City of Bloomington
Office of the City Clerk

**CLERK'S CERTIFICATE**

STATE OF INDIANA )
) SS:
COUNTY OF MONROE )

I, Nicole Bolden, being the duly elected, qualified and current Clerk of the City of Bloomington, Monroe County, Indiana, hereby do certify that I am the custodian of the records of the Bloomington City Council and the City of Bloomington, and that the attached copy of the minutes for the June 15, 2005 meeting of the Bloomington City Council is a full, true and complete copy of drafts of the minutes of that meeting and which is kept in this office in the normal course of business.

I affirm under the penalties for perjury that the foregoing representations are true.

IN WITNESS WHEREOF, I hereunto set my signature as Clerk of the City of Bloomington on the date set forth below, 2016.

Nicole Bolden
City Clerk
City of Bloomington, Indiana

Date: 6/29/16

The attached copy of the minutes for the June 15, 2005 meeting of the Bloomington Common Council of the City of Bloomington, Indiana as presented by the City Clerk was approved on the 29 day of June, 2016.

Andy Ruff
President, Bloomington Common Council
City of Bloomington, Indiana

Please note that if the Council made any motions for corrections for this set of minutes, the changes will be noted on the back of this certificate, rather than in the minutes themselves.

COMMON COUNCIL
REGULAR SESSION
June 15, 2005

In the Council Chambers of the Showers City Hall on Wednesday, June 15, 2005 at 7:36 pm with Council President Andy Ruff presiding over a Regular Session of the Common Council.

ROLL CALL

Roll Call: Ruff, Gaal, Rollo, Sturbaum, Volan, Sabbagh, Mayer
Absent: Banach, Diekhoff

AGENDA SUMMATION

Council President Ruff gave the Agenda Summation

APPROVAL OF MINUTES

There were no minutes to be approved.

REPORTS:

- COUNCILMEMBERS

Chris Gaal announced that there would be a town hall meeting on the future of Social Security to prevent information on the risks, benefit cuts, and costs associated with the privatization of Social Security. He invited everyone to attend the evening of June 21, 2005 in the council chambers at 7:00 pm.
Gaal noted that the House appropriations subcommittee had proposed a cut of $220,000,000 from the funding for the Corporation for Public Broadcasting. He said it indicated a bad direction for the country because it put additional pressure on non-commercial media outlets in a time of increased concentration of the media in fewer private hands and providing less information and less diversity of information. He urged citizens to contact their lawmakers.
Gaal talked about the month of June and what a special time it was in Bloomington. He said he wanted a June Appreciation Month to elevate the profile of the month, and now was the recipient of a proclamation by Mayor Kruzan naming June 13-19, 2005 Celebrate the Month of June Week in the City of Bloomington, Indiana. He thanked the Mayor for his proclamation.

Steve Volan said he remembered a festival entitled Blooming-June that only lasted one year.

David Sabbagh reminded citizens that this was the 100th anniversary of Albert Einstein's greatest year, saying that for four months he wrote seminal papers on relativity, black body radiation, and was one of the greatest achievements in science.
Sabbagh gave a report on a trip to Washington DC with the Save Crane subcommittee of the Bloomington Economic Development Corporation. He said that the BRAC committee had recommended realignment in Crane with the base loosing about one thousand jobs. He said that the committee would hear testimony in St. Louis Mo next week and that Lt. Gov. Skillman would lead the Indiana delegation in that effort. He noted that several years ago Southern Indiana Business Alliance was formed for this purpose because Crane cannot lobby for itself, and SIBA was an important part of this trip. He noted that the committee was now named Grow Crane to encourage other companies to come around the area and to grow the economy of the area.
Sabbagh said he met with Senator Lugar, Senator Bayh, and Congressmen Buyer, Sodrel and Hostettler who said the entire Indiana delegation was sympathetic to this issue. He said the chief lobbyist for the effort was former Senator Dan Coats, and that he also met with the group. He gave figures to indicate the economic impact of Crane on Monroe county and said if the base were closed it would be devastating.

Dave Rollo gave a report on the Midwest Regional Rail System. He said he attended a function in Indianapolis today regarding this high speed rail initiative. He said the system would connect the major cities in the Midwest with frequent daily trips. He showed a map of the proposal and gave some advantages of high speed rail travel.

Council Comments *(cont'd)*

Mayer thanked the street department for filling potholes. He thanked the city sidewalk committee for getting a section of sidewalk constructed on the east side. Mayer thanked Martha Chambers Wainscott for her help in the mayor's office on the occasion of her retirement.

David Sabbagh added to his report saying that he was remiss in not mentioning Governor Mitch Daniels and John Clark who worked with the governor were very instrumental in the success of the recent trip to Washington DC.

Andy Ruff noted that the Herald Times was mistaken in reporting the time of a meeting with the Indiana Department of Transportation. He said this meeting would be on private property, and is indicative of their recent policy restricting the types of brochures and alternate proposals disseminated at their hearings. He said that it was a violation of the first amendment for INDOT to alloy only officially sanctioned DOT materials to be passed out during the meetings. He said a recent meeting in Oakland City had police officers to tell people to stop passing out information, or collecting signatures on petitions in the guise of public safety. Ruff was told by INDOT that he could not appear as an elected official of the City of Bloomington to have copies of the council resolution for citizens there. Upon contacting the governor's office, he was told that he could bring the materials to the meeting.

