

## AGENDA RESERVATION REQUEST

### CITY OF FRANKLIN COMMON COUNCIL

Please type or print

|  |                                      |                      |               |
|--|--------------------------------------|----------------------|---------------|
| <b>Date Submitted:</b>                           | March 1, 2023                        | <b>Meeting Date:</b> | March 6, 2023 |
| <b>Contact Information:</b>                      |                                      |                      |               |
| <b>Requested by:</b>                             | Dana Monson                          |                      |               |
| <b>On Behalf of Organization or Individual:</b>  | Sunbeam Development                  |                      |               |
| <b>Telephone:</b>                                | 317-736-3631                         |                      |               |
| <b>Email address:</b>                            | dmonson@franklin.in.gov              |                      |               |
| <b>Mailing Address:</b>                          | 70 E. Monroe St., Franklin, IN 46131 |                      |               |
| <b>Describe Request:</b>                         |                                      |                      |               |
| ERA and Tax Abatement request and public hearing |                                      |                      |               |
| <b>List Supporting Documentation Provided:</b>   |                                      |                      |               |
| City Council Memo                                |                                      |                      |               |
| Staff Report EDC Case 2023-02                    |                                      |                      |               |
| Resolution 2023-04: ERA Confirmatory             |                                      |                      |               |
| Resolution 2023-05: Tax Abatement Real Property  |                                      |                      |               |
| <b>Who will present the request?</b>             |                                      |                      |               |
| <b>Name:</b>                                     | Dana Monson                          | <b>Telephone:</b>    | 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

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# Memorandum

**To:** City Council, Mayor Barnett, Lynn Gray

**From:** Dana Monson

**Date:** March 6, 2023

**Re:** EDC 2023-02: Sunbeam Development ERA and Tax Abatement Request

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The City of Franklin Economic Development Commission (EDC) reviewed and acted on a request for an Economic Revitalization Area designation and a real property tax abatement from Sunbeam Development at a meeting held on February 14, 2023. The board voted to forward a favorable recommendation to the City Council for approval of an ERA designation and a ten-year real property tax abatement with a 2% economic development fee.

The Franklin City Council approved Resolution 2023-03 on February 22, 2023, declaring the parcel an Economic Revitalization Area. Today we are requesting a public hearing and vote on the confirming resolution, 2023-04. We are also presenting the request for a 10-year standard real property tax abatement with Resolution 2023-05.

Attached to this memo are:

1. Case EDC 2023-02 Staff Report
2. Application and requested forms
3. Resolution 2023-04: Confirmatory resolution for ERA designation
4. Resolution 2023-05: Tax Abatement request

If you have any questions regarding this request, please contact me directly at 346-1254.

**CITY OF FRANKLIN, INDIANA**

**RESOLUTION NUMBER 2023-04**

**RESOLUTION SETTING FORTH FINAL ACTION IN DETERMINING AN ECONOMIC REVITALIZATION AREA AND CONFIRMING RESOLUTION 2023-03 OF February 22, 2023**

**WHEREAS**, Indiana Code IC 6-1.1-12.1-1 et seq., as amended, allows for the abatement of property taxes for certain properties constructed in or located in economic revitalization areas; and

**WHEREAS**, Indiana Code IC 6-1.1-12.1-1 et seq., as amended, empowers the Common Council of the City of Franklin to designate economic revitalization areas; and

**WHEREAS**, Sunbeam Development has applied for certain properties to be designated as an economic revitalization area; and

**WHEREAS**, at a regular meeting of the Common Council of the City of Franklin, Indiana held on February 22, 2023, said Common Council reviewed and approved said request and declared certain real estate within the City of Franklin, Indiana commonly known as Jim Black Road and SR 44 and I65 South Commerce Park, Johnson County Indiana (Parcels: 41-07-17-021-006.000-018 and 41-07-17-011-001.000-018) to be an Economic Revitalization Area pursuant to the specification of Resolution No. 2023-03, adopted and approved that date; and

**WHEREAS**, a copy of the declaratory resolution and description of the affected real estate have been available for public inspection in the office of the City of Franklin Economic Development Commission, located at 70 E. Monroe Street, Franklin, Indiana; and

**WHEREAS**, after the adoption of the preliminary declaratory resolution, notice of the adoption of the resolution was properly published pursuant to IC 6-1.1-12.1-2.5 and

**WHEREAS**, the Council conducted a public hearing on this matter on the 6<sup>th</sup> day of March, 2023 at 6:00 p.m. in the City Hall Council Chambers, 70 E. Monroe Street, Franklin, Indiana. No remonstrance, written or oral, has been filed with regard to Resolution No. 2023-03 stating opposition of any type or character, to said Resolution, or the designation of the real estate described therein as an Economic Revitalization Area; and

**NOW, THEREFORE BE IT RESOLVED**, by the Common Council of the City of Franklin, Indiana, that the above described real estate is designated as an economic revitalization area as set forth in IC 6-1.1-12.1-1 et seq.

**BE IT ALSO RESOLVED** that the designation of the subject property as an economic revitalization area will assist in the inducement of projects to locate in the economic revitalization area which will provide employment opportunities to the residents of Johnson County, Indiana.

**BE IT ALSO RESOLVED** that the designation of said real estate as an economic revitalization area shall not be limited to a specific time period, and shall continue indefinitely. The Council reserves the right to terminate this designation by subsequent resolution, if necessary.

