

FILED
MAR 08 2012
CITY CLERK

RESOLUTION NO. 4, 2012

As Amended

A Resolution of the Common Council of the City of Terre Haute,
Terre Haute, Indiana, Designating an Area Within
Vigo County, Indiana as an Economic Revitalization Area
for the Purpose of a Personal Property Tax Abatement

WHEREAS, A Petition for a personal property tax abatement has been filed with the Common Council of the City of Terre Haute, Terre Haute, Indiana (hereinafter "Common Council") requesting that the property described therein be designated an Economic Revitalization Area for purposes of personal property tax abatement; and

WHEREAS, **Bemis Company, Inc.** (hereinafter the "petitioner") has submitted a Statement of Benefits and provided all information and documentation necessary for the Common Council to make an informed decision, said information including a description of the real property which is more particularly described in Exhibit A.

WHEREAS, petitioner has represented and presented evidence that in connection with this Project it currently has an existing 778 full-time jobs with an annual payroll of \$41 million (approximately). Completion of this project will permit petitioner to maintain the existing full-time jobs and will create approximately 40 new permanent full-time jobs with a total annual payroll of approximately \$1.8 million. Petitioner has further represented and presented evidence that the cost of this project will be approximately \$10,600,000 for new manufacturing and IT equipment (the "manufacturing equipment").

WHEREAS, the Common Council is authorized under the provisions of I.C. 6-1.1-12.1-1, et seq. to designate areas of the City as economic revitalization areas for the purpose of tax abatement; and

WHEREAS, the Common Council has considered the Statement of Benefits and has conducted a complete and proper investigation of the subject property and neighborhood to determine that the area qualifies as an economic revitalization area under Indiana statutes; and

WHEREAS, the Common Council has found the subject property to be an area where facilities that are technologically, economically or energy obsolete, are located and where the obsolescence may lead to a decline in employment and tax revenues and has become undesirable for or impossible of normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements, character of occupancy, age, obsolescence, substandard buildings and other factors, which prevent normal development or use;

NOW, THEREFORE, IT IS FOUND, DETERMINED AND RESOLVED by the Common Council of Vigo County, Indiana, that:

1. The petitioner's estimate of the cost of new manufacturing equipment is reasonable for manufacturing equipment of that type in view of current technologies.
2. The petitioner's estimate of the number of individuals who will be employed and retained, and the benefits thereby, can reasonably be expected to result from the project and installation of new manufacturing equipment.
3. The petitioner's estimate of the annual salaries or wages of the individuals who will be employed and retained, and the benefit thereby, can reasonably be expected to result from the project and the installation of the new manufacturing equipment.
4. That the benefits about which information has been requested can reasonably be expected to result from the installation of the new manufacturing equipment.
5. The totality of the benefits of the proposed project and installation of the new manufacturing equipment can reasonably be expected to result from the project and are sufficient to justify personal property tax abatement over a 5-year deduction period, and each such deduction should be, and they are hereby, allowed.
6. That the Statement of Benefits submitted to the Common Council is hereby approved and the Real Estate described in Exhibit A is hereby designated as an Economic Revitalization Area pursuant to I.C. 6-1.1-12.1-1, et seq. and petitioner is entitled to personal property tax abatement over a 5-year deduction period as provided therein for the proposed acquisition of the new manufacturing equipment.
7. The Common Council hereby finds that pursuant to I.C. 6-1.1-12.1-11.3, a resolution adopting Waivers waiving any noncompliance with the requirements that an economic revitalization area be designated before the initiation of the installation of new manufacturing equipment for which Applicant desires to claim a deduction under I.C. 6-1.1-12.1, and that a completed Statement of Benefits form must be submitted to the Common Council before the installation of the new manufacturing equipment for which the Applicant desires to claim a deduction under I.C. 6-1.1-12.1, should be considered for adoption by the Common Council at a public hearing.
8. Notice of the adoption and substance of this Resolution shall be published according to I.C. 5-3-1 stating the adoption and substance hereof, stating a date for the public hearing at which the Common Council will hear and receive remonstrances and objections, and take final action on the designation of the Real Estate as an Economic Revitalization Area, the approval of the Statement of Benefits, and the consideration of the adoption of the Waivers, and

stating that a copy of the description of the affected area is available for inspection in the County Assessor's Office, all as required by law.

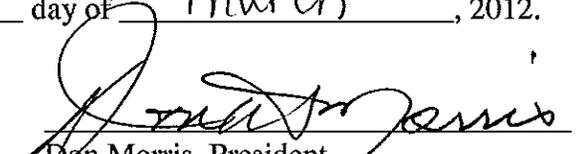
9. That this Resolution is supplementary to and in addition to any prior resolutions.

