

2022 ORDINANCES & RESOLUTIONS

Ordinance Number	Date Passed	
2022-OR- 001	2/1/2022	ELECTRONIC MEETINGS
2022-OR- 002	2/14/2022	ZONING MAP AMENDMENTS
2022-OR- 003	2/28/2022	SR 60 & POINDEXTER INTERLOCAL W/INDOT RESCINDED 6/8/2022
2022-OR- 004	3/14/2022	NEW POLICE STATION LOAN \$580,000.00
2022-OR- 005	3/14/2022	REGULATING TRAFFIC CONTROL ON ADKINS COURT
2022-OR- 006	3/29/2022	ZONING MAP AMENDMENTS
2022-OR- 007	4/11/2022	WATERWORKS REFUNDING REVENUE BONDS OF 2022
2022-OR- 008	4/25/2022	TRAFFIC CODE AMENDMENT
2022-OR- 009	5/23/2022	JEFFERSONVILLE-CLARK COUNTY ANIMAL SHELTER INTERLOCAL AGREEMENT
2022-OR- 010	5/23/2022	RIGHT OF WAY ACTIVITY PERMITS
2022-OR- 011	6/24/2022	ADDING STREET & SANITATION SUPERVISOR AS PURCHASING AGENT
2022-OR- 012	6/27/2022	ZONING MAP AMENDMENTS
2022-OR- 013	6/27/2022	GRANTING TOWN MANAGER AUTHORITY TO MAKE UTILITY BILLING ADJUSTMENTS
2022-OR- 014	6/27/2022	PERMITTING THE TOWN MANAGER TO ENTER INTO PAYMENT PLANS (WATER CUSTOMERS)
2022-OR- 015	6/27/2022	TRANSFER OF FUNDS
2022-OR- 016	7/11/2022	2022 SALARY ORDINANCE AMENDMENT
2022-OR- 017	7/11/2022	REGULATING TRAFFIC CONTROL MAYFAIR & NEWBERRY AND INDUSTRIAL BLVD. & PROGRESS WAY
2022-OR- 018	7/25/2022	ADOPTING THE SUPPLEMENT TO THE CODE OF ORDINANCES
2022-OR- 019	7/25/2022	INTERLOCAL WITH SILVER CREEK TOWNSHIP BOARD \$67,000.00
2022-OR- 020	8/8/2022	TRANSFER OF FUNDS
2022-OR- 021	8/22/2022	TRANSFER OF FUNDS
2022-OR- 022	8/22/2022	DISPOSING OF SURPLUS PERSONAL PROPERTY POLICE DEPT.
2022-OR- 023	9/12/2022	VACATING A PUBLIC WAY FOR HOGAN PROPERTY DEVELOPMENT
2022-OR- 024	10/17/2022	2023 BUDGET ADOPTION
2022-OR- 025	10/17/2022	REDISTRICTING OF TOWN COUNCIL DISTRICTS
2022-OR- 026	11/14/2022	DISPOSING OF SURPLUS PERSONAL PROPERTY PUBLIC WORKS
2022-OR- 027	11/28/2022	INCREASING POLICE OFFICERS UNIFORM ALLOWANCE TO \$2,000.00 ANNUALLY
2022-OR- 028	11/28/2022	PLANNING AND ZONING FUND ADDITIONAL APPROPRIATIONS \$50,000.00
2022-OR- 029	12/12/2022	2020 UDO AMENDMENTS
2022-OR- 030	12/12/2022	TRANSFER OF FUNDS
2022-OR- 031	12/12/2022	2023 SALARY ORDINANCE
2022-OR- 032	12/12/2022	AMENDING 2022-OR-026 DISPOSING OF SURPLUS PROPERTY ADDING 2018 GARBAGE PACKER

Resolution Number	Date Passed	
2022-R- 001	6/27/2022	NATIONAL SAFE PLACE WEEK
2022-R- 002	6/27/2022	GARBAGE PACKER LEASE
2022-R- 003	9/26/2022	MULTI-HAZARD MITIGATION PLAN
2022-R- 004	11/14/2022	RAINY DAY REDUCTION \$377,000.00

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 001

AN ORDINANCE ESTABLISHING A WRITTEN POLICY REGARDING THE TOWN COUNCIL MEMBERS' PARTICIPATION IN A MEETING BY ELECTRONIC MEANS OF COMMUNICATION.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, pursuant to Ind. Code § 5-14-1.5 *et seq.*, members of local governing bodies and political subdivisions are permitted to participate in public meetings; and,

WHEREAS, Ind. Code § 5-14-1.5 *et seq.* requires the governing body to adopt a written policy establishing the procedure that apply to a member’s participation in a meeting by electronic means and this Council now desires same.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following:

1. Title. This Ordinance shall be known as the “Policy for Participation By Town Board Members By Electronic Means for the Town of Sellersburg, Indiana” (the “Electronic Participation Policy”).
2. Authority. Pursuant to Ind. Code § 5-14-1.5 *et seq.*, this Council hereby establishes the Electronic Participation Policy.
3. Policy.
 - a) Attendance By Electronic Means: Town Council Members (“Members”) are permitted to participate in no more than four (4) public meetings per year by an approved electronic means of communication. A Member may attend two (2) consecutive meetings (a set of meetings)

by electronic communication. A Member shall physically attend at least one (1) meeting between sets of meetings that the member attends by electronic communication, unless the absence is due to:

- 1) military service;
 - 2) illness or other medical condition;
 - 3) death of a relative; or
 - 4) an emergency involving actual or threatened injury to persons or property.
- b) Notice: Except for emergency situations, Members shall provide notice to the Town Manager or Executive Secretary, within 72-hours of the public meeting, that the Member will be participating by electronic means.
- c) Required Physical Attendance: There shall be at least three (3) Members physically present at the public meeting wherein any Member is participating by electronic means.
- d) Voting: All votes taken during a meeting wherein a Member is participating by electronic means shall be taken by roll call.
- e) Issues Prohibited To Participate By Through Electronic Means: A Member may not participate in a meeting by electronic communication if the governing body is attempting to take final action to:
- 1) adopt a budget;
 - 2) make a reduction in personnel;
 - 3) initiate a referendum;
 - 4) establish or increase a fee;
 - 5) establish or increase a penalty;
 - 6) use the governing body's eminent domain authority; or
 - 7) establish, raise, or renew a tax.
4. Effect. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 1st day of February, 2022

“Aye”

“Nay”

Brad Amos

Brad Amos
Council President

Brad Amos
Council President

Present Virtually

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford

Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarnecki

Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley

Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 2/1/2022

MOTION: Czarnecki

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 2/1/2022

MOTION: Czarnecki

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 002

AN ORDINANCE CONSIDERING AN AMENDMENT TO THE ZONING MAPS OF THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of a town; and,

WHEREAS, on the 18th day of January, 2022 the Plan Commission of the Town of Sellersburg, Indiana (the “Commission”) adopted *Resolution 2022-01 – A Zoning Map Amendment To The Town Of Sellersburg, Indiana* which more specifically certified the Commission’s favorable recommendation to rezone 1128 Bean Road Sellersburg, IN 47172 from B3 Highway Business to I2 Heavy Industrial. (*See Attached Exhibit A*); and,

WHEREAS, pursuant to Ind. Code § 36-7-4-608, this Council may adopt or reject the certification from the Commission.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that the recommendation by the Commission to rezone 1128 Bean Road Sellersburg, IN 47172 from B3 Highway Business to I2 Heavy Industrial is hereby **Adopted** Rejected (circle one).

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 14th day of February, 2022

"Aye"

"Nay"

Brad Amos

Brad Amos
Council President

Brad Amos
Council President

Absent

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford

Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarniecki

Matthew Czarniecki
Council Member

Matthew Czarniecki
Council Member

Randall Mobley

Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 2/14/2022

MOTION: Czarniecki

SECOND: Mobley

VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 2/14/2022

MOTION: Czarniecki

SECOND: Mobley

VOTE: 4 AYE 0 NAY 0 ABSTAIN

EXHIBIT A

TO THE SELLERSBURG TOWN COUNCIL
OF SELLESRBURG, INDIANA

RESOLUTION 2022-01
A ZONING MAP AMENDMENT
TO THE TOWN OF SELLERSBURG, INDIANA

Whereas, pursuant to IC 36-7-4-605 the Sellersburg Advisory Plan Commission shall certify a favorable recommendation, an unfavorable recommendation, or no recommendation to the legislative body on a proposed Zoning Map change to the Town of Sellersburg's Zoning Map, and;

Whereas, the Town of Sellersburg's Advisory Plan Commission in accordance with IC 36-7-4-604, a public hearing was held on January 18, 2022 on proposed Zoning Map Amendment (Exhibit A).

A Resolution to Amend the Town of Sellersburg Zoning Map to rezone 1128 Bean Road from B3 Highway Business to I2 Heavy Industrial district for the purpose of a trucking terminal located in Sellersburg, Indiana.

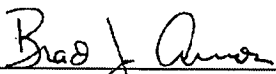
NOW THEREFORE BE IT RESOLVED by the Advisory Plan Commission of the Town of Sellersburg ~~that~~ the proposed Zoning Map amendment will be in keeping with the Comprehensive Plan of the Town of Sellersburg; rezoning is compatible with surrounding zoning, the rezoning is the most desirable use for the land, the rezoning conserves property values throughout the Town of Sellersburg and the rezoning is responsible development and growth for the Town of Sellersburg.

BE IT FURTHER RESOLVED that the Advisory Plan Commission of the Town of Sellersburg, gives a:


- Favorable recommendation;
- Unfavorable recommendation;
- No Recommendation;

the Town of Sellersburg Common Council for approval of the Resolution as presented.

BE IT HEREBY RESOLVED THIS 18th DAY OF JANUARY 2022 BY THE ADVISORY PLAN COMMISSION OF THE TOWN OF SELLERSBURG, INDIANA.



Brad Amos, President

ATTEST:


Stacia Franklin, Planning Director

**NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT TO THE ZONING
ORDINANCE OF SELLERSBURG, INDIANA**

NOTICE IS HEREBY GIVEN THAT THE Sellersburg Town Council, on the 14th day of February, 2022 at 6:00 p.m. in Town Council Chambers, 316 E. Utica Street, Sellersburg, Indiana, will hold a public hearing to consider and act upon a proposed Amendment to the Sellersburg Zoning Map Ordinance. The geographic areas to which the proposed ordinance applies is all incorporated areas of the Town of Sellersburg, Indiana.

The following is a summary of the proposed Amendment:

**RESOLUTION NO. 2022-01
A Zoning Map Amendment
TO ORDINANCE NO. 2021-OR-002**

AN RESOLUTION AMENDING THE SELLERSBURG Zoning Map for Sellersburg, Indiana.

WHEREAS, the Sellersburg Advisory Plan Commission in accordance with IC 36-7-4-604, a public hearing was held on January 18, 2022, at 5:00 p.m., on the proposed Zoning Map amendment:

WHEREAS, the Sellersburg Town Council has received a favorable recommendation from the Plan Commission for the proposed Zoning Map amendment:

The following is a summary of the proposed Amendment to ORDINANCE NO. 2021-OR-002 and the Zoning Map therein:

1. Amend the zoning map from B3 Highway Business to I2 Heavy Industrial for the property commonly known as 1128 Bean Road, Sellersburg, Indiana, for the purpose of a trucking terminal.

Written objections or comments to the proposed Amendment may be filed with the Town Council before such hearing, will be heard at the specified time and place and will be considered. Oral comments concerning the proposal will also be heard. Said hearing may be continued from time to time as may be necessary. A copy of the proposed Amendment is available for public inspection during regular business hours in the Town Council Office, 316 E. Utica, Sellersburg, Indiana.

Michelle Medcalf
Town Council Secretary

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 003

AN ORDINANCE AUTHORIZING AND APPROVING THE ENTRY INTO AN INTERLOCAL AGREEMENT BY THE SELLERSBURG REDEVELOPMENT COMMISSION CONCERNING A TRAFFIC SIGNAL INSTALLATION AT THE INTERSECTION OF SR 60 AND POINDEXTER LANE.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions for the town; and,

WHEREAS, pursuant to I.C. 36-1-7 *et seq.* the State of Indiana, political subdivisions and state agencies may enter into interlocal cooperation agreements for the joint exercise of powers; and,

WHEREAS, the Indiana Department of Transportation (“INDOT”) and Redevelopment Commission for Sellersburg, Indiana (“RDC”) agreed that if the Town of Sellersburg, Indiana were to construct a roadway to connect with State Road 60 (“SR 60”), INDOT would install a traffic signal at the intersection of SR 60 and Poindexter Lane to improve the safety and mobility of the motoring public, provided the Project could be awarded and funds obligated in fiscal year 2022; and,

WHEREAS, this Council and RDC have caused for said road to be installed; and

WHEREAS, INDOT has agreed to contribute funds for the Project in an amount not to exceed **\$1,479,491.00** (“INDOT’s Contribution”), provided the Project can be awarded and the funds obligated in FY 2022; and,

WHEREAS, this Council, through the RDC, has agreed to be solely financially responsible for all costs which exceed INDOT's Contribution up to twenty percent (20%) of the said contribution, including any and all change orders ("Town's Contribution"); and,

WHEREAS, the Town's Contribution to INDOT shall be made solely with RDC funds; and,

WHEREAS, this Council, now authorizes the president of the RDC to enter into the interlocal agreement attached hereto, for the installation of a traffic signal at the intersection of SR 60 and Poindexter Lane to improve the safety and mobility of the motoring public.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following:

1. This Council does hereby authorize the president of the RDC to enter into the aforementioned interlocal agreement for the installation of a traffic signal at the intersection of SR 60 and Poindexter Lane to improve the safety and mobility of the motoring public. (*See Exhibit "A"*).
2. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 28th day of February, 2022.

[Signature page to follow]

“Aye”

“Nay”

Brad J Amos

Brad Amos
Council President

Brad Amos
Council President

Absent

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarniecki
Council Member

Matthew Czarniecki
Council Member

Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 2/28/2022

MOTION: Czarniecki

SECOND: Langford

VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 2/28/2022

MOTION: Czarniecki

SECOND: Langford

VOTE: 4 AYE 0 NAY 0 ABSTAIN

I. **SPECIFIC PROVISIONS**

1.1. **Project Description.** The Project shall include preliminary engineering, construction, and inspection of the Signal, as shown in **Exhibit A.**

1.2. **TOWN's Responsibilities.**

1.2.1. **Financial Responsibilities.** The TOWN shall be solely responsible for all costs which exceed INDOT's Contribution up to twenty percent (20%) of the Project's estimate, including any and all change orders (the "**TOWN's Contribution**"). In the event the Project costs exceeds twenty (20%) of the Project estimate, including the change orders, the Parties shall meet to discuss the need for additional funding. The Parties understand and agree that amendment of this Agreement may be necessary if additional funding is needed for the Project.

1.2.2. **Project Responsibilities.** The TOWN shall cooperate with INDOT as needed to ensure successful completion of the Project.

1.3. **INDOT'S Responsibilities.**

1.3.1. **Financial Responsibilities.** INDOT shall be responsible for the costs of the preliminary engineering, construction, and construction inspection for the Project in an amount not to exceed **\$1,479,491.00.**

1.3.2. **Project Responsibilities.**

1.3.2.1. INDOT will complete all work necessary to prepare the Project for letting, including all preliminary engineering, design, utility relocation, permitting, and environmental work. INDOT will let and award the Project for construction through its usual processes.

1.3.2.2. INDOT will manage, administer, and inspect the Project in accordance with applicable laws and INDOT policies, procedures and specifications.

1.5. **Payment of Project Costs.**

1.5.1. **Funding Contribution from the TOWN.** For those Project costs which exceed INDOT's Contribution, including any and all change orders, INDOT shall invoice the TOWN for said costs, and the Town shall pay the invoice within thirty (30) days of receipt.

1.5.2. **Funding Contribution from INDOT.** INDOT agrees to contribute toward the costs of the Project in an amount up to and including **\$1,479,491.00.** The Project must be awarded in FY 2022. If the Project is not awarded or the funds are not obligated in FY 2022, INDOT's financial responsibilities for the Project shall terminate, and the TOWN shall be solely responsible for the costs of the Project.

- 1.5.3. If, at any point in the project development or letting process, it appears that the total project cost (including construction and all other project costs) may exceed \$1,479,491.00, the Project shall be re-scoped with the input and cooperation of the Parties, considering state and local transportation system needs, surrounding infrastructure and economic development interests. However, the final revised project scope shall be determined by INDOT. If it becomes necessary to re-scope the Project, any modifications and/or additions to the current scope, shall be the sole financial responsibility of the TOWN. If re-scoping the Project is required, the Parties understand and agree that amendment of this Agreement may be necessary.
- 1.6. **Duration and Renewal of Agreement.** The term of this Agreement shall be from the date upon which the Agreement is approved by the Office of the Indiana Attorney General through December 31, 2024, or completion of final audit of the Project by INDOT, whichever occurs first. This Agreement may be renewed or extended under the same terms and conditions subject to the approval of all signing Parties.
- 1.7. INDOT and the TOWN agree that if the Project is unable to be awarded and obligated in FY 2022, this Agreement shall terminate. INDOT shall be relieved of all obligations under this Agreement, and the TOWN agrees to release, indemnify and hold INDOT harmless for from any liability related to the Project, including any financial responsibility for the Project.
- 1.8. **Public Statements or Disclosures.** The Parties shall consult with each other and must agree as to the timing, content, and form before issuing any press release or other public statements or disclosures related to the Project or this Agreement. However, this Section does not prohibit either of the Parties from making a public statement or disclosure regarding this Agreement or the Project if, in the opinion of a Party's legal counsel, such a disclosure is required by law, including but not limited to Indiana's Access to Public Records Act (IC 5-14-3), legal process or directive of a regulatory authority having jurisdiction over either PARTY.
- 1.9. **Interpretation.** The Recitals recorded above are incorporated by reference into this Agreement.

ARTICLE II. GENERAL PROVISIONS

- 2.1. **Access to Records.** The TOWN shall maintain all books, documents, papers, correspondence, accounting records and other evidence pertaining to the cost incurred under this Agreement, and shall make such materials available at their respective offices at all reasonable times during the period of this Agreement and for ten (10) years from the date of final payment under the terms of this Agreement, for inspection or audit by INDOT, or its authorized designee. Copies shall be furnished free of charge, if requested by INDOT. Copies shall be furnished at no cost to INDOT, if requested.
- 2.2. **Assignment; Successors.** The TOWN binds their successors and assignees to all the terms and conditions of this Agreement. Except as otherwise specifically provided herein, the TOWN shall not assign or subcontract the whole or any part of this Agreement without INDOT's prior written consent.

2.3. Assignment of Antitrust Claims. As part of the consideration for this Agreement, the TOWN assigns to the State all right, title and interest in and to any claims the TOWN now has, or may acquire, under state or federal antitrust laws relating to the products or services which are the subject of this Agreement.

2.4. Audits. The TOWN acknowledges that it may be required to submit to an audit of funds paid, if any, through this Agreement. Any such audit shall be conducted in accordance with IC §5-11-1, *et seq.*, and audit guidelines specified by the State.

2.5. Authority to Bind the TOWN. The signatory for the TOWN represents that he/she has been duly authorized to execute this Agreement on behalf of the TOWN and has obtained all necessary or applicable approvals to make this Agreement fully binding upon the TOWN when his/her signature is affixed, and accepted by the State.

2.6. Certification for Federal-Aid Contracts Lobbying Activities. The TOWN certifies, by signing and submitting this Agreement, to the best of its knowledge and belief that the TOWN has complied with Section 1352, Title 31, U.S. Code, and specifically, that:

A. No federal appropriated funds have been paid or will be paid, by or on behalf of the TOWN, to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal Agreements, the making of any federal grant, the making of any federal loan, the entering into of any cooperative Agreement, and the extension, continuation, renewal, amendment, or modification of any federal Agreement, grant, loan, or cooperative Agreement.

B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with such federal Agreement, grant, loan, or cooperative Agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

C. The TOWN also agrees by signing this Agreement that it shall require that the language of this certification be included in all contractor Agreements including lower tier subcontracts, which exceed \$100,000, and that all such sub recipients shall certify and disclose accordingly. Any person who fails to sign or file this required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.

2.7. Compliance with Laws.

A. The TOWN shall comply with all applicable federal, state, and local laws, rules, regulations, and ordinances, and all provisions required thereby to be included herein are hereby incorporated by reference. The enactment or modification of any applicable state or federal statute or the promulgation of rules or regulations thereunder after execution of this Agreement shall be reviewed by the State and the TOWN to determine whether the provisions of this Agreement require formal modification.

B. The TOWN and its agents shall abide by all ethical requirements that apply to persons who have a business relationship with the State as set forth in IC §4-2-6, *et seq.*, IC §4-2-7, *et seq.* and the regulations promulgated thereunder. **If the TOWN has knowledge, or would have acquired knowledge with reasonable inquiry, that a state officer, employee, or special state appointee, as those terms are defined in IC 4-2-6-1, has a financial interest in the Agreement, the TOWN shall ensure compliance with the disclosure requirements in IC 4-2-6-10.5 prior to the execution of this contract.** If the TOWN is not familiar with these ethical requirements, the TOWN should refer any questions to the Indiana State Ethics Commission, or visit the Inspector General's website at <http://www.in.gov/ig/>. If the TOWN or its agents violate any applicable ethical standards, the State may, in its sole discretion, terminate this Agreement immediately upon notice to the TOWN. In addition, the TOWN may be subject to penalties under IC §§4-2-6, 4-2-7, 35-44.1-1-4, and under any other applicable laws.

C. [OMITTED – NOT APPLICABLE.]

D. [OMITTED – NOT APPLICABLE.]

E. [OMITTED – NOT APPLICABLE.]

F. The TOWN warrants that the TOWN and its contractors shall obtain and maintain all required permits, licenses, registrations, and approvals, and shall comply with all health, safety, and environmental statutes, rules, or regulations in the performance of work activities under this Agreement. Failure to do so may be deemed a material breach of this Agreement and grounds for immediate termination and denial of further work with the State.

G. [OMITTED – NOT APPLICABLE.]

H. As required by IC §5-22-3-7:

- (1) The TOWN and any principals of the TOWN certify that:
 - (A) the TOWN, except for de minimis and nonsystematic violations, has not violated the terms of:
 - (i) IC §24-4.7 [Telephone Solicitation Of Consumers];
 - (ii) IC §24-5-12 [Telephone Solicitations]; or
 - (iii) IC §24-5-14 [Regulation of Automatic Dialing Machines];in the previous three hundred sixty-five (365) days, even if IC §24-4.7 is preempted by federal law; and
 - (B) the TOWN will not violate the terms of IC §24-4.7 for the duration of the Agreement, even if IC §24-4.7 is preempted by federal law.
- (2) The TOWN and any principals of the TOWN certify that an affiliate or principal of the TOWN and any agent acting on behalf of the TOWN or on behalf of an affiliate or principal of the TOWN, except for de minimis and nonsystematic violations,
 - (A) has not violated the terms of IC §24-4.7 in the previous three hundred sixty-five (365) days, even if IC §24-4.7 is preempted by federal law; and
 - (B) will not violate the terms of IC §24-4.7 for the duration of the Agreement, even if IC §24-4.7 is preempted by federal law.

2.8. Condition of Payment. [OMITTED – NOT APPLICABLE.]

2.9. **Confidentiality of State Information.** [OMITTED – NOT APPLICABLE.]

2.10. **Continuity of Services.** [OMITTED – NOT APPLICABLE.]

2.11. **Debarment and Suspension.** [OMITTED – NOT APPLICABLE.]

2.12. **Default by State.** [OMITTED – NOT APPLICABLE.]

2.13. **Disputes.** [OMITTED – NOT APPLICABLE.]

2.14. **Drug-Free Workplace Certification.**

As required by Executive Order No. 90-5 dated April 12, 1990, issued by the Governor of Indiana, the TOWN hereby covenants and agrees to make a good faith effort to provide and maintain a drug-free workplace. The TOWN will give written notice to the State within ten (10) days after receiving actual notice that the TOWN, or an employee of the TOWN in the State of Indiana, has been convicted of a criminal drug violation occurring in the workplace. False certification or violation of this certification may result in sanctions including, but not limited to, suspension of contract payments, termination of this Agreement and/or debarment of contracting opportunities with the State for up to three (3) years.

In addition to the provisions of the above paragraph, if the total amount set forth in this Agreement is in excess of \$25,000.00, the TOWN certifies and agrees that it will provide a drug-free workplace by:

- A. Publishing and providing to all of its employees a statement notifying them that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the TOWN's workplace, and specifying the actions that will be taken against employees for violations of such prohibition;
- B. Establishing a drug-free awareness program to inform its employees of (1) the dangers of drug abuse in the workplace; (2) the TOWN's policy of maintaining a drug-free workplace; (3) any available drug counseling, rehabilitation and employee assistance programs; and (4) the penalties that may be imposed upon an employee for drug abuse violations occurring in the workplace;
- C. Notifying all employees in the statement required by subparagraph (A) above that as a condition of continued employment, the employee will (1) abide by the terms of the statement; and (2) notify the TOWN of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction;
- D. Notifying the State in writing within ten (10) days after receiving notice from an employee under subdivision (C)(2) above, or otherwise receiving actual notice of such conviction;
- E. Within thirty (30) days after receiving notice under subdivision (C)(2) above of a conviction, imposing the following sanctions or remedial measures on any employee who is convicted of drug abuse violations occurring in the workplace: (1) taking appropriate

personnel action against the employee, up to and including termination; or (2) requiring such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency; and

- F. Making a good faith effort to maintain a drug-free workplace through the implementation of subparagraphs (A) through (E) above.

2.15. Employment Eligibility Verification.

The TOWN affirms under the penalties of perjury that they do not knowingly employ an unauthorized alien. The TOWN further agrees that:

A. The TOWN shall enroll in and verify the work eligibility status of all its newly hired employees through the E-Verify program as defined in IC 22-5-1.7-3. The TOWN is not required to participate should the E-Verify program cease to exist. Additionally, The TOWN is not required to participate if the TOWN is self-employed and do not employee any employees.

B. The TOWN shall not knowingly employ or contract with an unauthorized alien. The TOWN shall not retain an employee or contract with a person that the TOWN subsequently learns is an unauthorized alien.

C. The TOWN shall require its subcontractors, who perform work under this Agreement, to certify to The TOWN that the subcontractor does not knowingly employ or contract with an unauthorized alien and that the subcontractor has enrolled and is participating in the E-Verify program. The TOWN agrees to maintain this certification throughout the duration of the term of a contract with a subcontractor.

The State may terminate for default if The TOWN fails to cure a breach of this provision no later than thirty (30) days after being notified by the State.

2.16. Force Majeure. In the event that any Party is unable to perform any of its obligations under this Agreement or to enjoy any of its benefits because of natural disaster or decrees of governmental bodies not the fault of the affected Party (hereinafter referred to as a "Force Majeure Event"), the Party who has been so affected shall immediately or as soon as is reasonably possible under the circumstances give notice to the other Parties and shall do everything possible to resume performance. Upon receipt of such notice, all obligations under this Agreement shall be immediately suspended. If the period of nonperformance exceeds thirty (30) days from the receipt of notice of the Force Majeure Event, the Party whose ability to perform has not been so affected may, by giving written notice, terminate this Agreement.

2.17. Funding Cancellation Clause. As required by Financial Management Circular 3.3 and IC § 5-22-17-5, when the Director of the State Budget Agency makes a written determination that funds are not appropriated or otherwise available to support continuation of the performance of this Agreement, this Agreement shall be canceled. A determination by the Director of State Budget Agency that funds are not appropriated or otherwise available to support continuation of performance shall be final and conclusive.

2.18. Governing Law. This Agreement shall be governed, construed, and enforced in accordance with the laws of the State of Indiana, without regard to its conflict of laws rules. Suit, if any, must be brought in the State of Indiana.

2.19. Indemnification. The TOWN agrees to indemnify, defend, exculpate and hold harmless the State of Indiana, INDOT, and their officials and employees from any liability due to loss, damage, injuries, or other casualties of whatever kind, to the person or property of anyone arising out of, or resulting from the performance of this Agreement or the work connected therewith, or from the installation, existence, use, maintenance, condition, repairs, alteration or removal of any equipment or material, to the extent such liability is caused by the negligence of the TOWN, including any claims arising out the Worker's Compensation Act or any other law, ordinance, order or decree. INDOT shall **not** provide indemnification to the TOWN. The TOWN agrees to pay all reasonable expenses and attorney's fees incurred by or imposed on the State and INDOT in connection herewith in the event that the TOWN shall default under the provisions of this Section.

2.20. Merger & Modification. This Agreement constitutes the entire agreement between the PARTIES. No understandings, agreements, or representations, oral or written, not specified within this Agreement will be valid provisions of this Agreement. This Agreement may not be modified, supplemented, or amended, except by written agreement signed by all necessary Parties.

