The Common Council of the City of Kokomo, Indiana met Monday September 10th, 2018 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 Randy Blankenship from New Life Church.

Pledge:

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

Absent: Cameron

The minutes of the Public Hearing & Council Meeting Minutes August 27th, 2018 were declared approved as presented.

COMMUNICATIONS: President Hayes states, we need to fill a vacancy on the Greater Economic Development Alliance. Councilman Whikehart is going to have to step down. We want to thank you for your work you have done. Councilman Miklik filled the void for us. We want to thank him for his work; and all the Council Members that have served in the past, and future on that Committee.
Council Meeting Minutes  
September 10th, 2018 Page-2

Cont. Communications.
In regards to Ordinance #6912 the schedule for that ordinance will be Introduction Sept. 10th, First reading Sept. 24th, Public Hearing Oct. 8th, at 6:00 P.M. in the Council Chambers. Ordinance #6912 will also be on for Second and Final reading.

We will need to set a Public Hearing for Ordinance #6911, and #6914 for September 24th, 2018, at 6:00 P.M.in the Council Chambers.

Mary Spyker 1228 E. Sycamore St. Kokomo, Ind. states, first of all I want to thank you for allowing me this time. I will state this whole issue that started three years ago with weeds in my neighbor’s yard growing up my fence. I have (4) questions to bring to you.

1. What constitutes which ordinances are up-held, and which ones are ignored?

President Hayes states, there is no decision. An ordinance is a Law of the City. They are to be enforced equally at all times. Are we a hundred percent no but we aim to be hundred percent on that.

2. Why is Code Enforcers not enforcing the Codes but instead threatening the plaintiff’s?

President Hayes states, if that has happened we have a way to handle those situations by going to the Administration; going to the Fire Department. If need be you can get a meeting with the Police.

3. Why aren’t all ordinances held in one spot for easy access; so that people moving into the City can know what the ordinance is?

President Hayes states, the City Clerk is responsible for the maintenance, and handling of ordinances.
Cont. Communications.
4. Why is Code Enforcement more interested in excuses of why the Code should not be up-held?

President Hayes states, I do not know that for a fact. I think that is an opinion.

Councilwoman Young states, as soon as I heard of you having this inconvenient. I called you right away so please give me a chance to take care of this. I am addressing your problem.

Bob Lashlee 802 S. Washington St. Kokomo, Ind. states, I own about 50 rental properties in Kokomo. I am here to speak about a change been made at some point in recent years. In years past if property had grass that was too tall; they would send out a certified letter giving you so many days from the receipt of that letter to cut the grass. The letter now is not sent registered or certified, and gives the owner 5 days not 10 from the date that letter was written, and this includes the days it gets to your mailbox. I want to keep my yards looking decent. I am a person that wants to help here. The easier thing to do is to give owners a more reasonable amount of time to address the problem. I would say 10 days. I would like some consideration, and some feedback about this problem.

Council Attorney Corbin King states, I will be glad to look at the ordinance. I believe the State a few years ago did give the municipally some lead-way on the notice because it was very onerous on the City to keep sending out notices to repeat offenders, and so they did make the notice requirement a little less restricted. I believe that we had put that in our ordinance. I will review the ordinance, and the State Statue. It was probably about 3-5 years ago that it changed on the books. I will let you know. I will report back to the Council.
Cont. Communications.
Councilman Miklik states, during this time period the post office has changed their processes. The mail takes longer now to get to Kokomo. I would like to know too.

President Hayes states, I will have the City Council Attorney look into what he is stated to you. Get with you, and go from there.

There were no committee reports given at this regular meeting.


Second reading

Ordinance 6898 was read by the Clerk by title only. Councilwoman Young moved for passage on ordinance #6898 on second reading; seconded by Councilman Wyant.
Councilwoman Young states, this is an ordinance of the Common Council of the City of Kokomo, Indiana. It is an ordinance annexing certain territory to the City. Kenwood Gardens known as the Darrough Chapel area. Following receipt of the voluntary petition place in the area in the corporate boundaries making it part of the City of Kokomo.
Cont. Ordinance #6898.
All Council Members have received a map attached with the ordinance showing the streets that are going to be incorporated into the City of Kokomo. They are as follows: Emery St., Clark St., Lewis St., Harrison St., and they are all located on the Northeast side of Markland to be annexed in.
Vote for passage follows:
Aye: All
Nay: None
The vote was 8 to 0 for passage on second reading.

ORDINANCE 6909:

Second reading
Ordinance 6909 was read by the Clerk by title only. Councilman Whikehart moved for passage on ordinance #6909 on second reading; seconded by Councilwoman Sanders.
Councilman Whikehart states, this will fix the salaries of the Elected Officials. Prior to last year the Council, and Mayor’s office has gone close to a decade without receiving any increase. I would ask Council to approve this.
Vote for passage follows:
Aye: All
Nay: None
The vote was 8 to 0 for passage on second reading.
ORDINANCE 6910: AN ORDINANCE FIXING THE MAXIMUM SALARIES OF APPOINTIVE OFFICERS, DEPUTIES, ASSISTANTS, DEPARTMENT HEADS, UNIFORMED POLICE AND FIRE, AND EMPLOYEES OF THE CITY OF KOKOMO, INDIANA FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2019 AND ENDING DECEMBER 31, 2019, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA AS FOLLOWS:

Second reading

Ordinance 6910 was read by the Clerk by title only. Councilman Whikehart moved for passage on ordinance #6910 on second reading; seconded by Councilwoman Sanders.

