

Passed: 6-7 (PS, PC)  
(T. Pizzo Abstained)

**RESOLUTION 99-26**

**TO DESIGNATE AN ECONOMIC REVITALIZATION AREA**

**Re: 500 and 550 Landmark Avenue**

**(Rogers Property Management, LLP, Petitioner)**

WHEREAS, Rogers Property Management, LLP ("Petitioner") has filed an application for designation of the property located at 500 and 550 Landmark Avenue as an "Economic Revitalization Area" ("ERA") pursuant to IC 6.1.1-12.1 et. seq.; and

WHEREAS, petitioners seeking designation of their property as an ERA must submit to the Common Council a Statement of Benefits and must, prior to March 1<sup>st</sup> of each year, provide the Monroe County Auditor and the Common Council with information showing the extent to which there has been compliance with the Statement of Benefits; and

WHEREAS, Petitioner intends to construct a new building to support its business expansion and wishes to obtain tax abatement on the new facility; and

WHEREAS, the application has been reviewed by the Economic Development Commission, which passed Resolution 99-07 recommending that the Common Council approve the "Economic Revitalization Area" designation for said property to provide a ten-year tax abatement on the proposed new building and to approve the Statement of Benefits; and

WHEREAS, the Common Council has investigated the area and reviewed the Application and Statement of Benefits, which are attached hereto and made a part hereof, and found the following:

- A. the estimate of the cost of the Project is reasonable;
- B. the estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the Project;
- C. the estimate of the annual salaries of these individuals who will be employed or whose employment will be retained can be reasonably expected to result from the Project;
- D. any other benefits about which information was requested are benefits that can be reasonably expected to result from the Project; and
- E. the totality of the benefits is sufficient to justify the deduction; and

WHEREAS, the property described above is within the corporate limits of the City and has become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent normal development of property or use of property; and

WHEREAS, in order meet its construction schedule, the Petitioner notified the City of its intention to commence construction before the Common Council has taken final action on the resolution;

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

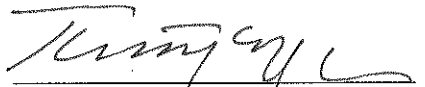
1. The Common Council finds and determines that the area described as 500 and 550 Landmark Avenue should be designated as an "Economic Revitalization Area" as set forth in IC 6-1.1-12.1-1 et. seq.; and the Common Council further finds and determines that the Petitioner shall be entitled to a deduction from the assessed value of the Project for a period of ten (10) years.

2. In granting this deduction, the Council also expressly exercises the power set forth in IC 6-1.1-12.1-2 (I)(5) to impose additional, reasonable conditions on the rehabilitation or redevelopment beyond those listed in the Statement of Benefits. Failure of the property owner to make reasonable efforts to comply with these conditions are reasons for the Council to rescind this designation and deduction:

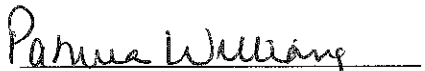
- a. the improvements described in the application shall commence within twelve months of the date of this designation; and
- b. the land and improvements shall be developed and used in a manner that complies with local code.

3. Pursuant to I.C. 6-1.1-12.1-11.3 the Common Council waives certain statutory requirements. In particular, the Common Council waives the requirement that it designate the property as an Economic Revitalization Area (ERA) prior the initiation of the redevelopment.

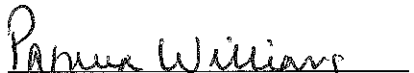
PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 8<sup>th</sup> day of September, 1999.

  
TIMOTHY MAYER, President  
Bloomington Common Council

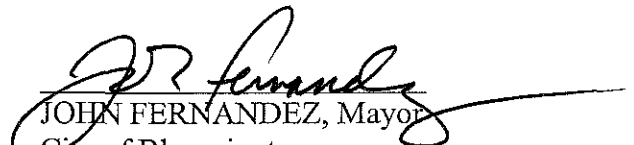
ATTEST:

  
PATRICIA WILLIAMS, Clerk  
City of Bloomington

PRESENTED by me to the Mayor on this 9<sup>th</sup> day of September, 1999.

  
PATRICIA WILLIAMS, Clerk  
City of Bloomington

SIGNED AND APPROVED by me upon this 9 day of September, 1999.