2.21. Non-Discrimination.

A. Pursuant to the Indiana Civil Rights Law, specifically including IC 22-9-1-10, and in keeping with the purposes of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, and the Americans with Disabilities Act, the TOWN covenants that it shall not discriminate against any employee or applicant for employment relating to this Agreement with respect to the hire, tenure, terms, conditions or privileges of employment or any matter directly or indirectly related to employment, because of the employee's or applicant's race, color, national origin, religion, sex, age, disability, ancestry, status as a veteran, or any other characteristic protected by federal, state or local law ("Protected Characteristics"). The TOWN certifies compliance with applicable federal laws, regulations and executive orders prohibiting discrimination based on the Protected Characteristics in the provision of services. Breach of this paragraph may be regarded as a material breach of this Agreement, but nothing in this paragraph shall be construed to imply or establish an employment relationship between the State and any applicant or employee of the TOWN or any subcontractor.

B. INDOT is a recipient of federal funds, and therefore, where applicable, the TOWN and any subcontractors shall comply with requisite affirmative action requirements, including reporting, pursuant to 41 CFR Chapter 60, as amended, and Section 202 of Executive Order 11246 as amended by Executive Order 13672.

The TOWN agrees that if the TOWN employs fifty (50) or more employees and does at least \$50,000.00 worth of business with the State and is not exempt, the TOWN will comply with the affirmative action reporting requirements of 41 CFR 60-1.7. The TOWN shall comply with Section 202 of executive order 11246, as amended, 41 CFR 60-250, and 41 CFR 60-741, as amended, which are incorporated herein by specific reference. Breach of this covenant may be regarded as a material breach of Contract.

It is the policy of INDOT to assure full compliance with Title VI of the Civil Rights Act of 1964, the Americans with Disabilities Act and Section 504 of the Vocational Rehabilitation Act and related statutes and regulations in all programs and activities. Title VI and related statutes require that no person in the United States shall on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. (INDOT's nondiscrimination enforcement is broader than the language of Title VI and encompasses other State and Federal protections. INDOT's nondiscrimination enforcement shall include the following additional grounds: sex, sexual orientation, gender identity, ancestry, age, income status, religion, disability, income status, limited English proficiency, or status as a veteran.)

C. During the performance of this Agreement, the TOWN, for itself, its assignees and successors in interest (hereinafter referred to as the "TOWN") agrees to the following assurances under Title VI of the Civil Rights Act of 1964:

1. Compliance with Regulations: The TOWN shall comply with the regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation, Title 49 CFR Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.
2. Nondiscrimination: The TOWN, with regard to the work performed by it during the Agreement, shall not discriminate on the grounds of race, color, sex, sexual orientation, gender identity, national origin, religion, disability, ancestry, or status as a veteran in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The TOWN shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulation, including employment practices when the Agreement covers a program set forth in Appendix B of the Regulations.
3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the TOWN for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the TOWN of the TOWN's obligations under this Agreement, and the Regulations relative to nondiscrimination on the grounds of race, color, sex, sexual orientation, gender identity, national origin, religion, disability, ancestry, income status, limited English proficiency, or status as a veteran.
4. Information and Reports: The TOWN shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Indiana Department of Transportation and Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a TOWN is in the exclusive possession of another who fails or refuses furnish

this information, the TOWN shall so certify to the Indiana Department of Transportation or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of the TOWN's noncompliance with the nondiscrimination provisions of this Agreement, the Indiana Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to: (a) withholding payments to the TOWN under the Agreement until the TOWN complies, and/or (b) cancellation, termination or suspension of the Agreement, in whole or in part.
6. Incorporation of Provisions: The TOWN shall include the provisions of paragraphs 1. through 5. in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The TOWN shall take such action with respect to any subcontract or procurement as the Indiana Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance, provided, however, that in the event the TOWN becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the TOWN may request the Indiana Department of Transportation to enter into such litigation to protect the interests of the Indiana Department of Transportation, and, in addition, the TOWN may request the United States of America to enter into such litigation to protect the interests of the United States of America.

2.22. Notice to Parties. Whenever any notice, statement or other communication is required under this Agreement, it shall be sent to the following addresses, unless otherwise specifically advised:

A. For INDOT: Seymour Capital Program Manager
INDOT Seymour District
185 Agrico Lane
Seymour, IN 47274

With Copy to: Chief Legal Counsel and Deputy Commissioner
Indiana Department of Transportation
100 North Senate Avenue, IGCN 758
Indianapolis, IN 46204

B. For TOWN: Mike Hostetler
Sellersburg Redevelopment Commission
316 East Utica Street
Sellersburg, IN 47172

2.23. Payments.

A. All payments (if any) shall be made thirty-five (35) days in arrears in conformance with State fiscal policies and procedures and, as required by IC §4-13-2-14.8, the direct deposit by

electronic funds transfer to the financial institution designated by the TOWN in writing unless a specific waiver has been obtained from the Indiana Auditor of State. No payments will be made in advance of receipt of the goods or services that are the subject of this Agreement except as permitted by IC §4-13-2-20.

B. If the TOWN has any outstanding balances on any Agreement with INDOT (including any repayment to INDOT owed under this Agreement), and such outstanding balances due to INDOT are at least sixty (60) calendar days past the due date, INDOT may proceed in accordance with IC §8-14-1-9 to invoke the powers of the Auditor of the State of Indiana to make a mandatory transfer of funds from the TOWN's allocation of the Motor Vehicle Highway Account and the Local Roads and Streets Account, if any, to INDOT's account, or INDOT may withhold or garnish payments otherwise due to the TOWN from INDOT under this or any other Agreement to partially or wholly satisfy such outstanding balances. In addition, to satisfy any outstanding balance owed, INDOT reserves the right to withhold any and all distributions of discretionary federal funds normally issued or allocated to the TOWN.

2.24. Penalties, Interest and Attorney's Fees. INDOT will in good faith perform its required obligations hereunder, and does not agree to pay any penalties, liquidated damages, interest, or attorney's fees, except as required by Indiana law in part, IC §5-17-5, IC §34-54-8, and IC §34-13-1. Notwithstanding the provisions contained in IC §5-17-5, any liability resulting from the State's failure to make prompt payment shall be based solely on the amount of funding originating from the State and shall not be based on funding from federal or other sources.

2.25. Severability. The invalidity of any section, subsection, clause or provision of this Agreement shall not affect the validity of the remaining sections, subsections, clauses or provisions of this Agreement.

2.26. Status of Claims. The TOWN shall be responsible for keeping INDOT currently advised as to the status of any claims made for damages against the TOWN resulting from services performed under this Agreement.

2.27. Termination for Convenience. This Agreement may be terminated, in whole or in part, by INDOT whenever, for any reason, INDOT determines that such termination is in its best interest. Termination shall be effected by delivery to the TOWN of a Termination Notice at least thirty (30) days prior to the termination effective date, specifying the extent to which performance of services under such termination becomes effective.

2.28. General. This Agreement represents the entire understanding between the Parties relating to the subject matter, and supersedes any and all prior oral and/or written communications, understandings or agreements relating to the subject matter. Any amendment or modification to this Agreement must be in writing and be signed by duly authorized representatives of the Parties.). Neither this Agreement nor any portions of it may be assigned, licensed or otherwise transferred by the TOWN without the prior written consent of INDOT. This Agreement will be binding upon the Parties and their permitted successors or assigns. Failure of either Party to enforce any provision of this Agreement will not constitute or be construed as a waiver of such provision or of the right to enforce such provision. The headings are inserted for convenience only and do not constitute part of this Agreement.

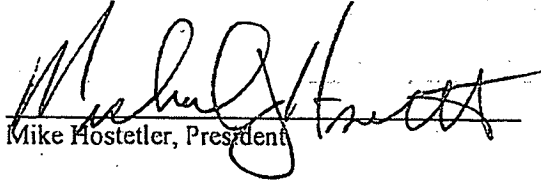
Non-Collusion and Acceptance

The undersigned attests, subject to the penalties for perjury, that the undersigned is the Party, or that the undersigned is the properly authorized representative, agent, member or officer of the Party. Further, to the undersigned's knowledge, neither the undersigned nor any other member, employee, representative, agent or officer of the Party, directly or indirectly, has entered into or been offered any sum of money or other consideration for the execution of this Agreement other than that which appears upon the face hereof. **Furthermore, if the undersigned has knowledge that a state officer, employee, or special state appointee, as those terms are defined in IC 4-2-6-1, has a financial interest in the Agreement, the Party attests to compliance with the disclosure requirements in IC 4-2-6-10.5.**

In Witness Whereof, the PARTIES have, through their duly authorized representatives, entered into this Agreement. The PARTIES, having read and understood the foregoing terms of this Agreement, do by their respective signatures dated below agree to the terms thereof.

THE REST OF THIS PAGE IS INTENTIONALLY LEFT BLANK

**TOWN OF SELLERSBURG, INDIANA
REDEVELOPMENT COMMISSION**

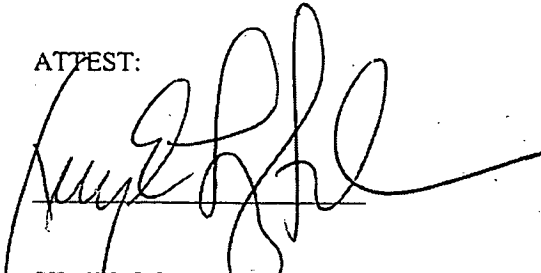

Mike Hostetler, President

Date: 3-7-22

Date: _____

Date: _____

ATTEST:



STATE OF INDIANA
Indiana Department of Transportation
Recommended for approval by:

Heather Kennedy (for)
Michael Smith, Commissioner
Indiana Department of Transportation

Date: 3/23/2022

APPROVALS

STATE OF INDIANA
Budget Agency

By: _____ (FOR)
Zachary Q. Jackson, Director

Date: _____

STATE OF INDIANA
Department of Administration

By: _____ (FOR)
Rebecca Holwerda, Commissioner

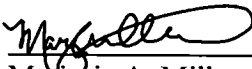
Date: _____

Approved as to Form and Legality:
Office of the Attorney General

By: _____ (FOR)
Theodore E. Rokita
Attorney General of Indiana

Date : _____

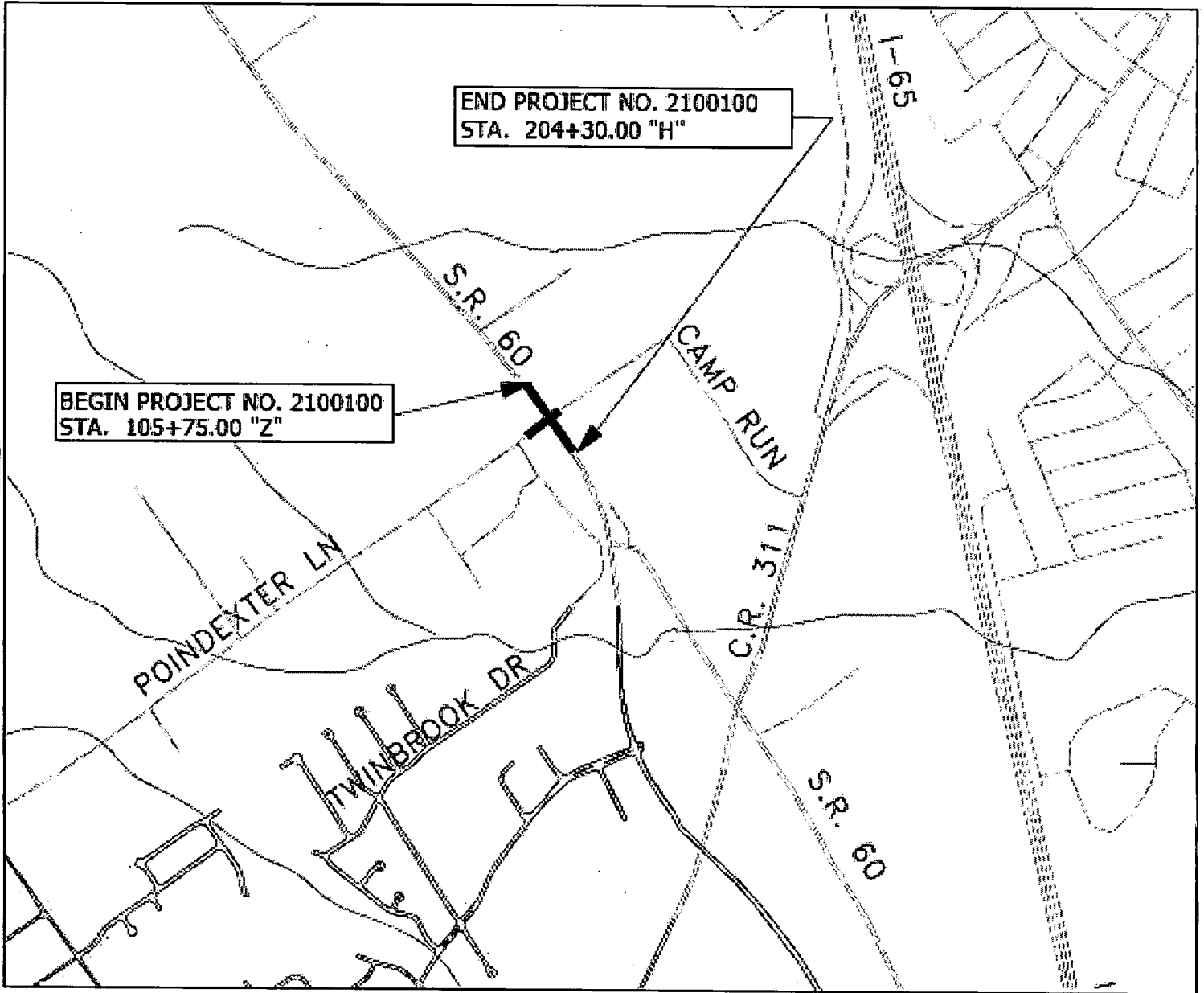
This instrument was prepared for the Indiana Department of Transportation, 100 N. Senate Avenue, Indianapolis, IN 46204, by the undersigned attorney.



Marjorie A. Millman, Attorney No. 21748-36

DocuSign Envelope ID: 273B9B7D-05C4-4722-8904-9B8FCC544238

Construction of Added Travel Lanes on State Road 60 at the Intersection of Poindexter Drive,
beginning at a point located 510 feet west of the Poindexter Lane Intersection and
proceeding east to a point located 140 feet west of the Twinbrook Drive Intersection,
located in Clark Military Grants No. 108 and 109, Silver Creek Township, Clark County



VICINITY MAP
SURVEY NO. S. 108 & 109
CLARK COUNTY

EXHIBIT A



Drag the slider or click the buttons to zoom in or out

EXHIBIT A
Google Earth

38°23'26.31" N 85°46'23.68" W elev 514 ft eye at

Document Approval Status

Document Approval Status

SetID STIND
Supplier TOWN OF SELLERSBURG

Contract ID 000000000000000000062030

▼ Review/Edit Approvers

Agency Fiscal Approval

▼ STIND/000000000000000000062030: Approved
Agency Fiscal Approval
Approved
Michael Hopper-00800
✓ Agency Fiscal Approval for SCM 03/25/22 - 10:48 AM

IDOA Approval

▼ STIND/000000000000000000062030: Approved
IDOA Legal Approval
Approved
Tammera J. Glickman
✓ IDOA Legal2 Approval for SCM 03/29/22 - 3:38 PM

SBA Approval

▼ STIND/000000000000000000062030: Approved
SBA Approval
Approved
Sharp, Cara-00057
✓ SBA Analyst Approval for SCM 03/30/22 - 3:04 PM

Attorney General Approval

▼ STIND/000000000000000000062030: Approved
Attorney General Approval
Approved
Leisher, Jean-046 ✓ Deputy Atty General Appr SCM 03/30/22 - 3:33 PM
→ Approved Zanna Claire Dyer-00046 ✓ Inserted Approver 03/30/22 - 3:48 PM

[Return to Document Management](#)

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 004

AN ORDINANCE OF THE TOWN OF SELLERSBURG, INDIANA, AUTHORIZING THE INCURRENCE OF SHORT-TERM INDEBTEDNESS AND ISSUANCE OF NEGOTIABLE NOTE.

WHEREAS, on September 13, 2021, the Town Council (the “Town Council”) of the Town of Sellersburg, Indiana (the “Town”), issued the “Town of Sellersburg, Indiana Police Station Obligations of 2021” (the “Obligations”) in the principal amount of One Million Eight Hundred Thousand Dollars (\$1,800,000.00) to finance the acquisition and redevelopment of certain real property within the Town to be repurposed and used as a police station (the “Project”);

WHEREAS, I.C. 36-9-41-3 authorizes a political subdivision to borrow money necessary to finance a public work project from a financial institution in Indiana by executing a negotiable note;

WHEREAS, the Project qualifies as a public work project pursuant to I.C. 36-9-41-2;

WHEREAS, the Town Council has found that it is in the best interests of the Town and its citizens to pay the costs to complete the Project through the incurrence of short-term indebtedness as evidenced by the issuance of a negotiable note;

WHEREAS, the Town is in need of additional funds to complete the necessary renovations to the Town’s police station and otherwise complete the Project;

WHEREAS, the Town Council deems it advisable to obtain financing from New Washington State Bank (“NWSB”) and issue a negotiable note for purposes of completing the necessary renovations to the Town’s police station and otherwise completing the Project.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA THAT:

SECTION 1. Authorization for Loan and Issuance of Negotiable Note. In order to provide financing for the Project and incidental expenses incurred in connection therewith, the Town is hereby authorized to borrow money from NWSB in the original principal amount not to exceed Five Hundred Eighty Thousand Dollars (\$580,000.00) (the “Loan”) in order to pay costs associated with the Project and any incidental expenses incurred therewith, such expenses to include without limitation all expenses necessary to issue the a negotiable note (the “Note”) and enter into this Loan transaction with NWSB. The Town is further authorized to issue the Note and deliver the Note to NWSB in order to procure funds for the Project.

SECTION 2. General Terms of Loan. Principal and interest on the Loan shall be payable to NWSB in compliance with I.C. 36-9-41-4, commencing on July 1, 2022, and for a term not to

exceed ten (10) years. The Town's obligation to make payments on the Loan are subject to existing revenues and annual appropriation. Interest on the Loan shall accrue at an interest rate not to exceed 3% per annum and calculated on an Actual/365 simple interest basis, or upon such other terms as may be determined by the President of the Town Council (the "President") and the Clerk-Treasurer of the Town (the "Clerk-Treasurer") upon consultation with the Town's municipal advisor. Payments on the Loan shall be made from the Town's General Fund or such other revenues as may be available to the Town. The final maturity of the Loan shall be no later than January 1, 2032, however the Town shall have the right to prepay the outstanding principal amount of the Loan at any time without prepayment penalty, or upon such other terms as may be determined by the President and the Clerk-Treasurer upon consultation with the Town's municipal advisor. Except as otherwise set forth in this Ordinance, the President and the Clerk-Treasurer, upon consultation with the Town's municipal advisor, are hereby authorized and directed to determine the terms governing any such prepayment, as evidenced by the delivery of the Note.

SECTION 3. Execution of Loan Documents. The President is hereby authorized to finalize and execute the Note on behalf of the Town in addition to any other documents necessary to enter into the Loan (the "Loan Documents"). The Loan Documents shall be signed in the name of the Town by the manual or facsimile signature of the President and attested to by the manual or facsimile signature of the Clerk-Treasurer, who may affix the seal of the Town, if necessary, to the Loan Documents, manually or may have the seal imprinted or impressed thereon by facsimile or other means. In case any officer whose signature or facsimile signature appears on the Loan Documents shall cease to be such officer before the issuance of the Note, such signature shall nevertheless be valid and sufficient for all purposes as if such officer had remained in office until delivery thereof.

SECTION 4. Form of Loan Documents. The form and tenor of the Loan Documents shall be in such form as determined appropriate by the President as evidenced by his manual or facsimile signature on any such documents as attested by the Clerk-Treasurer, provided that the terms of any such document shall not be inconsistent with this Ordinance.

SECTION 5. Publication of Determination to Issue Note. The Clerk-Treasurer shall cause to be published a notice of determination of the Town to issue the Note two (2) times and at least one (1) week apart, pursuant to I.C. 5-3-1-2. The date fixed for the issuance of the Note shall not be earlier than fifteen (15) days after the adoption of this Ordinance and after the first publication of said notice is made. After the Note has been properly negotiated and executed, the Clerk-Treasurer shall receive the proceeds of the Loan from NWSB.

SECTION 6. Use of Loan Proceeds. The Clerk-Treasurer is hereby authorized to deposit the proceeds of the Loan in the Police Station Fund, with the proceeds to be used to pay expenses incurred in connection with the Project together with the expenses incidental thereto on account of the issuance of the Note. The proceeds deposited in the Police Station Fund shall be expended only for the purpose of paying expenses incurred in connection with the Project together with the expenses incidental thereto and on account of the issuance of the Note.

SECTION 7. Qualified Tax-Exempt Obligation. The President of the Council or any other authorized officer is authorized and directed, in the name and on behalf of the Town, to

designate the Note as a “qualified tax-exempt obligation” within the meaning of Section 265 of the Code if he or she shall determine as of the date of the issued Note that the reasonably anticipated amount of qualified tax-exempt obligations (including tax-exempt leases and qualified 501(c)(3) obligations, but excluding other private activity bonds) that will be issued by the Town, and all entities subordinate to the Town, during the year in which the Note is issued will not exceed \$10,000,000.00. He or she shall make such designation in the tax documents executed in connection with the Note and/or the Form 8038-G filed with the Internal Revenue Service. If such designation is made the Town shall not designate more than \$10,000,000.00 of qualified tax-exempt obligations during the year in which the Note is executed and issued.

SECTION 8. No Conflict. The provisions of this Ordinance control and supersede any ordinances, resolutions, and orders or parts in conflict with the provisions of this Ordinance. After the issuance of the Note and so long as any of the Loan 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 Note, nor shall the Town adopt any law, ordinance, or resolution which in any way adversely affects the rights of such holders.

SECTION 9. Severability; Interpretation. 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. 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 10. Holidays, Etc. 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 Town 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 11. Effectiveness. This Ordinance shall be in full force and effect from and after its adoption and approval and pursuant to the procedures required by law.

SAID ORDINANCE is hereby passed and adopted by the Town Council of the Town of Sellersburg, Indiana, this 14th day of March, 2022.

[Remainder of Page Intentionally Left Blank]

“Aye”

“Nay”

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Absent
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarnecki
Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 3/14/2022

MOTION: Czarnecki

SECOND: Langford

VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 3/14/2022

MOTION: Czarnecki

SECOND: Langford

VOTE: 4 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 005

AN ORDINANCE REGULATING TRAFFIC CONTROL ON ADKINS COURT.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body for Sellersburg, Indiana (the “Town”) and the President of this Council is the Town Executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, pursuant to Ind. Code § 9-21-1-2, a local authority may adopt by ordinance additional traffic regulations with respect to highways under the authority’s jurisdiction; and,

WHEREAS, pursuant to Ind. Code § 9-21-1-3, a local authority may regulate speed limits and traffic controls with respect to highways under the authority’s jurisdiction; and,

WHEREAS, this Council now desires to regulate certain traffic controls on Adkins Ct. and N. Fern Street.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following:

1. Parking on Adkins Court shall be for residents only.
2. “Resident Only Parking” is defined as permitted parking for all persons owning or living at a residence on Adkins Court (“Residents”), including all direct guests of said Residents.
3. Overflow parking from the Sellersburg Township Park is strictly prohibited and violators of this Ordinance shall be towed at the expense of the owner.
4. The Town Manager shall cause to have the necessary signage installed notifying the public of the modification to Residents Parking Only. The signage shall be installed within public right-a-way per code and INDOT standards where appropriate.
5. The Executive Secretary is hereby charged with the responsibility of publishing this ordinance pursuant to Ind. Code § 5-3-1 *et seq.* and said ordinance will take effect thirty (30) days after the date of publishing.

So Ordained this 14th day of March, 2022.

“Aye”

“Nay”

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Absent
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarnecki
Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 3/14/2022

MOTION: Czarnecki

SECOND: Mobley

VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 3/14/2022

MOTION: Czarnecki

SECOND: Mobley

VOTE: 4 AYE 0 NAY 0 ABSTAIN

Town of Sellersburg
(Governmental Unit)
CLARK County, Indiana

To:
NEWS AND TRIBUNE
221 SPRING STREET
PO BOX 867
JEFFERSONVILLE, IN 47130
FED ID # 04-3314494

PUBLISHER'S CLAIM

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines 46
Body -- number of lines
Tail -- number of lines
Total number of lines in notice 46

COMPUTATION OF CHARGES

46 lines, 2 columns wide equals 92 equivalent lines at 5270 cents per line \$ 48.48
Additional charges for notices containing rule or tabular work (50 per cent of above amount)
Charge for extra proofs of publication (\$1.00 for each proof in excess of two)
TOTAL AMOUNT OF CLAIM \$ 48.48

DATA FOR COMPUTING COST

Width of single column in picas Size of type 7 point.
Number of insertions

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper times. The dates of publication being as follows:

4/30/2022

Additionally, the statement checked below is true and correct:

- Newspaper does not have a Web site.
- Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper.
- Newspaper has a Web site, but due to technical problem or error, public notice was posted on
- Newspaper has a Web site but refuses to post the public notice.

Kerese Wheatthick
Bookkeeper

5/2/2022

1771392

INDIANA MEDIA GROUP
PO BOX 607
GREENSBURG IN 47240-0607
(877)253-7755
Fax (765)648-4229

ORDER CONFIRMATION (CONTINUED)

Salesperson: LEGALS

Printed at 04/28/22 13:01 by jgall

Acct #: 177535

Ad #: 1771392

Status: New

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA
ORDINANCE NO. 2022 - OR - 005

**AN ORDINANCE REGULATING TRAFFIC CONTROL
ON ADKINS COURT.**

WHEREAS, pursuant to Ind. Code 36-5-2 et seq., this Town Council of Sellersburg, Indiana (this "Council") is the town legislative body for Sellersburg, Indiana (the "Town") and the President of this Council is the Town Executive; and,

WHEREAS, pursuant to Ind. Code 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, pursuant to Ind. Code 9-21-1-2, a local authority may adopt by ordinance additional traffic regulations with respect to highways under the authority's jurisdiction; and,

WHEREAS, pursuant to Ind. Code 9-21-1-3, a local authority may regulate speed limits and traffic controls with respect to highways under the authority's jurisdiction; and,

WHEREAS, this Council now desires to regulate certain traffic controls on Adkins Ct. and N. Fern Street.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following:

1. Parking on Adkins Court shall be for residents only.
2. "Resident Only Parking" is defined as permitted parking for all persons owning or living at a residence on Adkins Court ("Residents"), including all direct guests of said Residents.
3. Overflow parking from the Sellersburg Township Park is strictly prohibited and violators of this Ordinance shall be towed at the expense of the owner.
4. The Town Manager shall cause to have the necessary signage installed notifying the public of the modification to Residents Parking Only. The signage shall be installed within public right-a-way per code and INDOT standards where appropriate.
5. The Executive Secretary is hereby charged with the responsibility of publishing this ordinance pursuant to Ind. Code 5-3-1 et seq. and said ordinance will take effect thirty (30) days after the date of publishing.

So Ordained this 14th day of March, 2022.

hspaxlp

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 006

AN ORDINANCE CONSIDERING AN AMENDMENT TO THE ZONING MAPS OF THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of a town; and,

WHEREAS, on the 21st day of March, 2022 the Plan Commission of the Town of Sellersburg, Indiana (the “Commission”) adopted *Resolution 2022-02 – A Zoning Map Amendment To The Town Of Sellersburg, Indiana* which more specifically certified the Commission’s favorable recommendation to rezone 305, 311, 315, and 317 S. Indiana Ave. from B3 Highway Business / M2 High-Density Multi-Family Residential to I2 Heavy Industrial. (*See Attached Exhibit A*); and,

WHEREAS, pursuant to Ind. Code § 36-7-4-608, this Council may adopt or reject the certification from the Commission.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that the recommendation by the Commission to rezone 305, 311, 315, and 317 S. Indiana Ave. from B3 Highway Business / M2 High-Density Multi-Family Residential to I2 Heavy Industrial is hereby **Adopted** Rejected (circle one).

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 29th day of March, 2022

"Aye"

"Nay"

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Absent
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Absent
Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 3/29/2022

MOTION: McVoy

SECOND: Mobley

VOTE: 3 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 3/29/2022

MOTION: McVoy

SECOND: Mobley

VOTE: 3 AYE 0 NAY 0 ABSTAIN

EXHIBIT A

TO THE SELLERSBURG TOWN COUNCIL
OF SELLERSBURG, INDIANA

RESOLUTION 2022-02
A ZONING MAP AMENDMENT
TO THE TOWN OF SELLERSBURG, INDIANA

Whereas, pursuant to IC 36-7-4-605 the Sellersburg Advisory Plan Commission shall certify a favorable recommendation, an unfavorable recommendation, or no recommendation to the legislative body on a proposed Zoning Map change to the Town of Sellersburg's Zoning Map, and;

Whereas, the Town of Sellersburg's Advisory Plan Commission in accordance with IC 36-7-4-604, a public hearing was held on March 21, 2022 on proposed Zoning Map Amendment (Exhibit A).

A Resolution to Amend the Town of Sellersburg Zoning Map to rezone 305, 311 315, and 317 S. Indiana Avenue from B3 Highway Business /M2 High-Density Multi-Family Residential to I2 Heavy Industrial district with commitments to expand and exisiting steel fabrication facility located in Sellersburg, Indiana.

