CALL TO ORDER:

INVOCATION:

PLEDGE:

ROLL CALL:

APPROVAL OF MINUTES: Council Meeting Minutes August 12th, 2019

COMMUNICATIONS:

COMMITTEE REPORTS

ORDINANCE 6935: AN ORDINANCE VACATING RIGHT-OF-WAY
Young
Second reading
Cont. agenda

ORDINANCE 6937:

Rezoning: R1, AG and AR to C2
Location:
Parcel #34-04-32-426-008.000-002
Parcel #34-04-32-476-003.000-002
Parcel #34-04-33-301-004.000-028
Parcel #34-04-33-351-001.000-007
Parcel #34-04-33-351-016.000-007
Parcel #34-04-33-351-018.000-007
Petitioner: Phil A. Sundling
Second reading

ORDINANCE 6939:

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, 2020, AND ENDING DECEMBER 31, 2020, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, AS FOLLOWS:
First reading

ORDINANCE 6940:

First reading
ORDINANCE 6942: 
Kennedy
Second reading

RESOLUTION 2735: 
Miklik
RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, APPROVING THE ORDER OF THE KOKOMO PLAN COMMISSION AND THE DECLARATORY RESOLUTION BY THE KOKOMO REDEVELOPMENT COMMISSION FOR THE DARROUGH CHAPEL PARK ECONOMIC DEVELOPMENT AREA
COUNCIL MEETING MINUTES
August 12th, 2019

The Common Council of the City of Kokomo, Indiana met Monday August 12th, 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 Ed Vasicek from Highland Park Church.

Pledge:

President: Wyant, Cameron, Young, Haworth, Kennedy, Hayes, Johnson, Sanders, Miklik

Absent: None

The minutes of the Council Meeting July 29th, 2019 were declared approved as presented.

COMMUNICATIONS: President Hayes states, we will be setting a Public Hearing for Ordinance #6935, and Ordinance #6942 for August 26th, 2019 at 6:00 P.M. in the Council Chambers.

There were no committee reports given at this regular meeting.
ORDINANCE 6935: AN ORDINANCE VACATING RIGHT-OF-WAY
First reading
Ordinance 6935 was read by the Clerk by title only. Councilwoman Young moved for passage on ordinance #6935 on first reading; seconded by Councilman Wyant.
Councilwoman Young states, the petitioner Rayl Minor LLC. whose address is 522 Belvedere Drive, Kokomo, Indiana 46901. He is proposing to vacate a street-right-away described as the following. It is adjacent to 807 Reed Road where a vacation will be attached to the petitioner’s real estate. Vacating the Right-of-Way is appropriate because the petitioner owns all the real estate adjoining the street right-of-way to be vacated. It will not interfere with the public’s access to any of the adjoining real estate.
Vote for passage follows:
Aye: All
Nay: None
The vote was 9 to 0 for passage on first reading.

ORDINANCE 6937: Rezoning: R1, AG and AR to C2
Location:
Parcel #34-04-32-426-008.000-002
Parcel #34-04-32-476-003.000-002
Parcel #34-04-33-301-004.000-028
Parcel #34-04-33-351-001.000-007
Parcel #34-04-33-351-016.000-007
Parcel #34-04-33-351-018.000-007
Petitioner: Phil A. Sundling
First reading
Ordinance 6937 was read by the Clerk by title only. Councilwoman Young moved for passage on ordinance #6937 on first reading; seconded by Councilman Haworth.
Cont. Ordinance #6937
President Hayes states, at this time we have a presentation that the Henke Group would like to give us; so at this time we will take a slight adjournment as we move the Council to the front row seat; so they can see the presentation.

Steve Henke 3524 Club States Drive Carmel, Indiana states, I am President of Henke Development. With me here tonight is Doug Flener, Phil Sunding our in-house Engineer, Ken Coker who manages all the Baseball Grand Park, and Joe Thatcher. We really appreciate the opportunity to be here this evening, and to present our petition for rezoning.

Joe Thatcher states, I am here as a lifelong memory of this community. I am here as an advocate for this project. Having a business in Westfield I have seen first-hand the impact that Grand Park has had on that community. I am truly excited if this project happens; how it would benefit our community. I was fortunate to play base-ball it is a beautiful game. I started when I was six years old down at UCT. Though-out my entire journey, it truly opened the door for me to go travel the world.

I have been to different countries, different cities, different states, playing a game of baseball. Baseball teaches you a lot of life lessons. I think the greatest part is the friendships you develop. The dreams that we could bring to these kids of playing on beautiful fields with lights, and score-boards, and all the great amenities that would be part of Championship Field. I think our kids deserve that. I have seen what the Henke Group can do. I have seen their developments, and what they bring. It would be a world class facility. I want to thank everybody for the opportunity to be here. I put my support behind this program.
Cont. Ordinance #6937.
Terry Roach East Lordeman Street Kokomo, Ind. states, I think this is great. I want to make sure all the other parks, and baseball diamonds stay where there at.

Councilman Miklik states, I talked to Parks Superintendent, and he has a plan to communicate with all the league presidents; to see that baseball in the various parks will remain.

Mr. Graves 4510 Lakeshore Drive Kokomo, Ind. states, I have visited Grand Park, and it is a very beautiful place. I think it would be a boost for the community; and a great thing for Kokomo economically.

Vote for passage follows:
Aye: All
Nay: None
The vote was 9 to 0 for passage on first reading.

ORDINANCE 6938:
AN ORDINANCE AMENDING ORDINANCE 6279, AS AMENDED, NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, that Ordinance No. 6279, as amended with all subsequent amendments, be and is hereby further amended as follows:

Second reading

Ordinance 6938 was read by the Clerk by title only. Councilwoman Young moved for passage on ordinance #6938 on second reading; seconded by Councilman Cameron.
Cont. Ordinance #6938.
Councilwoman Young states, this ordinance was passed by the Plan Commission to the Common Council. It is an ordinance amending ordinance #6279. This ordinance is expanding 931 on State Road 31 Overlay Sub-districts. It encompasses the nine properties for the Sports Complex being built on State Road 31; for a high end mixed use Commercial Development area.
Vote for passage follows:
Aye: All
Nay: None
The vote was 9 to 0 for passage on second reading.

ORDINANCE 6942:
First reading

Ordinance 6942 was read by the Clerk by title only. Councilman Kennedy moved for passage on ordinance #6942 on first reading; seconded by Councilman Haworth.
Councilman Kennedy states, as you know this is what we had part of our announcement, and presentation today. The City has announced its intention to help design, and develop a baseball, and softball tournament center. This is to be known as Championship Park, at 600 S. Goyer Road on the east side of Kokomo.
Cont. Ordinance #6942.
The City is excited about this public-private partnership; as it is estimated to provide, and overall value to the area of the city of $86 Million Dollars; in commercial, and retail development. Ordinance #6942 spearheads this activity; and will enable the city to continue with the process of developing this activity. Initially these bonds will be backed with local income tax bonds; later it will be used once the ordinances are passed thru with two readings; and a Public Hearing. Then we will get the bonds under-written; then be used, and will be paid out of TIF increment generated on that development. Initially it will go through the Park Fund, and then be transferred over to the TIF development. I urge this Council so we can continue this development, and this activity to pass this Bond Ordinance on first reading.
Vote for passage follows:
Aye: All
Nay: Nay
The vote was 9 to 0 for passage on first reading.

President Hayes states, this marks the end of this Council Meeting. Our next Council Meeting will be August 26th, 2019; with an Informational Meeting at 5:30 P.M. in the Louks Room. Public Hearings at 6:00 P.M. in the Council Chambers. Council Meeting immediately following.

Adjourned at 6:40 P.M.

_________________________________________________________
PRESIDENT
ATTEST:
_________________________________________________________
CITY CLERK
ORDINANCE NO. 6940


WHEREAS, the applicable Indiana Statue, IC 36-4-7-2 provides that the Common Council of each City, shall, by Ordinance, fix the annual salaries of all elected city officials; and

WHEREAS, the salaries of the elected City officials of the City of Kokomo were last fixed by the Common Council of the City of Kokomo in 2018,

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

SECTION I

<table>
<thead>
<tr>
<th>YEAR</th>
<th>MAYOR</th>
<th>CITY CLERK</th>
<th>COMMON COUNCIL</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>$85,466.00</td>
<td>$41,337.00</td>
<td>$11,268.00</td>
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</tbody>
</table>

SECTION II

Members of the Common Council in attendance at called meetings of standing committees to which they have been assigned or at called committee meetings of the whole shall receive in addition to their base salary a stipend not to exceed twenty dollars ($20.00) per such meeting.

SECTION III

This ordinance shall remain in full force and effect from after its passage, signature by the Mayor, and publications as provided by law.
ORDINANCE NO. 6940

SECTION IV

PASSED by the Common Council of the City of Kokomo, Indiana, this ___ day of ______________, 2019.

AYE

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ATTEST:

_________________________

CITY CLERK

PRESENTED by me to the Mayor of the City of Kokomo, Indiana, this ____ day of ______________, 2019.

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CITY CLERK

APPROVED by me as Mayor of the City of Kokomo, Indiana, this _______ day of ______________, 2019.

_________________________

GREGORY,   GOODNIGHT,

CITY OF KOKOMO, INDIANA

ATTEST:
2020 SALARY ORDINANCE NO. 6939

AN ORDINANCE FIXING THE MAXIMUM SALARIES OF APPOINTE
OFFICERS, DEPUTIES, ASSISTANTS, DEPARTMENT HEADS, UNIFORMED
POLICE AND FIRE, AND EMPLOYEES OF THE CITY OF KOKOMO, INDIANA
FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2020, AND ENDING
DECEMBER 31, 2020, BE IT ORDAINED BY THE COMMON COUNCIL OF THE
CITY OF KOKOMO, INDIANA, AS FOLLOWS:

SECTION I
THAT THE SALARIES OF APPOINTE OFFICERS, DEPUTIES, ASSISTANTS,
DEPARTMENT HEADS, UNIFORMED POLICE AND FIRE, AND EMPLOYEES
OF THE CITY OF KOKOMO, INDIANA, BE FIXED AS MAXIMUMS FOR THE
FISCAL YEAR BEGINNING JANUARY 1, 2020, AND ENDING DECEMBER 31,
2020, AS FOLLOWS:

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<tr>
<th>Position</th>
<th>Salary</th>
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<tbody>
<tr>
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<td>ACCOUNTING CLERK II</td>
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<td>ARBORIST</td>
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<tr>
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<td>ASST. HUMAN RESOURCE DIR.</td>
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<tr>
<td>ASST. PLANNING COMM DIRECTOR</td>
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<td>ASST. WASTEWATER TREATMENT SUPER</td>
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<tr>
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<td>CITY ENGINEER</td>
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<td>DATA ANALYST</td>
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<td>DATA/RECORDS SUPERVISOR</td>
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<td>DEPUTY CITY CONTROLLER</td>
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<td>DEPUTY MAYOR</td>
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<tr>
<td>DIRECTOR – AIRPORT</td>
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<td>DIRECTOR – DEVELOPMENT</td>
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<td>DIRECTOR - HUMAN RESOURCES</td>
<td>$1,426.11</td>
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<td>DIRECTOR – WWU LAB</td>
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<td>DIRECTOR - PLAN.COMMISSION</td>
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<tr>
<td>DIRECTOR - PUBLIC MAINTENANCE &amp;</td>
<td>$1,324.51</td>
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<td>REFUSE</td>
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<tr>
<td>Position</td>
<td>Salary</td>
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<tr>
<td>----------------------------------------------</td>
<td>------------</td>
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<tr>
<td>DIRECTOR - SENIOR CIT CENTER &amp; TRANSPORTATION</td>
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<tr>
<td>DIRECTOR – UTILITES</td>
<td>$1,479.90</td>
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<tr>
<td>DIRECTOR - VEHICLE &amp; EQUIP MAINT</td>
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<tr>
<td>DRAFTSMAN</td>
<td>$876.09</td>
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<tr>
<td>ELEC TECHNICIAN I</td>
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<tr>
<td>ELEC TECHNICIAN II</td>
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<tr>
<td>ENGINEER’S ASSISTANT</td>
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<td>EXECUTIVE ADMINISTRATOR</td>
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<td>FIELD WORK SUPERVISOR</td>
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<td>FOREMAN</td>
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<td>LAB TECHNICIAN</td>
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<td>MANAGER – INSPECTION</td>
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<tr>
<td>MANAGER – OFFICE</td>
<td>$917.54</td>
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<td>MANAGER – OFFICE PARKS</td>
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<tr>
<td>MANAGER - RECREATION PROGRAMMER</td>
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<tr>
<td>MANAGER – STORM WATER</td>
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<tr>
<td>MUSEUM CURATOR</td>
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<td>NUISANCE ENFORCEMENT</td>
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<td>PARK &amp; CEMETERY MANAGER</td>
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<tr>
<td>PARK SUPERINTENDENT</td>
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<td>PARKING MONITOR</td>
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<td>PRE-TREATMENT COORDINATOR</td>
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<td>PRE-TREATMENT INSPECTOR I</td>
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<td>RECREATION PROGRAMMER</td>
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<td>SANITATION PLANT SUPERINTENDENT</td>
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<td>SECRETARY</td>
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<tr>
<td>SEWER SYSTEM COORDINATOR</td>
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<td>SEWER SYSTEM TECH</td>
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<td>SPECIALIST (DEVELOPMENT DEPT)</td>
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<td>SUPERVISOR</td>
<td>$743.89</td>
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<td>SURVEY CREW CHIEF</td>
<td>$876.09</td>
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<td>SYSTEM ADMINISTRATOR</td>
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<td>SYSTEM PROJECT DESIGNER</td>
<td>$1,088.94</td>
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<tr>
<td>SYSTEMS MANAGER</td>
<td>$1,317.49</td>
</tr>
</tbody>
</table>
EFFECTIVE JANUARY 1, 2013 ANY PERSONS HIRED INTO THE FOLLOWING FULL-TIME POSITIONS WILL BE PAID AT THE RATE OF 88% OF THE MAXIMUM SALARY FOR HIS/HER FIRST YEAR OF EMPLOYMENT; 92% FOR THE SECOND YEAR OF EMPLOYMENT; AND 96% FOR THE THIRD YEAR OF EMPLOYMENT. EMPLOYEES WILL REACH THE MAXIMUM SALARY LEVEL ON THE ANNIVERSARY DATE OF HIS/HER FOURTH YEAR OF EMPLOYMENT:

ADMINISTRATIVE ASSISTANT
ARBORIST
BUILDING INSPECTOR
CIVILIAN QUARTERMASTER-KPD
CLERK
DATA ANALYST
LAB TECHNICIAN
MAINTENANCE
MUSEUM CURATOR
NUISANCE ENFORCEMENT
PARKING MONITOR
PLAN COMMISSION ENFORCEMENT OFFICER
PLAN COMMISSION PLANNER I
PLAN COMMISSION PLANNER II
PLANNER
PRE-TREATMENT COORDINATOR
PRE-TREATMENT INSPECTOR I
PRE-TREATMENT INSPECTOR II
RECREATION PROGRAMMER
SECRETARY
SPECIALIST (DEVELOPMENT DEPT)
SURVEY CREW CHIEF
SURVEY TECHNICIAN
SYSTEM ADMINISTRATOR
SYSTEM ANALYST

ALL EMPLOYEES HIRED AFTER JANUARY 1, 2013 (INTO A POSITION WHICH IS NOT LISTED ON THE ABOVE TWO-TIER WAGE SCHEDULE) WILL BE PAID AT 90% OF THE FULL SALARY FOR THE INITIAL 90 CALENDAR DAY PROBATIONARY PERIOD. AFTER SUCCESSFUL COMPLETION OF THE 90 CALENDAR DAY PROBATIONARY PERIOD, THE EMPLOYEE WILL RECEIVE 95% OF THE FULL SALARY FOR THE REMAINING PORTION OF THE YEAR. THE EMPLOYEE WILL RECEIVE 100% OF THE SALARY UPON SUCCESSFUL COMPLETION OF ONE YEAR. WHERE A SPECIFIC SKILL OR ABILITY MAY BE REQUIRED AN EMPLOYEE MAY BE MOVED INTO THE MAXIMUM RATE WHEN APPROVED BY HUMAN RESOURCES AND THE MAYOR.
EMPLOYEES DESIGNATED AS PERMANENT PART-TIME MAY EARN UP TO 90% OF THE FULL SALARY FOR ANY GIVEN POSITION WITH THE EXCEPTION OF THE BUS DRIVER POSITION. BUS DRIVERS WILL BE ELIGIBLE TO EARN 100% OF THE ESTABLISHED SALARY.

THE RATE FOR EACH PART-TIME POSITION MAY VARY PER DEPARTMENT AS DETERMINED BY THE HUMAN RESOURCE DEPARTMENT.

MONTHLY

CITY COUNCIL ATTORNEY----------------------------------------------- $ 2,536.35
POLICE PENSION SECRETARY -------------------------------------------- $ 784.26
FIRE PENSION SECRETARY----------------------------------------------- $ 784.26
PLANNING COMMISSION ATTORNEY--------------------------------------- $ 743.25
PLANNING COMMISSION MEMBERS----------------------------------------- $ 84.04
BOARD OF ZONING APPEALS MEMBERS------------------------------------- $ 78.43

TEMPORARY AND SEASONAL EMPLOYEES WILL BE PAID A MINIMUM OF 8.00 DOLLARS PER HOUR AND ADJUSTED ACCORDINGLY TO LEVELS OF RESPONSIBILITY.

MILEAGE FOR CITY BUSINESS WILL BE REIMBURSED AT THE RATE ESTABLISHED BY THE INDIANA STATE GOVERNMENT. PARKING AND TOLL CHARGES ARE NOT INCLUDED IN THE MILEAGE RATE AND SHALL BE REIMBURSED IN ADDITION TO THE ESTABLISHED MILEAGE RATE.

SECTION II


ANNUAL

FIRST CLASS PATROLMAN $51,245.00
SPECIALIST $55,857.00
SERGEANT $58,419.00
LIEUTENANT $60,469.00

EMPLOYEE HIRED ON OR AFTER 5/30/2012 WILL BE PAID AS FOLLOWS:

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<thead>
<tr>
<th>YEAR OF EMPLOYMENT</th>
<th>RATE OF PAY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1&lt;sup&gt;ST&lt;/sup&gt; YEAR</td>
<td>12% LESS THAN PATROL RATE</td>
</tr>
<tr>
<td>2&lt;sup&gt;ND&lt;/sup&gt; YEAR</td>
<td>8% LESS THAN PATROL RATE</td>
</tr>
<tr>
<td>3&lt;sup&gt;RD&lt;/sup&gt; YEAR</td>
<td>4% LESS THAN PATROL RATE</td>
</tr>
<tr>
<td>4&lt;sup&gt;TH&lt;/sup&gt; YEAR</td>
<td>PATROLMAN RATE OF PAY</td>
</tr>
</tbody>
</table>
IN ADDITION TO BASE PAY, UNIFORMED MEMBERS OF THE KOKOMO POLICE DEPARTMENT WILL BE COMPENSATED AS FOLLOWS:

<table>
<thead>
<tr>
<th>YEARS OF COMPLETED SERVICE AS OF ANNIVERSARY DATE</th>
<th>LONGEVITY PAY</th>
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</thead>
<tbody>
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<td>1</td>
<td>$ 475</td>
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<tr>
<td>2</td>
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<td>3</td>
<td>$ 565</td>
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<tr>
<td>24</td>
<td>$3,900</td>
</tr>
<tr>
<td>25 AND ABOVE</td>
<td>$4,050</td>
</tr>
</tbody>
</table>

SPECIAL TRAINING RECOGNITION

IN ADDITION TO OTHER COMPENSATION, MEMBERS OF THE KOKOMO POLICE DEPARTMENT WHO PERFORM THE FOLLOWING FUNCTIONS WILL BE PAID ACCORDINGLY:

(A) SPECIAL WEAPONS & TACTICS TEAM (SWAT MEMBERS) - $400.00/YR.
(B) HAZARDOUS DEVICE UNIT - $400.00/YR.
(C) FIELD TRAINING OFFICER - $927.00/YR.
(D) RANGE OFFICER - $250.00/YR.
(E) RADAR INSTRUCTOR - $200.00/YR.
(F) IMPACT WEAPONS/DEFENSIVE TACTICS INSTRUCTOR - $300.00/YR.
(G) DOG HANDLERS - $600.00/YR.
(H) EVOC INSTRUCTOR - $200.00/YR.
(I) HOSTAGE NEGOTIATOR - $250.00/YR.
(J) POLYGRAPH OPERATOR - $250.00/YR.
(K) BREATHALYZER TEST ADMINISTRATOR - $10.00/TEST

AN OFFICER MAY ELECT ADDITIONAL COMPENSATION FOR NOT MORE THAN THREE SPECIAL TRAINING AREAS IN LETTERS A THROUGH J.

OVER TIME

PERSONNEL WHO WORK MORE HOURS THAN THEIR REGULAR SHIFT IN ONE DAY, OR ARE REQUIRED TO APPEAR IN COURT ON OFFICIAL BUSINESS DURING HOURS THAT ARE AN EXTENSION OF OR PRIOR TO AND CONNECTED WITH THEIR REGULAR SHIFT SHALL BE PAID FOR SUCH OVERTIME AT THE RATE OF ONE AND ONE-HALF (1 1/2) TIMES THEIR CURRENT HOURLY RATE FOR EACH HOUR SO WORKED.

CALL-IN PAY

EMPLOYEES CALLED IN FOR WORK OUTSIDE THEIR REGULAR SHIFT, OR REQUIRED TO APPEAR ON UNSCHEDULED DAYS, OR ARE ORDERED TO WORK FROM OFF-DAY BY THE CHIEF IN AN EMERGENCY, WILL BE AWARDED THREE (3) HOURS MINIMUM OVERTIME PER OCCURRENCE.

THE CITY SHALL MAKE EVERY REASONABLE EFFORT TO PAY ACCUMULATED OVERTIME WITHIN TWO (2) PAY PERIODS FOLLOWING THE OCCURRENCE OF THE OVERTIME.

THE EMPLOYER SHALL NOT UNREASONABLY REQUIRE ANY EMPLOYEES TO WORK OVERTIME. PERSONNEL SHALL NOT REFUSE TO WORK OVERTIME, IF THE RESULT OF SUCH REFUSAL WOULD RESULT IN DANGER TO THE PUBLIC SAFETY OR INABILITY OF THE POLICE DEPARTMENT TO PROPERLY DISCHARGE ITS RESPONSIBILITY TO THE PUBLIC AND CARRY OUT ITS POLICE FUNCTIONS IN AN ADEQUATE MANNER. IF AN EMPLOYEE HAS GOOD AND SUFFICIENT REASON FOR REFUSING OVERTIME, AND ANOTHER EMPLOYEE IS AVAILABLE TO WORK SUCH OVERTIME AND IS CAPABLE OF DOING SO, THE EMPLOYER SHOULD NOT INSIST ON THE FIRST MENTIONED EMPLOYEE WORKING SAID OVERTIME.

WORKING DETAILS THAT ARE COMPENSATED AT AN OVERTIME RATE SHALL BE SCHEDULED WITH PREFERENCE GIVEN TO A DEFINED POOL OF OFFICERS. THESE POOLS ARE THEN ROTATED SO THAT EACH POOL RECEIVES FIRST CHOICE DURING THE ROTATION PROCESS. OFFICERS FROM THE FIRST POOL IN THE ROTATION WILL BE GIVEN A DESIGNATED TIME FRAME TO SELECT A TIME SLOT OR SLOTS AS DIRECTED. AT THE END OF THE SCHEDULED TIME, THE SCHEDULE IS PASSED TO THE NEXT
POOL IN ROTATION AND SO ON. DEPENDING ON THE SIZE OF THE DETAIL, THE DEPARTMENT MAY ELECT TO REPEAT THE ROTATION PROCESS OR ADD AN OPEN POSTING TIME AFTER WHICH ANY OFFICER MAY SIGN TO FILL THE REMAINING SLOTS. THE POOL SCHEDULE WILL BE ROTATED WITH EACH NEW DETAIL OR MONTH OF SCHEDULE.

OFFICERS MAY ONLY SIGN FOR SLOTS DURING THE POSTED TIMES OF THEIR RESPECTIVE POOLS. THE DEPARTMENT WILL POST THE OVERTIME DETAIL OPPORTUNITY AND THE ROTATION SCHEDULE AND POOL SIGNING TIMES AT LEAST FIVE (5) WORKING DAYS NOT COUNTING THE DAY OF POSTING PRIOR TO THE ACTUAL SIGN UP DATES.

OFFICER’S DEPARTMENT SENIORITY IS ONLY RECOGNIZED WHEN TWO OFFICERS WOULD ATTEMPT TO SIGN THE SCHEDULE AT THE SAME TIME. IN THAT CASE, THE LOWER BADGE NUMBER WOULD PREVAIL.

DEFINITION OF POOLS

POOL A: ALL UNIFORMED PATROL SECTION OFFICERS ASSIGNED TO A WATCH.
POOL B: ALL UNIFORMED PATROL SECTION OFFICERS ASSIGNED TO B WATCH.
POOL C: ALL UNIFORMED PATROL SECTION OFFICERS ASSIGNED TO C WATCH.
POOL D: ALL OTHER OFFICERS NOT INCLUDED IN POOL A, B OR C.

IT IS UNDERSTOOD THAT ALL DETAILS ARE NOT EQUAL AS TO HOURS OFFERED, TYPE OF DUTY OR TIME OF DAY SCHEDULED. THE DEPARTMENT WILL MAKE EVERY POSSIBLE EFFORT TO BALANCE THE DETAILS.

FROM TIME TO TIME, CERTAIN SHORT DURATION, LIMITED OVERTIME DETAILS ARE UTILIZED. THESE WILL BE POSTED IN ROLL CALL FIVE (5) DAYS PRIOR TO THE DETAIL. THE POSTING WILL INCLUDE A CUT-OFF TIME AND DATE. ANY INTERESTED OFFICER MUST SUBMIT A REQUEST TO WORK THE DETAIL TO THE DIVISION COMMANDER WHO POSTED THE OPPORTUNITY. THE CHIEF OR HIS/HER DESIGNEE WILL SELECT THE OFFICERS TO WORK THE DETAIL BASED ON DEPARTMENT SENIORITY.

IN EMERGENCY OVERTIME SITUATIONS WHERE THE OVERTIME INVOLVES THE CONTINUATION OF A SPECIFIC ASSIGNED JOB BEYOND THE END OF THE REGULAR SCHEDULED WATCH, THE OFFICER(S) ASSIGNED TO THAT JOB SHALL HAVE THE FIRST OFFER OF OVERTIME. IN ALL OTHER EMERGENCY OVERTIME SITUATIONS, OVERTIME SHALL BE OFFERED FIRST TO THE SENIOR OFFICER ON DUTY AND CONTINUING TO THE LEAST
SENIOR OFFICER ON DUTY. IN THE EVENT THE OVERTIME IS DECLINED, THE LEAST SENIOR OFFICER MAY BE REQUIRED TO WORK THE OVERTIME. NOTHING IN THIS SUBPARAGRAPH SHALL BE CONSTRUED SO AS TO IMPAIR THE DEPARTMENT’S ABILITY TO RESPOND TO EMERGENCY SITUATIONS IN A TIMELY FASHION.

TO ENABLE THE EMPLOYER TO EXERCISE SOUND DISCRETION IN FILLING OF POSITIONS WITHIN THE DEPARTMENT, NO APPOINTMENT OR EMPLOYMENT AS A FIRST CLASS PATROLMAN SHALL BE DEEMED FINAL OR PERMANENT UNTIL AFTER THE EXPIRATION OF A ONE (1) YEAR PROBATIONARY PERIOD.

SHIFT DIFFERENTIAL PAY

IN ADDITION TO HIS/HER BASE SALARY, AN EMPLOYEE WORKING ANY FULL SHIFT BETWEEN THE HOURS OF 1:30 P.M. AND 6:30 A.M. SHALL RECEIVE THREE PERCENT (3%) SHIFT PREMIUM PER WEEK WHILE ASSIGNED TO THAT SHIFT.

