COUNCIL MEETING MINUTES
October 28th, 2019
The Common Council of the City of Kokomo, Indiana met Monday October 28th, 2019, at 6:00 P.M. in the City Hall Council Chambers.

The meeting was called to order by President Hayes.

President Hayes states, those who wish to stand may stand, or you may remain seated.

Invocation was offered by Pastor Jeff Newton, from Kokomo Urban Outreach.

President Hayes states, Pastor we want to thank you for what your organization does for our community. It has been a blessing to many people.

Pledge:

Present: Wyant, Cameron, Young, Haworth, Kennedy, Hayes, Sanders, Miklik

Absent: Johnson

The minutes of the Council Meeting October 14th, 2019 were declared approved as presented.

COMMUNICATIONS: President Hayes states, we need to set a Public Hearing for Ordinance #6945 for November 18th, 2019 at 6:00 P.M. in the Council Chambers.

Councilwoman Sanders states, this is Pastor appreciation month; and were just thankful for all the Pastors that serve in this community.
Cont. Communications.
Councilman Kennedy states, I do want to make a few remarks on the passing of Former Mayor Bob Sargent. I came on this Council for my first term when I was elected during Bob’s second term. It was a pleasure to work with Bob. He cared about the community. He cared about people in general. It is a sad day for me. I enjoyed all the time with Bob. He was a fun guy to be around; and he wasn’t a bad golfer back then either. He liked to go to some of the golf outings; that some of the other Mayor’s had. I was fortunate enough he always invited me along too. We had some good times there. I just want to remember Bob; and remind our community that he was a good man.

President Hayes states, I would like to echo the remarks that Councilman Kennedy has made. I didn’t get to serve with Bob Sargent but Bob, when-ever he would see me, it was always a pat on the back; and he would squeeze my shoulders, and he would say keep up the good work; even if I wasn’t doing good. He always was encouraging when I saw him. I think a lot of people have forgotten he has a story career in Law Enforcement. A lot of people don’t remember about Mayor Sargent. He did that before he was Mayor. He will be missed; but he has left a legacy that will go on for-ever. Every-time I am in a Council Meeting, and I look up at the clock there he is; he’s right there. He’s looking at me; and he’s looking at all of us. If we all could strive to be half as good as Bob Sargent was, then we have done a great thing.

Councilwoman Young states, it was way back, and I was just a Community Leader at that time. My phone rang, and it was Bob Sargent. He called to tell me he was going to run for Mayor. I said that is so wonderful. He said what do you think? I said it would not be a mistake. I think that you should.
Cont. Communications.
He was in there when we were working to try, and get an Elected School Board. If I had questions I could ask Bob. I would like to echo. He was a gentleman, and a worker as well. I enjoyed being able to interact with him.

Councilman Wyant states, I have known Bob since I was 14 years old; when I met Bob. He never changed. He was a man that always done his job. I bought the business from his relation; that I owned for—over 50 years. Bob was a good man. This community should stand-up, and applaud the man; because of what he had done for this community. I am going to miss him. He was a great guy.

There were no committee reports given at this regular meeting.

ORDINANCE 6941: AN ORDINANCE FIXING THE BUDGETS FOR VARIOUS DEPARTMENTS, BOARDS, AND COMMISSIONS OF THE CITY OF KOKOMO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2020, AND ENDING DECEMBER 31, 2020 ARE AS FOLLOWS:

Second reading

Ordinance 6941 was read by the Clerk by title only. Councilman Kennedy moved for passage on ordinance #6941 on second reading; seconded by Councilman Cameron.

Councilman Kennedy states, we have been at this budget actually over two months. We started on August 19th with our budget hearings. Since then we have had first reading of the budget. We also have had a Public Hearing; by Law we had to have certain dates to spread-out thru there.
Cont. Ordinance #6941.
Tonight we are ready for our second reading; and final reading of the budget. I would urge all Council Members to vote aye on the second reading of this budget.

President Hayes states, before we vote I would just like to extend my heart felt thank you to the Controller’s office, and our Controller Randy Morris. You make it as easy as it can be made easy; and that’s not easy to do. Thank you very much.

Vote for passage follows:
Aye: All
Nay: None
The vote was 8 to 0 for passage on second reading.

ORDINANCE 6943: Rezoning: OC TO NC
Location: 1825 S. Plate Street
Petitioner: Sweet Peas Play Café LLC.
First reading

Ordinance 6943 was read by the Clerk by title only. Councilwoman Young moved for suspension of the rules, and pass ordinance #6943 on first and second reading; seconded by Councilman Haworth.
Vote for suspension of the rules:
Aye: All
Nay: None
The vote was 8 to 0 for suspension of the rules.
Councilwoman Young moved for passage on ordinance #6943 on second reading; seconded by Councilman Haworth.
Councilwoman Young states, Krystyne Wilson for Sweet Peas Play Café LLC office is requesting a change in zone classification from 0C (Office Commercial) to NC (Neighborhood Commercial). This is property for 1825 South Plate Street.
Cont. Ordinance #6943.
Commissioners passed a favorable recommendation for this ordinance. This is going to be a Play Café on Plate Street

Scott McClelland, I am Counsel for Sweet Peas Play Café.