**BE IT ALSO RESOLVED** that upon adoption of the Resolution, the Clerk-Treasurer of the City of Franklin, Indiana shall cause a certified copy of this Resolution to be filed with the Johnson County Assessor and/or such other Johnson County government officials as shall be necessary to make Sunbeam Development

eligible to file for tax abatement as to the real property contemplated by the tax abatement request reviewed and approved by Resolution 2023-05 and ratified and affirmed by this Resolution.

**BE IT FINALLY RESOLVED** that any part, parts, clause, or portion of this resolution shall not be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this resolution as whole or any part, clause, or portion of this resolution.

Introduced and Filed on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

DULY PASSED on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, 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:

\_\_\_\_\_  
Kenneth Austin, Council President

\_\_\_\_\_  
Jennifer Price

\_\_\_\_\_  
Irene Nalley

\_\_\_\_\_  
Robert D. Heuchan

\_\_\_\_\_  
Anne McGuinness

\_\_\_\_\_  
Josh Prine

\_\_\_\_\_  
Shawn Taylor

Voting Opposed:

\_\_\_\_\_  
Kenneth Austin, Council President

\_\_\_\_\_  
Jennifer Price

\_\_\_\_\_  
Irene Nalley

\_\_\_\_\_  
Robert D. Heuchan

\_\_\_\_\_  
Anne McGuinness

\_\_\_\_\_  
Josh Prine

\_\_\_\_\_  
Shawn Taylor

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 \_\_\_\_\_, 2023 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 \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock a.m./p.m.

\_\_\_\_\_  
Steve Barnett  
Mayor

Attest:

\_\_\_\_\_  
Jayne Rhoades,  
City Clerk-Treasurer

Prepared by: Dana Monson, Community Development Specialist

"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."

\_\_\_\_\_  
Dana Monson  
Community Development Specialist

**CITY OF FRANKLIN, INDIANA**

**RESOLUTION NUMBER 2023-05**

**A RESOLUTION GRANTING TAX ABATEMENT  
FOR SUNBEAM DEVELOPMENT LOT 1 I65 SOUTH COMMERCE PARK**

**WHEREAS**, the Indiana General Assembly has enacted a statute, IC 6-1.1-12.1 (the “Act”) authorizing certain tax deductions of property taxes (as defined in the Act) attributable to redevelopment or rehabilitation activities in economic development areas; and

**WHEREAS**, Sunbeam Development (the “Applicant”) has submitted a Statement of Benefits and made application for Real Property Tax Abatement pursuant to the Act; and

**WHEREAS**, the Franklin Economic Development Commission has on February 14, 2023, held a public meeting and considered the tax abatement request of sunbeam Development (Jim Black Road and SR 44 and Lot 1 of I65 South Commerce Park, Parcel: 41-07-17-021-006.000-018) and in a manner consistent with the applicable section of the Indiana Code;

**WHEREAS**, the Franklin Economic Development Commission has made the findings required by IC 6-1.1-12.1-3 and IC 6-1.1-12.1-4.5 and recommended that Sunbeam Development receive a ten (10) year tax abatement, on real property for the real estate described as “Exhibit A” and described in the tax abatement request;

**WHEREAS**, a copy of the Statement of Benefits recommended for approval by the Franklin Economic Development Commission is attached hereto as “Exhibit B;”

**WHEREAS**, the said real estate as described in “Exhibit A” is located in an existing Economic Revitalization Area as approved by the City of Franklin Common Council with City Council Resolution Number 2023-03 and confirmed by Resolution Number 2023-04;

**WHEREAS**, the Common Council has received and reviewed “Exhibit B” with all attachments, and that such attachments are made a part hereof and incorporated herein, all which together contain the necessary statements of benefits and description of the project, along with the recommendation of the Economic Development Commission for tax abatement for real property; and

**WHEREAS**, the Common Council has given careful consideration to the materials submitted and affirms the findings of the Franklin Economic Development Commission relative to the requirements of IC 6-1.1-12.1-3 and IC 6-1.1-12.1-4.5.

**NOW THEREFORE BE IT RESOLVED THAT:**

- 1) The abatement of real property tax shall extend for a period of \_\_\_\_\_ years pursuant to the deduction schedule set forth in Exhibit C.
- 2) Sunbeam Development shall be required to provide the City of Franklin with information showing the extent to which there has been compliance with the statement of benefits submitted in their request for tax abatement within sixty (60) days after the end of each year in which the

deduction is applicable, as required by IC 6-1.1-12.1-5.1.

- 3) A copy of this resolution and a description of the affected area will be available and can be inspected in the office of the Johnson County Assessor and the City Clerk/Treasurer.

**APPROVED** by the Common Council of the City of Franklin, Johnson County, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2023

**City of Franklin, Indiana, By its Common Council:**

Voting Affirmative:

Voting Opposed:

\_\_\_\_\_  
Kenneth Austin, Council President

\_\_\_\_\_  
Kenneth Austin, Council President

\_\_\_\_\_  
Jennifer Price

\_\_\_\_\_  
Jennifer Price

\_\_\_\_\_  
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Shawn Taylor

\_\_\_\_\_  
Shawn Taylor

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 \_\_\_\_\_, 2023 at \_\_\_\_\_ o'clock a.m./p.m.

\_\_\_\_\_  
Jayne Rhoades, City Clerk-Treasurer

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\_\_\_\_\_  
Steve Barnett, Mayor

Attest:

\_\_\_\_\_  
Jayne Rhoades, City Clerk-Treasurer

Prepared by: Dana Monson, Community Development Specialist

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Dana Monson, Community Development Specialist