

RESOLUTION NO. 7, 2022

COMMON COUNCIL OF THE
CITY OF BEECH GROVE, INDIANA

WHEREAS, the Beech Grove Building Corporation ("Corporation") has been organized pursuant to the Indiana Non-Profit Corporation Act of 1991 for the purpose of acquiring a site or sites, constructing, renovating, expanding and equipping governmental buildings, including the acquisition of a police station, together with all necessary appurtenances, related improvements and equipment ("Project") for use by the City of Beech Grove, Indiana ("City"); and

WHEREAS, a petition in five (5) counterparts, signed by fifty-six (56) taxpayers of the City has been filed with the Council requesting the acquisition of the Project by the Corporation and leasing the Project from the Corporation; and

WHEREAS, such petition has been carefully considered and investigations have been conducted by this Council, both before and after the filing of said petition; and

WHEREAS, it is deemed desirable to proceed with the necessary negotiations and all other steps looking toward the acquisition of the Project by the Corporation and the lease of the Project to the City; and

WHEREAS, a proposed lease for the acquisition of the Project ("Lease") with the Corporation has been drafted and submitted; and

WHEREAS, the Lease provides that lease rentals will be payable from a tax levied on all taxable property in the City; and

WHEREAS, the City published a Notice of Preliminary Determination Hearings on May 20, 2022 in the *Indianapolis Star* and the *Indianapolis Business Journal* and mailed such notice to the Marion County Clerk and any organizations requesting such notice as provided in Indiana Code 6-1.1-20-3.1, with respect to the ("Project"); and

WHEREAS, the first preliminary determination hearing was held on June 6, 2022 and the second preliminary determination hearing was held on July 5, 2022 in accordance with the notice and the law of the State of Indiana ("State"); and

WHEREAS, the City has made the following information available to the public at the public hearings: (a) the result of the City's current and projected annual debt service payments divided by the net assessed value of taxable property within the City, which is 2.8781%; (b) the result of (i) the sum of the City's outstanding long term debt plus the outstanding long term debt of other taxing units that include any of the territory of the City, divided by (ii) the net assessed value of taxable property within the City, which is 23.1834%; and (c) the estimated amount of the City's debt service levy and rate that will result during the following 10 years if the City enters into a lease and issues the bonds, after considering any changes that will occur to the debt

service levy and rate during that period on account of any outstanding bonds or lease obligations that will mature or terminate during that period as follows:

Year	Estimated Total Debt Service Levy	Estimated Total Debt Service Rate
2022	171,479	0.0315
2023	865,811	0.1590
2024	750,500	0.1379
2025	750,500	0.1379
2026	750,500	0.1379
2027	750,500	0.1379
2028	750,500	0.1379
2029	750,500	0.1379
2030	750,500	0.1379
2031	750,500	0.1379
2032	750,500	0.1379

WHEREAS, it now appears to this Council that the Project provides the necessary facilities for the citizens of the City, and that the proposed Lease with the Corporation, as Lessor, provides for fair and reasonable rentals;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BEECH GROVE, INDIANA, THAT:

Section 1. Providing for the financing of the Project by the Beech Grove Building Corporation ("Corporation") and the leasing of same to the City of Beech Grove, Indiana ("City") is in the public interest of the citizens of the City, and it is a proper public purpose for which this Council agrees to cooperate with the Corporation and to assist it in fulfilling the requirements of all agencies of the federal, state and county governments.

Section 2. The petition of taxpayers heretofore filed with this Council is hereby approved.

Section 3. The terms and conditions of the proposed form of the lease are approved and agreed to as the basis for a hearing, as required by law, and that such hearing should be held by this Council upon the necessity for the execution of such lease and whether the lease rentals provided therein are fair and reasonable rentals for the proposed Project, prior to final determination of such questions, so that this Council may determine whether to execute such Lease as now written, or as modified, said hearing to be held July 5, 2022 at 7:00 p.m. at the Beech Grove City Hall Council Chambers, 806 Main Street, Beech Grove, Indiana.

Section 4. The Clerk-Treasurer is authorized and directed to publish a notice of such hearing as required by law.

Section 5. Upon the redemption or retirement of the bonds to be issued by the Corporation, the City will accept from the City title to the Project, free and clear of any and all liens and encumbrances thereon.

Section 6. The Lease will be for a maximum term of twenty (20) years with a maximum annual lease rental of \$790,000. The purpose of the Lease is to provide for the financing of the acquisition of the Project.

Section 7. The Council preliminarily determines to enter into a lease agreement and issue bonds for the Project.

Section 8. The lease agreement will be for a maximum term of 20 years with a maximum annual lease rental of \$790,000. The maximum annual lease rental has been estimated based upon an estimated principal amount of bonds of \$9,140,000, estimated interest rates ranging from 4.0% to 6.0%, and total estimated interest costs of \$6,002,465. The City's current debt service levy is \$171,479 and the current debt service rate is \$0.0315. After the City enters into the proposed lease agreement and the bonds are issued, the debt service levy will increase by a maximum of \$750,500 and the debt service rate will increase by a maximum of \$0.1379. The purpose of the lease agreement is to provide for the acquisition of the Project.


Section 9. The Clerk-Treasurer is hereby authorized and directed to publish, or cause to be published, the notice of adoption of this preliminary determination in accordance with Indiana law.

Section 10. If a petition pursuant to Indiana Code 6-1.1.-20-3.1 is received by the Commission, the Secretary of the Commission is hereby authorized to publish a notice of the applicability of the petition and remonstrance process pursuant to Indiana state law.

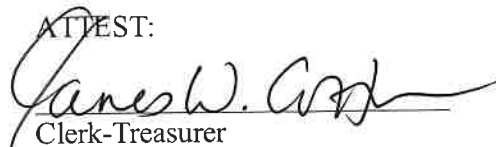
Section 11. This resolution shall be in full force and effect from and after its passage.

PASSED AND ADOPTED by the Common Council of the City of Beech Grove, Indiana, this 5th day of July, 2022.

COMMON COUNCIL OF THE CITY OF
BEECH GROVE, INDIANA



Presiding Officer

ATTEST:

Clerk-Treasurer

Presented by me to the Mayor of the City of Beech Grove, Indiana, on the 5th day of July, 2022, at 7:00.m.


Clerk-Treasurer

Signed and approved by me, the Mayor of the City of Beech Grove, Indiana, this 5th day of July, 2022, at 7:00.m.


Mayor

Ordinance/Resolution Number: #7, 2022

Passed by the Common Council of the City of Beech Grove, Indiana this 5th Day of

July, 2022.

1st Reading: July 5, 2022

3rd Reading: —

2nd Reading: —

Common Council for the City of Beech Grove, Indiana.

Elizabeth Lamping (Y or N)
Elizabeth Lamping

Ryan Matkins (Y or N)
Ryan Matkins

Robert Ferguson, President Pro-Tem (Y or N)
Robert Ferguson, President Pro-Tem

David Harrison (Y or N)
David Harrison

Kevin Day (Y or N)
Kevin Day

Buddy Templin (Y or N)
Buddy Templin

Kara Ferguson (Y or N)
Kara Ferguson

Presented by me to the Mayor of the City of Beech Grove, Indiana on this 5th day of

July, 2022 at 7:00 P.M.

James W. Coffman
Attested:
James W. Coffman, Clerk Treasurer

Approved by the Mayor of the City of Beech Grove, Indiana this 5th day of

July, 2022 at 7:00 P.M.

Dennis B. Buckley
Dennis B. Buckley, Mayor
City of Beech Grove