Councilman Whikehart states, this is going to fix the salaries of City Employees, Department Heads. It does reflect a 2% increase from Non-Contractual Employees. The salaries of the FOP, Fire, and ASME are all dictated by the respective contracts. I would ask Council to approve ordinance #6910 on second reading.

Vote for passage follows:

Aye: All
Nay: None

The vote was 8 to 0 for passage on second reading.
ORDINANCE 6911: AN ORDINANCE FIXING THE BUDGETS FOR VARIOUS DEPARTMENT, BOARDS, AND COMMISSIONS OF THE CITY OF KOKOMO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2019, AND ENDING DECEMBER 31, 2019 ARE AS FOLLOWS:

First reading

Ordinance 6911 was read by the Clerk by title only. Councilman Whikehart moved for passage on ordinance #6911 on second reading; seconded by Councilwoman Sanders.

Councilman Whikehart states, this is the City’s Budget for the year 2019. I do want to give a shout out to the Controller’s Office, all the Council Members who were apart of the Finance Committee, and who all were attendance to the meeting for all the help. This is a very balance budget. We are going to see a $1.6 Million Dollar increase in the Parks for equipment; for training for the amenities that we need. We are also going to see a $500,000 increase in sidewalks for the 50/50 program. I am very proud of this Budget, and very thankful for the Controller’s office, and everybody else that helped. I would ask that Council pass ordinance #6911 on first reading.

Vote for passage follows:
Aye: All
Nay: None

The vote was 8 to 0 for passage on first reading.
ORDINANCE 6913: AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, REGARDING APPROPRIATION OF THE CITY’S ALLOCATION OF LOCAL INCOME TAX REVENUE FOR COMMUNITY AND ECONOMIC DEVELOPMENT PURPOSES.

First reading

Ordinance 6913 was read by the Clerk by tile only. Councilman Miklik moved for passage on ordinance #6913 on first reading; seconded by Councilman Whikehart.

Councilman Miklik states, this program that the ordinance speaks to is a very successful ordinance; for the City. The City Planner is here to speak to that if there are questions later. Whereas, the share of the Economic Development Income Tax or Edit Funds; Whereas, January 1, 2017, local income taxes including Edit Funds were changed to reflect (LIT) Local Income Tax. Whereas, the local income tax ACT, and that portion of it for the City revenues remain authorized to include economic development purposes. Whereas, the LIT taxes, and tax rates in effect May 1, 2016 established by the County under EDIT Act continue in effect along with the LIT Act.

Whereas, the County has not adopted an ordinance under the LIT Act or amending or rescinding the EDIT. Therefore, the revenue continues to be available to the City. Whereas, the Indiana Code the city may make payments from its Allocation of Revenue to a nonprofit corporation whose responsibility is City Planning, and implementing economic development projects. Whereas, the City Community Development Corporation is an Indiana non-profit corporation, and the City CDC have established a property management agreement to do economic development; to re-develop various parcels of real property located within the City.
Cont. Ordinance #6913.

The City desires to make payments from the City’s Allocation of Revenue to the CDC. Therefore, Be It Ordained That the Common Council of the City that the recitals set forth above are hereby incorporated into and made a part of this Ordinance. The Common Council hereby appropriates the amount of $1,200,000 from the City’s Allocation of Revenue to be paid to the CDC. The ordinance will be in full effect upon approval by this body.

Vote for passage follows:
Aye: All
Nay: None

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

ORDINANCE 6914:

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, DESIGNATING AN ECONOMIC DEVELOPMENT TARGET AREA

First reading

Ordinance 6914 was read by the Clerk by title only. Councilman Whikehart moved for passage on ordinance #6914 on first reading; seconded by Councilwoman Sanders.

Councilman Whikehart states, this ordinance establishes an economic development target area. It is recommended by the Economic Development Commission. It also allows the Council to designate a property at 2110 S. Lafountain Street as an area in need of re-development. Six G properties LLC plans to re-development the property for a 125 beds student housing project; which is expected to open late summer of 2019.; and the economic development target area would allow the abatement of real property taxes on that new construction project. At for two Years 50% each year. I would ask the Council pass ordinance #6914 on first reading.
Cont. Ordinance #6914.
Councilwoman Sanders states, this is such a good thing; because this area needed to be in-filled. I think the people around there are pleased with it. I think it is a good thing for the Community to have another housing as IUK is increasing in enrollment.

President Hayes states, my conversations with the Chandler, IUK is tickled to death about having this; and it is going to help attract more students to the University.

Councilman Miklik states, I have been approached about sidewalks to the Campus from this development. I guess I would have to talk to the engineer about this.

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, and our next Council Meeting will be September 24th, 2018 with an Informational Meeting at 5:30 P.M. in the Louks Room. Public Hearing at 6:00 P.M. in the Council Chambers; and Council Meeting immediately following.

Adjourned at 6:35 P.M.

___________________________
Presiding Officer

ATTEST:

___________________________
City Clerk
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. SEPTEMBER 24TH, 2018
COUNCIL CHAMBERS CITY HALL 100 SOUTH UNION STREET

CALL TO ORDER:

INVOCATION:

PLEDGE:

ROLL CALL:

APPROVAL OF MINUTES: Council Meeting Minutes 9-10-2018

COMMUNICATIONS:

COMMITTEE REPORTS:

ORDINANCE 6912: AN ORDINANCE VACATING RIGHT-
Kennedy OF-WAY LOCATED IN THE CITY OF
KOKOMO, INDIANA
First reading
ORDINANCE 6913: AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, REGARDING AN APPROPRIATION OF THE CITY’S ALLOCATION OF LOCAL INCOME TAX REVENUE FOR COMMUNITY AND ECONOMIC DEVELOPMENT PURPOSES.
Second reading

ORDINANCE 6914: AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, DESIGNATING AN ECONOMIC DEVELOPMENT TARGET AREA
Second reading

ORDINANCE 6915: Rezoning: IS to R5
Location: 679 North Purdum Street
Petitioner: Nolan Born City of Kokomo
First reading

ORDINANCE 6916: Rezoning: IS to R5
Location: 657 North Purdum Street
Petitioner: Nolan Born City of Kokomo
First reading

ORDINANCE 6917: Rezoning: IS to R5
Location: 645 North Purdum Street
Petitioner: Nolan Born City of Kokomo
First reading
PUBLIC HEARING AGENDA

SEPTEMBER 24TH, 2018

CALL TO ORDER:

ROLL CALL:

ORDINANCE 6911: AN ORDINANCE FIXING THE BUDGETS FOR VARIOUS DEPARTMENTS, BOARDS, AND COMMISSIONS OF THE CITY OF KOKOMO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2019 AND ENDING DECEMBER 31, 2019

ORDINANCE 6914: AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, DESIGNATING AN ECONOMIC DEVELOPMENT TARGET AREA
September 20th, 2018

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

From: Brenda Ott, City Clerk

The following is the scheduling of all Council Meetings for September 24th, 2018.

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

Thank you,
Brenda Ott
City Clerk
The Commission believes that said amendment promotes the health, safety, and general welfare of the community and would not adversely affect the values of the surrounding properties.

679 North Pudium Street

Office of the Recorder of Howard County, Indiana, City of Kokomo, Township, Howard County, Indiana at
18 in John D. Herndon's 7th Addition to the City of Kokomo, Indiana as recorded in Plat Book 1, Page 70,
(Institutional Use) 15 (High Density Urban Residential) for property described as Part of Lots 17 and
18 in Plan and Easement to the Kokomo City Plan Commission for a change in zone designation from 15
plotted and recorded in the Kokomo City Plan Commission Council for a change in zone designation from 15
above application case to the Kokomo City Plan Commission Council.

Dear Honorable Members:

679 N Pudium Street

IS INSTITUTIONAL USE TO RS HIGH DENSITY URBAN RESIDENTIAL

RE: 17-Z-18

HONORABLE KOKOMO COMMON COUNCIL

TO THE MEMBERS OF THE

September 17th, 2018

WWW.TOWARDS.COM
WWW.TOWARDS.COM/PLANNER
P.O. (765) 456-5333 FAX (765) 456-5335
170 E. Market St. - Kokomo, Indiana 46901
Howard County Governmental Offices - Suite 114

KOKOMO

COUNTY

HOWARD
December 18, 2024

My commission expires:

A resident of Howard County
Kokomo City Plan Commission
Rhonda Hilt, Secretary Public

Subscribed to and sworn to before me this 17th day of September, 2018.

Kokomo City Plan Commission
Greg Shelton, Secretary

DATED this 17th day of January, 2018.

The City of Kokomo, Indiana.

The passage of said ordinance by the Common Council of the City of Kokomo, Indiana, as hereinabove stated, has been sent to the Mayor of the City of Kokomo for his signature.

(1) The above and foregoing is true and correct.

Greg Shelton, Acting Mayor of the City of Kokomo, Indiana

COUNTY OF HOWARD
CITY OF KOKOMO
STATE OF INDIANA

CASE: 17-Z-18
Ordinance No.: 6979
Certification
Ordinance No. 6915

Ordinance No. 6799 as amended, now therefore be amended to read as follows:

SECTION I. The following amendment to Ordinance No. 6799, as amended, shall be changed:

Ordinance No. 6915 Case 17-2-18

Ordinance No. 6915

District Urban Renewal Authority

Ordinance No. 6799 to (as amended)
679 North Street

Ordinance No. 6799, as amended, now therefore, be amended as follows:

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Ordinance No. 6799, as amended, now therefore, be amended as follows:

Ordinance No. 6799, as amended, now therefore, be amended as follows:
The Commission believes that said amendment promotes the health, safety, and general
welfare of the community and would not adversely affect the values of the surrounding properties.

The petition of Rehman for the City of Kokomo requesting the Kokomo City Plan Commission
above captioned case to be referred to the Kokomo Common Council.

Please be advised the Kokomo City Plan Commission at their Public Hearing held Tuesday,
September 17, 2019.

Dear Honorable Members:

657 N Purdue Street

15 (Institutional Use) to RS (High Density Urban Residential)

RE: 18-2-18

HONORABLE KOOKOMO COMMON COUNCIL

TO THE MEMBERS OF THE

999 HAND.COMMISSION

WWW.HOWARD.COM
WWW.COMMISSION

FAX (65) 666-2330

120 E. MARKET ST. KOKOMO, INDIANA 46901

County

Howard County Government Center - Suite 114

City of

Kokomo
My commission expires:

A resident of Howard County
Kokomo City Plan Commission

Kokomo City Plan Commission
Greg Shelton, Secretary

December 16, 2024

Dated this 7th day of January, 2018.

The City of Kokomo, Indiana

Passed the second or final reading at least ten (10) days prior to public hearing. The Kokomo City Plan Commission gave to the City Council a copy of such public hearing being held in the Kokomo City Plan Commission at a public hearing held in the Kokomo City Plan Commission at a public hearing held in the County Council Chambers in Kokomo City Plan Commission No. 6297, as amended, and recorded to the Kokomo City Plan Commission, and, according to law, desisted and says:

Greg Shelton, being first duly sworn upon the oath,

{ County of Howard
{ City of Kokomo
{ State of Indiana

Case: 18-Z-18
Ordinance No: 6297
Certification
This instrument was prepared by Phoebe Hilt, then commission office secretary, and
approved by me, the mayor, this 18th day of 2018.

