

RESOLUTION 16-05

**TO VOTE IN FAVOR OF A MONROE COUNTY INCOME TAX COUNCIL
ORDINANCE IMPOSING AN ADDITIONAL COUNTY OPTION INCOME TAX RATE
TO FUND PUBLIC SAFETY COSTS AND CASTING THE CITY OF
BLOOMINGTON'S 59 VOTES IN FAVOR OF THE ORDINANCE**

WHEREAS, the Monroe County ("County") Income Tax Council has previously imposed the County Option Income Tax in the County; and,

WHEREAS, Indiana Code § 6-3.5-6-31 permits a County Income Tax Council to impose an additional income tax rate to provide funding for public safety (as defined in Indiana Code § 6-3.5-6-31(a)) in the County; and,

WHEREAS, the Ellettsville Town Council is a member of the Monroe County Income Tax Council and has proposed an ordinance to the Monroe County Income Tax Council imposing an additional income tax rate to provide funds for public safety, has cast its votes in favor of the ordinance, and has distributed a copy of the proposed ordinance to the Monroe County Auditor; and

WHEREAS, the Bloomington Common Council has received a copy of the proposed ordinance from the Monroe County Auditor; and

WHEREAS, pursuant to Indiana Code § 6-3.5-6-7, before a member of the County Income Tax Council may vote on a proposed ordinance, the member must hold a public hearing on the proposed ordinance and provide the public with the time and place where the public hearing will be held in accordance with Indiana Code 5-3-1; and,

WHEREAS, the City of Bloomington by its Common Council has published notice in accordance with Indiana Code 5-3-1 and Indiana Code § 6-3.5-6-7.

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 ordinance of the Monroe County Income Tax Council:

**AN ORDINANCE OF THE MONROE COUNTY INCOME TAX COUNCIL
IMPOSING A COUNTY OPTION INCOME TAX RATE
TO FUND PUBLIC SAFETY COSTS**

BE IT ORDAINED BY THE MONROE COUNTY INCOME TAX COUNCIL:

1. (a) The Monroe County Income Tax Council hereby imposes the public safety county option income tax on the County taxpayers of Monroe County at the additional rate of twenty-five one hundredths percent (.25%) pursuant to Indiana Code § 6-3.5-6-31.

(b) Pursuant to Indiana Code § 6-3.5-6-31(n), thirty percent (30%) of the tax revenue attributable to the additional tax rate of .25% imposed herein under Indiana Code § 6-3.5-6-31 shall be distributed to the Monroe County Central Dispatch, as the Public Safety Answering Point of the County. The remainder shall be distributed pursuant to Indiana Code § 6-3.5-6-31(f).

2. This ordinance shall take effect on _____, 2016.

3. The Monroe County Auditor shall record all votes taken on this ordinance 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 15th day of June 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 2nd day of June, 2016.


NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this June day of 2^d, 2016.


JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

The Monroe County 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. The fiscal body of any member may propose an Ordinance to the Monroe County Income Tax Council. The Ellettsville Town Council has proposed an ordinance imposing a county option income tax to fund public safety, including Monroe County Central Dispatch. This Resolution would cast the City of Bloomington's votes on the Monroe County Income Tax Council in favor of the county option income tax to fund public safety.



JOHN HAMILTON
MAYOR

JEFFREY H. UNDERWOOD, CPA
CONTROLLER

CITY OF BLOOMINGTON

CONTROLLER'S OFFICE

401 N Morton St
Post Office Box 100
Bloomington IN 47402

p 812.349.3416
f 812.349.3456
controller@bloomington.in.gov

TO: Bloomington Common Council
FROM: Jeff Underwood, Controller
RE: Public Safety County Option Income Tax
DATE: May 11, 2016

The Public Safety County Option Income Tax, Generally

Indiana Code § 6-3.5-6-31 allows a County Option Income Tax (COIT) to be levied specifically to provide funding for public safety ("Public Safety COIT"). The Public Safety COIT is in addition to the COIT that provides general funding.

Public safety is defined broadly to mean:

1. a police and law enforcement system to preserve public peace and order;
2. a firefighting and fire prevention system;
3. emergency ambulance services;
4. emergency medical services;
5. emergency action (as defined by IC 13-11-2-65, which is dealing with the uncontrolled release of a hazardous material);
6. a probation department of a court;
7. confinement, supervision, services under a community corrections program;
8. a juvenile detention facility under IC 31-31-8;
9. a juvenile detention center under IC 31-31-9;
10. a county jail;
11. a communications system, an enhanced emergency telephone system, or the statewide 911 system;
12. medical and health expenses for jail inmates or confined purposes; and
13. pension payments for certain public safety personnel (including police and fire).

Public Safety COIT can also be used for a Public Safety Answering Point, such as the Monroe County Central Dispatch Center.

While Monroe County has a COIT, it does not currently have a Public Safety COIT. Before July 1, 2015, a County could not simply levy a Public Safety COIT; instead, the County must have first enacted one of two specific forms of property tax relief. Effective July 1, 2015, the General Assembly removed the requirement to enact property tax relief in order to levy a Public Safety COIT. Therefore, Monroe County can now levy a Public Safety COIT without first complying with any other prerequisite.

In order to levy a Public Safety COIT, the Monroe County COIT Council¹ would pass an ordinance to impose the Public Safety COIT. That Public Safety COIT may not exceed 0.25%.

If a Public Safety COIT were passed, it would be distributed as follows:

- First, the amount of tax revenue dedicated to a Public Service Answering Point (which can be up to 100%) is distributed.
- Then, any remaining tax revenue is distributed to the county and each municipality in the county responsible for public safety ("Eligible Taxing Unit"). This distribution is based on the percentage of property taxes received by each Eligible Taxing Unit.²

The Town of Ellettsville Proposed Ordinance

The fiscal body of any member of the Monroe County Income Tax Council may propose an Ordinance to the Monroe County Income Tax Council. The Ellettsville Town Council has proposed such an Ordinance.

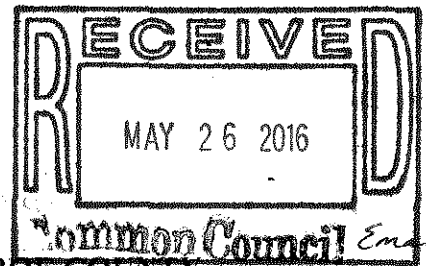
Ellettsville's proposal would impose an additional 0.25% County Option Income Tax, with 30% of the tax revenue generated going to Monroe County Central Dispatch. The remainder would be divided among the Eligible Taxing Units.

Based on our calculations, the Public Safety COIT would generate approximately \$6.9 million per year. Approximately \$2,070,000 (30%) of that would go to Monroe County Central Dispatch, which would free up general fund dollars currently being used by the City to support Central Dispatch, to further other City priorities. Approximately \$2.4 million would go to the City, to be used to support public safety. This funding could be used to help address the replacement of capital assets and other expenses directly relating to public safety.

Ellettsville cast its votes in support of the Proposed Ordinance on May 9, 2016. The County is expected to cast its votes in support of the Proposed Ordinance on May 24, 2016. The City Council would have to act on the existing Proposed Ordinance. No changes are allowed.

¹ The County Income Tax Council is established by IC 6-3.5-6-2 and consists of the fiscal body of each city or town that lies partially or entirely in the County. The Monroe County Income Tax Council has four members: (1) the City of Bloomington, (2) the Town of Ellettsville, (3) the Town of Stinesville, and (4) Monroe County. The allocation of votes for the Council is based upon the percentage that the population of that city or town bears to the population of the county.