HOLIDAYS

THE PARTIES HAVE AGREED TO ELIMINATE HOLIDAY PAY IN THE AGREEMENT AND CONVERT OR ROLL THE DAYS HERETOFORE PROVIDED INTO THEIR BASE WAGE RATE.

ALTHOUGH HOLIDAYS ARE NOT RECOGNIZED BY THIS AGREEMENT, WHEN AN OFFICER COVERED BY THIS AGREEMENT IS SCHEDULED TO WORK ON ANY OF THE 12 HOLIDAYS RECOGNIZED BY THE CITY, SAID EMPLOYEE(S) WILL RECEIVE ONE AND ONE-HALF (1 ½) TIMES THE RATE OF THEIR BASE HOURLY RATE FOR ALL HOURS WORKED ON THE CITY RECOGNIZED HOLIDAY. (THE CITY MAY CHANGE A HOLIDAY IN ORDER TO OFFER FRIDAY AFTER THANKSGIVING INSTEAD OF ONE OF THE OTHER LISTED HOLIDAYS).

THE CITY WILL PUBLISH THE RECOGNIZED DATES FOR THE FOLLOWING HOLIDAYS FOR THE SOLE PURPOSE OF DETERMINING WHEN A PREMIUM UNDER THIS AGREEMENT IS DUE, IF APPLICABLE. THE FOLLOWING REPRESENTS THE HOLIDAYS RECOGNIZED BY THE CITY.

<table>
<thead>
<tr>
<th>NEW YEAR’S DAY</th>
<th>INDEPENDENCE DAY</th>
</tr>
</thead>
<tbody>
<tr>
<td>MARTIN LUTHER KING'S BIRTHDAY</td>
<td>LABOR DAY</td>
</tr>
<tr>
<td>LINCOLN'S BIRTHDAY</td>
<td>VETERANS DAY</td>
</tr>
<tr>
<td>WASHINGTON'S BIRTHDAY</td>
<td>THANKSGIVING</td>
</tr>
<tr>
<td>EASTER</td>
<td>CHRISTMAS</td>
</tr>
<tr>
<td>MEMORIAL DAY</td>
<td>COLUMBUS DAY</td>
</tr>
</tbody>
</table>
CLOTHING ALLOWANCE

ALL EMPLOYEES WHO HAVE COMPLETED THEIR PROBATIONARY PERIOD SHALL BE PAID TWO THOUSAND DOLLARS ($2,000.00) PER YEAR CLOTHING ALLOWANCE. THE MONIES SHALL BE DISBURSED IN FOUR EQUAL INSTALLMENTS TO BE PAID ON THE LAST FRIDAY OF MARCH, JUNE, SEPTEMBER AND NOVEMBER AND THE PAYMENT SHALL BE $500.00.

WORKING TEMPORARILY OUT OF RANK

A PATROLMAN SPECIFICALLY INSTRUCTED TO ASSUME THE DUTIES OF SERGEANT FOR AN ENTIRE SHIFT SHALL BE COMPENSATED AT SERGEANT’S PAY BEGINNING ON THE FIFTH (5TH) CONSECUTIVE SHIFT DAY OF SUCH ASSIGNMENT. A SERGEANT SPECIFICALLY INSTRUCTED TO ASSUME THE DUTIES OF LIEUTENANT FOR AN ENTIRE SHIFT SHALL BE COMPENSATED AT LIEUTENANT’S PAY BEGINNING ON THE SECOND (2ND) CONSECUTIVE SHIFT DAY OF SUCH ASSIGNMENT.

ON CALL STATUS

IN ADDITION TO OTHER COMPENSATION, MEMBERS OF THE BARGAINING UNIT, WHO ARE REQUIRED TO PERFORM "ON CALL STATUS" DURING NORMAL OFF DUTY PERIODS, SHALL BE COMPENSATED AS FOLLOWS:

1. IF, WHILE ON "ON CALL STATUS," THE EMPLOYEE SHALL BE CALLED TO ACTIVE DUTY, EMPLOYEE SHALL BE COMPENSATED PURSUANT TO PARAGRAPH B OF THIS ARTICLE.

2. IF AN EMPLOYEE IS NOT CALLED INTO ACTIVE DUTY WHILE ON "ON CALL STATUS" THE EMPLOYEE SHALL RECEIVE COMPENSATION EQUAL TO THREE (3) HOURS OF COMPENSATION FIGURED AT 1 1/2 TIMES THEIR CURRENT HOURLY RATE.

"ON CALL" EMPLOYEES, AS DEFINED IN THIS PARAGRAPH, SHALL BE COMPENSATED UNDER BOTH SUBPARAGRAPHS 1 AND 2 OF THIS PARAGRAPH IF CALLED TO ACTIVE DUTY. THIS BENEFIT SHALL BE LIMITED TO NO MORE THAN FOUR (4) MEMBERS OF THE BARGAINING UNIT DURING ONE (1) SEVEN (7) DAY PERIOD.
SECTION III
NON-CONTRACTUAL POLICE

<table>
<thead>
<tr>
<th>MAXIMUM WEEKLY</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHIEF OF POLICE</td>
</tr>
<tr>
<td>MAJOR</td>
</tr>
<tr>
<td>CAPTAIN</td>
</tr>
</tbody>
</table>

IN ADDITION TO BASE PAY, NON-CONTRACTUAL MEMBERS OF THE KOKOMO POLICE DEPARTMENT WILL BE COMPENSATED AS FOLLOWS:

YEARS OF COMPLETED SERVICE

<table>
<thead>
<tr>
<th>AS OF ANNIVERSARY DATE</th>
<th>LONGEVITY PAY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$ 475</td>
</tr>
<tr>
<td>2</td>
<td>475</td>
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<tr>
<td>3</td>
<td>565</td>
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<td>4</td>
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<td>5</td>
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<td>6</td>
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<td>22</td>
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<tr>
<td>23</td>
<td>3,750</td>
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<tr>
<td>24</td>
<td>3,900</td>
</tr>
<tr>
<td>25 AND ABOVE</td>
<td>4,050</td>
</tr>
</tbody>
</table>

HOLIDAY PAY

THE PARTIES HAVE AGREED TO ELIMINATE HOLIDAY PAY IN THE AGREEMENT AND CONVERT OR ROLL THE DAYS HERETOFORE PROVIDED INTO THEIR BASE WAGE RATE.
THE CITY WILL PUBLISH THE RECOGNIZED DATES FOR THE FOLLOWING HOLIDAYS FOR THE SOLE PURPOSE OF DETERMINING WHEN A PREMIUM UNDER THIS AGREEMENT IS DUE, IF APPLICABLE. THE FOLLOWING REPRESENTS THE HOLIDAYS RECOGNIZED BY THE CITY.

<table>
<thead>
<tr>
<th>Holiday</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>NEW YEAR'S DAY</td>
<td>INDEPENDENCE DAY</td>
</tr>
<tr>
<td>MARTIN LUTHER KING'S BIRTHDAY</td>
<td>LABOR DAY</td>
</tr>
<tr>
<td>LINCOLN'S BIRTHDAY</td>
<td>VETERANS DAY</td>
</tr>
<tr>
<td>WASHINGTON'S BIRTHDAY</td>
<td>THANKSGIVING</td>
</tr>
<tr>
<td>EASTER</td>
<td>CHRISTMAS</td>
</tr>
<tr>
<td>MEMORIAL DAY</td>
<td>COLUMBUS DAY</td>
</tr>
</tbody>
</table>

CLOTHING ALLOWANCE

NON-CONTRACTUAL EMPLOYEES WHO HAVE COMPLETED THEIR PROBATIONARY PERIOD SHALL BE PAID TWO THOUSAND DOLLARS ($2,000.00) PER YEAR CLOTHING ALLOWANCE. THE MONIES SHALL BE DISBURSED IN FOUR EQUAL INSTALLMENTS TO BE PAID ON THE LAST FRIDAY OF MARCH, JUNE, SEPTEMBER AND NOVEMBER.

WORKING TEMPORARILY OUT OF RANK

NON-CONTRACTUAL PERSONNEL OF THE POLICE DEPARTMENT, WHO ARE SPECIFICALLY INSTRUCTED TO ASSUME THE DUTIES OF A HIGHER CLASSIFICATION, SHALL BE COMPENSATED BEGINNING ON THE SECOND CONSECUTIVE SHIFT DAY OF SUCH ASSIGNMENT. THE POLICE CHIEF SHALL NOTIFY THE KOKOMO BOARD OF PUBLIC WORKS AND SAFETY WHENEVER A UNIFORMED MANAGEMENT PERSON IS COMPENSATED OUT OF RANK FOR A PERIOD OF MORE THAN FIVE DAYS.

SECTION IV

THAT THE BASE SALARIES OF THE FIRE DEPARTMENTS UNIFORMED EMPLOYEES OF THE CITY OF KOKOMO, INDIANA, BE FIXED FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020, AS FOLLOWS:

CONTRACTUAL

<table>
<thead>
<tr>
<th>Position</th>
<th>Annual</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAPTAIN</td>
<td>$58,605.00</td>
</tr>
<tr>
<td>CHAUFFEUR</td>
<td>$54,381.00</td>
</tr>
<tr>
<td>FIREFIGHTER</td>
<td>$52,797.00</td>
</tr>
<tr>
<td>CADET FIRE FIGHTER</td>
<td>$47,750.00</td>
</tr>
</tbody>
</table>

IN ADDITION TO BASE PAY, MEMBERS OF THE BARGAINING UNIT WILL BE COMPENSATED AS FOLLOWS FOR THE YEARS OF COMPLETED SERVICE AS
OF THE ANNIVERSARY DATE OF THEIR HIRE BEGINNING AT SIX (6) YEARS OF SENIORITY:

YEARS OF COMPLETED SERVICE AS OF ANNIVERSARY DATE  LONGEVITY PAY

<table>
<thead>
<tr>
<th>Years</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>850</td>
</tr>
<tr>
<td>7</td>
<td>975</td>
</tr>
<tr>
<td>8</td>
<td>1,100</td>
</tr>
<tr>
<td>9</td>
<td>1,225</td>
</tr>
<tr>
<td>10</td>
<td>1,350</td>
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<tr>
<td>11</td>
<td>1,475</td>
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<tr>
<td>12</td>
<td>1,600</td>
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<tr>
<td>13</td>
<td>1,725</td>
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<tr>
<td>14</td>
<td>1,850</td>
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<tr>
<td>15</td>
<td>1,975</td>
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<tr>
<td>16</td>
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<td>2,225</td>
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<td>18</td>
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<td>20</td>
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<td>22</td>
<td>2,850</td>
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<tr>
<td>23</td>
<td>2,975</td>
</tr>
<tr>
<td>24</td>
<td>3,100</td>
</tr>
<tr>
<td>25 AND ABOVE</td>
<td>3,225</td>
</tr>
</tbody>
</table>

SPECIAL PAY RECOGNITION

- EMT $500.00
- ASSOCIATE FIRE SCIENCE DEGREE $250.00
- HAZARDOUS MATERIALS TEAM $900.00
- INSTRUCTOR II-III $300.00 (MUST PROVIDE AT LEAST 24 HOURS OF INSTRUCTION PER YEAR)

A MEMBER MAY CHOOSE NO MORE THAN THREE (3) AREAS TO RECEIVE SPECIAL RECOGNITION PAY.

ALL SPECIAL RECOGNITION PAY SHALL BE PAID THE LAST PAY IN NOVEMBER. SPECIAL PAY RECOGNITION CHECKS SHALL BE WRITTEN SEPARATELY.

IN ORDER TO QUALIFY FOR THE MONETARY INCREMENT SET OUT IN THIS SECTION, EMPLOYEES MUST PRESENT EVIDENCE TO THE FIRE CHIEF OR HIS DESIGNEE OF CERTIFICATION OR RECERTIFICATION AS AN EMT BY THE STATE OF INDIANA.
CLOTHING ALLOWANCE

ALL EMPLOYEES OF THE BARGAINING UNIT WHO HAVE COMPLETED THEIR PROBATIONARY PERIOD SHALL BE PAID THREE HUNDRED ($300.00) PER YEAR CLOTHING ALLOWANCE FOR THE MAINTENANCE AND REPLACEMENT OF ITEMS. THE MONIES SHALL BE DISPERSED IN EQUAL INSTALLMENTS TO BE PAID ON THE LAST FRIDAY OF MARCH, JUNE, SEPTEMBER, AND ON THE LAST PAY OF NOVEMBER.

PERSONAL PROTECTIVE EQUIPMENT ALLOWANCE

ALL EMPLOYEES OF THE BARGAINING UNIT WHO HAVE COMPLETED THEIR PROBATIONARY PERIOD SHALL BE PAID THE SUM OF NINE HUNDRED DOLLARS ($900.00) PER YEAR PERSONAL PROTECTIVE EQUIPMENT ALLOWANCE DURING THE TERM OF THIS CONTRACT. THE MONIES SHALL BE DISBURSED IN EQUAL INSTALLMENTS TO BE PAID ON THE LAST DAY IN MARCH, JUNE, SEPTEMBER, AND THE LAST PAY OF NOVEMBER.

RANK DIFFERENTIAL PAY

TO BE ENTITLED TO RANK DIFFERENTIAL PAY THE EMPLOYEE MUST WORK A MINIMUM OF FOUR (4) CONTINUOUS HOURS IN THE HIGHER CLASSIFICATION, WHEREUPON THE EMPLOYEE SHALL BE PAID FOR ALL ACTUAL HOURS WORKED.
EMPLOYEES WORKING IN A HIGHER CLASSIFICATION FOR TRAINING PURPOSES SHALL NOT BE ENTITLED TO RANK DIFFERENTIAL PAY REGARDLESS OF THE NUMBER OF HOURS WORKED AT THE HIGHER CLASSIFICATION. TO BE CONSIDERED TRAINING, THE TRAINEE MUST BE PERFORMING A JOB WHILE THE PERSON NORMALLY ASSIGNED TO THAT JOB IS ON DUTY AND ASSIGNED TO THE SAME APPARATUS WHILE THE TRAINING IS TAKING PLACE. IF THOSE TWO CRITERIA ARE NOT MET, RANK DIFFERENTIAL PAY SHALL BE PAID AS HEREIN DESCRIBED.

SECTION V

NON-CONTRACTUAL FIRE - MANAGEMENT GROUP

<table>
<thead>
<tr>
<th>Position</th>
<th>Maximum Weekly</th>
</tr>
</thead>
<tbody>
<tr>
<td>FIRE CHIEF</td>
<td>$1,419.45</td>
</tr>
<tr>
<td>DEPUTY FIRE CHIEF</td>
<td>$1,332.41</td>
</tr>
<tr>
<td>DIVISION CHIEF OF TRAINING</td>
<td>$1,262.59</td>
</tr>
<tr>
<td>BATTALION CHIEF</td>
<td>$1,262.59</td>
</tr>
<tr>
<td>FIRE INSPECTOR</td>
<td>$1,262.59</td>
</tr>
<tr>
<td>FIRE &amp; ARSON INVESTIGATOR</td>
<td>$1,262.59</td>
</tr>
<tr>
<td>DISTRICT CHIEF</td>
<td>$1,229.00</td>
</tr>
</tbody>
</table>

2020 Salary Ordinance #6939
8/26/2019
MEMBERS OF THIS GROUP ARE ENTITLED TO THE FOLLOWING BENEFITS:

**LONGEVITY**

IN ADDITION TO BASE PAY, MEMBERS OF THE MANAGEMENT GROUP WILL BE COMPENSATED FOR THE YEARS OF COMPLETED SERVICE AS OF THE ANNIVERSARY DATE OF THEIR HIRE, BEGINNING AT SIX (6) YEARS SENIORITY:

<table>
<thead>
<tr>
<th>YEARS OF COMPLETED SERVICE AS OF ANNIVERSARY DATE</th>
<th>LONGEVITY PAY</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>850</td>
</tr>
<tr>
<td>7</td>
<td>975</td>
</tr>
<tr>
<td>8</td>
<td>1,100</td>
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<td>24</td>
<td>3,100</td>
</tr>
<tr>
<td>25 AND ABOVE</td>
<td>3,225</td>
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</tbody>
</table>

ALL ANNUAL LONGEVITY PAY WILL BE PAID THE FIRST PAY AFTER THE ANNIVERSARY DATE OF HIRE.

**SPECIAL PAY RECOGNITION**

<table>
<thead>
<tr>
<th>SPECIAL PAY RECOGNITION</th>
<th>PAYMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>EMT</td>
<td>$500.00</td>
</tr>
<tr>
<td>ASSOCIATE FIRE SCIENCE DEGREE</td>
<td>$250.00</td>
</tr>
<tr>
<td>HAZARDOUS MATERIALS TEAM</td>
<td>$900.00</td>
</tr>
<tr>
<td>INSTRUCTOR II-III</td>
<td>$300.00</td>
</tr>
</tbody>
</table>

(MUST PROVIDE AT LEAST 24 HOURS OF INSTRUCTION PER YEAR)

A MEMBER MAY CHOOSE NO MORE THAN THREE (3) AREAS TO RECEIVE SPECIAL RECOGNITION PAY.
ALL SPECIAL RECOGNITION PAY SHALL BE PAID THE LAST PAY IN NOVEMBER. SPECIAL PAY RECOGNITION CHECKS SHALL BE WRITTEN SEPARATELY.

IN ORDER TO QUALIFY FOR THE MONETARY INCREMENT SET OUT IN THIS SECTION, EMPLOYEES MUST PRESENT EVIDENCE TO THE FIRE CHIEF OF HIS DEIGNESS OF CERTIFICATION OR RECERTIFICATION AS AN EMT BY THE STATE OF INDIANA.

CLOTHING ALLOWANCE

ALL MEMBERS OF THE MANAGEMENT GROUP SHALL BE PAID THREE HUNDRED ($300.00) PER YEAR CLOTHING ALLOWANCE FOR THE MAINTENANCE AND REPLACEMENT OF ITEMS. THE MONIES SHALL BE DISPERSED IN EQUAL INSTALLMENTS TO BE PAID ON THE LAST FRIDAY OF MARCH, JUNE, SEPTEMBER, AND ON THE LAST PAY OF NOVEMBER.

PERSONAL PROTECTIVE EQUIPMENT ALLOWANCE

ALL MEMBERS OF THE MANAGEMENT GROUP SHALL BE PAID NINE HUNDRED DOLLARS ($900.00) PER YEAR PERSONAL PROTECTIVE EQUIPMENT ALLOWANCE DURING THE TERM OF THIS CONTRACT. THE MONIES SHALL BE DISBURSED IN EQUAL INSTALLMENTS TO BE PAID ON THE LAST DAY IN MARCH, JUNE, SEPTEMBER, AND THE LAST PAY OF NOVEMBER.

RANK DIFFERENTIAL PAY

MANAGEMENT PERSONNEL OF THE FIRE DEPARTMENT WHO ARE SPECIFICALLY INSTRUCTED TO ASSUME THE DUTIES OF A HIGHER CLASSIFICATION SHALL BE COMPENSATION BEGINNING ON THE SECOND (2ND) CONSECUTIVE SHIFT DAY OF SUCH ASSIGNMENT. THE FIRE CHIEF SHALL NOTIFY THE KOKOMO BOARD OF PUBLIC WORKS AND SAFETY WHenever A UNIFORMED MANAGEMENT PERSON IS COMPENSATED OUR OF RANK FOR A PERIOD OF MORE THAN FIVE DAYS.

RE-CERTIFICATION PAY

MEMBERS OF THE MANAGEMENT GROUP DEMONSTRATING ANNUAL RE-CERTIFICATION AS AN EMT BY THE STATE OF INDIANA SHALL BE ENTITLED TO AN ADDITIONAL ANNUAL PAYMENT OF FIVE HUNDRED DOLLARS ($500.00). IN ORDER TO QUALIFY FOR THIS MONETARY INCREMENT, EMPLOYEES MUST PRESENT EVIDENCE TO THE FIRE CHIEF OR HIS DESIGNEE OF ANNUAL RE-CERTIFICATION AS AN EMT BY THE STATE OF INDIANA.
RANK COMPENSATION PAY

UNIFORMED MANAGEMENT PERSONNEL OF THE FIRE DEPARTMENT WHO ARE SPECIFICALLY INSTRUCTED TO ASSUME THE DUTIES OF A HIGHER CLASSIFICATION SHALL BE COMPENSATED BEGINNING ON THE SECOND CONSECUTIVE SHIFT DAY OF SUCH ASSIGNMENT. THE FIRE CHIEF SHALL NOTIFY THE KOKOMO BOARD OF PUBLIC WORKS AND SAFETY WHENEVER A UNIFORMED MANAGEMENT PERSON IS COMPENSATED OUT OF RANK FOR A PERIOD OF MORE THAN FIVE DAYS.

SECTION VI


<table>
<thead>
<tr>
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<td>City Utility</td>
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<td>Loader</td>
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<tr>
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<tr>
<td>Mechanic</td>
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**CLASSIFICATION**

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**AFSCME LONGEVITY**

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<tr>
<td>16</td>
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</table>
LONGEVITY PAY WILL BE PAID WEEKLY ON A PRORATED BASIS AS LISTED.

MECHANICS WHO SUCCESSFULLY COMPLETE A CITY APPROVED ASE CERTIFICATION COURSE SHALL RECEIVE $.50 PER HOUR FOR EACH OF THE BELOW CERTIFICATIONS OBTAINED, PROVIDED THEY REMAIN IN THE MECHANIC CLASSIFICATION. SHOULD AN EMPLOYEE WHO HAS OBTAINED ANY OF THE ABOVE CERTIFICATIONS LEAVE THE MECHANIC POSITION, THE ABOVE CERTIFICATION PAY SHALL CEASE ON THEIR LAST DAY OF WORK AS A MECHANIC:

1. DIESEL ASE CERTIFICATION;
2. ELECTRICAL/ELECTRONIC SYSTEMS ASE CERTIFICATION;
3. BRAKE ASE CERTIFICATION;
4. SUSPENSION AND STEERING ASE CERTIFICATION.

THE CITY ALSO AGREES TO PAY EMPLOYEES IN THE HEO CLASSIFICATION AN ADDITIONAL $0.10 PER HOUR PER PIECE OF EQUIPMENT ABOVE THE BASIC FOUR (SWEEPER, ROLLER, BUSH HOG, AND PAY LOADER). CERTIFICATION OF ABILITY TO OPERATE THESE PIECES OF EQUIPMENT SHALL BE BY THE DEPARTMENT HEAD OR HIS DESIGNEE.

ADDITIONAL CERTIFICATION WILL BE AVAILABLE FOR THE FOLLOWING JOB FUNCTIONS AND WILL PAY AN ADDITIONAL $.50 PER HOUR FOR THE EMPLOYEE(S) WHO HAVE QUALIFIED AND CERTIFIED BY THEIR SUPERVISOR, WITH APPROVAL FROM THE DEPARTMENT HEAD AND DIRECTOR OF HUMAN RESOURCES. EMPLOYEE(S) SELECTED TO CERTIFY IN THE JOB FUNCTION(S) SHALL BE THE SENIOR EMPLOYEE(S) IN THE CLASSIFICATION WHERE SUCH FUNCTION EXISTS. HUMAN RESOURCES WILL THE AUTHORITY TO LIMIT THE NUMBER OF EMPLOYEES CERTIFIED FOR EACH FUNCTION(S) AS DETERMINED BY DEPARTMENT NEEDS. THE BELOW ADDITIONAL CERTIFICATION PAYS ARE ONLY APPLICABLE WHEN THE EMPLOYEE(S) IS IN THE DEPARTMENT AND JOB CLASSIFICATION WHEREIN SAID CERTIFICATION IS BEING UTILIZED.

A. PAVER
B. EXCAVATOR/BACKHOE OPERATOR
C. MILLING MACHINE
D. SKID STEER (with applicable attachments)
E. HEO- WWTP ONLY
TRAFFIC DEPARTMENT EMPLOYEE(S) WHO OBTAIN CERTIFICATION THROUGH THE APPROVED COURSE(S) AND AS APPROVED BY THE DEPARTMENT HEAD AND DIRECTOR OF HUMAN RESOURCES FOR THE BELOW LISTED CERTIFICATION(S) SHALL RECEIVE AN ADDITIONAL $.50 PER HOUR FOR EACH CERTIFICATION. THE BELOW LISTED CERTIFICATION PAYS ARE ONLY APPLICABLE WHEN THE EMPLOYEE IS IN THE DEPARTMENT AND JOB CLASSIFICATION WHEREIN SAID CERTIFICATION IS BEING UTILIZED.

A. Level I – Work Zone Temporary Traffic Control
B. Level II – Signs and pavement markings.
C. Level III – Signs Technicians Level 2 or Signs & Pavement markings.
D. Level IV – Signs Level III or Traffic Signal Level I

(Courses may be changed or modified in accordance with availability by testing facility)

CONFINED SPACE

THE CITY WILL PAY EACH EMPLOYEE THAT IS CERTIFIED OR TRAINED FOR CONFINED SPACE ENTRY ONE-HUNDRED AND FIFTY ($150.00) DOLLARS PER YEAR. CONFINED SPACE ENTRY PAY WILL BE PAID TO EACH EMPLOYEE BY THE CITY ON A PRORATED WEEKLY BASIS. ONLY EMPLOYEES THAT HOLD POSITIONS THAT REQUIRE THEM TO GO INTO A CONFINED SPACE WILL BE ELIGIBLE TO RECEIVE THIS PAY.

THERE SHALL BE NO MORE THAN TWENTY-SEVEN (27) EMPLOYEES TO RECEIVE CONFINED SPACE ENTRY PAY DEFINED AS:
1. NO MORE THAN FOUR (4) AT THE PARK DEPARTMENT, OF WHICH TWO (2) MUST BE THE MAINTENANCE POSITION
2. NO MORE THAN FIFTEEN (15) AT THE WWTP CONSISTING OF OPERATORS, MAINTENANCE, FLOATERS AND LABORERS
3. NO MORE THAN EIGHT (8) IN SEWER MAINTENANCE CONSISTING OF MANHOLE BUILDERS, MANHOLE HELPERS AND FLOATERS
2020 SALARY ORDINANCE NO. 6939

SECTION VII

THIS ORDINANCE SHALL REMAIN IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE AND SIGNATURE BY THE MAYOR, AS PROVIDED BY LAW.

SECTION VIII

PASSED BY THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, THIS ______th DAY OF ____________2019.

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ATTEST:__________________________________

CITY CLERK

PRESENTED BY ME TO THE MAYOR THIS _____th DAY OF ____________, 2019.

ATTEST:_________________________

CITY CLERK

APPROVED BY ME THIS _____th DAY OF __________________, 2019.

____________________________________

GREGORY GOODNIGHT

MAYOR, CITY OF KOKOMO, INDIANA
August 22nd, 2019

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

From: Brenda Ott, City Clerk

The following is the scheduling of all Council Meetings for August 26th, 2019.

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

Thank you,
Brenda Ott
City Clerk
BEFORE THE COMMON COUNCIL OF THE CITY OF KOKOMO
ORDINANCE NO. 6935

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

Please take notice that pursuant to I.C. 36-7-3-12, Rayl Minor LLC, has filed with the Common Council of the City of Kokomo, a petition for the vacation of street right-of-way described as follows:

Street Address or Common Description: Adjacent to 807 S. Reed Rd.

Legal Description:

A part of the Homestead Addition, as shown recorded in Recorder’s Plat Book 3, page 97, Center Township, City of Kokomo, Howard County, Indiana described as follows:

Beginning at the southeast corner of Lot 10 in said Homestead Addition, thence East 176 feet on and along the north Right-of-way line of Markland Avenue as shown in said Homestead Addition; thence South 20 feet; thence West 176 feet on and along the south line of said Homestead Addition; thence North 20 feet the point of beginning, containing approximately 0.08 acres, more or less.