Passed in Open Council this 8th day of March, 2012.

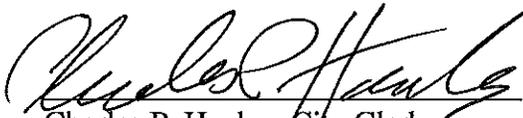
Presented by:


Norm Loudermilk, Councilman

Passed in open Council this 8th day of March, 2012.


Don Morris, President
Common Council of Terre Haute, Indiana

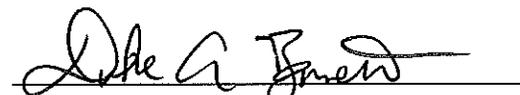
ATTEST:


Charles P. Hanley, City Clerk

Presented by me to the Mayor this 9th day of March, 2012.


Charles P. Hanley, City Clerk

Approved by me, the Mayor, this 9th day of MARCH, 2012.


Duke A. Bennett, Mayor
City of Terre Haute, Indiana

ATTEST:


Charles P. Hanley, City Clerk

This instrument prepared by _____
Louis F. Britton, COX, ZWERNER, GAMBILL & SULLIVAN, LLP
511 Wabash Avenue, Terre Haute, IN 47807; (812) 232-6003.

FILED

FEB 23 2012

CITY CLERK

**FINAL ACTION BY COMMON COUNCIL OF
THE CITY OF TERRE HAUTE,
TERRE HAUTE, INDIANA, REGARDING
RESOLUTION 2012-4
(Personal Property)**

WHEREAS, the Common Council of the City of Terre Haute, Terre Haute, Indiana, (hereinafter "Common Council") adopted Resolution 2012-4 on the _____ day of _____, 2012, and pursuant to Indiana Law has published notice of the adoption and substance of said Resolution including a description of the affected area and notice that a description of the affected area is available for inspection in the office of the county assessor and further stating a date on which the Common Council would receive and hear remonstrances and objections and take final action and consider the adoptions of the waivers; and

WHEREAS, the Common Council has conducted the hearing as required by law and has received no remonstrances or objections to designation of the affected area as a revitalization area or to approval of the Statement of Benefits; and

WHEREAS, said matter is before the Common Council for final action pursuant to Indiana Law; and

WHEREAS, the Common Council has received and examined, prior to such hearing, a Statement of Benefits on the form prescribed by the Department of Local Government Finance and proper application for designation and has heard all appropriate evidence concerning the proposed project and has found and does find:

1. That the estimate of the cost of the new manufacturing equipment is reasonable for equipment of that type.
2. That the estimate of individuals who will be employed or whose employment will be retained as a result of the installation of the new manufacturing equipment and the proposed project can reasonably be expected from the proposed project.
3. The estimate of annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed installation of the new manufacturing equipment and the proposed project. That the benefits about which information has been requested can be expected to result from the proposed project and the installation of the equipment.
4. That the benefits can reasonably be expected to result from the proposed installation of new manufacturing equipment and the proposed project.
5. That the totality of benefits is sufficient to justify the deduction.

6. That all qualifications for establishing an economic revitalization area have been met.

NOW, THEREFORE, for final action on Resolution 2012-4, the Common Council of the City of Terre Haute, Terre Haute, Indiana, RESOLVES, FINDS AND DETERMINES:

1. That all of the requirements for designation of the real estate described in Resolution 2012-4 as an Economic Revitalization Area have been met, the foregoing findings are true and that all information required to be submitted has been submitted in proper form.

2. That Resolution 2012-4 is in all respects confirmed and approved (as modified to incorporate therein this final action) and that the benefits of the proposed redevelopment are sufficient to justify personal property tax abatement over a 5-year deduction period under Indiana statutes for the proposed acquisition of the equipment described in the Statement of Benefits of petitioner and the deduction for the proposed project and acquisition of the equipment and the Statement of Benefits submitted are approved and the Common Council authorizes and directs endorsement of said Statement to show such approval and that the real estate described in Resolution 2012-4 is declared an economic revitalization area for the purposes of personal property tax abatement over a 5-year deduction period and the said real estate is hereby designated as an Economic Revitalization Area pursuant to I.C. 6-1.1-12.1-1, et. seq. and petitioner is entitled to personal property tax deduction over a 5-year deduction period in connection with the proposed acquisition of the new manufacturing equipment.

3. That said Resolution supplements any other designation of the real estate as a Revitalization Area or other similar designation.

