

**ORDINANCE NO. 2010-8A
OF THE TOWN OF NASHVILLE, INDIANA**

**An Ordinance Establishing
The Department of Redevelopment
Of The Town of Nashville**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NASHVILLE, INDIANA, as follows:

Section 1. Establishment. There is hereby created the Department of Redevelopment of the Town of Nashville, Indiana (the "Town"), which shall be entitled to exercise all the rights, powers, privileges and immunities accorded to such department by I.C. § 36-7-14, as amended (the "Redevelopment Act").

Section 2. Governance. Such Department of Redevelopment of the Town shall be under the control of a board of five (5) voting members to be known as the Nashville Redevelopment Commission.

Section 3. Commission Members

(a) There is hereby created a board to be known as the Nashville Redevelopment Commission (the "Commission"). Three (3) of said members of the Commission shall be appointed by the President of the Town Council (the "Council President") and two (2) shall be appointed by the Town Council of the Town. Each Redevelopment Commissioner shall serve for one (1) year from the first day of January after his or her appointment and until his or her successor is appointed and has qualified, except that the original Commissioners shall serve from the date of their appointment until the first day of January in the second year after their appointment. If a vacancy occurs, a successor shall be appointed in the same manner as the original Commissioner and the successor shall serve for the remainder of the vacated term

(b) Each Redevelopment commissioner, Before beginning his or her duties, shall take and subscribe an oath of office in the form prescribed by law, to be indorsed on the certificate of his or her appointment, which shall be promptly filed with the Clerk-Treasurer of the Town.

(c) Each Redevelopment Commissioner, before taking his or her duties, shall execute a bond payable to the State of Indiana (the "State"), with surety to be approved by the Council President. The bond must be in a penal sum of Fifteen Thousand Dollars (\$15,000.00) and must be conditioned on the faithful performance that may come into his or her hands or under his or her control. The cost of the bond shall be paid by the special taxing district.

Section 4. Qualifications. Such Redevelopment Commissioners shall have the qualifications prescribed by the laws of the State as from time to time amended and shall qualify as therein provided; and shall exercise and enjoy the rights and powers and assume the duties and obligations conferred and imposed by Redevelopment Act, including, but not limited to, the following qualifications:

(a) A Redevelopment Commissioner must be at least eighteen (18) years of age and must be a resident of the Town. If a Redevelopment Commissioner ceases to be qualified under this Section, he or she forfeits his or her office.

(b) No Redevelopment Commissioner of the Town shall receive a salary; but such Redevelopment Commissioners are entitled to reimbursement for expenses necessarily incurred in the performance of their duties.

(c) A Redevelopment Commissioner may not have a pecuniary interest in any contract, employment, purchase or sale made under such provisions of this Ordinance and the underlying statutes. However, any property required for redevelopment purposes in which a Redevelopment Commissioner has a pecuniary interest may be acquired, but only by give or condemnation. A transaction made in violation of this Section fo this Ordinance is void.

Section 5. Non-voting Advisor. The Redevelopment Commission shall also have one (1) non-voting advisor who is appointed by the Council President (the "Advisor"). The Advisor must also be a member of th school board of a school corporation that includes all or part of the territory served by the Redevelopment Commission. The Advisor is not considered a member of the Redevelopment Commission, but is entitled to attend and participate in the proceedings of all meetings of the Redevelopment Commission. The Advisor is not entitled to a salary, per diem, or reimbursement of expenses. The Advisor shall serve for two (2) years from the first day of January after his or her appointment and until his or her successor is appointed and has qualified, except that the original Advisor shall serve from the date of his or her appointment until the first day of January in the second year after his or her appointment.

Section 6. Management of Funds. The Clerk-Treasurer of the Town charged by law for the performance of duties in respect to the funds and accounts of the Town, shall perform the same duties with respect to the funds and accounts of the Department of Redevelopment, except as otherwise provided for in the Redevelopment Act.


Section 7. Severability. If any part of this Ordinance shall be adjudged to be in valid by a Court of proper jurisdiction, it shall be conclusively presumed that the Town Council would have passed the remainder of the Ordinance without such invalid part.

Section 8. Effective Date. This Ordinance shall be in full force and effect upon adoption and compliance with I.C. § 36-5-2-10.

Introduced and Filed on the 16th day of September 2010. Consideration on the First Reading Sustained a vote of 3 in favor and 1 opposed, pursuant to I.C. § 36-5-2-9.8.

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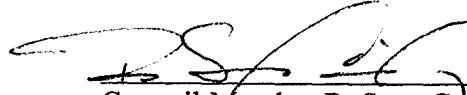
IT IS SO ORDAINED THIS 21st day of OCTOBER 2010.



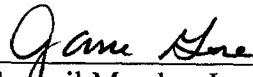
Council Vice-President Robert Kirlin yea nay abstain

Approved as to form:


James T. Roberts
Attorney for the
Town of Nashville



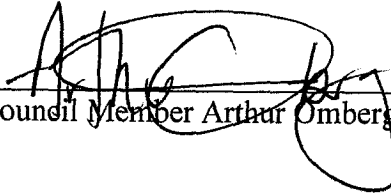
Council Member R. Sean Cassidy yea nay abstain



Council Member Jane Gore yea nay abstain

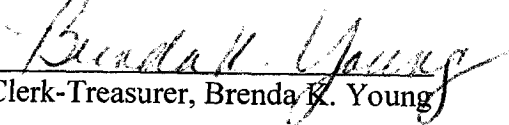


Council Member Charles B. King yea nay abstain



Council Member Arthur Omberg yea (nay) abstain

ATTEST:



Clerk-Treasurer, Brenda K. Young