² Thus, if there are three Eligible Taxing Units—Unit A, which collected \$1,000 in property tax, Unit B, which collected \$2,000 in property tax, and Unit C, which collected \$3,000 in property tax—Unit A would receive 1/6 of the remaining Public Safety COIT, Unit B would receive 1/3 of the remaining Public Safety COIT, and Unit C would receive 1/2 of the remaining Public Safety COIT.



RESOLUTION 11-2016

**TO PROPOSE AN ORDINANCE TO THE MONROE COUNTY
INCOME TAX COUNCIL IMPOSING AN ADDITIONAL COUNTY OPTION
INCOME TAX RATE TO FUND PUBLIC SAFETY COSTS
AND CASTING ELLETTSVILLE'S FIVE VOTES IN FAVOR OF THE ORDINANCE**

WHEREAS, the Monroe County Income Tax Council has previously imposed the County Option Income Tax in the County; and

WHEREAS, Indiana Code § 6-3.5-6-31 permits a County Income Tax Council to impose an additional income tax rate to provide funding for public safety (as defined by Indiana Code § 6-3.5-6-31(a)) in the County; and

WHEREAS, the Town of Ellettsville Council is a member of the Monroe County Income Tax Council and desires to propose an ordinance to the Monroe County Income Tax Council imposing an additional income tax rate to provide funds for public safety, and to cast its votes in favor of the ordinance; and

WHEREAS, pursuant to Indiana Code § 6-3.5-6-7, before a member of the County Income Tax Council may propose an ordinance or vote on a proposed ordinance, the member must hold a public hearing on the proposed ordinance and provide the public with a time and place where the public hearing will be held in accordance with Indiana Code 5-3-1; and

WHEREAS, the Town of Ellettsville, by its Ellettsville Town Council, has published notice in accordance with Indiana Code 5-3-1 and Indiana Code § 6-3.5-6-7.

NOW THEREFORE, BE IT RESOLVED BY THE ELLETTSVILLE TOWN COUNCIL OF ELLETTSVILLE, MONROE COUNTY, INDIANA, THAT:

SECTION I. The Town of Ellettsville by its Ellettsville Town Council casts its five votes for the proposed ordinance of the Monroe County Income Tax Council, which reads as follows:

**AN ORDINANCE OF THE MONROE COUNTY INCOME TAX COUNCIL
IMPOSING A COUNTY OPTION INCOME TAX RATE
TO FUND PUBLIC SAFETY COSTS**

BE IT ORDAINED BY THE MONROE COUNTY INCOME TAX COUNCIL:

1.(a) The Monroe County Income Tax Council hereby imposes the public safety county option income tax on the County taxpayers of Monroe County at the additional rate of twenty-five hundredths of one percent (.25%) pursuant to Indiana Code § 6-3.5-6-31.

(b) Pursuant to Indiana Code § 6-3.5-6-31(n), thirty percent (30%) of the tax revenue attributable to the additional tax rate of .25 % imposed herein under Indiana Code § 6-3.5-6-31 shall be distributed to the Monroe County Central Dispatch, as the Public Safety Answering Point of the County. The remainder shall be distributed pursuant to Indiana Code § 6-3.5-6-31(f).

2. The Monroe County Income Tax Council agrees that it may annually adjust the percentage distributed to the Public Safety Answering Point, as mentioned above, provided that the Income Tax Council approves a resolution supporting the proposed change on or before July 1 of the year in which the adjustment is to take place.

3. This ordinance takes effect on October 1, 2016.

4. The Monroe County Auditor shall record all votes taken on this ordinance 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.

5. Any provision contained herein 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 ordinance, 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 Ellettsville Town Council.

SECTION III. The Monroe County Auditor is hereby authorized and directed to distribute a copy of this resolution containing the proposed ordinance to all other members of the Monroe County Income Tax Council within ten (10) days after receipt passed this 23rd day of May, 2016.

Passed this 23rd day of May, 2016.

ELLETTSVILLE TOWN COUNCIL



Scott Oldham, President

Attest:



Sandra Hash, Clerk/Treasurer