Passed 9-0

RESOLUTION 16-13

TO VOTE IN FAVOR OF A DISTRIBUTION OF PUBLIC SAFETY LOCAL INCOME TAX TO FIRE DEPARTMENTS AND VOLUNTEER FIRE DEPARTMENTS THAT ARE OPERATED BY OR SERVE POLITICAL SUBDIVISIONS NOT OTHERWISE ENTITLED TO RECEIVE A DISTRIBUTION OF PUBLIC SAFETY LOCAL INCOME TAX

WHEREAS, the Monroe County Income Tax Council has previously imposed a County Option Income Tax in Monroe County ("County") under Indiana Code 6-3.5-6; and

WHEREAS, the Indiana General Assembly has consolidated and simplified the various local income tax laws, including the County Option Income Tax, into a uniform law ("Local Income Taxes") under Indiana Code 6-3.6; and

WHEREAS, the Local Income Taxes will apply to the distribution and allocation of revenue after December 31, 2016; and

WHEREAS, Indiana Code § 6-3.6-6-8 permits Local Income Tax collections to be used for public safety purposes ("Public Safety Local Income Tax"); and

WHEREAS, both Indiana Code § 6-3.6-6-8(d), and the predecessor provision Indiana Code § 6-3.5-6-31(m), allow fire departments, volunteer fire departments, and emergency medical services providers that: (1) provide fire protection or emergency medical services within Monroe County and (2) are operated by or serve a political subdivision that is not otherwise entitled to receive a distribution of Public Safety Local Income Tax to apply for a distribution of Public Safety Local Income Tax; and

WHEREAS, several fire departments and volunteer fire departments have applied for a distribution of Public Safety Local Income Tax in 2017; and

WHEREAS, a committee of the Local Income Tax Council was formed to consider those applications; and

WHEREAS, the committee has made a recommendation that the following distributions of Public Safety Local Income Tax be made:

Bean Blossom Stinesville Volunteer Fire Department Inc.	$17,000
Benton Township Volunteer Fire Department	$25,000
Northern Monroe County Fire Protection Territory	$25,000
Indian Creek Fire Fighters, Inc.	$30,000
Washington Township	$50,000
Van Buren Township Fire Department	$60,000
Ellettsville Fire Department	$90,000
Perry-Clear Creek Fire Protection District	$94,560; and

WHEREAS, Washington Township has requested funds to build a fire station west of I-69, but because Washington Township is not a fire department or volunteer fire department, Washington Township is not eligible to receive a distribution of Public Safety Local Income Tax in 2017 under Indiana Code § 6-3.6-6-8(d); and

WHEREAS, this Resolution contemplates that the political subdivisions within the County will consider—to the extent permitted by law—working with Washington Township to ensure their fire protection needs are adequately provided for; and

WHEREAS, the Bloomington Common Council has published notice in accordance with Indiana Code 5-3-1 and Indiana Code 6-3.5-3.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. The City of Bloomington by its Common Council casts its 59 votes for the following resolution of the Monroe County Local Income Tax Council:

A RESOLUTION OF THE MONROE COUNTY LOCAL INCOME TAX COUNCIL APPROVING A DISTRIBUTION OF PUBLIC SAFETY LOCAL INCOME TAX TO FIRE DEPARTMENTS AND VOLUNTEER FIRE DEPARTMENTS NOT OTHERWISE ENTITLED TO RECEIVE A DISTRIBUTION OF PUBLIC SAFETY LOCAL INCOME TAX

BE IT RESOLVED BY THE MONROE COUNTY LOCAL INCOME TAX COUNCIL:

1. a. The Monroe County Local Income Tax Council approves a distribution of Public Safety Local Income Tax in 2017 to the following fire departments and volunteer fire departments, pursuant to Indiana Code § 6-3.5-6-8(d):
   i. Bean Blossom Stinesville Volunteer Fire Department Inc., $17,000
   ii. Benton Township Volunteer Fire Department, $25,000
   iii. Northern Monroe County Fire Protection Territory, $25,000
   iv. Indian Creek Fire Fighters, Inc., $30,000
   v. Van Buren Township Fire Department, $60,000
   vi. Ellettsville Fire Department, $90,000
   vii. Perry-Clear Creek Fire Protection District, $94,560

   b. In the event that there is no Local Income Tax rate associated with Public Safety in effect on January 1, 2017, the distributions provided in Section 1(a), above, shall have no effect.

2. Pursuant to Indiana Code § 6-3.6-3-3, this resolution shall take effect on January 1, 2017.

3. The Monroe County Auditor shall record all votes taken on this resolution and immediately send a certified copy of the results to the Indiana Department of Revenue, State Budget Agency, and Department of Local Government Finance by certified mail.

4. Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation shall be inapplicable, shall be deemed omitted but the rest and remainder of this resolution, to the extent feasible, shall remain in full force and effect.

SECTION II. This resolution shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 31st day of August 2016.

ANDY RUFF, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana upon this 31st day of August, 2016.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 31st day of August, 2016.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

The Monroe County Local Income Tax Council consists of four members: (1) the City of Bloomington, (2) the Town of Ellettsville, (3) the Town of Stinesville, and (4) Monroe County. Before July 1, 2016, several fire departments and volunteer fire departments—all of which serve political subdivisions that would not receive a distribution of Public Safety Local Income Tax in 2017—filed applications with the Monroe County Local Income Tax Council seeking distributions of Public Safety Local Income Tax for 2017. The Monroe County Local Income Tax Council formed a committee to review and consider those applications and, upon the completion of that review and consideration, to make a recommendation to the members of the Monroe County Local Income Tax Council. This Resolution would cast the City of Bloomington's votes on the Monroe County Local Income Tax Council in favor of the committee's recommendation to provide Public Safety Local Income Tax in 2017 to: (1) Bean Blossom Stinesville Volunteer Fire Department, Inc.; (2) Benton Township Volunteer Fire Department; (3) Northern Monroe County Fire Protection Territory; (4) Indian Creek Fire Fighters, Inc.; (5) Van Buren Township Fire Department; (6) Ellettsville Fire Department; and (7) Perry-Clear Creek Fire Protection District.

Distributed to: CCA, Mayor, Controller, Legal