Councilwoman Sanders ask, what does Play Café mean; and what are the hours, and age group?

Scott McCelland states, it is not a chain. It is a concept in which it can be rented out for birthday parties. They will have people there to supervise. They will also have three hour periods in which you can leave your child there, and they will watch them. There is also a Coffee Café connected to it. This is aim more towards eight years and younger. The hours they have not decided yet. They do have a builder in-line, and this will be new construction on South Plate Street upon approval; and then move forward with that new construction.

Vote for passage follows:
Aye: All
Nay: None
The vote was 8 to 0 for passage on first and second reading.

ORDINANCE 6944: Rezoning: IS and R4 to M2
Location: 1229,1227,1225 &1223 North Apperson Way
Petitioner: Julian Holdings LLC.
First reading

Ordinance 6944 was read by the Clerk by title only.
Councilwoman Young moved for suspension of the rules and pass ordinance #6944 on first and second reading; seconded by Councilman Haworth.
Cont. Ordinance #6944.
Vote for suspension of the rules:
Aye: All
Nay: None
The vote was 8 to 0 for suspension of the rules.
Councilwoman Young moved for passage on ordinance #6944 on second reading; seconded by Councilman Haworth.
Councilwoman Young states, Julian Holdings LLC is requesting a change in zone classification from IS (Institutional Uses) to R4 (Urban Residential) to M2 (Multi Family Residential). This is for property lots at 1, 2, 3, and 14, 15 in the City of Kokomo at 1229, 1227, 1225 & 1223 North Apperson Way. The Commissioners passed a favorable recommendation to the Council. This is for the development of the Apartments; which will be 4 apartments.

David Southerton, 1016 South Armstrong Kokomo, Ind., states, I am the representative for Julian Holdings. The next process will be demolition, and get the contractors. We plan to have it rap-up around the middle of 2020.

Vote for passage follows:
Aye: All
Nay: None
The vote was 8 to 0 for passage on first and second reading.
ORDINANCE 6945:

ORDINANCE OF KOKOMO
COMMON COUNCIL
APPROPRIATING UNOBLIGATED
LOCAL INCOME TAX REVENUES
ON DEPOSIT IN THE GENERAL
FUND FOR CONSTRUCTION OF
KOKOMO CONFERENCE CENTER
AND STREET RESURFACING

First reading

Ordinance 6945 was read by the Clerk by title only. Councilman Kennedy moved for passage on ordinance #6945 on first reading; seconded by Councilman Haworth.

Councilman Kennedy states, this is an ordinance that will allow the City to use local income tax levies proceeds. These our dollars that are not obligated at this time; so the money is there. The total is $1.8 Million Dollars; of which $1.4 Million Dollars will be transferred to the General Fund for use at the Conference Center construction; and $400,000.00 will also be transferred to General Fund which will be used for Resurfacing Streets. We will have a Public Hearing on this ordinance on November 18th, 2019. At that time, we will also be hearing second reading assuming everything goes well. I urge our Council Members to pass this ordinance on first reading.

Vote for passage follows:
Aye: All
Nay: None

The vote was 8 to 0 for passage on first reading.

President Hayes states, this marks the end of this Council Meeting. Our next Council Meeting will be November 18th, 2019; with and Informational Meeting at 5:30 P.M. in the Louks Room. Public Hearing at 6:00 P.M. in the Council Chambers. Council Meeting immediately following.
ADJOURNED AT 6:20 P.M.

ATTEST: ____________________________

_________________________
CITY CLERK

_________________________
PRESIDENT
AGENDA
KOKOMO COMMON COUNCIL
CITY OF KOKOMO, INDIANA
PUBLIC INFORMATIONAL MEETING AT 5:30 P.M.
IN THE LOUKS CONFERENCE ROOM LOCATED ON
THE FIRST FLOOR. PUBLIC HEARING AT 6:00 P.M. IN THE
COUNCIL CHAMBERS. COUNCIL MEETING IMMEDIATELY
FOLLOWING. NOVEMBER 18TH, 2019
COUNCIL CHAMBERS CITY HALL 100 SOUTH UNION STREET

CALL TO ORDER:

INVOCATION:

PLEDGE:

ROLL CALL:

APPROVAL OF MINUTES: Public Hearings & Council Meeting
Minutes October 28th, 2019

COMMUNICATIONS:

COMMITTEE REPORTS:

ORDINANCE 6945:
Kennedy

ORDINANCE OF KOKOMO
COMMON COUNCIL
APPROPRIATING UNOBLIGATED
LOCAL INCOME TAX REVENUES ON
DEPOSIT IN THE GENERAL FUND
FOR CONSTRUCTION OF KOKOMO
CONFERENCE CENTER AND STREET
RESURFACING
Second reading
ORDINANCE 6946: Kennedy
ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY OF KOKOMO, INDIANA ECONOMIC DEVELOPMENT REVENUE BONDS, AND THE LENDING OF THE PROCEEDS THEREOF TO HENKE DEVELOPMENT GROUP, LLC AND AUTHORIZING AND APPROVING OTHER ACTIONS IN RESPECT THERETO
First reading

ORDINANCE 6947: Kennedy
ORDINANCE AUTHORIZING THE CITY OF KOKOMO, INDIANA TO ISSUE ITS “TAXABLE ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 2019 (MACY APARTMENTS PROJECT)” AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO
First reading

ORDINANCE 6948: Young
Rezoning: C1 to C2
Location: 305 S 00 EW
Petitioner: AZ Gas & Food Inc./ Malik Zia
First reading
Cont. agenda

ORDINANCE 6949: Rezoning: AG to C2
Young Location: 2280 W 300 S.
Petitioner: JRG Group LLC.
First reading

ORDINANCE 6953: AN ORDINANCE AMENDING TITLE XII. CHAPTER 78, OF THE KOKOMO CITY CODE (1982) ENTITLED “PEDESTRIAN WAYS”
Miklik First reading
ORDINANCE NO. 6946

ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY OF KOKOMO, INDIANA ECONOMIC DEVELOPMENT REVENUE BONDS, AND THE LENDING OF THE PROCEEDS THEREOF TO HENKE DEVELOPMENT GROUP, LLC AND AUTHORIZING AND APPROVING OTHER ACTIONS IN RESPECT THERETO

WHEREAS, the City of Kokomo, Indiana (the “City”), is a municipal corporation and political subdivision of the State of Indiana and by virtue of I.C. 36-7-11.9 and I.C. 36-7-12 (collectively, the “Act”), is authorized and empowered to adopt this ordinance (this “Bond Ordinance”) and to carry out its provisions;

WHEREAS, Henke Development Group, LLC, or an affiliate thereof (the “Borrower”), desires to finance all or a portion of the design, construction and equipping of projects described in Exhibit A hereto (collectively, the “Projects”), which will be located in or directly serving or benefiting the Darrough Chapel Park Economic Development Area created by the City of Kokomo Redevelopment Commission in the City;

WHEREAS, the Borrower has advised the City of Kokomo Economic Development Commission (the “Commission”) and the City that it proposes that the City issue its Taxable Economic Development Revenue Bonds, Series 2019 (Henke Development Group Project) in one or more series (with such further or different series designation as may be deemed necessary, desirable or appropriate by the City), in an aggregate principal amount not to exceed Two Million Dollars ($2,000,000) (the “Bonds”) under the Act and loan the proceeds of such Bonds to the Borrower for the purpose of financing the Projects;

WHEREAS, the completion of the Projects results in the diversification of industry, the creation and retention of jobs and the creation of business opportunities in the City;

WHEREAS, pursuant to I.C. § 36-7-12-24, the Commission published notice of a public hearing (the “Public Hearing”) on the proposed issuance of the Bonds to finance the Projects;

WHEREAS, the Commission has held the Public Hearing on the Projects; and

WHEREAS, the Commission has performed all actions required of it by the Act preliminary to the adoption of this Bond Ordinance and has approved and forwarded to the Common Council the forms of: (1) a Loan Agreement between the City and the Borrower (including a form of Note) relating to the Bonds (the “Loan Agreement”); (2) a Trust Indenture with respect to the Bonds between the City and a trustee to be selected (the “Indenture”); (3) the Bonds; and (4) this Bond Ordinance (the Loan Agreement, the Indenture, the Bonds, and this Bond Ordinance, collectively, the “Financing Agreements”);
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE
CITY OF KOKOMO, INDIANA, THAT:

Section 1. Findings; Public Benefits. The Common Council hereby finds and
determines that the Projects involve the acquisition, construction and equipping of an
“economic development facility” as that phrase is used in the Act; that the Projects will
increase employment opportunities and increase diversification of economic development
in the City, will improve and promote the economic stability, development and welfare in
the City, will encourage and promote the expansion of industry, trade and commerce in the
City and the location of other new industries in the City; that the public benefits to be
accomplished by this Bond Ordinance, in tending to overcome insufficient employment
opportunities and insufficient diversification of industry, are greater than the cost of public
services (as that phrase is used in the Act) which will be required by the Projects; and,
therefore, that the financing of the Projects by the issuance of the Bonds under the Act: (i)
will be of benefit to the health and general welfare of the City; and (ii) complies with the
Act.

Section 2. Approval of Financing. The proposed financing of the Projects by
the issuance of the Bonds under the Act, in the form that such financing was approved by
the City of Kokomo Economic Development Commission, is hereby approved.

Section 3. Authorization of the Bonds. The issuance of the Bonds, payable
solely from revenues and receipts derived from the Financing Agreements, is hereby
authorized.