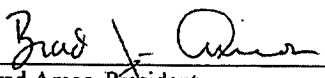
NOW THEREFORE BE IT RESOLVED by the Advisory Plan Commission of the Town of Sellersburg that the proposed Zoning Map amendment will be in keeping with the Comprehensive Plan of the Town of Sellersburg; rezoning is compatible with surrounding zoning, the rezoning is the most desirable use for the land, the rezoning conserves property values throughout the Town of Sellersburg and the rezoning is responsible development and growth for the Town of Sellersburg.

BE IT FURTHER RESOLVED that the Advisory Plan Commission of the Town of Sellersburg, gives a:

- Favorable recommendation;
- Unfavorable recommendation;
- No Recommendation;


the Town of Sellersburg Common Council for approval of the Resolution as presented.

BE IT HEREBY RESOLVED THIS 21st DAY OF MARCH 2022 BY THE ADVISORY PLAN COMMISSION OF THE TOWN OF SELLERSBURG, INDIANA.



Brad Amos, President

ATTEST:



Stacia Franklin, Planning Director

ORDINANCE NO. 2022 – OR – 007

**AN ORDINANCE AUTHORIZING THE REFUNDING OF CERTAIN
OUTSTANDING WATERWORKS REVENUE BONDS OF THE TOWN;
AUTHORIZING THE ISSUANCE OF THE TOWN OF SELLERSBURG,
INDIANA WATERWORKS REFUNDING REVENUE BONDS OF 2022 TO
PROVIDE FUNDS FOR SUCH REFUNDING AND THE PAYMENT OF
THE COSTS THEREOF; AND ADDRESSING OTHER MATTERS
CONNECTED THEREWITH**

WHEREAS, the Town of Sellersburg, Indiana (the “Town”), has heretofore established, acquired, constructed and financed its municipal waterworks and currently owns and operates such waterworks (the “Waterworks”) pursuant to the provisions of Title 8, Article 1.5 of the Indiana Code, as amended; and

WHEREAS, the Town Council of the Town (the “Town Council”) hereby finds that certain hereinafter described outstanding bonds of the Waterworks should be refunded to obtain a reduction in interest payments and effect a savings to the Town, that the refunding of those outstanding bonds, together with any redemption premiums and accrued interest thereon and including all costs related to the refunding cannot be provided for out of funds of the Waterworks now on hand and the refunding should be accomplished by the issuance of refunding revenue bonds of the Waterworks; and

WHEREAS, the Town has previously issued its Waterworks Revenue Bonds of 2014, dated August 26, 2014, currently outstanding in the aggregate principal amount of \$6,080,000 (the “Refunded Bonds”), pursuant to Ordinance No. 2013-013 (the “2014 Ordinance”), which Refunded Bonds constitute a first charge on the Net Revenues (as hereinafter defined) of the Waterworks; and

WHEREAS, the Refunded Bonds may be redeemed, at the option of the Town, in whole or in part at a redemption price of one hundred percent (100%) of the principal amount to be redeemed, plus accrued interest to the date of redemption; and

WHEREAS, the Town Council has found that it is beneficial to refund all of the outstanding Refunded Bonds pursuant to the provisions of Indiana Code 5-1-5 to enable the Town to obtain a reduction in interest payments and effect a savings to the Town and hereby authorizes the same by issuance of refunding revenue bonds (the “Refunding Bonds”); and

WHEREAS, upon the refunding of the Refunded Bonds, there will be no outstanding bonds payable out of the Net Revenues (as hereinafter defined) of the Waterworks other than the Refunding Bonds; and

WHEREAS, the Refunding Bonds will constitute a first charge against the Net Revenues of the Waterworks and are to be issued subject to the provisions of the Act (as hereinafter defined), and the terms and restrictions of this Ordinance; and

WHEREAS, this Town Council now finds that all conditions precedent to the adoption of an ordinance authorizing the issuance of the Refunding Bonds have been complied with in accordance with the provisions of Indiana Code 8-1.5-2 and Indiana Code 5-1-5, each as in effect on the date of delivery of the Refunding Bonds authorized herein (collectively, the "Act").

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA, THAT:

SECTION 1. Authorization of Refunding the Refunded Bonds. The Town, being the owner of and engaged in operating an unencumbered Waterworks supplying the Town, its inhabitants, and the residents adjacent thereto, with water services, now finds it necessary to provide funds for refunding the Refunded Bonds thereby reducing its interest payments and effecting a savings, as will be reported after the sale of the Refunding Bonds issued hereunder by the Town's municipal advisor, Baker Tilly Municipal Advisors, LLC (the "Municipal Advisor"). Where used in this Ordinance, the term "Town" shall be construed also to include any department, board, commission or officer or officers of the Town or of any Town department, board or commission. The terms "Waterworks", "waterworks system", "works", "system" and similar terms used in this Ordinance shall be construed to mean the Town's existing waterworks system together with all the real estate, equipment and appurtenances thereto used in connection therewith, and all improvements, extensions and additions thereto, and replacements thereof, now or subsequently constructed or acquired.

SECTION 2. The Refunding Bonds. In accordance with the Act, the Town shall issue, in one or more series, its waterworks refunding revenue bonds designated "Town of Sellersburg, Indiana Waterworks Refunding Revenue Bonds of 2022", with any such further or different series designation as determined by the Clerk-Treasurer to be necessary or appropriate, in the aggregate principal amount not to exceed Six Million Eight Hundred Thousand Dollars (\$6,800,000) (the "Refunding Bonds"), for the purpose of providing funds to (i) effect a current refunding of the Refunded Bonds for the purpose of achieving interest cost savings, (ii) fund a debt service reserve fund or pay the premium for a debt service reserve surety policy, if necessary, and (iii) pay the costs incurred on account of the issuance and sale of the Refunding Bonds, including any premiums for any municipal bond insurance policies, if any. The principal of, redemption premium, if any, and interest on the Refunding Bonds shall be payable solely out of the Net Revenues deposited into the Sinking Fund, as defined and described herein.

The Refunding Bonds shall be issued in one or more series as fully registered bonds in denominations of: (i) Five Thousand Dollars (\$5,000) or any integral multiple thereof, or (ii) if sold through a private placement, in denominations of One Hundred Thousand Dollars (\$100,000), plus any integral multiple of Five Thousand Dollars (\$5,000) in excess thereof, or the aggregate principal amount of such Refunding Bonds maturing in any year if less than One Hundred Thousand Dollars (\$100,000); in either case not exceeding the aggregate principal amount of the Refunding Bonds maturing in any one year. The Refunding Bonds shall be numbered consecutively from R-1 upward, and shall bear interest at a rate not to exceed five percent (5.0%) per annum (the exact rate or rates to be determined by bidding or through negotiations, as determined by the Clerk-Treasurer). Interest on the Refunding Bonds shall be payable semiannually on January 1 and July 1 of each year (each an "Interest Payment Date"), commencing

not earlier than July 1, 2022. The principal of the Refunding Bonds shall mature semiannually on January 1 and July 1 of each year, or be subject to mandatory sinking fund redemption on January 1 and July 1 of each year, commencing not earlier than July 1, 2022, and ending no later than January 1, 2035, until the principal is fully paid. Interest on the Refunding Bonds shall be calculated according to a 360-day calendar year containing twelve 30-day months. Subject to the terms and conditions herein, the Refunding Bonds shall mature on such dates and amounts as determined by the Clerk-Treasurer prior to the sale of the Refunding Bonds with the advice of the Municipal Advisor.

The Refunding Bonds shall bear an original issue date which shall be the date of delivery and each Refunding Bond shall also bear the date of its authentication. Any Refunding Bond authenticated on or before the fifteenth (15th) day of the month immediately preceding the first Interest Payment Date, shall pay interest from its original date. Any Refunding Bond authenticated thereafter shall pay interest from the Interest Payment Date next preceding the date of authentication of such Refunding Bond to which interest thereon has been paid or duly provided for, unless such Refunding Bond is authenticated after the fifteenth (15th) day of the month immediately preceding an Interest Payment Date and on or before such Interest Payment Date, in which case interest thereon shall be paid from such Interest Payment Date.

The Clerk-Treasurer is authorized to serve as, or the Clerk-Treasurer is authorized to appoint a qualified financial institution to serve as, the Registrar and Paying Agent for the Refunding Bonds (the "Registrar and Paying Agent") as will enable and facilitate the performance of its duties and responsibilities, and are authorized and directed to pay such fees as the Registrar and Paying Agent may reasonably charge for its services in such capacity, with such fees to be paid from the Sinking Fund as described in this Ordinance. The Registrar and Paying Agent is hereby charged with the performance of all of the duties and responsibilities customarily associated with each such position, including without limitation the authentication of the Refunding Bonds.

If wire transfer payment for the Refunding Bonds is not required, the principal of and any redemption premium on the Refunding Bonds shall be payable at the designated corporate trust operations office of the Paying Agent. Interest on the Refunding Bonds shall be paid by check or draft mailed or delivered by the Paying Agent to the registered owner thereof at the address as it appears on the registration books kept by the Registrar as of the fifteenth (15th) day of the month immediately preceding the Interest Payment Date or at such other address as may be provided to the Paying Agent in writing by such registered owner. All payments on the Refunding Bonds shall be made in any coin or currency of the United States of America which, on the dates of such payments, shall be legal tender for the payment of public or private debt.

Each Refunding Bond shall be transferable or exchangeable only on the books of the Town maintained for such purpose at the designated corporate trust operations office of the Registrar, by the registered owner thereof in person, or by his or her attorney duly authorized in writing, upon surrender of such Refunding Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or his or her attorney duly authorized in writing, and thereupon a new fully registered Refunding Bond or Refunding 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. Each Refunding Bond may be transferred or exchanged without cost to the registered

owner or his or her attorney duly authorized in writing, except for any tax or other governmental charge which may be required to be paid with respect to such transfer or exchange. The Registrar shall not be obligated to make any transfer or exchange of any Refunding Bond (i) during the fifteen (15) days immediately preceding an Interest Payment Date or (ii) after the mailing of notice calling such Refunding Bond for redemption. The Town, the Registrar and the Paying Agent may treat and consider the person in whose name any Refunding Bond is registered as the absolute owner thereof for all purposes including the purpose of receiving payment of, or on account of, the principal thereof and redemption premium, if any, and interest thereon.

In the event any Refunding Bond is mutilated, lost, stolen or destroyed, the Town may cause to be executed and the Registrar may authenticate a new Refunding Bond of like date, maturity and denomination as the mutilated, lost, stolen or destroyed Refunding Bond, which new Refunding Bond shall be marked in a manner to distinguish it from the Refunding Bond for which it was issued; provided, that in the case of any mutilated Refunding Bond, such mutilated Refunding Bond shall first be surrendered to the Registrar, and in the case of any lost, stolen or destroyed Refunding Bond there shall be first furnished to the Registrar evidence of such loss, theft or destruction satisfactory to the Town and the Registrar, together with indemnity satisfactory to them. In the event that any such mutilated, lost, stolen or destroyed Refunding Bond shall have matured or been called for redemption, instead of causing to be issued a duplicate Refunding Bond, the Registrar and Paying Agent may pay the same upon surrender of the mutilated Refunding Bond or satisfactory indemnity and proof of loss, theft or destruction in the case of a lost, stolen or destroyed Refunding Bond. The Town and the Registrar and Paying Agent may charge the owner of any such Refunding Bond with their reasonable fees and expenses in connection with the above. Every substitute Refunding Bond issued by reason of any Refunding Bond being lost, stolen or destroyed shall, with respect to such Refunding Bond, constitute a substitute contractual obligation of the Town pursuant to this Ordinance, whether or not the lost, stolen or destroyed Refunding 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 Refunding Bonds duly issued hereunder.

In the event that any Refunding Bond is not presented for payment or redemption on the date established therefor, the Town may deposit in trust with the Paying Agent an amount sufficient to pay such Refunding Bond or the redemption price thereof, as appropriate, and thereafter the owner of such Refunding Bond shall look only to the funds so deposited in trust with the Paying Agent for payment and the Town shall have no further obligation or liability with respect thereto.

SECTION 3. Redemption of Refunding Bonds. The Clerk-Treasurer, upon consultation with the Municipal Advisor, may designate maturities of Refunding Bonds (or portion thereof in integral multiples of Five Thousand Dollars (\$5,000) principal amount each) 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 Clerk-Treasurer, upon consultation with the Municipal Advisor, is hereby authorized and directed to determine the terms governing any such redemption, as evidenced by the delivery of the Refunding Bonds.

If any Refunding Bond is issued as a term bond, the Paying Agent shall credit against the mandatory sinking fund requirement for the Refunding Bonds maturing as term bonds, and corresponding mandatory redemption obligation, in the order determined by the Town, any

Refunding Bonds maturing as term bonds which have previously been redeemed (otherwise than as a result of a previous mandatory redemption requirement) or delivered to the Registrar for cancellation or purchased for cancellation by the Paying Agent and not theretofore applied as a credit against any redemption obligation. Each Refunding Bond maturing as a term bond so delivered or cancelled shall be credited by the Paying Agent at one hundred percent (100%) of the principal amount thereof against the mandatory sinking fund obligation on such mandatory sinking fund date, and any excess of such amount shall be credited on future redemption obligations, and the principal amount of the Refunding Bonds to be redeemed by operation of the mandatory sinking fund requirement shall be accordingly reduced; provided, however, the Paying Agent shall credit only such Refunding Bonds maturing as term bonds to the extent received on or before forty-five (45) days preceding the applicable mandatory redemption date.

Each Five Thousand Dollars (\$5,000) principal amount shall be considered a separate bond for purposes of optional and mandatory redemption. If less than an entire maturity is called for redemption, the Refunding Bonds to be called shall be selected by lot by the Registrar.

Notice of such redemption shall be mailed by certified or registered mail at least thirty (30) days and not more than sixty (60) days prior to the scheduled redemption date to each of the registered owners of the Refunding Bonds called for redemption (unless waived by such registered owner), at the address shown on the books of the Registrar. The notice shall specify date and place of redemption, the registration numbers of the Refunding Bonds called for redemption, and any conditions precedent to such redemption. The place of redemption may be at the designated corporate trust operations office of the Paying Agent or as otherwise determined by the Town. Interest on the Refunding Bonds so called for redemption shall cease to accrue 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 redemption date and when such Refunding Bonds are presented for payment.

In addition to the foregoing notice, the Town may also direct that further notice of redemption of the Refunding Bonds be given, including without limitation and at the option of the Town, notice described in paragraph (a) below given by the Registrar to the parties described in paragraph (b) below. No defect in any such further notice and no failure to give all or any portion of any such further notice shall in any manner defeat the effectiveness of any call for redemption of Refunding Bonds so long as notice thereof is mailed as prescribed above.

(a) If so directed by the Town, each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (i) the CUSIP numbers of all Refunding Bonds being redeemed; (ii) the date of issue of the Refunding Bonds as originally issued; (iii) the rate of interest borne by each Refunding Bond being redeemed; (iv) the maturity date of each Refunding Bond being redeemed; and (v) any other descriptive information needed to identify accurately the Refunding Bond being redeemed.

(b) If so directed by the Town, each further notice of redemption shall be sent at least thirty (30) days before the redemption date by registered or certified mail or overnight delivery service to all registered securities depositories then in the business of holding substantial amounts of obligations of types comprising the Refunding Bonds (such depositories as the Depository Trust

Company of New York, New York) and to one or more national information services that disseminate notices of redemption of obligations such as the Refunding Bonds.

Upon the payment of the redemption price of the Refunding Bonds being redeemed and if so directed by the Town, each check or other transfer of funds issued for such purpose shall bear the CUSIP number identifying, by issue and maturity, the Refunding Bonds being redeemed with the proceeds of such check or other transfer.

SECTION 4. Authorization for Book-Entry System. The Refunding Bonds may, in compliance with all applicable laws and as determined by the Clerk-Treasurer based upon the advice of the Municipal Advisor, 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 Town 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 Refunding Bond of each maturity shall be delivered to the Clearing Agency (or its agent) and held in its custody. The Town and Registrar may, in connection herewith, do or perform or cause to be done or performed any acts or things not adverse to the rights of the holders of the Refunding Bonds as are necessary or appropriate to accomplish or recognize such book-entry form Refunding Bonds.

During any time that the Refunding Bonds are held in book-entry form on the books of a Clearing Agency, (1) any such Refunding Bond may be registered upon Registration Record in the name of such Clearing Agency, or any nominee thereof, including Cede & Co.; (2) the Clearing Agency in whose name such Refunding Bond is so registered shall be, and the Town and the Registrar and Paying Agent may deem and treat such Clearing Agency as, the absolute owner and holder of such Refunding Bond for all purposes of this Ordinance, including, without limitation, the receiving of payment of the principal of and interest and premium, if any, on such Refunding Bond, the receiving of notice and the giving of consent; (3) neither the Town 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 Refunding Bond, including, without limitation, any responsibility or obligation hereunder to maintain accurate records of any interest in any Refunding 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 Refunding Bond, the receiving of notice or the giving of consent; and (4) the Clearing Agency is not required to present any Refunding Bond called for partial redemption, if any, 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 Town receives notice from the Clearing Agency which is currently the registered owner of the Refunding Bonds to the effect that such Clearing Agency is unable or unwilling to discharge its responsibility as a Clearing Agency for the Refunding Bonds, or the Town elects to discontinue its use of such Clearing Agency as a Clearing Agency for the Refunding Bonds, then the Town and the 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 Refunding Bonds, as are necessary or appropriate to discontinue use of such Clearing Agency as a Clearing Agency for the Refunding Bonds and to transfer the ownership of each of the Refunding Bonds to such person or persons, including any other Clearing Agency, as the holder of the Refunding Bonds may direct in accordance with this Ordinance. Any expenses of such discontinuance and transfer, including expenses of printing new certificates to evidence the Refunding Bonds, shall be paid by the Town.

During any time that the Refunding 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 the Refunding 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 Refunding Bond has been obtained, the Registrar shall be entitled to treat the beneficial owners of the Refunding 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 Refunding Bonds are held in book-entry form on the books of a Clearing Agency, Town Council President, Clerk-Treasurer 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 Refunding Bonds are held in book-entry form, the provisions of this Section 4 of this Ordinance shall control over conflicting provisions in any other section of this Ordinance.

SECTION 5. Execution and Authentication of the Refunding Bonds. In accordance with the terms hereof and the provisions of Indiana Code 5-1-3 and Indiana Code 5-1-14-18, the Refunding Bonds shall be executed in the name of the Town by the manual, facsimile or electronic signature (as defined in Indiana Code 26-2-8-102(10), as amended) of the Town Council President, and attested by the manual, facsimile or electronic signature of the Clerk-Treasurer, with the seal of the Town, if any, or a facsimile thereof to be affixed to each of the Refunding Bonds. The Refunding Bonds shall be authenticated by the manual, facsimile or electronic signature of the Registrar, and no Refunding Bond shall be valid or become obligatory for any purpose until the certificate of authentication thereon has been so executed. In case any official whose signature appears on any Refunding Bond shall cease to be such official before the delivery of such Refunding Bond, the signature of such official shall nevertheless be valid and sufficient for all purposes, the same as if such official had been in office at the time of such delivery. Subject to the provisions of this Ordinance regarding the registration of the Refunding Bonds, the Refunding Bonds shall be fully negotiable instruments under the laws of the State of Indiana.

SECTION 6. Security and Sources of Payment; Pledge of Net Revenues. The Refunding Bonds, and any bonds hereafter issued on a parity therewith, as to both principal and interest, shall

be payable from and secured by, and shall constitute a first charge upon, all of the Net Revenues (herein defined as gross revenues of the Waterworks of the Town remaining after the payment of the reasonable expenses of operation, repair and maintenance, excluding transfers from payment in lieu of property taxes) derived from the Waterworks, including all such Net Revenues from the existing works and all additions and improvements thereto and replacements thereof subsequently constructed or acquired, to be set aside in the Sinking Fund, which are hereby irrevocably pledged to the payment of the Refunding Bonds, to the extent necessary for that purpose. The Town shall not be obligated to pay the Refunding Bonds or the interest thereon except from the Net Revenues of the Waterworks, and the Refunding Bonds shall not constitute an indebtedness of the Town within the meaning of the provisions and limitations of the constitution of the State of Indiana. The Refunding Bonds shall have all of the qualities and incidents of negotiable instruments under the laws of the State of Indiana, subject to the provisions for registration herein.

SECTION 7. Form of the Refunding Bonds. The form and tenor of the Refunding Bonds shall be substantially as set forth in Exhibit A, attached hereto and incorporated herein as if set forth at this place (with all blanks to be filled in properly and all necessary additions and deletions to be made prior to delivery thereof).

SECTION 8. Issuance, Sale and Delivery of the Refunding Bonds. The Clerk-Treasurer is hereby authorized and directed to have the Refunding Bonds prepared, and the Town Council President and the Clerk-Treasurer are hereby authorized and directed to execute or to cause the execution of the Refunding Bonds in the form and manner herein provided. The Clerk-Treasurer is hereby authorized and directed to deliver the Refunding Bonds to the purchaser or purchasers thereof upon compliance with the requirements established hereunder and under the Act for the sale thereof, and to collect the full amount which the purchaser or respective purchasers have agreed to pay therefor, which shall not be less than ninety-nine percent (99.0%) of the par amount of the Refunding Bonds, plus accrued interest thereon to the date of delivery, and a maximum net discount of one percent (1.0%) of the par amount of the Refunding Bonds. The Refunding Bonds, when fully paid for and delivered to the purchaser or purchasers shall be the binding special revenue obligations of the Town, payable out of the Net Revenues of the Waterworks to be set aside and paid into the Sinking Fund as herein provided, and the proceeds derived from the sale of the Refunding Bonds shall be and are hereby set aside for the application to the costs of refunding the Refunded Bonds and the expenses necessarily incurred in connection therewith including the expenses incurred in the issuance of the Refunding Bonds on account of the financing thereof. The authorized officers of the Town are hereby authorized and directed to draw all proper and necessary warrants and to do whatever other acts and things that may be necessary or appropriate to carry out the provisions of this Ordinance.

If the Refunding Bonds are sold by competitive bid, the Clerk-Treasurer shall cause to be published either (i) a notice of such sale two (2) times, at least one (1) week apart, with the first publication made at least fifteen (15) days before the date of such sale and the second publication at least three (3) days before the date of the sale in accordance with Indiana Code 5-3-1-2 in one (1) newspaper, as defined in and in accordance with Indiana Code 5-3-1-4, or (ii) a notice of intent to sell bonds once each week for two (2) weeks in accordance with Indiana Code 5-1-11-2 and Indiana Code 5-3-1-4 and in a newspaper of general circulation published in the State capital, in which case bids may not be received more than ninety (90) days after the first publication. Such notice, or a summary thereof, may also be published in any other publications deemed appropriate

in the discretion of the Clerk-Treasurer. The bond sale notice shall state the time and place of sale, the purpose for which the Refunding Bonds are being issued, the total amount and maturities thereof, the maximum rate of interest thereon and any limitations as to the number of interest rates and the setting of such rates, the terms and conditions upon which bids will be received and the sale made, and such other information as the Clerk-Treasurer and the attorneys employed by the Town shall deem necessary or advisable. Such notice shall provide, among other things, that each bid shall be accompanied by a certified or cashier's check or wire transfer in the amount of one percent of the par amount of the Refunding Bonds to guarantee performance on the part of the bidder, and that in the event the successful bidder shall fail or refuse to accept delivery of and pay for the Refunding Bonds as soon as the Refunding Bonds are ready for delivery, or at the time fixed in the notice of sale, then such check and the proceeds thereof shall become the property of the Town and shall be considered as the Town's liquidated damages on account of such default.

All bids for the Refunding Bonds shall be sealed and shall be presented to the Clerk-Treasurer or his or her designee at the physical or electronic address identified in the notice. Bidders for the Refunding Bonds shall be required to name the rate or rates of interest which the Refunding Bonds are to bear, not exceeding five percent (5.0%) per annum. Such interest rate or rates shall be in multiples of one-eighth (1/8) or one-hundredth (1/100) of one percent. Bids specifying more than one interest rate shall also specify the amount and maturities of the Refunding Bonds bearing each rate, and all Refunding Bonds maturing on the same date shall bear the same rate. The rate on any maturity shall be equal to or greater than the rate on the immediately preceding maturity. The Refunding Bonds shall be awarded by the Clerk-Treasurer to the best bidder who has submitted a bid in accordance with the terms of this Ordinance and the notice of sale. The best bidder will be the bidder who offers the lowest net interest cost to the Town, to be determined by computing the total interest on all of the Refunding Bonds from the date thereof to their respective maturities and deducting therefrom the premium bid, if any. No bid for less than all of the Refunding Bonds, plus accrued interest to the date of delivery, shall be considered. The Town shall have the right to reject any and all bids. In the event an acceptable bid is not received on the date fixed in the notice, the Clerk-Treasurer shall be authorized to continue the sale from day to day for a period of not to exceed thirty (30) days without readvertising. During the continuation of the sale, no bid shall be accepted which offers an interest cost which is equal to or higher than the best bid received at the time originally fixed for the sale of the Refunding Bonds in the bond sale notice.

As an alternative to competitive bid, the Clerk-Treasurer may negotiate the sale or negotiate the sale to a private purchaser of said Refunding Bonds at an interest rate or rates not exceeding five percent (5.0%) per annum. The Town Council President and the Clerk-Treasurer are hereby authorized to (i) execute a purchase agreement, bond placement agreement, term sheet or similar instrument (collectively, the "Purchase Agreement") with the purchaser, and (ii) sell such Refunding Bonds upon such terms as are acceptable to the Town Council President and the Clerk Treasurer consistent with the terms of this Ordinance. The final form of the Purchase Agreement shall be approved by the Town Council President and Clerk-Treasurer, upon the advice of the Town's bond counsel and Municipal Advisor, and the Town Council President and Clerk-Treasurer are hereby authorized and directed to complete, execute and attest the same on behalf of the Town so long as its provisions are consistent with the Ordinance.

The Clerk-Treasurer is hereby authorized to appoint a financial institution to serve as escrow agent (the "Escrow Agent") for the Refunded Bonds in accordance with the terms of an Escrow Agreement between the Town and the Escrow Agent (the "Escrow Agreement"). The final form of the Escrow Agreement shall be approved by the Town Council President and Clerk-Treasurer, upon the advice of the Town's bond counsel and Municipal Advisor, and the Town Council President and the Clerk-Treasurer are hereby authorized and directed to complete, execute and attest the same on behalf of the Town so long as its provisions are consistent with this Ordinance and the purchase agreement.

The execution, by either the Town Council President, Clerk-Treasurer, or the purchaser of the Refunding Bonds of a subscription for investments of proceeds of the Refunding Bonds to be held under the Escrow Agreement in a manner consistent with this Ordinance is hereby authorized and approved.

Prior to the delivery of the Refunding Bonds, the Clerk-Treasurer (i) shall be authorized, but not required, to investigate and to obtain insurance, surety bonds and/or credit ratings on the Refunding Bonds and (ii) shall obtain a legal opinion as to the validity of the Refunding Bonds from Frost Brown Todd LLC, Indianapolis, Indiana, bond counsel for the Town, and such opinion shall be furnished to the purchasers of the Refunding Bonds at the expense of the Town. The costs of obtaining any such insurance, surety bonds and/or credit ratings, together with bond counsel's fee in preparing and delivering such opinion and in the performance of related services in connection with the issuance, sale and delivery of the Refunding Bonds, shall be considered as a part of the cost of issuance of the Refunding Bonds and shall be paid out of the proceeds of the sale of the Refunding Bonds. Assignment of CUSIP numbers and related charges shall be the responsibility of the purchaser if required.

SECTION 9. Official Statement; Other Documents. Any series of the Refunding Bonds may be offered and sold pursuant to an Official Statement (preliminary and final) or other offering document with respect to such Refunding Bonds (collectively, the "Official Statement"), to be made available and distributed in such manner, at such times, for such periods and in such number of copies as may be required pursuant to Rule 15c2-12, as amended, promulgated by the United States Securities and Exchange Commission (the "Rule") and any and all applicable rules and regulations of the Municipal Securities Rulemaking Board, to the extent applicable to the Refunding Bonds. The Town hereby authorizes the Town Council President or Clerk-Treasurer (a) to authorize and approve a Preliminary Official Statement, as the same may be appropriately confirmed, modified and amended for distribution as the Preliminary Official Statement of the Town with respect to the Refunding Bonds, (b) on behalf of the Town, to designate the Preliminary Official Statement a "final" Official Statement of the Town with respect to the Refunding Bonds, and (c) to authorize and approve the Preliminary Official Statement to be placed into final form and enter into such agreements or arrangements as may be necessary or advisable in order to provide for the distribution of a sufficient number of copies of the Official Statement under the Rule. The President of the Town Council and the Clerk-Treasurer are further authorized to approve the form and distribution of any other offering materials that may be recommended by the Town's Municipal Advisor in connection with a private placement for the Bonds.

