0%
Outside St. Joseph County, but inside Indiana:	6.4 %
Outside Indiana, but within 500 miles:	10.0%
Outside 500 miles of Indiana:	22.6%
Outside of the United States:	6.2%

h) List the name and location (City and State) of your five largest vendors or suppliers:

1. Diversified Ingredients – Fargo ND
2. Badger Ingredients – Carefree AZ
3. Anchor Ingredients – Fargo ND
4. Crete Core – Omaha NE
5. BHJ USA – Logansport IN

17. Please give a detailed description of what the impact on your business will be if the new manufacturing equipment is not installed (e.g. loss of jobs, contract cancellations, loss of production, change in location, etc.).

If the project is not undertaken, then the plant would not have the capabilities to increase production and future new product launches and volume could be produced by contract manufacturers and the plant would not have the ability to increase production, investment in the community, or increase the workforce.

18. Please briefly describe how and why the manufacturing equipment to be replaced or the facility in which equipment will be added is currently technologically, economically, or energy obsolete and how and why that obsolescence may lead to a decline in employment and tax revenues.

The original parts of the building date back to the 1970s and are not optimal to comply with today's more stringent food safety regulations. Equipment in some parts of the production process are at least 20 years old. Advances in technology and energy usage will allow the company to produce food with less variability in the manufacturing process and provide the capability to adapt more quickly to the evolving pet food industry standards for quality and food safety. As stated above, if the investments are not made the plant will not have the ability to increase production, investment in the community or increase the workforce.

19. Will you require any additional assistance from the City of Mishawaka?

WellPet will need assistance from the City for zoning approval for the height variance required for the new structure.

20. Have you applied for any assistance from the State of Indiana?

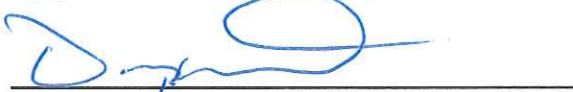
We will be applying concurrently to the State of Indiana for any additional assistance.

21. Miscellaneous Attachments Required:

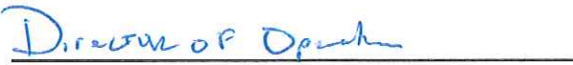
- Attach the legal description of the property where the equipment is to be located, marked Exhibit A, and hereby incorporated herein.
- Attach a map and/or a plan of the property where the equipment is to be located, marked Exhibit B, and is hereby incorporated herein.

I hereby certify that the information and representations on this application for Personal Property Tax Abatement are true and complete.

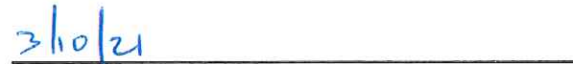
I understand that if this request for property tax abatement is granted that I will be required to participate in a mandatory annual compliance process. The survey will measure compliance with the project description, job creation and retention figures (and associated salaries), investment, and other information contained in the final resolution authorizing the property tax abatement. I also acknowledge that failure to respond to the mandatory annual compliance or failure to achieve investment, job creation, retention, and salary levels contained in the final resolution may result in a loss of tax abatement deductions, and may result in the repayment of tax abatement savings received.



Signature of Owner or Authorized Representative



Title



Date

WellPet**Abatement Equipment Expense Listing**

	<u>2021</u>	<u>2022</u>	<u>Total Project</u>
New Packaging Line	\$ 7,500,000	\$ 500,000	\$ 8,000,000
Dryers	\$ 1,840,000	\$ 1,610,000	\$ 3,450,000
Odor Abatement Equipment	\$ 880,000	\$ 770,000	\$ 1,650,000
Coaters (Liquid and Dry)	\$ 579,040	\$ 506,660	\$ 1,085,700
Final Screeners	\$ 152,480	\$ 133,420	\$ 285,900
Coolers	\$ 520,000	\$ 455,000	\$ 975,000
Conveyance Systems	\$ 627,200	\$ 1,724,800	\$ 2,352,000
Wonderware upgrades and enhancements	\$ 155,000	\$ 1,056,600	\$ 1,211,600
Bulk Liquid Tank System	\$ 220,000	\$ 2,025,000	\$ 2,245,000
Plant-In Bins	\$ 610,000	\$ 1,800,000	\$ 2,410,000
MicroBin Upgrades	\$ -	\$ 200,000	\$ 200,000
Multi Stage Boiler	\$ -	\$ 150,000	\$ 150,000
Auxiliary Miscellaneous Equipment	\$ 2,021,185	\$ 1,850,905	\$ 3,872,090
Total Equipment	\$ 15,104,905	\$ 12,782,385	\$ 27,887,290

