City of Bloomington Common Council

Legislative Packet

Containing legislative materials related to:

Wednesday, 3 December 2025

Regular Session at 6:30pm

City of Bloomington Common Council

AGENDA AND NOTICE: REGULAR SESSION Wednesday | 6:30 PM 3 December, 2025
Council Chambers (#115), Showers Building, 401 N. Morton Street

The meeting may also be accessed at the following Zoom link:
https://bloomington.zoom.us/j/81910240028?pwd=F09ZNyFSQxOq27QMokVfmQIdUoPICh.1

1. ROLL CALL

2. AGENDA SUMMATION

3. MINUTES FOR APPROVAL

A. September 10, 2025 – Deliberation Session

4. REPORTS (A maximum of twenty minutes is set aside for each part of this section).

A. Council members
B. The Mayor, City Clerk, City Offices, and City Boards and Commissions
  a. Economic and Sustainable Development Department – Climate Action Plan Update
C. Council Committees
D. Public*

5. APPOINTMENTS TO BOARDS AND COMMISSIONS

None

6. LEGISLATION FOR FIRST READINGS

A. Ordinance 2025-46 – To Amend The Bloomington Zoning Maps And Zone Property Currently In the Monroe County Jurisdiction To Residential Medium Lot (R2) In Anticipation Of Voluntary Annexation Re: 2005 W. Cory Drive (William Wamathai, Petitioner)
B. Ordinance 2025-47 – To Amend Title 8 Of The Bloomington Municipal Code, Entitled "Historic Preservation And Protection" To Establish A Historic District Re: The Ivan Adams House Historic District (Bloomington Historic Preservation Commission, Petitioner)
C. Ordinance 2025-43 – An Ordinance Annexing Certain Real Estate To The City Of Bloomington, Monroe County, Indiana
  a. Public Hearing: This item serves as the public hearing required under Indiana Code 36-4-3-5.1.

*Members of the public may speak on matters of community concern not listed on the agenda at one of the two public comment opportunities. Individuals may speak at one of these periods, but not both. Speakers are allowed up to three minutes.

Auxiliary aids are available upon request with adequate notice. To request an accommodation or for inquiries about accessibility, please call (812) 349-3409 or e-mail council@bloomington.in.gov.

Posted: November 21, 2025

7. LEGISLATION FOR SECOND READINGS AND RESOLUTIONS

- **A.** Resolution 2025-19 – Adopting A Fiscal Plan For the Annexation of Property Contiguous To The City of Bloomington, Indiana
- B. Appropriation Ordinance 2025-14 – To Specially Appropriate from the General Fund, Parks And Recreation General Fund, Motor Vehicle Highway Fund, CC Jack Hopkins Fund Expenditure Not Otherwise Appropriated
- **C.** Ordinance 2025-44 – To Amend Title 10 of The Bloomington Municipal Code Entitled "Wastewater" (Septic Hauler Rate Adjustment)
- **D.** Ordinance 2025-19 – To Amend Title 15 of The Bloomington Municipal Code Entitled "Removal And Impound of Vehicles"
- **E.** Ordinance 2025-20 – To Amend Chapter 4.32 of The Bloomington Municipal Code Entitled "Non-consensual Towing Business" Re: Title 4 – Updating Permissible Towing and Storage Fees for Non-consensual Towing Services under 4.32

8. ADDITIONAL PUBLIC COMMENT * (A maximum of twenty-five minutes is set aside for this section)

9. COUNCIL SCHEDULE

10. ADJOURNMENT

Bloomington City Council meetings can be watched on the following websites:

- Community Action Television Services (CATS) – https://catvstv.net
- YouTube – https://youtube.com/@citybloomington

Background materials and packets are available at https://bloomington.in.gov/council/meetings?year=2025

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Posted: November 21, 2025

Bloomington Common Council-Special Session Minutes
Council Chambers, City Hall, 401 N. Morton Street, Bloomington, Indiana
Wednesday, September 10, 2025, 6:30pm

For Approval

CALL TO ORDER [6:31pm]

Council President Stosberg called the meeting to order.

1. **ROLL CALL** (* indicates participation via Zoom) **[6:31pm]**

Councilmembers present:

Isak Nti Asare	At-Large
Courtney Daily (absent)	District 5, Council Parliamentarian
Matt Flaherty	At-Large
Isabel Piedmont-Smith	District 1, Council Vice President
Dave Rollo*	District 4
Kate Rosenbarger	District 2
Andy Ruff	At-Large
Hopi Stosberg	District 3, Council President
Sydney Zulich	District 6

City staff, officials, and guests present:

Susan Stoll	Deputy Clerk
Lisa Lehner	Council Attorney
Kari Bennett	Deputy Administrator/Attorney
Christine Chang	Temporary Council Researcher
Jamie Kreindler	Planning & Transportation, Senior Zoning Planner
David Brantez	P&T, Zoning Planner and GIS Analyst
Katie Gandhi	P&T, MPO Transportation Planner
Anna Killion-Hansen	Housing and Neighborhood Development, Director
Joy Brown	P&T, Zoning Compliance Planner
Joe Patterson	P&T, Zoning & Long Range Planner
Gabriel Holbrow	P&T, Zoning Planner

2. **AGENDA SUMMATION [6:35pm]**

Stosberg summarized the agenda.

3. **INTRODUCTION [6:35pm]**

Stosberg introduced the meeting as the first of two deliberation sessions focused on housing needs in Bloomington. The purpose of the meeting was to better understand community needs based on personal experience within the housing market.

4. **BREAKOUT GROUPS [6:40pm]**

Attendees broke out into seven small groups. A planning staff member and a councilmember facilitated discussion in each small group.

5. **REPORTING AND DEBRIEFING [8:04pm]**

Attendees gathered back in Council Chambers for the large-group debrief. A representative from each group reported on their discussion. Jamie Kreindler, Group Three, reported that many participants stated that their housing needs were currently being met. Group members were interested in the idea of Accessory Dwelling Units (ADUs). Zulich stated that Group Six had a variety of participants with similar ideals of housing, including affordability, walkability, and amenities. The group questioned the ability to build and sell property with ADUs. They felt that Bloomington needed middle-ground housing, and that homeowners who wanted to size down and first-time buyers were looking for the same type of housing. David Brantez, Group Two, reported that the group was majority homeowners, some of whom felt trapped in their current home due to home prices. The group strongly desired to live within the city and near amenities, and they were open to the idea of ADUs. Flaherty co-facilitated discussion for Group Seven, reporting that the group was majority homeowners who felt that housing was meeting their needs. Positive discussion on housing centered on attendees' neighborhoods. Flaherty stated that many participants expressed desire for safety and mixed-use neighborhoods with walkable amenities including trails, community centers, etc. The group had mixed support for ADUs and short-term rentals. Asare reported for Group Four, emphasizing affordability. He stated that the group discussed a diversity of topics, including short-term rentals, safety, density, policy tools. Some advocated for stronger partnerships with the city, Indiana University, and Ellettsville. Ruff and Anna Killion-Hansen, reporting for Group Five, stated that most owners of smaller homes said that their housing was meeting their needs. Some owners of larger homes wanted to downsize, but felt they were unable to due to interest rates. Both renters and owners liked walkable and diverse neighborhoods. Some expressed interest in the inclusion of ADUs in their lots, and the group as a whole disapproved of short-term rentals. Group One's discussion, reported by Katie Gandhi and Piedmont-Smith, included housing policy on non-core neighborhoods, renting versus owning, and support for porches.

Stosberg invited participants to share any further thoughts. Several participants made suggestions but did not give their names. Suggested ideas included condo/cooperative living associations; for the city, county, and the university to collaborate on housing; for a cultural study of Bloomington's economics; and retention of young Bloomington residents. Stosberg stated that the November 12, 2025 meeting would be the second part of the conversation with potential policy change proposals.

6. ADJOURNMENT [8:39pm]

Stosberg adjourned the meeting.

For Approval

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this ________ day of ____, 2025.

APPROVE:	ATTEST:
________________________________	________________________________
Hopi Stosberg, COUNCIL PRESIDENT	City Clerk Nicole Bolden

Clerk's Note: The above memorandum summarizes the motions passed and issues discussed rather than providing a verbatim account of every word spoken.

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Climate Action Plan Implementation Update

City of Bloomington

Economic and Sustainable Development Department

Shawn Miya, MPH
Assistant Director of Sustainability

December 2025

CITY OF BLOOMINGTON
ECONOMIC AND SUSTAINABLE DEVELOPMENT

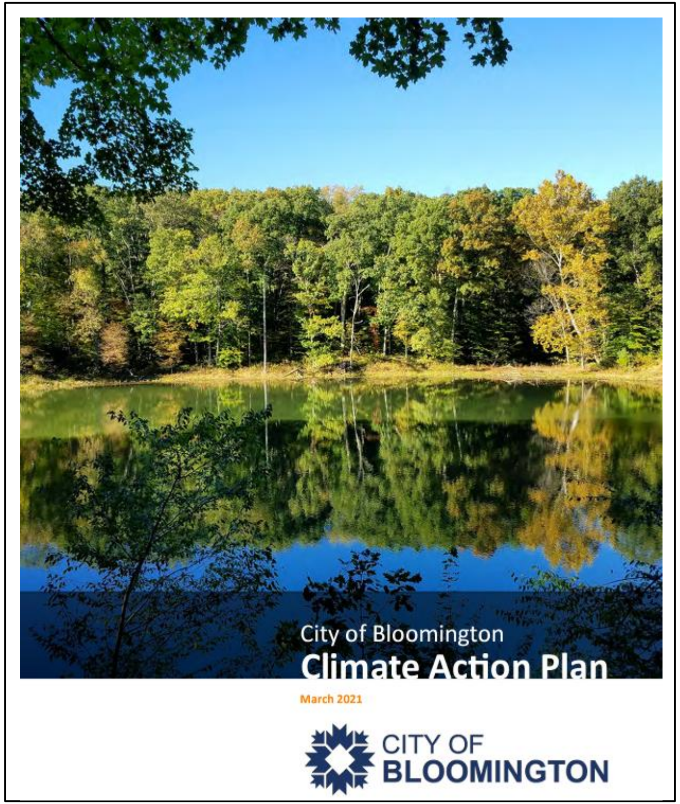
citybloomington

2021 Climate Action Plan

Goals are to reduce Bloomington community greenhouse gas emissions 25% below 2018 emission levels by 2030 and **achieve carbon neutrality by 2050**

Climate action goals are divided into 8 Sectors:

- Transportation & Land Use
- Energy & Built Environment
- Waste Management
- Water & Wastewater
- Local Food & Agriculture
- Health and Safety
- Greenspace and Ecosystem
- Climate Economy



Renewable Energy

Energy & the Built Environment

Strategy EB 1-A: Increase solar on City facilities 20% by 2030.

Goal EB 1: Increase distributed renewable energy to 250,000 MWH of total generation annually by 2030.

38 Municipal Solar Power System Installations

- ★ Total production to date 2.26 Gigawatts
- ★ ESG Kiosk - publicly available solar production website
- ★ Veregy hired for solar Operation & Maintenance (O&M)
- ★ Monitors solar production with online dashboard called PowerTrack
- ★ Replaces any broken panels, inverters, and optimizers
- ★ Fixes wiring issues as needed

Solar, Energy Efficiency, and Lighting Program

SEEL PROGRAM

SOLAR- ENERGY EFFICIENCY- LIGHTING

- ★ Grants for small businesses and nonprofits
- ★ Solar system up to max $25,000
- ★ Battery Energy Storage System up to max $20,000 (nonprofits who provide essential services only)
- ★ Issued RFP in 2025
- ★ Contract with Solar Energy Solutions

Solar, Energy Efficiency, and Lighting Program

Bloom Magazine

Since August 2024

Completed **11** solar installations

- ★ Bloom Magazine
- ★ The Juan Sells Realty Co.
- ★ Walnut Builders LLC
- ★ Associated Vitreoretinal & Uveitis Consultants
- ★ Royal South Toyota
- ★ Stone Belt
- ★ Bloomington Developmental Learning Center
- ★ First Presbyterian Church
- ★ Russian Recording LLC
- ★ Amethyst House
- ★ Community Kitchen Express

Solar, Energy Efficiency, and Lighting Program

Walnut Builders, LLC

Approved an additional **6** installations to be completed by early 2026

- ★ Boys & Girls Club of Bloomington
- ★ The Language Conservancy
- ★ New Hope for Families
- ★ Walnut Builders, LLC
- ★ Stone Belt
- ★ Mother Hubbard’s Cupboard - includes a battery energy storage system

Low Income Housing Solar Grants

2024

- ★ Grant to Bloomington Housing Authority (BHA) to install solar on 6 buildings at Crestmont

2025

- ★ Anticipate grant agreement with BHA by end of 2025 for additional buildings at Crestmont and Early Learning Center to be completed in 2026

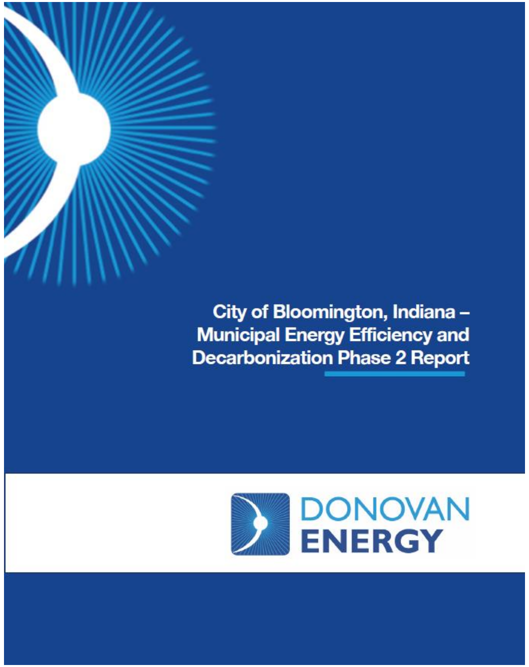
Energy Efficiency

Energy & the Built Environment

Goal EB 2 Increase energy efficiency citywide 16% for electricity and 12% for natural gas of 2018 values.