SECTION 10. Continuing Disclosure. If required under the Rule, the Town Council hereby approves, and authorizes and directs the Town Council President and the Clerk-Treasurer,

for and on behalf of the Town, to execute and deliver, and to perform the obligations of the Town under, a Continuing Disclosure Agreement from the Town to each registered owner or holder of any Refunding Bond (the "Continuing Disclosure Agreement"). The Town Council President and the Clerk-Treasurer are authorized to approve the form of the Continuing Disclosure Agreement, upon the advice of the Town's bond counsel, with such determination to be conclusively evidenced by such Town Council President's and such Clerk-Treasurer's execution thereof.

SECTION 11. Use of Proceeds of Refunding Bonds. Proceeds of the Refunding Bonds shall be applied as follows and in the following order of priority:

(a) *First*, concurrently with the delivery of the Refunding Bonds, the Clerk-Treasurer may acquire (subject to the terms of the 2014 Ordinance), with the proceeds of the Refunding Bonds and cash on hand, direct obligations of, or obligations the principal and interest on which are unconditionally guaranteed by, the United States of America (the "Government Obligations"), to be used, together with certain cash from the proceeds of the Refunding Bonds and cash on hand, if any, as set forth in the Escrow Agreement, to refund and legally defease the Refunded Bonds all as set forth in the Escrow Agreement. In order to refund the Refunded Bonds, the Clerk-Treasurer shall deposit the Government Obligations and certain cash, if any, with the Escrow Agent under the Escrow Agreement in an amount sufficient to provide moneys for the payment of the principal of and interest and redemption premium, if any, on the Refunded Bonds until the earliest date upon which the Refunded Bonds may be called for redemption. As an alternative to purchasing Government Obligations, the Clerk-Treasurer, with the advice of the Municipal Advisor, may deposit proceeds of the Refunding Bonds and cash on hand with the Escrow Agent in an amount sufficient to currently refund and legally defease the Refunded Bonds. If required for the legal defeasance of the Refunded Bonds, the Clerk-Treasurer shall obtain a verification of an accountant as to the sufficiency of the Government Obligations (if any) and funds deposited in the irrevocable escrow account created under the Escrow Agreement (the "Escrow Account") to accomplish said refunding and legal defeasance of the Refunded Bonds.

(b) *Second*, if proceeds of the Refunding Bonds will be used to fund all or a portion of the Reserve Account (as defined herein), the Clerk-Treasurer shall transfer such proceeds to the Reserve Account of the Sinking Fund, as hereinafter described.

(c) *Third*, the remaining proceeds of the Refunding Bonds shall be applied by the Clerk-Treasurer to the cost of issuance of the Refunding Bonds not otherwise paid. When all the costs of issuance of the Refunding Bonds have been paid, the Clerk-Treasurer shall then transfer any amount then remaining from the proceeds of the Refunding Bonds to the hereinafter described Sinking Fund.

SECTION 12. Revenue Fund. The Town shall segregate, deposit and keep in a special fund hereby continued, separate and apart from all other funds of the Town, all gross revenues received on account of the rates and charges of the Waterworks (the "Revenue Fund"). Out of said revenues, the proper and reasonable expenses of operation, repair and maintenance of the waterworks shall be paid, the principal and interest of all bonds and fiscal agency charges of registrars or bank paying agents shall be paid, reserves shall be funded, and the costs of replacements, extensions, additions and improvements shall be paid as hereinafter provided.

SECTION 13. Operation and Maintenance Fund There is hereby continued a fund known as the Operation and Maintenance Fund (the "O&M Fund"). There shall be transferred from the Revenue Fund into the O&M Fund on the last day of each calendar month, a sufficient amount to pay the expenses of operation, repair and maintenance of the Waterworks for the then next succeeding two (2) calendar months. The moneys credited to the O&M Fund shall be used for the payment of the reasonable and proper operation, repair and maintenance expenses of the Waterworks on a day-to-day basis, but none of the moneys in the O&M Fund shall be used for transfers for payment in lieu of property taxes, depreciation, improvements, extensions or additions. Any moneys in the O&M Fund may be transferred to the Sinking Fund if necessary to prevent a default in the payment of principal of and interest on the outstanding bonds of the Waterworks, or if necessary to eliminate any deficiencies in credits to, or minimum balance in, the Reserve Account, as defined and described below.

SECTION 14. Waterworks Sinking Fund. (a) There is hereby continued a special fund designated the Waterworks Sinking Fund (the "Sinking Fund") for the payment of the principal of and interest on revenue bonds which by their terms are payable from the Net Revenues of the Waterworks and the payment of any fiscal agency charges in connection with the payment of the bonds and interest. There shall be set aside, transferred and deposited into the Sinking Fund from the Revenue Fund, as available and as hereinafter provided, a sufficient amount of the Net Revenues of the Waterworks to meet the requirements of the Bond and Interest Account and the Reserve Account hereby continued in the Sinking Fund. Such payments shall continue until the balances in the Bond and Interest Account and the Reserve Account equal the principal of and interest on all of the then outstanding bonds of the Waterworks to their final maturity and provide for payment of all fiscal agency charges.

(b) Bond and Interest Account. The Bond and Interest Account within the Sinking Fund is hereby continued. Any moneys heretofore accumulated in the Bond and Interest Account to pay principal of and interest on the Refunded Bonds shall be either (i) credited to and become a part of the Escrow Account and shall be applied on the earliest payments made from the Escrow Account, or (ii) if applicable, applied to the immediate payment of the Refunded Bonds on the date of issuance of the Refunding Bonds. There shall be transferred on the last day of each calendar month from the Revenue Fund to the Bond and Interest Account an amount of the Net Revenues equal to at least one-sixth (1/6) of the interest on all then outstanding bonds of the Waterworks payable on the then next succeeding Interest Payment Date and at least one-sixth (1/6) of the principal on all then outstanding bonds of the Waterworks payable on the then next succeeding principal payment date, until the amount of interest and principal payable on the then next succeeding interest and principal payment date shall have been so credited; provided, that such fractional amounts shall be appropriately increased, if necessary, to provide for the first interest and principal payments on the Refunding Bonds. There shall similarly be credited to the Bond and Interest Account any amount necessary to pay the paying agent or other fiscal agency charges, if any, for paying principal and interest on the bonds as the same become payable. The Town shall, from the sums deposited in the Sinking Fund and credited to the Bond and Interest Account, remit promptly to the registered owner or to the paying agent sufficient moneys to pay the interest and principal on the due dates thereof together with the amount of any paying agent or other fiscal agency charges.

(c) Debt Service Reserve Account. The Debt Service Reserve Account within the Sinking Fund is hereby continued (the "Reserve Account"). On the date of delivery of the Refunding Bonds, the Town may cause funds on hand of the Waterworks, proceeds of the Refunding Bonds or such other bonds, or a combination thereof to be deposited into the Reserve Account. The balance to be maintained in the Reserve Account shall equal but not exceed the least of: (i) the maximum annual debt service on the Refunding Bonds and any Additional Parity Bonds (as defined herein); (ii) one hundred twenty-five percent (125%) of the average annual debt service on the Refunding Bonds and any Additional Parity Bonds; or (iii) ten percent (10%) of the stated principal amount or issue price, determined in accordance with U.S. Treasury Regulation Section 1.148-2(f)(2)(ii), of the Refunding Bonds and any Additional Parity Bonds (the "Reserve Requirement").

If the initial deposit into the Reserve Account does not equal the Reserve Requirement or if no deposit is made, the Town shall deposit a sum of Net Revenues into the Reserve Account on the last day of each calendar month, beginning with the first month after the Refunding Bonds are delivered, until the balance therein equals the Reserve Requirement. The monthly deposits shall be equal in amount and sufficient to accumulate the Reserve Requirement within five (5) years of the date of delivery of the Refunding Bonds.

The Reserve Account shall constitute the margin for safety and protection against default in the payment of principal of and interest on the Refunding Bonds and any Additional Parity Bonds, and the moneys in the Reserve Account shall be used to pay current principal and interest on the Refunding Bonds and any Additional Parity Bonds to the extent that moneys in the Bond and Interest Account are insufficient for that purpose. Any deficiency in the balance maintained in the Reserve Account shall be promptly made up from the next available Net Revenues remaining after credits into the Bond and Interest Account. If moneys in the Reserve Account are transferred to the Bond and Interest Account to pay principal and interest on outstanding bonds, then such depletion of the balance in the Reserve Account shall be made up from the next available Net Revenues after the credits into the Bond and Interest Account. Any moneys in the Reserve Account in excess of the Reserve Requirement shall either be transferred to the Improvement Fund (as defined herein) or be used for the purchase of outstanding bonds or installments of principal of fully registered bonds at a price not exceeding the par plus accrued interest and redemption premium, if any.

Notwithstanding anything herein to the contrary, the Town reserves the right to satisfy the Reserve Account at any time with funds on hand of the Waterworks, proceeds of the Refunding Bonds or other bonds, a debt service reserve surety bond, a rollover of the existing Reserve Account for the Refunded Bonds, or a combination thereof. Any such surety bond must be issued by an insurance company rated at the time of issuance of such instrument in one of the two highest rating categories by Standard & Poor's Global Ratings Services, Moody's Investors Service, Fitch Ratings, Inc., or Kroll Bond Rating Agency, LLC. If such surety bond is purchased, the Town Council President and the Clerk-Treasurer are hereby authorized to execute and deliver all agreements with the provider of the surety bond to the extent necessary to comply with the terms of such surety bond and the commitment to issue such surety. Such agreement shall be deemed a part of this Ordinance for all purposes and is hereby incorporated herein by reference.

SECTION 15. Waterworks Improvement Fund. After meeting the requirements of the O&M Fund and the Sinking Fund, any excess Net Revenues may be transferred or credited to the fund previously designated as the Waterworks Improvement Fund (the "Improvement Fund"), hereby continued. The Improvement Fund shall be used for improvements, replacements, additions and extensions of the waterworks. The Town reserves the right to transfer payments in lieu of taxes no more frequently than semiannually in accordance with the Act, and only if all required transfers have been made to the Sinking Fund and the accounts of the Sinking Fund contain the required balances as of the date the payments in lieu of taxes are paid. Moneys in the Improvement Fund shall be transferred to the Sinking Fund if necessary to prevent a default in the payment of principal and interest on the then outstanding bonds or, if necessary, to eliminate any deficiencies in credits to, or minimum balance in, the Reserve Account of the Sinking Fund or may be transferred to the O&M Fund to meet unforeseen contingencies in the operation and maintenance of the Waterworks.

SECTION 16. Maintenance of Funds; Investments. The proceeds from the sale of the Refunding Bonds shall be deposited in a bank or banks which are legally designated depositories for the funds of the Town, in a special account or accounts. The Sinking Fund shall be deposited in and maintained as a separate account or accounts from all other accounts of the Town. The O&M Fund and the Improvement Fund may be maintained in a single account, or accounts, but such account, or accounts, shall likewise be maintained separate and apart from all other accounts of the Town and apart from the Sinking Fund account or accounts. All of the funds and accounts of the Waterworks created or continued by this Ordinance, and all moneys deposited therein, shall be continuously maintained, deposited, held, secured and invested as public funds in accordance with the laws of the State of Indiana relating to the depositing, holding, securing or investing of public funds, including, particularly, applicable provisions of Indiana Code 5-13 and the acts amendatory thereof and supplemental thereto. Any interest or income derived from any such investments shall become a part of the moneys in the fund or account so invested and shall be used only as provided in this Ordinance. In no event shall any of the Net Revenues of the Waterworks be transferred or used for any purpose not authorized by this Ordinance so long as any of the bonds secured by and payable from the Net Revenues shall be outstanding. Upon issuance of the Refunding Bonds.

SECTION 17. Books of Records and Accounts. The Town shall keep proper record books of account, separate from all of its other records and accounts, in which complete and correct entries shall be made showing all revenues collected on account of the operation of the Waterworks and all disbursements made therefrom and all transactions relating to the Waterworks. Copies of all such statements and reports shall be kept on file in the office of the Clerk-Treasurer. There shall be prepared and furnished, upon the written request, to any owner of the Refunding Bonds then outstanding, not more than ninety (90) days after the close of each fiscal year, complete financial statements of the Waterworks, covering the preceding fiscal year. Copies of all such statements and reports shall be kept on file in the office of the Clerk-Treasurer. Any owner of the Refunding Bonds then outstanding shall have the right at all reasonable times to inspect the Waterworks and all records, accounts and data of the Town relating thereto. Such inspections may be made by representatives duly authorized by written instrument.

SECTION 18. Rate Covenant. The Town Council has previously adopted Ordinance No. 2021-OR-006 (the "Rate Ordinance"), imposing fees and charges for the several classes of users

or property to be served by the Waterworks utility, which Rate Ordinance (as the same may be subsequently amended or modified from time to time) is incorporated herein by reference as if fully included and set forth in this Ordinance. The Town covenants and agrees that it will establish and maintain just and equitable rates or charges for the use of and the service rendered by the Waterworks, to be paid by the owner of each and every lot, parcel of real estate or building that is connected with and uses said Waterworks by or through any part of the waterworks system of the Town, or that in any way uses or is served by such works, at a level adequate to produce and maintain sufficient revenue (including user and other charges, fees, income or revenues available to the Town), to provide for the proper operation, repair and maintenance of the Waterworks, to comply with and satisfy all covenants contained in this Ordinance and to pay all obligations of the Waterworks and of the Town with respect to the Waterworks. Such rates and charges shall, if necessary, be changed and readjusted from time to time so that the revenues therefrom shall always be sufficient to meet the expenses of operation, repair and maintenance of the Waterworks and the requirements of the Sinking Fund. The rates or charges so established shall apply to any and all use of such Waterworks by and service rendered to the Town and all departments thereof, and shall be paid by the Town or the various departments thereof as the charges accrue.

SECTION 19. Defeasance. If, when any of the Refunding Bonds issued hereunder 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 Refunding Bonds or any portion thereof for redemption shall have been given, and the whole amount of the principal and the interest and the premium, if any, so due and payable upon all of the Refunding Bonds or any portion thereof and coupons then outstanding shall be paid; or (i) sufficient moneys, (ii) direct obligations of, or obligations the principal and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys, or (iii) any combination thereof, shall be held in trust for such purpose, and provision shall also be made for paying all fees and expenses for the redemption, then and in that case the Refunding Bonds issued hereunder or any designated portion thereof shall no longer be deemed outstanding or entitled to the pledge of the Net Revenues of the Town's waterworks.

SECTION 20. Additional Bond Provisions. The Town reserves the right to authorize and issue additional parity bonds, payable out of the Net Revenues of its waterworks, ranking on a parity with the pledge thereof to the Refunding Bonds (such bonds, the "Additional Parity Bonds"), for the purpose of financing the cost of future extensions, betterments or improvements to the Waterworks, or to refund obligations, subject to the following conditions:

(a) All required payments into the Sinking Fund and the accounts thereof shall have been made in accordance with the provisions of this Ordinance, and the interest on and principal of all bonds payable from the Net Revenues of the waterworks shall have been paid to date in accordance with their terms.

(b) (i) The Net Revenues of the waterworks in the fiscal year immediately preceding the issuance of any such proposed Additional Parity Bonds shall be not less than one hundred twenty-five percent (125%) of the average annual interest and principal requirements of all of then outstanding bonds payable from the Net Revenues of the Waterworks and the Additional Parity Bonds proposed to be issued; or (ii) prior to the issuance of the proposed Additional Parity Bonds, the water rates and charges shall be increased sufficiently so that the increased rates and charges,

if realized and when applied to the previous fiscal year's operations, would have produced Net Revenues for said year equal to an amount not less than one hundred twenty-five percent (125%) of the average annual interest and principal requirements of all bonds payable from the Net Revenues of the Waterworks and the Additional Parity Bonds proposed to be issued. For purposes of this subsection, the records of the Waterworks shall be analyzed and all showings shall be prepared by an independent certified public accountant or nationally recognized firm of professional consultants experienced in analyzing financial records of municipal utilities employed by the Town for that purpose who shall certify the satisfaction of the foregoing conditions for the issuance of parity bonds.

(c) The interest on any Additional Parity Bonds shall be payable semiannually on the first days of January and July and the principal of, or the mandatory sinking fund redemption dates for, any Additional Parity Bonds shall be payable semiannually on the first days of January and July.

(d) The Reserve Requirement shall be satisfied for the Additional Parity Bonds either as of the date of delivery of said Additional Parity Bonds or through equal monthly deposits of Net Revenues sufficient to accumulate the reserve in a manner commensurate with and proportional to the provisions established by Section 14(c) of this Ordinance.

SECTION 21. Additional Covenants of the Town. For the purpose of further safeguarding the interests of the owners of the Refunding Bonds, it is hereby specifically provided as follows:

(a) So long as any of the Refunding Bonds are outstanding, the Town shall at all times maintain its waterworks system in good condition and operate the same in an efficient manner and at a reasonable cost.

(b) So long as any of the Refunding Bonds are outstanding, the Town shall acquire and maintain insurance coverage, including fidelity bonds, to protect the waterworks and its operations of a kind and in an amount such as is automatically carried by private companies engaged in a similar type of business. All insurance shall be placed with responsible insurance companies qualified to do business under the laws of the State of Indiana. All insurance proceeds and condemnation awards shall be used to replace or repair the property destroyed or damaged.

(c) So long as any of the Refunding Bonds are outstanding, the Town shall not mortgage, pledge or otherwise encumber the property and plant of its waterworks system, or any part thereof, and shall not sell, lease or otherwise dispose of any part of the same, except to replace equipment which may become worn out or obsolete.

(d) Except as hereinbefore provided in Section 20 hereof, so long as any of the Refunding Bonds are outstanding, no additional bonds or other obligations pledging any portion of the revenues of said waterworks shall be authorized, executed, or issued by the Town except such as shall be made subordinate and junior in all respects to the Refunding Bonds, unless all of the Refunding Bonds are redeemed, retired or defeased coincidentally with the delivery of such additional bonds or other obligations or, as provided in Section 19 hereof, funds sufficient to effect such redemption are available and set aside for such purpose at the time of issuance of such additional bonds or obligations.

(e) The provisions of this Ordinance shall constitute a contract by and between the Town and the owners of the Refunding Bonds herein authorized, all the terms of which shall be enforceable by any bondholder by any and all appropriate proceedings in law or in equity. After the issuance of the Refunding Bonds, this Ordinance shall not be repealed or amended in any respect which will adversely affect the rights of the owners of the Refunding Bonds, nor shall the Town Council or any other body of the Town adopt any law, ordinance or resolution which in any way adversely affects the rights of such owners so long as any of the Refunding Bonds, the interest thereon remain outstanding or unpaid. Except for the changes set forth in Section 25(a)-(g), this Ordinance may be amended, however, without the consent of Refunding Bond owners, if the Town Council determines, in its sole discretion, that such amendment would not adversely affect the owners of the Refunding Bonds.

(f) The provisions of this Ordinance shall be construed to create a trust in the proceeds of the sale of the Refunding Bonds herein authorized for the uses and purposes herein set forth, and the owners of the Refunding Bonds shall retain a lien on such proceeds until the same are applied in accordance with the provisions of this Ordinance and of the governing Act. The provisions of this Ordinance shall also be construed to create a trust in the Net Revenues herein directed to be set apart and paid into the Sinking Fund for the uses and purposes of said fund as in this Ordinance set forth. The owners of the Refunding Bonds shall have all the rights, remedies and privileges set forth in the provisions of the governing Act, including the right to have a receiver appointed to administer the waterworks in the event the Town shall fail or refuse to fix and collect sufficient rates and charges for those purposes, or shall fail or refuse to operate and maintain said system and to apply properly the revenues derived from the operation thereof, or if there be a default in the payment of the interest on or principal of the Refunding Bonds.

SECTION 22. Investment of Funds. (a) The Clerk-Treasurer is hereby authorized pursuant to Indiana Code 5-1-14-3 and the provisions of this Ordinance to invest moneys (subject to applicable requirements of federal law to ensure such yield is the then current market rate) to the extent necessary or advisable to preserve the exclusion from gross income of interest on the Refunding Bonds under federal law.

(b) The Clerk-Treasurer shall keep full and accurate records of investment earnings and income from moneys held in the funds and accounts referenced herein. In order to comply with the provisions of the ordinance, the Clerk-Treasurer is hereby authorized and directed to employ consultants or attorneys from time to time to advise the Town as to requirements of federal law to preserve the tax exclusion. The Clerk-Treasurer may pay any fees as operation expenses of the waterworks.

SECTION 23. Tax Covenants. In order to preserve the excludability of interest on the Refunding Bonds from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as existing on the date of issuance of the Refunding Bonds, as the case may be ("Code") and as an inducement to purchasers of the Refunding Bonds, the Town represents, covenants and agrees that:

(a) The waterworks will be available for use by members of the general public. Use by a member of the general public means use by natural persons not engaged in a trade or business. No person or entity other than the Town or another state or local governmental unit will use more

than ten percent (10%) of the proceeds of the Refunding Bonds or property financed or refinanced by the proceeds of the Refunding Bonds other than as a member of the general public. No person or entity other than the Town or another state or local governmental unit will own property financed or refinanced by proceeds of the Refunding Bonds or will have any actual or beneficial use of such property pursuant to a lease, a management or incentive payment contract, arrangements such as take-or-pay or output contracts or any other type of arrangement that conveys other special legal entitlements and differentiates that person's or entity's use of such property from use by the general public, unless such uses in the aggregate relate to no more than ten percent (10%) of the proceeds of the Refunding Bonds. If the Town enters into a management contract for the waterworks, the terms of the contract will comply with IRS Revenue Procedure 2017-13, as it may be amended, supplemented or superseded for time to time, so that the contract will not give rise to private business use under the Code and the Regulations, unless such use in aggregate relates to no more than ten percent (10%) of the proceeds of the Refunding Bonds, as the case may be.

(b) No more than ten percent (10%) of the principal of or interest on the Refunding Bonds is (under the terms of the Refunding Bonds, this Ordinance or any underlying arrangement), directly or indirectly, secured by an interest in property used or to be used for any private business use or payments in respect of any private business use or payments in respect of such property or to be derived from payments (whether or not to the Town) in respect of such property or borrowed money used or to be used for a private business use.

(c) No more than five percent (5%) of the Refunding Bond proceeds will be loaned to any person or entity other than another state or local governmental unit. No more than five percent (5%) of the Refunding Bond proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Refunding Bond proceeds.

(d) The Town reasonably expects, as of the date hereof, that the Refunding Bonds will not meet either the private business use test described in paragraph (a) and (b) above or the private loan test described in paragraph (c) above during the entire term of the Refunding Bonds.

(e) No more than five percent (5%) of the proceeds of the Refunding Bonds will be attributable to private business use as described in (a) and private security or payments described in (b) attributable to unrelated or disproportionate private business use. For this purpose, the private business use test is applied by taking into account only use that is not related to any government use of proceeds of the issue (Unrelated Use) and use that is related but disproportionate to any governmental use of those proceeds (Disproportionate Use).

(f) The Town will not take any action nor fail to take any action with respect to the Refunding Bonds that would result in the loss of the exclusion from gross income for federal tax purposes on the Refunding Bonds pursuant to Section 103 of the Code, nor will the Town act in any other manner which would adversely affect such exclusion. The Town covenants and agrees not to enter into any contracts or arrangements which would cause the Refunding Bonds to be treated as private activity bonds under Section 141 of the Code.

(g) It shall be not an event of default under this Ordinance if the interest on any Refunding Bond is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Refunding Bonds.

(h) These covenants are based solely on current law in effect and in existence on the date of delivery of such Refunding Bonds.

(i) The Town represents that it will rebate any arbitrage profits to the United States in accordance with the Code.

(j) The Town Council hereby authorizes the Clerk-Treasurer to determine whether any series of Refunding Bonds qualify for the exception in the Code from the disallowance of one hundred percent (100%) of the deduction by financial institutions of interest expense allocable to newly acquired tax-exempt obligations. Such designation, if made, will be set forth in the arbitrage certificate delivered by the Town in connection with the Refunding Bonds.

SECTION 24. Waiver of Tax Covenants. Notwithstanding any other provision of this Ordinance, any of the covenants and authorizations contained in Section 23 of this Ordinance (the "Tax Covenants"), which are designed to preserve the exclusion of interest on the Refunding Bonds from gross income for purposes of federal income taxation, need not be complied with if the Town receives an opinion of nationally recognized bond counsel to the effect that compliance with such Tax Covenant is unnecessary to preserve such exclusion of interest.

SECTION 25. Amendments with Consent of Bondholders. Subject to the terms and provisions contained in this Section and Section 21(e), and not otherwise, the owners of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the Refunding Bonds issued pursuant to this Ordinance and 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 Town of such ordinance or ordinances supplemental hereto as shall be deemed necessary or desirable by the Town for the purpose of modifying, altering, amending, adding to or rescinding in any particular 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:

(a) An extension of the maturity of the principal of or interest on any Refunding Bond issued pursuant to this Ordinance; or

(b) A reduction in the principal amount of any Refunding Bond or the redemption premium or the rate of interest thereon; or

(c) The creation of a lien upon or a pledge of the revenues of the waterworks ranking prior to the pledge thereof created by this Ordinance; or

(d) A preference or priority of any Refunding Bond or Refunding Bonds issued pursuant to this Ordinance over any other Refunding Bond or Refunding Bonds issued pursuant to the provisions of this Ordinance; or

(e) A reduction in the aggregate principal amount of the Refunding Bonds required for consent to such supplemental ordinance; or

(f) A reduction in the required balance to be held as a reserve for the Refunding Bonds;
or

(g) The extension of mandatory sinking fund redemption dates, if any.

If the owners of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the Refunding Bonds outstanding at the time of adoption of such supplemental ordinance shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the Clerk-Treasurer of the Town, no owner of any Refunding Bond issued pursuant to this Ordinance 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 Town 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 Town and all owners of Refunding Bonds issued pursuant to the provisions of this Ordinance 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 and obligations of the Town and of the owners of the Refunding Bonds authorized by this Ordinance, and the terms and provisions of the Refunding Bonds and this Ordinance, or any supplemental ordinance, may be modified or altered in any respect with the consent of the Town and the consent of the owners of all the Refunding Bonds issued pursuant to this Ordinance then outstanding.

SECTION 26. Non-Business Days. If the date for making any payment or the last date for performance of any act or the exercising of any right, as provided in this Ordinance, is a legal holiday or a day on which banking institutions in the area 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 day.

SECTION 27. Other Actions. Each of the Town Council President and the Clerk-Treasurer is hereby authorized and directed, for an on behalf of the Town, to execute and deliver any agreement, certificate or other instrument or take any other action which such officer determines to be necessary or desirable to carry out the transactions contemplated by this Ordinance, which determination shall be conclusively evidenced by such officer's having executed such agreement, certificate or other instrument or having taken such other action, and any such agreement, certificate or other instrument heretofore executed and delivered and any such other action heretofore taken are hereby ratified and approved. Pursuant to Indiana Code 5-1-14-18, in connection with the issuance of the Refunding Bonds, the execution of the Refunding Bonds and any other contract, certificate or other document executed and delivered by or on behalf of the Town in connection with the issuance of the Refunding Bonds, is authorized to be executed and

delivered using electronic signatures (as defined in Indiana Code 26-2-8-102(10), as amended), rather than manual signatures, and any such Refunding Bonds or any other contract, certificate or other document executed and delivered by or on behalf of the Town in connection with the issuance of the Refunding Bonds using electronic signatures shall be considered fully legal and valid for all purposes and with the same force and effect as if the execution were performed with manual signatures.

SECTION 28. Construction with Other Ordinances. All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 29. Severability; Interpretation. 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. 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 30. Captions. The captions in this Ordinance are inserted only as a matter of convenience and reference, and such captions are not intended and shall not be construed to define, limit, establish, interpret or describe the scope, intent or effect of any provision of this Ordinance.

SECTION 31. Effective Date. This Ordinance shall be in full force and effect from and after its passage.

"Aye"

"Nay"

Brad Amos

Brad Amos
Council President

Brad Amos
Council President

Scott McVoy

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford

Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarnecki

Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley

Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 4/11/22

MOTION: Czarnecki

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 4/11/22

MOTION: Czarnecki

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SYNOPSIS

This ordinance authorizes the Town of Sellersburg, Indiana to issue its Waterworks Refunding Revenue Bonds of 2022 (the "Refunding Bonds"), in one or more series, in the aggregate principal amount not to exceed \$6,800,000. The Refunding Bonds will be issued to refund the Town's currently outstanding Waterworks Revenue Bonds of 2014 for the purpose of obtaining lower interest costs and a reduction of debt service payments on such outstanding bonds, thereby achieving significant savings for the Town.