Exhibit A

A lot or parcels of land described as follows:

Tax Key #16-1161-6468; also legally described as:

A part of the southwest quarter of section 16, Township 37 North, Range 3 East, now within and part of the City of Mishawaka, which part is bounded by a line running as follows, viz:

Beginning at a point on the South line of said Section 16, 20 feet East of the Southwest corner thereof; thence East along the South line of said Section 16, 679.97 feet more or less, to the west line of Cleveland Street in the City of Mishawaka, if extended South; thence North along the west line of said Cleveland Street, if extended south 440.57 feet, more or less to the South line of Eleventh Street in the City of Mishawaka; thence West along the South line of said Eleventh Street 681.15 feet more or less to the East line of Logan Street, in the City of Mishawaka; thence South along the East line of said Logan Street 443.32 feet, more or less to the place of beginning.

More commonly known as 1121 West 11th Street

Exhibit B - 1

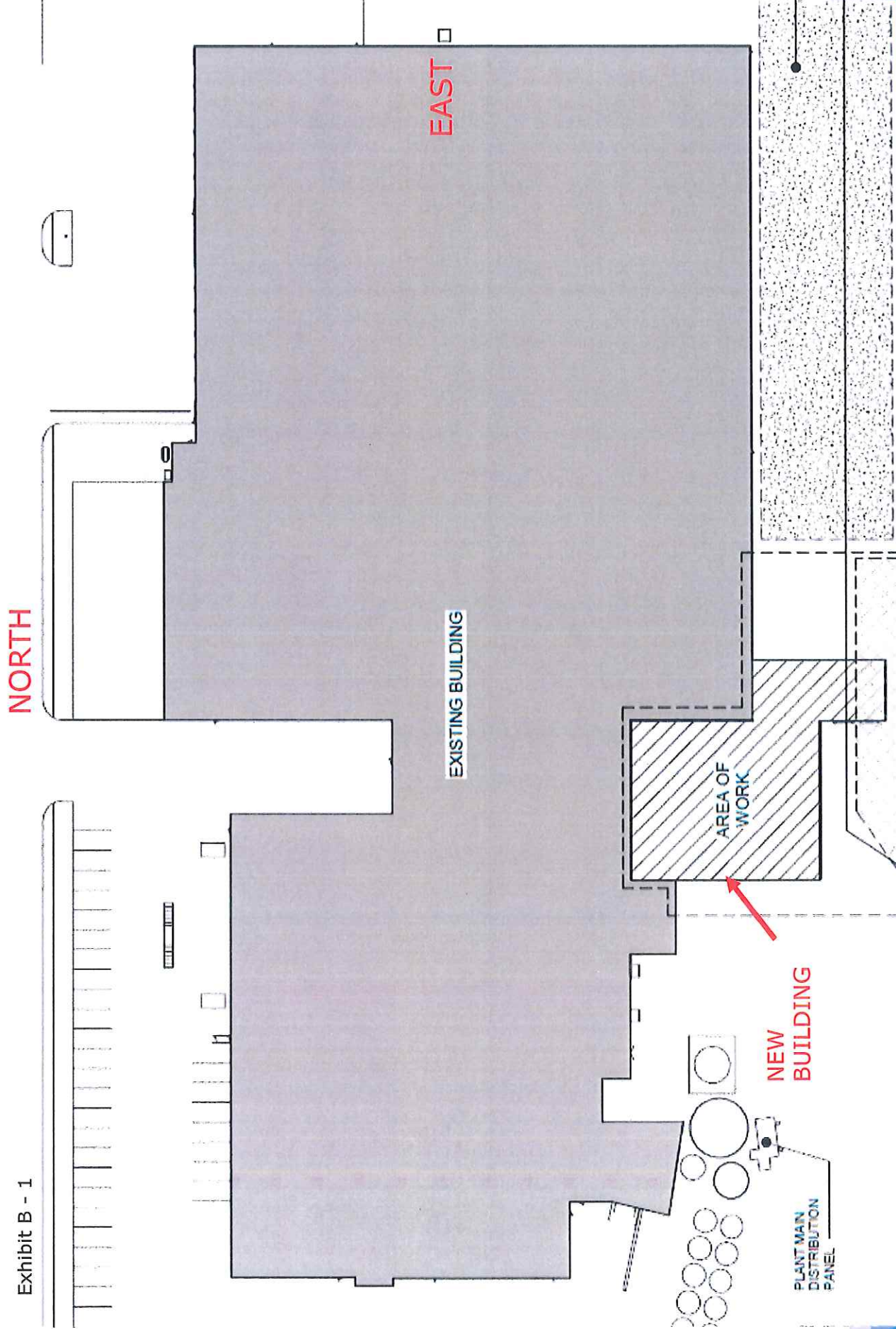


Exhibit B - 2



wellPet[™]

wellPet[™]
at the heart of all we do[™]

Exhibit B - 3

View from the West

Overall height including Steam
Stacks : approx. 105ft (estimated)

Building: approx. 87ft (estimated)
Stacks: approx. 18ft (estimated)

~105ft

BUILDING SECTION LOOKING EAST

wellPet
at the heart of all we do



STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51764 (R5 / 1-21)

Prescribed by the Department of Local Government Finance

FORM SB-1 / PP

PRIVACY NOTICE

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1-12-1-5.1.

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 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.
2. The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.
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 January 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 January 1 and the extended due date of that year.
4. Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1-1-12.1-5.6)
5. For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1-1-12.1-17)

SECTION 1		TAXPAYER INFORMATION		
Name of taxpayer Wellpet		Name of contact person Terry Peterson		
Address of taxpayer (street and number, city, state, ZIP code) 1011 West 11th Street Mishawaka IN 46544		Telephone number 574-259-7834		
SECTION 2		LOCATION AND DESCRIPTION OF PROPOSED PROJECT		
Name of designating body Mishawaka Common Council		Resolution number (s)		
Location of property 1121 West 11th Street MISHAWAKA IN 46544		County St. Joseph	DLFG taxing district number 71-023	
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) See Attached		ESTIMATED		
		Start Date		
		Completion Date		
		Manufacturing Equipment	04/01/2021	09/30/2022
		R & D Equipment		
		Logist Dist Equipment *		
		IT Equipment *		
SECTION 3		ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT		
Current number 125	Salaries 6,131,000	Number retained 125	Salaries 6,131,000	
		Number additional 5	Salaries 244,800	
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	
	Cost	Assessed Value	Assessed Value	
Current values	24,986,362	7,466,427		
Plus estimated values of proposed project	27,887,290	19,531,103		
Less values of any property being replaced				
Net estimated values upon completion of project	52,875,652	26,997,530		
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 Terry Peterson		Date signed (month, day, year) 3/10/2021		
Printed name of authorized representative Terry Peterson		Title Controller		

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 _____. *NOTE: This question addresses whether the resolution contains an expiration date for the designated area.*
- B. The type of deduction that is allowed in the designated area is limited to:
- | | | | |
|--|------------------------------|-----------------------------|--|
| 1. Installation of new manufacturing equipment; | ☐ Yes | ☐ No | ☐ Enhanced Abatement per IC 6-1.1-12.1-18 |
| 2. Installation of new research and development equipment; | ☐ Yes | ☐ No | <i>Check box if an enhanced abatement was approved for one or more of these types.</i> |
| 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 \$ _____. *(One or both lines may be filled out to establish a limit, if desired.)*
- D. The amount of deduction applicable to new research and development equipment is limited to \$ _____ cost with an assessed value of \$ _____. *(One or both lines may be filled out to establish a limit, if desired.)*
- E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ _____ cost with an assessed value of \$ _____. *(One or both lines may be filled out to establish a limit, if desired.)*
- F. The amount of deduction applicable to new information technology equipment is limited to \$ _____ cost with an assessed value of \$ _____. *(One or both lines may be filled out to establish a limit, if desired.)*
- 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 is allowed for:
- | | | | | | |
|---------------------------------|---------------------------------|---------------------------------|---------------------------------|----------------------------------|---|
| ☐ Year 1 | ☐ Year 2 | ☐ Year 3 | ☐ Year 4 | ☐ Year 5 | ☐ Enhanced Abatement per IC 6-1.1-12.1-18
Number of years approved: _____
<i>(Enter one to twenty (1-20) years; may not exceed twenty (20) years.)</i> |
| ☐ Year 6 | ☐ Year 7 | ☐ Year 8 | ☐ Year 9 | ☐ Year 10 | |
- I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? ☐ Yes ☐ No
If yes, attach a copy of the abatement schedule to this form.
If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

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 of designating body)	Telephone number	Date signed (month, day, year)
Printed name of authorized member of designating body	Name of designating body	
Attested by: (signature and title of attester)	Printed name of attester	

* 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 6-1.1-12.1-17.

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

WellPet**Abatement Equipment Expense Listing**

	<u>2021</u>	<u>2022</u>	<u>Total Project</u>
New Packaging Line	\$ 7,500,000	\$ 500,000	\$ 8,000,000
Dryers	\$ 1,840,000	\$ 1,610,000	\$ 3,450,000
Odor Abatement Equipment	\$ 880,000	\$ 770,000	\$ 1,650,000
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Final Screeners	\$ 152,480	\$ 133,420	\$ 285,900
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Bulk Liquid Tank System	\$ 220,000	\$ 2,025,000	\$ 2,245,000
Plant-In Bins	\$ 610,000	\$ 1,800,000	\$ 2,410,000
MicroBin Upgrades	\$ -	\$ 200,000	\$ 200,000
Multi Stage Boiler	\$ -	\$ 150,000	\$ 150,000
Auxiliary Miscellaneous Equipment	\$ 2,021,185	\$ 1,850,905	\$ 3,872,090
Total Equipment	\$ 15,104,905	\$ 12,782,385	\$ 27,887,290

MAR 11 2022

City Clerk
Mishawaka, IN

PETITION 21-02
CITY OF MISHAWAKA, INDIANA
PROPOSED ORDINANCE NO. 2021-12
ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 137, OF THE MUNICIPAL CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME AMENDED, COMMONLY KNOWN AS "THE ZONING ORDINANCE OF 1966" OF THE CITY OF MISHAWAKA, INDIANA.

WHEREAS, the Plan Commission of the City of Mishawaka, Indiana, has recommended the reclassification of the zoning as herein set forth of the real estate hereinafter described.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, that:

Section 1. Chapter 137, of the Municipal Code of the City of Mishawaka, commonly known as "The Zoning Ordinance of 1966", be, and the same is hereby amended as follows:

The following described real estate in the City of Mishawaka, Harris Township, St. Joseph County, State of Indiana, to-wit:

LOT 2 OF THE JUDAY CREEK BUSINESS PARK AS RECORDED UNDER INSTRUMENT NUMBER 1811362 IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA

COMMON ADDRESS: West of Northern Terminus of Veteran's Parkway

which real estate is now classified as S-2 Planned Unit Development District shall hereafter be amended to allow an 8' high security fence at the Juday Creek Municipal Wellfield and Drinking Water Production Facilities. All other previously approved conditions and development regulations per Ordinances 5341, 5342, and 5613 remain applicable to the property.

Section 2. The Common Council of the City of Mishawaka, Indiana, hereby finds that:

1. Existing Conditions – The subject property, located north of Douglas Road at the northern terminus of Veteran's Parkway, is currently undeveloped agricultural land. Adjacent land uses include agricultural land, approved for various commercial, office, residential, and recreational uses, and the Juday Creek Golf Course, approved for recreational and wellfield use.
2. Character of Buildings in Area – There are very few buildings within the immediate area. Low density single-family residential homes are located along the south side of Douglas Road more than a quarter mile from the subject property.