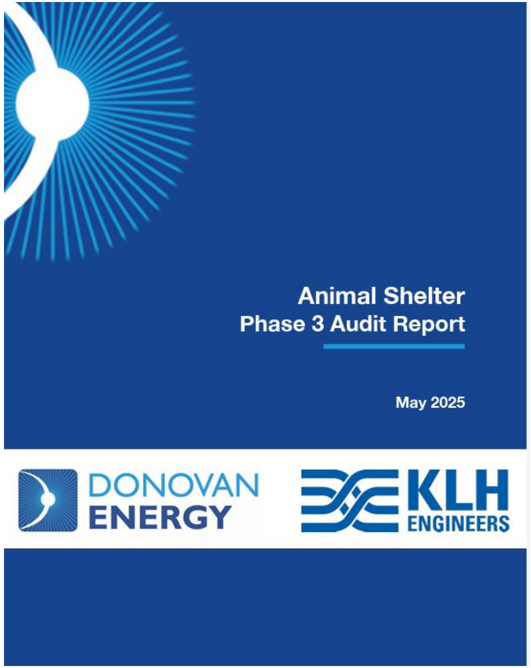
Goal EB 5: Increase financing options for Energy Efficiency and Renewable Energy projects citywide.

Donovan Energy: Municipal Energy Efficiency & Decarbonization Consulting Services



- ★ 2025 Completed Energy Assessment Report
- ★ Evaluated 32 municipal buildings
- ★ Determined Energy Use Index (EUI) for each building across municipal portfolio

Donovan Energy: Municipal Energy Efficiency & Decarbonization Services



2025 Completed Level 2 ASHRAE Energy Audits at 9 buildings:

- Animal Shelter
- Sanitation Building
- Fire Station #4
- Fire Station #5
- Allison Jukebox Community Center
- Banneker Community Center
- Switchyard Park Maintenance Building
- Rose Hill Cemetery - Office & Maintenance Shop
- Frank Southern Ice Rink

Recommended Energy Conservation Measures (ECMs)

- ★ LED Lighting Upgrades ✅
- ★ Install High Volume Low Speed (HVLS) Fan ✅
- ★ Seal Roof Penetrations ✅
- ★ Replace Roof Insulation ✅
- ★ Replace Cooling Units and Furnaces with High Efficiency Heat Pumps
- ★ Install Rooftop Solar
- ★ Program Thermostats for Evening HVAC Setbacks in Unoccupied Buildings

Recommended Energy Conservation Measures (ECMs)

LED Lighting Upgrades by City Staff

1. Allison Jukebox
2. Switchyard Park Maintenance Building

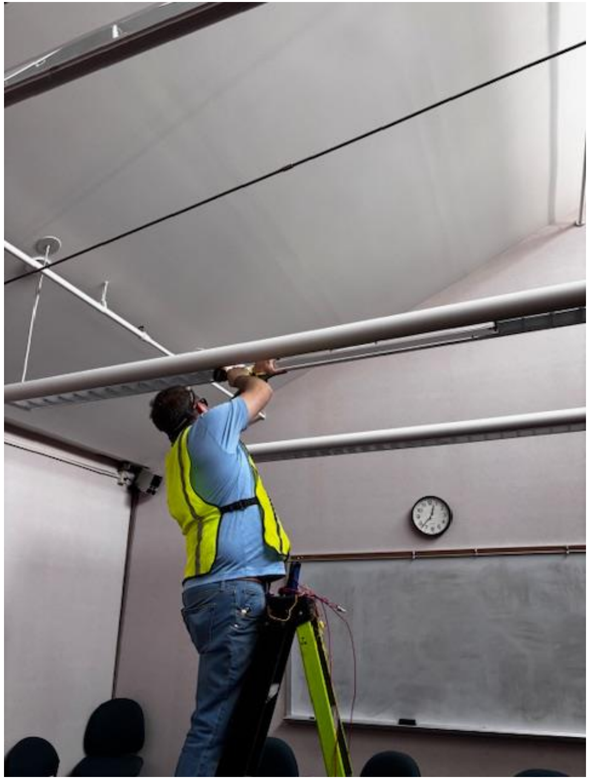
LED Lighting Upgrades by Contractor

1. Animal Shelter
2. Sanitation Building
3. Banneker Center
4. Fire Station 4
5. Fire Station 5

★ ESD issued RFP and selected Cassady Electric

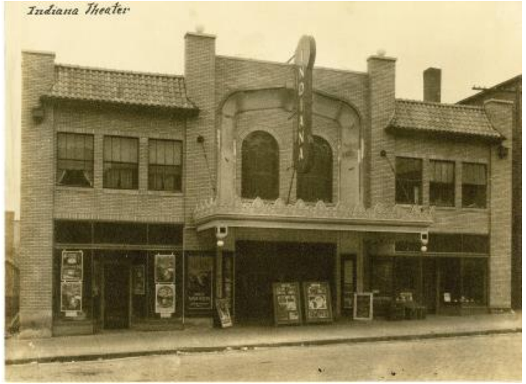
★ Will be completed by end of 2025

US Dept. of Energy's Energy Efficiency and Conservation Block Grant (EECBG)



- ★ $141,000 voucher awarded
- ★ Approved City Hall LED lighting retrofit project
- ★ Project completed in 2025
- ★ Requesting reimbursement from DOE
- ★ 67% estimated annual energy savings

Indiana Office of Energy Development
Empowering Energy Partnerships in Indiana Communities (EPIC) Grant



- ★ Awarded $508,000 grant with minimum 20% City match+ $213,316
- ★ Upgrade HVAC
- ★ Install solar system
- ★ Battery Energy Storage System (BESS)
- ★ DNR Historic Preservation Department Approval
- ★ BFD Required Structural Engineering Verification Complete
- ★ Schematic Design Phase
- ★ Estimated project completion October 2026

Solar, **Energy Efficiency, and Lighting Program**

SEEL PROGRAM

SOLAR- ENERGY EFFICIENCY- LIGHTING

Nonprofits and small businesses can receive a free energy audit and $10,000 grant for energy efficiency projects:

★ LED lighting
★ heat pump HVAC system
★ ductwork replacement
★ insulation
★ windows
★ doors
★ cool roof (**new in 2025**)

Solar, **Energy Efficiency, and Lighting Program**

WonderLab - cool roof membrane

Since August 2024

- IFF completed **8 energy audits**
- Grant recipients completed **8 upgrades:**
    - WonderLab
    - Tandem Community Birth Center & Postpartum House
    - Monroe County History Center
    - Timel LLC (Gallery Mortgage location)
    - Indiana Recovery Alliance
    - St. Thomas Lutheran Church
    - Unitarian Universalist Church
    - Covenant Christian Early Learning Place

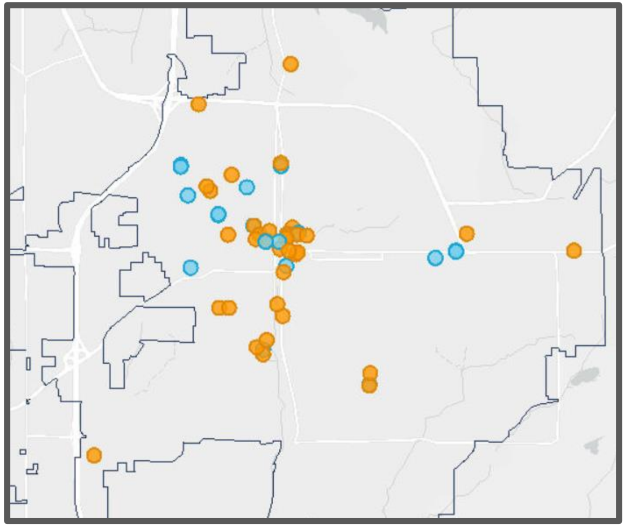
Solar, **Energy Efficiency, and Lighting Program**

Unitarian Universalist - EnergyStar windows

3 approved projects anticipated to be completed by early 2026

- ★ Bloomington Cooperative Living
- ★ Bethel AME Church
- ★ Second Baptist Church

Solar, Energy Efficiency, and Lighting Program



★ Over $1M provided to date in SEEL grants

★ ITS helped to create a SEEL Grants Map available on City of Bloomington GeoHub

Bloomington Green Home Improvement Program

BLOOMINGTON
GREEN HOME
IMPROVEMENT PROGRAM

- ★ Rebates for Bloomington homeowners
- ★ Revised program in 2025, continuing in 2026
- ★ No longer requires loan with specific bank
- ★ Rebate covers 25% of the installation, or 40% for low income residents, up to a maximum amount depending on the project type

Bloomington Green Home Improvement Program

BLOOMINGTON GREEN HOME IMPROVEMENT PROGRAM

- ★ Can be combined with utility rebates and federal tax credits
- ★ Equipment required to be EnergyStar certified or equivalent energy efficiency standard
- ★ Rebates approved for **34** recipients in 2025

Bloomington Green Home Improvement Program

BLOOMINGTON GREEN HOME IMPROVEMENT PROGRAM

2025 Approved Project Rebates:

- ★ 4 solar
- ★ 8 battery
- ★ 11 combined solar plus battery
- ★ 2 electric vehicle chargers + panel upgrades
- ★ 3 air conditioners
- ★ 2 heat pumps
- ★ 3 window projects
- ★ 1 exterior door

Bloomington Energy Works

Energy That Works for Everyone

★ City’s new program to promote energy efficiency and renewable energy across the city

★ Goal is to bring low cost capital to Bloomington for project implementation

★ Awarded $250,000 grant by the Coalition for Green Capital and ICLEI USA

★ Program partner Indiana Energy Independence Fund

Bloomington Energy Works

Energy That Works for Everyone

★ Free energy audits for any commercial, manufacturing, and nonprofit building owner to develop list of energy efficiency and solar projects in need of funding worth at least $50M

★ Create a robust public private partnership plan due March 15, 2026

★ Volunteer community engagement program with door to door campaign & group presentations

★ Competing with 48 other cities across the country

★ 1st Webinar in December!

Climate Resilience

Health & Safety

Goal HS 1 Educate, engage, and empower the public for climate health and safety.

Goal HS 2 Prepare Bloomington for climate risks and impacts.

Goal HS 3 Respond to climate risks and impacts.

Photo by Rich Janzaruk

Cool Corridors

- ★ Canopy Bloomington grant agreement
- ★ Planted trees in BHA Crestmont in 2025
- ★ Will plant trees in BHA Walnut Woods in 2026

Tree Assistance Program

- ★ Helps provide funding to remove hazardous limbs or trees for low to moderate income homeowners

Bus Stop Shelter Installations

- ★ ESD will install 6 bus stop shelters by early 2026

Stay Cool Bloomington!

- ★ Stay Cool Bloomington Days at City Pools: 15,077 free admissions
- ★ AC Distribution Program: 28 applications; 8 installations
- ★ Stay Cool Bloomington Cool Kits: 400 distributed

July 2025

★ Steering Committee approved Bylaws and Organizational Structure

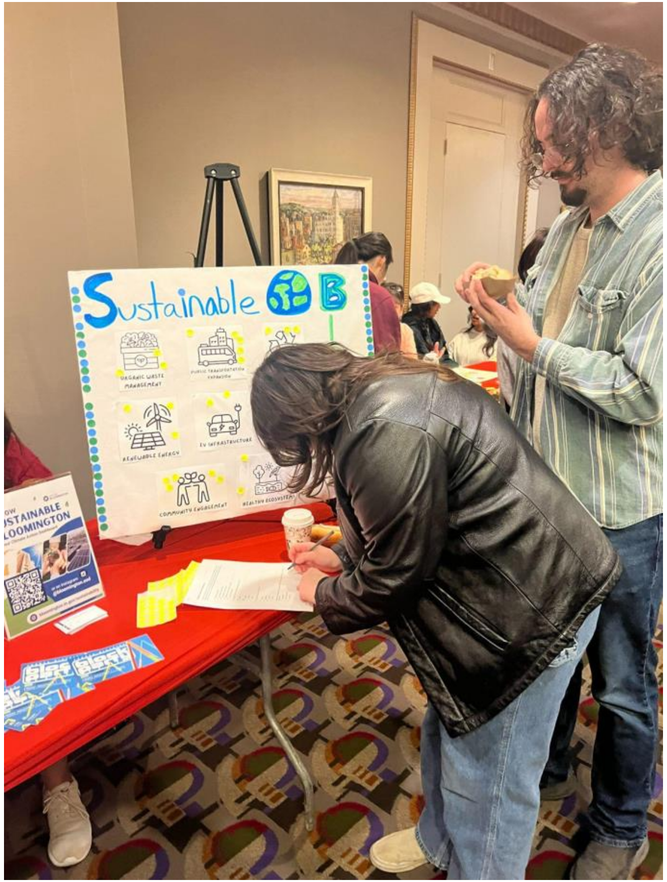
September 2025

★ Steering Committee approved Advisory Committee Memberships for:

- ○ Cummins Inc. ($10,000 annual membership)
- ○ Electron Charger ($10,000 annual membership)
- ○ Sierra Club Winding Waters Group ($1,000 annual membership)
- ○ IU Environmental Resilience Institute (In-kind support)

[New Website!]

Community Engagement



ZERO IN BLOOMINGTON

Bloomington Community Orchard

Weed Wrangle at the Rail Trail

Zero in Bloomington

sustainability action platform online

Since August 2024

- ★ 266 new users registered - total is now 708
- ★ Sustainable actions taken: 543

Spring into Sustainability March 1 - 31, 2025

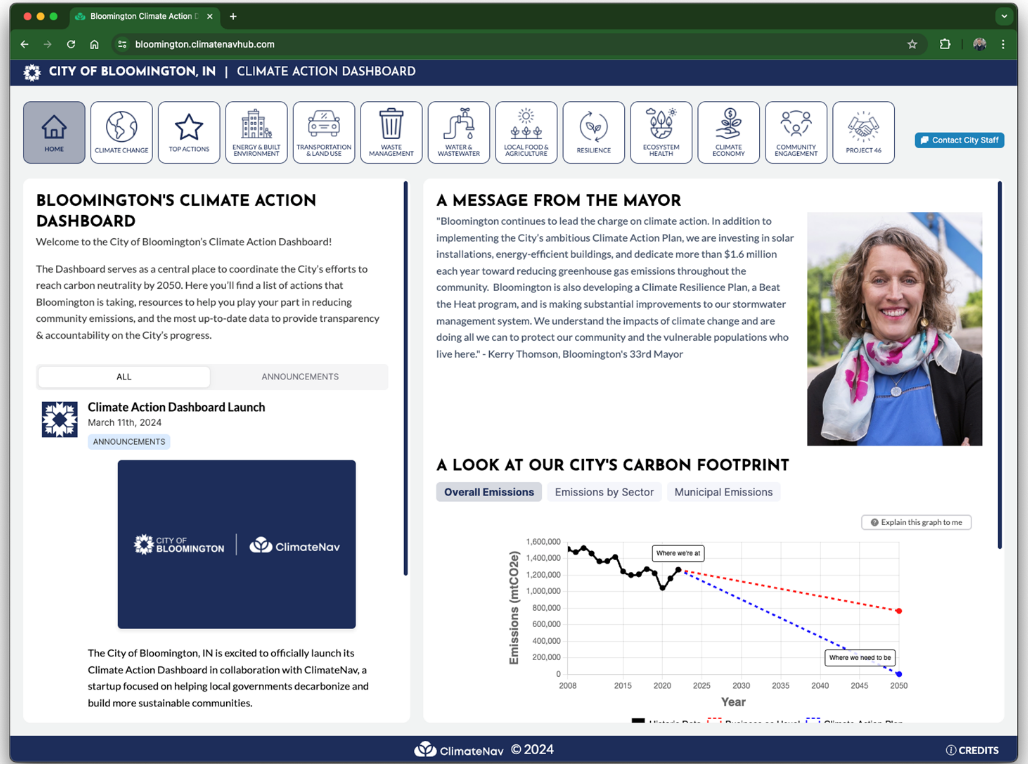
- ★ 10 community groups competed to complete the most climate-friendly lifestyle choices/actions

Sustainability Spooktacular Oct 1 - 31, 2025

- ★ Mobilized 69 residents to volunteer for environmental cause or join an educational workshop

Climate Action Plan Dashboard

- ★ Designed in collaboration between the City of Bloomington and ClimateNav
- ★ Annual GHG Inventory
- ★ Climate actions & incentives



bloomington.climatenavhub.com

THANK YOU.

Questions?

CITY OF BLOOMINGTON
ECONOMIC AND SUSTAINABLE DEVELOPMENT

citybloomington

ORDINANCE 2025-46
TO AMEND THE BLOOMINGTON ZONING MAPS AND ZONE PROPERTY CURRENTLY IN THE MONROE COUNTY JURISDICTION TO RESIDENTIAL MEDIUM LOT (R2) IN ANTICIPATION OF VOLUNTARY ANNEXATION

Re: 2005 W. Cory Drive
(William Wamathai, Petitioner)

WHEREAS, Ordinance 20-06, repealed and replaced the official zoning map within Title 20 of the Bloomington Municipal Code Entitled, “Unified Development Ordinance”;

WHEREAS, the Petitioner, William Wamathai, is concurrently seeking voluntary annexation of his property, located at 2005 West Cory Drive, into the City of Bloomington and a newly annexed property requires the establishment of its zoning;

WHEREAS, the Plan Commission has considered this case, ZO-36-25, and recommended that the Petitioner, William Wamathai, be granted a Residential Medium Lot (R2) zoning for the property; and,

WHEREAS, the Plan Commission therefore requested that the Common Council consider this petition.

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

SECTION 1. Through the authority of IC 36-7-4 and pursuant to Chapter 20.02 of the Bloomington Municipal Code, the zoning of the property at 2005 West Cory Drive shall be established as Residential Medium Lot (R2). The property is further described as follows:

> Lot 2 in Cory Lane Estates as shown on the recorded plat thereof, recorded in Plat Cabinet C, Envelope 106, in the office of the Recorder of Monroe County, Indiana

SECTION 2. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 3. Severability. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 4. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

SECTION 5. The Clerk of the City is directed to enter the effective date of the ordinance wherever it appears in the body of the ordinance.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this ____ day of ______________, 2025.

____
HOPI STOSBERG, President
Bloomington Common Council

ATTEST:

____
NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this day of ___________, 2025.

____
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this __ day of _____________, 2025.

____
KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This ordinance recommends that the property at 2005 West Cory Drive be zoned Residential Medium Lot (R2) if the voluntary annexation is approved.

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-604 I hereby certify that the attached Ordinance Number 2025-46 is a true and complete copy of Plan Commission Case Number ZO-36-25 which was given a recommendation of approval by a vote of 7 Ayes, 0 Nay, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on November 10, 2025.

Date: November 19, 2025

David Hittle, Secretary
Plan Commission

Received by the Common Council Office this 19 day of November, 2025.

Nicole Bolden, City Clerk

Appropriation Ordinance # ______ Fiscal Impact Statement Ordinance # ______ Resolution # ______

Type of Legislation:

Appropriation Budget Transfer Salary Change	End of Program New Program Bonding	Penal Ordinance Grant Approval Administrative Change
Zoning Change New Fees	Investments Annexation	Short-Term Borrowing Other

If the legislation directly affects City funds, the following must be completed by the City Controller:

Cause of Request:

Planned Expenditure	______	Emergency	______
Unforseen Need	______	Other	______

Funds Affected by Request:

Fund(s) Affected		
Fund Balance as of January 1	$	$
Revenue to Date	$	$
Revenue Expected for Rest of year	$	$
Appropriations to Date	$	$
Unappropriated Balance	$	$
Effect of Proposed Legislation (+/-)	$	$
Projected Balance	$	$

Signature of Controller

Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues?

Yes ______ No XX

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

This petition provides a recommendation for the zoning for a property if granted voluntary annexation.

If the legislation will have a major fiscal impact, explain briefly what the effect on City costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible. (Continue on second sheet if necessary.)

FUKEBANEI ORD=CERT.MRG

Interdepartmental Memo

To:	**Members of the Common Council**
From:	**Eric Greulich, Development Services Manager**
Subject:	**ZO-36-25/Ordinance 2025-46**
Date:	**November 18, 2025**

Attached is the staff report which pertain to Plan Commission case ZO-36-25. The Plan Commission heard this petition at the November 10, 2025 hearing and voted 7-0 to send this petition to the Common Council with a positive recommendation to zone the subject property to Residential Medium Lot (R2) if the voluntary annexation is approved.

The Plan Commission report for that hearing is included below.

REQUEST: The petitioner is requesting a map amendment (rezone) of approximately 0.39 acres to zone a property Residential Medium Lot (R2) for a voluntary annexation request. Also requested is a waiver of the required second hearing.

BACKGROUND:

Area:	0.39 acres
Current Zoning:	Monroe County- Residential 1 (RES)
Comp Plan Designation:	Monroe County Urbanizing Plan (MCUA) – Mixed Residential
Existing Land Use:	Vacant
Proposed Land Use:	Dwelling, duplex
Surrounding Uses:	North – Dwelling, Single Family (detached)
	South – Moose Lodge
	East – Dwelling, Single Family (detached)
	West – Dwelling, Single Family (detached)

REPORT: This 0.39 acre petition site is identified as Lot #2 in Cory Lane Estates and is approximately 128' wide by 47' deep. The property is within the Monroe County Planning jurisdiction and is zoned Residential 1 (RES). Surrounding properties to the north, west, and east are also in the Monroe County Planning jurisdiction and are also zoned Residential 1 (RES). The property to the south is within the City jurisdiction and is zoned Residential Medium Lot (R2). The property is undeveloped and appears to have a karst feature in the southeast corner of the property and a substantial amount of tree coverage. A drainage easement was required with the original subdivision approval for the portions of this property with the potential karst feature. If a karst feature is verified, then it would be restricted for development within 25' of the last closed contour per the requirements of the Unified Development Ordinance. Any development on this lot would be subject to the City's Unified Development Ordinance if the property is annexed.

The petitioner is requesting voluntary annexation to be incorporated into the City and if annexation is approved by the Common Council, then zoning for the property must also be assigned. This petition is for a recommendation to the Council for the proposed zoning for this property if the annexation is approved. The City Plan Commission approved the subdivision (Cory Lane Estates) that this property is part of in 1992 under Plan Commission case #DP-29-91 when this area was formerly in the City AIFA. Since this property shares a property line that is contiguous with the City boundary to the south, the property does meet the requirements for "super voluntary" annexation.

If the property is annexed, the zoning of this property as Residential Medium Lot (R2) would be in consistent with the adjacent property to the south as well as the recommendation of the Comprehensive Plan and the Monroe County Urbanizing Plan.

COMPREHENSIVE PLAN: The Monroe County Urbanizing Plan (MCUA) designates this property as "Mixed Residential". The MCUA states that mixed residential neighborhoods accommodate a wide array of both single family and attached housing types integrated into a cohesive neighborhood. These neighborhoods are intended to serve a growing market demand for new housing choices among the full spectrum of demographic groups. These neighborhoods are often located immediately adjacent to Mixed-Use Districts, providing a residential base to support nearby commercial activity within a walkable or transit-accessible distance.

Adjacent land to the south (within the City) is designated as Neighborhood Residential within our Comprehensive Plan, which is similar to the MCUA designation of Mixed Residential. Both districts encourage a range of housing types, focusing on lower density and mix of uses including single family residential and attached housing types (plexes).

Zoning Map Amendment: The Plan Commission shall review the zoning map amendment petition and shall forward its recommendation to the Common Council in accordance with Section 20.06.040(g) (Review and Decision), based on the approval criteria in Section 20.06.040(d)(6) Approval Criteria) and the following specific approval criteria:

20.06.040(d)(6)(B) General Compliance Criteria

i. Compliance with this UDO

ADOPTED FINDING: Although a perspective site plan has been submitted, further analysis of the possible karst feature on the property must be done before a site plan can be approved. No site plan approval is being given with this annexation and rezoning recommendation petition. As mentioned, there is a potential karst feature on the property that must be evaluated with any development petition. The proposed use and development of this property must comply with the UDO, which includes tree preservation requirements and karst protection standards.

ii. Compliance with Other Applicable Regulations

ADOPTED FINDING: The annexation component of this petition is being evaluated under a separate piece of legislation.

iii. Compliance with Utility, Service, and Improvement Standards

ADOPTED FINDING: Water and sewer service are present within the subdivision and along this lot, final approval from City of Bloomington Utilities is required with any development. Drainage for any development on the property must also be reviewed with any development plan for compliance with the UDO and CBU standards

iv. Compliance with Prior Approvals

ADOPTED FINDING: The subdivision approval (DP-29-91) required a drainage easement along the east side of this property, which was shown on the recorded plat. Although the previous subdivision approval did not identify the possible karst feature on this property as a sinkhole, it does need to be evaluated for any changes that might require it to be regulated under current regulations. There were no other conditions of approval or restrictions that related to this lot specifically other than the required drainage easement.

20.06.040(d)(6)(D) Additional Criteria Applicable to Primary Plats and Zoning Map Amendments (Including PUDs)

i. Consistency with Comprehensive Plan and Other Applicable Plans

ADOPTED FINDING: As mentioned, the Monroe County Urbanizing Plan (MCUA) designates this property as "Mixed Residential". The MCUA states that mixed residential neighborhoods accommodate a wide array of both single family and attached housing types integrated into a cohesive neighborhood. These neighborhoods are intended to serve a growing market demand for new housing choices among the full spectrum of demographic groups. These neighborhoods are often located immediately adjacent to Mixed-Use Districts, providing a residential base to support nearby commercial activity within a walkable or transit-accessible distance.

Adjacent land to the south (within the City) is designated as Neighborhood Residential within our Comprehensive Plan, which is similar to the MCUA designation of Mixed Residential. Both designations within the MCUA and City's Comprehensive Plan encourage a range of housing types, focusing on lower density and mix of uses including single family residential and attached housing types (plexes). In addition, this property and subdivision is within close proximity to Bloomfield Road with transit access and adjacent to land zoned and developed with mixed-uses, in keeping with recommendations of both the MCUA and the City's Comprehensive Plan.

ii. Consistent with Intergovernmental Agreements

ADOPTED FINDING: There is nothing in the Interlocal Agreement that deals with annexation requests.

iii. Minimization or Mitigation of Adverse Impacts

ADOPTED FINDING: There are no expected adverse impacts with the zoning of this property to the Residential Medium Lot (R2) zoning district. This zoning is similar to the the County's current zoning.

iv. Adequacy of Road Systems

ADOPTED FINDING: There are no known problems with the existing Cory Drive road or infrastructure.

v. Provides Adequate Public Services and Facilities

ADOPTED FINDING: There are no known deficiencies in the utility service to Cory Drive or this area. The subdivision is served by City of Bloomington Utilities and any development on this lot would be required to connect to existing utility service lines.

vi. Rational Phasing Plan

ADOPTEED FINDING: No phasing with this petition is proposed or expected.

20.06.070(b)(3)(E)(i)(1) Specific Approval Criteria:

[a] The recommendations of the Comprehensive Plan;

ADOPTED FINDING: As mentioned, the Monroe County Urbanizing Plan (MCUA) designates this property as "Mixed Residential". The MCUA states that mixed residential neighborhoods accommodate a wide array of both single family and attached housing types integrated into a cohesive neighborhood. These neighborhoods are intended to serve a growing market demand for new housing choices among the full spectrum of demographic groups. These neighborhoods are often located immediately adjacent to Mixed-Use Districts, providing a residential base to support nearby commercial activity within a walkable or transit-accessible distance.

Adjacent land to the south (within the City) is designated as Neighborhood Residential within our Comprehensive Plan, which is similar to the MCUA designation of Mixed Residential. Both designations within the MCUA and City's Comprehensive Plan encourage a range of housing types, focusing on lower density and mix of uses including single family residential and attached housing types (plexes). In addition, this property and subdivision is within close proximity to Bloomfield Road with transit access and adjacent to land zoned and developed with mixed-uses, in keeping with recommendations of both the MCUA and the City's Comprehensive Plan.

[b] Current conditions and character of structures and uses in each zoning district;

ADTOPED FINDING: The surrounding structures and uses to the west, north, and east are single family residences. Although the property to the south is currently used as community building, it is zoned for possible single family uses and a public road stub to that property was required with the Cory Lane subdivision approval to provide future connection. The suggested zoning of this property for Residential Medium Lot (R2) would be in keeping with the current conditions and character of surrounding structures and uses.

[c] The most desirable use for which the land in each zoning district is adapted;

ADOPTED FINDING: The MCUA and City Comprehensive plan both identify this area as appropriate for low density residential uses and diverse housing types, which are allowed within the suggested Residential Medium Lot (R2) district standards.

[d] The conservation of sensitive environmental features;

ADOPTED FINDING: As mentioned continued evaluation of the possible karst feature and compliance with the UDO tree preservation standards will be evaluated with any specific development proposal. Adherence to all standards of the UDO is required.