4. That this Final Action, findings and confirmation of Resolution 2012-4 shall be incorporated in and be a part of Resolution 2012-4.

Passed in Open Council this ____ day of _____, 2012.

Presented by:

Norm Loudermilk, Councilman

Passed in open Council this _____ day of _____, 2012.

Don Morris, President
Common Council of Terre Haute, Indiana

ATTEST:

Charles P. Hanley, City Clerk

Presented by me to the Mayor this _____ day of _____, 2012.

Charles P. Hanley, City Clerk

Approved by me, the Mayor, this _____ day of _____, 2012.

Duke A. Bennett, Mayor
City of Terre Haute, Indiana

ATTEST:

Charles P. Hanley, City Clerk

This instrument prepared by _____
Louis F. Britton, COX, ZWERNER, GAMBILL & SULLIVAN, LLP
511 Wabash Avenue, Terre Haute, IN 47807; (812) 232-6003.

CITY OF TERRE HAUTE

PROPERTY TAX ABATEMENT PROGRAM APPLICATION

Ownership Information

Name	Address	Phone	Percentage Interest (if applicable)
Bemis Company	PO Box 905	812-460-6421	

Note: If the owner is a corporation, list the name, address and telephone number for the contact person representing the corporation.

If the owner is a partnership, list the name, address and telephone number of each general and/or limited partner and the percentage of interest in the property held by each general and/or limited partner.

If the owner is a sole proprietor, list the name, address and telephone number of the proprietor.

Property Description

A. Street Address: __1350 North Fruitridge Terre Haute In 47803

B. Parcel ID Number 84-06-12-176-001.000-002 This parcel has structures
 84-06-12-300-002.000-002 This parcel has structures
 84-06-12-300-010.000-002
 84-06-11-420-001.000-002
 84-06-12-151-002.000-002
 84-06-12-176-002.000-002
 84-06-12-300-003.000-002
 84-06-12-300-007.000-002

Current Status of Property

A. Current zoning designation of property: Industrial/Manufacturing

B. Describe current improvements to the property, including estimated age of existing buildings:

__Original Building was 1957. Plant II building was erected in 1991._____

C. Describe the current use of the property, including the names of businesses currently operating (if applicable) and the current number of jobs (if applicable):

Manufacturing Facility owned by Bemis Corporation. The average employment for 2011 due to seasonality of the business was 778 employees. At 12-31-11 there were 769

D. Current total assessed valuation of land and all improvements:

Land \$907,600 Improvements \$20,629,100
This assessment was effective 3/1/2010. The notice was dated by county assessor on 2/10/2011.

E. Describe any unique historical structure or aesthetic improvements .
There is no historical structures. This is strictly a manufacturing facility.

Proposed Improvements

- A. Describe proposed real property improvements and projected costs: None
- B. Describe proposed depreciable personal property improvements and projected costs:
\$10,600,000
- C. List any public infrastructure improvements, with estimated costs, that will be necessary
for the project: None
- D. Project Start Date: March 1, 2012
- E. Project Completion Date: December 31, 2012

Eligibility

A. State reasons why the project site qualifies as an Economic Revitalization Area as defined under State Law, i.e., lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings or other factors that have impaired values or prevent a normal development of property or use of property. In the case of manufacturing equipment, also indicate whether or not the area contains a facility or group of facilities that are technologically, economically, or energy obsolete and if the obsolescence may lead to a decline in employment and tax revenues:

Vigo County and the city of Terre Haute suffer from high unemployment. The equipment is needed in order to expand and update our manufacturing capacity in order to remain competitive

B. State the estimated number of new full-time employees (if applicable) and new employees retained (if applicable). Also include salaries and a description of employee benefits:

Number of new employees: 40 Average Annual Salary: \$45,725

Number of retained employees: 778 (2011 Avg. headcount); Average Annual Salary: \$52,762

Description of employee benefits for new and/or retained employees:

Medical and dental insurance, vacation package, hourly pension fund, 401 k for salaried employees

C. Please attach completed State of Indiana Statement of Benefits form for real property improvements (Form SB – 1/ RE) and/or State of Indiana Statement of Benefits form for personal property improvements (Form SB – 1/ PP) to this application material.

Ineligible Projects

Projects will not be considered if a building permit has already been obtained or construction has been initiated. This is because the decision of the Council to designate the Economic Revitalization Area must be passed on the finding that the area is "undesirable for normal development".

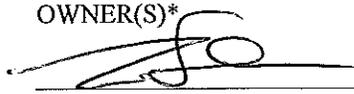
The City Council has the right to void the tax abatement designation awarded to a project if the project has not been initiated within twelve (12) months of the reconfirmation date of the tax abatement resolution, or if the actual use is different than that approved.