Proposed Ordinance No: _____

Ordinance No: _____

3. The Most Desirable/highest and Best use – The water production facility and municipal wellfield within the PUD is not inconsistent with the surrounding existing or permitted land uses. The increased height of the fence does not affect the permitted use of the property.
4. Conservation of Property Values – The proposed amendment will not be injurious to property values in the surrounding area. The fence will only be 1' higher than currently allowed, but will enhance safety and security. An earthen berm and landscaping will also be provided outside and along the entire perimeter of the fence.
5. Comprehensive Plan – The parcel is not located within the boundaries of the City of Mishawaka Comprehensive Plan. However, the proposed land use is reasonably consistent with the goals, objectives and policies of the Comprehensive Plan.

Section 3. This Ordinance shall be in full force and effect from and after its passage, due attestation and legal publication.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day of _____, 2021, at _____ o'clock ____M.

Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____, 2021, at _____ o'clock ____M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2021, at _____ o'clock ____M.

David A. Wood, Mayor

STAFF REPORT

Location: West of the Northern Terminus of Veteran's Parkway
Lot 2 of Juday Creek Business Park Subdivision (Plat 18-08)

Date: March 9, 2021

Petition: 21- 02

Prepared By: DJS

GENERAL INFORMATION

Applicant: City of Mishawaka, Department of Redevelopment

Status: Property Owner

Request: Amend part of a Planned Unit Development, known as the Penn PUD, to allow an 8' high anti-climb security fence to surround the Juday Creek Water Treatment Plant

Zoning Classification: S-2 Planned Unit Development

Lot Size: 43.75 acres (Amendment only applicable to the south 10.63 acres)

Applicable Regulations: Section 137-671 to 137-679 / S-2 Planned Unit Development District & Section 137-41 / Amendment to Zoning Ordinance & Zoning Map

SPECIAL INFORMATION

Area Development Pattern: North: S-2 Planned Unit Development (Agricultural/Approved for a Regional Recreational Center & Juday Creek Golf Course)
South: S-2 Planned Unit Development (Agricultural/Approved for Commercial & Office Use)
East: S-2 Planned Unit Development (Agricultural/Approved for Commercial, Office, and Single-Family Residential Use)
West: S-2 Planned Unit Development (Juday Creek Golf Course & Future Municipal Wellfield)

Thoroughfare: Veteran's Parkway

School District: Penn-Harris-Madison School Corporation

Township: Harris

Public Utilities: All public utilities are available and will be extended to/throughout the site at the owner's expense.

Comprehensive Plan: Property is not located within the boundaries of the Mishawaka 2000 Comprehensive Plan

ANALYSIS

The petitioner, the City of Mishawaka, is requesting to amend a part of a Planned Unit Development, known as the Penn PUD, to allow an 8' high security fence at the Juday Creek municipal wellfield and drinking water production facilities.

The water treatment plant will be located within a part of Lot 2 in the Juday Creek Business Park subdivision (Plat 18-02). The lot is north of Douglas Road at northern terminus of Veteran's Parkway adjacent to Juday Creek. A prior PUD amendment approved in April 2018 (Petition 18-07/Ord. 5613) expanded the permitted uses for Lot 2 to include a municipal wellfield and water production facilities. The amendment being requested is only applicable to the south 10.83 acres of the property. Currently, the lot is agricultural land. Construction on the wellfield and water treatment plant is expected to begin this spring.

Neither the original PUD, approved in May 2012 (Petitions 11-29 & 11-30/Ord. 5341 & 5342), or the prior PUD amendment (Petition 18-07) included a maximum height for fences in the conditions and development regulations. As a result, the fence height is limited to 7' which is the maximum height allowed in the S-1 Extensive Open Space/Public District. This is only zoning district which specifically identifies "water pumping plants" as a permitted use. Therefore, all development regulations not specified in the PUD ordinance shall adhere to the S-1 District.