Section 4. Terms of the Bonds. (a) The Bonds, in the aggregate principal
amount not to exceed Two Million Dollars ($2,000,000) shall (i) be executed at or prior to
the closing date by the manual or facsimile signatures of the Mayor and the Clerk of the
City; (ii) be dated as of the date of their delivery; (iii) mature on a date not later than twenty-
five (25) years after the date on which the first series of the Bonds is issued; (iv) bear
interest at such rates as determined through negotiation with the purchaser thereof, not to
exceed five percent (5.00%) per annum, with such interest payable as provided in the
Financing Agreements; (v) be issuable in such denominations as set forth in the Financing
Agreements; (vi) be issuable only in fully registered form; (vii) be subject to registration
on the bond register as provided in the Indenture; (viii) be payable in lawful money of the
United States of America; (ix) be payable at an office of the Trustee as provided in the
Indenture; (x) be subject to optional redemption prior to maturity and subject to redemption
as otherwise provided in the Financing Agreements; (xi) be issued in one or more series
(with such series designation as may be deemed necessary, desirable or appropriate by the
Mayor or the Clerk of the City); and (xii) contain such other terms and provisions as may
be provided in the Financing Agreements.

(b) The Bonds and the interest thereon do not and shall never constitute an
indebtedness of, or a charge against the general credit or taxing power of, the City, but shall
be special and limited obligations of the City, payable solely from revenues and other
amounts derived from the Financing Agreements. Forms of the Financing Agreements are
before this meeting and are by this reference incorporated in this Bond Ordinance, and the
Clerk of the City is hereby directed, in the name and on behalf of the City, to insert them into the minutes of the Common Council and to keep them on file.

Section 5.  Sale of the Bonds. The Mayor and the Clerk of the City are hereby authorized and directed, in the name and on behalf of the City, to sell the Bonds to a purchaser or purchasers selected by such officers at such prices and on such terms as may be determined at the time of sale.

Section 6.  Execution and Delivery of Financing Agreements. For each series of the Bonds, the Mayor and the Clerk of the City are hereby authorized and directed, in the name and on behalf of the City, to execute or endorse and deliver the Loan Agreement, the Note from the Borrower to the City, the Indenture and the Bonds, submitted to the Common Council, which are hereby approved in all respects.

Section 7.  Changes in Financing Agreements. The Mayor and the Clerk of the City are hereby authorized, in the name and on behalf of the City, without further approval of the Common Council or the Commission, to approve such changes in the Financing Agreements as may be permitted by Act, such approval to be conclusively evidenced by their execution thereof.

Section 8.  General. The Mayor and the Clerk of the City, and each of them, are hereby authorized and directed, in the name and on behalf of the City, to execute or endorse any and all agreements, documents and instruments, perform any and all acts, approve any and all matters, and do any and all other things deemed by them, or either of them, to be necessary or desirable in order to carry out and comply with the intent, conditions and purposes of this Bond Ordinance (including the preambles hereto and the documents mentioned herein), the Projects, the issuance and sale of the Bonds, and the securing of the Bonds under the Financing Agreements, and any such execution, endorsement, performance or doing of other things heretofore effected be, and hereby is, ratified and approved.

Section 9.  Binding Effect. The provisions of this Bond Ordinance and the Financing Agreements shall constitute a binding contract between the City and the holders of the Bonds, and after issuance of the Bonds this Bond Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of the holders of the Bonds as long as the Bonds or interest thereon remains unpaid.

Section 10.  Repeal. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 11.  Effective Date. This Bond Ordinance shall be in full force and effect immediately upon adoption and compliance with I.C. § 36-4-6-14.

Section 12.  Copies of Financing Agreements on File. Two copies of the Financing Agreements incorporated into this Bond Ordinance were duly filed in the office of the Clerk of the City, and are available for public inspection in accordance with I.C. § 36-1-5-4.
Passed and adopted by the Common Council of the City of Kokomo, Indiana this ___ day of ____________, 2019.

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ATTEST:

Brenda Brunnemer-Ott, Clerk

PASSED by the Common Council of Kokomo, Indiana by a _____ vote of all members present and voting this ____ day of ______________, 2019.

Presiding Officer

Presented by me to the Mayor of the City of Kokomo, Indiana, on the ____ day of ______________, 2019, at the hour of ____:____ m.

Brenda Brunnemer-Ott, Clerk

This ordinance approved and signed by me, the Mayor of the City of Kokomo, Indiana, on the ____ day of ______________, 2019, at the hour of ____:____ m.