[e] The conservation of property values throughout the jurisdiction; and

ADOPTED FINDING: The suggested zoning of this property as Resdential Medium Lot (R2) is not expected to have any adverse impacts on surrounding property values.

[f] Responsible development and growth.

ADOPTED FINDING: The inclusion of this property within the City boundaries and zoning would allow for development of the property that is in keeping with all of the requirements of the UDO and allow for development along a road that is served by City utilities and has good access to transit service and road infrastructure. This furthers many goals of the Comprehensive Plan and housing studies encouraging infill development.

RECOMMENDATION: The Plan Commission voted 7-0 to forward this petition to the Common Council with a favorable recommendation that if the property is annexed the zoning should be Residential Medium Lot (R2).

ORDINANCE 2025-47

TO AMEND TITLE 8 OF THE BLOOMINGTON MUNICIPAL CODE, ENTITLED "HISTORIC PRESERVATION AND PROTECTION" TO ESTABLISH A HISTORIC DISTRICT – Re: The Ivan Adams House Historic District (Bloomington Historic Preservation Commission, Petitioner)

WHEREAS, the Common Council adopted Ordinance 95-20 which created a Historic Preservation Commission ("Commission") and established procedures for designating historic districts in the City of Bloomington; and

WHEREAS, on October 23rd, 2025, the Commission held a public hearing for the purpose of allowing discussion and public comment on the proposed historic designation of the Ivan Adams House at 115 E 12th Street; and

WHEREAS, at the same hearing, the Commission found that the building has historic and architectural significance that merits the protection of the property as a historic district; and

WHEREAS, at the same hearing, the Commission approved a map and written report which validates the proposed district by addressing the criteria outlined in Bloomington Municipal Code 8.08.010; and

WHEREAS, at the same hearing the Commission voted to submit the map and report which recommend local historic designation of said properties to the Common Council; and

WHEREAS, the report considered by the Commission at this hearing notes that this property consists of the house at 115 E 12th Street which is a craftsman California bungalow built in the mid-1920s. From 1925 to 1946, this house was the residence of prominent local stone carver Ivan Adams and his wife Gladys. Ivan Adams is significant locally for his limestone sculptures and reliefs both within Bloomington and nationwide. The property is located in the area identified in the Indiana Historic Sites and Structures Inventory as the Cottage Grove Historic District.

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

SECTION 1. The map setting forth the proposed historic district for the site is hereby approved by the Common Council, and said historic district is hereby established. A copy of the map and report submitted by the Commission are attached to this ordinance as Attachment A and incorporated herein by reference and two copies of them are on file in the Office of the Clerk for public inspection.

The legal description of this property is further described as:

013-06580-00 LADES LOT 28 in the City of Bloomington, Monroe County, Indiana.

SECTION 2. The property at 115 E 12th Street shall be classified as "Contributing".

SECTION 3. Chapter 8.20 of the Bloomington Municipal Code, entitled "List of Designated Historic and Conservation Districts," is hereby amended to add to the bottom of the list, in similarly fashioned cells, the following:

The Ivan Adams House	115 E 12th Street

SECTION 4. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 5. This ordinance 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 ________ day of ________________, 2025.

____
HOPI STOSBERG, 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 ____________ day of __________________ 2025.

____
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this __________ day of ___________________ 2025.

____
KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends Chapter 8.20 of the Bloomington Municipal Code entitled "List of Designated Historic and Conservation Districts" in order to designate "The Ivan Adams House," parcel number 013-06580-00 LADES LOT 28, located at 115 E 12th Street, City of Bloomington, Monroe County, Indiana, as a historic district. Built in the mid-1920s, The Ivan Adams House is a craftsman California bungalow that retains a high degree of architectural integrity. The house is associated with Ivan Adams, one of the most prominent local stone carvers whose work can be found in significant and recognizable sites around Bloomington and the United States.

115 E 12th Street GIS Boundary Map

Attachment A
Ordinance 2025-47

HD-25-01
115 E 12th St. (Ivan Adams House)

Staff Report: Bloomington Historic Preservation Commission

The property at 115 E 12th St. qualifies for local designation under the following highlighted criteria found in Ordinance 95-20 of the Municipal Code (1) a

1) Historic:
   a) Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the city, state, or nation; or is associated with a person who played a significant role in local, state, or national history; or
   b) Is the site of an historic event; or
   c) Exemplifies the cultural, political, economic, social, or historic heritage of the community.

2) Architectural:
   a) Embodies distinguishing characteristics of an architectural or engineering type; or
   b) Is the work of a designer whose individual work has significantly influenced the development of the community; or
   c) Is the work of a designer of such prominence that such work gains its value from the designer's reputation; or
   d) Contains elements of design, detail, materials, or craftsmanship which represent a significant innovation; or
   e) Contains any architectural style, detail, or other element in danger of being lost; or
   f) Owing to its unique location or physical characteristics, represents an established and familiar visual feature of the city; or
   g) Exemplifies the built environment in an era of history characterized by a distinctive architectural style

Case Background

115 E 12th St is a gable-front one-story California Bungalow that retains most of its original features but has been resided in wide asbestos board. The house was first owned between 1927 and 1945 by Ivan Adams and his wife Gladys. Ivan ranked among the most prominent local stone carvers, whose work includes the Bloomington Courthouse WWII memorial, the IU seal at Foster Quad Dorm, contribution to the columns and frieze on the Fine Arts Palace for Chicago's Century of Progress exhibition in 1933, the National Shrine of the Immaculate Conception in Washington, D.C., the 21 foot statue of Our Lady of Lourdes (hospital) at Indian Hill in Camden, N.J. and various other statues of the Virgin Mary and saints for Catholic institutions around the country. A monumental statue of his marks the grave of Gladys and

himself at Rose Hill Cemetery. Adams' Herald Telephone obituary in 1968 describes him as "one of Monroe County's most famous stone carvers," and in 1977 local carver Ronald Wampler described him as one of "the greatest stone carvers in the area I have ever known."

After the Adams moved out, the house was rented out for the next thirty years to a number of tenants, most of whom did not stay longer than several years. One of the most prominent occupants was Robert Quirk, a professor of Mexican History and editor of the American history review. He was the recipient of the Frederick Jackson Turner award for debut books by historians, and lived at this location from 1955-1956. In 1977, this house was the first Bloomington residence of James and Susan Butler, founders of Butler Winery.

From 1987 to 1991, this home was the residence of opera student Judith Barnes and visiting lecturer in Spanish, Anthony Kerrigan. Kerrigan won the National Book Award in 1975 for his translation of Miguel de Unamuno's The Agony of Christianity and a Senior Fellowship in Literature from the National Endowment for the Arts for a lifelong contribution to American Letters in 1988. He was the first to translate the Spanish writings of Jorge Luis Borges into English, and taught at both IU and Notre Dame while living at 115 E 12th St.

For a property to be eligible for listing under this criterion several conditions must be met. Firstly, in most cases the person associated with this property must have made their significant accomplishments at least fifty years ago, and secondly the property must be associated with this period in their life or career. Anthony Kerrigan has been widely acknowledged for his contributions to Spanish literature, however there are other properties associated with his career from more than fifty years ago, so it would be difficult to make a case for designating the house in which he lived from 1987 to 1991. Susan and James Butler established one of the early Southern Indiana wineries as well as the Indiana Wine Grape Council. They left this house in 1982 when they established their own winery, and their contribution to local history is more closely associated with the Butler Winery property. Stone carver Ivan Adams lived at this property for a good part of his productive career while he participated in the carving of public and religious monuments both locally and Nationwide. He is locally recognized as one of the most prominent carvers in the Southern Indiana limestone industry, particularly as the number of sculpture carvers dwindled postwar. He moved in 1946 to 2921 S Rogers during the latter part of his career where he built a house and workshop, neither of which is still standing. The exterior of this building at 115 E 12th St has been fairly unaltered from its original appearance, and an excellent example of a small 1920s California Bungalow.

Works Cited:

"Children's Museum Displaying Sesquicentennial in Stone." Herald Telephone. September 28, 1968.

"Christ's Figure is Stone." Herald Telephone. June 13, 1963.

"Crucifixion Statue is Carved Here: Scheduled for New York Church." Herald Telephone. March 22, 1936.

"Local Artisans Carve Panels for Cathedral." Herald Telephone. July 27, 1968.

Polk City Directories. R.L. Polk & Co. 1927-1993.

Rife, Douglas. "Ivan Adams, Stone Carver, Take Two." *Gravely Speaking.* August 3, 2016. https://gravelyspeaking.com/2016/08/03/ivan-adams-stone-carver-take-two/

Smith, George. "Area Men of Stone Battle for Survival." Herald Telephone. April 28, 1968.

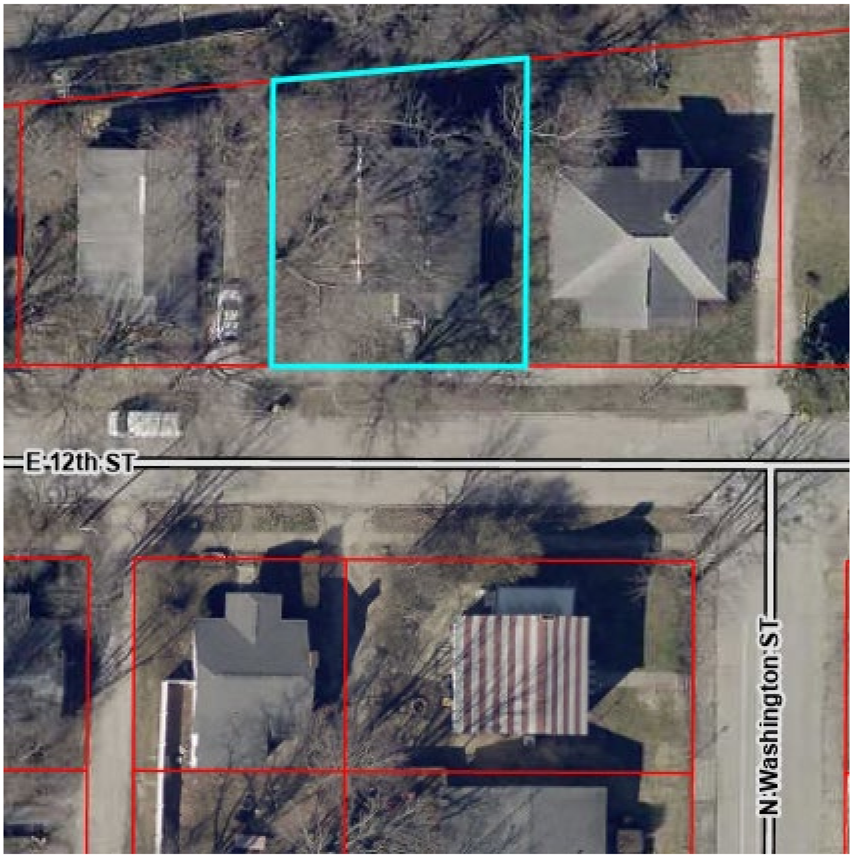
Smith, George. "Children's Museum 'Just Grew.'" Herald Telephone. October 13, 1968.

Tufford, Carolyn, Stone carvers: "Few Remain as demand for classical carving falls; yet one in Bloomington kept busy seven days a week." Herald Times. September 29, 1977.

U.S. Census Bureau. 1930-1950.

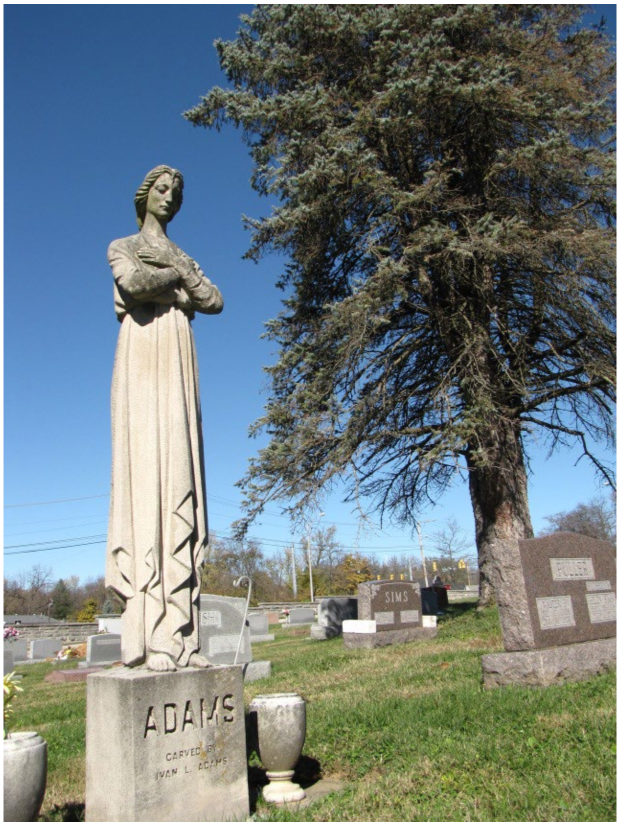
"Well-Known Stone Carver Dead at 63." Herald Telephone. June 19, 1968.

115 E 12th St in 2025



Map 115 E 12th St Outlined in Blue

Holy Cross Rectory, Rochester NY

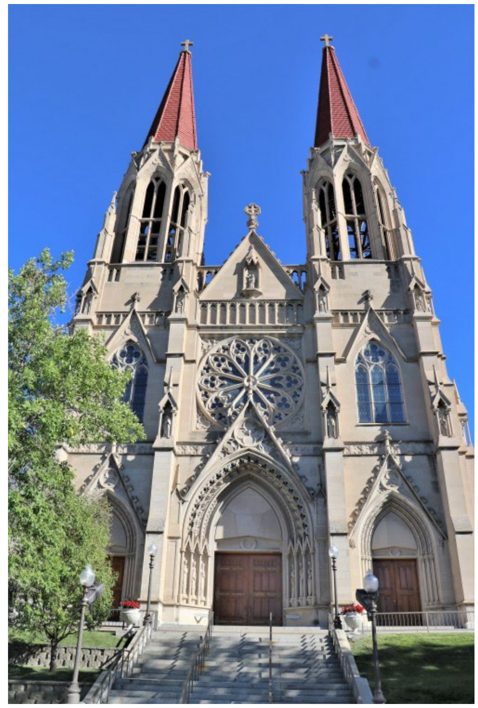


Adams Plot, Rose Hill Cemetery

Spirit of the Fighting Yank, Monroe County Courthouse Square

Relief at 3rd and Dunn

Foster Quad, Indiana University



Our Lady of Lourdes, Camden NJ

St. Helena’s Cathedral, Helena Mt

St. Mary Magdelene Church, Columbus OH

Los Angeles Times Building, Los Angeles California

Fine Arts Palace, Chicago

CITY OF
BLOOMINGTON
HOUSING AND NEIGHBORHOOD DEVELOPMENT

TO: Common Council
FROM: Noah Sandweiss, Historic Preservation Program Manager
RE: Historic District Nomination for the Ivan Adams House located at 115 E 12^{th} Street, Bloomington IN
DATE: November 18, 2025

At the October 23, 2025 meeting, the Bloomington Historic Preservation Commission voted to recommend historic designation for the Ivan Adams House with a vote 5-0 based on the following Historic District Criteria from BMC 8.08.010:

"(e) Historic District Criteria. An historic district shall include a building, groups of buildings, structure(s), site(s), monument(s), streetscape(s), or neighborhood(s) which meet at least one of the following criteria:
(1) Historic:
a) Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the city, state, or nation; or is associated with a person who played a significant role in local, state, or national history."

