

**TOWN COUNCIL  
TOWN OF DAYTON, INDIANA  
ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ADOPTING A CAPITAL IMPROVEMENT PLAN**

**WHEREAS**, the Indiana General Assembly has authorized counties to impose a county economic development income tax (hereinafter "EDIT") on the adjusted gross income of county taxpayers, in accordance with Indiana Code § 6-3.5-7 *et seq.* with such authority transferred under Indiana Code § 6-3.6-6 *et seq.* (hereinafter the "Act");

**WHEREAS**, the Act provides the Town of Dayton, Indiana (hereinafter the "Town") the authority to adopt a capital improvement plan which specifies the use of the additional revenue to be allocated for economic development purposes;

**WHEREAS**, the Act provides that a county, city or town which fails to adopt a capital improvement plan may not receive: (1) its fractional amount of the certified distribution of revenues from EDIT (hereinafter "Distributive Share"); or (2) any amount of EDIT revenues designated for its use by a city or town in the county;

**WHEREAS**, the Town desires to use revenues generated from EDIT for economic development purposes and for any other permitted uses allowable pursuant to Indiana Code;

**WHEREAS**, the Town desires to adopt a Capital Improvement Plan (hereinafter the "Plan") for its Distributive Share and shall receive its Distributive Share from the County Auditor;

**WHEREAS**, the Act provides that the Plan must encompass a period of not less than two (2) years, and must be adopted before a county, city, or town may receive its Distributive Share;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAYTON, INDIANA, AS FOLLOWS:**

1. The Town Council of the Town of Dayton, Indiana hereby adopts the Capital Improvement Plan of the Town of Dayton, Indiana, which Plan is attached hereto as Exhibit A and Exhibit B, after public hearing as required by Indiana Code § 5-3-1.

This Ordinance shall be effective on this, the \_\_\_\_ day of \_\_\_\_\_, 2023.

**TOWN COUNCIL OF THE TOWN OF  
DAYTON, INDIANA**

\_\_\_\_\_  
President

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

ATTEST:

\_\_\_\_\_  
Clerk-Treasurer

EXHIBIT A

**PROJECT I DESCRIPTION**

Project Name: Millikan Community Center

Project Description: Purchase of Real Property to be developed into a Community Center for the Town of Dayton. The Community Center will be used to facilitate community-wide events, as well as provide a gathering space for members of the community.

Project Amount: \$327,148.00

**ESTIMATED PROJECT COST**

Project I is estimated to cost approximately \$327,148.00.

**SOURCES OF FUNDS**

**PROJECT I**

Description of Sources of Funds: Funding will be from the county economic development income tax funds in an amount of Three Hundred Twenty-Seven Thousand, One Hundred Forty-eight and 00/100 Dollars (\$327,148.00).

**PLANNING, DEVELOPMENT AND CONSTRUCTION SCHEDULE**

The construction of Project I shall occur over a period of one (1) month.

## EXHIBIT B

### Seventy-five Percent (75%) Test

In accordance with Indiana Code § 6-3.5-7-15 (repealed) and Indiana Code § 6-36-6-9.5, the Plan incorporates the following uses of the County's Distributive Share, which accounts for at least seventy-five percent (75%) of the estimated certified Distributive Share that the Town expects to receive during the term of the Capital Improvement Plan.

### Percentage of Certified Distributive Share allocated to projects and other authorized uses for the Extended Term

For Project I, the Town will use the amount of its more than seventy-five percent (75%) of the Distributive Share received by the Town annually to pay for Project I.