The proposed 8' high fence will completely enclose the water production facility to provide enhanced public safety and security. The fence will be constructed with anti-climb welded wire and will not include barbed or razor wire. A security gate will be provided at the entrance drive along Veteran's Parkway.

Staff supports the amendment request to allow for the increase in the permitted fence height. The fence will only be 1' higher than currently allowed while providing for increased security.

A detailed Final PUD Site Plan (SP 20-11) was submitted concurrently with the PUD amendment. The location of the fence and detail is shown on the attached plan.

All previously approved conditions and development regulations per Ordinances 5341, 5342, and 5613 remain applicable to the property.

All pertinent City Departments have reviewed and approved the request providing no comments.

RECOMMENDATION

Staff recommends approval of Petition 21-02 for amending a part of a Planned Unit Development, known as the Penn PUD, to allow an 8' high anti-climb security fence to surround the Juday Creek Water Treatment Plant.

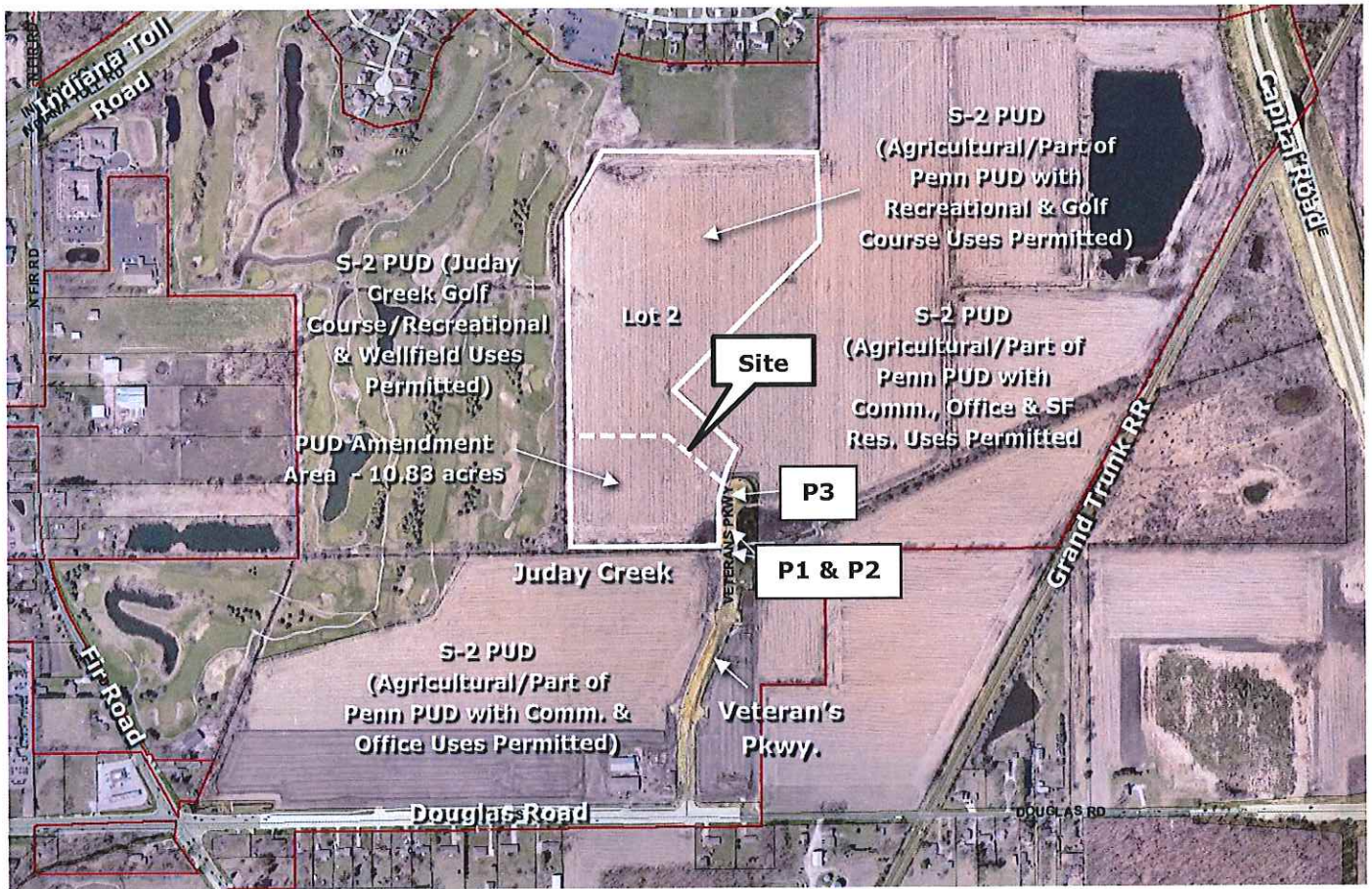
All other previously approved conditions and development regulations per Ordinances 5341, 5342, and 5613 remain applicable to the property.

