

RESOLUTION NO. 2021-17

LAFAYETTE COMMON COUNCIL

**A RESOLUTION APPROVING A WAIVER OF NONCOMPLIANCE
SUBJECT TO FINAL PUBLIC HEARING**

WORWAG COATINGS LLC

WHEREAS, IC 6-1.1-12.1 allows for a partial abatement of property taxes attributable to the redevelopment/rehabilitation of real property and/or installation of new tangible personal property in an Economic Revitalization Area (ERA); and

WHEREAS, the Common Council of the City of Lafayette, Indiana, has requested that the Lafayette Redevelopment Commission receive all applications for designation of real estate as an Economic Revitalization Area (ERA), for purposes of tax abatement under IC 6-1.1-12.1 and recommend the approval of deductions for the purposes of tax abatement in an Economic Revitalization Area; and

WHEREAS, the Common Council has also requested that the Lafayette Redevelopment Commission investigate such applications to determine the best interest of the City and make recommendations concerning whether the findings required by IC 6-1.1-12.1 can be made in the affirmative; and

WHEREAS, on January 13, 2020, by Resolution No. 2020-02, the Common Council approved Worwag Coatings, LLC (Worwag) request for a deduction from the assessed value of redevelopment of real property in an Economic Revitalization Area; and

WHEREAS, in order to secure the real property tax abatement Worwag was required to file an Application for Deduction from Assessed Valuation of Structures in an Economic Revitalization Area (Form 322) by May 10, 2021; and

WHEREAS, Worwag did not file the required Form 322 until June 1, 2021; and

WHEREAS, Worwag, through their accounting firm Girardot, Strauch & Co, has requested a Waiver of Noncompliance for the failure to timely submit the Form 322. A copy of the request for a Waiver of Noncompliance is attached hereto; and

WHEREAS, pursuant to Indiana Code 6-1.1-12.1-11.3(a)(5), the City of Lafayette may waive the non-compliance and allow the late filing of Form 322; and

WHEREAS, the Lafayette Redevelopment Commission, on June 24, 2021, by Resolution No. LRC-2021-12, recommended that the requested Waiver of

Noncompliance be approved and the Form 322 filed by Worwag on June 1, 2021 be accepted as timely; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE that:

Subject to final confirmation after public hearing, the Common Council finds that that pursuant to Ind. Code 6-1.1-12.1-11.3, a Waiver of Noncompliance for the failure to timely file the completed Application for Deduction for Assessed Valuation of Structures in an Economic Revitalization Area (Form 322) shall be granted and Worwag Coatings LLC's Form 322 filed on June 1, 2021 for the 2021 pay 2022 tax year be accepted as timely.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE, INDIANA, on the 6th day of July, 2021.

COMMON COUNCIL OF THE
CITY OF LAFAYETTE, INDIANA


Melissa Weast-Williamson, President

ATTEST:


Cindy Murray, City Clerk

Presented by me to the Mayor of the City of Lafayette this 6th day of July, 2021.


Cindy Murray, City Clerk

Signed and approved by me, the Mayor of the City of Lafayette, Indiana, this 6th day of July, 2021.


Tony Roswarski, Mayor

ATTEST:


Cindy Murray, City Clerk

Girardot, Strauch & Co.

A P R O F E S S I O N A L C O R P O R A T I O N

Certified Public Accountants

June 9, 2021

City of Lafayette Economic Development Office
515 Columbia Street
Lafayette, IN 47901

Re: Worwag Coatings LLC, Form 322

To Whom It May Concern:

We are asking for a waiver of non-compliance to be approved for Worwag Coatings, LLC. We were notified after the due date that a Form 322 was needed to be filed by May 10th.

On Wednesday, May 12th, we received an email reminding us that we need to file the following tax abatement compliances for Worwag Coatings, LLC:

- 2020-02 RE
- 2020-01 PP
- 2014-02 PP

Our firm does not typically handle real estate abatements for clients and so we were unaware of the filing and due date until after the date had passed. The client then asked us to prepare the form. Please accept the late filing of this form.

Sincerely,



Girardot, Strauch & Co.