

RESOLUTION NO. 1986

**A CONFIRMATORY RESOLUTION DECLARING AN ADDITIONAL PARTICULAR AREA WITHIN THE TOWN OF MUNSTER AS ECONOMIC REVITALIZATION AREAS FOR THE PURPOSE OF ENCOURAGING DEVELOPMENT AND OCCUPANCY THEREIN BY PROVIDING REAL AND PERSONAL PROPERTY TAX DEDUCTIONS IN ACCORDANCE WITH THE PROVISIONS OF I.C. 6-1.1-12.1, AS AMENDED (Three Floyds Brewing, LLC, 9748 & 9750 Indiana Parkway).**

**WHEREAS**, there are within the corporate limits of the Town of Munster, Indiana (TOWN), certain areas which have become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings or other factors which have impaired values or prevent a normal development of the property or use of property, or where a facility or a group of facilities there are technologically, economically, or energy obsolete are located and where the obsolescence may lead to a decline in employment and tax revenues (all of which are hereafter referred to as economic revitalization area or areas); and,

**WHEREAS**, the Town Council of the TOWN desires to comply with the requirements of I.C. 6-1.1-12.1-1, et seq., as amended, to find and designate particular areas as economic revitalization areas; and,

**WHEREAS**, the Town Council of the TOWN has prepared a simplified description of an additional parcel to be added to the existing economic revitalization areas by describing its location in relation to public ways, public streets, streams and other memorials, as well as its legal description, all of which is set forth on Exhibit A attached hereto and made a part hereof.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Munster, Lake County, as follows:

1. The definitions of economic revitalization area, property, redevelopment and rehabilitation shall be the same as that defined in I.C. 6-1.1-12.1-1, as now amended, and as amended hereafter from time to time.
2. The Town Council hereby finds that the additional area or areas within its jurisdiction that are economic revitalization areas are set forth in Exhibit A of this Resolution, which exhibit is attached hereto, made a part hereof and incorporated herein by reference. Said Exhibit A contains a simplified description of the boundary of the additional economic revitalization area describing its location in relation to public ways, public streets, streams and other memorials, as well as its legal description.
3. The additional economic revitalization area has the following development objectives: the development of the unimproved real estate, the redevelopment of existing structures, the expansion of current facilities to increase employment, and

the installation of new manufacturing equipment. Therefore, the additional economic revitalization area shall have the following standards applied to it which shall be met in order to cause its application to the area: commencement of construction of "property" within one year from the date of confirmation of this resolution. Nothing herein is intended to limit the right and power of the Town Council to amend, modify, expand or delete economic revitalization areas from time to time, upon satisfaction of existing statutory requirements, if any.

4. All limitations on the property tax deductions provided in I.C. 6-1.1-12.1, as now amended, and as amended hereafter from time to time, shall apply to all owners of property who shall apply for and receive a deduction. Following the adoption and passage of their resolution, said resolution shall be filed with the County Assessor for the County of Lake. After passage adoption of this resolution, the Town Council shall publish notice of its adoption and the substance of this resolution in accordance with the notice requirements of I.C. 5-3-1. The notice shall state that a description of the affected area or areas is available and can be inspected in the office of the County Assessor of Lake County. The notice of the County Assessor of Lake County. The notice shall also name a date when the Town Council will receive and hear all remonstrances and objections from interested persons with respect to the matters set forth in this resolution. Following the date for receipt of remonstrances and objections, the Town Council shall consider the evidence, shall determine whether the qualification for an economic revitalization area or areas have been met, and shall confirm modify and confirm, or rescind this resolution. Thereafter, the determination of the Town Council shall be final except that an appeal may be taken and heard as provided in I.C. 6-1.1-12.1-2.5.
5. The amount of the deduction from assessed value which the property owner is entitled to receive for property which has been redeveloped or rehabilitated, as defined in I.C. 6-1.1-12.1-1 shall not exceed five (5) years, in the manner set forth in I.C. 6-1.1-12.1-4.
6. The amount of the deduction from the assessed value which the property owner is entitled to receive for new manufacturing equipment, as defined in I.C. 6-1.1-12-1-1, shall be five (5) years, in the manner set forth in I.C. 6-1.12.1-4.5
7. The property owners agree to conform to the Conditions of Abatement as outlined in Exhibit B of this Resolution.
8. A property owner who desires to obtain the deduction provided by this and subsequent resolutions must file a certified deduction application, on forms prescribed by the State Board of Tax Commissioners, with the Auditor of Lake County, in the form and manner prescribed in I.C. 6-1.1-12.1, as now amended and as amended hereafter from time to time, and shall include any additional information required to show compliance with the statement of benefits under I.C. 6-1.1-12.1-3.

9. Nothing herein is intended to limit, alter, or change any zoning ordinance or subdivision control ordinances as they relate to an economic revitalization area or areas, and all owners who apply for the deduction provided for herein shall comply with all ordinances of the TOWN, including but not limited to ordinances controlling zoning, subdivision, development and building.
10. After passage, adoption and resolution, it shall be incumbent upon the recipient of any abatement to record the appropriate documents with Lake County, outlining the terms of the abatement, and to provide the Town with evidence of the recording.