This recommendation is based on the following findings of fact:

1. Existing Conditions – The subject property, located north of Douglas Road at the northern terminus of Veteran's Parkway, is currently undeveloped agricultural land. Adjacent land uses include agricultural land, approved for various commercial, office, residential, and recreational uses, and the Juday Creek Golf Course, approved for recreational and wellfield use.
2. Character of Buildings in Area – There are very few buildings within the immediate area. Low density single-family residential homes are located along the south side of Douglas Road more than a quarter mile from the subject property.
3. The most desirable/highest and best use – The water production facility and municipal wellfield within the PUD is not inconsistent with the surrounding existing or permitted land uses. The increased height of the fence does not affect the permitted use of the property.
4. Conservation of property values – The proposed amendment will not be injurious to property values in the surrounding area. The fence will only be 1' higher than currently allowed, but will enhance safety and security. An earthen berm and landscaping will also be provided outside and along the entire perimeter of the fence.
5. Comprehensive Plan – The parcel is not located within the boundaries of the City of Mishawaka Comprehensive Plan. However, the proposed land use is reasonably consistent with the goals, objectives and policies of the Comprehensive Plan.

ATTACHMENTS

Aerial Map, Photographs, Petition, Final PUD Site Plan (SP 20-11), Fence Detail, Manufacturing Spec Sheets, Location Map



Aerial Photograph – Lot 2 of the Juday Creek Business Park Subdivision

Undeveloped Agricultural Land proposed for partial development with a new water production facility



P1. Looking westerly from the southeast corner of the property toward Juday Creek.
The water production facility is to be located to the north.



P2. Looking northwesterly from the southeast corner of the property.



P3. Looking westerly toward the property from the Veteran's Parkway terminus.
Juday Creek is at the base of the tree row to the left (south.)



CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

RECEIVED
DEBORAH S. BLOCK, MMC

BUILDING - COMMUNITY DEVELOPMENT - PLANNING

February 17, 2021

FEB 26 2021

CITY CLERK
MISHAWAKA, IN



PET 21-02

Honorable Members of the
Common Council
City of Mishawaka, Indiana
and
Mishawaka City Plan Commission
City of Mishawaka, Indiana

RE: PETITION FOR PUD AMENDMENT

The undersigned City of Mishawaka Redevelopment Commission respectfully show they are the owners of the following described real estate located in the City of Mishawaka, County of St. Joseph, State of Indiana, to-wit:

See attached.

Petitioner(s) own one hundred (100%) percent of the above described parcel of land which carries a zoning classification of S-2 Planned Unit Development specifically for Business & Commercial Uses including golf course, golf maintenance, municipal wellfield and water production facilities and a regional recreational facility. The property is currently vacant agricultural land.

Petitioner(s) desire said real estate to be amended to allow for use of 8' height fence at the municipal wellfield and drinking water production facilities for enhanced public safety and security. This facility will be the primary source of drinking water for the northside of Mishawaka. This 8' height fence will have anti-climb features and will serve as a greater deterrent than a 7' height fence.

Wherefore, the petitioner(s) pray and respectfully request that the Common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after hearing, an appropriate ordinance be enacted amending the PUD of the above described parcel of land located in the City of Mishawaka.