EXHIBIT A

R-__

[FORM OF REGISTERED BOND]

UNITED STATES OF AMERICA

STATE OF INDIANA

COUNTY OF CLARK

TOWN OF SELLERSBURG, INDIANA
WATERWORKS REFUNDING REVENUE BOND OF 2022

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Original Date</u>	<u>Date of Authentication</u>	<u>[CUSIP]</u>
__%	__ 1, 20__	__, 2022	__, 2022	[]

REGISTERED
OWNER: _____

PRINCIPAL AMOUNT: _____ Dollars (\$ _____)

The Town of Sellersburg, in Clark County, State of Indiana, (the "Town") for value received, hereby promises to pay to the Registered Owner specified above, or registered assigns, upon surrender hereof, solely out of the special revenue fund hereinafter referred to, the Principal Amount stated above as evidenced by the records of the registered owner making payments for this bond, or its assigns, on the Maturity Date specified above (unless this bond be subject to and be called for redemption prior to maturity as hereinafter provided), and to pay interest thereon until the Principal Amount is paid upon redemption or at maturity, at the Interest Rate per annum specified above and from the interest payment date to which interest has been paid or duly provided for next preceding the Date of Authentication of this bond as shown above (unless this bond is authenticated after the fifteenth day of the month immediately preceding an interest payment date (the "Record Date") and on or before the next such interest payment date, in which case it shall bear interest from such interest payment date or unless this bond is authenticated on or before [December/June] 1, 20__, in which case it shall bear interest from the Original Date specified above), with such interest payable semiannually on January 1 and July 1 of each year, commencing [January/July] 1, 20__. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months.

The principal of and premium, if any, on this Refunding Bond are payable upon the surrender thereof at the principal office of _____ (the "Registrar" or the "Paying Agent") in the _____, _____. All payments of interest on this Refunding Bond shall be paid by check 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 registrations books kept by the Registrar. Each Registered Owner of \$1,000,000 or more in principal amount of the Refunding 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 the Refunding Bonds (as hereinafter defined) shall be made in any coin or currency of the United States of America, which on the dates of such payment, shall be legal tender for the payment of public and private debts.

THE TOWN SHALL NOT BE OBLIGATED TO PAY THIS BOND OR THE INTEREST HEREON EXCEPT FROM THE HEREINAFTER DESCRIBED SPECIAL FUND, AND NEITHER THIS BOND NOR THE ISSUE OF WHICH IT IS A PART SHALL IN ANY RESPECT CONSTITUTE A CORPORATE INDEBTEDNESS OF THE TOWN WITHIN THE PROVISIONS AND LIMITATIONS OF THE CONSTITUTION OF THE STATE OF INDIANA.

This bond is one of an authorized series of bonds of like date, tenor and effect, except as to denomination, numbering, rates of interest, redemption terms and dates of maturity, aggregating _____ Dollars (\$ _____), numbered and lettered consecutively from R-1 upward (the "Refunding Bonds"), issued for the purpose of providing funds to effect a current refunding of the Refunded Bonds (as defined in the Ordinance), [fund a debt service reserve fund] and pay the costs of issuance of the Refunding Bonds. This Refunding Bond is issued pursuant to an ordinance adopted by the Town Council of the Town on the ___ day of _____, 2022, entitled "An Ordinance Authorizing the Refunding of Certain Outstanding Waterworks Revenue Bonds of the Town; Authorizing the Issuance of the Town of Sellersburg, Indiana Waterworks Refunding Revenue Bonds of 2022 to Provide Funds for Such Refunding and the Payment of the Costs Thereof; and Addressing Other Matters Connected Therewith" (the "Ordinance"), and in accordance with the provisions of Indiana law, including, without limitation, Indiana Code 8-1.5-2 and Indiana Code 5-1-5, as amended (the "Act").

Pursuant to the provisions of the Act and the Ordinance, the principal of and interest on this Refunding Bond, and any bonds hereafter issued on a parity therewith are payable solely from the Waterworks Sinking Fund (the "Sinking Fund") maintained under the Ordinance to be funded from the Net Revenues (herein defined as the gross revenues of the Waterworks (defined as the Town's Waterworks system, including all real estate, equipment and appurtenances thereto used in connection therewith, and all extensions, additions and improvements thereto and replacements thereof, now or at anytime hereafter constructed or acquired, after deduction only for the payment of the reasonable expenses of operation, repair and maintenance of the System).

The Town irrevocably pledges the entire Net Revenues of the Waterworks deposited into the Sinking Fund to the prompt payment of the principal of and interest on the Refunding Bonds and any bonds ranking on a parity therewith to the extent necessary for such purposes, and covenants that it will cause to be fixed, maintained and collected such rates and charges for services

rendered by the Waterworks as are sufficient in each year for the payment of the proper and reasonable expenses of operation and maintenance of the Waterworks and for the payment of the sums required to be paid into the Sinking Fund under the provisions of the Act and the Ordinance. If the Town or the proper officers thereof shall fail or refuse to so fix, maintain and collect such rates or charges, or if there shall be a default in the payment of the interest on or principal of this bond, the owner of this bond shall have all of the rights and remedies provided for in the Act, including the right to have a receiver appointed to administer the System and to charge and collect rates sufficient to provide for the payment of this bond and the interest hereon.

The Town further covenants that for so long as the Refunding Bonds and any bonds hereafter issued on a parity therewith (the "Additional Parity Bonds") remain outstanding, it will set aside and pay into the Sinking Fund a sufficient amount of the Net Revenues of the Waterworks for the payment of (a) the interest on all bonds payable from the revenues of the Waterworks, as such interest shall fall due, (b) the necessary fiscal agency charges for paying such bonds and interest, (c) the principal of all bonds payable from the revenues of the Waterworks, and (d) an additional amount as a margin of safety to create the reserve required by the Ordinance. Such required payments shall constitute a first charge upon all the Net Revenues of the System. 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 a 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 optional redemption terms, if applicable].

[The bonds maturing on _____ 1, ___ are subject to mandatory sinking fund redemption prior to maturity, at a redemption price equal to the principal amount thereof plus accrued interest, on the dates and in the amounts set forth below:

<u>Date</u>	<u>Amount</u>
-------------	---------------

*

*Final Maturity]

[Each Five Thousand Dollars (\$5,000) principal amount shall be considered a separate bond for purposes of mandatory redemption. If less than an entire maturity is called for redemption, the bonds to be redeemed shall be selected by lot by the Registrar.]

Notice of such redemption shall be mailed to the address of the registered owners of the Refunding Bonds to be redeemed as shown on the registration records of the Town, as of the date which is forty-five (45) days prior to such redemption date, not less than thirty (30) and not more than sixty (60) days prior to the date fixed for redemption, unless the notice is waived by the registered owner of the Refunding Bonds to be redeemed. The notice shall specify the date and place of redemption and sufficient identification of the Refunding Bonds called for redemption. The place of redemption may be determined by the Town. Interest on the Refunding Bonds 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.

If this bond shall not be presented for payment or redemption on the date fixed therefor, the Town may deposit in trust with the Paying Agent, an amount sufficient to pay such Refunding 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 Town shall have no further obligation or liability with respect thereto.

This bond is transferable or exchangeable only upon the books of the Town kept for that purpose at the designated corporate trust operations office of the Registrar by the Registered Owner in person, or by his attorney duly authorized in writing, upon surrender of this Refunding Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the Registered Owner, or his attorney duly authorized in writing, and thereupon a new fully registered Refunding Bond or Refunding Bonds in the same aggregate principal amount and of the same maturity shall be executed and delivered in the name of the transferee or to the Registered Owner, as the case may be, in exchange therefor. This bond may be transferred without cost to the Registered Owner except for any tax or governmental charge required to be paid with respect to the transfer. The Town, the Registrar and the Paying Agent 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 and premium, if any, due hereon.

This bond is subject to defeasance prior to redemption or payment as provided in the Ordinance referred to herein. THE OWNER OF THIS BOND, BY THE ACCEPTANCE HEREOF, HEREBY AGREES TO ALL THE TERMS AND PROVISIONS CONTAINED IN THE ORDINANCE. The Ordinance may be amended without the consent of the owners of the Bonds as provided in the Ordinance if the Town Council determines, in its sole discretion, that the amendment shall not adversely affect the rights of any of the owners of the Bonds.

The Refunding Bonds are issuable only in fully registered form in the denomination of [(i) Five Thousand Dollars (\$5,000) or any integral multiple thereof, or (ii) if sold through a private placement, in denominations of One Hundred Thousand Dollars (\$100,000), plus any integral multiple of Five Thousand Dollars (\$5,000) in excess thereof.]

[A Continuing Disclosure Agreement from the Town to each registered owner or holder of any Refunding Bond, dated as of the date of initial issuance of the Refunding Bonds (the "Agreement"), has been executed by the Town, a copy of which is available from the Town and the terms of which are incorporated herein by this reference. The Agreement contains certain promises of the Town to each registered owner or holder of any Refunding Bond, including a promise to provide certain continuing disclosure. By its payment for and acceptance of this bond, the registered owner or holder of this bond assents to the Agreement and to the exchange of such payment and acceptance for such promises.]

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the 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 Town of Sellersburg, in Clark County, Indiana, has caused this bond to be executed in its corporate name by the manual or facsimile signature of the Town Council President, its corporate seal to be hereunto affixed, imprinted or impressed by any means and attested manually or by facsimile by its Clerk-Treasurer.

TOWN OF SELLERSBURG, INDIANA

Town Council President

(Seal)

ATTEST:

Clerk-Treasurer

CERTIFICATE OF AUTHENTICATION

This bond is one of the Refunding Bonds issued and delivered pursuant to the provisions of the within-mentioned Ordinance.

_____]

By _____
Authorized Representative

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____ (insert name and address) 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.
Dated: _____

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 Guarantee:

NOTICE: Signature(s) must be guaranteed by a broker-dealer or a commercial bank or trust company.

0140722.0754142 4864-7143-5798v6

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 008

AN ORDINANCE AMENDING THE TRAFFIC CODE FOR THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body for Sellersburg, Indiana (the “Town”) and the President of this Council is the Town Executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, pursuant to Ind. Code § 9-21-1-2, a local authority may adopt by ordinance additional traffic regulations with respect to highways under the authority’s jurisdiction; and,

WHEREAS, pursuant to Ind. Code § 9-21-1-3, a local authority may regulate speed limits and traffic controls with respect to highways under the authority’s jurisdiction; and,

WHEREAS, on the 10th day of January, 2005, this Council adopted *Ordinance 2005 – 002 An Ordinance Amending The Town Of Sellersburg Traffic Code*; and,

WHEREAS, this Council now desires to amend said Ordinance.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following amendment to the Town of Sellersburg Traffic Code:

1. Section F (School Speed Limits) of the PENALTY section shall be amended to include the following roads and speed limits for certain times as listed herein below:

Road	Speed Limit	Time
N. New Albany St. from 130 N. New Albany to 300 N. New Albany Street		Monday-Friday 8am-9:30am 11am-12:30pm 2:30pm-3pm

2. The Town Manager shall cause to have the necessary signage installed notifying the public of the modification. The signage shall be installed within public right-a-way per code and INDOT standards where appropriate.
3. The Executive Secretary is hereby charged with the responsibility of publishing this ordinance pursuant to Ind. Code § 5-3-1 *et seq.* and said ordinance will take effect thirty (30) days after the date of publishing.

So Ordained this 25th day of April, 2022.

"Aye"

"Nay"

Brad Amos
Brad Amos
Council President

Brad Amos
Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Matthew Czarnecki
Matthew Czarnecki
Council Member

Matthew Czarnecki
Matthew Czarnecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 4/25/22

MOTION: McVoy

SECOND: Czarnecki

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 4/25/22

MOTION: McVoy

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

Town of Sellersburg
(Governmental Unit)

CLARK County, Indiana

To:
NEWS AND TRIBUNE
221 SPRING STREET
PO BOX 867
JEFFERSONVILLE, IN 47130
FED ID # 04-3314494

PUBLISHER'S CLAIM

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines 56
Body -- number of lines
Tail -- number of lines
Total number of lines in notice 56

COMPUTATION OF CHARGES

56 lines, 2 columns wide equals 112 equivalent lines at 52.70 cents per line \$ 59.02
Additional charges for notices containing rule or tabular work (50 per cent of above amount)
Charge for extra proofs of publication (\$1.00 for each proof in excess of two)
TOTAL AMOUNT OF CLAIM \$ 59.02

DATA FOR COMPUTING COST

Width of single column in picas Size of type 7 point.
Number of insertions 1

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper times. The dates of publication being as follows:

4/30/2022

Additionally, the statement checked below is true and correct:

- Newspaper does not have a Web site.
- Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper.
- Newspaper has a Web site, but due to technical problem or error, public notice was posted on
- Newspaper has a Web site but refuses to post the public notice.

Kerisa Wheatler

Bookkeeper

5/2/2022

1771404

INDIANA MEDIA GROUP
PO BOX 607
GREENSBURG IN 47240-0607
(877)253-7755
Fax (765)648-4229

ORDER CONFIRMATION (CONTINUED)

Salesperson: LEGALS

Printed at 04/28/22 14:14 by jgall

Acct #: 177535

Ad #: 1771404

Status: New

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA
ORDINANCE NO. 2022 - OR - 008
AN ORDINANCE AMENDING THE TRAFFIC CODE FOR THE TOWN OF
SELLERSBURG INDIANA.

WHEREAS, pursuant to Ind. Code 36-5-2 et seq., this Town Council of Sellersburg, Indiana (this "Council") is the town legislative body for Sellersburg, Indiana (the "Town") and the President of this Council is the Town Executive; and,

WHEREAS, pursuant to Ind. Code 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, pursuant to Ind. Code 9-21-1-2, a local authority may adopt by ordinance additional traffic regulations with respect to highways under the authority's jurisdiction; and,

WHEREAS, pursuant to Ind. Code 9-21-1-3, a local authority may regulate speed limits and traffic controls with respect to highways under the authority's jurisdiction; and,

WHEREAS, on the 10th day of January, 2005, this Council adopted Ordinance 2005 - 002 An Ordinance Amending The Town Of Sellersburg Traffic Code; and,

WHEREAS, this Council now desires to amend said Ordinance.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following amendment to the Town of Sellersburg Traffic Code:

1. Section F (School Speed Limits) of the PENALTY section shall be amended to include the following roads and speed limits for certain times as listed herein below:

Road	Speed Limit	Time
N. New Albany St. from 130 N. New Albany to 300 N. New Albany Street		Monday-Friday 8am-9:30am 11am-12:30pm 2:30pm-3pm

2. The Town Manager shall cause to have the necessary signage installed notifying the public of the modification. The signage shall be installed within public right-a-way per code and INDOT standards where appropriate.
3. The Executive Secretary is hereby charged with the responsibility of publishing this ordinance pursuant to Ind. Code 5-3-1 et seq. and said ordinance will take effect thirty (30) days after the date of publishing.

So Ordained this 25th day of April 2022.

Approved by the Sellersburg Town Council on April 25, 2022 hspaxlp

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 009

AN ORDINANCE AUTHORIZING AND APPROVING THE ENTRY INTO AN INTERLOCAL AGREEMENT FOR THE JOINT USE AND OPERATION OF THE JEFFERSONVILLE-CLARK COUNTY ANIMAL SHELTER.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions for the town; and,

WHEREAS, pursuant to I.C. 36-1-7 *et seq.* the State of Indiana, political subdivisions and state agencies may enter into interlocal cooperation agreements for the joint exercise of powers; and,

WHEREAS, this Council has determined that the joint use and operation of the Jeffersonville-Clark County Animal Shelter (J.B. Ogle Shelter) will be of benefit to the citizens of Sellersburg, Indiana; and,

WHEREAS, this Council, desires to authorize the entry into an interlocal agreement for the joint use and operation of the Jeffersonville-Clark County Animal Shelter.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following:

1. This Council does hereby authorize and approve the entry into the interlocal agreement for the joint use and operation of the Jeffersonville-Clark County Animal Shelter (*See Exhibit “A”*).
2. The Town Council President or Town Manager shall have the authority to execute the interlocal agreement attached hereto.

3. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 23rd day of May, 20 22.

"Aye"

"Nay"

Brad Amos
Brad Amos
Council President

Brad Amos
Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Matthew Czarnecki
Matthew Czarnecki
Council Member

Matthew Czarnecki
Matthew Czarnecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 5/23/2022

MOTION: Czarnecki

SECOND: McVoy

VOTE: 5 AYE 0 NAY

0 ABSTAIN

SECOND READING

DATE: 5/23/2022

MOTION: Czarnecki

SECOND: McVoy

VOTE: 5 AYE 0 NAY

0 ABSTAIN

**INTERLOCAL COOPERATION AGREEMENT FOR
THE JOINT USE AND OPERATION OF THE
JEFFERSONVILLE-CLARK COUNTY ANIMAL SHELTER**

Whereas, each of the political subdivisions signatory hereto are desirous of providing animal control services to their constituents in the most efficient, economical, and professional manner possible; and,

Whereas, a satisfactory facility commonly known as the Jeffersonville-Clark County Animal Shelter currently exists for said purposes; and,

Whereas, Indiana Code 36-1-7-1 *et. seq.* provides statutory authority for Indiana political subdivisions to jointly exercise any power that could be exercised by any such subdivision individually.

NOW, THEREFORE, BY THIS INDENTURE, it is agreed between Clark County, the City of Jeffersonville, the Town of Clarksville, the City of Charlestown, the Town of Sellersburg, the Town of Utica, and the Town of New Providence (Borden), all of which are Indiana political subdivisions (hereinafter called "Political Subdivisions"), entitled to jointly exercise such powers pursuant to the provisions of Indiana Code 36-1-7-3, as follows:

Section I. Term.

This agreement shall be for an initial term of three (3) years, commencing January 1, 2022, and ending on December 31, 2024.

Section II. Purpose

It is the primary purpose of this Agreement to provide animal control services with a centrally operated animal shelter in the most efficient, economical, and professional manner possible by utilizing the existing Jeffersonville-Clark County Animal Shelter facility for the benefit of all parties hereto.

Section III. Financing

It is specifically agreed between the undersigned parties, whether jointly or severally, that the relative contribution from each political subdivision for the term, shall be as follows:

Each of the parties shall be responsible for a percentage share (which is based upon each political subdivision's percentage of the county's population from the most recent U.S. Census) of the total annual operating expenses of the Animal Shelter, which shall be the total annual budget and **shall not include those expenses that are the responsibility of each political subdivision not covered by this agreement.**

Those percentages are as follows:

Borden	1%	\$3,735
Charlestown	7%	\$26,145
Clarksville	20%	\$74,700
Sellersburg	6%	\$22,410
Utica	1%	\$3,735
County	24%	\$90,000

All funds owed for the joint operation and use of the Jeffersonville-Clark County Animal Shelter shall be payable to the office of the Jeffersonville Controller yearly with payments due on or before July 1 of the ensuing years during the term of this Agreement.

Section IV. Additional Capital Expenditures

For the purpose of this agreement it is presumed that the City of Jeffersonville shall contribute the balance of the remaining funds necessary to fully staff and operate the Jeffersonville-Clark County Animal Shelter. The sole exception to this provision is that in the event that immediate capital expenditures are necessary on an emergency basis to improve the conditions and operation of the facility, the City of Jeffersonville may petition the signatory political subdivisions hereto for an additional pro rata contribution towards such capital expenditures.

Section V. Staffing

It shall be the sole responsibility of the City of Jeffersonville, Indiana, to staff the Jeffersonville-Clark County Animal Shelter with administrative personnel for purposes of carrying out the duties and function of the shelter. In that regard, the Executive Director of the Jeffersonville-Clark Animal Shelter shall have full and exclusive control of all activities on the shelter premises in relation to the provision of animal control services to the public including the establishment of rules and procedures necessary for the operation. In addition, it shall be the sole duty of the City of Jeffersonville, Indiana, to establish and maintain a budget therefore.

Section VI. Manner of Acquiring Property

It is acknowledged between the signatory political subdivisions hereto that all right, title, and interest in the existing Jeffersonville-Clark County Animal Shelter is fully vested in the City of Jeffersonville, Indiana. In addition, the acquisition, holding, and disposal of real and personal property used in the joint undertaking for the provision of animal control services hereunder shall be done in the name of the City of Jeffersonville, Indiana.

Section VII. Approval and Effective Date

The parties agree this Agreement shall be in full force and effect upon the last signature to the Agreement and filing with the Clark County Recorder's Office. However, in the event any parties do not participate, this Agreement shall act as binding obligation between the City of Jeffersonville, Indiana and each municipality that executes the Agreement at which time those municipalities shall be responsible for their respective contribution amount set forth above.

Section VIII. Cat Diversion Program

The City of Jeffersonville has implemented a community cat diversion program whereby outdoor, free-roaming community cats, including feral cats, will be spayed or neutered, ear-tipped, and vaccinated against rabies immediately after intake. Once medical care has been given, community cats are returned to their outdoor home area by the agency or citizen that brought the cat(s) to the Jeffersonville Animal Shelter. For the purpose of this agreement, municipal animal controls will be notified by Jeffersonville Animal shelter employees when a community cat is ready to be returned to its outdoor home area, whereby the participating municipality will retrieve cat from Jeffersonville Animal Shelter and return it. Jeffersonville is not responsible for the return of community cats that are intaked from the contracting municipality.

Town of Sellersburg, Indiana
By Ordinance of its Town Council,
Passed and adopted the 23rd day
Of May, 2022.

Attest:

Michelle D. Miller
Clerk

Brad J. Quora
President, Town Council

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 010

AN ORDINANCE AMENDING ORDINANCE 2019-OR-022 ESTABLISHING CONDITIONS AND REQUIREMENTS OF RIGHT-OF-WAY ACTIVITY PERMIT(S).

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, from time to time this Council finds it necessary to amend and improve certain previously adopted ordinances; and,

WHEREAS, this Council now desire to amend *Ordinance 2019-OR-022 – An Ordinance Establishing Conditions And Requirements Of Right-Of-Way Activity Permit(s)*.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following amendments, which shall be identified in italics and bold font:

1. **Permit Requirement(s)**. Any and all work in the right-of-way (“ROW”) that is not included in the limits of an otherwise permitted construction project shall require a permit from the Town Engineer or this Council’s designee. A project that requires and does not have a ROW permit shall be subject to a stop work order and fee of \$400.00. Any work completed after the stop work order is delivered shall incur a fee of \$500.00 per day which shall be satisfied before the permit is issued.
2. **Lane Restriction(s) and Temporary Road Closure(s)**. Any ROW permit requiring lane restrictions *or temporary road closures* shall require the contractor to supply a traffic

maintenance plan per INDOT traffic control standards and in compliance with the Indiana Manual on Uniform Traffic Control Devices with the application to the Town Engineer or this Council's designee by email no later than ten (10) days prior to the lane restriction activity.

3. Backfill. All ROW excavation within five (5) feet of the right-of-way shall be backfilled with flowable fill or any other suitable material as directed by the Town Engineer or this Council's designee.
4. Asphalt Pavement. Asphalt pavement shall be neatly saw cut on each side two (2) feet wider than the trench opening. The pavement and base material shall be replaced according to the specifications set forth by the Town Engineer. All seams must be cleaned and tack-coated to provide a seamless joint to the surrounding pavement. No cold patch shall be used except for temporary patching which will be maintained by the contractor for the duration until HMA pavement can be installed.
5. Concrete Paving. Concrete pavement shall be neatly saw cut and the whole disturbed panel shall be removed and replaced. There will need to be at least 2 feet of undisturbed soil on each side of the excavation to allow the concrete patch to bridge the excavation. The new concrete patch shall be installed using Class A concrete. The finish is to match the existing finish of the surrounding pavement. All concrete patches shall be treated with a curing compound.
6. Ditches. Ditches disturbed by excavating shall be properly graded, seeded and blanketed to allow for positive drainage. The blanket needs to be approved by the Town Engineer.

7. Grass. Grass areas that are disturbed shall have a minimum of 6” of aggregate free soil installed and seeded (equal to or better than existing grass). The stabilization needs to be completed within 14 days from the date of completion of the install and/or repair.
8. Final Inspection. Upon the completion of all installations or repairs, the application is required to schedule a final inspection with the Town Engineer. If all work and stabilization is completed to the sole satisfaction of the inspector and stabilization has been maintained for no less than 21 days, the inspector shall sign off on the release of the permit. The release of the permit does release the contractor from the settling and germination requirements of 70% germination.
9. Right to Withhold Release. If the inspector deems the craftsmanship or quality of work to be questionable, the Town reserves the right to withhold the release for up to one (1) year from the date of final inspection.
10. Larger Surety. The Town reserves the right to require a larger surety if unusual conditions exist which may dictate higher than usual damages.
11. Responsibility of Work. The Town shall hold the applicant directly responsible for all work performed under the permit.
12. Notification. The Town Engineer’s office shall be notified a minimum of four (4) hours prior to starting all pavement repairs so that an inspector may observe the placement of the new patch material. Failure to notify the Town Engineer shall result in removal and replacement of such material with applicant responsible for the costs. Hours for this inspection shall occur during regular business hours.
13. Liability. The application shall indemnify, defend, and hold harmless, the Town of Sellersburg, Indiana, its employees, agents, and representatives against any and all claims,

demands, judgements, losses and expenses, related, directly or indirectly, or which may arise from any injuries to person or persons and damage to property resulting or caused from or by the work, of form any condition created by such work in the street, public place, or ROW by the applicant.

14. Moving of Utilities. Applicant agrees to move/relocate its utilities within ninety (90) days upon written notice by the Town of Sellersburg, Indiana should it be necessary for the Town to perform work in the street, public place, or ROW. Failure to move the utilities within ninety (90) days after receiving notice will result in a fine of \$1,000.00 per day. In addition, Applicant, by accepting a ROW permit, agrees to move any preexisting utilities in the public ROWs in the Town of Sellersburg in the same manner and process described herein.

15. Schedule of Fees, Costs and Fines.

Activity Permit Filing Fee	\$50.00
<i>(No fee required for Lane Restriction or Temporary Lane Closure(s))</i>	
Surety Requirement	\$2,000.00 per location
	\$10,000.00 blanket bond
Open Cut Maintenance Bond	\$10,000.00 per location
ROW Boring	\$50.00 + \$0.75 per lineal foot
ROW Open Cut	\$300.00 + \$5.00 per sq. ft.
Stop Work Reinstatement Fee	\$400.00 each time
Work Completed During Stop Work Order	\$500.00 per day
Failure To Relocate Utilities	\$1,000.00 per day after 90 day notice

*ROW fees do not apply to repairs to existing sidewalks.

**Surety may include any of the following: Bond, Letter of Credit, or Certified Check.

*** *No bond required for Lane Restriction or Temporary Lane Closures*

The Executive Secretary is hereby charged with the responsibility of publishing this ordinance pursuant to Ind. Code § 5-3-1 *et seq.* and said amendments to the ordinance will take effect thirty (30) days after the date of publishing. All other sections not amended by this ordinance are still in full force and effect.

So Ordained this 23rd day of May, 20 22.

“Aye”

“Nay”

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarnecki
Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 5/23/2022

MOTION: Ozamecki SECOND: Lansford

VOTE: 2 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 5/23/2022

MOTION: M^o Vog SECOND: Ozamecki

VOTE: 5 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 011

AN ORDINANCE ESTABLISHING ADDITIONAL PURCHASING AGENTS FOR THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, Ind. Code § 5-22-2-26 defines a “Purchasing Agent” as an individual authorized by a purchasing agency to act as an agent for the purchasing agency in the administration of the duties of the purchasing agency; and,

WHEREAS, this Council, upon the advice of the Town Manager, desires to establish additional Purchasing Agents for the Town of Sellersburg to promote a more efficient and streamlined process for servicing the needs of the Town.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that the following additional positions shall now be considered Purchasing Agents for the Town of Sellersburg, Indiana:

1. Streets and Sanitation Supervisor

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 27th day of June, 20 22.

"Aye"

"Nay"

Brad Amos
Brad Amos
Council President

Brad Amos
Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Matthew Czarnecki
Matthew Czarnecki
Council Member

Matthew Czarnecki
Matthew Czarnecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 6/27/2022

MOTION: McVoy

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 6/27/2022

MOTION: Czarnecki

SECOND: McVoy

VOTE: 5 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 012

AN ORDINANCE CONSIDERING AN AMENDMENT TO THE ZONING MAPS OF THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of a town; and,

WHEREAS, on the 20th day of June, 2022 the Plan Commission of the Town of Sellersburg, Indiana (the “Commission”) adopted *Resolution 2022-08 – A Zoning Map Amendment To The Town Of Sellersburg, Indiana* which more specifically certified the Commission’s favorable recommendation to rezone certain vacant land located off Hwy 311 Sellersburg, IN 47172 from B1 Neighborhood Business to M2 High-Density Multi-Family Residential. (*See Attached Exhibit A*); and,

WHEREAS, pursuant to Ind. Code § 36-7-4-608, this Council may adopt or reject the certification from the Commission.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that the recommendation by the Commission to rezone vacant land located off Hwy 311 Sellersburg, IN 47172 from B1 Neighborhood Business to M2 High-Density Multi-Family Residential. is hereby **Adopted** Rejected (circle one).

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 27th day of June, 2022

“Aye”

“Nay”

Brad Amos

Brad Amos
Council President

Brad Amos
Council President

Scott McVoy

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford

Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarniecki

Matthew Czarniecki
Council Member

Matthew Czarniecki
Council Member

Randall Mobley

Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 6/27/2022

MOTION: Czarniecki
VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND: McVoy

SECOND READING

DATE: 6/27/2022

MOTION: Czarniecki
VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND: McVoy

TO THE SELLERSBURG TOWN COUNCIL
OF SELLERSBURG, INDIANA

RESOLUTION 2022-08
A ZONING MAP AMENDMENT
TO THE TOWN OF SELLERSBURG, INDIANA

Whereas, pursuant to IC 36-7-4-605 the Sellersburg Advisory Plan Commission shall certify a favorable recommendation, an unfavorable recommendation, or no recommendation to the legislative body on a proposed Zoning Map change to the Town of Sellersburg's Zoning Map, and;

Whereas, the Town of Sellersburg's Advisory Plan Commission in accordance with IC 36-7-4-604, a public hearing was held on June 20, 2022 on proposed Zoning Map Amendment (Exhibit A).

