

Introduction: 06/10/2024  
Public Hearing: 06/24/2024

PETITIONER(S): \_\_\_\_\_  
Department of Planning & Development  
Mayor's Office of Economic Development

SPONSOR(S): \_\_\_\_\_  
Council Member: Barry Tyler, Jr. (District 3)  
Council Member:

RESOLUTION NO.: 24 R 10

**A DECLARATORY RESOLUTION DETERMINING THAT A CERTAIN AREA OF THE CITY OF HAMMOND, INDIANA BE DESIGNATED AS THE SWANEL ECONOMIC REVITALIZATION AREA TO WHICH DEDUCTIONS FROM ASSESSED VALUATION MAY BE REQUESTED BY AN APPLICANT TO THE COMMON COUNCIL OF THE CITY OF HAMMOND, INDIANA PURSUANT TO INDIANA CODE 6-1.1-12.1**

**WHEREAS,** A Deduction for Rehabilitated or Redevelopment of Real Property in Economic Revitalization Areas is authorized under Indiana Code 6-1.1-12.1 *et seq.* (the "Act") in the form of deductions of assessed value for: (i) qualified real property improvements under Section 3; (ii) the installation of qualified personal property under Section 4.5; and (iii) of the occupancy of an eligible vacant building primarily used for commercial or industrial purposes under Section 4.8, each as a result of new development, redevelopment and/or rehabilitation; and

**WHEREAS,** The Common Council of the City of Hammond, Indiana ("Common Council") desires to offer assessed valuation deductions to the gross assessment of qualified tangible (real and personal) property in a certain area of the City of Hammond, Indiana (the "City") to stimulate private investment of new construction, development, redevelopment and rehabilitation and including the installation of depreciable personal property in order to: (i) attract, retain and expand existing manufacturing enterprise, (ii) increase and/or diversify the City's primary manufacturing and commercial assessed valuation base, and (iii) provide employment opportunities for residents of the City, northwest Indiana and the State of Indiana; and

**WHEREAS,** The Act provides for assessed valuation deductions as a public financial incentive resource, also known as tax abatement, to encourage private enterprise to: (i) develop, redevelop and rehabilitate real property and/or (ii) install depreciable personal property within the City as a means to attract, retain or expand private enterprise and economic development in the City through the designation of certain areas within its jurisdiction to be economic revitalization areas (an "ERA"); and

**WHEREAS,** The Act provides that an ERA is an area as defined under Section 1(1) of the Act "...which has become undesirable for, or impossible of, normal development and occupancy because of lack of development, cessation of growth, deterioration of improvements or character or occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent normal development of property or use of property" for which said term also includes "any area where a facility or a group of facilities that are technologically, economically, or energy obsolete are located and where the obsolescence may lead to a decline in employment and tax revenue;" and

**WHEREAS,** The City's Department of Planning & Development and the Mayor's Office of Economic Development in accordance with Section 2.5(a) of the Act have: (i) prepared maps identifying a certain area as an ERA and prepared a simplified description of the boundaries of said ERA by describing its location in relation to public ways, streams, or otherwise, attached hereto as **EXHIBIT A** and (ii) submitted said documents to the Common Council for review and consideration of this area for designation as an ERA; and

**WHEREAS,** The Common Council has; (i) reviewed said documents as submitted as it relates to the designation of said area within the City as an ERA and (ii) desires to take formal action in order to designate said certain area of the City as an ERA for the purpose of providing assessed valuation deductions for the investment in, redevelopment to or rehabilitation of qualified real and personal provided as provided in the Act to eligible and qualified applicants as a public financial incentive resource to encourage private enterprise to develop, redevelop and rehabilitate real property within and to invest in personal property for installation and placement into service as a means to attract, retain or expand private enterprise and economic development;

**NOW, THEREFORE, BE IT RESOLVED,** by the Common Council of the City of Hammond, Indiana, that based upon all of the evidence presented and a presentation by the City's Department of Planning & Development and Mayor's Office of Economic Development pursuant to the Act, the Common Council hereby finds that a certain area of the City as described and detailed in **EXHIBIT A** as attached hereto is determined to be, designated as and established as the **Swanel Economic Revitalization Area** (the "Swanel ERA") as defined under Section 1(1) of the Act.

**BE IT FURTHER RESOLVED** that the Swanel ERA is not located within a currently designated allocation area of the Hammond Redevelopment District for the purposes of tax increment financing and the capture of incremental assessed valuation of tangible (real and/or personal property).