Tax abatement for the rehabilitation or development of real property is not eligible for the following types of facilities:

1. Private or commercial golf courses.
2. Country club.
3. Massage parlor.
4. Tennis club.
5. Skating facility (including roller skating, skateboarding or ice skating).
6. Racquet sport facility (including any handball or racquetball court).
7. Hot tub facility.
8. Suntan facility.
9. Racetrack.
10. Any facility the primary purpose of which is:
 - a. retail food and beverage service;
 - b. automobile sales or service; or
 - c. other retail
11. Residential.
12. A package liquor store that holds a liquor dealer's permit under IC 7.1-3-10 or any other entity that is required to operate under a license issued under IC 7.1. This subdivision does not apply to an applicant that:
 - (A) was eligible for tax abatement under this chapter before July 1, 1995;
 - (B) is described in IC 7.1-5-7-11; or
 - (C) operates a facility under:
 - (i) a beer wholesaler's permit under IC 7.1-3-3;
 - (ii) a liquor wholesaler's permit under IC 7.1-3-8; or
 - (iii) a wine wholesaler's permit under IC 7.1-3-13;

Certification

I hereby certify that the representations made in this application are true and I understand that if above improvements are not commenced (defined as obtaining a building permit and actual start of construction) within 12 months of the date of the designation of the above area as an Economic Revitalization Area, the Terre Haute Common Council shall have the right to void such designation.

OWNER(S)*


Timothy K Sullivan

DATE
2/21/12

2/21/12

1. New Personal Property Investment	5 points maximum	<u> 5 </u>
< \$500,000	1	
\$501,000 to \$1,000,000	2	
\$1,000,001 to \$2,000,000	3	
\$2,000,001 to \$3,000,000	4	
\$3,000,001 and up	5	
2. Anticipated New Full-Time Jobs Created Within 5 Years	5 points maximum	<u> 4 </u>
1 to 10 employees	1	
11 to 20 employees	2	
21 to 30 employees	3	
31 to 40 employees	4	
41 employees and up	5	
3. Anticipated Jobs To Be Retained	5 points maximum	<u> 5 </u>
1 to 10 employees	1	
11 to 20 employees	2	
21 to 30 employees	3	
31 to 40 employees	4	
41 employees and up	5	
4. Wage Rates	3 points maximum	<u> 3 </u>
\$7.50 to \$10.00 per hour	0	
\$10.01 to \$12.00 per hour	1	
\$12.01 to \$14.00 per hour	2	
\$14.01 per hour and up	3	
5. Benefits Package	1 point if offered	<u> 1 </u>
6. Targeted Business	1 point if project is good fit for community	<u> 1 </u>
8. Community Involvement	1 point if company plans or is already involved in community activities	<u> 1 </u>
9. Diverse Workforce	1 point if applicant maintains an affirmative action plan or other statement of specific goals with respect to employee diversity	<u> 1 </u>
Total Points		<u> 21 </u>

Scoring

Length of Personal Property Abatement

20 points and up	10 years
18 to 19 points	9 years
16 to 17 points	8 years

14 to 15 points
12 to 13 points
10 to 11 points
8 to 9 points
6 to 7 points
4 to 5 points
2 to 3 points

7 years
6 years
5 years
4 years
3 years
2 years
1 year

Bonus Points

1. American Made
Council may award one bonus point if equipment to be installed is manufactured or engineered in the United States

2. Installation By Local Contractor(s)
Council may award one bonus point if a substantial portion of the equipment to be installed is by a company or individuals maintaining a place of business in Vigo County
_____1_____

3. Rehabilitation Of Existing Facilities
Council may award one bonus point if the project involves the rehabilitation of existing facilities

4. Mentoring/Intern Program
Council may award one bonus point if applicant pledges to participate in a mentoring or intern program associated with a Vigo County educational institution

Total Bonus Points
_____1_____

Grand Total Points
_____22_____

Recommended Length of Personal Property Abatement Per Guideline Scoring Criteria
_____ Years

Bemis requests the property tax abatement to be for 5 years.

Exhibit A-Real Estate Description

Personal Property Tax Abatement-Bemis Company, Inc.

Location of Property:

84-06-12-176-001.000-002 This parcel has structures

84-06-12-300-002.000-002 This parcel has structures

84-06-12-300-010.000-002

84-06-11-420-001.000-002

84-06-12-151-002.000-002

84-06-12-176-002.000-002

84-06-12-300-003.000-002

84-06-12-300-007.000-002