The Common Council of the City of Kokomo has set a hearing on this petition for the 26th day of August 2019, 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
TO THE MEMBERS OF THE
HONORABLE KOKOMO COMMON COUNCIL

Re: 5 - Z - 19

R1 (Very Low Density Residential), AG (Agriculture)
and AR (Agricultural Residential) to C2 (Medium to
Large Scale General Commercial)

1110 N 200 E, 2038 E 00 NS, 3008 E 00 NS

Ordinance No. 6937

Dear Honorable Members:

Please be advised the Kokomo City Plan Commission, at their public hearing
held Tuesday, July 9, 2019 considered and voted unanimously to forward a favorable
recommendation of the above captioned case to the Kokomo Common Council.

Case 5 - Z - 19 is the petition of Phil A. Sundling requesting the Kokomo City
Plan Commission petition and recommend to the Kokomo Common Council for a
change in zone classification from R1 (Very Low Density Residential), AR (Agricultural
Residential) and RR (Rural Residential) to C2 (Medium to Large Scale General
Commercial) for the following parcels: 34-04-32-426-008.0000002,
34-04-32-476-003.000-002, 34-04-33-301-004.000-028, 34-04-33-351-001.000-007,
34-04-33-351-016.000-007 and 34-04-33-351-018.000-007; City of Kokomo, Center
Township, Howard County, Indiana.

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.

Respectfully submitted,

Mike Besser, President
Kokomo City Plan Commission
Certification
Ordinance No.: 6937
Case: 5-Z-19

STATE OF INDIANA
CITY OF KOKOMO
COUNTY OF HOWARD

Greg Sheline, being first duly sworn upon his oath, according to law, disposes and says:

1) That he is duly elected, qualified, and acting Secretary of the Kokomo City Plan Commission, and,

2) That the above and foregoing is a true and exact copy of an amendment to the Kokomo City Ordinance No. 6279, as amended, and the same was considered by the Kokomo City Plan Commission at a public hearing held in the Neal Council Chamber in Kokomo City Hall at 5:00 p.m. on the 9th day of July, 2019, after due notice of such public hearing being published in the Kokomo Tribune and the Herald Newspaper at least ten (10) days prior to the date of the public hearing.

3) By a resolution adopted by the majority of its members at said public hearing, the Kokomo City Plan Commission gave a favorable recommendation to the passage of said amendatory ordinance by the Common Council of the City of Kokomo, Indiana.

DATED this 23rd day of July, 2019.

[Signature]
Greg Sheline, Secretary
Kokomo City Plan Commission

Subscribed and sworn to before me this 23rd day of July, 2019.

[Signature]
Notary Public Dianne Trobaugh
A resident of Howard County

My commission expires:

February 1, 2020

This instrument was prepared by Jessica Calderon, Secretary, City Plan Commission. I affirm, under the penalty for perjury, that I have taken reasonable care to redact each social security number in this document unless required by law.
AN ORDINANCE AMENDING ORDINANCE NO. 6279, AS AMENDED, NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, that Ordinance No. 6279, as amended, with all subsequent amendments be and is hereby amended as follows:

SECTION I. The following described tract of land shall be changed from R1 (Very Low Density Residential), AG (Agriculture) and AR (Agricultural Residential) to C2 (Medium to Large Scale General Commercial) for property described: for the following parcels: 34-04-32-426-008.000-002, 34-04-32-476-003.000-002, 34-04-33-301-004.000-028, 34-04-33-351-001.000-007, 34-04-33-351-016.000-007 and 34-04-33-351-018.000-007; City of Kokomo, Center Township, Howard County, Indiana, at 1110 N 200 E, 2038 E 00 NS, 3008 E 00 NS.

SECTION II. The above changes shall be duly entered on the filed copies of the zone map, which is a part of Kokomo Zoning Ordinance No. 6279.

SECTION III. This Ordinance shall be in full force and effect from and after its passage, signature by the Mayor, and publication as provided by law.

PASSED by the Kokomo Common Council this_______ day of__________________, 2019.

Attest:

______________________________
Brenda Ott, City Clerk

Robert L. Hayes, Sr., President,
Kokomo Common Council

PRESENTED by me to the Mayor this_______ day of__________________, 2019.

______________________________
Brenda Ott, City Clerk

APPROVED by me this_______ day of__________________, 2019.

Attest:

______________________________
Greg Goodnight, Mayor
City of Kokomo, Indiana

This instrument was prepared by Jessica Calderon, City Plan Commission Secretary.
I affirm, under the penalty for perjury, that I have taken reasonable care to redact each social security number in this document, unless, required by law. Jessica Calderon, Plan Commission Secretary
ORDINANCE NO. 6942

ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF KOKOMO
AUTHORIZING THE ISSUANCE OF LOCAL INCOME TAX REVENUE BONDS FOR
THE PURPOSE OF FINANCING THE COSTS OF CERTAIN PARKS AND
RECREATION PROJECTS AND INCIDENTAL EXPENSES IN CONNECTION
THEREWITH AND ON ACCOUNT OF THE ISSUANCE OF THE BONDS

WHEREAS, the City of Kokomo, Indiana is a governmental unit and political subdivision
of the State of Indiana (the “City”); and

WHEREAS, the Howard County Income Tax Council has previously adopted an
ordinance imposing what is now known as the local income tax (“LIT”) on the taxpayers of
Howard County, Indiana (the “County”) pursuant to what has been recodified in Indiana Code 6-
3.6-6, as amended (the “LIT Act”); and

WHEREAS, it would be of public utility and benefit and in the best interests of the City
and its citizens to finance the costs of constructing and equipping various parks and recreation and
related public infrastructure projects at and near Darrough Chapel Park in the City, including,
without limitation, four high school sized baseball fields and four Little League sized baseball
fields, parking improvements, concession stands and restrooms, and related public infrastructure
in the vicinity of these projects (collectively, the “Projects”), and costs of the issuance of bonds
therefor, such bonds to be issued as negotiable bonds of the City; and

WHEREAS, the Common Council deems it advisable to issue, pursuant to the LIT Act,
Indiana Code § 36-4-6-19, and other applicable provisions of the Indiana Code, the “City of
Kokomo, Indiana Local Income Tax Revenue Bonds, Series 2019 (the “2019 Bonds”) in an
original principal amount not to exceed Nine Million Dollars ($9,000,000) (the “Authorized
Amount”) payable from the City’s distributions of certified shares of LIT additional revenue
derived from the expenditure rate under the LIT Act (the “LIT Revenues”), and for the purpose of
providing for the payment or reimbursement of all or a portion of the costs of the Projects,
including preliminary and incidental expenses incurred in connection therewith, and the costs of
selling and issuing the 2019 Bonds; and

WHEREAS, the original principal amount of the 2019 Bonds, together with the
outstanding principal amount of previously issued bonds which constitute a debt of the City, is no
more than two percent (2%) of one-third (1/3) of the total net assessed valuation of the City; and

WHEREAS, the City has no prior pledges of LIT Revenues to bond, lease or other
indebtedness obligations; and

WHEREAS, all conditions precedent to the adoption of an ordinance authorizing the
issuance of the 2019 Bonds have been complied with in accordance with the applicable provisions
of the Act; and

WHEREAS, the Common Council did not include the proceeds of the 2019 Bonds in the
regular budget for the year 2019; and
WHEREAS, there are insufficient funds available or provided for in the existing budget and tax levy which may be applied to the cost of the Project, and the issuance of the 2019 Bonds has been authorized to procure the necessary funds and necessity exists for the making of the additional appropriation set out herein; and

WHEREAS, notice of a hearing on said appropriation has been published as required by law; and

WHEREAS, such public hearing was held on August 26, 2019, on said appropriation at which all taxpayers and interested persons had an opportunity to appear and express their views regarding such additional appropriation; and

WHEREAS, it is anticipated that the City may advance all or a portion of the cost of the Projects prior to the issuance of the Bonds, with such advance to be repaid from proceeds of the Bonds upon the issuance thereof; and

WHEREAS, Section 1.150-2 of the Treasury Regulations on Income Tax (the “Reimbursement Regulations”) specifies conditions under which a reimbursement allocation may be treated as an expenditure of bond proceeds, and the City intends by this Ordinance to qualify amounts advanced by the City to pay the cost of the Projects for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations.

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

SECTION 1. Authorization for Bonds; Appropriation of Proceeds. (a) In order to provide financing for the Projects as described above and the costs of selling and issuing the 2019 Bonds, the City shall borrow money, and shall issue the 2019 Bonds as herein authorized. The City covenants that the proceeds of the 2019 Bonds will not be used for any purpose except as described in this Ordinance.

(b) The Common Council hereby appropriates a sum not to exceed Nine Million Dollars ($9,000,000), out of the proceeds of the 2019 Bonds, together with all investment earnings thereon, for the use of the City in paying or reimbursing the prior payment of the costs of the Projects and the costs of issuing the 2019 Bonds. 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 Projects. Any surplus of such proceeds shall be credited to the proper fund as provided by law. All actions previously taken in connection with such appropriation, including publication of the notice of the public hearing, be, and hereby are, ratified and approved. A certified copy of this Ordinance, together with such other proceedings and actions as may be necessary, shall be filed by the City, along with a report of the appropriation, with the Indiana Department of Local Government Finance.

(c) The City hereby declares that it reasonably expects to reimburse any City’s advances to the cost of the Projects from proceeds of the Bonds, as anticipated by this Ordinance.
SECTION 2. General Terms of Bonds.

(a) Issuance of 2019 Bonds. In order to procure said loan for such purposes, the City hereby authorizes the issuance of the 2019 Bonds, in one or more series, as described herein. The Controller, as the fiscal officer of the City (the “Controller”), is hereby authorized and directed to have prepared and to issue and sell the 2019 Bonds as negotiable, fully registered bonds of the City in an amount not to exceed the Authorized Amount.

The 2019 Bonds shall be executed in the name of the City by the manual or facsimile signature of the Mayor of the City (the “Mayor”) and attested by the manual or facsimile signature of the Controller, who shall affix the seal of the City to each of the 2019 Bonds manually or shall have the seal imprinted or impressed thereon by facsimile or other means. In case any officer whose signature appears on the 2019 Bonds shall cease to be such officer before the delivery of 2019 Bonds, such signature shall nevertheless be valid and sufficient for all purposes as if such officer had remained in office until delivery thereof. The 2019 Bonds also shall be, and will not be valid or become obligatory for any purpose or entitled to any benefit under this ordinance unless and until, authenticated by the manual signature of the Registrar (as defined in Section 4 hereof). Subject to the provisions of this Ordinance regarding the registration of the 2019 Bonds, the 2019 Bonds shall be fully negotiable instruments under the laws of the State of Indiana.

The 2019 Bonds shall be numbered consecutively from R-1 up, shall be issued in denominations of Five Thousand Dollars ($5,000) (or such higher amount as may be determined by the Controller at the time of the sale of the Bonds), shall be originally dated as of the first day of the month in which the 2019 Bonds are sold or the date of issuance, as determined by the Mayor and the Controller, and shall bear interest payable semi-annually on each January 15 and July 15, commencing not earlier than January 15, 2020, at a rate or rates not exceeding five percent (5.00%) per annum (the exact rate or rates to be determined by bidding or negotiation pursuant to Section 6 of the Ordinance), calculated on the basis of a 360-day year comprised of twelve 30-day months.

The 2019 Bonds shall mature on the dates and shall be issued in the principal amounts, as applicable, as determined by the Controller and Mayor, provided that the original aggregate principal amount does not exceed the Authorized Amount, that the first maturity shall be no earlier than January 15, 2020, and that the final maturity shall be no later than January 15, 2044.

(b) Source of Payment. Pursuant to Section 18 of the LIT Act, the City irrevocable pledges the LIT Revenues to the payment of the 2019 Bonds and any obligations hereinafter ranking on parity therewith. The City may use any legally available revenues or funds to pay debt service on the 2019 Bonds, but is only pledging the LIT Revenues to such payments. The 2019 Bonds are not a general obligation of the City, but are payable solely from the LIT Revenues.
(c) **Payments.** All payments of interest on the 2019 Bonds shall be paid by check or draft mailed one business day prior to the interest payment date, to the registered owners thereof as of the first (1st) day of the month in which interest is payable (the “Record Date”) at the addresses as they appear on the registration and transfer books of the City kept for that purpose by the Registrar (the “Registration Record”) or at such other address as is provided to the Paying Agent (as defined in Section 4 hereof) in writing by such registered owner. Each registered owner of $1,000,000 or more in principal amount of 2019 Bonds shall be entitled to receive interest payments by wire transfer by providing written wire instructions to the Paying Agent before the record date for any payment. All payments of the principal of, and premium, if any, on the 2019 Bonds shall be made upon surrender thereof at the principal office of the Paying Agent in any coin or currency of the United States of America which on the date of such payment shall be legal tender for the payment of public and private debts, or in the case of a registered owner of $1,000,000 or more in principal amount of 2019 Bonds, by wire transfer on the due date upon written direction of such owner provided at least fifteen (15) days prior to the maturity date.

Interest on 2019 Bonds shall be payable from the interest payment date to which interest has been paid next preceding the authentication date thereof unless such 2019 Bonds are authenticated after the Record Date for an interest payment and on or before such interest payment date in which case they shall bear interest from such interest payment date, or unless authenticated on or before the Record Date for the first interest payment date, in which case they shall bear interest from the original date, until the principal shall be fully paid.

(d) **Transfer and Exchange.** Each 2019 Bond shall be transferable or exchangeable only upon the Registration Record, by the registered owner thereof in writing, or by the registered owner’s attorney duly authorized in writing, upon surrender of such 2019 Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or such attorney, and thereupon a new fully registered bond or bonds in the same aggregate principal amount, and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The costs of such transfer or exchange shall be borne by the City, except for any tax or governmental charge required to be paid in connection therewith, which shall be payable by the owner requesting such transfer or exchange. The City, Registrar and Paying Agent may treat and consider the persons in whose name such 2019 Bonds are registered as the absolute owners thereof for all purposes including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

(e) **Mutilated, Lost, Stolen or Destroyed Bonds.** In the event any 2019 Bond is mutilated, lost, stolen or destroyed, the City may execute and the Registrar may authenticate a new bond of like date, maturity and denomination as that mutilated, lost, stolen or destroyed, which new bond shall be marked in a manner to distinguish it from the bond for which it was issued, provided that, in the case of any mutilated bond, such mutilated bond shall first be surrendered to the Registrar,
and in the case of any lost, stolen or destroyed bond there shall be first furnished to
the Registrar evidence of such loss, theft or destruction satisfactory to the Controller
and the Registrar, together with indemnity satisfactory to them. In the event any
such bond shall have matured, instead of issuing a duplicate bond, the City and the
Registrar may, upon receiving indemnity satisfactory to them, pay the same without
surrender thereof. The City and the Registrar may charge the owner of such 2019
Bond with their reasonable fees and expenses in this connection. Any 2019 Bond
issued pursuant to this paragraph shall be deemed an original, substitute contractual
obligation of the City, whether or not the lost, stolen or destroyed 2019 Bond shall
be found at any time, and shall be entitled to all the benefits of this ordinance,
equally and proportionately with any and all other 2019 Bonds issued hereunder.

SECTION 3. Terms of Redemption. The Mayor and the Controller, upon consultation
with the City’s municipal advisor, may designate maturities of 2019 Bonds that shall be subject to
optional redemption and/or maturity sinking fund redemption, and the corresponding redemption
dates, amounts and prices (including premium, if any). Except as otherwise set forth in this
Ordinance, the Mayor and the Controller, upon consultation with the City’s municipal advisor, is
hereby authorized and directed to determine the terms governing any such redemption.

Notice of redemption shall be mailed by first-class mail or by registered or certified mail
to the address of each registered owner of a 2019 Bond to be redeemed as shown on the
Registration Record not more than sixty (60) days and not less than thirty (30) days prior to the
date fixed for redemption except to the extent such redemption notice is waived by owners of 2019
Bonds redeemed, provided, however, that failure to give such notice by mailing, or any defect
therein, with respect to any 2019 Bond shall not affect the validity of any proceedings for the
redemption of any other 2019 Bonds. The notice shall specify the date and place of redemption,
the redemption price and the CUSIP numbers (if any) of the 2019 Bonds called for redemption.
The place of redemption may be determined by the Controller. Interest on the 2019 Bonds so
called for redemption shall cease on the redemption date fixed in such notice if sufficient funds
are available at the place of redemption to pay the redemption price on the date so named, and
thereafter, such 2019 Bonds shall no longer be protected by this Ordinance and shall not be deemed
to be outstanding hereunder, and the holders thereof shall have the right only to receive the
redemption price.

All 2019 Bonds which have been redeemed shall be canceled and shall not be reissued;
provided, however, that one or more new registered bonds shall be issued for the unredeemed
portion of any 2019 Bond without charge to the holder thereof.

No later than the date fixed for redemption, funds shall be deposited with the Paying Agent
or another paying agent to pay, and such agent is hereby authorized and directed to apply such
funds to the payment of, the 2019 Bonds or portions thereof called for redemption, including
accrued interest thereon to the redemption date. No payment shall be made upon any 2019 Bond
or portion thereof called for redemption until such bond shall have been delivered for payment or
cancellation or the Registrar shall have received the items required by this ordinance with respect
to any mutilated, lost, stolen or destroyed bond.

SECTION 4. Appointment of Registrar and Paying Agent. The Controller is hereby
initially appointed to serve as registrar and paying agent for the 2019 Bonds, but the Controller
shall have the option of appointing a successor registrar and paying agent at any time (together with any successor, the “Registrar” or “Paying Agent”). The Registrar is hereby charged with the responsibility of authenticating the 2019 Bonds, and shall keep and maintain the Registration Record at its office. The Mayor and Controller are hereby authorized to enter into such agreements or understandings with any institution hereafter serving in such capacities as will enable the institution to perform the services required of the Registrar and Paying Agent. The Controller is authorized to pay such fees as the institution may charge for the services it provides as Registrar and Paying Agent.

The Registrar and Paying Agent may at any time resign as Registrar and Paying Agent by giving thirty (30) days written notice by first-class mail to the Controller and to each registered owner of the 2019 Bonds then outstanding, and such resignation will take effect at the end of such thirty (30) days or upon the earlier appointment of a successor Registrar and Paying Agent by the Controller. Such notice to the Controller may be served personally or be sent by registered mail. The Registrar and Paying Agent may be removed at any time as Registrar and Paying Agent by the Controller, in which event the Controller may appoint a successor Registrar and Paying Agent. The Controller shall notify each registered owner of the 2019 Bonds then outstanding by first-class mail of the removal of the Registrar and Paying Agent. Notices to registered owners of the 2019 Bonds shall be deemed to be given when mailed by first-class mail to the addresses of such registered owners as they appear on the Registration Record. Any predecessor Registrar and Paying Agent shall deliver all the 2019 Bonds, cash related thereto in its possession and the Registration Record to the successor Registrar and Paying Agent. At all times, the same entity shall serve as Registrar and as Paying Agent.

SECTION 5. Form of Bonds; Book-Entry Form. (a) The form and tenor of the 2019 Bonds shall be substantially as follows, all blanks to be filled in properly prior to delivery thereof:

(Form of Bond)

No. R-___

UNITED STATES OF AMERICA

STATE OF INDIANA

COUNTY OF HOWARD

CITY OF KOKOMO, INDIANA

LOCAL INCOME TAX REVENUE BOND, SERIES 2019

<table>
<thead>
<tr>
<th>Interest Rate</th>
<th>Maturity Date</th>
<th>Original Date</th>
<th>Authentication Date</th>
</tr>
</thead>
</table>

Registered Owner:

Principal Sum:
The City of Kokomo, Indiana (the “City”), for value received, hereby promises to pay to the Registered Owner set forth above, the Principal Sum set forth above on the Maturity Date set forth above (unless this bond is called for redemption prior to maturity as hereafter provided), and to pay interest thereon until the Principal Sum shall be fully paid at the Interest Rate per annum specified above from the interest payment date to which interest has been paid next preceding the Authentication Date of this bond unless this bond is authenticated after the first day of the month in which interest is payable (the “Record Date”) and on or before such interest payment date in which case interest shall be paid from such interest payment date, or unless this bond is authenticated on or before __________ in which case it shall bear interest from the Original Date, which interest is payable semi-annually on January 15 and July 15 of each year, beginning on _______________. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months.

The principal of this bond is payable at the principal corporate trust office of ________________________________(the “Registrar” or “Paying Agent”), in ______________, Indiana. All payments of interest on this bond shall be paid by check or draft mailed one business day prior to the interest payment date, to the Registered Owner as of the Record Date at the address as it appears on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by the Registered Owner. Each registered owner of $1,000,000 or more in principal amount of bonds shall be entitled to receive interest payments by wire transfer by providing written wire instructions to the Paying Agent before the record date for any payment. All payments of principal of and premium, if any, on this bond shall be made upon surrender thereof at the principal office of the Paying Agent in any coin or currency of the United States of America which on the date of such payment shall be legal tender for the payment of public and private debts, or in the case of a Registered Owner of $1,000,000 or more in principal amount of bonds, by wire transfer on the due date upon written direction of such owner provided at least fifteen (15) days prior to the maturity date.

This bond is one of an authorized issue of bonds of the City of like original date, tenor and effect, except as to denominations, numbering, interest rates, and dates of maturity, in the total amount of __________________________Dollars ($______), numbered from R-1 up, issued for the purpose of providing funds for the construction and equipping of various parks and recreation projects at Darrough Chapel Park in the City, and for the purpose of paying incidental expenses to be incurred in connection therewith and on account of the sale and issuance of bonds therefor, as authorized by Ordinance No. ___ adopted by the Common Council of the City on the 26th day of August, 2019, entitled “Ordinance of the Common Council of the City of Kokomo Authorizing the Issuance of Local Income Tax Revenue Bonds for the Purpose of Financing the Costs of Certain Parks and Recreation Projects and Incidental Expenses in Connection Therewith and on Account of the Issuance of the Bonds” (the “Ordinance”), and in strict compliance with Indiana Code 6-3.6-6 (the “LIT Act”), Indiana Code § 36-4-6-19, and other applicable provisions of the Indiana Code, as amended (collectively, the “Act”), all as more particularly described in the Ordinance. The owner of this bond, by the
acceptance hereof, agrees to all the terms and provisions contained in the Ordinance and the Act.

This bond and all other bonds of this issue, and any other bonds issued or other obligations entered into hereafter on parity therewith, are payable solely from the sources described in the Ordinance (as hereinafter defined), which consist primarily of the City’s distributions of certified shares of LIT additional revenue derived from the expenditure rate under the LIT Act (the “LIT Revenues”). The City irrevocably pledges the LIT Revenues to the prompt payment of the principal of and interest on the bonds authorized by the Ordinance, of which this is one, and any obligations hereafter ranking on parity therewith. Reference is made to the Ordinance for a more complete statement of the revenues from which and conditions under which this bond is payable, a statement of the conditions on which obligations may hereafter be issued on parity with this bond, the manner in which the Ordinance may be amended and the general covenants and provisions pursuant to which this bond has been issued.

[INSERT REDEMPTION TERMS]

Notice of such redemption shall be mailed by first-class mail or by registered or certified mail not more than sixty (60) days and not less than thirty (30) days prior to the date fixed for redemption to the address of the registered owner of each bond to be redeemed as shown on the registration record of the City except to the extent such redemption notice is waived by owners of the bond or bonds redeemed, provided, however, that failure to give such notice by mailing, or any defect therein, with respect to any bond shall not affect the validity of any proceedings for the redemption of any other bonds. The notice shall specify the date and place of redemption, the redemption price and the CUSIP numbers, if any, of the bonds called for redemption. The place of redemption may be determined by the Controller of the City. Interest on the bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the date so named, and thereafter, such bonds shall no longer be protected by the Ordinance and shall not be deemed to be outstanding thereunder.

This bond is subject to defeasance prior to payment as provided in the Ordinance.

If this bond shall not be presented for payment or redemption on the date fixed therefor, the City may deposit in trust with the Paying Agent or another paying agent, an amount sufficient to pay such bond or the redemption price, as the case may be, and thereafter the Registered Owner shall look only to the funds so deposited in trust for payment and the City shall have no further obligation or liability in respect thereto.

This bond is transferable or exchangeable only upon the registration record kept for that purpose at the office of the Registrar by the Registered Owner in person, or by the Registered Owner’s attorney duly authorized in writing, upon
surrender of this bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the Registered Owner or such attorney duly authorized in writing, and thereupon a new fully registered bond or bonds in the same aggregate principal amount, and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the Registered Owner, as the case may be, in exchange therefor. The City, any registrar and any paying agent for this bond may treat and consider the person in whose name this bond is registered as the absolute owner hereof for all purposes including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon.

The bonds maturing on any maturity date are issuable only in denominations of [$5,000].

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the preparation and complete execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law.

This bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been executed by an authorized representative of the Registrar.

IN WITNESS WHEREOF, the City of Kokomo, State of Indiana, has caused this bond to be executed in the name of such City, by the manual or facsimile signature of the Mayor of said City, and attested by manual or facsimile signature by the Controller of said City, and the seal of said City or a facsimile thereof to be affixed, engraved, imprinted or otherwise reproduced hereon.

CITY OF KOKOMO, INDIANA

By: ________________________________
   Mayor

(SEAL)

ATTEST:

_______________________________
   Controller

(Form of Registrar’s Certificate of Authentication)
It is hereby certified that this bond is one of the bonds described in the within-mentioned Ordinance duly authenticated by the Registrar.

_____________________, as Registrar

By  ______________________

Authorized Representative

The following abbreviations, when used in the inscription on the face of this bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN. COM.  as tenants in common
TEN. ENT.  as tenants by the entireties
JT. TEN.  as joint tenants with right of survivorship and not as tenants in common
UNIF. TRANS. MIN. ACT  Custodian
under Uniform Transfers to Minors Act of

_____________________, (Cust.)
_____________________, (Minor)

(State)

Additional abbreviations may also be used, although not contained in the above list.

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _______________________________ (Please Print or Typewrite Name and Address and Social Security or Other Identifying Number) $________________________ principal amount (must be a multiple of $5,000) of the within bond and all rights thereunder, and hereby irrevocably constitutes and appoints _______________________________, attorney to transfer the within bond on the books kept for the registration thereof with full power of substitution in the premises.

_____________________,

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within bond in every particular, without alteration or enlargement or any change whatsoever.
Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

(End of Bond Form)

(b) The 2019 Bonds may, in compliance with all applicable laws, initially be issued and held in book-entry form on the books of the central depository system, The Depository Trust Company, its successors, or any successor central depository system appointed by the City from time to time (the “Clearing Agency”), without physical distribution of bonds to the purchasers. The following provisions of this section apply in such event.

One definitive 2019 Bond of each maturity shall be delivered to the Clearing Agency (or its agent) and held in its custody. The City and the Registrar and Paying Agent may, in connection therewith, do or perform or cause to be done or performed any acts or things not adverse to the rights of the holders of the 2019 Bonds as are necessary or appropriate to accomplish or recognize such book-entry form 2019 Bonds.

During any time that the 2019 Bonds remain and are held in book-entry form on the books of a Clearing Agency, (1) any such 2019 Bond may be registered upon the books kept by the Registrar in the name of such Clearing Agency, or any nominee thereof, including Cede & Co., as nominee of The Depository Trust Company; (2) the Clearing Agency in whose name such 2019 Bond is so registered shall be, and the City and the Registrar and Paying Agent may deem and treat such Clearing Agency as, the absolute owner and holder of such 2019 Bond for all purposes of this Ordinance, including, without limitation, the receiving of payment of the principal of and interest on such 2019 Bond, the receiving of notice and giving of consent; (3) neither the City nor the Registrar or Paying Agent shall have any responsibility or obligation hereunder to any direct or indirect participant, within the meaning of Section 17A of the Securities Exchange Act of 1934, as amended, of such Clearing Agency, or any person on behalf of which, or otherwise in respect of which, any such participant holds any interest in any 2019 Bond, including, without limitation, any responsibility or obligation hereunder to maintain accurate records of any interest in any 2019 Bond or any responsibility or obligation hereunder with respect to the receiving of payment of principal of or interest or premium, if any, on any 2019 Bond, the receiving of notice or the giving of consent; and (4) the Clearing Agency is not required to present any 2019 Bond called for partial redemption prior to receiving payment so long as the Registrar and Paying Agent and the Clearing Agency have agreed to the method for noting such partial redemption.

If either the City receives notice from the Clearing Agency which is currently the registered owner of the 2019 Bonds to the effect that such Clearing Agency is unable or unwilling to discharge its responsibility as a Clearing Agency for the 2019 Bonds, or the City elects to discontinue its use of such Clearing Agency as a Clearing Agency for the 2019 Bonds, then the City and Registrar and Paying Agent each shall do or perform or cause to be done or performed all acts or things, not adverse to the rights of the holders of the 2019 Bonds, as are necessary or
appropriate to discontinue use of such Clearing Agency as a Clearing Agency for the 2019 Bonds and to transfer the ownership of each of the 2019 Bonds to such person or persons, including any other Clearing Agency, as the holders of the 2019 Bonds may direct in accordance with this Ordinance. Any expenses of such discontinuance and transfer, including expenses of printing new certificates to evidence the 2019 Bonds, shall be paid by the City.

During any time that the 2019 Bonds are held in book-entry form on the books of a Clearing Agency, the Registrar shall be entitled to request and rely upon a certificate or other written representation from the Clearing Agency or any participant or indirect participant with respect to the identity of any beneficial owner of 2019 Bonds as of a record date selected by the Registrar. For purposes of determining whether the consent, advice, direction or demand of a registered owner of a 2019 Bond has been obtained, the Registrar shall be entitled to treat the beneficial owners of the 2019 Bonds as the bondholders and any consent, request, direction, approval, objection or other instrument of such beneficial owner may be obtained in the fashion described in this Ordinance.

During any time that the 2019 Bonds are held in book-entry form on the books of a Clearing Agency, the Mayor, the Controller and/or the Registrar are authorized to execute and deliver a Letter of Representations agreement with the Clearing Agency, or a Blanket Issuer Letter of Representations, and the provisions of any such Letter of Representations or any successor agreement shall control on the matters set forth therein. The Registrar, by accepting the duties of Registrar under this Ordinance, agrees that it will (i) undertake the duties of agent required thereby and that those duties to be undertaken by either the agent or the issuer shall be the responsibility of the Registrar, and (ii) comply with all requirements of the Clearing Agency, including without limitation same day funds settlement payment procedures. Further, during any time that the 2019 Bonds are held in book-entry form, the provisions of Section 5 of this Ordinance shall control over conflicting provisions in any other section of this Ordinance.

SECTION 6. Sale of Bonds. (a) After completion of all of the necessary legal requirements for the marketing of the Bonds, the Mayor is hereby authorized and directed to sell the 2019 Bonds to a purchaser at a negotiated public sale upon receipt of the purchase price, including interest accrued to the date of delivery, in immediately available funds pursuant to the terms of a purchase agreement, which shall be consistent with this Ordinance or alternatively, at a competitive sale, as determined by the Controller with the advice of the City’s municipal advisor. The Bonds shall be sold at a price of not less than ninety-nine percent (99.0%) of par. The Common Council hereby approves a purchase agreement by which the 2019 Bonds are to be sold to the purchaser (if sold by a negotiated sale) with terms consistent with this Ordinance and the Mayor is hereby authorized and directed to execute, and the Controller is hereby authorized and directed to attest, the purchase agreement in such form as they deem necessary or appropriate, upon advice of counsel, to consummate the transactions contemplated this Ordinance. The purchase agreement in the form executed shall constitute the valid and binding obligation of the City, the full performance and satisfaction of which by the City is hereby authorized and directed.

(b) The Controller is hereby authorized and directed to have the 2019 Bonds prepared, the Mayor and the Controller are hereby authorized and directed to execute the 2019 Bonds in substantially the form and the manner herein provided. The Controller is hereby authorized and directed to deliver the 2019 Bonds to the purchaser; thereupon, the Controller shall be authorized to receive from the purchaser the purchase price and take the purchaser’s receipt for the 2019
Bonds. The amount to be collected by the Controller shall be the full amount which the purchaser has agreed to pay therefor, which shall be not less than ninety-nine percent (99.0%) of the face value of the 2019 Bonds plus accrued interest to the date of delivery.

The Controller is hereby authorized and directed to obtain a legal opinion as to the validity of the 2019 Bonds from Barnes & Thornburg LLP, and to furnish such opinion to the purchasers of the 2019 Bonds. The cost of such opinion shall be paid out of the proceeds of the 2019 Bonds.

The Mayor and/or Controller are hereby authorized to deem final an official statement with respect to the 2019 Bonds, as of its date, if required by and in accordance with the provisions of Rule 15c2-12 of the U.S. Securities and Exchange Commission, as amended (the “SEC Rule”), subject to completion as permitted by the SEC Rule, and the Common Council further authorizes the distribution of the deemed final official statement, and the execution, delivery and distribution of such document as further modified and amended with the approval of the Mayor and/or Controller in the form of a final official statement.

In order to assist any underwriter of the Bonds in complying with paragraph (b)(5) of the SEC Rule by undertaking to make available disclosure about the City and the Bonds to participants in the municipal securities market, the City hereby covenants, agrees and undertakes, in accordance with the SEC Rule, unless excluded from the applicability of the SEC Rule or otherwise exempted from paragraph (b)(5) of the SEC Rule, that it will comply with and carry out all of the provisions of the continuing disclosure contract. “Continuing disclosure contract” shall mean that certain continuing disclosure contract executed by the City and dated the date of issuance of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof. The execution and delivery by the Mayor and the Controller of the continuing disclosure contract and the performance by the City of its obligations thereunder by or through any employee or agent of the City are hereby approved, and the City shall comply with and carry out the terms thereof.

SECTION 7.

(a) Use of Bond Proceeds: Project Fund. Any accrued interest and capitalized interest received at the time of delivery of the 2019 Bonds will be deposited in the Principal and Interest Account of the Sinking Fund as defined below and applied to payments on the 2019 Bonds on the first interest payment date. If recommended by the municipal advisor to the City, an amount equal to the Debt Service Reserve Requirement (defined below) may be deposited into the Reserve Account of the Sinking Fund. The remaining proceeds received from the sale of the 2019 Bonds shall be deposited in the fund hereby created and designated as the “City of Kokomo Local Income Tax Revenue Bonds, Series 2019 Project Fund” (the “Project Fund”). The proceeds deposited in the Project Fund, together with all investment earnings thereon, shall be expended by the City only for the purpose of paying (or reimbursing the City for the prior payment of) expenses incurred in connection with all or a portion of the Projects and on account of the sale and issuance of the 2019 Bonds. Any balance remaining in the Project Fund after the completion of the Projects which is not required to meet unpaid obligations incurred in connection therewith and on account of the issuance of the 2019 Bonds may be used to pay debt service on the 2019 Bonds, to fund or replenish the Reserve Account, or otherwise used as permitted by law.
(b) **Sinking Fund.** There is hereby created a separate fund designated as the Sinking Fund, which shall consist of a Principal and Interest Account and a Reserve Account. One day prior to each January 15 and July 15, there shall be deposited in the Principal and Interest Account an amount of LIT Revenues which, together with any money contained in the Principal and Interest Account, is sufficient to pay the principal of and interest on the 2019 Bonds and any Parity Obligations (as defined in Section 11) due on the following January 15 and July 15. No such deposit need be made into the Principal and Interest Account if the amount contained therein is sufficient to pay such amounts. All money in the Principal and Interest Account shall be used and withdrawn solely for the purpose of paying the interest on and the principal of the 2019 Bonds and any Parity Obligations, including accrued interest on any such obligations purchased or redeemed prior to maturity.

If the municipal advisor of the City recommends the establishment of a reserve for the 2019 Bonds, after making the required deposits into the Principal and Interest Account, LIT Revenues shall be set aside from the Sinking Fund and (i) deposited in the Reserve Account in an amount sufficient to maintain the Reserve Account in the full amount of the Debt Service Reserve Requirement (as defined below), and (ii) deposited in any reserve account established for any Parity Obligations in the amount required thereby. No deposit need be made in the Reserve Account so long as there shall be on deposit therein a sum equal to but not exceeding the least of (i) the maximum annual debt service on the 2019 Bonds and any Parity Obligations secured by the Reserve Account, (ii) 125% of the average annual debt service on the 2019 Bonds and any Parity Obligations secured by the Reserve Account, or (iii) 10% of the proceeds of the 2019 Bonds and any Parity Obligations secured by the Reserve Account, plus a minor portion as defined in the Internal Revenue Code of 1986 (the “Debt Service Reserve Requirement”). All money in the Reserve Account shall be used and withdrawn solely for the purpose of making deposits into the Principal and Interest Account, in the event of any deficiency at any time in such account, or for the purpose of paying the interest on or principal of or redemption premiums, if any, on the 2019 Bonds or any Parity Obligations secured by the Reserve Account, in the event that no other money is lawfully available therefor. Any amount in the Reserve Account in excess of the Debt Service Reserve Requirement shall be withdrawn from the Reserve Account and deposited in the Principal and Interest Account. Money in the Reserve Account shall also be available to make the final payments of interest and principal on the 2019 Bonds and any Parity Obligations secured by the Reserve Account.

(c) **Investment of Funds.** All money available hereunder for the payment of debt service on the 2019 Bonds and any Parity Obligations shall be held in trust for the benefit of the holders of the bonds and shall be applied, used and withdrawn in accordance with this Section 7. The proceeds of the funds and accounts described below shall be deposited with a legally qualified depository or depositories for funds of the City as now provided by law and shall be segregated and kept separate and apart from all other funds of the City and may be invested in accordance with applicable provisions of Indiana law.

**SECTION 8.** **Defeasance.** If, when the 2019 Bonds or any portion thereof shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the 2019 Bonds or any portion thereof for redemption have been given, and the whole amount of the principal and the interest so due and payable upon such bonds or any portion thereof then outstanding shall be paid, or (i) cash, or (ii) direct non-callable obligations of (including obligations issued or held in book entry form on the books of)
the Department of the Treasury of the United States of America, and securities fully and unconditionally guaranteed as to the timely payment of principal and interest by the United States of America, the principal of and the interest on which when due without reinvestment will provide sufficient money, or (iii) any combination of the foregoing, shall be held irrevocably in trust for such purpose, and provision shall also be made for paying all fees and expenses for the payment, then and in that case the 2019 Bonds or such designated portion thereof shall no longer be deemed outstanding or secured by this ordinance.

SECTION 9. Tax Matters. In order to preserve the exclusion of interest on the 2019 Bonds from gross income for federal income tax purposes and as an inducement to purchasers of the 2019 Bonds, the City represents, covenants and agrees that:

(a) The City will not take any action or fail to take any action with respect to the 2019 Bonds that would result in the loss of the exclusion from gross income for federal income tax purposes of interest on the 2019 Bonds pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”), and the regulations thereunder as applicable to the 2019 Bonds, including, without limitation, the taking of such action as is necessary to rebate or cause to be rebated arbitrage profits on 2019 Bond proceeds or other monies treated as 2019 Bond proceeds to the federal government as provided in Section 148 of the Code, and will set aside such monies, which may be paid from investment income on funds and accounts notwithstanding anything else to the contrary herein, in trust for such purposes.

(b) The City will file an information report on Form 8038-G with the Internal Revenue Service as required by Section 149 of the Code.

(c) The City will not make any investment or do any other act or thing during the period that any 2019 Bond is outstanding hereunder which would cause any 2019 Bond to be an “arbitrage bond” within the meaning of Section 148 of the Code and the regulations thereunder as applicable to the 2019 Bonds.

Notwithstanding any other provisions of this ordinance, the foregoing covenants and authorizations (the “Tax Sections”) which are designed to preserve the exclusion of interest on the 2019 Bonds from gross income under federal income tax law (the “Tax Exemption”) need not be complied with if the City receives an opinion of nationally recognized bond counsel that any Tax Section is unnecessary to preserve the Tax Exemption.

SECTION 10. Amendments. Subject to the terms and provisions contained in this section, and not otherwise, the owners of not less than sixty-six and two-thirds percent (66-2/3%) in aggregate principal amount of the 2019 Bonds then outstanding shall have the right, from time to time, anything contained in this ordinance to the contrary notwithstanding, to consent to and approve the adoption by the City of such ordinance or ordinances supplemental hereto as shall be deemed necessary or desirable by the City for the purpose of modifying, altering, amending, adding to or rescinding any of the terms or provisions contained in this ordinance, or in any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting without the consent of all affected owners of the 2019 Bonds:
(a) An extension of the maturity of the principal of or interest on any 2019 Bond without the consent of the holder of each 2019 Bond so affected; or

(b) A reduction in the principal amount of any 2019 Bond or the rate of interest thereon or a change in the monetary medium in which such amounts are payable, without the consent of the holder of each 2019 Bond so affected; or

(c) A preference or priority of any 2019 Bond over any other 2019 Bond, without the consent of the holders of all 2019 Bonds then outstanding; or

(d) A reduction in the aggregate principal amount of the 2019 Bonds required for consent to such supplemental ordinance, without the consent of the holders of all 2019 Bonds then outstanding.

If the City shall desire to obtain any such consent, it shall cause the Registrar to mail a notice, postage prepaid, to the addresses appearing on the Registration Record. Such notice shall briefly set forth the nature of the proposed supplemental ordinance and shall state that a copy thereof is on file at the office of the Registrar for inspection by all owners of the 2019 Bonds. The Registrar shall not, however, be subject to any liability to any owners of the 2019 Bonds by reason of its failure to mail such notice, and any such failure shall not affect the validity of such supplemental ordinance when consented to and approved as herein provided.

