

GREENWOOD COMMON COUNCIL

RESOLUTION NO. 23-01

**A RESOLUTION CONFIRMING RESOLUTION 22-28 THE DECLARATION OF A
CERTAIN AREA WITHIN THE CITY OF GREENWOOD AN ECONOMIC
REVITALIZATION AREA AND QUALIFYING CERTAIN REAL PROPERTY
IMPROVEMENTS FOR PROPERTY TAX ABATEMENT AND SETTING THE TIME AND
PLACE FOR A PUBLIC HEARING (Visionware, LLC)**

WHEREAS, the City of Greenwood, Indiana, recognizes the need to stimulate growth and maintain a sound economy within its corporate limits;

WHEREAS, the Greenwood Common Council ("Council") further recognizes that it is in the best interest of the City of Greenwood to provide incentives to stimulate investment within the community;

WHEREAS, Ind. Code § 6-1.1-12.1-1 *et. seq.* provides for a program of real property tax abatement within "economic revitalization areas" ("ERAs") and provides for the adoption of such a program;

WHEREAS, Ind. Code § 6-1.1-12.1 empowers the Council to designate economic revitalization areas by following a procedure involving adoption of a preliminary declaratory resolution (Greenwood Common Council Resolution No. 22-28, hereafter "Resolution No. 22-28"), providing public notice, conducting a public hearing and adopting a final resolution confirming the declaratory resolution or a modified version of the declaratory resolution or rescinding the declaratory resolution;

WHEREAS, at a previous council meeting, the Council received evidence about whether property (hereafter defined) should be designated as an economic revitalization area, and on December 19, 2022, the Council passed a preliminary declaratory resolution, Resolution No. 22-28, designating the property as an economic revitalization area and declaring certain real property improvements for property tax abatement and fixed 7:00 p.m. on Wednesday, January 4, 2023, in the Council Chamber, City Building, 300 S. Madison Avenue, Greenwood, Indiana, and via Zoom.us Video/Telephone Conference meeting, for a final public hearing for the purpose of receiving any remonstrance or objections from any person in or affected by the area legally described and shown on Exhibit A attached hereto (the "Property") or its designation as an economic revitalization area;

WHEREAS, Visionware, LLC ("Applicant") owns the Property, and on November 9, 2022, filed its Statement of Benefits Real Property as required by the Common Council;

WHEREAS, proper legal notice was published indicating the adoption of the declaratory resolution, Resolution No. 22-28, and stating when and where the public hearing would be held; and

WHEREAS, at such public hearing, any and all additional evidence and testimony along with any and all remonstrances and objections presented were considered, and such additional evidence and testimony either confirmed the Council's determination that the said real estate is an economic revitalization area qualified for property tax abatement or did not refute that determination.

NOW, THEREFORE, BE IT RESOLVED BY THE GREENWOOD COMMON COUNCIL THAT:

Section 1. The Greenwood Common Council hereby takes "final action" as that phrase is contemplated in Ind. Code § 6-1.1-12.1 *et seq.* with regard to the request for real property improvements tax abatement of Applicant and the adoption of Greenwood Common Council Resolution No. 22-28 on December 20, 2022.

Section 2. The Greenwood Common Council hereby confirms certain findings made with Resolution No. 22-28 and makes such additional findings and determinations as follows:

1. That the Property is located within the jurisdiction of the Greenwood Common Council for purposes set forth in Ind. Code § 6-1.1-12.1-2;

2. That this Council has determined, based on the information provided by the applicant and other evidence before the Council, that the site has become undesirable for or impossible of normal development and occupancy inasmuch as normal development and growth did not occur in the area during the past ten (10) years without additional financial incentives;
3. That the improvement of the Property described herein would be of public utility and would be to the benefit and welfare of all citizens and taxpayers of the City of Greenwood;
4. That the Property is zoned CM – Commercial Medium Format Zone use according to the City of Greenwood Zoning Map;
5. That the designation of the Property as an “Economic Revitalization Area” and providing property tax abatements will assist in the inducement of projects which will provide employment opportunities to residents of the City of Greenwood and Johnson County;
6. That the Statement of Benefits Real Property Improvement form, filed on November 9, 2022, by Applicant is in acceptable form and complies with the standards set forth in Resolution No. 22-28;
7. The estimate of the value of the redevelopment is reasonable for projects of this nature and type;
8. 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;
9. The estimate of the annual salaries of the individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment;
10. The number of individual opportunities for employment, both temporary and permanent, and the compensation to be paid to employees, along with the value of the construction/installation of the real property improvements, creates benefits of the type and quality anticipated by the Greenwood Common Council within the ERA and can reasonably be expected to result from the proposed described redevelopment.; and
11. The totality of benefits is sufficient to justify the deductions.

Section 3. The area legally described and shown on the attached Exhibit A is designated an ERA in the City of Greenwood.

Section 4. The deductions allowed within the said ERA shall be as allowed under Ind. Code § 6-1.1-12.1-3 with respect to the real property improvements which are developed in substantial compliance with the descriptions, projection, and plans set forth in Exhibit A.

Section 5. The President of the Council is hereby authorized to complete and execute Visionware, LLC’s Statement of Benefits for Real Property Improvement form consistent with this Resolution.

Section 6. Two (2) copies of Exhibit A, which legally describes and shows the subject real estate, is on file in the office of the Clerk of Greenwood, Indiana, and the Common Council directs the Clerk to maintain for public inspection two (2) copies of said Exhibit A in the files of the Clerk.

Section 7. A certified copy of this Resolution shall be sent to the Johnson County Auditor.

Section 8. The Council hereby confirms Resolution No. 22-28 adopted December 20, 2022, and thus approves real property improvements tax abatement as provided herein for the real estate

described and shown on Exhibit A.

Section 9. The sections, paragraphs, sentences, clauses and phrases of this Resolution are separable, and if any phrase, clause, sentence, paragraph or section of this Resolution shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Resolution.

Section 10. This Resolution shall be effective immediately upon its passage, subject to the appeal proceedings through court action contemplated by Ind. Code § 6-1.1-12.1-2.5.

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Passed by the Common Council of the City of Greenwood, Indiana, this 4th day of January, 2023.

Michael Campbell
_____, President
Greenwood Common Council

ATTEST:

I hereby certify that the foregoing within and attached resolution was duly passed by the Common Council of the City of Greenwood, Indiana, at a meeting thereof held on the 4th day of January, 2023, by the following vote:

	AYE:	NAY:
Ronald Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Andrew K. Foster	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Linda S. Gibson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ezra Hill	<input checked="" type="checkbox"/>	<input type="checkbox"/>
J. David Hopper	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Lekse	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bradley Pendleton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The foregoing within and attached resolution passed by the Common Council of the City of Greenwood, Indiana, on the 4th day of January, 2023, is presented by me this 4th day of January, 2023, at 7:20 o'clock P.m., to the Mayor of the City of Greenwood, Indiana.

Jeannine Myers

Jeannine Myers, Clerk

The foregoing within and attached resolution passed by the Common Council of the City of Greenwood, Indiana, on the 4th day of January, 2023, is approved by me this 4th day of January, 2023, at 7:20 o'clock P.m.

Mark W. Myers

MARK W. MYERS, Mayor of
the City of Greenwood, Indiana