  
JOHN FERNANDEZ, Mayor  
City of Bloomington

#### SYNOPSIS

Rogers Property Management, LLP has filed an application for designation of the property located at 500 and 550 Landmark Avenue as an "Economic Revitalization Area" to allow approval of a ten-year tax abatement for the construction of a new building. Indiana law provides that the property taxes on improvements in real estate in an area designated by the Common Council as an "Economic Revitalization Area" may be abated for a period of three, six or ten years. This resolution provides that the owners of the property shall be entitled to a deduction for a period of ten (10) years. In addition, this resolution also waives the requirement that the redevelopment be initiated after the property has received the ERA designation. It is the first of two resolutions that must be adopted by the Council before this tax abatement may take effect.

Signed copies to:  
Monroe County Assessor,  
Randy Hord, Mayor's office  
Petitioner



# MALLOR CLENDENING GRODNER & BOHRER LLP

Andrew C. Mallor  
Gary J. Clendening  
Geoffrey M. Grodner  
James F. Bohrer  
Kendra G. Gjerdingen  
Caryl M. Bowers

Lance D. Like  
M. Christie Wise  
Lonnie D. Johnson  
April R. Schilling  
Michael R. Kohlhaas  
Carrie L. Batalon  
Francis X. McCloskey  
of counsel

September 21, 1999

Common Council  
City of Bloomington  
P.O. Box 100  
Bloomington, IN 47402

Re: **Resolution 99-26**  
**Rogers Property Management, LLP**

Dear Council Members:

During consideration of Resolution 99-26 at your meeting on September 8, 1999, Council Member Sherman asked if IMA, Inc. and SIRA, Inc., the intended tenants of the proposed medical facility, would agree to supplement the Statement of Benefits. The supplement would more clearly establish a measurable standard for the provision of medical services to indigents. IMA and SIRA orally stated at the meeting that they would agree to the proposed supplement. This letter is intended to serve as a written record of the terms of the supplement.

Attachment 3 to the Statement of Benefits currently states in relevant part as follows:

Both IMA, Inc. and SIRA, Inc. provide a significant quantity of uncompensated health care to the Bloomington Community each year....Annually, IMA provides \$900,000 of uncompensated care in the community. Annually, SIRA, Inc. provides uncompensated care of 8% of annual charges. As both corporations continue to grow in this new facility, the amount of uncompensated care provided to the community will continue to grow.

At the September 8 meeting, IMA and SIRA orally advised the Council that the total value of the uncompensated care provided by them in the community was approximately \$1,750,000. This represents 8% of the total annual charges of SIRA, as discussed in the Statement of Benefits, and 6.2% of the annual receipts of IMA.

IMA and SIRA hereby specifically supplement their Statement of Benefits to commit to maintaining, at a minimum, their provision of uncompensated care as follows:


IMA will continue to provide uncompensated care at least at the approximate rate of 6.2% of

annual receipts. SIRA will continue to provide uncompensated care at least at the approximate rate of 8% of total annual charges.

Based upon these commitments, the total dollar value of uncompensated care provided by IMA and SIRA should significantly increase. As IMA and SIRA hire additional physicians and nurse practitioners in connection with their expansion made possible by the project for which tax abatement is requested, each of these providers will also be bound to provide the minimum percentages of uncompensated care set forth in this letter.

Thank you for your continuing consideration.

Sincerely,



Geoffrey M. Grodner

GMG:nb  
\\98137/05/council.921

pc: Larry Rink, MD, CEO, IMA, Inc.  
Bruce Monson, MD, President, SIRA, Inc.

**STATEMENT OF BENEFITS.**

State Form 27167 (R3/11-91)

Form SB - 1 is prescribed by the State Board of Tax Commissioners, 1989

The records in this series are CONFIDENTIAL according to IC 6-1.1-35-9

**FORM  
SB - 1****INSTRUCTIONS:**

- Statement must be submitted to the body designating the economic revitalization area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE a person installs the new manufacturing equipment, or BEFORE the redevelopment or rehabilitation of real property to which the person wishes to claim a deduction. A statement of benefits is not required if the area was designated an ERA prior to July 1, 1987 and the "project" was planned and committed to by the applicant, and approved by the designating body, prior to that date. "Projects" planned or committed to after July 1, 1987 and areas designated after July 1, 1987 require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)
- Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to initiation of the redevelopment or rehabilitation or prior to installation of the new manufacturing equipment, BEFORE a deduction may be approved.
  - To obtain a deduction, Form 322 ERA, Real Estate Improvements and / or Form 322 ERA / PP, New Machinery, must be filed with the county auditor. With respect to real property, Form 322 ERA must be filed by the later of: (1) May 10; or (2) thirty (30) days after a notice of increase in real property assessment is received from the township assessor. Form 322 ERA / PP must be filed between March 1 and May 15 of the assessment year in which new manufacturing equipment is installed, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between March 1 and June 14 of that year.
  - Property owners whose Statement of Benefits was approved after July 1, 1991 must submit Form CF - 1 annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)

