

ORDINANCE 2021- 01

AN ORDINANCE ESTABLISHING A DEPARTMENT
OF ECONOMIC DEVELOPMENT

WHEREAS, the Common Council of the City of Austin (the “City”) desires to establish an economic development commission in accordance with I.C. 36-7-12 et. seq.; and

WHEREAS, the Common Council desires to aggressively pursue economic redevelopment and development opportunities and finds it necessary that certain of these projects will require financing.

THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF AUSTIN as follows:

SECTION 1: Austin Economic Development Commission.

- A. The Common Council of the City hereby establishes a Department of Economic Development (hereinafter “Department”) to be controlled by a five-member commission which shall be known as the “Austin Economic Development Commission” (hereinafter the “Commission”). A separate fund entitled “Economic Development Fund” is hereby established.
- B. The Common Council shall appoint one member of the Commission, the Mayor shall appoint three members of the Commission, and the Scott County Council shall appoint one member of the Commission. The length of the terms of the Commissioners are established pursuant to statute.
- C. The nominating authority shall make their nominations in the manner prescribed by law and the Mayor shall furnish certificates of appointment for each person appointed and such appointees shall qualify as required by law.
- D. The Commission shall meet within 30 days after its creation and shall, at that first meeting, elect a president, vice president and secretary and shall immediately undertake the duties imposed by law. The Commission shall hold reorganization meetings during February of each year and the Commission, and its members shall have all the powers and duties conferred and imposed by I.C. 36-7-12-18 and this section, and by amendments to either. The Commission may adopt such by-laws and

rules as are not prohibited by law and as are found desirable to facilitate the conduct of its business and the accomplishment of its purposes.

- E. Any Commissioner having a financial interest in, or having been employed by, any firm or corporation contracting or negotiating with the Commission shall disclose his interest to the Commission and such disclosure shall be made a part of the records of the Commission. No Commissioner shall vote on any matter in which he has a financial interest.
- F. The Commission shall be authorized to assess and collect an application fee from economic development applicants, at the time of initial or bond-refunding applications, pursuant to the rules and regulations of the Commission. The fee may be up to 1% of the principal amount of the application, not to exceed \$10,000 per application, as amended from time to time by statute. The Commission may elect to establish a reduced fee structure for bond-refunding applications.
- G. All monies collected pursuant to I.C., 36-7-12 et seq. shall be itemized and deposited with the Clerk-Treasurer and the Clerk-Treasurer shall deposit said monies into the Economic Development Fund. The Clerk-Treasurer shall prepare an annual report to the Mayor, Common Council, State Board of Accounts and Commission regarding deposits and expenditures to and from the Economic Development Fund.
- H. Monies in the Economic Development Fund must be appropriated and expended in accordance with I.C., 36-7-12 et seq., I.C., 36-4-7 et seq. and the Austin City Code.
- I. The Commission shall present to the Council a quarterly written report that provides a detailed and full accounting of the Commission's actions and activities during the immediately preceding 90 day period.

SECTION 2: If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the other remaining parts.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED AND ADOPTED by the Common Council of the City of Austin, Indiana on February 9, 2021 by a vote of 5 to 0.


ROGER HAWKINS, Mayor
Presiding Officer

Attest:


Chris Fugate, Clerk-Treasurer

Presented by me to the Mayor of the City of Austin for his approval or veto pursuant to Indiana Code § 36-4-6-15 and 16, this 9th day of February 2021 at 6 : 25 p.m.


Chris Fugate, Clerk-Treasurer

This Ordinance having been passed by the legislative body and presented to me is approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1), this 9th day of February 2021 at 6 : 25 p.m.


Roger Hawkins, Mayor

Attest:


Chris Fugate, Clerk-Treasurer

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