A Resolution to Amend the Town of Sellersburg Zoning Map to rezone Parcel No.: 10-17-11-001-026.000-031 from B1 to M2 for the purpose of a multi-family dwelling located in Sellersburg, Indiana.

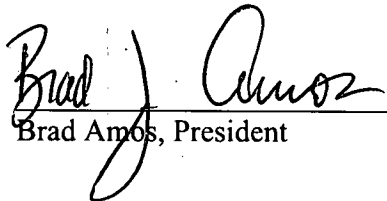
NOW THEREFORE BE IT RESOLVED by the Advisory Plan Commission of the Town of Sellersburg that the proposed Zoning Map amendment will be in keeping with the Comprehensive Plan of the Town of Sellersburg; rezoning is compatible with surrounding zoning, the rezoning is the most desirable use for the land, the rezoning conserves property values throughout the Town of Sellersburg and the rezoning is responsible development and growth for the Town of Sellersburg.

BE IT FURTHER RESOLVED that the Advisory Plan Commission of the Town of Sellersburg, gives a:

- Favorable recommendation;
- Unfavorable recommendation;
- No Recommendation;


the Town of Sellersburg Common Council for approval of the Resolution as presented.

BE IT HEREBY RESOLVED THIS 20th DAY OF JUNE 2022 BY THE ADVISORY PLAN COMMISSION OF THE TOWN OF SELLERSBURG, INDIANA.



Brad Amos, President

ATTEST:



Stacia Franklin, Planning Director

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 013

AN ORDINANCE GRANTING THE TOWN MANAGER AUTHORITY TO MAKE ADJUSTMENTS TO BILLING SPECIFIC TO THE TOWN'S UTILITY SYSTEMS

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, in an effort to better timely serve the residents of the Town of Sellersburg, Indiana (the “Town”), this Council desires to grant the Town Manager the authority to make adjustments specific to the billing of utilities for the Town.

NOW THEREFORE BE IT ORDAINED by this Council that the Town Manager shall have the authority to adjust utility bills related to errors, equipment failures, and certain other reasons in accordance with local ordinances in an amount not to exceed \$1,000.00.

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

[Signature page to follow]

So Ordained this 27th day of June, 2022.

"Aye"

"Nay"

Brad Amos
Brad Amos
Council President

Brad Amos
Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Matthew Czarncki
Matthew Czarncki
Council Member

Matthew Czarncki
Matthew Czarncki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 6/27/2022

MOTION: Czarncki

SECOND: McVoy

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 6/27/2022

MOTION: McVoy

SECOND: Czarncki

VOTE: 5 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 014

AN ORDINANCE AMENDING ORDINANCE 2018-OR-012 PERMITTING THE TOWN MANAGER THE ABILITY TO ENTER INTO PAYMENT PLANS ON BEHALF OF THE TOWN'S WATER UTILITY WITH DELINQUENT CUSTOMERS.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this "Council") is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, this Council has previously adopted *Ordinance No. 2018 – OR – 012 An Ordinance Authorizing The President Of The Town Council To Enter Into Payment Plans On Behalf Of The Town's Water Department With Delinquent Customers*; and,

WHEREAS, this Council now desires to amend *Ordinance No. 2018 – OR – 012*.

NOW THEREFORE BE IT ORDAINED by this Council that *Ordinance No. 2018 – OR – 012* is hereby amended as follows:

1. The Town Manager has the authority to enter payment plans with delinquent customers of the Town's Water Department for a term not to exceed six (6) months.
2. All other provision of *Ordinance No. 2018 – OR – 012* are unaffected by this ordinance are in full force and effect.

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 27th day of June, 20 22.

"Aye"

"Nay"

Brad Amos
Brad Amos
Council President

Brad Amos
Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Scott McVoy
Council Vice President

Terry Langford
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Matthew Czarnecki
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Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 6/27/2022

MOTION: Czarnecki

SECOND: Langford

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 6/27/2022

MOTION: Mobley

SECOND: McVoy

VOTE: 5 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 015

AN ORDINANCE TRANSFERRING CERTAIN FUNDS

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, from time to time this Council desires to transfer funds for the needs of the Town.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that the following funds be transferred:

From:	To:	Amount:
101301381.000 S&S GARBAGE	101301242.000 S&S MISC. SUPPLIES	\$15,000.00
101003359.000 TC ADVERTISING	101003364.000 TC REPAIRS TO TOWN HALL	\$ 2,000.00
101003359.000 TC ADVERTISING	101003394.000 TC MISC SERVICES/CHARGES	\$ 2,000.00
270000395.000 PZF JUDGEMENTS	270000315.000 PZF PROFESSIONAL SERVICES	\$ 2,000.00
270000341.000 PZF INSURANCE	270000315.000 PZF PROFESSIONAL SERVICES	\$ 4,500.00

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

[Signature page to follow]

So Ordained this 27th day of June, 2022.

"Aye"

"Nay"

Brad Amos
Brad Amos
Council President

Brad Amos
Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Matthew Czarnecki
Matthew Czarnecki
Council Member

Matthew Czarnecki
Matthew Czarnecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 6/27/2022

MOTION: Czarnecki

SECOND: McVoy

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 6/27/2022

MOTION: McVoy

SECOND: Langford

VOTE: 5 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 016

AN ORDINANCE AMENDING THE 2022 SALARY ORDINANCE FOR THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, this Council is charged with the responsibility of adopting a salary ordinance; and,

WHEREAS, this Council now desires to amend the 2022 Salary Ordinance.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following salaries and the respective funds from which to pay said salaries for the calendar year 2022 are amended as follows:

1. See Exhibit A attached hereto for a comprehensive list of job titles for the Town of Sellersburg and the specified funds by which to pay each position.
2. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 11th day of July, 2022.

[Signature page to follow]

"Aye"

"Nay"

Absent

Brad Amos
Council President

Brad Amos
Council President

M. McVoy

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford

Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarnecki

Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley

Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 7/11/2022

MOTION: Mobley

SECOND: Czarnecki

VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 7/11/2022

MOTION: Czarnecki

SECOND: Mobley

VOTE: 4 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 017

AN ORDINANCE REGULATING TRAFFIC CONTROL AT CERTAIN INTERSECTIONS

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body for Sellersburg, Indiana (the “Town”) and the President of this Council is the Town Executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, pursuant to Ind. Code § 9-21-1-2, a local authority may adopt by ordinance additional traffic regulations with respect to highways under the authority’s jurisdiction; and,

WHEREAS, pursuant to Ind. Code § 9-21-1-3, a local authority may regulate speed limits and traffic controls with respect to highways under the authority’s jurisdiction; and,

WHEREAS, this Council now desires to regulate certain traffic controls at the intersections of Mayfair Drive and Newberry Road, and Industrial Blvd. and Progress Way.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following:

1. The intersection at Mayfair Drive and Newberry Road shall now become a (3) three-way stop.
2. The intersection at Industrial Blvd. and Progress Way shall now become a (3) three-way stop.
3. The Town Manager shall cause to have the necessary signage installed notifying the public of said modification. The signage shall be installed within public right of way per code and INDOT standards where appropriate.
4. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 11th day of July, 20 22.

"Aye"

"Nay"

Absent

Brad Amos
Council President

Brad Amos
Council President

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarniecki
Council Member

Matthew Czarniecki
Council Member

Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 7/11/2022

MOTION: Czarniecki

SECOND: Mobley

VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 7/11/2022

MOTION: Czarniecki

SECOND: Mobley

VOTE: 4 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 018

AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES FOR THE TOWN OF SELLERSBURG, INDIANA AND DECLARING AN EMERGENCY

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio, has completed the 2022 S19 supplement of Code of Ordinances of the Town of Sellersburg, Clark County, Indiana, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of this Political Subdivision; and,

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinance which are based on or make reference to sections of the Indiana code; and,

WHEREAS, it is necessary to provide for the usual daily operation of the Town of Sellersburg and for the immediate preservation of the public peace, health, safety and general welfare of the Town of Sellersburg that this ordinance take effect at an early date.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana as follows:

Section 1. That the 2022 S19 supplement to the Code of Ordinances of the Town of Sellersburg, Clark County, Indiana as submitted by the American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto and identified as 2022 S19, be and the same is hereby adopted by reference as if set out in its entirety.

Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Town of Sellersburg, Clark County, Indiana, is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk.

Section 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of the Town of Sellersburg, and shall take effect at the earliest date provided by law.

So Ordained this 25TH day of JULY, 2022

“Aye”

“Nay”

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarnecki
Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 7/25/2022

MOTION: Czarnecki
VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND: Mobley

SECOND READING

DATE: 7/25/2022

MOTION: Mobley
VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND: Czarnecki

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 019

AN ORDINANCE AUTHORIZING AND APPROVING THE ENTRY INTO AN INTERLOCAL AGREEMENT FOR THE CREATION OF AN ADDITIONAL PUBLIC ACCESS POINT TO THE SILVER CREEK TOWNSHIP PARK.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions for the town; and,

WHEREAS, pursuant to I.C. 36-1-7 *et seq.* the State of Indiana, political subdivisions and state agencies may enter into interlocal cooperation agreements for the joint exercise of powers; and,

WHEREAS, this Council has determined that an additional public access point to the Silver Creek Township Park is necessary; and,

WHEREAS, this Council, desires to authorize the entry into an interlocal agreement for the creation of an additional public access to the Silver Creek Township Park.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following:

1. This Council does hereby authorize and approve the entry into the interlocal agreement for the creation of an additional public access to the Silver Creek Township Park (*See Exhibit “A”*).
2. The Town Council President or Town Manager shall have the authority to execute the interlocal agreement attached hereto.

3. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 25th day of July, 2022.

“Aye”

“Nay”

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarniecki
Matthew Czarniecki
Council Member

Matthew Czarniecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 7/25/2022

MOTION: McVoy
VOTE: 5 AYE 0 NAY

SECOND: Czarniecki
0 ABSTAIN

SECOND READING

DATE: 7/25/2022

MOTION: McVoy
VOTE: 5 AYE 0 NAY

SECOND: Mobley
0 ABSTAIN

**INTERLOCAL AGREEMENT FOR CREATING ADDITIONAL PUBLIC
ACCESS POINT TO THE SILVER CREEK TOWNSHIP PARK**

THIS AGREEMENT is entered into by and between the Township Board of Silver Creek Township (hereinafter referred to as the "Township") and the Town of Sellersburg, Indiana (hereinafter referred to as "Sellersburg").

WITNESSETH:

WHEREAS, Ind. Code 36-1-7, et seq. allows political subdivisions in the state of Indiana to enter into Interlocal Agreements; and,

WHEREAS, it is the desire and intent of Sellersburg to enter into this Agreement constituting a contract with the Township for the creation of an additional access point to the Silver Creek Township Park; and,

WHEREAS, it is the desire and intent of the Township and Sellersburg to share in the costs of the project; and

IT IS, THEREFORE, AGREED by the parties as follows:

1. **PURPOSE OF AGREEMENT** Pursuant to I.C. 36-1-7-3(2), this Agreement is made between the Township and Sellersburg for purposes concerning the creation of an additional access point to the Silver Creek Township Park (the "Roadway Project") so that traffic in and through Atkins Court area will be reduced. The Roadway Project shall be defined as a standard two-lane roadway traversing from North Fern Street, Sellersburg, Indiana through parcel number 10-17-11-100-139.000-031 to the Silver Creek Township Park.
2. **DURATION:** Pursuant to I.C. 36-1-7-3(1) This Agreement shall remain in full force and effect from the time it is executed by all parties until its provisions have been fulfilled. This Agreement may not be terminated except upon written agreement of both parties and upon compliance with the procedures set forth pursuant to I.C. 36-1-7, et seq.
3. **MANNER OF FINANCING; STAFFING AND SUPPLYING THE JOINT UNDERTAKING AND OF ESTABLISHING AND MAINTAINING A BUDGET THEREOF:**
 - a. Manner of Financing:
 - i. The Township will provide, or hire, the labor and equipment necessary to complete the Roadway Project.

- ii. Sellersburg shall contribute the sum of sixty-seven thousand dollars (\$67,000.00) to defray the Township's cost of acquiring land and building a roadway as an additional access point to the Silver Creek Township Park at or near 215 North Fern Street, Sellersburg, Indiana.
 - iii. The Township shall bear responsibility for all additional costs of the project.
 - iv. Sellersburg will pay the sums due to the Township hereunder within thirty (30) days of the time the project is fifty percent (50%) completed.
 - v. The township will make all reasonable efforts to complete the construction of the Roadway Project on or before December 31, 2022. However, the finish coat of blacktop may not be put on until spring, 2023.
 - b. Staffing and Supplying Joint Undertaking: The Township will furnish, or hire, all equipment and manpower necessary to complete this project.
 - c. Maintenance of Budget: That upon completion of the construction of the Roadway Project, the Township will be responsible for the maintenance of the roadway access point, absent any further agreement to the contrary.
4. **METHODS THAT MAY BE EMPLOYED IN ACCOMPLISHING THE PARTIAL OR COMPLETE TERMINATION OF THIS AGREEMENT**: This Agreement shall terminate upon the fulfillment of all terms and conditions outlined herein.
5. **ADMINISTRATION**: This Agreement shall be administered by the Township.
6. **ACQUIRING, HOLDING AND DISPOSING OF PROPERTY**: The Township will be responsible to acquire any real estate necessary to complete the Roadway Project. Sellersburg will take whatever steps are necessary to approve, zone, or permit the Roadway Project, if any.
7. **PAYMENT SCHEDULE**: Sellersburg shall submit payment to the Township within thirty (30) days upon request by Township and 50% completion of the Roadway Project.
8. **APPROVALS**: This Agreement becomes in full force and effect upon approval by all parties as indicated by their signatures on this Agreement.
9. **EXTENSION**: No extension of this Agreement is anticipated without additional approval of the parties.

10. **PURCHASE, SALE, OR EXCHANGE OF SERVICES, SUPPLIES OR EQUIPMENT:** Whenever a contract provides for the purchase, sale, or exchange of services, supplies, or equipment between or among Indiana governmental entities only, no notice by publication or posting is required pursuant to IC 36-1-7-12.
11. **AUTHORIZED SIGNATORIES:** The Township authorizes the Trustee, Bill Ramser, to execute all documents necessary to implement this Agreement and the Sellersburg Town Council authorizes the Town President, Brad Amos, or Town Manager, Charlie Smith to execute all documents necessary to implement this Agreement

IN WITNESS WHEREOF, the parties have affixed their signatures hereto on the dates shown below indicating their respective approvals of this Interlocal Agreement which will be for the benefit of Sellersburg and the general public.

TOWN OF SELLERSBURG

Brad J. Amos

7/25/2022
Date

By: Brad J. Amos

SILVER CREEK TOWNSHIP BOARD

Billy Ramser
Billy Ramser, Township Trustee

8-17-22
Date

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 020

AN ORDINANCE TRANSFERRING CERTAIN FUNDS

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, from time to time this Council desires to transfer funds for the needs of the Town.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that the following funds be transferred:

From:	To:	Amount:
101301444.000 S&S GARBAGE CONT.	101301365.000 S&S MAINT. PACKER	\$15,000.00
101301444.000 S&S GARBAGE CONT.	101301394.000 S&S MISC. SERVICES	\$10,000.00

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

[Signature page to follow]

So Ordained this 8th day of August, 20 22.

"Aye"

"Nay"

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarniecki
Matthew Czarniecki
Council Member

Matthew Czarniecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 8/8/22

MOTION: Czarniecki

SECOND: McVoy

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 8/8/22

MOTION: McVoy

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 021

AN ORDINANCE TRANSFERRING CERTAIN FUNDS

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, from time to time this Council desires to transfer funds for the needs of the Town.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that the following funds be transferred:

From:	To:	Amount:
202001431 LRS SIDEWALKS	202001397 LRS PAVING	\$50,000.00
101301444.000 S&S GARBAGE CONT. 202001 LRS Engineering M.P.M.	202001397 LRS PAVING	\$81,070.28

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

[Signature page to follow]

So Ordained this 22nd day of August, 2022.

"Aye"

"Nay"

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarniecki
Matthew Czarniecki
Council Member

Matthew Czarniecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 8/22/2022

MOTION: Czarniecki

SECOND: McVoy

VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 8/22/2022

MOTION: Czarniecki

SECOND: McVoy

VOTE: 4 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 022

AN ORDINANCE DISPOSING OF SURPLUS PERSONAL PROPERTY

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, pursuant to Ind. Code § 5-22-22-3(b), this Council acting as the purchasing agent, may sell property that “belongs to the governmental body, but is no longer needed for the purpose for which it was intended”; and,

WHEREAS, the Chief of Police for the Town has determined that his department is in need of two (2) new police vehicles; and,

WHEREAS, the Chief of Police has solicited quotes for two (2) new police cars, which included providing a trade-in value for two (2) current police cars, more specifically described as two (2) 2014 Dodge Chargers.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana as follows:

1. The following personal property is no longer needed for the purpose for which it was intended and the Town shall receive a combined credit of \$14,500.00 in trade-in value for two (2) new police cars:
 - a. 2014 Dodge Charger – Vin# 2C3CDXAT6EH367365
 - b. 2014 Dodge Charger – Vin# 2C3CDXAT4EH367364
2. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 22nd day of August, 2022.

"Aye"

"Nay"

Brad Amos
Brad Amos
Council President

Brad Amos
Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Matthew Czarniecki
Matthew Czarniecki
Council Member

Matthew Czarniecki
Matthew Czarniecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 8/22/2022

MOTION: Czarniecki

SECOND: McVoy

VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 8/22/2022

MOTION: McVoy

SECOND: Mobley

VOTE: 4 AYE 0 NAY 0 ABSTAIN

Sep 14 2022 - BNT

Danny Yeast

Auditor of Clark County



ORDINANCE NO. 2022-OR-023

AN ORDINANCE VACATING A PUBLIC WAY

**AN ORDINANCE FOR THE VACATION OF THE PUBLIC WAYS PURSUANT TO
A PETITION FILED BY FIFTH THIRD NATIONAL ASSOCIATION**

BE IT ORDAINED by the Town Council of the Town of Sellersburg, Indiana,
("Town") pursuant to I.C. § 36-7-3-12 that:

SECTION 1. The application filed by Hogan Property Development Co.
("Hogan") is requesting the vacation of a public alleyway located in the Town of
Sellersburg, Clark County, Indiana, and being more particularly described as that
14' alleyway dedicated to public use on the plat recorded in Plat Cabinet 3, Page 108,
in the office of the Recorder for Clark County, Indiana.

SECTION 2. That alleyway concerns real estate located on our around 392
Indiana Avenue, Sellersburg, IN 47172, more specifically described as follows (the
"Real Estate"), to-wit:

PARCEL I
(10-17-11-000-485.000-031)

COMMENCING AT AN IRON PIN MARKING THE INTERSECTION
OF THE EASTERN RIGHT OF WAY LINE OF INTERSTATE
HIGHWAY #65 (NORTHBOUND EXIT RAMP) AND THE WESTERN
RIGHT OF WAY LINE OF OLD U.S. HIGHWAY 31W, AS CALLED
FOR IN DEED DRAWER 18, INSTRUMENT #4043, DEED DRAWER
13, INSTRUMENT #290, AND DEED DRAWER 16, INSTRUMENT
#8441; THENCE WITH THE EASTERN RIGHT OF WAY LINE OF
INTERSTATE #65, NORTH 27 DEGREES 59 MINUTES 04 SECOND
EAST 374.68 FEET, THENCE NORTH 15 DEGREES 31 MINUTES 37
SECONDS EAST 208.84 FEET TO AN IRON PIN FOUND AT THE
SOUTHWEST CORNER OF TRACT "C" AS CALLED FOR IN DEED
DRAWER 1, INSTRUMENT #2170; THENCE CONTINUING WITH
SAID EASTERN RIGHT OF WAY NORTH 15 DEGREES 58 MINUTES
04 SECONDS EAST 70.61 FEET TO A #4 REINFORCING BAR,
THENCE LEAVING SAID RIGHT OF WAY SOUTH 68 DEGREES 44
MINUTES 37 SECONDS EAST 221.26 FEET TO A #4 REINFORCING
BAR; THENCE NORTH 21 DEGREES 15 MINUTES 23 SECONDS
EAST 77.11 FEET TO A #4 REINFORCING BAR, THENCE NORTH 81
DEGREES 02 MINUTES 27 SECONDS EAST 69.69 FEET TO AN
IRON PIN FOUND MARKING THE SOUTH WESTERNMOST

A. M. [Signature]
CLARK CO, IN ASSESSOR

CORNER OF THAT PROPERTY RECORDED IN DEED DRAWER 28, INSTRUMENT #9925, THIS BEING THE TRUE POINT OF BEGINNING; THENCE WITH THE WESTERN LINE OF SAID TRACT NORTH 18 DEGREES 15 MINUTES 50 SECONDS EAST 37.97 FEET TO A #4 REINFORCING BAR; THENCE NORTH 52 DEGREES 56 MINUTES 54 SECONDS EAST 335.56 FEET TO THE EASTERN LINE OF SAID TRACT; THENCE WITH SAID EASTERN LINE SOUTH 32 DEGREES 38 MINUTES 00 SECONDS EAST 41.34 FEET TO A #4 REINFORCING BAR, THENCE THE WESTERN RIGHT OF WAY LINE OF US 31 E, THENCE WITH SAID RIGHT OF WAY AND A CURVE TO THE LEFT HAVING A RADIUS OF 669.62 FEET, THE CHORD OF WHICH MEASURES SOUTH 26 DEGREES 16 MINUTES 42 SECONDS EAST 151.71 FEET TO A #4 REINFORCING BAR, THENCE CONTINUING WITH SAID RIGHT OF WAY SOUTH 32 DEGREES 12 MINUTES 59 SECONDS EAST 92.50 FEET TO A #4 REINFORCING BAR; THENCE LEAVING SAID RIGHT OF WAY AND WITH THE RIGHT OF WAY OF SOUTH NEW ALBANY STREET SOUTH 58 DEGREES 00 MINUTES 44 SECONDS WEST 305.91 FEET TO AN IRON PIN FOUND, THENCE NORTH 42 DEGREES 36 MINUTES 20 SECONDS WEST 234.72 FEET TO THE POINT OF BEGINNING, CONTAINING 2.051 ACRES, MORE OR LESS.

PARCEL II
(10-17-11-000-487.000-031)

SITUATE IN THE COUNTY OF CLARK AND THE STATE OF INDIANA, DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT AN IRON PIN MARKING THE INTERSECTION OF THE EASTERN RIGHT OF WAY LINE OF INTERSTATE HIGHWAY #65 (NORTHBOUND EXIT RAMP) AND THE WESTERN RIGHT OF WAY LINE OF OLD U.S. HIGHWAY 31 W, AS CALLED FOR IN DEED DRAWER 18, INSTRUMENT #4043, DEED DRAWER 13, INSTRUMENT #290, AND DEED DRAWER 16, INSTRUMENT #8441; THENCE WITH THE EASTERN RIGHT OF WAY LINE OF INTERSTATE #65, NORTH 27 DEGREES 59 MINUTES 04 SECONDS EAST 374.68 FEET, THENCE NORTH 15 DEGREES 31 MINUTES 37 SECONDS EAST 208.84 FEET TO AN IRON PIN FOUND AT THE SOUTHWEST CORNER OF TRACT "C" AS CALLED IN DEED DRAWER 1, INSTRUMENT #2170; THENCE CONTINUING WITH SAID EASTERN RIGHT OF WAY NORTH 15 DEGREES 58 MINUTES 04 SECONDS EAST 70.61 FEET TO A #4 REINFORCING BAR, THENCE LEAVING SAID RIGHT OF WAY SOUTH 68 DEGREES 44 MINUTES 37 SECONDS EAST 221.26 FEET TO A #4 REINFORCING BAR; THENCE NORTH 21 DEGREES 15 MINUTES 23 SECONDS

ORDINANCE NO. 2022-OR-023

AN ORDINANCE VACATING A PUBLIC WAY

**AN ORDINANCE FOR THE VACATION OF THE PUBLIC WAYS PURSUANT TO
A PETITION FILED BY FIFTH THIRD NATIONAL ASSOCIATION**

BE IT ORDAINED by the Town Council of the Town of Sellersburg, Indiana, ("Town") pursuant to I.C. § 36-7-3-12 that:

SECTION 1. The application filed by Hogan Property Development Co. ("Hogan") is requesting the vacation of a public alleyway located in the Town of Sellersburg, Clark County, Indiana, and being more particularly described as that 14' alleyway dedicated to public use on the plat recorded in Plat Cabinet 3, Page 108, in the office of the Recorder for Clark County, Indiana.

SECTION 2. That alleyway concerns real estate located on our around 392 Indiana Avenue, Sellersburg, IN 47172, more specifically described as follows (the "Real Estate"), to-wit:

PARCEL I
(10-17-11-000-485.000-031)

COMMENCING AT AN IRON PIN MARKING THE INTERSECTION OF THE EASTERN RIGHT OF WAY LINE OF INTERSTATE HIGHWAY #65 (NORTHBOUND EXIT RAMP) AND THE WESTERN RIGHT OF WAY LINE OF OLD U.S. HIGHWAY 31W, AS CALLED FOR IN DEED DRAWER 18, INSTRUMENT #4043, DEED DRAWER 13, INSTRUMENT #290, AND DEED DRAWER 16, INSTRUMENT #8441; THENCE WITH THE EASTERN RIGHT OF WAY LINE OF INTERSTATE #65, NORTH 27 DEGREES 59 MINUTES 04 SECOND EAST 374.68 FEET, THENCE NORTH 15 DEGREES 31 MINUTES 37 SECONDS EAST 208.84 FEET TO AN IRON PIN FOUND AT THE SOUTHWEST CORNER OF TRACT "C" AS CALLED FOR IN DEED DRAWER 1, INSTRUMENT #2170; THENCE CONTINUING WITH SAID EASTERN RIGHT OF WAY NORTH 15 DEGREES 58 MINUTES 04 SECONDS EAST 70.61 FEET TO A #4 REINFORCING BAR, THENCE LEAVING SAID RIGHT OF WAY SOUTH 68 DEGREES 44 MINUTES 37 SECONDS EAST 221.26 FEET TO A #4 REINFORCING BAR; THENCE NORTH 21 DEGREES 15 MINUTES 23 SECONDS EAST 77.11 FEET TO A #4 REINFORCING BAR, THENCE NORTH 81 DEGREES 02 MINUTES 27 SECONDS EAST 69.69 FEET TO AN IRON PIN FOUND MARKING THE SOUTH WESTERNMOST

CORNER OF THAT PROPERTY RECORDED IN DEED DRAWER 28, INSTRUMENT #9925, THIS BEING THE TRUE POINT OF BEGINNING; THENCE WITH THE WESTERN LINE OF SAID TRACT NORTH 18 DEGREES 15 MINUTES 50 SECONDS EAST 37.97 FEET TO A #4 REINFORCING BAR; THENCE NORTH 52 DEGREES 56 MINUTES 54 SECONDS EAST 335.56 FEET TO THE EASTERN LINE OF SAID TRACT; THENCE WITH SAID EASTERN LINE SOUTH 32 DEGREES 38 MINUTES 00 SECONDS EAST 41.34 FEET TO A #4 REINFORCING BAR, THENCE THE WESTERN RIGHT OF WAY LINE OF US 31 E, THENCE WITH SAID RIGHT OF WAY AND A CURVE TO THE LEFT HAVING A RADIUS OF 669.62 FEET, THE CHORD OF WHICH MEASURES SOUTH 26 DEGREES 16 MINUTES 42 SECONDS EAST 151.71 FEET TO A #4 REINFORCING BAR, THENCE CONTINUING WITH SAID RIGHT OF WAY SOUTH 32 DEGREES 12 MINUTES 59 SECONDS EAST 92.50 FEET TO A #4 REINFORCING BAR; THENCE LEAVING SAID RIGHT OF WAY AND WITH THE RIGHT OF WAY OF SOUTH NEW ALBANY STREET SOUTH 58 DEGREES 00 MINUTES 44 SECONDS WEST 305.91 FEET TO AN IRON PIN FOUND, THENCE NORTH 42 DEGREES 36 MINUTES 20 SECONDS WEST 234.72 FEET TO THE POINT OF BEGINNING, CONTAINING 2.051 ACRES, MORE OR LESS.