Greg Goodnight, Mayor
EXHIBIT A

Description of the Projects

The Projects shall consist of various public infrastructure improvements located in or directly serving or benefiting the Darrough Chapel Park Economic Development Area, including without limitation road and curb improvements and all utilities required to service the Area.
ORDINANCE NO. 6947

ORDINANCE AUTHORIZING THE CITY OF KOKOMO, INDIANA TO ISSUE ITS "TAXABLE ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 2019 (MACY APARTMENTS PROJECT)" AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO

WHEREAS, the City of Kokomo ("City") Economic Development Commission ("Commission") has rendered its Project Report regarding the financing of proposed economic development facilities by MACY Apartments, LLC or an affiliate thereof ("Company") and the Project Report will be submitted to the Kokomo Plan Commission for comment thereon;

WHEREAS, the Commission conducted a public hearing on June 24, 2019 and adopted a resolution and Project Report, which resolution and Project Report have been transmitted hereto, finding that the financing of all or a portion of certain economic development facilities, including the construction of the MACY Apartments Project, the construction and equipping of a market rate apartment building, demolition of a portion of the existing YMCA and related infrastructure improvements and/or reimbursement of such costs, together with all appurtenances, related improvements and equipment, to be constructed by the Company (collectively, "Project"), complies with the purposes and provisions of IC 36-7-11.9 and -12 and that such financing will be of benefit to the health and welfare of the City and its citizens; and

WHEREAS, the Commission has heretofore approved and recommended the adoption of this form of ordinance by this Common Council, has considered the issue of adverse competitive effect and has approved the forms of and has transmitted for approval by the Common Council the Financing and Covenant Agreement between the City and the Company, the Bond Purchase Agreement between the Issuer and the Company, as the purchaser of the Bonds, and the Trust Indenture (including the form of Bonds) between the Issuer and a to-be-determined bond trustee;
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE
CITY OF KOKOMO, INDIANA, THAT:

Section 1. It is hereby found that: (i) the financing of the Project referred to in the
Financing Agreement approved by the Commission and presented to this Common Council; (ii)
the issuance and sale of the City's Taxable Economic Development Revenue Bonds, Series 2019
(MACY Apartments Project) ("Bonds"); (iii) the sale of the Bonds to the Company for the
construction of the Project; (iv) the payment of the Bonds by TIF Revenues (as defined in the Trust
Indenture); and (v) the securing of the Bonds under the Trust Indenture, complies with the purposes
and provisions of IC 36-7-11.9 and -12 (collectively, "Act") and will be of benefit to the health
and welfare of the City and its citizens. The proceeds of the Bonds will be used for financing a
portion of the construction of the Project in, or physically connected to the YMCA Development
Area located in the City. The Common Council further finds, determines, ratifies and confirms
that the promotion of economic development and the creation of job opportunities in and near the
City is desirable to preserve the health, safety and general welfare of the citizens of the City and
that it is in the public interest that the Commission and the City take such action as they lawfully
may to encourage economic development, diversification of industry and promotion of job
opportunities in and near the City.

Section 2. The substantially final forms of the Financing and Covenant Agreement, the
Trust Indenture and the Bond Purchase Agreement approved by the Commission are hereby
approved (herein collectively referred to as the "Financing Documents," referred to in the Act),
and the Financing Documents shall be incorporated herein by reference and shall be inserted in the
minutes of the Common Council and kept on file by the Clerk. In accordance with the provisions
of IC 36-1-5-4, two (2) copies of the Financing Documents are on file in the office of the Clerk for public inspection.

Section 3. The City may issue its Bonds, maturing no later than twenty-five (25) years from their date of issuance, in the aggregate principal amount not to exceed $2,000,000 which Bonds may be subject to mandatory sinking fund redemption with payments structured to maximize the amount of Bond proceeds raised from the projected TIF Revenues, taking into account reasonable coverage needed to market the Bonds. The Bonds are to be issued for the purpose of procuring funds to pay the cost of financing the Project, all as more particularly set out in the Financing Documents, which Bonds will be payable as to principal and interest by TIF Revenues pursuant to the Financing Documents or as otherwise provided in the Trust Indenture. The Bonds shall be issued in fully registered form in any integral multiple of $1,000 or as provided in the Trust Indenture, payable semiannually on February 1 and August 1. The Bonds shall be subject to optional redemption prior to maturity as further provided in the Trust Indenture. The Bonds may be issued as term bonds subject to mandatory sinking fund redemption. Payments on the Bonds are payable in lawful money of the United States of America by check mailed or delivered to the registered owners or by wire transfer as provided in the Trust Indenture. The Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City nor are the Bonds payable in any manner from revenues raised by taxation, except for TIF Revenues, as described in the Trust Indenture.

Section 4. The Mayor and the Controller are authorized and directed to sell the Bonds to the bond purchaser thereof at a price not less than the par value thereof. The Bonds shall bear interest at a rate not to exceed 5.00%.
Section 5. The Bonds may be both purchased by the bond purchaser in installments and drawn down by the Company in installments.

Section 6. The Mayor and the Controller are authorized and directed to execute, attest, affix or imprint by any means the City seal to the documents constituting the Financing Documents approved herein on behalf of the City and any other document which may be necessary or desirable to consummate the transaction, including the Bonds authorized herein. The Mayor and the Controller are hereby expressly authorized to approve any modifications or additions to the documents constituting the Financing Documents which take place after the date of this ordinance with the review and advice of the counsel; it being the express understanding of this Common Council that the terms of the Financing Documents are in substantially final form as of the date of this ordinance. The approval of said modifications or additions shall be conclusively evidenced by the execution and attestation thereof and the affixing of the seal thereto or the imprinting of the seal thereon; provided, however, that no such modification or addition shall change the maximum issuance amount or maturity amount of, interest rate on or term of the Bonds as approved by the Common Council by this ordinance without further consideration by the Common Council. The signatures of the Mayor, the Clerk and the Controller on the Bonds may be either manual or facsimile signatures. The Controller is authorized to arrange for delivery of such Bonds to the trustee for the Bonds ("Trustee"). Payment for the Bonds will be made to the Trustee, and after such payment the Bonds will be delivered by the Trustee to the purchaser thereof. The Bonds shall be originally dated as of the issue date.

Section 7. The provisions of this ordinance and the Trust Indenture securing the Bonds shall constitute a contract binding between the City and the holder of the Bonds, and after the issuance of the Bonds, this ordinance shall not be repealed or amended in any respect which would
adversely affect the rights of such holders so long as the Bonds or the interest thereon remains unpaid.

Section 8. This ordinance shall be in full force and effect from and after its passage.

Passed and adopted by the Common Council of the City of Kokomo, Indiana this 24th day of June, 2019.

COMMON COUNCIL OF THE CITY OF
KOKOMO, INDIANA

________________________________________
President

Attest:

________________________________________
Clerk
Presented by me to the Mayor of the City of Kokomo, Indiana, on the _____ day of June, 2019.

________________________________________
Clerk

This ordinance approved and signed by me, the Mayor of the City of Kokomo, Indiana, on the _____ day of June, 2019.

________________________________________
Mayor

ATTEST:

________________________________________
Clerk
NOTICE TO TAXPAYERS AND ALL OTHER PERSONS CONCERNING THE ADDITIONAL APPROPRIATION OF UNOBLIGATED LOCAL INCOME TAX REVENUES BY THE KOKOMO COMMON COUNCIL AND NOTICE OF PUBLIC HEARING ON ADDITIONAL APPROPRIATION

Notice is hereby given by the Kokomo Common Council (the “Council”), that the Council will consider the following appropriation of unobligated local income tax revenues on deposit in the General Fund which has been determined to be necessary and which is in addition to all appropriations provided for in the existing budget and levy. Such revenues will, pursuant to this additional appropriation, be utilized to finance the construction of a conference center in downtown Kokomo and perform street resurfacing throughout Kokomo.

Notice is further given that the Council, on November 18, 2019, at the hour of 6:00 p.m. local time, in the Council Chambers of Kokomo City Hall, 100 South Union Street, Kokomo, Indiana, will receive and hear remonstrations from persons interested in or affected by the proceedings pertaining to the proposed appropriation of unobligated local income tax revenues and will determine the public utility and benefit of the proposed additional appropriation. At the time fixed for the public hearing, or at any time prior thereto, any person interested in the proceedings may file a written remonstrance with the Clerk of the Council. At such hearing, which may be adjourned from time to time, the Council will hear all persons interested in the proceedings and all remonstrances that have been filed. After considering this evidence, the Council will take final action with respect to such additional appropriation.

CITY OF KOKOMO COMMON COUNCIL

[Publish one time on November 8, 2019 in the Kokomo Tribune].
November 18th, 2019

TO: Council Members, Council Attorney, Controller, News Media

From: Brenda Ott, City Clerk

The following is the scheduling of all Council Meetings for November 18th, 2019.

Informational Meeting: 5:30 P.M.
Public Hearing: 6:00 P.M.
Council Meeting: Immediately following

Thank you,
Brenda Ott
City Clerk
Kokomo City Plan Commission

Respectfully submitted,

George W. Bennett, President

The Commission believes that said amendment provides the health, safety, and
general welfare of the community and would not adversely affect the values of the
County, Indiana and the Kokomo City Plan Commission is hereby recommending the
amendment to the General Plan of the City of Kokomo, Howard County, Indiana, as
amended, to Z-19. It is recommended that the Zoning Board of Appeals and the Kokomo
City Plan Commission shall consider and act on the request for a rezoning of the
improvements.

Respectfully submitted,

George W. Bennett, President

Kokomo City Plan Commission

Dear Honorable Members:

Counties No. 642

305 S 00 E W

County school board (in the Z-19 zone) is hereby recommended to Z-19. It is recommended to the Kokomo City

November 13, 2019

TO THE MEMBERS OF THE
KOKOMO COUNCIL

HONORABLE KOKOMO COMMON COUNCIL

REZONING REQUEST

COUNTY SCHOOL BOARD (IN THE Z-19 ZONE) IS HEREBY RECOMMENDED TO Z-19. IT IS RECOMMENDED TO THE KOKOMO CITY PLAN COMMISSION TO ACT ON THE FOLLOWING:

PLANNING COMMISSION

City of Kokomo
This instrument was executed by Osias (Correction: Osias) Celinton, Secretary, City of Kokomo, on the 13th day of November, 2019.

DATE: THIS 13TH DAY OF NOVEMBER, 2019

Kokomo City, Plan Commission

By: [Signature]

Secretary

COUNTY OF KOKOMO

STATE OF INDIANA

CASE 9-7 - 19

Certification

Oral evidence being first duly sworn upon this record, according to law, deposited and signed.
AN ORDINANCE ADOPTING ORDINANCE NO. 6948 AS AMENDED, NOW THEREFORE BE IT ORDAINED

By the Council of the City of Kokomo, Indiana, that Ordinance No. 6799 as amended,

City Council Resolution No. 9 - Z 19

Ordinance No. 6948

AZ City File No. 6948.16

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Kokomo City Plan Commission

Respectfully submitted,

Mike Besser, President

Surrounding properties.

The Commission believes that said amendment promotes the health, safety, and

general welfare of the community and would not adversely affect the value of the

property. Kokomo Township, Howard County, Indiana at 2280 W 300 S,

15 Township 22 North, Range 7 East, containing 65 acres. More of these, in the City of

Kokomo (Commission) for property described as part of the Southeast Quarter of Section

14, in some description from A.A. (Agricultural) to C (Medium to Large Scale)

pest commission decision and recommending to the Kokomo City Council of the

Kokomo City Plan Commission action and recommending to the Kokomo City

Council.

Case 10-19 is the petition of KG Group LLC, requesting the Kokomo City

Council

Resolution recommending the above captioned case to the Kokomo City

Council.

Dear Honorable Members of the

Howard County, IN 46902

Ref: 10-2-19

NOVEMBER 13, 2019

TO THE MEMBERS OF THE

HONORABLE KOKOMO COMMON COUNCIL

DEAR HONORABLE KG GROUP LLC:

Re: 10-2-19

PlANN COMMISSION
A resident of Hamilton County

Date

June 9, 2019

Subscribed and sworn to before me this 12th day of November 2019

Kokomo City Plan Commission

Date

November 13, 2019

Approved by the Kokomo City Commission, November 13, 2019.

Kokomo City Plan Commission

Date

November 13, 2019

Required to be published in the Kokomo Tribune Newspaper at least (1) days prior to the date of the

Public Hearing.

There is hereby adopted the Kokomo City Plan in its entirety as advertised and as required by the Kokomo City Commission, on 6/7/2019.

Kokomo City Plan Commission

Date

November 13, 2019

COUNTY OF HOWARD
CITY OF KOOKOMO SS.
STATE OF INDIANA

Case: 10-Z-649

CONTRIBUTION

CONTRIBUTION
In the document, under the legal title, the following ordinance number is mentioned:

**City of Kokoima, Indiana**

**Ordinance No. 6992

**Date of Approval:** 2019

**Presented to the Kokoima Common Council this day of 2019.

**Passed by the Kokoima Common Council this day of 2019.

**SECTION I**

The following ordinance is hereby enacted in the Territory of the City of Kokoima, Indiana, as follows:

AN ORDINANCE AMENDING ORDIANACE NO. 6992 AS AMENDED, NOW THEREFORE BE IT ORDIANED,

City Council Copy

Elmer H. Hager, Jr., President.
ORDINANCE NO. #6945

ORDINANCE OF KOKOMO COMMON COUNCIL APPROPRIATING UNOBLIGATED LOCAL INCOME TAX REVENUES ON DEPOSIT IN THE GENERAL FUND FOR CONSTRUCTION OF KOKOMO CONFERENCE CENTER AND STREET RESURFACING

WHEREAS, the City of Kokomo (the “City”) is a municipality organized and existing under the provisions of Ind. Code 36-4-1;

WHEREAS, the Mayor (the “Executive”) is the Executive of the City;

WHEREAS, the Kokomo Common Council (the “Council”) is the fiscal body of the City;

WHEREAS, the Council did not include the appropriation of $1.8 Million Dollars ($1,800,000.00) of otherwise unobligated local income tax proceeds on deposit in the City’s General Fund in the duly approved municipal budget for the year 2019;

WHEREAS, the Executive has recommended the Council appropriate $1.4 Million Dollars ($1,400,000.00) of unobligated local income tax proceeds on deposit in the City’s General Fund for the purpose of constructing a conference center in downtown Kokomo to benefit the City’s local economy;

WHEREAS, the Executive has also recommended the Council appropriate Four Hundred Thousand Dollars ($400,000.00) of unobligated local income tax proceeds on deposit in the City’s General Fund for the purpose of resurfacing streets in Kokomo to benefit the City’s local economy;

WHEREAS, the additional appropriation of such unobligated funds will not increase the City’s tax levy set in accordance with Ind. Code 6-1.1-17;

WHEREAS, the City will cause notice of a hearing on said appropriation to be published as required by law; and

WHEREAS, such public hearing will be held on November 18, 2019, at 6:00 p.m., at Council Chambers, Kokomo City Hall, Kokomo, Indiana, concerning said appropriation at which time all taxpayers and interested persons shall have an opportunity to appear and express their views as to such additional appropriation;

NOW, THEREFORE, BE IT RESOLVED BY THE KOKOMO COMMON COUNCIL, AS FOLLOWS:

1. The total expenditure of $1.8 Million Dollars of unobligated local income tax revenues on deposit in the General Fund is hereby approved and are hereby appropriated by the Council for the purpose of providing funds for construction of a conference center and street resurfacing, which funds are not provided for in the existing budget and tax levy.

2. Such appropriation shall be in addition to all appropriations provided for in the existing budget and levy and shall continue in effect until the completion of the activities described.
above. Any surplus of such proceeds (including investment earnings thereon) shall be credited to the proper fund as provided by law.

3. The President and the Clerk of the Council shall be, and hereby are, authorized and directed to certify a copy of this ordinance, together with any such other proceedings and actions as may be necessary, to the Indiana Department of Local Government Finance.
ADOPTED BY THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA
this ____ day of __________________, 2019.

__________________________
Presiding Officer

ATTEST:

__________________________
City Clerk

PRESENTED by me to the Mayor of the City of Kokomo, Indiana, this ____ day of
__________________________, 2019, at ___:______ ___.m.

__________________________
City Clerk

APPROVED by me, as Mayor of the City of Kokomo, Indiana, this ____ day of
__________________________, 2019, at ___:______ ___.m.

__________________________
Greg Goodnight, Mayor
City of Kokomo, Indiana

ATTEST:

__________________________
ORDINANCE NO. 6953
AN ORDINANCE AMENDING TITLE XII, CHAPTER 78,
OF THE KOKOMO CITY CODE (1982)
ENTITLED “PEDESTRIAN WAYS”

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF KOKOMO,
INDIANA, as follows:

SECTION I

Schedule XII, Chapter 78, of the City of Kokomo, Indiana (1982), entitled "Pedestrian Ways", heretofore adopted by the Common Council of the City of Kokomo, Indiana, approved by the Mayor and published as provided by law, shall be amended by adding the following to "Pedestrian Ways":

<table>
<thead>
<tr>
<th>Type of Public Roadway</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>Alley</td>
<td>East-West alley between Jefferson St. and Jackson St. running West 130 feet from Buckeye St. to its intersection with the North to South alley.</td>
</tr>
</tbody>
</table>

SECTION II

All Ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION III

These ordinances shall be in full force and effect from and after their passage by the Common Council, signature by the Mayor and publication as provided by law.
PASSED BY THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA,
this_______day of__________________, 2019.

_____________________
Presiding Officer

ATTEST:
___________________
City Clerk

PRESENTED by me to the Mayor of the City of Kokomo, Indiana, this______day of
______________________, 2019 at ____________

___________________
City Clerk

APPROVED by me as Mayor of the City of Kokomo, Indiana this____________day of
______________________, 2019 at ____________

___________________
Greg Goodnight, Mayor
City of Kokomo, Indiana

ATTEST:
___________________
City Clerk
NOTICE OF PUBLIC HEARING

Notice is hereby given that Common Council (the "Council") of the City of Kokomo, Indiana (the "City") will conduct a public hearing on Monday, November 25, 2019, at 6:00 p.m., local time, in the Council Chambers at Kokomo City Hall, 100 South Union Street, Kokomo, Indiana, to review a proposal and agreement for the construction, operation, maintenance, and transfer to the City of a downtown parking garage to be located at 113 and 115 South Union Street (the northwest corner of East Superior Street and South Union Street) in the City (the "Project"), pursuant to Indiana Code 5-23. The purpose of the hearing is to hear the recommendation of the City of Kokomo Redevelopment Commission in order to make an award of a public-private agreement for the construction of the Project submitted by Envoy, Inc. The address and telephone number of the Council is 100 South Union Street, Kokomo, Indiana 46901, Attention: City Clerk, telephone number (765) 456-7370. This hearing is open to the public. The proposal for the Project, and an explanation of the basis upon which the recommendation is being made, are available for public inspection and copying at the principal office of the Council, 100 South Union Street, Kokomo, Indiana, c/o City Clerk, during regular business hours.

[TO BE PUBLISHED ONE TIME BY NO LATER THAN MONDAY, NOVEMBER 18, 2019, IN THE KOKOMO TRIBUNE]
PUBLIC HEARING AGENDA
NOVEMBER 18TH, 2019

CALL TO ORDER:

ROLL CALL:

ORDINANCE 6945: ORDINANCE OF KOKOMO COMMON COUNCIL
APPROPRIATING UNOBLIGATED LOCAL INCOME TAX REVENUES
ON DEPOSIT IN THE GENERAL FUND FOR CONSTRUCTION
OF KOKOMO CONFERENCE CENTER AND STREET
RESURFACING