

COMMON COUNCIL OF THE CITY OF HOBART, INDIANA
Resolution Number 2021- 13

A Resolution Waiving Non-Compliance with the Filing Deadline for Compliance with Statements of Benefits Relating to Albanese Confectionery Group Real and Personal Property Deductions for Tax Abatement Purposes

WHEREAS, the Common Council (“Council”) of the City of Hobart, Indiana (“City”), previously granted to Jefferson, LLC, Paine, LLC, Hancock Enterprises, LLC, collectively referred to as Albanese Confectionery Group, real and personal property tax abatement pursuant to I.C. §6-1.1-12.1-1, *et seq.* for property located in the City of Hobart at 5441 East Lincoln Highway; and

WHEREAS, Albanese Confectionery Group has undertaken building expansion and manufacturing equipment purchases, on the subject property; and

WHEREAS, said real and personal property tax abatements were implemented through the adoption by the Council of its Resolution Nos. 2009-11; 2009-13; 2011-03; 2011-04; 2011-13; 2011-14; and 2014-04; 2014-05; 2017-15; 2019-04; 2019-05 and

WHEREAS, the owner of said real and personal property is under a statutory duty to file a Compliance with Statement of Benefits form (Department of Local Government Finance Form CF-1) with the Common Council of the City pursuant to I.C. §6-1.1-12.1-5.1(b) at the same time that the property owner is required to file a personal property tax return in the taxing district in which the property for which the deduction was granted is located, or, if the property owner is not required to file a personal property tax return, on or before May 15 of each year in which said deduction from property taxes is allowed, and

WHEREAS, Albanese Confectionery Group, as property owner, was required to file a Statement of Benefits pursuant to I.C. §§6-1.1-12.1-5.1(b), and, pursuant thereto, a property owner who files a deduction application must provide the County Auditor and the designating body with information showing the extent to which there has been compliance with the statement of benefits; and

WHEREAS, this information must be updated each year in which the deduction is applicable; and

WHEREAS, the property owner has not timely filed the Compliance with Statement of Benefit form for 2021 taxes payable in 2022, but did file such forms with the Clerk-Treasurer of the City of Hobart on or about May 20, 2021, and requests that these forms be accepted by the Council as if timely filed; and

WHEREAS, the Council, as said designating body, pursuant to the provisions of I.C. §6-1.1-12.1-9.5 (b), may by resolution waive noncompliance with a filing deadline applicable to a Statement of benefits, or another document that is required to be filed under I.C. §6-1.1-12.1; and

WHEREAS, the property owner has filed the required form with the Council as stated above, and the Council desires to authorize the waiver of the filing deadline for said Statements of Compliance and to spread same upon the public record.

THEREFORE, BE IT RESOLVED by the Common Council of the City of Hobart as follows:

1. The Council finds that the forms for Compliance with Statement of Benefits (CF-1) for 2021 pay 2022 for the property identified above have been filed by the property owner with the Council as of May 20, 2021. Said forms are attached hereto and made a part hereof.
2. The Council now waives the filing deadline for said form showing compliance with Statements of Benefits. By this action, the Council intends that the property owner shall be treated as if the property owner had timely complied with the procedural requirements of I.C. §6-1.1-12.1-1, *et seq.*
3. As the Compliance with Statement of Benefits (CF-1) forms were postmarked prior to the filing deadline, the waiver on non-compliance fee, authorized through City Council Ordinance 2018-34, shall be waived.
4. The Clerk-Treasurer is directed to provide a certified copy of this Resolution each to the property owner and the Department of Local Government Finance of the State of Indiana, as required by I.C. §6-1.1-12.1-9.5 (c).

ALL OF WHICH is adopted as the Resolution of the Common Council of the City of Hobart on this 18th day of August, 2021.



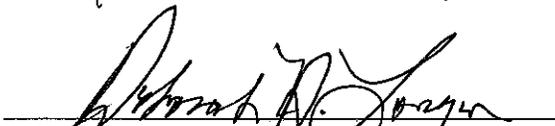
BRIAN K. SNEDECOR, Presiding Officer

ATTEST:



DEBORAH A. LONGER, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart, Indiana this 18th day of August 2021, at 7:00 pm. o'clock.



DEBORAH A. LONGER, Clerk-Treasurer

APPROVED, SIGNED, and RETURNED by me as Mayor of the City of Hobart, Lake County, Indiana, to the Common Council of the City of Hobart, Lake County, Indiana, this 18th day of August, 2021.


BRIAN K. SNEDECOR, Mayor

ATTEST: 
DEBORAH A. LONGER, Clerk-Treasurer



May 27, 2021

City of Hobart
Common Council

Re: Abatements Albanese Group Affiliated Entities

Dear Council:

The following summary summarizes the current abatements of Jefferson, LLC, Hancock Enterprises, LLC, Paine, LLC and Sir RLJ, LLC, collectively referred to as Albanese Confectionery Group ("ACG").

Jefferson, LLC

1. Resolution 2009-11; 2009-13
 - a. Type: Personal Property
 - b. Length: 10 years ended with January 1, 2020 filing
 - c. Status: Complete
2. Resolution 2011-03; 2011-04 (A)
 - a. Type: Real Property
 - b. Length: 10 years ending with 2021 assessment payable in 2022
 - c. Status: Transferred to Sir RLJ, LLC on September 30, 2020.
3. Resolution 2011-13; 2011-14
 - a. Type: Personal Property
 - b. Length: 10 years ending with January 1, 2023 filing
 - c. Status: Current
4. Resolution 2014-04 (B)
 - a. Type: Real Property
 - b. Length: 10 years ending with 2024 assessment payable in 2025
 - c. Status: Transferred to Sir RLJ, LLC on September 30, 2020.

Sir RLJ, LLC

- 1- Resolution 2011-03; 2011-04 (A)
 - a. Type: Real Property
 - b. Length: 10 years ending with 2021 assessment payable in 2022
 - c. Status: Current - transferred from Jefferson, LLC on September 30, 2020
- 2- Resolution 2014-04 (B)
 - a. Type: Real Property
 - b. Length: 10 years ending with 2024 assessment payable in 2025
 - c. Status: Current - transferred from Jefferson, LLC on September 30, 2020



Page 2

Hancock Enterprises, LLC

- 1- Resolution 2014-05
 - a. Type: Personal Property
 - b. Length: 10 years ending with January 1, 2026 filing.
 - c. Status: Current
- 2- Resolution 2017-15 (D)
 - a. Type: Personal Property
 - b. Length: 10 years ending with January 1, 2029 filing.
 - c. Status: Current
 - d. NOTE: \$7,899,201 of abatement assets were put in service with PAINE, LLC.

PAINE, LLC

- 1- Resolution 2017-15 (D)
 - a. Type: Personal Property
 - b. Length: 10 years ending with
 - c. Status: Current
 - d. NOTE: See above notes on Hancock 2(d).
- 2- Resolution 2019-4; 2019-5
 - a. Type: Personal Property
 - b. Length: 10 years after all equipment is put in service
 - c. Status: Current

If you have any additional questions, please contact me at your earliest convenience.

Sincerely,

James Dragon

James Dragon
Director of Engineering

Regular meetings are held on the 1st and 3rd Wednesdays of each month in the Council Chambers, 2nd floor, Hobart City Hall

CITY OF HOBART

AGENDA ITEM REQUEST FORM

(Please Print)

Meeting Date: August 18, 2021

Board of Public Works (3:30 p.m.)

Common Council (6:00 p.m.)

Item to be Added to Agenda: Resolution 2021- **B** A Resolution Waiving Non-Compliance with the Filing Deadline for Compliance with Statement of Benefits Relating to Albanese Confectionery Group Real and Personal Property Tax Deductions for Tax Abatement Purposes. Albanese Confectionery Group, 5441 E. Lincoln Highway. This waiver applies to the abatements tied to the following Resolutions: 2011-03; 2011-04; 2014-04; 2014-05; 2017-15; 2019-04; 2019-05.

Brief Description of Request for Consideration:

Request for a waiver of non-compliance for real and personal property for Albanese Confectionery Group.

The company has provided a letter listing the relevant abated property and any property transfers that have occurred. This Resolution also requests that the fee for a waiver of non-compliance be waived, as the CF-1 forms were post-marked by the filing deadline, just not received by the deadline.

Supporting Documentation Attached: Letter from James Dragon, Director of Engineering, dated May 27, 2021.

Request Submitted by: Beth Jacobson

Address (Department): Economic Development

Phone Number (Ext.): 219.942.5517

Date Submitted: August 9, 2021

Turn in Completed Request Form to the Clerk-Treasurer's Office, Hobart City Hall