PARCEL II
(10-17-11-000-487.000-031)

SITUATE IN THE COUNTY OF CLARK AND THE STATE OF INDIANA, DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT AN IRON PIN MARKING THE INTERSECTION OF THE EASTERN RIGHT OF WAY LINE OF INTERSTATE HIGHWAY #65 (NORTHBOUND EXIT RAMP) AND THE WESTERN RIGHT OF WAY LINE OF OLD U.S. HIGHWAY 31 W, AS CALLED FOR IN DEED DRAWER 18, INSTRUMENT #4043, DEED DRAWER 13, INSTRUMENT #290, AND DEED DRAWER 16, INSTRUMENT #8441; THENCE WITH THE EASTERN RIGHT OF WAY LINE OF INTERSTATE #65, NORTH 27 DEGREES 59 MINUTES 04 SECONDS EAST 374.68 FEET, THENCE NORTH 15 DEGREES 31 MINUTES 37 SECONDS EAST 208.84 FEET TO AN IRON PIN FOUND AT THE SOUTHWEST CORNER OF TRACT "C" AS CALLED IN DEED DRAWER 1, INSTRUMENT #2170; THENCE CONTINUING WITH SAID EASTERN RIGHT OF WAY NORTH 15 DEGREES 58 MINUTES 04 SECONDS EAST 70.61 FEET TO A #4 REINFORCING BAR, THENCE LEAVING SAID RIGHT OF WAY SOUTH 68 DEGREES 44 MINUTES 37 SECONDS EAST 221.26 FEET TO A #4 REINFORCING BAR; THENCE NORTH 21 DEGREES 15 MINUTES 23 SECONDS

EAST 77.11 FEET TO A #4 REINFORCING BAR, THENCE NORTH 81 DEGREES 02 MINUTES 27 SECONDS EAST 69.69 FEET TO AN IRON PIN FOUND MARKING THE SOUTHWESTERNMOST CORNER OF THAT PROPERTY RECORDED IN DEED DRAWER 28, INSTRUMENT #9925, THENCE WITH THE WESTERN LINE OF SAID TRACT NORTH 18 DEGREES 15 MINUTES 50 SECONDS EAST 37.97 FEET TO A #4 REINFORCING BAR; THENCE NORTH 52 DEGREES 56 MINUTES 54 SECONDS EAST 94.95 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 52 DEGREES 56 MINUTES 54 SECONDS EAST 240.61 FEET TO THE EASTERN LINE OF LAST MENTIONED TRACT, THENCE WITH SAID EASTERN LINE SOUTH 32 DEGREES 38 MINUTES 00 SECONDS EAST 41.34 FEET TO A #4 REINFORCING BAR ON THE WESTERN RIGHT OF WAY LINE OF US 31 E, THENCE WITH SAID RIGHT OF WAY AND A CURVE TO THE LEFT HAVING A RADIUS OF 669.62 FEET, THE CHORD OF WHICH MEASURES SOUTH 26 DEGREES 16 MINUTES 42 SECONDS EAST 151.71 FEET TO A #4 REINFORCING BAR, THENCE CONTINUING WITH SAID RIGHT OF WAY SOUTH 32 DEGREES 12 MINUTES 59 SECONDS EAST 9.48 FEET TO A #4 REINFORCING BAR IN SAME; THENCE LEAVING SAID RIGHT OF WAY LINE SOUTH 58 DEGREES 00 MINUTES 49 SECONDS WEST 225.09 FEET AND NORTH 31 DEGREES 59 MINUTES 11 SECONDS WEST 180.53 FEET TO THE POINT OF BEGINNING. CONTAINING 1.01 ACRES, MORE OR LESS.

SECTION 3. The Town hereby releases, assigns and quits any claim to the 14' alleyway on the plat recorded in Plat Cabinet 3, Page 108, in the office of the Recorder for Clark County, Indiana, and title to such 14' alleyway within the above-described Real Estate shall henceforth be vested in the owner of the Real Estate.

SECTION 4. This Ordinance shall be in the full force and effect from and after its passage by the Town Council of the Town of Sellersburg this ____ day of September, 2022.

DATED THIS 12th DAY OF SEPTEMBER 2022.

"Aye"

"Nay"

Brad Amos

Brad Amos
Council President

Brad Amos
Council President

Scott McVoy

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford

Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarnecki

Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley

Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 9/12/2022

MOTION: Czarnecki

SECOND: McVoy

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 9/12/2022

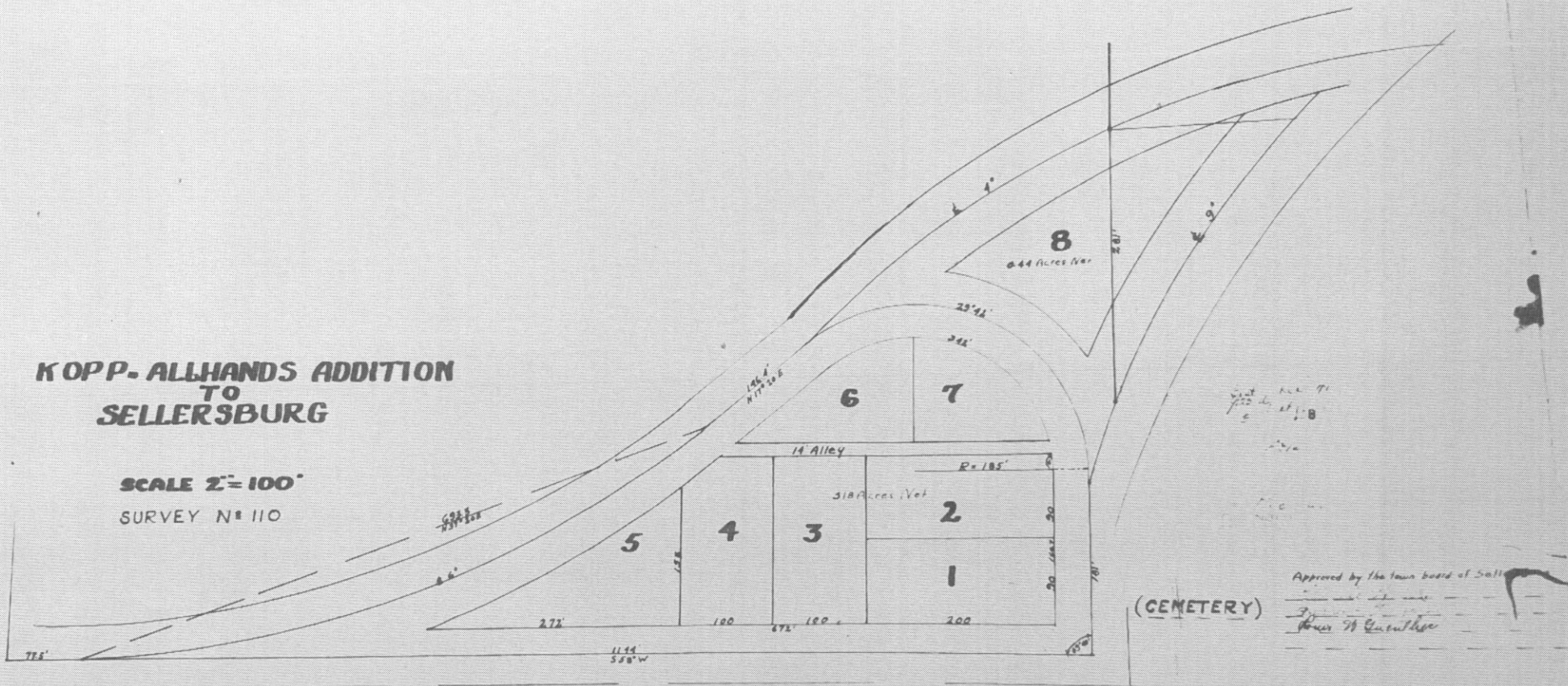
MOTION: Czarnecki

SECOND: McVoy

VOTE: 5 AYE 0 NAY 0 ABSTAIN

KOPP-ALLHANDS ADDITION TO SELLERSBURG

SCALE 2" = 100'
SURVEY N# 110



Approved by the town board of Sellersburg

(CEMETERY)

James M. Raskett

STATE OF INDIANA COUNTY OF CLARK

Before me a notary public for the above said county & state personally appeared George C. Kopp, his wife Frances L. Kopp and Clifford Allhands and separately and severally acknowledged the execution of the annexed and foregoing dedication for the use and purposes therein expressed. Witness my hand & seal this 30th day of *Nov* 1941.

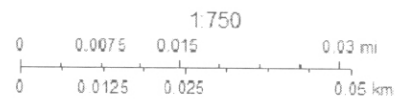
George C. Kopp
Frances L. Kopp
Clifford Allhands

NOTARY PUBLIC

We, George C. Kopp, Frances L. Kopp and Clifford Allhands (an married) owners of the real estate shown in the above plat, do hereby certify that we have caused to be laid off and subdivided into lots and one Alley as shown by the above plat. The Alley is hereby dedicated to public use.

I, James M. RASKETT a registered professional Civil Engineer, do hereby certify that the above plat is true and correct.

James M. Raskett



Proof of
Publication

STATE OF INDIANA
COUNTY OF CLARK -SS

RECEIVED

SEP 6 2022

Theresa Wheatbrook on oath says that she is
bookkeeper of NEWS AND TRIBUNE and in
the employ of the publisher of

NEWS AND TRIBUNE,

a daily newspaper of general circulation printed and
published in the city of Jeffersonville, Clark County,
State of Indiana, and further says that the annexed
advertisement was published in said paper for
#(1) time(s) to-wit: In Issue of said NEWS AND TRIBUNE

Dated: 09-01 2022

Theresa Wheatbrook

RECEIVED

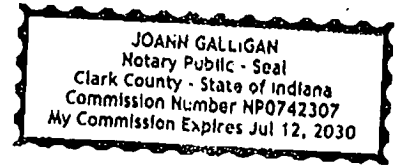
STATE OF INDIANA
COUNTY OF CLARK

SEP 6 2022

Subscribed and sworn to before me this

2nd day of September, 2022

Joann Galligan
(X) Joann Galligan



Notary Public, Clark County, Indiana
My Commission expires July 12, 2030
Commission Number NP0742307

ID # 04-3314494

Publication
Fee \$ 662.18

1790061

THENCE CONTINUING WITH SAID RIGHT OF WAY SOUTH 32 DEGREES 12 MINUTES 59 SECONDS EAST 92.50 FEET TO A #4 REINFORCING BAR; THENCE LEAVING SAID RIGHT OF WAY AND WITH THE RIGHT OF WAY OF SOUTH NEW ALBANY STREET SOUTH 58 DEGREES 00 MINUTES 44 SECONDS WEST 305.91 FEET TO AN IRON PIN FOUND, THENCE NORTH 42 DEGREES 36 MINUTES 20 SECONDS WEST 234.72 FEET TO THE POINT OF BEGINNING, CONTAINING 2.051 ACRES, MORE OR LESS.

PARCEL II
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WAY LINE OF US 31 E, THENCE WITH SAID RIGHT OF WAY AND A CURVE TO THE LEFT HAVING A RADIUS OF 669.62 FEET, THE CHORD OF WHICH MEASURES SOUTH 26 DEGREES 16 MINUTES 42 SECONDS EAST 151.71 FEET TO A #4 REINFORCING BAR, THENCE CONTINUING WITH SAID RIGHT OF WAY SOUTH 32 DEGREES 12 MINUTES 59 SECONDS EAST 9.48 FEET TO A #4 REINFORCING BAR IN SAME; THENCE LEAVING SAID RIGHT OF WAY LINE SOUTH 58 DEGREES 00 MINUTES 49 SECONDS WEST 225.09 FEET AND NORTH 31 DEGREES 59 MINUTES 11 SECONDS WEST 180.53 FEET TO THE POINT OF BEGINNING. CONTAINING 1.01 ACRES, MORE OR LESS.

The street address of the property or general geographic area which is the subject of this petition is in the Town of Sellersburg, vacating the alleyway at 392 Indiana Avenue, Sellersburg, IN 47172.

The 14' alleyway being vacated was previously dedicated on the plat recorded in Plat Cabinet 3, Page 108, in the office of the Recorder for Clark County, Indiana and is more particularly described therein.

All persons are hereby notified that a public hearing BEFORE THE TOWN OF SELLERSBURG will be held on the 12th day of September, 2022, at 6:00 o'clock p.m. in the Town Hall, 316 E Utica St, Sellersburg, IN 47172.

A copy of the Petition is on file at the Office of the Town Council in the Town Hall. Written objections that are filed prior to the hearing will be considered. Oral comments will be heard at the hearing. The hearing may be continued from time to time as may be necessary.

Dated this ____ day of _____, 2022.

THE TOWN OF SELLERSBURG

BY _____

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Rajjis 12 LLC
362 Triangle Drive
Sellersburg, IN 47172



9590 9402 6756 1074 1986 19

2. Article Number (Transfer from carrier label)

7020 3160 0000 3513 5871

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Mail Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Return Re
Request

USPS TRACKING #



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 6756 1074 1986 19

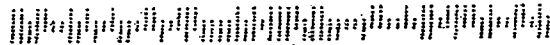
United States
Postal Service

RECEIVED
SEP 3 2022

Sender: Please print your name, address, and ZIP+4® in this box*

Justin E. Endres
YOUNG, LIND, ENDRES & KRAFT
126 West Spring Street
New Albany, IN 47150

Hogan Real Estate



HOGAN

REAL ESTATE

August 8, 2022

VIA ELECTRONIC MAIL

Town Council for the Town of Sellersburg, Indiana
316 E. Utica Street
Sellersburg, IN 47172
E-mail: towncouncil@sellersburg.org

Re: Petition to Vacate 14' alley located within the real property located at 392 Indiana Avenue, described as Parcel ID Nos. 10-17-11-000-485.000-031 and 10-17-11-000-487.000-031 (collectively, the "**Subject Property**"), which is depicted on draft ALTA Survey (Second Draft) prepared by Mark L. Wilmoth, IN PLS of Willmoth International, PSC (the "**Survey**"), a copy of which Survey is included with this transmittal

Dear Sir or Madam,

The undersigned Hogan Property Development Co. ("**HPDC**") is under contract with Fifth Third Bank, National Association ("**Fifth Third**") to purchase the above-described Subject Property. The legal description for the Subject Property is reflected on the Survey, and as shown on the Survey, the Subject Property is bounded to the North by Triangle Drive (*a public right-of-way*), to the East by S. Indiana Avenue/IN State Road 31E (*a public right-of-way*), to the South by S. New Albany Street (*a public right-of-way*), and to the West by 362 Triangle Drive (*Parcel ID No. 10-17-11-00-483.000-31*), which is owned by Rajjis12 LLC (*whose mailing address per the IN Secretary of State is 363 Triangle Dr., Sellersburg, IN 47172*). As noted above, the Subject Property is currently owned by Fifth Third (*who is also successor-in-interest to Fifth Third Bank, an Ohio banking corporation*), whose mailing address is Attn: Erica Kojetin, 38 Fountain Square Plaza, Mail Drop 10909F, Cincinnati, OH 45263.

In connection with HPDC's diligence on the Subject Property, a title exam and the Survey were prepared for the Subject Property. These diligence items reflected that (i) the Subject Property was part of the property depicted on the plat recorded in Plat Cabinet 3, Page 108, in the Office of the Recorder for Clark County, Indiana (the "**Plat**"), a copy of which Plat is included with this transmittal, and (ii) a 14' alley crossed through the Subject Property for which no recorded ordinance of vacation could be located.

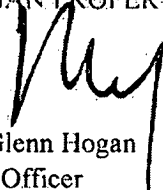
It is the understanding of HPDC that the 14' alley depicted on the Plat and the Survey is within the corporate boundaries of the Town of Sellersburg. HPDC is requesting, subject to the approval of and on behalf of Fifth Third, that the portion of the 14' alley crossing through the Subject Property be properly vacated by the Town of Sellersburg and that such vacated alley is then conveyed in fee to Fifth Third ahead of HPDC's purchase of the Subject Property.

HOGAN

REAL ESTATE

Please do not hesitate to reach out should you have any questions or find that anything is missing or incorrect.

Sincerely,
HOGAN PROPERTY DEVELOPMENT CO.



W. Glenn Hogan
Sole Officer

Enclosures

cc Charlie Smith, Town Manager (via e-mail at csmith@scollersburg.org)
 Jacob C. Elder (via e-mail at jelder@elderlawoffice.us)
 Nick Lawrence (via e-mail at nick@thewheatleygrp.com)
 Daniel M. Walter (via e-mail at dwalter@vctfirm.com)
 Justin Phelps (via e-mail at jphelps@hogandev.com)
 Edith Sommer (via e-mail at esommer@hogandev.com)

ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)
 Approved by the State Board of Accounts, 2015
 Prescribed by the Department of Local Government Finance

Budget Form No. 4
 Generated 9/27/2022 9:37:02 AM

Ordinance / Resolution Number: 2022-OR-024

Be it ordained/resolved by the **TOWN COUNCIL** that for the expenses of **SELLERSBURG CIVIL TOWN** for the year ending December 31, **2023** the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expenses of **SELLERSBURG CIVIL TOWN**, the property tax levies and property tax rates as herein specified are included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance.

This ordinance/resolution shall be in full force and effect from and after its passage and approval by the **TOWN COUNCIL**.

Name of Adopting Entity / Fiscal Body	Type of Adopting Entity / Fiscal Body	Date of Adoption
TOWN COUNCIL	Town Council	10/17/2022

Funds				
Fund Code	Fund Name	Adopted Budget	Adopted Tax Levy	Adopted Tax Rate
0061	RAINY DAY	\$500,000	\$0	0.0000
0101	GENERAL	\$4,820,000	\$2,579,301	0.6714
0342	POLICE PENSION	\$50,000	\$0	0.0000
0706	LOCAL ROAD & STREET	\$350,000	\$0	0.0000
0708	MOTOR VEHICLE HIGHWAY	\$300,000	\$0	0.0000
1303	PARK	\$200,000	\$75,000	0.0195
2240	PLANNING	\$375,000	\$0	0.0000
2379	CUMULATIVE CAPITAL IMP (CIG TAX)	\$20,000	\$0	0.0000
		\$6,615,000	\$2,654,301	0.6909

Home-Ruled Funds (Not Reviewed by DLGF)		
Fund Code	Fund Name	Adopted Budget
9500	LOIT PUB SAFETY	\$288,368
9501	LECE	\$50,000
9502	CEDIT	\$417,800
9504	SPD CHRISTMAS FOR KIDS	\$30,000
9505	RETIREE'S INSURANCE FUND	\$40,000
9509	TIF FUND	\$1,253,127
9535	ARPA of 2021	\$1,564,014
9536	MVH RESTICTED	\$400,000
9538	Unsafe Building Fund	\$7,000
		\$4,050,309

ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)
 Approved by the State Board of Accounts, 2015
 Prescribed by the Department of Local Government Finance

Budget Form No. 4
 Generated 9/27/2022 9:37:02 AM

Name		Signature
BRAD AMOS	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Brad Amos</i>
SCOTT MCVOY	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Scott McVoy</i>
TERRY LANGFORD	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Terry Langford</i>
RANDALL MOBLEY	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Randall Mobley</i>
MATT CZARNECKI	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Matt Zarnecki</i>

ATTEST

Name	Title	Signature
MICHELLE D. MILLER	CLERK TREASURER	<i>Michelle D. Miller</i>

MAYOR ACTION (For City use only)

Name		Signature	Date
	Approve <input type="checkbox"/> Veto <input type="checkbox"/>		

In accordance with IC 6-1.1-17-16(k), we state our intent to issue debt after December 1 and before January 1 Yes No

In accordance with IC 6-1.1-17-16(k), we state our intent to file a shortfall appeal after December 1 and before December 31 Yes No

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

F
D
OCT 25 2022
Duncan
Duncan

ORDINANCE NO. 2022 – OR – 025

AN ORDINANCE CONCERNING THE REDISTRICTING OF THE TOWN COUNCIL DISTRICTS FOR THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, the Town of Sellersburg, Indiana (the “Town”) is divided into four (4) districts for the purposes of electing members of the Town Council; and,

WHEREAS, Ind. Code § 36-5-2 *et seq.* requires the Town to review and potentially redistrict its election districts in the second year after the federal decennial census, which last occurred in 2020; and,

WHEREAS, each district should attempt to be contiguous, except when impossible; be reasonably compact; contain, as nearly as possible, equal population; and usually not cross county precinct boundaries or US census block lines; and,

WHEREAS, this Council has thoroughly discussed redistricting in several public meetings, including, but not limited to, the difficulties surrounding certain voting areas due to the corporate boundary of the Town, which has been greatly considered and well documented; and,

WHEREAS, attached hereto is the 2022 redistricting map dividing the Town into four (4) districts, which is more specifically depicted in Exhibit A; and,

WHEREAS, this Council now desires to amend and redistrict the Town Council Districts in accordance with Indiana law.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana as follows:

Section 1. The above recitals are incorporated herein by this reference as if fully restated and set forth herein below.

Section 2. The four (4) Council Districts for the Town are hereby amended as set forth in Exhibit A. Nothing herein shall change the fact that the membership for the Town Council for Sellersburg, Indiana consist of five (5) members: four (4) members are selected by the voters in each district and one (1) member is selected as an at-large candidate.

Section 3. This ordinance and the new Council Districts established hereunder shall take effect immediately upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

Section 4. Current Town Council members shall continue to hold office until the term for which the Town Council member was elected or appointed has expired under state law.

Section 5. The Executive Secretary is charged with fling a copy of this ordinance with the Clark County circuit court clerk no later than thirty (30) days after this ordinance is adopted.

So Ordained this 17th day of October, 2022

[Signature page to follow]

“Aye”

“Nay”

Brad Amos

Brad Amos
Council President

Brad Amos
Council President

Scott McVoy

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford

Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarnecki

Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley

Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 10/17/2022

MOTION: M^o V^oy

SECOND: Czarnecki

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 10/17/2022

MOTION: Czarnecki

SECOND: Mobley





VOTE: 5 AYE 0 NAY 0 ABSTAIN

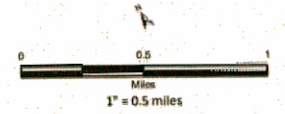
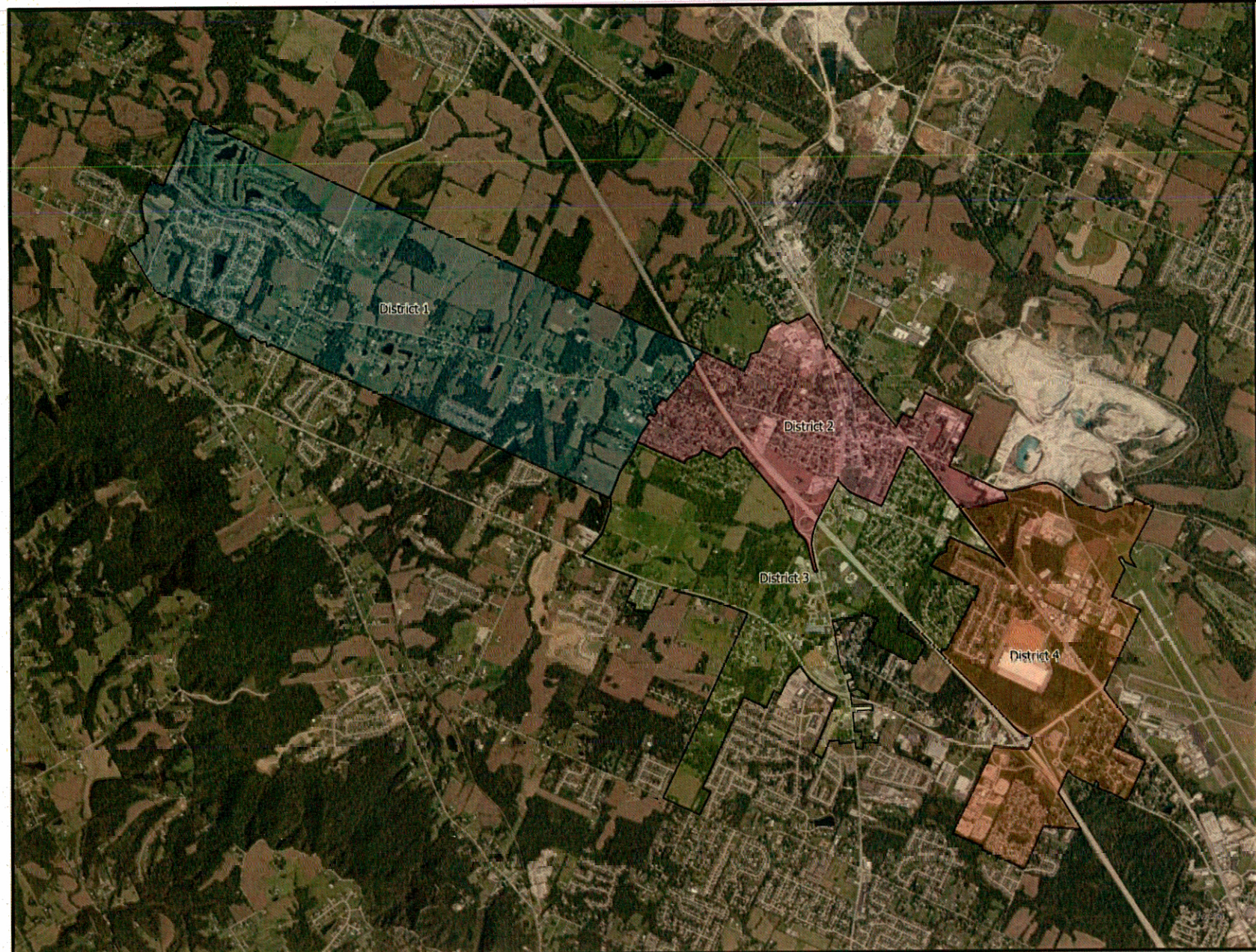
**EXHIBIT A
TOWN COUNCIL DISTRICTS**

Sellersburg, IN


LEGEND

Council District

-  District 1
-  District 2
-  District 3
-  District 4



1" = 0.5 miles
Scalable when printed
on 11" x 17" paper



Jacobi, Toombs & Lanz, Inc.
Consulting Engineers & Land Surveyors
1001 West Walnut Street, 201 - Sellersburg, Kentucky 40380
502-305-5154 • WWW.JTLC.COM

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STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 026

AN ORDINANCE DISPOSING OF SURPLUS OR WORTHLESS PERSONAL PROPERTY BELONGING TO THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, pursuant to Ind. Code § 5-22-22-3(b), this Council acting as the purchasing agent, may sell property that “belongs to the governmental body, but is no longer needed for the purpose for which it was intended”; and,

WHEREAS, if the purchasing agent does not engage an auctioneer or if the surplus property is not sold through an Internet auction site under Section 4.5 of Ind. Code § 5-22-22 *et seq.*, the purchasing agent shall sell the property at a public sale or by sealed bids delivered to the office of the purchasing agency before the date of the sale. Advertisement of sale shall be made in accordance with Ind. Code § 5-3-1 and all sales shall be made to the highest and most responsible bidder. (*Ind. Code § 5-22-22-5*); and,

WHEREAS, pursuant to Ind. Code § 5-22-22-8, “if the property is worthless, it may be demolished or junked.” Property may be determined to be worthless or of no market value if the value of the property is less than the estimated costs of the sale and transportation of the property; and,

WHEREAS, pursuant to Ind. Code § 36-1-11-9, “[w]henver a disposing agent purchases new property with a condition that property of a similar nature is to be traded in or exchanged as part of the purchase and in reduction of the purchase price, the exchange or trade-in may be made without compliance with section 7 of this chapter but must comply with section 16 of this chapter”; and,

WHEREAS, this Council, at the recommendation of the Town Manager, has determined a need to dispose certain personal property.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana as follows:

- 1. The following personal property is deemed surplus, junk, or worthless:

Mosquito Sprayer Dyna set 5.5 (flow rate 10 mph)
Single Axle Utility Trailer
Carolina Water Pump (model#QA503AA serial#253562)
Water Pump (serial #253562)
Miller Industrial Welder DC (arch welder HJ156772)
Bat Wing Pull Behind Finish Mower 504398
Grader Blade (L91605)
LEE Boy Paving Machine (W4-1770 434508 6226977)
Henderson salt spreader model# FEHX10X54X304
Henderson salt spreader model# super R-8 serial#127820
land pride Grader box 5ft
Badge backhoe bucket model # case 580-E serial#11639
Case 580-E ditch bucket
Case 580-E 1' bucket serial#381488A4
Black utility trailer 7x12
Concord road equipmentGravel Spreader model#960-188 serial#3133
8" auger 3 point hitch for tractor
92 ford van 1fbhe31h4pha42813
2007 ford explorer1fmeu73e48ua63533
96 ford 650 1fbxf80c2bva26658 chassis,

- 2. This Council, understanding the aforementioned personal property grants the Town Manager with the authority to sell said personal property pursuant to Ind. Code § 5-22-22 et seq. or if the property is deemed worthless then to have the property scrapped.
- 3. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 14th day of November, 2022.