**SECTION 1****TAXPAYER INFORMATION**

Name of taxpayer ROGERS PROPERTY MANAGEMENT LLP	
Address of taxpayer (street and number, city, state and ZIP code) 719 S. ROGERS STREET BLOOMINGTON, IN 47403	
Name of contact person KEVIN M. McNULTY	Telephone number (812 ) 332-9331

**SECTION 2****LOCATION AND DESCRIPTION OF PROPOSED PROJECT**

Name of designating body BLOOMINGTON COMMON COUNCIL	Resolution number
Location of property LANDMARK BUSINESS CENTER	County MONROE COUNTY
Description of real property improvements and / or new manufacturing equipment to be acquired (use additional sheets if necessary) OUTPATIENT TREATMENT FACILITY FOR IMA, INC. AND SIRA, INC. (SEE ATTACHMENT FOR DETAILS)	Estimated starting date JUNE/JULY 1999
	Estimated completion date JULY 2000

**SECTION 3****ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT**

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
271	\$16,756,800	271	\$16,756,800	121	\$6,900,000

**SECTION 4****ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT**

	Real Estate Improvements		Machinery	
	Cost	Assessed Value	Cost	Assessed Value
Current values	\$ 1,761,000		\$ 00	
Plus estimated values of proposed project	\$9,231,231		\$4,150,000	
Less values of any property being replaced	\$ 0		\$ 0	
Net estimated values upon completion of project	\$10,992,231		\$4,150,000	

**SECTION 5****OTHER BENEFITS PROMISED BY THE TAXPAYER**

SEE ATTACHMENT FOR DETAILED DESCRIPTION OF OTHER BENEFITS.

**SECTION 6****TAXPAYER CERTIFICATION**

I hereby certify that the representations in this statement are true.

Signature of authorized representative Lawrence D. Rink	Title CEO, IMA, INC.	Date signed (month, day, year) 6/18/99
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**FOR USE OF THE DESIGNATING BODY**

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5 vides for the following limitations as authorized under IC 6-1.1-12.1-2.

- A. The designated area has been limited to a period of time not to exceed \_\_\_\_\_ calendar years \* (see below). The date this designation expires is \_\_\_\_\_.
- B. The type of deduction that is allowed in the designated area is limited to:
- 1. Redevelopment or rehabilitation of real estate improvements;  Yes  No
  - 2. Installation of new manufacturing equipment;  Yes  No
  - 3. Residentially distressed areas  Yes  No
- C. The amount of deduction applicable for new manufacturing equipment installed and first claimed eligible for deduction after July 1, 1987, is limited to \$ \_\_\_\_\_ cost with an assessed value of \$ \_\_\_\_\_.
- D. The amount of deduction applicable to redevelopment or rehabilitation in an area designated after September 1, 1988 is limited to \$ \_\_\_\_\_ cost with an assessed value of \$ \_\_\_\_\_.
- E. Other limitations or conditions (specify) PLEASE SEE RESOLUTIONS 99-26 & 99-27
- F. The deduction for new manufacturing equipment installed and first claimed eligible for deduction after July 1, 1991 is allowed for:  
 5 years  10 years

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved: (signature and title of authorized member) _____, Council pres	Telephone number (812) 349-3409	Date signed (month, day, year) 9.15.99
Attested by: Patricia Williams, City Clerk	Designated body Bloomington Common Council	

\* If the designating body limits the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.1-12.1-4 or 4.5 Namely: (see tables below)

NEW MANUFACTURING EQUIPMENT		
For Deductions Allowed Over A Period Of:		
Year of Deduction	Five (5) Year Percentage	Ten (10) Year Percentage
1st	100%	100%
2nd	95%	95%
3rd	80%	90%
4th	65%	85%
5th	50%	80%
6th		70%
7th		55%
8th		40%
9th		30%
10th		25%

REDEVELOPMENT OR REHABILITATION OF REAL PROPERTY IMPROVEMENT			
For Deductions Allowed Over A Period Of:			
Year of Deduction	Three (3) Year Deduction	Six (6) Year Deduction	Ten (10) Year Deduction
1st	100%	100%	100%
2nd	66%	85%	95%
3rd	33%	66%	80%
4th		50%	65%
5th		34%	50%
6th		17%	40%
7th			30%
8th			20%
9th			10%
10th			5%