Brenda Ott, City Clerk

Presented by me to the mayor this 18th day of 2018.

Brenda Ott, City Clerk

Attest:

Robert L. Hayes, Sr., President

Kokomo Common Council

Publication as provided by law

SECTION I. This ordinance shall be in full force and effect from the date
of its passage, subject to the approval of the mayor, and
shall be duly entered on the records of the Kokomo Zoning
Commission at the Zoning Office.

SECTION II. The above changes shall be duly entered on the records of the
Kokomo Zoning Commission at the Zoning Office.

SECTION III. This ordinance shall be in full force and effect from the date
of its passage, subject to the approval of the mayor, and
shall be duly entered on the records of the Kokomo Zoning
Commission at the Zoning Office.

The following described tract of land shall be changed

Case 18-2-18

Ordinance No. 6516

An ordinance amending Ordinance 6794, as amended, now therefore, be

common council copy
Respectfully Submitted,

Michael Briner
Kokomo City Plan Commission

September 17th, 2018

Dear Honorable Members:

Please be advised the Kokomo City Plan Commission, at their public hearing held Tuesday, September 17th, 2018 considered and voted unanimously to forward a favorable recommendation of the petition and recommend to the Kokomo Common Council for a change in zone classification from IS (Institutional Use) to R5 (High Density Urban Residential) by Resolution No. 19-2-18 in John D. Shrader’s #2 Addition to the City of Kokomo, Indiana as recorded in plat book 1, page 70 of the recorder of Howard County, Indiana at 645 North Pundrum Street.

The petition of Nolan Born for the City of Kokomo requesting the Kokomo City Plan Commission (institutional Use) to R5 (High Density Urban Residential) for property described as Part of Lots 17 and 18 in John O. Heron’s #2 Addition to the City of Kokomo, Indiana as recorded in plat book 1, page 70 of the recorder of Howard County, Indiana at 645 North Pundrum Street.

The Commission believes that said amendment promotes the health, safety, and general welfare of the community and would not adversely affect the values of the surrounding properties.

Sincerely,

Michael Briner
Kokomo City Plan Commission
December 16, 2024

My commission expires:

A resident of Howard County
Kokomo City Plan Commission
Rhonda Hilt, Secretary

Subscribed and sworn to before me this 17th day of September, 2018.

Kokomo City Plan Commission
Dated this 17th day of January, 2018.

The City of Kokomo, Indiana.

As a resolution adopted by the majority of the members of the Kokomo City Plan Commission, gave to the public hearing notice of such public hearing being published in the Kokomo Daily Leader and the Herald News, at least ten (10) days prior to the date of the public hearing.

(2) That the above and foregoing is true and correct and said Rhonda Hilt, Secretary, according to law, swears and says:

Rhonda Hilt, Secretary, being first duly sworn, says:

(1) County of Howard
(2) City of Kokomo
(3) State of Indiana

Case: 19-Z-16
Ordinance No: 6979
Certificate
This instrument was prepared by Phoebe Hill, then Commissioner of Finance, and

Brenda Ott, City Clerk

Attent:

City of Kokomo, Indiana

Greg Goodnight, Mayor

APPROVED by me this

Day of __________, 2018.

Brenda Ott, City Clerk

PRESENTED by me to the Mayor this

Day of __________, 2018.

Brenda Ott, City Clerk

Attent:

Kokomo Common Council

Robert L. Hayes, Sr., President.

Publication as provided by law
and after the passage, signature by the Mayor, and

such ordinance shall be in full force and effect from

Ordinance No. 6279.

SECTION II. The above changes shall be duly entered on the

SECTION III. This ordinance shall be

SECTION I. The following description of land shall be changed:

be and is hereby further amended as follows:

That Ordinance No. 6279, as amended with all subsequent amendments,

Ordinance by the Common Council of the City of Kokomo, Indiana,

AN ORDINANCE AMENDING ORDINANCE 6279, AS AMENDED, NOW THEREFORE, BE

Common Council copy

Ordinance No. 6279

Case 19-2-18

Nathan Born For City of Kokomo
Legend
- Subdivisions
- Buildings
- Lot Line
- parcel
- RIGHT-OF-WAY
- PROPOSED VACATION
- Common Council Districts
- Bob Cameron

Ordinance 6912
NOTICE OF PUBLIC HEARING CONCERNING THE DESIGNATION OF AN ECONOMIC DEVELOPMENT TARGET AREA

The Common Council (the “Council”) of the City of Kokomo, Indiana (the “City”), as the designating body of economic revitalization areas for the City under Indiana Code 6-1.1-12.1 et. seq. (the “Act”), has the authority to establish and designate an economic development target area (the “Economic Development Target Area”).

Notice is hereby given that the Council shall conduct a public hearing at a meeting of the Council held on September 24, 2018, at 6:00 p.m. (local time) at the Council Chambers, 100 S. Union Street, Kokomo, Indiana, for the purpose of considering an Ordinance designating an economic development target area granting certain deductions and abatements on the payment of property taxes on residential real estate located within the designated Economic Development Target Area.

At the conclusion of the public hearing the Council will take final action on the proposed Ordinance. Copies of this Ordinance shall be filed with the Howard County Assessor and the Howard County Auditor. You are hereby invited to attend the public hearing.

Dated this 11th day of September, 2018

Brenda Brunnemer-Ott, City Clerk
City of Kokomo, Indiana
BEFORE THE COMMON COUNCIL OF THE CITY OF KOKOMO
ORDINANCE NO.6912

NOTICE OF HEARING ON PETITION FOR VACATION OF RIGHT-OF-WAY

Please take notice that pursuant to I.C. 36-7-3-12, Jerry L & Jayne Ousley, has filed with the Common Council of the City of Kokomo, a petition for the vacation of a right-of-way described as follows:

**Street Address or Common Description:**
Between South Union St. and South Home Ave. on the north side of East Markland Ave.

**Legal description:**
Beginning at the northwest corner of Lot #3 in CARRIE M MILLER'S Addition to Kokomo, as recorded in Recorder’s plat book 3 Page 209; thence south 216.5 feet along the east right-of-way of Union Street as described in Recorder’s plat Book 2 Page 127 to the northwest corner of a parcel described in Deed record 246 Page 1172; thence South 51° 08’ 28” East 23.39 feet along the East line of said parcel to the North boundary of Markland Ave; thence South 88° 58’30” West 37.95 feet along said north boundary; thence northerly 231.50 feet along a line 20 foot distant at right angles to the east right-of-way of Union Street; thence east 20 feet northwest corner of said Lot #3 in CARRIE M MILLER'S Addition to the place of beginning.

The Common Council of the City of Kokomo has set a hearing on this petition for the 8th day of October 2018, at 6:00 pm in the Ralph Neal Council Chambers, City Hall, 100 South Union Street, Kokomo, Indiana. At this time, the Council will hear any person who is interested or affected by this proposed petition or anyone submitting a remonstrance against said petition.

COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA
Robert L. Hayes Sr., President
Brenda Ott, Clerk
BEFORE THE COMMON COUNCIL OF THE CITY OF KOKOMO
ORDINANCE NO.6912

PETITION FOR VACATION

Jerry L & Jayne Ousley petitions the Common Council of the City of Kokomo for the vacation of a right-of-way and in support of the Petition shows the Council as follows:

1. Petitioner proposes to vacate:

   Beginning at the northwest corner of Lot #3 in CARRIE M MILLER'S Addition to Kokomo, as recorded in Recorder’s plat book 3 Page 209; thence south 216.5 feet along the east right-of-way of Union Street as described in Recorder’s plat Book 2 Page 127 to the northwest corner of a parcel described in Deed record 246 Page 1172; thence South 51° 08’ 28” East 23.39 feet along the East line of said parcel to the North boundary of Markland Ave; thence South 88° 58’30” West 37.95 feet along said north boundary; thence northerly 231.50 feet along a line 20 foot distant at right angles to the east right-of-way of Union Street; thence east 20 feet northwest corner of said Lot #3 in CARRIE M MILLER'S Addition to the place of beginning.

2. The right-of-way when vacated will be attached to the petitioner’s real estate.

3. The names and addresses of the owners of real estate abutting or near the said public way are as follows:

   Barbary Real Estate Co LLC, 932 S Main St., Kokomo, IN 46901

4. The utility companies that may be affected include the following:

   - NIPSCO; 2000 Home Avenue, Kokomo, IN 46901
   - Indiana American Water Company, Inc.; 1700 East Superior Street; P.O. Box 740; Kokomo IN 46903-0740
   - Comcast; 1002 East Center Road; Kokomo, IN 46902
   - Duke Energy Corp.; 1619 W Deffenbaugh St.; Kokomo IN 46902
   - AT&T Indiana; Right-Of-Way Dept.; 302 W Washington Street, Floor 1; Lebanon, IN 46052

5. Vacating the above right-of-way is appropriate for the following reasons:

   A. Petitioner owns an interest in real estate adjoining the right-of-way to be vacated.
   B. Vacating the right-of-way will not hinder or interfere with the public's access to any of the adjoining real estate.
   C. The proposed vacation of the right-of-way will not hinder the growth or development of the neighborhood, but will allow the petitioner to redevelop and grow within the neighborhood.
   D. Vacating the right-of-way will facilitate the development of all of the real estate in the affected block.

Wherefore Petitioner requests:

1. A hearing on this petition be set within thirty (30) days after it is received by the Council.
2. The Clerk of the Council to publish notice of the hearing on this petition as required by I.C. 36-7-3-12 (c) in the manner prescribed in I.C. 5-3-1 in the form and content as attached as Exhibit A hereto.
3. After such notice and hearing, the Council approves the proposed ordinance attached to this petition vesting the entire vacated right-of-way to the adjoining property owners as set forth above.

Dated this 16th day of September, 2018. City of Kokomo, By: Beth Copeland, Corporation Counsel.
BEFORE THE COMMON COUNCIL OF THE CITY OF KOKOMO
ORDINANCE NO. 6912

AN ORDINANCE VACATING RIGHT-OF-WAY LOCATED IN THE CITY OF KOKOMO, INDIANA

WHEREAS, Jerry L & Jayne Ousley has petitioned this body to vacate a portion of a certain right-of-way located in the City of Kokomo, more particularly described hereafter, and

WHEREAS, this Council conducted a public hearing on the 8th day of October, 2018, at 6:00 p.m., pursuant to the provisions of I.C 36-7-3-12(c) following presentation of proof of publication pursuant to I.C 5-3-1; and

WHEREAS, notice of the proposed vacation was served on all necessary parties; and

WHEREAS, the vacation of the right-of-way would not limit access to any real estate or hinder the growth or development of the neighborhood in which it is located; and

WHEREAS, there are no public utilities maintained in the right-of-way, or if any be in said right-of-way then per statute an easement is maintained over said utility line; and

WHEREAS, the Common Council of the City of Kokomo deems it appropriate and necessary to vacate said right-of-way as it no longer serves any public purpose.

NOW, THEREFORE, be it ordained by the Common Council of the City of Kokomo, Indiana, that:

SECTION I

It is hereby found that the portion of right-of-way hereafter described should be vacated. Said right-of-way is not currently used for access to any real estate and will not hinder the public's access to a church, school, or other public building or place, or make access to any real estate by the public difficult or inconvenient. It is determined that such proposed vacation of the right-of-way complies with the purposes and provisions of I.C. 36-7-3-12 through I.C. 36-7-3-16.

SECTION II

It is hereby found that proper notice was given in accordance with I.C. 36-7-3-12(c) and I.C. 5-3-1.

SECTION III

It is hereby found that the following described right-of-way located in the City of Kokomo, Indiana, should be, and it is hereby vacated:
**Legal description:**

Beginning at the northwest corner of Lot #3 in CARRIE M MILLER'S Addition to Kokomo, as recorded in Recorder’s plat book 3 Page 209; thence south 216.5 feet along the east right-of-way of Union Street as described in Recorder’s plat Book 2 Page 127 to the northwest corner of a parcel described in Deed record 246 Page 1172; thence South 51° 08' 28” East 23.39 feet along the East line of said parcel to the North boundary of Markland Ave; thence South 88° 58’30” West 37.95 feet along said north boundary; thence northerly 231.50 feet along a line 20 foot distant at right angles to the east right-of-way of Union Street; thence east 20 feet northwest corner of said Lot #3 in CARRIE M MILLER'S Addition to the place of beginning.

The right-of-way when vacated will be attached to the petitioner’s real estate.

**SECTION IV**

The City Clerk of the City of Kokomo, Indiana is instructed to furnish a copy of this vacation Ordinance to the Howard County Recorder for recording and to the Howard County Auditor.

**SECTION V**

This Ordinance shall be in full force and effect from and after its passage by this Council and its approval and signing by the Mayor of the City of Kokomo.

PASSED AND ADOPTED THIS 8th day of October, 2018.

COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA

By____________________________________________
ROBERT L. HAYES SR., PRESIDENT

ATTEST:

_________________________
CLERK: BRENDA OTT

Presented by the Clerk of the Common Council of the City of Kokomo to the Mayor of the City of Kokomo, Indiana on this _______day of __________2018 at Kokomo, Indiana, for approval by his signature below.

By____________________________________________
GREG GOODNIGHT

Mayor of the City of Kokomo, Indiana

ATTEST:

_________________________
CLERK: BRENDA OTT

This instrument prepared by: Beth Copeland, Corporation Counsel
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. Beth Copeland.
ORDINANCE NO. 6913

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, REGARDING AN APPROPRIATION OF THE CITY’S ALLOCATION OF LOCAL INCOME TAX REVENUE FOR COMMUNITY AND ECONOMIC DEVELOPMENT PURPOSES.

WHEREAS, pursuant to Indiana Code § 6-3.5-7 et seq. (the “EDIT Act”), the City of Kokomo, Indiana (the “City”), receives its local distributive share of Economic Development Income Tax (“EDIT”);

WHEREAS, effective January 1, 2017, various local income taxes, including EDIT, were repealed and replaced by a new consolidated Local Income Tax (“LIT”) pursuant to Indiana Code § 6-3.6-1 et seq. (the “LIT Act”);

WHEREAS, the LIT Act authorizes Howard County, Indiana (the “County”) to impose the LIT and allocate a portion of LIT revenues to the City for certain authorized purposes, including economic development purposes;

WHEREAS, pursuant to the LIT Act, the taxes and tax rates in effect on May 1, 2016 established by the County under the EDIT Act continue in effect under the LIT Act and are considered taxes adopted pursuant to the LIT Act unless they are amended or rescinded pursuant to the provisions of the LIT Act;

WHEREAS, the County has not adopted an ordinance under the LIT Act amending or rescinding the EDIT, the former EDIT rate, or the City’s local distributive share of the former EDIT revenue, which revenue continue to be available to the City for the purposes authorized under the LIT Act (“Allocation of Revenue”);

WHEREAS, pursuant to Indiana Code §§ 6-3.6-2-8(2)(L) and 6-3.6-10-2(7), the City may make payments from its Allocation of Revenue to a nonprofit corporation whose primary corporate purpose is to assist the City in planning and implementing economic development projects;

WHEREAS, the Kokomo Community Development Corporation (the “CDC”) is an Indiana non-profit corporation that was incorporated to assist the City in planning and implementing economic development projects;

WHEREAS, the City and the CDC have established, pursuant to a Property Management Agreement (the “Agreement”), an economic development project to redevelop various parcels of real property located within the City (the “Project”); and

WHEREAS, the City desires to make payments from the City’s Allocation of Revenue to the CDC for the purpose of paying the costs of planning and implementing the Project;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, THAT:
Section 1. The recitals set forth above are hereby incorporated into and made a part of this Ordinance as if fully set forth herein.

Section 2. The Common Council hereby appropriates the amount of $1,200,000 from the City’s Allocation of Revenue to be paid to the CDC as contemplated by the Agreement and applied to the costs of planning and implementing the Project.

Section 3. This Ordinance shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

[SIGNATURE PAGES FOLLOW]
ADOPTED BY THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA this _____ day of ____________, 2018.

__________________________
Presiding Officer

ATTEST:

__________________________
City Clerk

PRESENTED by me to the Mayor of the City of Kokomo, Indiana, this ____ day of ____________, 2018, at ___:______ ___.m.

__________________________
City Clerk

APPROVED by me, as Mayor of the City of Kokomo, Indiana, this ____ day of ____________, 2018, at ___:______ ___.m.

__________________________
Greg Goodnight, Mayor
City of Kokomo, Indiana

ATTEST:

__________________________
City Clerk
ORDINANCE NO. 6914

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, DESIGNATING AN ECONOMIC DEVELOPMENT TARGET AREA

WHEREAS, pursuant to Indiana Code 6-1.1-12.1-1, et. seq. (the “Act”), the City of Kokomo, Indiana (the “City”), by and through its Common Council acting in its capacity as the designating body as the designating body identified in the Act (the “Common Council”), the Common Council has the authority to establish and designate an economic development target area (the “Economic Development Target Area”), in accordance with Indiana Code § 6-1.1-12.1-7 of the Act, for the purpose of granting certain deductions and abatements on the payment of property taxes on residential real estate located within the designated Economic Development Target Area;

WHEREAS, pursuant to the Act, and upon the favorable recommendation of the Economic Development Commission of the City (the “Commission”), the Common Council may find that a particular area within the jurisdiction of the City is an Economic Development Target Area and may by the adoption of an ordinance declare such area to be an Economic Development Target Area;

WHEREAS, the Common Council, following a public hearing held on the date hereof, desires to designate the area whose boundaries are located in the corporate boundaries of the City, as more particularly described in Exhibit A (the “Area”) attached hereto and made a part hereof, as an Economic Development Target Area in which the property owner making application to the City may receive real property tax abatement pursuant to the applicable procedures of the Act.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, AS FOLLOWS:

1. The Common Council hereby finds the Area described in Exhibit A is located within the corporate boundaries of the City and does not comprise more than 15% of the total geographic territory of the City.

2. The Common Council further finds the Area has not been developed due to lack of development opportunities, economic conditions, obsolescence and other factors that have limited the normal development and use of the Area.

3. On September 10, 2018, the Commission adopted Resolution No. 2018-02 whereby it favorably recommended to the Common Council the designation of the Area as an Economic Development Target Area in order to promote residential development and ownership in the Area and the abatement of the redevelopment and rehabilitation of residential real property in the Area pursuant to the Act.

4. The Common Council hereby designates the Area as an Economic Development Target Area, as defined in the Act, as the “Lafountain Economic Development Target Area” in
order to promote residential development and ownership in the Area by new residents within the Area (the “Applicants”) and the abatement of the redevelopment and rehabilitation of residential real property in the Area pursuant to the Act.

5. The assessed value of the property in the Lafountaine Economic Development Target Area, for purposes of calculating the residential abatement shall be deemed to be the assessed value of the residential property as of January 1, 2020.

6. Beginning the property tax assessed year after the year the property is fully constructed and receives its Certificate of Occupancy, the period for the residential deduction shall be two (2) years beginning the property tax-payable year after the year the property has been constructed by the Applicant, utilizing the following schedule, provided, however, the effectiveness of the designation may be modified or terminated by this Common Council in accordance with the Act:

   Year One:  50 Percent Abatement
   Year Two:  50 Percent Abatement

7. The Applicant seeking the residential deduction shall file a Form SB-1/RR and Memorandum Agreement with the Department of Development of the City before May of the year prior to the year in which the residential abatement is to take effect. The Department of Development will report to the Common Council as necessary.

8. The Common Council hereby waives the requirements identified in Indiana Code 6-1.1-12.1-9.5(b)(1) and Indiana Code 6-1.1-12.1-11.3, including permitting the Applicant for the residential deduction to file the Form SB-1 with the City after the property improvements are made and designating the Economic Development Target Area after residential real property improvements were made within the Area. For purposes of authorizing the residential deduction, the Applicant is deemed to have complied with the Act upon its submission to the City of its Form SB-1, unless determined otherwise or additional information is deemed necessary by a representative of the City or this Common Council.

9. Copies of this Ordinance shall be filed with the Howard County Assessor and the Howard County Auditor.

10. This Ordinance shall be in full force and effect immediately upon its adoption until modified, amended or rescinded by the Common Council.

[The remainder of this page intentionally left blank.]
ADOPTED BY THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA
this ___th day of September, 2018.

______________________________
Presiding Officer

ATTEST:

______________________________
City Clerk

PRESENTED by me to the Mayor of the City of Kokomo, Indiana, this _____ day of ________________, 2018, at ___:______ ___.m.

______________________________
City Clerk

APPROVED by me, as Mayor of the City of Kokomo, Indiana, this _____ day of ________________, 2018, at ___:______ ___.m.

______________________________
Greg Goodnight, Mayor
City of Kokomo, Indiana

ATTEST:

______________________________
EXHIBIT A

Description of the Lafountain Economic Development Target Area

Part of the Northwest Quarter of Section 7, Township 23 North, Range 4 East, City of Kokomo, Center Township, Howard County, Indiana, described as follows:

Beginning at the Northwest corner of said Quarter marked by a surveyor disk; thence South 89 degrees 43 minutes 58 seconds East (Indiana East State Plane Coordinate System) 310.00 feet along the North line of said Quarter to the Northwest corner of a parcel described in Instrument Number 9834020308; thence, South 00 degrees 41 minutes 06 seconds West 132.00 feet along the West line of said parcel to the Southwest corner thereof; thence South 89 degrees 43 minutes 58 seconds East 300.00 feet to the Southeast corner of a parcel described in Instrument No. 1134009754, marked by a rebar; thence South 00 degrees 41 minutes 06 seconds West 132.00 feet along the West line of a parcel described in Deed Record 262, page 3799 to the Southwest corner thereof marked by a rebar; thence North 89 degrees 43 minutes 58 seconds West 610.00 feet along the North line of a parcel described in Instrument No. 1434010253 to the West line of said Quarter; thence North 00 degrees 41 minutes 06 seconds East 264.00 feet along said West line to the point of beginning, containing 2.79 acres, more or less.

Property Address: 2110 South Lafountain Street, Kokomo, Indiana 46902
Tax Parcel No.: 34-10-07-100-024.000-002 cim
STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
- Eligible vacant building (IC 6-1.1-12.1-4.8)

INSTRUCTIONS:
1. This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise, this statement must be submitted to the designating body before the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
2. Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to initiation of the redevelopment or rehabilitation. A deduction may be approved.
3. To obtain a deduction, a Form 322 ERA/RE or Form 322 ERA/RBD whichever is applicable, must be filed with the County Auditor by the following date: (1) May 10; or (2) thirty (30) days after the notice of addition to assessed valuation or new assessment is mailed to the property owner at the address shown on the records of the township assessor.
4. Property owners whose Statement of Benefits was approved after June 30, 1991, must attach a Form CF-1/Real Property annually to the application to show compliance with the Statement of Benefits (IC 6-1.1-12.1-5.1(b) and IC 6-1.1-12.1-5.3(b)).
5. The schedules established under IC 6-1.1-12.1-4(g) for rehabilitated property and under IC 6-1.1-12.1-4.8(1) for vacant buildings apply to any statement of benefits approved on or after July 1, 2000. The schedules effective prior to July 1, 2000, shall continue to apply to a statement of benefits filed before July 1, 2000.

SECTION 1
TAXPAYER INFORMATION

<table>
<thead>
<tr>
<th>Name of taxpayer</th>
<th>607 Properties LLC</th>
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</thead>
<tbody>
<tr>
<td>Address of taxpayer (number and street, city, state, and ZIP Code)</td>
<td>2250 Shadowbrook, Fowl IN 46370</td>
</tr>
<tr>
<td>Name of contact person</td>
<td>David Van Buren</td>
</tr>
<tr>
<td>Telephone number</td>
<td>765-327-1235</td>
</tr>
<tr>
<td>E-mail address</td>
<td><a href="mailto:Davefb1@yahoo.com">Davefb1@yahoo.com</a></td>
</tr>
</tbody>
</table>

SECTION 2
LOCATION AND DESCRIPTION OF PROPOSED PROJECT

| Name of designating body | City of Kokomo Common Council |
| Location of property | 2100 S. Lafayette, Kokomo, IN 46902 |
| County | Howard |
| Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) | Redevelopment of under-utilized land for construction of 125-bed student housing project |
| Estimated start date (month, day, year) | 9/1/2018 |
| Estimated completion date (month, day, year) | 9/30/2019 |

SECTION 3
ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

<table>
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<tr>
<th>Current number</th>
<th>Salaries</th>
<th>Number retained</th>
<th>Salaries</th>
<th>Number additional</th>
<th>Salaries</th>
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<td>0</td>
<td></td>
<td>0</td>
<td>4</td>
<td>$90,000.00</td>
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SECTION 4
ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

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<th>REAL ESTATE IMPROVEMENTS</th>
<th>COST</th>
<th>ASSESSED VALUE</th>
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<tr>
<td>Current values</td>
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<td>30,900.00</td>
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<tr>
<td>Plus estimated values of proposed project</td>
<td>5,000,000.00</td>
<td>5,000,000.00</td>
</tr>
<tr>
<td>Less values of any property being replaced</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Net estimated values upon completion of project</td>
<td>5,030,900.00</td>
<td>5,030,900.00</td>
</tr>
</tbody>
</table>

SECTION 5
WASTE CONVERE TED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

| Estimated solid waste converted (pounds) | N/A |
| Estimated hazardous waste converted (pounds) | N/A |

SECTION 6
TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative: [Signature]
Title: LLC member
Date signed (month, day, year): 8-28-18
FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this Economic Revitalization Area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1, provides for the following limitations:

A. The designated area has been limited to a period of time not to exceed __________ calendar years *(see below)*. The date this designation expires is ________________.

B. The type of deduction that is allowed in the designated area is limited to:
   1. Redevelopment or rehabilitation of real estate improvements  ☐ Yes  ☐ No
   2. Residentially distressed areas  ☐ Yes  ☐ No
   3. Occupancy of a vacant building  ☐ Yes  ☐ No

C. The amount of the deduction applicable is limited to $ ________________.

D. Other limitations or conditions (specify) ____________________________________________

E. The deduction is allowed for ________________ years *(see below)*.

We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

<table>
<thead>
<tr>
<th>Approved (signature and title of authorized member of designating body)</th>
<th>Telephone number</th>
<th>Date signed (month, day, year)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attested by (signature and title of attester)</td>
<td>Telephone number</td>
<td>Date signed (month, day, year)</td>
</tr>
</tbody>
</table>

* If the designating body limits the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.12-12.1-4.

A. For residentially distressed areas, the deduction period may not exceed five (5) years.
B. For redevelopment and rehabilitation or real estate improvements:
   1. If the Economic Revitalization Area was designated prior to July 1, 2000, the deduction period is limited to three (3), six (6), or ten (10) years.
   2. If the Economic Revitalization Area was designated after June 20, 2000, the deduction period may not exceed ten (10) years.
C. For vacant buildings, the deduction period may not exceed two (2) years.