Whenever at any time within one year after the date of the mailing of such notice, the City shall receive any instrument or instruments purporting to be executed by the owners of the 2019 Bonds of not less than sixty-six and two-thirds per cent (66-2/3%) in aggregate principal amount of the 2019 Bonds then outstanding, which instrument or instruments shall refer to the proposed supplemental ordinance described in such notice, and shall specifically consent to and approve the adoption thereof in substantially the form of the copy thereof referred to in such notice as on file with the Registrar, thereupon, but not otherwise, the City may adopt such supplemental ordinance in substantially such form, without liability or responsibility to any owners of the 2019 Bonds, whether or not such owners shall have consented thereto.

No owner of any 2019 Bond shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the City or its officers from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this ordinance of the City and all owners of 2019 Bonds then outstanding shall thereafter be determined, exercised and enforced in accordance with this ordinance, subject in all respects to such modifications and amendments.

Notwithstanding anything contained in the foregoing provisions of this ordinance, the rights, duties and obligations of the City and of the owners of the 2019 Bonds, and the terms and provisions of the 2019 Bonds and this ordinance, or any supplemental ordinance, may be modified or amended in any respect with the consent of the City and the consent of the owners of all the 2019 Bonds then outstanding.
Without notice to or consent of the owners of the 2019 Bonds, the City may, from time to time and at any time, adopt such ordinances supplemental hereto as shall not be inconsistent with the terms and provisions hereof (which supplemental ordinances shall thereafter form a part hereof),

(a) to cure any ambiguity or formal defect or omission in this ordinance or in any supplemental ordinance; or

(b) to grant to or confer upon the owners of the 2019 Bonds any additional rights, remedies, powers, authority or security that may lawfully be granted to or conferred upon the owners of the 2019 Bonds; or to make any change which, in the judgment of the Common Council, is not to the prejudice of the owners of the 2019 Bonds;

(c) To modify, amend or supplement this ordinance to permit the qualification of the 2019 Bonds for sale under the securities laws of the United States of America or of any of the states of the United States of America, to obtain or maintain bond insurance with respect to payments of principal of and interest on the 2019 Bonds, or to procure a rating on the 2019 Bonds from a nationally recognized securities rating agency designated in such supplemental ordinance, if such supplemental ordinance will not adversely affect the owners of the 2019 Bonds; or

(d) to provide for the refunding or advance refunding of the 2019 Bonds; or

(e) to make any other change which, in the determination of the Common Council in its sole discretion, is not to the prejudice of the owners of the 2019 Bonds.

SECTION 11. Additional Bonds. The City reserves the right to enter into bonds, leases or other obligations entitled to the pledge of LIT Revenues on parity with the 2019 Bonds and in accordance with the requirements set forth below (“Parity Obligations”). The authorization and issuance of Parity Obligations shall be subject to the following conditions precedent:

(a) All payments due under the 2019 Bonds and on any Parity Obligations payable from LIT Revenues shall be current to date in accordance with the terms thereof, with no payment in arrears;

(b) The City shall have received a certificate prepared by an independent, qualified accountant or feasibility consultant certifying the amount of the LIT Revenues estimated to be received in each succeeding year shall be at least equal to one hundred twenty-five percent (125%) of the debt service and lease rental requirements with respect to the 2019 Bonds, any outstanding Parity Obligations, and the proposed Parity Obligations for each respective year during the term of the 2019 Bonds, any outstanding Parity Obligations, and the proposed Parity Obligations. If when the proposed Parity Obligations are issued, the Howard County Income Tax Council shall have finally approved an increase in the rate at which the LIT is imposed, the LIT Revenues estimate described in the preceding sentence
may be adjusted to take the increased LIT rate into account. The City shall approve and
confirm the figures and estimates set forth in the above-described certificate in any
resolution or ordinance authorizing the Parity Obligations.

(c) Payments of any Parity Obligations or junior obligations shall be payable semiannually on
January 15 and July 15.

The terms and conditions of any Parity Obligations shall be set forth in the ordinance or
resolution authorizing such Parity Obligation

SECTION 12. No Conflict. All ordinances, resolutions and orders or parts thereof in
conflict with the provisions of this ordinance are to the extent of such conflict hereby repealed.
After the issuance of the 2019 Bonds authorized by this ordinance and so long as any of the 2019
Bonds or interest thereon remains unpaid, except as expressly provided herein, this ordinance shall
not be repealed or amended in any respect which will adversely affect the rights of the holders of
the 2019 Bonds, nor shall the City adopt any law, ordinance or resolution which in any way
adversely affects the rights of such holders.

SECTION 13. Severability. If any section, paragraph or provision of this ordinance shall
be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such
section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

SECTION 14. Non-Business Days. If the date of making any payment or the last date for
performance of any act or the exercising of any right, as provided in this ordinance, shall be a legal
holiday or a day on which banking institutions in the City or the jurisdiction in which the Registrar
or Paying Agent is located are typically closed, such payment may be made or act performed or
right exercised on the next succeeding day not a legal holiday or a day on which such banking
institutions are typically closed, with the same force and effect as if done on the nominal date
provided in this ordinance, and no interest shall accrue for the period after such nominal date.

SECTION 15. Interpretation. Unless the context or laws clearly require otherwise,
references herein to statutes or other laws include the same as modified, supplemented or
superseded from time to time.

SECTION 16. Other Action. The appropriate officers are hereby authorized to take all
actions to obtain a rating, bond insurance or any other form of credit enhancement for the 2019
Bonds if economically feasible and desirable and with the favorable recommendation of the
municipal advisors to the City. In addition, the appropriate officers of the City are hereby
authorized and directed to take any other action deemed necessary or advisable in order to
effectuate the acquisition, construction and equipping of the Projects, the issuance of the 2019
Bonds, or any other purposes of this ordinance.

SECTION 17. Effectiveness. This ordinance shall be in full force and effect from and
after its passage. Upon payment in full of the principal and interest respecting the 2019 Bonds
authorized hereby or upon deposit of an amount sufficient to pay when due such amounts in accord
with the defeasance provisions herein, all pledges, covenants and other rights granted by this
ordinance shall cease.
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.

Greg Goodnight, Mayor

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
BEFORE THE COMMON COUNCIL OF THE CITY OF KOKOMO
ORDINANCE NO. 6935

PETITION FOR VACATION OF STREET RIGHT-OF-WAY

Rayl Minor LLC, whose address is 522 Belvedere Drive, Kokomo, IN, 46904 - 2166, petitions the Common Council of the City of Kokomo, for the vacation of street right-of-way in Homestead Addition, Center Township, Howard County, Indiana, as recorded in Plat Book 3, page 97 and in support of the petition shows the Council as follows:

1. Petitioner proposes to vacate a street right-of-way which is 176 feet in width and 20 feet in depth, described as follows:

A part of the Homestead Addition, as shown recorded in Recorder’s Plat Book 3, page 97, Center Township, City of Kokomo, Howard County, Indiana described as follows:

Beginning at the southeast corner of Lot 10 in said Homestead Addition, thence East 176 feet on and along the north Right-of-way line of Markland Avenue as shown in said Homestead Addition; thence South 20 feet; thence West 176 feet on and along the south line of said Homestead Addition; thence North 20 feet the point of beginning, containing approximately 0.08 acres, more or less

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

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

Bowyer Restaurant Group, 2653 S 400 W, Peru, IN 46970

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

NIPSCO; 290 W Nationwide Blvd., Columbus, OH 43215

Indiana American Water Company, Inc.; 1700 East Superior Street; P.O. Box 740; Kokomo IN 46903-0740

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 street right-of-way is appropriate for the following reasons:

A. Petitioner owns all the real estate adjoining the street right-of-way to be vacated.

B. Vacating the street 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 street right-of-way will not hinder the growth or development of the neighborhood, but will allow the petitioner to redevelop and grow with in the neighborhood. Since the petitioner is a church it is an integral and important part of the community and the neighborhood.

D. Vacating the street 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. 36-73-12 (c) in the manner prescribed in I.C 5-3-1 in the form and content as attached as Exhibit A hereto. After such notice and hearing, the Council approves the proposed ordinance attached to this petition vesting the entire vacated street right-of-way to the adjoining property owners as set forth above.

Dated this 12th day of August, 2019
By: Beth Copeland, Corporation Counsel
BEFORE THE COMMON COUNCIL OF THE CITY OF KOKOMO ORDINANCE NO. 6935

AN ORDINANCE VACATING RIGHT-OF-WAY

WHEREAS, Rayl Minor LLC, has petitioned this body to vacate a portion of a certain Street Right-Of-Way located in the City of Kokomo, more particularly described hereafter, and

WHEREAS, this Council conducted a public hearing on the 26th day of August, 2019, 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 Street 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 Street Right-Of-Way, or if any be in said Street 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 Street 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 Street Right-Of-Way hereafter described should be vacated. Said Street 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 Street Right-Of-Way complies with the purpose and provisions of I.C. 36-73-12 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© and I.C. 5-3-1.
SECTION III

It is hereby found that the following described Street Right-Of-Way located in the City of Kokomo, Indiana, should be, and it is hereby vacated:

A part of the Homestead Addition, as shown recorded in Recorder’s Plat Book 3, page 97, Center Township, City of Kokomo, Howard County, Indiana described as follows:

Beginning at the southeast corner of Lot 10 in said Homestead Addition, thence East 176 feet on and along the north Right-of-way line of Markland Avenue as shown in said Homestead Addition; thence South 20 feet; thence West 176 feet on and along the south line of said Homestead Addition; thence North 20 feet the point of beginning, containing approximately 0.08 acres, more or less.
The vacated Street Right-Of-Way as described above shall become a part of the adjoining 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 26th DAY OF August, 2019.

ATTEST: COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA

______________________________
By

CLERK: BRENDA OTT Robert L. Hayes Sr., PRESIDENT

Presented by the Clerk of the Common Council of the City of Kokomo to the Mayor of the City of Kokomo, Indiana on this 26th day of August, 2019 at Kokomo, Indiana, for approval by his signature below.

ATTEST: ____________________________________________

By

______________________________
GREG GOODNIGHT

CLERK: BRENDA OTT Mayor of the City of Kokomo, Indiana

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

This instrument was prepared by Beth Copeland, Corporation Counsel

Return deed to City of Kokomo, 100 S. Union St., Kokomo, Indiana

Grantee’s Mailing Address: 100 S. Union Street, Kokomo, IN 46901
PUBLIC HEARING AGENDA
AUGUST 26TH, 2019

CALL TO ORDER:

ROLL CALL:

ORDINANCE 6935:  AN ORDINANCE VACATING
RIGHT-OF-WAY

ORDINANCE 6942:  ORDINANCE OF THE COMMON
COUNCIL OF THE CITY OF KOKOMO
AUTHORIZING THE ISSUANCE OF
LOCAL INCOME TAX REVENUE
BONDS FOR THE PURPOSE OF
FINANCING THE COSTS OF CERTAIN
PARKS AND RECREATION PROJECTS
AND INCIDENTAL EXPENSES IN
CONNECTION THEREWITH AND ON
ACCOUNT OF THE ISSUANCE OF THE
BONDS
RESOLUTION #2735

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, APPROVING THE ORDER OF THE KOKOMO PLAN COMMISSION AND THE DECLARATORY RESOLUTION BY THE KOKOMO REDEVELOPMENT COMMISSION FOR THE DARROUGH CHAPEL PARK ECONOMIC DEVELOPMENT AREA

WHEREAS, on July 25, 2019, the Redevelopment Commission (the “Commission”) of the City of Kokomo, Indiana (the “City”), adopted Resolution No. 2019-06 (the “Declaratory Resolution”), establishing the Darrough Chapel Economic Development Area (the “Economic Development Area”), all pursuant to and in accordance with Indiana Code 36-7-14 and 36-7-25 and all acts supplemental and amendatory thereto (collectively, “Act”); and

WHEREAS, the Declaratory Resolution: (i) promotes significant opportunities for the gainful employment of the citizens of the City; (ii) attracts major new business enterprises to the City; (3) benefits the public health, safety, morals and welfare of the citizens of the City; (4) increases the economic well-being of the City and the State of Indiana; and (5) serves to protect and increase property values in the City and State of Indiana.

WHEREAS, on August 13, 2019, the Kokomo Plan Commission (the “Plan Commission”) adopted Plan Commission Order No. 2009-2 approving the Declaratory Resolution and Economic Development Plan and finding that the Economic Development Plan for the Economic Development Area conforms to the comprehensive plan of development for the City; and

WHEREAS, the Darrough Chapel Economic Development Area shall have a base assessment date of January 1, 2019; and

WHEREAS, Section 16(b) of the Act requires the Common Council of City of Kokomo, Indiana (the “Common Council”) to approve the Order of the Plan Commission and the Declaratory Resolution; and

WHEREAS, the Declaratory Resolution adopted by the Commission, the Economic Development Plan approved by the Declaratory Resolution and the Order of the Plan Commission regarding the Declaratory Resolution and the Plan have been submitted to the Common Council for approval; and,

WHEREAS, IC 36-7-14-41(c) requires that the determination that a geographic area is an economic development area be approved by the Common Council; and,

WHEREAS, after being fully advised in the matter,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KOKOMO, AS FOLLOWS:
SECTION I. The Declaratory Resolution and the Economic Development Plan for the Area adopted by the Redevelopment Commission is in all respects approved, ratified and confirmed by the Common Council.

SECTION II. The Order of the Plan Commission, adopted on August 3, 2019, approving the Declaratory Resolution and the Plan is in all respects approved, ratified and confirmed by the Common Council.

SECTION III. The Common Council hereby finds and determines that it will be in the best interest of the City to create the Darrough Chapel Economic Development Area. The establishment of an economic development area known as the Darrough Chapel Economic Development Area as set forth on Exhibit A to the Declaratory Resolution is hereby approved by the Common Council.

SECTION IV. The Clerk of the City is hereby directed to file a copy of the Declaratory Resolution, the Plan, and the Order of the Plan Commission with the permanent minutes of this meeting.

SECTION V. This Resolution shall be in full force and effect immediately upon its adoption and approval by the Mayor.
ADOPTED BY THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA
this 26th day of August, 2019.

_____________________________________
Presiding Officer

ATTEST:

_____________________________________
City Clerk

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

_____________________________________
City Clerk

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

_____________________________________
Greg Goodnight, Mayor City of Kokomo, Indiana