"Aye"

"Nay"

Absent 11/14/2022

Brad Amos
Council President

Brad Amos
Council President

[Signature]
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

[Signature]
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

[Signature]
Matthew Czarniecki
Council Member

Matthew Czarniecki
Council Member

[Signature]
Randall Mobley
Council Member

Randall Mobley
Council Member

[Signature]
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 11/14/2022

MOTION: Czarniecki

SECOND: Mobley

VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 11/14/2022

MOTION: Czarniecki

SECOND: Mobley

VOTE: 4 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 027

AN ORDINANCE AMENDING THE UNIFORM / CLOTHING ALLOWANCES FOR THE TOWN OF SELLERSBURG POLICE OFFICERS.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the Town of Sellersburg, Indiana (the “Town”); and,

WHEREAS, the police uniform allowance has not been amended in approximately 20 years; and,

WHEREAS, currently, each police officer with at least one (1) year of employment with the Town receives \$1,200 per year to be used solely for police uniforms, with \$600 paid the first pay period of the month in June and the second \$600 installment paid in the first pay period in the month of December; and,

WHEREAS, this Council now desires to amend the police uniform allowance for the police officers of the Town.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following amendments to the uniform allowance policy for police officers of the Town:

1. Each police officer with at least one (1) year of service with the Town shall receive a uniform allowance of \$2,000 per year to be paid in the first pay period in June.
2. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 28th day of November 2022.

"Aye"

"Nay"

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Absent 11/28/22
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarniecki
Matthew Czarniecki
Council Member

Matthew Czarniecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 11/28/22

MOTION: Czarniecki

SECOND: Langford

VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 11/28/22

MOTION: Czarniecki

SECOND: Langford

VOTE: 4 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 028

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS FOR THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the Town of Sellersburg, Indiana (the “Town”); and,

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; and,

WHEREAS, this matter was considered at an open meeting to which the public were invited to participate; and,

NOW, THEREFORE, BE IT ORDAINED by the Town council of the Town of Sellersburg, Indiana, that for the expenses of the Town of Sellersburg the following additional sums are hereby appropriated out of the funds named and for the purposes specified, subject to the laws governing the same:

<u>Fund Name:</u>	<u>Amount:</u>
Planning and Zoning	\$50,000.00

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

Adopted this 28th day of November, 2022.

"Aye"

"Nay"

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Absent 11/28/22
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarniecki
Matthew Czarniecki
Council Member

Matthew Czarniecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 11/28/22

MOTION: Czarniecki

SECOND: Mobley

VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 11/28/22

MOTION: Czarniecki

SECOND: Mobley

VOTE: 4 AYE 0 NAY 0 ABSTAIN

STATE OF INDIANA
DEPARTMENT OF LOCAL GOVERNMENT FINANCE

Room N-1058, IGCN - 100 North Senate
Indianapolis, Indiana 46204

Order 1171156

In the matter of Additional Appropriations for SELLERSBURG CIVIL TOWN taxing unit County of Clark as adopted on November 28, 2022.

A certified copy of additional appropriation action taken by the above named taxing unit was filed with the Department of Local Government Finance on November 29, 2022. It was examined for availability and sufficiency of unencumbered revenues. The Department makes the following determination based upon financial information as submitted by the fiscal officer:

Sufficient revenues are available to support the following requested appropriations.

FUND CD	FUND NAME	REPORTED REDUCTION	REQUESTED INCREASE	AMOUNT APPROVED	AMOUNT DENIED
2240	PLANNING	\$0	\$50,000	\$50,000	\$0

Note: The above approval is limited to revenues available or to be made available during 2022 as certified by the fiscal officer of SELLERSBURG CIVIL TOWN .

Having examined the Certified Copy as submitted by the above named taxing unit, the determinations as set forth are now adopted this November 29, 2022.



Bennett, Wes , Commissioner

Certified Copy of Additional Appropriation

UNIT NAME: SELLERSBURG CIVIL TOWN

Unit Number: 0552 Page 1 of 1

COUNTY NAME: Clark

County Number: 10

Date of Publication
11/1/2022

Newspaper Name: NEWS AND TRIBUNE

Date of Publication

Newspaper Name:

Date of Publication Hearing
11/28/2022

Date Resolution Passed
11/28/2022

A. DLGF Fund Number	2240
B. Fund Name	PLANNING
C. Appropriation Amount Requested	\$50,000
D. Amount by Reduction (C minus D)	\$0
E. Net Amount of Increase	\$50,000
1. Property Tax Levy	\$0
2. Levy Excess	\$0
3. PTRC from Local Income Tax (LIT)	\$0
4. LIT Levy Freeze Amount	\$0
5. Misc. Revenue	\$150,000
6. January 1 Cash Balance (Including Investments)	\$227,926
7. Subtotal of Funds (Add 1 thru 6)	\$377,926
8. Less Circuit Breaker	\$0
9. Total Funds (7 minus 8)	\$377,926
10. DLGF Approved Budget	\$65,000
11. Encumbered Appropriations Carried Forward from Previous Year	\$0
12. Temporary Loans Outstanding as of January 1	\$0
13. Beginning Obligations (Add 10 thru 12)	\$65,000
14. Surplus Funds (9 minus 13)	\$312,926
15. Previous additional appropriations since January 1, less reductions in appropriations	\$0
16. Permanent Transfers Out	\$0
17. Surplus Funds Remaining (14 minus 15 minus 16) (Available to fund increase on Row E)	\$312,926
18. Funded or Unfunded	FUNDED

STATE OF INDIANA
DEPARTMENT OF LOCAL GOVERNMENT FINANCE

Room N-1058, IGCN - 100 North Senate
Indianapolis, Indiana 46204

Order 1171156

County : Clark
Unit : SELLERSBURG CIVIL TOWN
Unit ID : 10-3-0552

FUND: 2240 - PLANNING

Revenue Code	Revenue Name	Revenue Estimates Jan 1 to Dec 31 2022
R201	Electrical and Plumbing Licenses and Permits	150,000
TOTAL		150,000

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 029

AN ORDINANCE ACCEPTING, REJECTING, OR AMENDING THE PROPOSED AMENDMENTS TO THE 2020 UNIFIED DEVELOPMENT ORDINANCE AS CERTIFIED BY THE PLAN COMMISSION FOR SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, on or about the 15th day of November, 2021, the Plan Commission for Sellersburg, Indiana (“Commission”), after conducting a public hearing in which the public was invited and heard, adopted *Resolution 2021-10-01 Amendment No. 2; Resolution 2021-10-01 Amendment No. 4; and Resolution 2021-10-01 Amendment No. 5 - Resolutions Amending The Sellersburg Unified Development Ordinance (the “UDO”) For Sellersburg, Indiana*, which amended certain development standards and/or zoning administration procedures (See Attached Exhibit A); and,

WHEREAS, on or about the 21st day of March, 2022, the Plan Commission for Sellersburg, Indiana (“Commission”), after conducting a public hearing in which the public was invited and heard, adopted *Resolution 2022-02-01 Amendment No. 6 - A Resolution Amending The Sellersburg Unified Development Ordinance (the “UDO”) For Sellersburg, Indiana*, which amended certain development standards and/or zoning administration procedures (See Attached Exhibit B); and,

WHEREAS, on or about the 20th day of June, 2022, the Plan Commission for Sellersburg, Indiana (“Commission”), after conducting a public hearing in which the public was invited and heard, adopted *Resolution 2022-06-01 Amendment No. 7 - A Resolution Amending The Sellersburg Unified Development Ordinance (the “UDO”) For Sellersburg, Indiana*, which amended certain development standards and zoning administration procedures (See Attached Exhibit C); and,

WHEREAS, this Council has reviewed said proposed amendments to the UDO and has paid reasonable regard to:

- (1) the comprehensive plan;
- (2) current conditions and the character of current structures and uses in each district;
- (3) the most desirable use for which the land in each district is adapted;
- (4) the conservation of property values throughout the jurisdiction; and
- (5) responsible development and growth.

WHEREAS, this Council now desires to consider the recommendation and certification of the amendments to the UDO.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that the aforementioned resolutions, incorporated herein and attached hereto, are Accepted, *Rejected, or Amended* as set forth in the meeting minutes (*Circle One*).

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council and furthermore charges the Commission with the responsibility of adhering to Ind. Code § 36-4-7-610 and all other relevant state laws after the adoption of this ordinance.

So Ordained this 12th day of December, 2022

“Aye”

“Nay”

Brad Amos

Brad Amos
Council President

Brad Amos
Council President

Scott McVoy

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford

Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarniecki

Matthew Czarniecki
Council Member

Matthew Czarniecki
Council Member

Randall Mobley

Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 12/12/22

MOTION: Mobley

SECOND: Czarniecki

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 12/12/22

MOTION: Czarniecki

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

TO THE SELLERSBURG PLAN COMMISSION
OF SELLESRBURG, INDIANA

RESOLUTION NO. 2021-10-01
Amendment No. 02
TO ORDINANCE NO. 2021-OR-002

AN RESOLUTION AMENDING THE SELLERSBURG UNIFIED DEVELOPMENT ORDINANCE
FOR SELLERSBURG, INDIANA

WHEREAS, the Sellersburg Town Council of Sellersburg, Indiana, adopted the Sellersburg Unified Development Ordinance as Ordinance No. 2021-OR-002; and

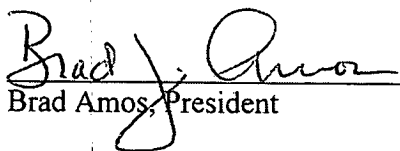
WHEREAS, since the adoption of said Ordinance, the Planning Director has made a recommendation that the Unified Development Ordinance be modified and believes such recommendation should be followed:

The following is a summary of the proposed Amendments to Ordinance No. 2021-OR-002:

1. Chapter 2: Zoning Districts: b. Uses & Development Standards: Permitted Uses – Neighborhood Business District (B1): Residential Uses:
 - a. Replace the existing language with the following:
 - *dwellings, patio homes

RECOMMENDATION OF ORDINANCE AMENDMENT. This Resolution shall be sent to the Town Council with a favorable recommendation by the Plan Commission

RECOMMENDED this 15th day of November, 2021.



Brad Amos, President

ATTEST: 

TO THE SELLERSBURG PLAN COMMISSION
OF SELLESRBURG, INDIANA

RESOLUTION NO. 2021-10-01
Amendment No. 04
TO ORDINANCE NO. 2021-OR-002

AN RESOLUTION AMENDING THE SELLERSBURG UNIFIED DEVELOPMENT ORDINANCE
FOR SELLERSBURG, INDIANA

WHEREAS, the Sellersburg Town Council of Sellersburg, Indiana, adopted the Sellersburg Unified Development Ordinance as Ordinance No. 2021-OR-002; and

WHEREAS, since the adoption of said Ordinance, the Planning Director has made a recommendation that the Unified Development Ordinance be modified and believes such recommendation should be followed:

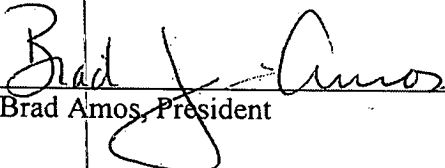
The following is a summary of the proposed Amendments to Ordinance No. 2021-OR-002:

1. Chapter 2: Zoning Districts: b. Uses & Development Standards: Permitted Uses – Down Town District (DT): Residential Uses:
 - a. Delete the following language:
 - *dwelling, multi-family

2. Chapter 2: Zoning Districts: b. Uses & Development Standards: Special Exception Uses – Down Town District (DT): Residential Uses:
 - a. Add the following language:
 - *dwelling, multi-family

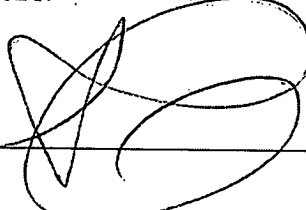
RECOMMENDATION OF ORDINANCE AMENDMENT. This Resolution shall be sent to the Town Council with a favorable recommendation by the Plan Commission

RECOMMENDED this 15th day of Nov 2021.



Brad Amos, President

ATTEST



TO THE SELLERSBURG PLAN COMMISSION
OF SELLESRBURG, INDIANA

RESOLUTION NO. 2021-10-01
Amendment No. 05
TO ORDINANCE NO. 2021-OR-002

AN RESOLUTION AMENDING THE SELLERSBURG UNIFIED DEVELOPMENT ORDINANCE
FOR SELLERSBURG, INDIANA

WHEREAS, the Sellersburg Town Council of Sellersburg, Indiana, adopted the Sellersburg Unified Development Ordinance as Ordinance No. 2021-OR-002; and

WHEREAS, since the adoption of said Ordinance, the Planning Director has made a recommendation that the Unified Development Ordinance be modified and believes such recommendation should be followed:

The following is a summary of the proposed Amendments to Ordinance No. 2021-OR-002:

1. Chapter 2: Zoning Districts: b. Uses & Development Standards: Permitted Uses – Down Town Neighborhood District (DTN): Residential Uses:
 - a. Delete the following language:
 - *dwelling, multi-family

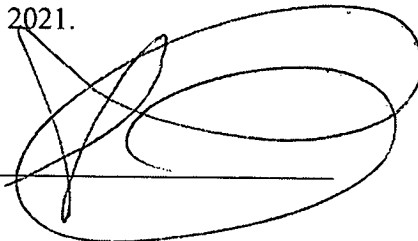
2. Chapter 2: Zoning Districts: b. Uses & Development Standards: Special Exception Uses – Down Town Neighborhood District (DTN): Residential Uses:
 - a. Add the following language:
 - *dwelling, multi-family

RECOMMENDATION OF ORDINANCE AMENDMENT. This Resolution shall be sent to the Town Council with a favorable recommendation by the Plan Commission

RECOMMENDED this 15th day of November, 2021.

Brad J. Amos
Brad Amos, President

ATTEST:



TO THE SELLERSBURG PLAN COMMISSION
OF SELLESRBURG, INDIANA

RESOLUTION NO. 2022-02-01
Amendment No. 06
TO ORDINANCE NO. 2021-OR-002

AN RESOLUTION AMENDING THE SELLERSBURG UNIFIED DEVELOPMENT ORDINANCE
FOR SELLERSBURG, INDIANA

WHEREAS, the Sellersburg Town Council of Sellersburg, Indiana, adopted the Sellersburg Unified Development Ordinance as Ordinance No. 2021-OR-002; and

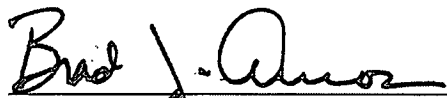
WHEREAS, since the adoption of said Ordinance, the Planning Director has made a recommendation that the Unified Development Ordinance be modified and believes such recommendation should be followed:

The following is a summary of the proposed Amendments to Ordinance No. 2021-OR-002:

1. Chapter 2: Zoning Districts: b. Uses & Development Standards: Permitted Uses – Town Center District (TC): Residential Uses:
 - a. Delete the following language:
 - *dwelling, multi-family
2. Chapter 2: Zoning Districts: b. Uses & Development Standards: Special Exception Uses – Town Center District (TC): Residential Uses:
 - a. Add the following language:
 - *dwelling, multi-family
3. Chapter 2: Zoning Districts: Section 16: Gateway Overlay District: d. Additional Site Development Standards:
 - a. Add the following language:
 - (g) Sign Standards
4. Chapter 6: Subdivision Design Standards: Section 8: Roads and Alleys: k. Public Road Signs, Regulatory:
 - a. Delete (i) in its entirety and replace with the following language:
 - i. Each installed sign shall comply with the standards established in the *Manual on Uniform Traffic control Devices(MUTCD)* and all roadway striping shall be of thermoplastic material; all signs must be approved by the Town Council prior to installation.

RECOMMENDATION OF ORDINANCE AMENDMENT. This Resolution shall be sent to the Town Council with a favorable recommendation by the Plan Commission

RECOMMENDED this _____ day of _____, 2022.



Brad Amos, President

ATTEST: _____

TO THE SELLERSBURG PLAN COMMISSION
OF SELLESRBURG, INDIANA

RESOLUTION NO. 2022-06-01
Amendment No. 07
TO ORDINANCE NO. 2021-OR-002

AN RESOLUTION AMENDING THE SELLERSBURG UNIFIED DEVELOPMENT ORDINANCE
FOR SELLERSBURG, INDIANA

WHEREAS, the Sellersburg Town Council of Sellersburg, Indiana, adopted the Sellersburg Unified Development Ordinance as Ordinance No. 2021-OR-002; and


WHEREAS, since the adoption of said Ordinance, the Planning Director has made a recommendation that the Unified Development Ordinance be modified and believes such recommendation should be followed:

The following is a summary of the proposed Amendments to Ordinance No. 2021-OR-002:

1. Chapter 2: Zoning Districts: b. Uses & Development Standards: Permitted Uses – Neighborhood Business District (B1): Residential Uses:
 - a. Delete the following language:
 - Dwelling, multi-family
 - b. Add the following language:
 - Dwelling, single family
 - Dwelling, two-family

RECOMMENDATION OF ORDINANCE AMENDMENT. This Resolution shall be sent to the Town Council with a favorable recommendation by the Plan Commission

RECOMMENDED this _____ day of _____, 2022.



Brad Amos, President

ATTEST: _____

NOTICE PUBLIC MEETING

The Town Council for Sellersburg, IN (the "Council") will conduct a regularly scheduled public meeting at the Town Hall, on Monday, December 12, 2022 at 6:00 PM, located at 316 E. Utica St. Sellersburg, IN (the Meeting"). At the Meeting, the Council will consider whether to adopt, reject, or amend certain proposed amendments to the Unified Development Ordinance ("UDO") which were previously certified by the Plan Commission. Copies of the resolutions certified by the Plan Commission have been filed with the Clerk Treasurer and/or the Executive Secretary and are available for public inspection.

/s/ Jacob C. Elder

Town Attorney

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA
ORDINANCE NO. 2022 – OR – 030
AN ORDINANCE TRANSFERRING CERTAIN FUNDS

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, from time to time this Council desires to transfer funds for the needs of the Town.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that, upon the recommendation and advice of the Clerk-Treasurer, the following funds identified herein and attached hereto as *Exhibit A* be transferred.

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

[Signature page to follow]

So Ordained this 12TH day of December, 2022.

"Aye"

"Nay"

Brad Amos
Brad Amos
Council President

Brad Amos
Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

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Council 2nd Vice President

Matthew Czarniecki
Matthew Czarniecki
Council Member

Matthew Czarniecki
Matthew Czarniecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 12/12/22

MOTION: Czarniecki

SECOND: Langford

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 12/12/22

MOTION: Czarniecki

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

Installed by the TOWN OF SELLERSBURG-2015
Miscellaneous Appropriation Transaction List

All Misc Appr Types

All History

Misc Appr Batch - DEC 12 TRANSFER ORDINANCE

ORDINANCE 2022-OR-030 EXHIBIT A

APPR ACCT	DATE	TITLE	DESCRIPTION	TYPE	AMOUNT
1101003121.000	12/12/2022	TC FICA/SS	TRANSFER	Transfer	-605.00
1101003314.000	12/12/2022	TC CONSULTING SERVICES	TRANSFER	Transfer	605.00
1101003121.000	12/12/2022	TC FICA/SS	TRANSFER	Transfer	-3501.00
1101003316.000	12/12/2022	TC TOWN ATTORNEY	TRANSFER	Transfer	3501.00
1101003121.000	12/12/2022	TC FICA/SS	TRANSFER	Transfer	-1203.00
1101003394.000	12/12/2022	TC MISC SERVICES/CHARGES	TRANSFER	Transfer	1203.00
1101020111.000	12/12/2022	PD POLICE SALARIES	TRANSFER	Transfer	-65000.00
1101020124.000	12/12/2022	PD GROUP INSURANCE	TRANSFER	Transfer	65000.00
1101020111.000	12/12/2022	PD POLICE SALARIES	TRANSFER	Transfer	-5000.00
1101020323.000	12/12/2022	PD TELEPHONES/INTERNET	TRANSFER	Transfer	5000.00
1101020111.000	12/12/2022	PD POLICE SALARIES	TRANSFER	Transfer	-3000.00
1101020351.000	12/12/2022	PD ELECTRIC	TRANSFER	Transfer	3000.00
1101020111.000	12/12/2022	PD POLICE SALARIES	TRANSFER	Transfer	-3000.00
1101020353.000	12/12/2022	PD WATER/SEWER	TRANSFER	Transfer	3000.00
1101020111.000	12/12/2022	PD POLICE SALARIES	TRANSFER	Transfer	-2000.00
1101020443.000	12/12/2022	PD POLICE AUTO	TRANSFER	Transfer	2000.00
1101020111.000	12/12/2022	PD POLICE SALARIES	TRANSFER	Transfer	-33009.00
1101020541.000	12/12/2022	PD BUILDING LOAN	TRANSFER	Transfer	33009.00
2201001441.000	12/12/2022	MVH STREET/SNOW	TRANSFER	Transfer	-2000.00
2201001221.000	12/12/2022	MVH SALT	TRANSFER	Transfer	2000.00
2201001441.000	12/12/2022	MVH STREET/SNOW	TRANSFER	Transfer	-2000.00
2201001290.000	12/12/2022	MVH SIGNAGE	TRANSFER	Transfer	2000.00
2209650361.000	12/12/2022	CREDIT LIT ED EXPENDITURES	TRANSFER	Transfer	-7000.00
2209650490.000	12/12/2022	LIT ED - CREDIT - OTHER	TRANSFER	Transfer	7000.00
2240020441.000	12/12/2022	PUBLIC SAFETY BODY	TRANSFER	Transfer	-30000.00
2240020225.000	12/12/2022	PUBLIC SAFETY GASOLINE	TRANSFER	Transfer	30000.00
2240020391.000	12/12/2022	PUBLIC SAFETY MISC	TRANSFER	Transfer	-29000.00
2240020225.000	12/12/2022	PUBLIC SAFETY GASOLINE	TRANSFER	Transfer	29000.00
2204001364.000	12/12/2022	PR POOL REPAIRS/MAINT.	TRANSFER	Transfer	-3200.00
2204001226.000	12/12/2022	PR CHEMICALS	TRANSFER	Transfer	3200.00
2204001364.000	12/12/2022	PR POOL REPAIRS/MAINT.	TRANSFER	Transfer	-700.00
2204001243.000	12/12/2022	PR POOL UNIFORMS	TRANSFER	Transfer	700.00
2204001364.000	12/12/2022	PR POOL REPAIRS/MAINT.	TRANSFER	Transfer	-1200.00
2204001317.000	12/12/2022	PR PROMOTION	TRANSFER	Transfer	1200.00
2204001364.000	12/12/2022	PR POOL REPAIRS/MAINT.	TRANSFER	Transfer	-2000.00
2204001351.000	12/12/2022	PR UTILITIES	TRANSFER	Transfer	2000.00
2204001364.000	12/12/2022	PR POOL REPAIRS/MAINT.	TRANSFER	Transfer	-3000.00
2204001362.000	12/12/2022	PR PARK MAINT	TRANSFER	Transfer	3000.00
2204001364.000	12/12/2022	PR POOL REPAIRS/MAINT.	TRANSFER	Transfer	-8000.00
2204001395.000	12/12/2022	PR PARK DECORATIONS	TRANSFER	Transfer	8000.00
1101003121.000	12/12/2022	TC FICA/SS	TRANSFER	Transfer	-30000.00
1101301112.000	12/12/2022	S&S SANITATION SALARIES	TRANSFER	Transfer	30000.00
1101003121.000	12/12/2022	TC FICA/SS	TRANSFER	Transfer	-25000.00
1101301124.000	12/12/2022	S&S GROUP INSURANCE	TRANSFER	Transfer	25000.00
1101003114.000	12/12/2022	TC ADMIN INSURANCE	TRANSFER	Transfer	-5000.00
1101301314.000	12/12/2022	S&S CONSULTING SERVICES	TRANSFER	Transfer	5000.00
1101003114.000	12/12/2022	TC ADMIN INSURANCE	TRANSFER	Transfer	-5000.00
1101301394.000	12/12/2022	S&S MISC. SERVICES	TRANSFER	Transfer	5000.00
1101314111.000	12/12/2022	BPZ DEPARTMENT SALARIES	TRANSFER	Transfer	-27000.00
1101301365.000	12/12/2022	S&S MAINT. PACKER	TRANSFER	Transfer	27000.00

Installed by the TOWN OF SELLERSBURG-2015
Miscellaneous Appropriation Transaction List

APPR ACCT	DATE	TITLE	DESCRIPTION	TYPE	AMOUNT
1101314111.000	12/12/2022	BPZ DEPARTMENT SALARIES	TRANSFER	Transfer	-18000.00
1101301242.000	12/12/2022	S&S MISC. SUPPLIES	TRANSFER	Transfer	18000.00
*** GRAND TOTAL ***					0.00

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 031

AN ORDINANCE ESTABLISHING THE 2023 SALARY ORDINANCE FOR THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, this Council is charged with the responsibility of adopting a salary ordinance; and,

WHEREAS, this Council now desires to adopt the 2023 Salary Ordinance.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana the following salaries and the respective funds from which to pay said salaries for the calendar year 2023:

1. See Exhibit A attached hereto for a comprehensive list of job titles for the Town of Sellersburg and the specified funds by which to pay each position.
2. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 12th day of December, 2022

[Signature page to follow]

"Aye"

"Nay"

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Scott McVoy
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarniecki
Matthew Czarniecki
Council Member

Matthew Czarniecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 12/12/22

MOTION: Czarniecki

SECOND: McVoy

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 12/12/22

MOTION: McVoy

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

Clerk-Treasurer

Clerk-Treasurer + Longevity per Ordinance 2022-OR-xxx	Full-time	1	Exempt	34%	33%	33%						\$2,484.57	\$2,484.57
Chief Deputy Clerk-Treasurer	Full-time	1	Exempt (appointed)	34%	33%	33%						\$1,915.38	\$2,238.46
Deputy Clerk-Treasurer	Full-time	1	Non-Exempt (appointed)	34%	33%	33%		\$15.50	\$18.00				

Parks and Recreation

Park Superintendent	Full-Time	1	Exempt (appointed)										\$192.31
Pool and Events Manager	Part-time	1	Non-Exempt					\$17.50	\$20.00				
Assistant Pool Manager (seasonal)	Part-time	2	Non-Exempt					\$12.50	\$14.50				
Lifeguard (seasonal)	Part-time	14	Non-Exempt					\$10.50	\$13.00				
Concession Worker (seasonal)	Part-time	4	Non-Exempt					\$9.22	\$10.00				
Maintenance Worker	Part-time	1	Non-Exempt					\$10.00	\$16.00				
Parks and Recreation Board President	Part-time	1	Exempt (appointed)										\$1,800.00
Parks and Recreation Board Members	Part-time	4	Exempt (appointed)										\$1,200.00
Parks and Recreation Town Council Liaison (non-voting)	Part-time	1	Exempt (appointed)										\$1,200.00
Parks and Recreation Board Secretary (non-voting)	Part-time	1	Non-Exempt										\$1,200.00

Includes rate of overtime to be time and one half, health, dental, and longevity benefits.



STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2022 – OR – 032

AN ORDINANCE AMENDING ORDINANCE 2022 -OR – 026 DISPOSING OF SURPLUS OR WORTHLESS PERSONAL PROPERTY BELONGING TO THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, pursuant to Ind. Code § 5-22-22-3(b), this Council acting as the purchasing agent, may sell property that “belongs to the governmental body, but is no longer needed for the purpose for which it was intended”; and,

WHEREAS, if the purchasing agent does not engage an auctioneer or if the surplus property is not sold through an Internet auction site under Section 4.5 of Ind. Code § 5-22-22 *et seq.*, the purchasing agent shall sell the property at a public sale or by sealed bids delivered to the office of the purchasing agency before the date of the sale. Advertisement of sale shall be made in accordance with Ind. Code § 5-3-1 and all sales shall be made to the highest and most responsible bidder. (*Ind. Code § 5-22-22-5*); and,

WHEREAS, pursuant to Ind. Code § 5-22-22-8, “if the property is worthless, it may be demolished or junked.” Property may be determined to be worthless or of no market value if the value of the property is less than the estimated costs of the sale and transportation of the property; and,

WHEREAS, pursuant to Ind. Code § 36-1-11-9, “[w]henver a disposing agent purchases new property with a condition that property of a similar nature is to be traded in or exchanged as part of the purchase and in reduction of the purchase price, the exchange or trade-in may be made without compliance with section 7 of this chapter but must comply with section 16 of this chapter”; and,

WHEREAS, this Council, at the recommendation of the Town Manager, has determined a need to dispose certain personal property; and,

WHEREAS, on the 28th day of November, this Council motioned to add a 2018 Packer Truck to the list of personal property deemed surplus, junk, or worthless.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana as follows:

1. The following personal property is deemed surplus, junk, or worthless:
2018 Packer Truck Peterbilt Loadmaster, VIN: 3BPDLJ0X4KF103096
Mileage: 38,293, Hours: 4,925
2. Said Packer Truck has value and this Council charges the Town Manager with the responsibility of setting a fair reserve so that the Town of Sellersburg, Indiana may receive a fair value.
3. This Council, understanding the aforementioned personal property grants the Town Manager with the authority to sell said personal property pursuant to Ind. Code § 5-22-22 et seq. or if the property is deemed worthless then to have the property scrapped.
4. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 12TH day of December, 2022.

[Signature page to follow]

“Aye”

“Nay”

Brad J. Amos

Brad Amos
Council President

Brad Amos
Council President

Scott McVoy

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford

Terry Langford
Council 2nd Vice President

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Matthew Czarnecki

Matthew Czarnecki
Council Member

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Council Member

Randall Mobley

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Council Member

Randall Mobley
Council Member

Michelle D. Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 12/12/22

MOTION: Czarnecki

SECOND: McVoy

VOTE: 5 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 12/12/22

MOTION: McVoy

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN