

RESOLUTION 22-265

A RESOLUTION OF THE CITY OF WOODBURN, INDIANA
COMMON COUNCIL WAIVING NON-COMPLIANCE
FOR MIDWEST WELD SOURCE, INC./GREAT LAKES FILLER METALS
INC.

WHEREAS, on July 17, 2017 the City Council of Woodburn did adopt Confirmatory Resolution 17-221 approving a Statement of Benefits for Midwest Weld Source, Inc.; and

WHEREAS, in order to receive the deduction authorized under said resolutions, the property owner must file certain forms prescribed by the Department of Local Government Finance with the Allen County Auditor’s office; and

WHEREAS, Midwest Weld Source, Inc did not file its “Compliance with Statement of Benefits Form (CF-1)” for the 2022 Pay 2023 tax year in a timely manner; and

WHEREAS, Midwest Weld Source, Inc. has now filed the necessary documents; and

WHEREAS, the Woodburn City Council desires that Midwest Weld Source, Inc. retain the benefits of the tax abatement that was granted for real improvements investment as described in the company’s application and SB-1 form; and

WHEREAS, State law allows the correction of situations where a filing deadline is missed or a clerical error is found under 6-1.1-12.1-9.5 and I.C 6-1.1-12.1-11.3 through a resolution waiving non-compliance as long as the document is filed or clerical error is corrected before the resolution is adopted; and

WHEREAS, the non-compliance event has been corrected and a public hearing of the Woodburn City Council has been held on the waiver.

NOW, THEREFORE, BE IT RESOLVED, that the Council hereby adopts a waiver of non-compliance for Midwest Weld Source, Inc. under the authority of I.C. 6-1.1-12.1-9.5 and I.C. 6-1.1-12.1-11.3.

BE IT ALSO RESOLVED, that the adoption of this waiver of non-compliance shall result in the taxpayer being treated as if the taxpayer had complied with procedural requirements.

BE IT ALSO RESOLVED, that if any part, parts, clause or portion of this Resolution shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Resolution as a whole or any other part, clause or portion of this Resolution.

ADOPTED, this 18th day of July, 2022, by the Woodburn City Council.

< SIGNATURES ON NEXT PAGE >

COMMON COUNCIL OF THE CITY OF WOODBURN, INDIANA

By: _____ YEA _____ NAY _____ ABS _____
Daniel Watts, Councilman

By: _____ YEA _____ NAY _____ ABS _____
Mike Voirol, Councilman

By: _____ YEA _____ NAY _____ ABS _____
Dean Gerig, Councilman

By: _____ YEA _____ NAY _____ ABS _____
Tonya Thompson, Councilman

By: _____ YEA _____ NAY _____ ABS _____
Michael Martin, Councilman

ATTEST:

By: _____
Timothy Cummins, Clerk-Treasurer

The foregoing resolution passed by the Council is signed and approved () / not approved () by me on the same date.

By: _____
Joseph Kelsey, Mayor of the City of Woodburn