**RESOLVED** and **ADOPTED** this 10<sup>th</sup> day of March, 2014, by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL OF THE TOWN OF MUNSTER,  
LAKE COUNTY, INDIANA**

  
\_\_\_\_\_  
**John P. Reed** **President**

**ATTEST:**

  
\_\_\_\_\_  
**David F. Shafer** **Clerk-Treasurer**

## **EXHIBIT "A"**

to Resolution \_\_\_\_\_

### **LEGAL DESCRIPTIONS:**

Property # 45-06-36-201-008.000-027

Lot 15 and the North 14 Feet of Lot 16 in Midwest Central Industrial Park Unit 1 in the Town of Munster (being a subdivision in Section 36, Township 36 North, Range 10 West of Second Principal Meridian, Lake County, Indiana, as per plat thereof recorded in Plat Book 52 Page 31, in the Office of Lake County, Indiana Recorder).

Property #45-06-36-201-007.000-027

Lot 14 in Midwest Central Industrial Park Unit 1 in the Town of Munster (being a subdivision in Section 36, Township 36 North, Range 10 West of Second Principal Meridian, Lake County, Indiana, as per plat thereof recorded in Plat Book 52 Page 31, in the Office of Lake County, Indiana Recorder).

## **EXHIBIT "B"**

### **Conditions of Abatement**

1. Occupancy must occur prior to 12/31/15.
2. Landscaping and Appearance in Conformance with Plans Approved by the Plan Commission.
3. Agreement for Public Art Contribution in the amount of 1% of Abatement value. The contribution shall be made to the Munster Civic Foundation upon approval of this abatement.

## **EXHIBIT "C"**

### **Schedule of Abatement for Real and Personal Property**

<b>Year of Abatement</b>	<b>Percentage of Abatement</b>
1	100%
2	90%
3	80%
4	70%
5	60%

## ATTACHMENT B

### MATRIX FOR TAX ABATEMENT CONSIDERATION FOR REDEVELOPMENT AND/OR EQUIPMENT PURCHASE PROJECTS

#### JOB CREATION/RETENTION

Outstanding

Unsatisfactory

10

0

Criteria:

1. Total Number of New Jobs Created or Retained:

50 or more	6 points
40-49	5 points
30-39	4 points
20-29	3 points
10-19	2 points
2. Percentage of Full-Time Jobs: (Based on 30 or more employees)

80% or greater	3 points
65% to 79%	2 points
3. Are the Jobs new to the area:

Yes	1 point
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Outstanding

Unsatisfactory

10

0

#### OVERALL QUALITY OF JOBS

Criteria:

Average Salary of 50% or more of employees' earnings, both new and/or retained, Benefits (Based on 10 or more Employees), according to the updated information of Department of Labor:

- |   |           |
|---|-----------|
| fall within the upper tenth of the industrial average               | 10 points |
| are above the 80 <sup>th</sup> percentile of the industrial average | 7 points  |
| fall within the upper quartile of the industrial average            | 3 points  |

**PROJECT SIZE AND SCOPE**

**Outstanding**

**Unsatisfactory**

46

0

**Criteria:**

1. Investment and Quality of Construction. Building must be constructed of 80% or more of brick or equivalent masonry material.

**Overall Investment in Project**

\$10 Million or more	13 points
\$5 Million to \$9.99 Million	11 points
\$2.5 Million to \$4.99 Million	9 points
\$1 Million to \$2.49 Million	7 points
\$0.5 Million to \$0.99 Million	5 points

2. Landscaping

30% or more of remaining lot to be heavily landscaped 7 points

20%-29% of remaining lot to be heavily landscaped 4 point

- 3.\* Demolition of existing structures to include building facades deemed to be inadequate, outdated or blighted by Town standards.

Removal of 100% of these structures	10 points
Removal of 50%-99% of these structures	6 points
Removal of some structures, less than 50%	2 points

*\*this question does not apply to those projects, involving construction on land that had not been previously developed*

4. Improvement to property shall grow total assessed valuation by:

Over 30%	5 points
Between 20%-29%	3 points
Above 10%	1 point

- 5.<sup>r</sup> Amount of new Equipment brought into the Business Operation.

**Overall Investment in Project**

\$10 Million or more	11 points
\$5 Million to \$9.99 Million	9 points
\$2.5 Million to \$4.99 Million	7 points
\$1 Million to \$2.49 Million	5 points
\$0.5 Million to \$0.99 Million	3 points

*<sup>r</sup> this question does not apply to those projects, involving solely development, without equipment tax abatement*

## MATRIX SCORING

	Redevelopment & Equipment	New Development & Equipment	New Development No Equipment	Equipment Only
10-Year Tax Abatement	56 - 66	47 - 56	38 - 45	28 - 36
6 -Year Tax Abatement	50 - 55	42 - 46	34 - 37	21 - 27
3 -Year Tax Abatement	40 - 49	33 - 41	27 - 33	19 - 20
Exclusions:		Project Size & Scope #3	Project Size & Scope #s 3&5	Project Size & Scope #s 1,2,&3

**Project Score:** 53

The Town reserves the right to add or subtract additional points dependent upon additional information available to the Town. Those redevelopment projects that use innovative means of production or materials such as using recyclable building materials or retaining additional stormwater runoff in addition to the capacity required for the facility alone will be evaluated and possibly receive additional points.

LEED Certification of Development projects shall be awarded points in addition to those available within the matrix in the following manner:

Platinum LEED Certification	10 points
Gold LEED Certification	6 points
Silver LEED Certification	4 points
LEED Certification	3 points

Those businesses that fail to be good community citizens or build contrary to the Town's development plans may be penalized points from their total score.

***The Matrix is a tool used by the Town Council to assess the strength of a development proposal. The Town Council may, at its sole discretion, choose to utilize the matrix to grant or deny abatement or may make such a choice without utilizing any of the matrices.***