Kenneth B. Prince, ASLA, AICP
City Planner

CONTACT PERSON:

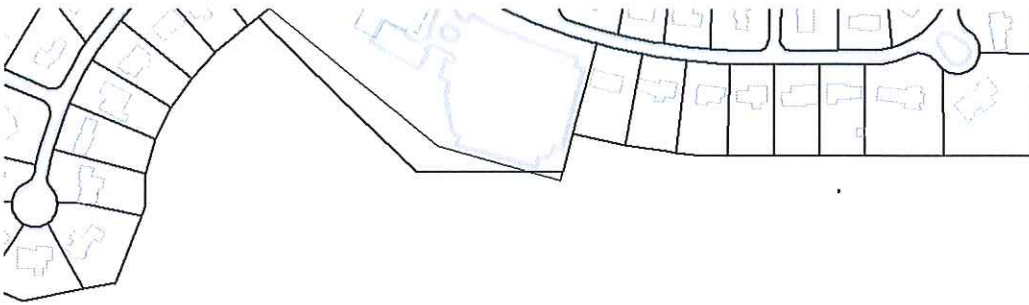
Derek J. Spier, AICP
Senior Planner & Economic Development Specialist
City of Mishawaka
600 E. Third Street
Mishawaka, IN 46544
dspier@mishawaka.in.gov

BUILDING • COMMUNITY DEVELOPMENT • PLANNING • ECONOMIC DEVELOPMENT • HISTORIC PRESERVATION

City Hall • 600 East Third Street • Mishawaka IN • 46544-2241
Community Development • Redevelopment • Economic Development Phone: (574) 258-1609 Fax: (574) 968-6999
Planning • Historic Preservation Phone: (574) 258-1625 Fax: (574) 968-6999
E-mail: planning@mishawakacity.com and communitydevelopment@mishawakacity.com

LEGAL DESCRIPTION:

LOT 2 OF THE JUDAY CREEK BUSINESS PARK AS RECORDED UNDER INSTRUMENT NUMBER 1811362 IN
THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA.



S-2

S-2

PET 21-02

LOCATION OF NEW JUDAY CREEK
WATER TREATMENT FACILITY

Location Map

PET 21-02

CITY OF MISHAWAKA (OWNER)

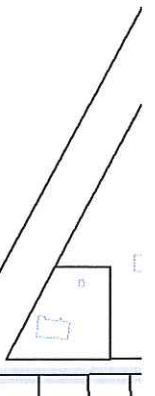
LOT 2 OF JUDAY CREEK
BUSINESS PARK - VACANT LAND

PENN PUD AMENDMENT TO ALLOW
AN 8' HIGH ANTI-CLIMB SCREENING
FENCE TO SURROUND THE NEW JUDAY
CREEK WATER TREATMENT PLANT

S-2

VETERANS PKWY

DOUGLAS RD





City of Mishawaka

DAVID A. WOOD, MAYOR

DEPARTMENT OF CITY PLANNING

March 10, 2021

Deborah S. Block, IAMC, MMC

MAR 11 2022

City Clerk
Mishawaka, IN

Honorable Members of the Common Council
City of Mishawaka, Indiana

RE: Plan Commission Recommendation
March 9, 2021, Public Hearing
Certification of Proposed Ordinance

Honorable Members:

A regular meeting of the Mishawaka Plan Commission was held on the above referenced date at which time the following proposed ordinance was considered:

PETITION #21-02 A petition submitted by City of Mishawaka Redevelopment Commission requesting to amend the Penn Planned Unit Development to allow an 8' tall anti-climb screening fence to surround the new Juday Creek Water Treatment Plant.

The Commission, with a vote of 8-0, recommended approval. All other previously approved conditions and development regulations per Ordinances 5341, 5342, and 5613 remain applicable to the property.

Pursuant to I.C. 36-7-4-605 the Mishawaka Plan Commission hereby certifies to the Mishawaka Common Council the attached proposed ordinance regarding the above matter.

Respectfully,

Kari Myers, Administrative Planner
Secretary, Mishawaka Plan Commission