Chris Gaal noted that the INDOT stance was cynical. He added that an encroachment area around Crane maintaining its isolation would be undermined by the proposed I-69 highway. Ruff said folks he spoke to at Crane said this was true and that the highway could compromise the safety of the base.

- MAYOR and City Office

- Proclamation in Honor o Amy Robinson

Tim Mayer read a proclamation in honor of Amy Robinson for both the council and mayor on the occasion of her retirement as Director of the Food Bank. It proclaimed June 29, 2005 as Amy Robinson Day in honor of the anniversary of her twenty years of service to the Hoosier Hills Food Bank. Mayer added heart-felt personal words of acclamation for Robinson.
Robinson thanked the council and the mayor for the honor on behalf of all the people at the food bank.

Mayor Mark Kruzan said that Robinson was, indeed, a hero.

- Mayor's Statement on INDOT public meeting policy.

Mayor Kruzan stated that he'd been opposing the way the Indiana Department of Transportation conducted public hearings for twenty years, noting that fifteen years ago he'd authored legislation to require INDOT to take public testimony at their hearings rather than just audio tapes or written statements. He lamented the idea that the public record of this council was not allowed to be distributed at the meeting and noted that negotiations were necessary to finally allow its distribution.

He said that citizens should be allowed to petition their government and hand out documents while being respectful. Kruzan said that tax payers were subsidizing the INDOT rule, paying for the police presence at the meeting and the leasing private of space with a contract that states that INDOT has the right to bar people from attending. Kruzan said that their mentality of "we will make the rules and you will obey them" needs to be changed.

Kruzan then issued an invitation to INDOT to use the council chambers free of cost at any time for a hearing where the public could hand out information. There are ways that the hearing could have been held safely without the strict and constraining rules.

- Supplemental Tax Abatement Report

Danise Alano, Assistant Director of Economic Development, gave the supplemental Tax Abatement Report for projects which had a later reporting deadline than ones in the earlier report. She reported on the status of affordable housing projects, mixed residential and commercial real estate projects, industrial projects and non-complying projects. Abatements included in the report were:

ADC Real Estate Investment Group, LLC
Huntington Gardens, LLC
Bloomington Business Incubator, LLC
East Third Street Properties, Inc.
Hopewell Renewal
PTS Corporation (N. Curry Pike)
RONO Corp/RC One
Metropolitan Printing
Printpak, Inc
B & L Sheet Metal and Roofing
All Natural Properties
Renaissance Rentals
PTS Corporation (Patterson Drive)

The report recommended the council find all but two of the projects (Bloomington Business Incubator, LLC and PTS Corporation on Patterson Drive) in substantial compliance with the terms of their tax abatements.
Alano presented information requested by Councilmember Ruff on the economic impact of all active tax abatements. She also shared pictures of a few other properties that had active tax abatements along with maps that indicated the geographic location of abatements.

Rollo thanked Alano and suggested that the number of affordable housing units be included in future slides. He asked about the Metropolitan Printing's compliance in regard to employees, and what conversations Alano might have had with them regarding their good faith effort to reach compliance since their numbers have dropped. Alano said there were no set guidelines from the state as to what good faith effort meant, but that it was up to the individual granting unit.

Mayer said this was a good question, but that this industry has been impacted heavily by the advent of computing power.

Rollo said volatility in different economic sectors and the public interest in taxpayer money use caused this question to be asked. He said the reduction of employees in this firm was important. Mayer said that the printing company had installed state of the art equipment that used soy ink and less solvent than previous equipment.

Volan asked for a summary over a longer period of time, and Alano said that it could be produced in the future. Volan said he would like to also have information on jobs created, and money spent over the last few years. He said he appreciated her presentation.

Ruff asked if the jobs created at the PTS Curry Pike location were moved there from other PTS locations. Alano said she did not know that information. Ruff asked if the number of PTS jobs when the tax abatement was granted totaled approximately 384 and Alano said this was correct.

Ruff asked what the market rate was for apartments (with utilities included in the rent) comparable to the RONO Corporation units. Alano said she was not sure.

Ruff asked how Printpak's statement of benefits could estimate 22 new

Supplemental Report *(cont'd)*

employees with estimated new salaries of $485,000 when the compliance report indicated that 22 new jobs were created but that the actual new salary amount was $1,422,531. Alano said that attracting employees with a higher salary might be a factor in this case.

Ruff noted that when an abatement was granted, the public actually was sharing in the risk of the company, and that the business projections may not work out as one might hope.

Motion to Accept the Tax Abatement Report

Sturbaum moved, and it was seconded, that the Council accept the Supplemental Tax Abatement Report.

There were no public comments on this motion.

Sturbaum spoke as a member of the city Economic Development Commission and reported that the commission had reviewed the report and recommended its acceptance. He said intangibles such as encouraging infill development downtown and use of preferable materials were not quantifiable on the Economic Impacts Summary that Alano presented.

Gaal said the tax abatement process was not always about creating jobs. He said that private economic activity was encouraged by this tool, and gave some areas of the city where redevelopment might be used in the future, including a sustainable development project.

Rollo noted his appreciation of Ron Walker and Danise Alano's work in the economic development activities of the city.

Ruff said that the City of Bloomington was aggressive in their use of the tax abatement tool, and that he was confident that we've taken advantage of it as we are a business friendly community.

The Motion received a roll call vote of Ayes: 7, Nays: 0

Motion Declaring Intent to Rescind

It was moved and seconded that pursuant to Indiana Code 6-1.1-12.1-5.9 the council had determined that the owner(s) of the Bloomington Business Incubator, LLC at West Allen Street and PTS at the Indiana Enterprise Center site had not substantially complied with the Statements of Benefits and that the failure to do so was not caused by factors beyond their control. The motion included that the Council intended to hold a public hearing at their Regular Session on August 3, 2005 to further consider the property owners' compliance with the Statements of Benefits. In the motion, council reserved the right, at the conclusion of the hearing, to adopt a resolution terminating the tax abatement. The motion also directed the Council Attorney to mail the statutorily-required written notice to the property owner.

There were no comments from the public on this motion.

The motion received a roll call vote of Ayes: 7, Nays: 0.

Motion to Authorize the President to Sign

It was moved and seconded to authorize the President of the Council to sign past tax abatement forms that affirm the decisions of the council to either approve the abatement or to find the project in substantial compliance with the terms of the abatement.

There were no comments from the public on this motion, and no comments or questions from the council members.

The motion received a roll call vote of Ayes: 7, Nays: 0.

- COUNCIL COMMITTEES

The council took this opportunity to adjust their schedule for July and the remainder of June.

July schedule changes

It was moved and seconded that the council adopt a revised schedule for its July meetings which would reschedule the July 6th Regular Session meeting so that it is held at 7:30 pm on July 13th immediately before the Committee of the Whole; that the council hold departmental budget hearings on Monday through Thursday July 18th through July 21st at 6:00 pm; that the council reschedule the July 20th Regular Session so that it is held at 7:30 pm on July 27th immediately before the Committee of the Whole.

The motion received a roll call vote of Ayes: 7, Nays: 0.

June schedule changes

It was moved and seconded that the council cancel the Committee of the Whole scheduled for June 22, 2005.

The motion received a roll call vote of Ayes: 7, Nays: 0.

- PUBLIC INPUT

Scott Tibbs said he agreed with Mayor Kruzan and Council President Ruff in their opposition to Indiana Department of Transportation's rules regarding public comments during their public hearings.

BOARD AND COMMISSION APPOINTMENTS

It was moved and seconded that Sheldon Gellar be appointed to the Martin Luther King, Jr. Birthday Commission.

It was moved and seconded that Nancy Obermeyer be appointed to the Public Transportation Corporation Board

Both appointments were approved by a voice vote.

Ruff thanked Pamela Warren for her service to the Tree Commission. Ruff also noted current vacancies on city boards and commissions and encouraged citizens to apply.

LEGISLATION FOR SECOND READING

Resolution 05-06 Authorizing the Allocation of the Jack Hopkins Social Services Program Funds for the Year 2005 and Other Related Matters

It was moved and seconded that Resolution 05-06 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving Jack Hopkins Social Services Funding Committee Recommendation of Do Pass: 7 – 0. It was moved and seconded that Resolution 05-06 be adopted.

Chris Sturbaum said he would refrain from voting on this resolution because he wished to avoid the appearance of any impropriety. He stated that his wife was employed by Planned Parenthood, one of the social service agencies that had applied and was recommended for funding. Sturbaum left the dais.

Mayer, who served as chair of the committee, reviewed the membership of the commission, the criteria for funding, and the process of the committee's deliberation. He also reviewed the applicants, the amount of money they requested and the amounts proposed for funding. He added that the committee members were

Rollo noted that the PP request was for safety equipment for the safety of their employees. He also thanked Mayer for serving in the role of chair for the committee. He added that smaller grants than requested did not mean that the social services were not worthy, but rather that the resources were inadequate for the need.

Sabbagh thanked Mayer for mentioning that he had originally been on the committee but was unable to do that this year. He added he was sorry he was unable to serve, but applauded the committee on its work

and said he would be supporting its recommendations.

Gaal said the process was difficult but the reality was that all could not be funded. He said they were all deserving, and urged others in the community to help all these worthy agencies.

Mayer thanked the councilmembers for their thanks. He thanked the committee members for their work. He said if the understanding of human sexuality could not be part of a funding, only three would remain. He said there would be some understanding and education of human sexuality in most all of these agencies.

Resolution 05-06 received a roll call vote of Ayes: 6, Nays: 0.(Sturbaum did not deliberate or vote on this item.)

LEGISLATION FOR FIRST READING

There was no legislation for first reading.

ADJOURNMENT

The meeting was adjourned at 9:50 pm.

APPROVE:

ATTEST:

Andy Ruff, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington