

Ordinance No. 2022-12

AN ORDINANCE ESTABLISHING A DEPARTMENT OF REDEVELOPMENT IN THE TOWN OF THORNTOWN, BOONE COUNTY, INDIANA

WHEREAS, the Indiana General Assembly has empowered cities, towns and counties to establish a department of redevelopment with all the powers set forth in IC 36-7-14 and IC 36-7-25 (collectively “Act”); and

WHEREAS, the Act states that the clearance, replanning, and redevelopment of areas needing redevelopment are public uses and purposes for which public money may be spent and private property may be acquired; and

WHEREAS, the Act declares that each unit shall, to the extent feasible and consistent with the needs of the unit as a whole, afford a maximum opportunity for rehabilitation or redevelopment of areas by private enterprise.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Thorntown, Indiana, that:

Section 1. Department of Redevelopment Established. The Town Council for the Town of Thorntown, Indiana (“Town”) now deems it to be in the best interest of the Town and its citizens to afford a maximum opportunity for rehabilitation, redevelopment or economic development of areas by private enterprise and the Town by establishing a department of redevelopment. The Town Council of the Town of Thorntown (“Town Council”) hereby establishes a Department of Redevelopment controlled by a board of five (5) commissioners to be known as the Thorntown Redevelopment Commission.

Section 2. Taxing District. Pursuant to the Act, all of the territory within the corporate boundaries of the Town will be a taxing district for the purpose of levying and collecting special benefit taxes for redevelopment purposes as provided in the Act. The Town Council finds and determines that all of the taxable property within this special taxing district is considered to be benefitted by the redevelopment projects carried out under the Act to the extent of the special taxes levied under the Act.

Section 3. Organization. The Thorntown Redevelopment Commission shall consist of

five (5) commissioners and one non-voting advisor appointed as follows:

- A. Three (3) commissioners shall be appointed by the President of the Town Council.
- B. Two (2) commissioners shall be appointed by the Town Council.
- C. Each commissioner must be at least eighteen (18) years of age.
- D. Each commissioner must be a resident of the Town.
- E. The Town Council President shall also appoint an individual to serve as a non-voting advisor to the Thorntown Redevelopment Commission who must also be a member of the school board of a school corporation that includes all or part of the territory served by the Thorntown Redevelopment Commission or an individual recommended by the school board to that entity that appoints the nonvoting advisor. A non-voting advisor is not considered a member of the redevelopment commission but is entitled to attend and participate in the proceedings of all meetings of the redevelopment commission. A non-voting advisor is not entitled to a salary, per diem or reimbursement of expenses.
- F. A commissioner or a non-voting advisor appointed under the Act may not have a pecuniary interest in any contract, employment, purchase or sale made by the Commission in exercise of its powers. However, any property required for redevelopment purposes in which a commissioner or non-voting advisor has a pecuniary interest may be acquired but only by gift or condemnation.

Section 4. Terms of Office; Election of Officers; Oaths; Bonds.

- A. Each redevelopment commissioner shall serve for one (1) year from the first day of January after the commissioner's appointment and until the commissioner's successor is appointed and has qualified. The term of office of the original commissioners of the Thorntown Redevelopment Commission, however, shall commence from the date of their appointment until the first day of January in the second year after their appointment, therefore, until January 1, 2024.
- B. A non-voting advisor serves for a term of two (2) years and until a successor is appointed. The term of office of the original non-voting advisor shall commence from the date of his or her appointment until January 1, 2025.
- C. If a vacancy occurs, a successor shall be appointed in the same manner as the

original commissioner, and the successor shall serve for the remainder of the vacated term.

D. The Town Council President or Town Council that appointed the redevelopment commissioner may summarily remove that commissioner from office at any time.

E. Each redevelopment commissioner, before beginning the commissioner's duties shall execute a bond payable to the state, with surety to be approved by the Town Council President. The bond must be in the penal sum of fifteen thousand dollars (\$15,000.00) and must be conditioned on the faithful performance of the duties of the commissioner's office and the accounting for all monies and property that may come into the commissioner's hands or under the commissioner's control. The cost of the bond shall be paid by the Town.

F. The redevelopment commissioners shall hold a meeting for the purpose of organization not later than thirty (30) days after they are appointed and, after that, each year on the first day in January that is not a Saturday or Sunday or a legal holiday. They shall choose one (1) of their members as president, another as vice president, and another as secretary. These officers shall perform the duties usually pertaining to their offices and shall serve from the date of their election until their successors are elected and qualified.

Section 5. Duties and Powers. The duties and powers of the Thorntown Redevelopment Commission are as stipulated in the Act, as amended.

Section 6. Effective Date. This Ordinance shall be in full force and effect from and after the date of its passage.

DULY PASSED AND ADOPTED this _____ day of _____, 2022, by the Town Council of the Town of Thorntown, Boone County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

THORNTOWN TOWN COUNCIL
THORNTOWN, INDIANA

President

Member

Member

Member

Member

ATTEST:

Clerk/Treasurer