**BE IT FURTHER RESOLVED** that in accordance Section 2(i)(1) of the Act, the Swanel ERA shall be limited to a period of five (5) years such that said ERA designation shall expire on the earlier of: (i) five (5) years from the date of the confirming resolution of this Declaratory Resolution or (ii) December 31, 2029.

**BE IT FURTHER RESOLVED** that in accordance Section 2.5(b) of the Act, a determination of the number of years a deduction under Sections 3, 4.5 and 4.8 of the Act (as it relates to qualified real property, personal property and vacant building assessed valuation deductions) is allowed and shall not exceed 10 years, as based upon the "Cost" and "Assessed Value" of "Estimated Total Cost and Value of Proposed Project" that may be found in Section 4 of a Statement of Benefits (FORM SB-1), as submitted to the Common Council for consideration and approval.

**BE IT FURTHER RESOLVED** that pursuant to Section 11.3(b) of the Act, a property owner or an applicant for an assessed valuation deduction is not exempt from filing the appropriate FORM SB-1 with the City for submission to the Common Council prior to and for consideration by the Common Council as the designating body.

**BE IT FURTHER RESOLVED** that the Common Council by an appropriate resolution approving a FORM SB-1 may impose a fee in accordance with Section 14 of the Act on any development, redevelopment and rehabilitation of qualified real or personal property or for the occupation of a qualified vacant building within the Swanel ERA, for which said imposed fee shall be distributed to one or more identified public or non-profit entities established to promote economic development in the City.

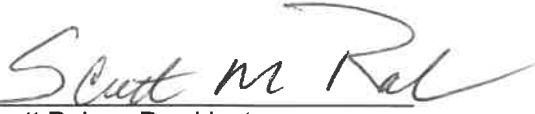
**BE IT FURTHER RESOLVED** that the Common Council directs the Mayor's Office of Economic Development upon its passage and approval, as executed and signed, to:

- 1) File this Resolution including all exhibits attached hereto, as a declaratory resolution, with the Office of the Lake County, Indiana Assessor in accordance with Section 2.5(b) of the Act.
- 2) Publish notice in accordance Sections 2.5(c)(1) of the Act the adoption and substance of this Resolution, as a declaratory resolution, in accordance with IC 5-3-1 for a public hearing scheduled of the Common Council for a date, time and place to be determined by the Common Council.

- 3) File in accordance Section 2.5(c)(2) of the Act the following information with each taxing unit that has authority to levy property taxes in the geographic area where the Swanel ERA is designated and located:
  - i. A copy of the notice published in accordance with IC 5-3-1; and
  - ii. A statement containing substantially the same information as a statement of benefits filed with the City Council (a "Report on Economic and Tax Impact Analysis") before a public hearing required by Sections 2.5 of the Act under Sections 3, 4.5 and 4.8 of the Act.

**BE IT FURTHER RESOLVED** that this Resolution shall have full force and effect from and after its passage and approval by the Common Council, its execution and signing by the President thereof and approval by the Mayor, all as attested by the Clerk of the City.

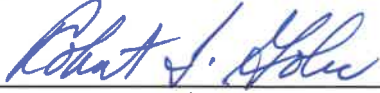
**ADOPTED AND APPROVED BY** the Common Council of the City of Hammond, Lake County, Indiana on this 10<sup>th</sup> day of June 2024.

  
 Scott Rakos, President  
 Common Council, City of Hammond, Indiana

**ATTEST:**

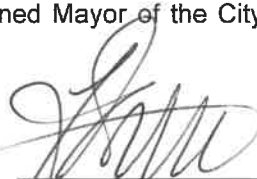
  
 Robert J. Golec, City Clerk  
 City of Hammond, Indiana

**PRESENTED BY ME**, the undersigned City Clerk of the City of Hammond, Indiana, to the Mayor, for approval and signature, this 11<sup>th</sup> day of June 2024.

  
 Robert J. Golec, City Clerk  
 City of Hammond, Indiana

The foregoing Resolution No. R10 consisting of **( 5 )** typewritten pages, including this page,

was **APPROVED AND SIGNED BY ME**, the undersigned Mayor of the City of Hammond, Indiana, this 18<sup>th</sup> day of June 2024.

  
 Thomas M. McDermott, Jr., Mayor  
 City of Hammond, Indiana

**PASSED** by the Common Council on this 10th day of June 2024 and approved by  
the Mayor on the 18<sup>th</sup> day of June 2024.



Robert J. Golec, City Clerk  
City of Hammond, Indiana

## EXHIBIT A

### **Swanel Economic Revitalization Area: Boundary Description and Map**

A general description of the boundaries of the **Swanel Economic Revitalization Area** (the "Swanel ERA") predominantly includes real estate land currently zoned for light industrial land uses (I1 – Light Industrial District). Real property key numbers, general boundary description, and map is provided below.

The Swanel ERA has a legal description as identified on an assessment record card of the Lake County, Indiana Office of the Assessor identified under the legal description.

The Swanel ERA consists of approximately 3.776 acres of area.

#### **Real Property Key Numbers within the Swanel ERA**

<b>Real Property Key Number</b>	<b>Owner (as of 1.1.2023)</b>	<b>Property Description</b>
<b>45-06-01-278-001.000-023</b>	Highland Street LLC	Part of the Southeast Northeast 414.41 ft. by 223.72 ft. by 100 ft. by 190 ft. by 532.47 ft., except the Southeasterly 60 ft. by 190 ft. by 10 ft. by 196.47 ft. Section 1, Township 36, Range 10, 2.292 acres.
<b>45-06-01-278-002.000-023</b>	Swanel Inc.	Southerly part of the Northwest ¼ of Section 1, Township 36, Range 10, lying between the railroad (Erie Lackawanna Trail) and the alley and south of Highland Street, 1.632 acres
<b>45-06-01-278-012.000-023</b>	<i>Not Available</i>	Not Available, 0.016 acres

**MAP 1: Swanel ERA Boundary**



## LEGAL NOTICE OF PUBLIC HEARING

Pursuant to IC 6-1.1-12.1-2.5(c)(1), notice is hereby given that the Common Council of the City of Hammond, Indiana (the "City Council") on **Monday, June 24, 2024, at 6:00 pm (CDT)** in the Council Chambers of Hammond City Hall (Second Floor) located at 5925 Calumet Avenue, Hammond, Indiana 46320, will hold a public hearing to receive and hear from interested persons support for or remonstrances and objections against Common Council Resolution No. 24R-10 (the "Declaratory Resolution"), as adopted and approved on June 10, 2024. The Declaratory Resolution designated and declared a certain area in the City of Hammond to be an economic revitalization area ("ERA"), the Swanel ERA, for the purpose of considering deductions of assessed value ("Tax Abatement") for qualified deduction applicants.

Pursuant to IC 6-1.1-12.1-2.5(b), the Declaratory Resolution, which contains a description of the designated Swanel ERA, boundary description and map under EXHIBIT A, has been filed with the Office of the Lake County, Indiana Assessor for public inspection consistent with IC 6-1.1-12.1-2.5(c).

Pursuant to IC 6-1.1-12.1-2.5(c), the City Council has filed a copy of this Legal Notice of Public Hearing and a Statement of Benefits Notice with the officers of the taxing units that are authorized to fix budgets, tax rates and tax levies under IC 6-1.1-17-5 at least ten (10) days before the date of the public hearing.

The Swanel ERA in the City of Hammond consists of approximately 3.776 acres and as further detailed in EXHIBIT A of the Declaratory Resolution.

Written statements of support, remonstrance and objection from interested persons may be filed with the City Council in person or via the United States Postal Service (USPS) mail to the Clerk's Office located in Hammond City Hall at 5925 Calumet Avenue, Hammond, Indiana 46320, during regular office hours open to the public. Written statements must include the current date, name of the interested person or party, address of the interested person or party, a statement on the Declaratory Resolution and the signature of the interested person or party. Written statements will be accepted through 2:00 p.m. (CDT) on Monday, June 24, 2024, for consideration by the City Council during the public hearing portion of its regular meeting. All written statements will be time and date stamped as filed with the Office of the Clerk upon submission to determine its qualification and timeliness to be entered into the record during the public hearing.

After considering the evidence presented during the public hearing and upon closure of said public hearing, the City Council as the designating body may take final action determining whether the qualifications for an ERA have been met and confirming, modifying and confirming, or rescinding the Declaratory Resolution.

**Robert J. Golec, City Clerk**  
**City of Hammond, Indiana**

**Dated: Tuesday, June 11, 2024.**