

AGENDA RESERVATION REQUEST

CITY OF FRANKLIN COMMON COUNCIL

Please type or print

Date Submitted:	July 5, 2017	Meeting Date:	July 10, 2017
Contact Information:			
Requested by:	Krista Linke		
On Behalf of Organization or Individual: Economic Development Commission			
Telephone:	317-736-3631		
Email address:	klinke@franklin.in.gov		
Mailing Address:	70 E. Monroe St., Franklin, IN 46131		
Describe Request:			
Resolution 2017-07: Waiver of Non-Compliance for TOCO Inc.			
List Supporting Documentation Provided:			
Memo to City Council			
Resolution 2017-07			
Who will present the request?			
Name:	Krista Linke	Telephone:	317-736-3631

The Franklin City Council meets on the 1st and 3rd Monday of each month at 6:00 p.m. in the Council Chambers of City Hall located at 70 E. Monroe Street. In order for an individual and/or agency to be considered for new business on the agenda, this reservation form and supporting documents must be received in the Mayor's office no later than 12:00 p.m. on the Wednesday before the meeting.



CITY OF FRANKLIN

COMMUNITY DEVELOPMENT DEPARTMENT

Memorandum

To: City Council Members

From: Krista Linke, Director

Date: July 5, 2017

Re: TOCO Inc. (Formerly Trueblood Oil) – Request for Waiver of Non-Compliance

In 2015 Electro-Spec was granted a three-year vacant building tax abatement and Trueblood Oil was granted a five-year personal property tax abatement with a 5% economic development fee through Resolution 2015-11. Since the approval, Electro-Spec and Trueblood Oil have submitted their yearly compliance reports in a timely manner and they have been approved. Upon receiving their tax bill this year for 2016, they noticed they had not received the tax abatement deduction. After talking to the Johnson County Auditor's offices, they were informed they need to file a Form 103 ERA for the personal property tax deduction. They did not know they were required to file this form with the county.

Therefore, TOCO Inc. (formerly Trueblood Oil) will have to pay the taxes in full. The remedy to this situation is for the City of Franklin to pass a waiver of non-compliance for the failure to fill out the required county forms. It is my understanding from the county, that once the waiver of non-compliance is granted, a credit will be given on the fall taxes. A resolution has been prepared for the City Council to review and approve for this purpose. The Economic Development Commission met on Tuesday, June 13th, 2017 and It is the recommendation of the Economic Development Commission to approve the resolution granting the Waiver of Non-Compliance.

If you have any questions regarding this request, please contact me directly at 346-1250.

CITY OF FRANKLIN, INDIANA

RESOLUTION NO. 2017-07

**A RESOLUTION WAIVING NON-COMPLIANCE WITH
TAX ABATEMENT COMPLIANCE REQUIREMENTS BY
TOCO Inc. (formerly Trueblood Oil Co., Inc.)**

WHEREAS, the Common Council of the City of Franklin, Indiana (the “Council”) granted on April 6th, 2015, a five-year tax abatement on personal property with a 5% economic development fee to Trueblood Oil Co., Inc. through Resolution 2015-11;

WHEREAS, due to a clerical error, Trueblood Oil Co., Inc. failed to timely file a Form 103 ERA (“Schedule of Deduction from Assessed Valuation for Personal Property in Economic Revitalization Areas”) with the Auditor of Johnson County, Indiana; and

WHEREAS, pursuant to Indiana Code Section 6-1.1-12.1-11.3(a)(5), the Council finds that this non-compliance should be waived.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Franklin, Indiana, as follows:

1. Waiver of Non-Compliance: Trueblood Oil Co., Inc. non-compliance with its tax abatement filing requirements should be waived.
2. Effective Date: This Resolution shall be in full force and effect from and after its passage by the Council and approval by the Mayor as required by law.

Introduced and Filed on this ____ day of _____, _____.

DULY PASSED on this ____ day of _____, _____, by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote of _____ in Favor and _____ Opposed.

City of Franklin, Indiana, By its Common Council:

Voting Affirmative:

Voting Opposed:

Keith Fox, Council President

Keith Fox, Council President

Joseph P. Abban

Joseph P. Abban

Joseph R. Ault

Joseph R. Ault

Kenneth Austin

Kenneth Austin

Andrew Eggers

Andrew Eggers

Robert D. Heuchan

Robert D. Heuchan

Richard L. Wertz

Richard L. Wertz

Attest:

Jayne Rhoades
City Clerk-Treasurer

Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to Indiana Code § 36-4-6-15, 16, this _____ day of _____, 2017 at _____ o'clock a.m./p.m.

Jayne Rhoades,
City Clerk-Treasurer

This ordinance having been passed by the legislative body and presented to me [Approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)] [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2)], this _____ day of _____, 2017 at _____ o'clock a.m./p.m.

Steve Barnett
Mayor

Attest:

Jayne Rhoades,
City Clerk-Treasurer

Prepared by: Krista M. Linke, Director of Community Development

“I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.”

Krista Linke

Director of Community Development