

ORDINANCE NO. 2022- 05

**ORDINANCE TO ESTABLISH THE
TOWN OF MONROVIA REDEVELOPMENT COMMISSION**

WHEREAS, the Town of Monrovia (hereinafter “Town”) is an incorporated town as defined by I.C. § 36-1-2-21; the Town Council of the Town of Monrovia (hereinafter “Council”) serves as its legislative body in accordance with I.C. § 36-5-2-2; and the President of the Town Council (hereinafter “President”) serves as its executive in accordance with I.C. § 36-5-2-7; all of which authority is derived from I.C. § 36-1 et. seq. and I.C. § 36-5 et. seq.; and,

WHEREAS, included among the powers vested in the Council is to establish a Redevelopment Commission for the purpose of promoting economic growth and stability, among other purposes, as promulgated by I.C. § 36-7-14 *et. seq.*; and,

WHEREAS, the Council recognizes the importance of considering any proposed development on its own merits, it nonetheless further recognizes the need for economic growth and is desirous of the same through potential further development; and

WHEREAS, said the Town of Monrovia contains area(s) needing redevelopment, such as areas that have or have had lack of development, cessation of growth, substandard building(s), or other factors that impair values or prevent a normal use or development of property, as defined in I.C. § 36-7-1-3 and I.C. § 36-7-14 *et. seq.*; and,

WHEREAS, the Council recognizes that a Redevelopment Commission can be an invaluable tool to aid in facilitating economic growth; and,

WHEREAS, the Council believes that establishing a Redevelopment Commission allows it to be best positioned to utilize this tool and act quickly regarding a potential development opportunity that may present itself, and further understands that the Town may appear more attractive to prospective developers merely for establishing such a commission and thereby communicating it is desirous of redevelopment and economic growth, and in other words communicating the Town of Monrovia is ‘open for business’; and,

WHEREAS, economic growth can mean improvement to the quality of services provided by the Town, the job opportunities available to its citizens, the market value of its properties, and countless other prospective benefits that would be beneficial to the citizens of the Town of Monrovia.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MONROVIA, INDIANA AS FOLLOWS:

1. A new chapter of the Town of Monrovia Code of Ordinances is hereby issued and shall be identified as Chapter 36: Departments, Boards, and Commissions.
2. That Sections 36.01, 36.02, 36.03, and 36.04 were left blank intentionally for future use as the Council may deem appropriate.

3. That Section 36.05 concerning the Department of Redevelopment and Section 36.06 concerning the Redevelopment Commission are hereby adopted and approved, inclusive of their various subsections and shall be added in the appropriate place for said corresponding Chapter and Section in the Town of Monrovia Code of Ordinances.
4. A copy of the same is attached hereto as Exhibit A and incorporated as fully set forth herein.
5. This Ordinance shall be effective immediately upon passage.

IN WITNESS WHEREOF, ALL OF WHICH IS ADOPTED, and SO ORDAINED
BY THE TOWN COUNCIL OF THE TOWN OF MONROVIA, INDIANA, this 23rd
day of AUGUST, 2022.

MONROVIA TOWN COUNCIL



Philip Fowler, President



Kevin Collier, Vice President

absent

Bonnie Silsby-Inman

absent

Carol Youngblood



Loren Moore

ATTEST:



Danny Chenault, Clerk-Treasurer

- B. In order to be a member, or Commissioner, of the Redevelopment Commission, an individual must:
- i. be at least 18 years of age;
 - ii. be a resident of the Town;
 - iii. take and subscribe an oath of office in form proscribed by law;
 - iv. Each Redevelopment Commissioner, before beginning his or her duties shall execute a bond payable to the state, with surety to be approved by the Town Clerk. The bond must be in penal sum of \$15,000.00 and must be conditioned upon the faithful performance of the duties of his or her office and the accounting for moneys and property that may come into his or her hands or under his or her control. The cost of the bonds shall be paid by the Redevelopment District; and,
 - v. otherwise qualify for such office in accordance with I.C. § 36-7-14, I.C. § 36-7-25, or any other law, regulation, or Ordinance relative to holding such office.
- C. Each Commissioner shall serve for one (1) year from the first day of January after being appointed and until a successor is appointed and has qualified. The original Commissioners shall serve from the date of their appointment until the first day of January in the second year after their appointment.
- D. No Commissioner shall receive a salary, but Commissioners are entitled to reimbursement for expenses necessarily incurred in the performance of their duties.
- E. A Commissioner may not have a pecuniary interest in any contract, employment, purchase, or sale made under the provisions of this subchapter and IC 36-7-14. However, any property acquired for redevelopment purposes in which a Commissioner has a pecuniary interest may be acquired, but only by gift or condemnation. A transaction made in violation of this section is void.
- F. A Commissioner may be summarily removed from office by the authority who appointed such Commissioner at any time.

§ 36.062 Duties & Obligations of Redevelopment Commission.

- A. The Commissioners shall conduct a meeting for the purpose of organization not later than thirty (30) days after they are appointed and, after that, on January 2 of each year, or as soon as practicable thereafter.

- B. The Commission may adopt rules and bylaws as it deems necessary for the proper conduct of its proceedings, the discharge of its duties, and the safeguarding of any fund(s) or property in its custody. The Commission and each Commissioner serving thereon shall, in all circumstances, follow the standards of conduct established by the Town and shall require that all staff acting under their supervision or authority abides by the same.
- C. The Commission shall at all times ensure compliance with I.C. § 36-7-14, I.C. § 36-7-25, this Ordinance, and all applicable state and local law.
- D. No bonds shall be issued by the Commission unless the bonds are first approved by the Council.
- E. No amendment to any redevelopment plan or economic development plan adopted by the Commission shall be effective until such amendment is approved by the Council.
- F. All contracts proposed to be entered into by or on behalf of the Commission shall be approved by the Council.
- G. All funding approvals shall be in conjunction with a specific contract or agreement with a specific vendor and shall specify a date by which the funding shall terminate. In no circumstance shall the Commission approve a funding resolution without reference to a specific contract with a specific vendor.
- H. Any extensions of time for funding must be explicitly authorized by separate resolution of the Commission once full explanation and justification for the extension is provided by appropriate staff.