BACKGROUND:
The house at 115 E 12th Street is a gable-front one-story California Bungalow that retains most of its original features. It was first owned between 1927 and 1945 by Ivan Adams and his wife Gladys. Ivan ranked among the most prominent local stone carvers, whose work includes the Bloomington Courthouse WWII memorial, the IU seal at Foster Quad Dorm, contribution to the columns and frieze on the Fine Arts Palace for Chicago's Century of Progress exhibition in 1933, the National Shrine of the Immaculate Conception in Washington, D.C., the 21 foot statue of Our Lady of Lourdes (hospital) at Indian Hill in Camden, N.J. and various other statues of the Virgin Mary and saints for Catholic institutions around the country. He was regarded by his peers as one of Bloomington's foremost stone carvers, and his work can be found in significant and recognizable sites around Bloomington and the United States.

The Historic District Map and Report, labeled as Attachment A to Ordinance 2025-47, are included with this memo.

FISCAL IMPACT:
There is no fiscal impact to the City.

STAFF CONTACT:
Noah Sandweiss, Historic Preservation Program Manager
812.349.3507
Noah.sandweiss@bloomington.in.gov

ORDINANCE 2025-43

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA

WHEREAS, the City of Bloomington, Monroe County, Indiana ("City"), in accordance with Ind. Code §36-4-3-5.1, wishes to annex property at 2005 W. Cory Drive consisting of approximately 0.39 acres located outside of but contiguous to the City, that area being more particularly described in Exhibit "A", attached hereto and incorporated herein, and further depicted in Exhibit "B", attached hereto and incorporated herein (the "Annexed Territory"); and

WHEREAS, in accordance with Ind. Code §36-4-3-5.1(e), on or around December 3, 2025, the Common Council held a duly noticed public hearing regarding the Annexed Territory; and

WHEREAS, the Common Council has determined, in accordance with Ind. Code §36-4-3-5.1, the petition requesting voluntary annexation is signed by 100% of the owners of land within the Annexed Territory; and

WHEREAS, in accordance with Ind. Code §36-4-3-1.5, the Common Council has determined that that Annexed Territory is contiguous as at least one-eighth (1/8) of the aggregate external boundaries of the Annexed Territory coincides with the boundaries of the City; and

WHEREAS, on or around December 3, 2025, in accordance with Ind. Code §§ 36-4-3-3.1 and 36-4-3-13, the Common Council adopted a Written Fiscal Plan for the Annexed Territory; and

WHEREAS, the Common Council now desires to annex the Annexed Territory generally known as 2005 W. Cory Drive.

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

SECTION 1. **Contiguity.** The petition requesting voluntary annexation for the Annexed Territory, further described in Exhibit "A", attached hereto and incorporated herein, and graphically depicted in Exhibit "B", attached hereto and incorporated herein, is signed by 100% of the owners of land within the Annexed Territory and is contiguous to the City boundaries as at least one-eighth (1/8) of the aggregate external boundaries of the Annexed Territory coincides with the boundaries of the City.

SECTION 2. **Annexed Territory.** The real estate containing approximately 0.39 acres more or less legally described in Exhibit "A", and graphically depicted in Exhibit "B", generally known as 2005 W. Cory Drive, is hereby annexed to and declared to be a part of the City of Bloomington, Indiana.

SECTION 3. **Council District.** The above-described real estate is hereby assigned to Council District 1 and shall become a part thereof immediately upon the effective date of this ordinance.

SECTION 4. **Effective Date.** The effective date of this annexation shall be as soon as allowed by law following its adoption, execution, filing and publication as required by law.

SECTION 5. All ordinances or parts thereof in conflict herewith are hereby repealed.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this ________ day of _______________, 2025.

____
HOPI STOSBERG, 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 ______ day of ________________, 2025.

____
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this ______ day of __________________, 2025.

____
KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This ordinance, pursuant to a voluntary annexation petition, annexes the real estate commonly known as 2005 W. Cory Drive, Bloomington, Indiana, a parcel located outside of, but contiguous with, city boundaries.

DULY ENTERED
FOR TAXATION
7/30/2024
Brianne M. Gregory
Auditor Monroe County, Indiana

EXHIBIT "A"

2024007911 WAR $25.00
7/30/2024 10:44:47 AM 3 PGS
Amy Swain
Monroe County Recorder IN
Recorded as Presented

Mail Tax Bills to:
220 W. Gordon Pike
Bloomington, IN 47403

WARRANTY DEED

THIS INDENTURE WITNESSETH that DON COWDEN FOUNDATION, INC., an Indiana corporation, of Monroe County, in the State of Indiana, CONVEYS AND WARRANTS to KANYISON LLC, an Indiana limited liability company, of Monroe County, in the State of Indiana, for and in consideration of One Dollar ($1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, the following Real Estate in Monroe County, in the State of Indiana, to-wit:

Lot 2 in Cory Lane Estates as shown on the recorded plat thereof, recorded in Plat Cabinet C, Envelope 106, in the office of the Recorder of Monroe County, Indiana

Parcel Number: 53-08-06-104-051.000-008 (014-15320-02)
Commonly known as: 2005 W. Cory Drive, Bloomington, Indiana 47403

SUBJECT TO THE FOLLOWING:

1. All covenants, conditions, restrictions, easements, and encumbrances in the plat of Cory Lane Estates (Replat of Cowden Addition), as shown by the recorded plat thereof recorded July 22, 1994, in Plat Cabinet C, Envelope 106 and shown as Instrument No. 411983, in the office of the Recorder of Monroe County, Indiana, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.

2. Declaration of Covenants, Restrictions Reservations and Easements for Cory Lane Estates dated July 1, 1994 and recorded July 22, 1994, in Book 227, Page 268 and amended by Amended Declaration of Covenants, Restrictions Reservations and Easements for Cory Lane Estates dated August 17, 1994 and recorded August 18, 1994, in Book 228, Page 57, all in the office of the Recorder of Monroe County, Indiana, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.

3. Easement for Sewer Line in favor of City of Bloomington dated April 24, 1979 and recorded October 23, 1980, in Book 278, Page 439, in the office of the Recorder of Monroe County, Indiana.

4. Subject to the dues and assessments of the Cory Lane Estates Homeowner's Association.

5. Taxes for the year 2024 due and payable in 2025 and all subsequent taxes and assessments.

Dated this 24th day of July, 2024

DON COWDEN FOUNDATION, INC

Cr Cech President

By: Craig Cowden, President

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

Before me, a Notary Public in and for said County and State, personally appeared Criag Cowden, President of DON COWDEN FOUNDATION, INC., an Indiana corporation who acknowledged execution of the above and foregoing Warranty Deed this 24th day of July, 2024.

In Witness Whereof, I have hereunto subscribed my name and affixed my official seal.

My Commission Expires: ___________ Carrie B. Byrer
Notary Public

Residing in Monroe County Carrie B. Byrer
Carrie B. Byrer

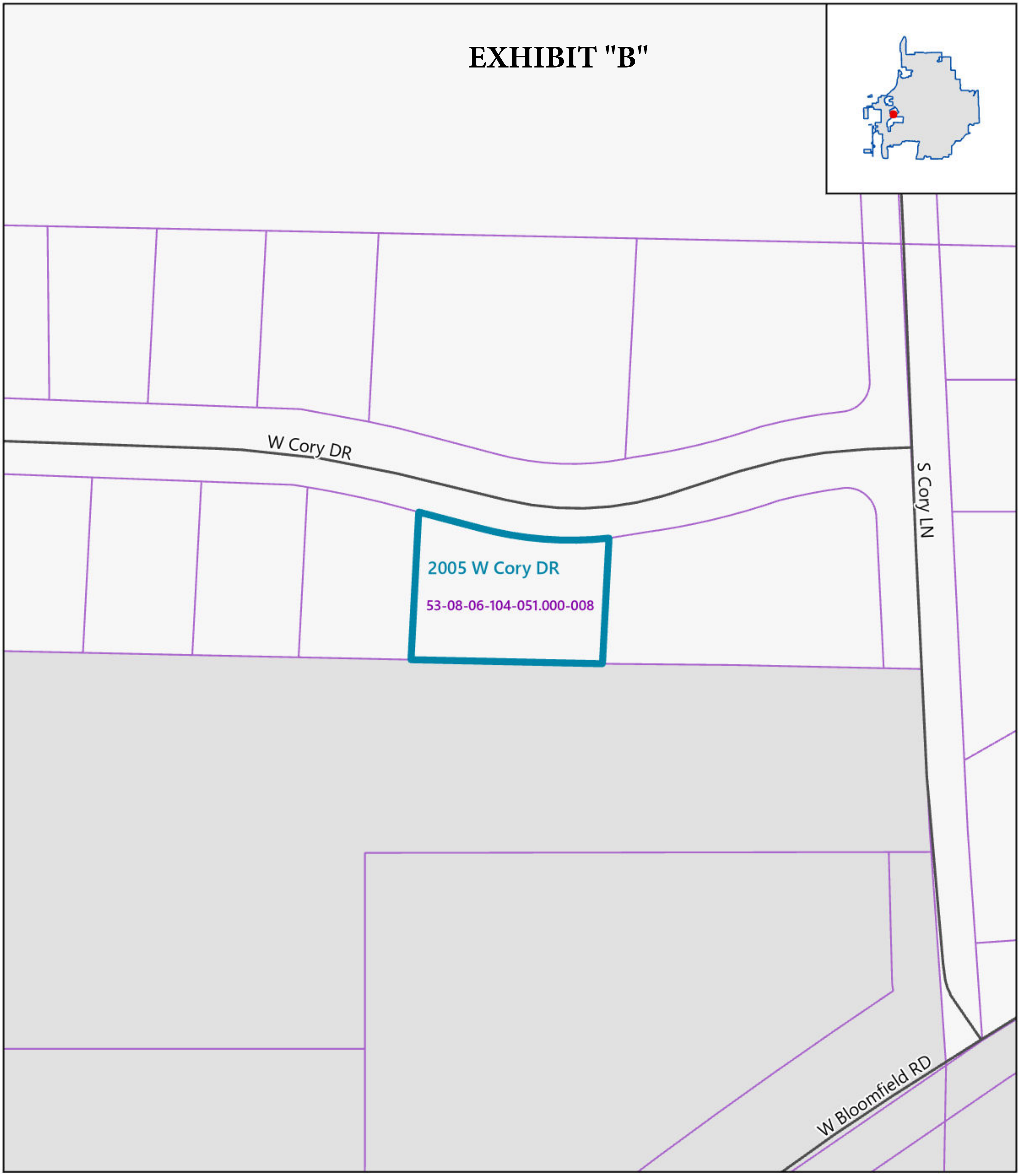
NOTARY PUBLIC SEAL STATE OF INDIANA
CARRIE B BYRER
My Commission Expires
September 27, 2031
Commission Number NP0673463
Monroe County

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Michael L. Carmin

This instrument prepared by Michael L. Carmin, Attorney at Law, Paganelli Law Group, 116 W. 6th Street, Suite 200, P.O. Box 2639, Bloomington, IN 47402-2639

447871/55001-80AT

EXHIBIT "B"



ITS Department City of Bloomington

Voluntary Annexation 1

Monroe County
Municiple Boundary
53-08-06-104-051.000-008

Parcel Acreage - 0.39
Contiguity - 24.4%

0 75 150 FT

For use as map information only, information is NOT warranted.

Produced: 8/6/2025

RECEIVED
OCT 22 2025
City of Bloomington
Clerk's Office

PETITION FOR VOLUNTARY ANNEXATION INTO THE CITY OF BLOOMINGTON, INDIANA

WHEREAS, Kanyison LLC (hereinafter, the "Petitioner"), is the sole and only owner of certain property located at the common street address of 2005 W. Cory Drive, Bloomington, Indiana 47403, which is more particularly described in the Warranty Deed attached as Exhibit "A", and incorporated herein by reference (the "Real Estate");

WHEREAS, the Real Estate is contiguous to public highways and public rights-of-way;

WHEREAS, the City of Bloomington has by ordinance defined the corporate boundaries of the City of Bloomington, Indiana;

WHEREAS, the Petitioner voluntarily desires that the Real Estate be annexed by the City of Bloomington; and,

WHEREAS, at least one-eighth (1/8) of the aggregate external boundaries of the Real Estate coincide with the boundaries of the annexing municipality.

NOW THEREFORE, the Petitioner, in support of this Petition for Annexation into the City of Bloomington, Indiana (the "Petition"), hereby states the following:

1. The Petitioner is the sole and only owner of the Real Estate as evidenced by the warranty deed attached hereto, incorporated herein, and marked as Exhibit "A".

2. At least one-eighth (1/8) of the aggregate external boundaries of the Real Estate coincide with the boundaries of the City of Bloomington and is contiguous to public highways and public rights-of-way.

3. The Petitioner voluntarily requests that the City of Bloomington Common Council adopt an ordinance annexing the Real Estate into the City of Bloomington, Indiana.

4. The Petitioner voluntarily consents to annexation by the City of Bloomington as may otherwise be contemplated by I.C. § 36-4-3-5(b).

5. The Petitioner desires the City of Bloomington to take such additional action as may be appropriate to effectuate the intent of this Petition.

6. The Petitioner further recognizes that the City of Bloomington's authority may be limited by and subject to certain statutory criteria and the City of Bloomington provides no promises, covenants, guarantees, or warranties that the Petitioner will receive the annexation or other property interests it seeks.

PETITION FOR VOLUNTARY ANNEXATION INTO THE CITY OF BLOOMINGTON, INDIANA

7. The undersigned executing this Petition certifies that he is the duly authorized and empowered to execute and deliver this Petition on behalf of the Petitioner as evidenced by the Articles of Organization attached hereto, incorporated herein, and marked as Exhibit "B".

IN WITNESS WHEREOF, this Petition has been executed and delivered by Petitioner as of the 3rd day of June, 2025.

PETITIONER

Signature: WKanyi
William Kanyi Wamathai, President
Kanyison LLC

Address: 2005 W. Cory Drive, Bloomington, IN 47403

Parcel No: 53-08-06-104-051.000-008 (014-15320-02)

DULY ENTERED
FOR TAXATION
7/30/2024
Brianne M. Gregory
Auditor Monroe County, Indiana

EXHIBIT "A"

2024007911 WAR $25.00
7/30/2024 10:44:47 AM 3 PGS
Amy Swain
Monroe County Recorder IN
Recorded as Presented

Mail Tax Bills to:
220 W. Gordon Pike
Bloomington, IN 47403

WARRANTY DEED

THIS INDENTURE WITNESSETH that DON COWDEN FOUNDATION, INC., an Indiana corporation, of Monroe County, in the State of Indiana, CONVEYS AND WARRANTS to KANYISON LLC, an Indiana limited liability company, of Monroe County, in the State of Indiana, for and in consideration of One Dollar ($1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, the following Real Estate in Monroe County, in the State of Indiana, to-wit:

Lot 2 in Cory Lane Estates as shown on the recorded plat thereof, recorded in Plat Cabinet C, Envelope 106, in the office of the Recorder of Monroe County, Indiana

Parcel Number: 53-08-06-104-051.000-008 (014-15320-02)
Commonly known as: 2005 W. Cory Drive, Bloomington, Indiana 47403

SUBJECT TO THE FOLLOWING:

1. All covenants, conditions, restrictions, easements, and encumbrances in the plat of Cory Lane Estates (Replat of Cowden Addition), as shown by the recorded plat thereof recorded July 22, 1994, in Plat Cabinet C, Envelope 106 and shown as Instrument No. 411983, in the office of the Recorder of Monroe County, Indiana, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.

2. Declaration of Covenants, Restrictions Reservations and Easements for Cory Lane Estates dated July 1, 1994 and recorded July 22, 1994, in Book 227, Page 268 and amended by Amended Declaration of Covenants, Restrictions Reservations and Easements for Cory Lane Estates dated August 17, 1994 and recorded August 18, 1994, in Book 228, Page 57, all in the office of the Recorder of Monroe County, Indiana, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.

3. Easement for Sewer Line in favor of City of Bloomington dated April 24, 1979 and recorded October 23, 1980, in Book 278, Page 439, in the office of the Recorder of Monroe County, Indiana.

4. Subject to the dues and assessments of the Cory Lane Estates Homeowner's Association.

5. Taxes for the year 2024 due and payable in 2025 and all subsequent taxes and assessments.

Dated this 24th day of July, 2024

DON COWDEN FOUNDATION, INC

Cr Cow President

By: Craig Cowden, President

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

Before me, a Notary Public in and for said County and State, personally appeared Criag Cowden, President of DON COWDEN FOUNDATION, INC., an Indiana corporation who acknowledged execution of the above and foregoing Warranty Deed this 24th day of July, 2024.

In Witness Whereof, I have hereunto subscribed my name and affixed my official seal.

My Commission Expires: ____________ Carrie B. Byrer
Notary Public

Residing in Monroe County

NOTARY PUBLIC SEAL STATE OF INDIANA
CARRIE B BYRER
My Commission Expires
September 27, 2031
Commission Number NP0673463
Monroe County

Carrie B. Byrer
Carrie B. Byrer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Michael L. Carmin

This instrument prepared by Michael L. Carmin, Attorney at Law, Paganelli Law Group, 116 W. 6th Street, Suite 200, P.O. Box 2639, Bloomington, IN 47402-2639

447871/55001-80AT

EXHIBIT "B"

APPROVED AND FILED
DIEGO MORALES
INDIANA SECRETARY OF STATE
07/18/2024 09:18 AM

ARTICLES OF ORGANIZATION

Formed pursuant to the provisions of the Indiana Code.

ARTICLE I - NAME AND PRINCIPAL OFFICE ADDRESS

BUSINESS ID	202407171808112
BUSINESS TYPE	Domestic Limited Liability Company
BUSINESS NAME	KANYISON LLC
PRINCIPAL OFFICE ADDRESS	220 W Gordon Pike, Bloomington, IN, 47403, USA

ARTICLE II - REGISTERED OFFICE AND ADDRESS

REGISTERED AGENT TYPE	Individual
NAME	William Kanyi
ADDRESS	220 W Gordon Pike, Bloomington, IN, 47403, USA
SERVICE OF PROCESS EMAIL	ikopsafaris@gmail.com

I acknowledge that the Service of Process email provided above is the email address at which electronic service of process may be accepted.

ARTICLE III - PERIOD OF DURATION AND EFFECTIVE DATE

PERIOD OF DURATION	Perpetual
EFFECTIVE DATE	07/17/2024
EFFECTIVE TIME	11:06AM

ARTICLE IV - GOVERNING PERSON INFORMATION

TITLE	President
NAME	William Kanyi Wamathai
ADDRESS	220 W Gordon Pike, Bloomington, IN, 47403, USA

MANAGEMENT INFORMATION

THE LLC WILL BE MANAGED BY MANAGER(S)	No
IS THE LLC A SINGLE MEMBER LLC?	Yes

APPROVED AND FILED
DIEGO MORALES
INDIANA SECRETARY OF STATE
07/18/2024 09:18 AM

SIGNATURE

THE SIGNATOR(S) REPRESENTS THAT THE REGISTERED AGENT NAMED IN THE APPLICATION HAS CONSENTED TO THE APPOINTMENT OF REGISTERED AGENT.

THE UNDERSIGNED, DESIRING TO FORM A LIMITED LIABILITY COMPANY PURSUANT TO THE PROVISIONS OF THE INDIANA BUSINESS FLEXIBILITY ACT EXECUTES THESE ARTICLES OF ORGANIZATION.

IN WITNESS WHEREOF, THE UNDERSIGNED HEREBY VERIFIES, SUBJECT TO THE PENALTIES OF PERJURY, THAT THE STATEMENTS CONTAINED HEREIN ARE TRUE, THIS DAY **July 17, 2024.**

THE UNDERSIGNED ACKNOWLEDGES THAT A PERSON COMMITS A CLASS A MISDEMEANOR BY SIGNING A DOCUMENT THAT THE PERSON KNOWS IS FALSE IN A MATERIAL RESPECT WITH THE INTENT THAT THE DOCUMENT BE DELIVERED TO THE SECRETARY OF STATE FOR FILING.

SIGNATURE	william kanyi wamathai
TITLE	Agent

Business ID : 202407171808112
Filing No : 10416428

The Herald-Times

Govt Public Notices

10/31/2025

Notice of Public Hearing NOTICE OF PUBLIC HEARING ON PROPOSED VOLUNTARY ANNEXATION ORDINANCE Residents of the City of Bloomington (the City) and other interested persons are hereby notified that Ordinance No. 25-43, an ordinance for the annexation by voluntary petition of 2005 W. Cory Drive, Bloomington, Indiana, will be introduced at a meeting of the City's Common Council in the Council Chambers, suite 115, of City Hall, 401 N. Morton St., Bloomington, Indiana on December 3, 2025. At this meeting of the City's Common Council to be held on December 3, 2025, at 6:30 p.m., EDT, in the Council Chambers, suite #115, of City Hall, 401 N. Morton St., Bloomington, Indiana, there will be a public hearing on the matter of this voluntary annexation. During the public hearing all interested persons may appear and be heard. Interested persons may participate virtually by joining Zoom meeting: https://bloomington.zoom.usj/81910240028pwd=F09ZNyFSQxOq27QM0kVfmQIdU0 PICh.1 Meeting ID: 819 1024 0028 Passcode: 578294 Ordinance No. 25-43 will be considered for adoption at a meeting of the City's Common Council in the Council Chambers, suite 115, of City Hall, 401 N. Morton St., Bloomington, Indiana on December 17, 2025. Ordinance No. 25-43, if adopted, will annex by voluntary petition the area of 2005 W. Cory Drive, Bloomington, Indiana. HSPAXLP October 31 2025 LSBN0398827

CITY OF BLOOMINGTON
LEGAL DEPARTMENT
MEMORANDUM

TO:	**City of Bloomington Common Council Members**
FROM:	**Christopher J. Wheeler & Dana R. Kerr Assistant City Attorneys**
RE:	**Proposed Ordinance 2025-43**
DATE:	**October 8, 2025**

Ordinance 2025-43: Ordinance 2025-43, if adopted, will annex by voluntary petition a .39 acre parcel of real estate owned by Kanyison, LLC and located at 2005 W. Cory Drive. Kanyison, LLC is a closely held limited liability corporation owned by Will Kanyi. Kanyison, LLC is the sole and only owner of the parcel. In accordance with I.C. § 36-4-3-5.1 this property is eligible for voluntary annexation because 100% of the owners have petitioned for voluntary annexation and the borders of the property to be annexed shares at least a $1/8^{th}$ aggregate contiguity with the City of Bloomington's city limits. The parcel is currently undeveloped. Mr. Kanyi intends to build a duplex on the parcel and will connect to the City of Bloomington Utilities water and wastewater infrastructure which is already located in Cory Drive.

If you have any questions regarding this proposed resolution, please feel free to contact Chris Wheeler at 812.349.3549 and wheelech@bloomington.in.gov or Dana Kerr at 812-349-3426 and dana.kerr@bloomington.in.gov.

RESOLUTION 2025-19

ADOPTING A FISCAL PLAN FOR THE ANNEXATION OF PROPERTY CONTIGUOUS TO THE CITY OF BLOOMINGTON, INDIANA

WHEREAS, the City of Bloomington, Monroe County, Indiana ("City"), in accordance with Indiana Code §36-4-3-5.1, wishes to annex a parcel of property located at 2005 W. Cory Drive, Bloomington, Indiana, an area consisting of approximately 0.39 acres which is located outside of but contiguous to the City, that area being more particularly described in the warranty deed attached hereto, marked as Exhibit "A", and incorporated herein, and further depicted in the geographical map attached hereto, marked as Exhibit "B", and incorporated herein (the "Annexed Territory");

WHEREAS, in accordance with Indiana Code §36-4-3-5.1(e), on December 3, 2025, the Common Council held a duly noticed public hearing regarding the Annexed Territory; and,

WHEREAS, in accordance with Indiana Code §§ 36-4-3-3.1 and 36-4-3-13, the Common Council now desires to adopt a Written Fiscal Plan for the Annexed Territory.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, AS FOLLOWS.

SECTION 1. The Common Council hereby adopts the Fiscal Plan for the Annexed Area, which is attached hereto, marked as Exhibit "C", and incorporated herein. This Fiscal Plan is to be adopted prior to the adoption of the annexation ordinance for the Annexed Area.

SECTION 2. This resolution shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor and its publication, as provided by law. All provisions or parts thereof in conflict herewith are hereby repealed.

SO RESOLVED by the Common Council of the City of Bloomington, Indiana, on this ______ day of _______________, 2025.

____
HOPI STOSBERG, 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 ____ day of ____________, 2025.

____
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this ____ day of ____________, 2025.

____
KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This resolution approves a Fiscal Plan as required prior to a voluntary annexation into the City of Bloomington. This Fiscal Plan is for the property located at 2005 W. Cory Drive, Bloomington, Indiana

I affirm under penalties of perjury that I have taken reasonable care to redact each Social Security Number in this document, unless required by law. */Christopher J. Wheeler/*

This instrument prepared by Christopher J. Wheeler, Assistant City Attorney, City of Bloomington Legal Department, P. O. Box 100, Bloomington, Indiana 47402

DULY ENTERED
FOR TAXATION
7/30/2024
Brianne M. Gregory
Auditor Monroe County, Indiana

Exhibit "A"

2024007911 WAR $25.00
7/30/2024 10:44:47 AM 3 PGS
Amy Swain
Monroe County Recorder IN
Recorded as Presented

Mail Tax Bills to:
220 W. Gordon Pike
Bloomington, IN 47403

WARRANTY DEED

THIS INDENTURE WITNESSETH that DON COWDEN FOUNDATION, INC., an Indiana corporation, of Monroe County, in the State of Indiana, CONVEYS AND WARRANTS to KANYISON LLC, an Indiana limited liability company, of Monroe County, in the State of Indiana, for and in consideration of One Dollar ($1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, the following Real Estate in Monroe County, in the State of Indiana, to-wit:

Lot 2 in Cory Lane Estates as shown on the recorded plat thereof, recorded in Plat Cabinet C, Envelope 106, in the office of the Recorder of Monroe County, Indiana

Parcel Number: 53-08-06-104-051.000-008 (014-15320-02)
Commonly known as: 2005 W. Cory Drive, Bloomington, Indiana 47403

SUBJECT TO THE FOLLOWING:

1. All covenants, conditions, restrictions, easements, and encumbrances in the plat of Cory Lane Estates (Replat of Cowden Addition), as shown by the recorded plat thereof recorded July 22, 1994, in Plat Cabinet C, Envelope 106 and shown as Instrument No. 411983, in the office of the Recorder of Monroe County, Indiana, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.

2. Declaration of Covenants, Restrictions Reservations and Easements for Cory Lane Estates dated July 1, 1994 and recorded July 22, 1994, in Book 227, Page 268 and amended by Amended Declaration of Covenants, Restrictions Reservations and Easements for Cory Lane Estates dated August 17, 1994 and recorded August 18, 1994, in Book 228, Page 57, all in the office of the Recorder of Monroe County, Indiana, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.

3. Easement for Sewer Line in favor of City of Bloomington dated April 24, 1979 and recorded October 23, 1980, in Book 278, Page 439, in the office of the Recorder of Monroe County, Indiana.

4. Subject to the dues and assessments of the Cory Lane Estates Homeowner's Association.

5. Taxes for the year 2024 due and payable in 2025 and all subsequent taxes and assessments.

Dated this 24th day of July, 2024

DON COWDEN FOUNDATION, INC

Craig Cowden President

By: Craig Cowden, President

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

Before me, a Notary Public in and for said County and State, personally appeared Criag Cowden, President of DON COWDEN FOUNDATION, INC., an Indiana corporation who acknowledged execution of the above and foregoing Warranty Deed this 24th day of July, 2024.

In Witness Whereof, I have hereunto subscribed my name and affixed my official seal.

My Commission Expires: ___________ Carrie B. Byrer
Notary Public

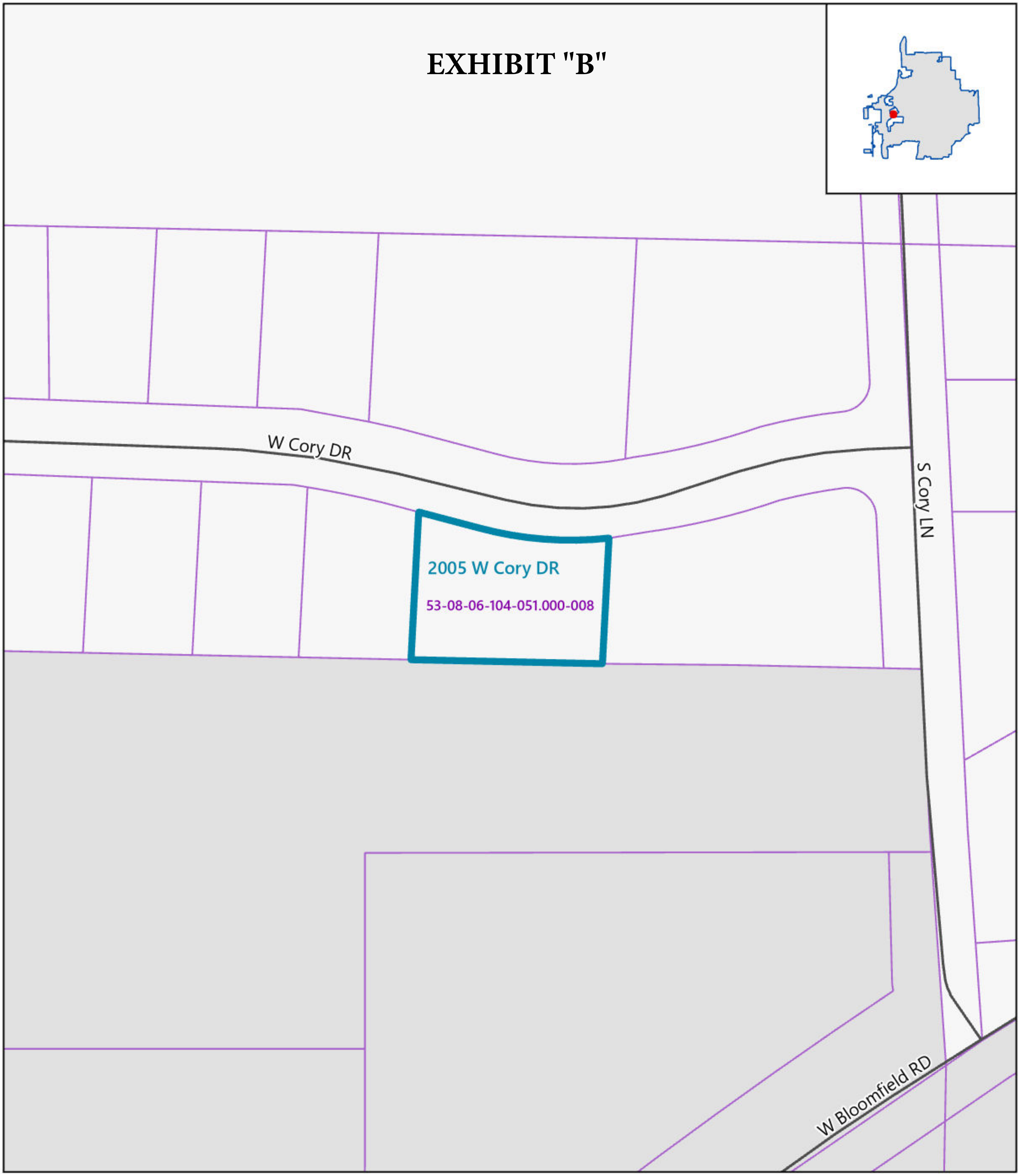
Residing in Monroe County CARRIE B BYRER My Commission Expires September 27, 2031 Commission Number NP0673463 Monroe County SEAL Carrie B. Byrer
Carrie B. Byrer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Michael L. Carmin

This instrument prepared by Michael L. Carmin, Attorney at Law, Paganelli Law Group, 116 W. 6th Street, Suite 200, P.O. Box 2639, Bloomington, IN 47402-2639

447871/55001-80AT

EXHIBIT "B"



ITS Department
City of Bloomington

Voluntary Annexation 1

Monroe County
Municiple Boundary
53-08-06-104-051.000-008

Parcel Acreage - 0.39
Contiguity - 24.4%

0 75 150 FT

For use as map information only, information is NOT warranted.

Produced: 8/6/2025

EXHIBIT "C"

MEMORANDUM

TO: CITY COUNCIL
FROM: DANA KERR & CHRISTOPHER J. WHEELER
DATE: 10/2/2025
RE: FISCAL PLAN FOR ANNEXATION OF 2005 W. CORY LANE

This document shall serve as the official Fiscal Plan for 2005 W. Cory Drive owned by Kanyison, LLC, ("Property"), a 100% voluntary annexation, as required by Indiana Code 36-4-3-13-d. The Fiscal Plan must show the following, as taken from Indiana Code:

1. "The cost estimates of planned services to be furnished to the territory to be annexed. The plan must present itemized estimated costs for each municipal department or agency."

   a. Police Department:

      Currently, the Monroe County Sheriff's Department is primarily responsible for law enforcement at the Property. Upon annexation of this property, the Bloomington Police Department ("BPD") would be responsible for law enforcement at the Property. The BPD would be responsible for responding to any calls to this Property as part of its current operating budget, and the new residential development would not cause any financial hardship to the BPD. There are no additional direct costs to the BPD resulting from this annexation, as the BPD currently services the surrounding areas adjacent to the Property.

   b. Fire Department:

      Currently, the Monroe Fire Protection District is primarily responsible for fire service to the Property. Upon annexation the Bloomington Fire Department ("BFD") would be responsible for fire protection at the Property. The BFD would be responsible for responding to any calls as part of its current operating budget, and the new residential development would not cause any financial hardship to the BFD. There are no additional direct costs to the BFD resulting from this annexation as the BFD currently services the surrounding areas adjacent to the Property.

   c. Public Works Department:

      There are no new public roads or sidewalks proposed as part of this annexation. There will need to be a curb cut once the development at the Property is underway. The Public Works Department ("DPW") will be responsible for providing trash removal services at the Property as part of its current operating budget, and the new residential development would not cause any financial hardship to the BPW. There are no additional direct costs to the BPW resulting from this annexation as the BPW currently services the surrounding areas adjacent to the Property.

   d. Planning and Transportation:

The Monroe County Planning Department currently provides zoning and planning services to the Property. Upon annexation the Planning and Transportation Department will provide those services to the Property. Planning and Transportation would assign a zoning designation to the Property that is the same or similar to the zoning designation currently assigned by the County. Annexation of this property will not cause financial hardship to the Planning and Transportation Department. There are no additional direct costs to the Planning and Transportation Department resulting from this annexation.

e. Parks and Recreation:

No new city parks are planned with this annexation. Although residents of the Property will use city park facilities in the area, no direct additional costs will be incurred by the Parks and Recreation Department.

f. Administration, Controller, Engineering, Information Technology:

No additional costs to those departments will be incurred as a result of this annexation

2. "The method or methods of financing the planned services. The plan must explain how specific and detailed expenses will be funded and must indicate the taxes, grants and other funding to be used."

   Expenses for the Property can be paid from the General Fund as a part of general operating costs for the Police Department, Fire Department and Public Works Department. No specific earmark is needed.

   Revenues would be received from the following sources: Property Taxes, Local Income Taxes (General, ED LIT, PS LIT, PSAP LIT), Gasoline and Excise Taxes, User Fees (water, sewer, parks, permits, parking, sanitation, etc.), and Food and Beverage Taxes.

3. "The plan for the organization and extension of services. The plan must detail the specific services that will be provided and the dates the services will begin."

   Water and Sewer service (City of Bloomington): City of Bloomington Utilities already has sewer and water mains located in W. Cory Lane fronting the Property. The Property will connect to these existing water and sewer mains.

4. "That planned services of a noncapital nature, including police protection, fire protection, street and road maintenance, and other noncapital services normally provided within the corporate boundaries, will be provided to the annexed territory within one (1) year after the effective date of the annexation and that they will be provided in a manner equivalent in standard and scope to those noncapital services provided to areas within the corporate boundaries regardless of similar topography, patterns of land use, and population density."

All such services would be provided to the property immediately upon the effective date of the annexation, which is 30 days following approval by City Council, and after the petition is recorded with the Monroe County Recorder's Office. The effective date of this annexation is anticipated to be approximately December 22, 2025.

5. "That services of a capital nature, including street construction, street lighting, sewer facilities, water facilities, and stormwater drainage facilities, will be provided to the annexed territory within three (3) years after the effective date of the annexation and in the same manner as those services are provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use, and population density, and in a manner consistent with federal, state, and local laws, procedures, and planning criteria."

   All such services exist on the property or will be installed within three years of the annexation.

6. "This subdivision applies to a fiscal plan prepared after June 30, 2015. The estimated effect of the proposed annexation on taxpayers in each of the political subdivisions to which the proposed annexation applies, including the expected tax rates, tax levies, expenditure levels, service levels, and annual debt service payments in those political subdivisions for four (4) years after the effective date of the annexation."

   Below is a list of anticipated tax rates and categories affecting the parcel:

	2025	2026	2027	2028	2029
County	$0.3064	$0.3095	$0.3126	$0.3157	$0.3188
Township	$0.0171	$0.0173	$0.0174	$0.0176	$0.0178
School District	$0.7293	$0.7366	$0.7440	$0.7514	$0.7589
City	$0.8627	$0.8713	$0.8800	$0.8888	$0.8977
Library	$0.0786	$0.0794	$0.0802	$0.0810	$0.0818
Transit	$0.0303	$0.0306	$0.0309	$0.0312	$0.0315
Solid Waste Mgmt Dist.	$0.0228	$0.0203	$0.0233	$0.0235	$0.0237

7. "This subdivision applies to a fiscal plan prepared after June 30, 2015. The estimated effect the proposed annexation will have on municipal finances, specifically how municipal tax revenues will be affected by the annexation for four (4) years after the effective date of the annexation."

   Below is a list of anticipated property tax revenue to the City of Bloomington over the next 4 years. There is a one year lag between the time taxes are assessed and collected by the City.

	2025	2026	2027	2028	2029
City Revenue	$0	$0	$117.63	$3,638.80	$3,675.20

8. “This subdivision applies to a fiscal plan prepared after June 30, 2015. Any estimated effects on political subdivisions in the county that are not part of the annexation and on taxpayers located in those political subdivisions for four (4) years after the effective date of the annexation.”

   This annexation will not affect other “political subdivisions” in the county not part of this annexation.

9. “This subdivision applies to a fiscal plan prepared after June 30, 2015. A list of all parcels of property in the annexation territory and the following information regarding each parcel:”
   a. “The name of the owner of the parcel.”
      Kanyison, LLC

   b. “The parcel identification number.”

      53-08-06-104-051.000-008 (014-15320-02)

   c. “The most recent assessed value of the parcel.”

      05/07/2025: Land Valuation: $13,500.00
      Improvements: $ 0.00
      Total Valuation: $13,500.00

CITY OF BLOOMINGTON
LEGAL DEPARTMENT
MEMORANDUM

TO:	**City of Bloomington Common Council Members**
FROM:	**Christopher J. Wheeler & Dana R. Kerr Assistant City Attorneys**
RE:	**Proposed Resolution 2025-19**
DATE:	**October 8, 2025**

Resolution 2025-19: Resolution 2025-19 requests approval of a fiscal plan for the voluntary annexation of a .39 acre parcel of real estate owned by Kanyison, LLC and located at 2005 W. Cory Drive. Kanyison, LLC is a closely held limited liability corporation owned by Will Kanyi. The City is able to provide all of its services to this parcel without any additional direct costs to the various departments given its size, location within one of the "donut holes" located within the City of Bloomington, and the fact that the City already provides these services to the surrounding areas adjacent to the Property.

Mr. Kanyi intends to build a duplex on the parcel and will connect to the City of Bloomington Utilities department which already has water and sewer infrastructure located in Cory Drive.

If you have any questions regarding this proposed resolution, please feel free to contact Chris Wheeler at 812.349.3549 and wheelech@bloomington.in.gov or Dana Kerr at 812-349-3426 and dana.kerr@bloomington.in.gov.

APPROPRIATION ORDINANCE 2025-14

TO SPECIALLY APPROPRIATE FROM THE GENERAL FUND, PARKS & RECREATION GENERAL FUND, MOTOR VEHICLE HIGHWAY FUND, CC JACK HOPKINS FUND EXPENDITURES NOT OTHERWISE APPROPRIATED
(Appropriating Various Transfers of Funds within the General Fund, Parks & Recreation General Fund, Motor Vehicle Highway Fund, Local Road and Street Fund, Public Safety LIT Fund, Solid Waste Fund, and Fleet Maintenance Fund)

WHEREAS, various Departments within the General Fund desire to transfer funds from Classifications 1, 2, 3 and 4 (Personnel Services, Supplies, Services and Charges, and Capital) to other departments for expenditures not included in the adopted budgets; and

WHEREAS, the Office of the Mayor desires to transfer $14,000 of the General Fund from Classification 1 (Personnel Services and Charges) to the Parks and Recreation Department General Fund Classification 3 (Services and Charges) to support program expenses that were not included in the adopted budget; and

WHEREAS, the Street Department desires to transfer funds from Classification 1 (Personnel Services and Charges) to Classification 3 (Services and Charges), and it desires to appropriate additional funds in Classification 4 (Capital) in the Motor Vehicle Highway Fund for expenditures not in the adopted budget; and

WHEREAS, the Street Department desires to transfer funds from Classification 3 (Services and Charges) to Classification 4 (Capital) in the Local Road and Street Fund for expenditures not included in the adopted budgets; and

WHEREAS, the Parks and Recreation Department desires to transfer funds from Classification 1 (Personnel Services) to Classifications 2 and 3 (Supplies and Services and Charges), and it desires to appropriate additional funds in Classification 3 (Services and Charges) in the Parks and Recreation General Fund for expenditures not included in the adopted budget; and

WHEREAS, the Police Department desires to transfer funds from Classification 1 (Personnel Services) to Classification 3 (Services and Charges) in its Public Safety LIT Fund for expenditures not included in the adopted budget; and

WHEREAS, the Sanitation Department desires to transfer funds from Classifications 3 and 4 (Services and Charges and Capital) to Classification 1 (Personnel Services) and request an additional appropriation in its Solid Waste Fund for expenditures not included in the adopted budget; and

WHEREAS, the Fleet Department desires to transfer funds from Classifications 2 and 4 (Supplies and Capital) to Classification 3 (Services and Charges) in the Fleet Maintenance Fund for expenditures not included in the adopted budget; and

WHEREAS, the Common Council desires to appropriate $25,000 in Classification 3 (Services and Charges) from the CC Jack Hopkins fund; and

WHEREAS, notice of a hearing on said appropriation has been duly given by publication as required by law, and the hearing on said appropriation has been held, at which all taxpayers and other interested persons had an opportunity to appear and express their views as to such appropriation; and

WHEREAS, the Common Council now finds that all conditions precedent to the adoption of an ordinance authorizing an additional appropriation of the City have been complied with in accordance with Indiana law;

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

SECTION 1. For the expenses of said Municipal Corporation the following additional sums of money are hereby appropriated and ordered set apart from the funds herein named and for the purposes herein specified, subject to the laws governing the same:

		AMOUNT REQUESTED
General Fund (F1101) Transfers		
General Fund – Animal Shelter		
	Classification - 1 Personnel Services	(20,000)
	Classification – 3 Services and Charges	60,000
	Classification – 4 Capital	(40,000)
	Total General Fund – Animal Shelter	-
General Fund – Public Works Administration		
	Classification – 3 Services and Charges	300,000
	Classification – 4 Capital	(85,000)
	Total General Fund – PWA	215,000
General Fund – Common Council		
	Classification – 3 Services and Charges	(2,500)
	Classification - 2 Supplies	2,500
	Total General Fund – Common Council	-
General Fund – Engineering		
	Classification - 1 Personnel Services	(192,800)
	Classification - 2 Supplies	9,000
	Classification – 3 Services and Charges	18,000
	Classification – 4 Capital	15,800
	Total General Fund – Engineering	(150,000)
General Fund – Fire		
	Classification - 1 Personnel Services	95,550
	Classification - 2 Supplies	100,000
	Classification – 3 Services and Charges	(195,550)
	Total General Fund – Fire	-
General Fund – CFRD		
	Classification – 2 Supplies	1,500
	Classification – 3 Services and Charges	(1,500)
	Total General Fund – CFRD	-
General Fund – Office of the Mayor		
	Classification – 1 Personnel Services	(59,000)
	Classification – 3 Services and Charges	(20,000)

	Total General Fund – OOTM	(79,000)
General Fund – Facilities Maintenance		
	Classification – 2 Supplies	(8,500)
	Classification – 3 Services and Charges	8,500
	Total General Fund – Facilities Maintenance	-
Grand Total General Fund (F1101)	De-appropriated GF budget:	**(14,000)**
Inter Fund Transfers		
From General Fund 1101	**To Parks and Recreation Fund 2204**	**14,000**
Motor Vehicle Highway Fund (F2201) Transfers & Additional Appropriation- Street		
	Classification – 1 Personnel Services	(190,000)
	Classification – 3 Services and Charges	190,000
	Classification – 4 Capital	352,484
	Total Motor Vehicle Highway Fund – Street	352,484
Grand Total Motor Vehicle Highway Fund (F2201)		**352,484**
Local Road and Street Fund (F2202) Transfers - Street		
	Classification – 3 Services and Charges	(345,000)
	Classification – 4 Capital	345,000
	Total Local Road and Street Fund – Street	-
Grand Total Local Road and Street Fund (F2202)		**-**
Parks and Recreation General Fund (F2204) Transfers & Additional Appropriation - Parks and Recreation		
	Classification – 1 Personnel Services	(135,000)
	Classification – 2 Supplies	25,000
	Classification – 3 Services and Charges	124,000
	Total Parks and Recreation General Fund - Parks and Recreation	14,000

Grand Total Parks and Recreation General Fund (F2204)		**14,000**
Public Safety LIT Fund (F2240) Transfers - Police		
	Classification – 1 Personnel Services	(21,000)
	Classification – 3 Services and Charges	21,000
	Total Public Safety LIT Fund - Police	-
Grand Total Public Safety LIT Fund (F2240)		**-**
CC Jack Hopkins Fund (F2505) Additional Appropriations - Common Council		
	Classification – 3 Services and Charges	25,000
	Total CC Jack Hopkins Fund (F2505) - Common Council	25,000
Grand Total CC Jack Hopkins Fund (F2505)		**25,000**
Solid Waste Fund (F6604) Transfers - Sanitation		
	Classification – 1 Personnel Services	21,920
	Classification – 3 Services and Charges	(11,000)
	Classification – 4 Capital	(10,920)
	Total Solid Waste Fund - Sanitation	-
Grand Total Solid Waste Fund (F6604)		**-**
Fleet Maintenance Fund (F7702) – Transfers Fleet		
	Classification – 2 Supplies	(100,000)
	Classification – 3 Services and Charges	200,000
	Classification – 4 Capital	(100,000)
	Total Fleet Maintenance Fund - Fleet	-
Grand Total Fleet Maintenance Fund (F7702)		-
Grand Total All Funds Additional Appropriation:		**391,484**

SECTION 2. Each of the Mayor and the Controller is hereby authorized and directed, for and on behalf of the City, to execute and deliver any agreement, certificate or other instrument or take any other action

which such officer determines to be necessary or desirable to carry out the intent of this Ordinance, including the filing of a report of an additional appropriation with the Indiana Department of Local Government Finance, which determination shall be conclusively evidenced by such officer's having executed such agreement, certificate or other instrument or having taken such other action, and any such agreement, certificate or other instrument heretofore executed and delivered and any such other action heretofore taken are hereby ratified and approved.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this ______ day of ___________________, 2025.

____
HOPI STOSBERG, 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 ______ day of ______________________, 2025.

____
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _______ day of ______________________, 2025.

____
KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This ordinance appropriates various transfers of funds within the General Fund, Motor Vehicle Highway Fund, Local Road and Street Fund, Parks & Recreation General Fund, Public Safety LIT Fund, CC Jack Hopkins Fund, Solid Waste Fund, and Fleet Maintenance Fund.

KERRY THOMSON
MAYOR

JESSICA MCCLELLAN
CONTROLLER

CITY OF BLOOMINGTON

401 N Morton St
Post Office Box 100
Bloomington IN 47402

CONTROLLER'S OFFICE

p 812.349.3416
f 812.349.3456
controller@bloomington.in.gov

Memorandum

To: Council Members
From: Jessica McClellan, Controller
Date: November 12, 2025
Re: Appropriation Ordinance 2025-14

Appropriation Ordinance 2025-14 is our comprehensive 2025 year-end appropriation. The total additional appropriation is zero. This year all appropriations are simple transfers between departments which has zero net impact on the total budget.

1. **General Fund 1101 – Various**. The majority of this ordinance transfers appropriations between departments and categories in order to cover changes between the initial budget prepared, and actual operational results. For 2025, the net effect on the actual appropriation from the General Fund is zero. There will be no impact on the fund balance or tax rates.

    a. **Animal Shelter** – the **Animal Shelter Department** is requesting a transfer of $40,000 from Classification 4 – Capital due to higher than expected costs and lack of need for kennel door replacement project, $20,000 from Classification 1 – Personnel Services due to a combination of new hires and unpaid FMLA to Classification 3 – Services in the amount of $60,000. The transfers will cover an increased cost associated with outside vendor spay/neuter surgeries in Classification 3. There is no fiscal impact due to this request.

    b. **Public Works Administration** – the **Public Works Department** is requesting a $85,000 transfer from Classification 4 – Capital to Classification 3 – Services. In addition to this transfer, the department is requesting an additional appropriation of $215,000 for Classification 3 – Services. This will cover the much higher than anticipated liability/casualty premium expenses in 2025. The savings from the transfer comes from lower than anticipated design costs for the PW operations center and fewer land surveys.

    c. **Common Council** – the **Common Council Department** is requesting a transfer of $2,500 from Classification 3 – Services to Classification 2 – Supplies to cover higher supplies costs due to its office move and potential year end supply purchases. The savings from Classification 3 – Services come from lower than anticipated spending on interpreter services. There is no fiscal impact due to this request.

    d. **Engineering** – the **Engineering Department** is requesting the release of $150,000 from Classification 1 – Personnel Services due to staff turnover and vacancies. The savings will fund other General Fund departments, plus a transfer of $42,800 to Classification 2 – Supplies in the amount of $9,000, Classification 3 – Services in the amount of $18,000 and Classification 4 – Capital in the amount of $15,800. The transfers will cover the cost of supplies and equipment for new positions starting January 1, 2026 in Classification 2 – Supplies, an HR Recruiter for traffic engineer position in Classification 3 – Services, and acquiring a replacement vehicle prior to filling new positions in Classification 4 – Capital. There is no fiscal impact due to this request.

e. **Fire** – the **Fire Department** is requesting a transfer of $195,550 from Classification 3 – Services to Classification 1 – Personnel Services in the amount of $95,550 and Classification 2 – Supplies in the amount of $100,000. The transferred funds will cover underestimated staff costs in Classification 1 – Personnel Services and rescue equipment and supplies in Classification 2 – Supplies. The savings from Classification 3 – Services comes from less repairs and accidents than anticipated, more offerings of free attendance classes, and savings from preventative maintenance. The funds are being released to cover shortfalls in other General Fund departments.

f. **CFRD** – the **CFRD Department** is requesting a transfer of $1,500 from Classification 3 – Services to Classification 2 – Supplies to cover higher than anticipated requests from the other supplies account line. The savings comes from fewer conferences and trainings attended by staff than anticipated. There is no fiscal impact due to this request.

g. **Mayor** – the **Office of the Mayor** is requesting the release of $45,000 from Classification 1 – Personnel Services and $20,000 from Classification 3 - Services. The savings comes from vacancies in Classification 1 – Personnel Services and lower printing, consulting, postage, subscription, and instruction needs in Classification 3 – Services. The savings will fund other General Fund departments.

h. **Public Works – Facilities Maintenance** – the **Public Works Department** is requesting a transfer of $8,500 from Classification 2 – Supplies to Classification 3 – Services to cover building repair and maintenance service costs across Public Works facilities. The savings comes from lower than expected equipment and machine parts purchases. There is no fiscal impact due to this request.

2. **Motor Vehicle Highway Fund 2201 –** the **Street Department** is requesting to transfer $190,000 from Classification 1 – Personnel Services to Classification 3 – Services to cover much higher than budgeted liability expenses. Also, the department is requesting an additional appropriation of $352,484 in Classification 4 – Capital to cover the purchase of a grapple machine truck to provide Public Works with the ability to pick up, load, and unload heavy materials or unwieldy objects, which is a current capability that is lacking and would be extremely valuable for the City of Bloomington for any future storm or disaster response efforts. The additional funds will come from disaster reimbursement issued by the State Department of Homeland Security for the May tornado event.

3. **Local Road and Street Fund 2202** – the **Street Department** is requesting a transfer of $345,000 from Classification 3 – Services to Classification 4 – Capital to purchase 1 new dump truck at a cost of $280,000 to replace Unit #4241, which is a 15 year old dump truck and purchase a pick-up truck at the cost of $65,000 to replace Unit #487. The savings comes from Duke Energy's new lighting rate structure which eliminated the option to pay the upfront equipment costs on outdoor lighting services. All associated costs are now spread out over the life of the lighting system and has resulted in lower expenses than anticipated. There is no fiscal impact due to this request.

4. **Parks & Recreation General Fund 2204 –** the **Parks and Recreation Department** is requesting a transfer of $135,000 from Classification 1 – Personnel Services to Classification 2 – Supplies in the amount of $25,000 and Classification 3 – Services in the amount of $110,000. The savings comes from three vacancies in 2025. The transfers will cover supplies for the new Hopewell Commons Park in Classification 2 and Liability/Casualty Premiums, unexpected credit card company fees/charges and an irrigation water leak coverage shortage in Classification 3 - Services. There is no fiscal impact due to this request.
5. **Public Safety LIT Fund 2240** – the **Police Department** is requesting a transfer of $15,000 from Classification 1 – Personnel Services to Classification 3 – Capital to cover potential Dispatch HVAC and/or generator expenses. The savings comes from excess salary funds due to vacancies. There is no fiscal impact due to this request.
6. **CC Jack Hopkins Fund 2505** – the **Common Council Department** is requesting an additional appropriation of $25,000 to fund additional food grants. There is not fiscal impact due to utilizing some of the fund cash balance.
7. **Solid Waste Fund 6604** – the **Sanitation Department** is requesting a transfer of $10,920 from Classification 4 – Capital and $11,000 from Classification 3 – Services to Classification 1 – Personnel Services to cover additional funds needed for seasonal temporary employees. The total savings of $21,920 comes from lower than anticipated software costs due to an in-house solution in Classification 3 – Services and pick-up truck purchases being less than originally anticipated in Classification 4 – Capital. There is no fiscal impact due to this request.
8. **Fleet Maintenance Fund 7702** – the **Fleet Maintenance Department** is requesting a transfer of $100,000 from Classification 4 – Capital to Classification 3 – Services to cover necessary upgrades to Cloud versions of two main Fleet software systems. The surplus from Classification 4 – Capital comes from tire storage building being placed on hold due to future new DPW operations building. In addition, the department is requesting a transfer of $100,000 from Classification 2 – Supplies to Classification 3 – Services to send more vehicles and equipment to outside vendors due to current Fleet staff shortage. The surplus from Classification 2 – Supplies comes from cost savings on part purchases in 2025. There is no fiscal impact due to this request.

The fiscal impact of the transfers within the General, Local Road and Street, Parks and Recreation, Public Safety LIT, Sanitation and Fleet Maintenance funds have no effect on the cash balance of the fund.

The appropriation of $25,000 in the Jack Hopkins Fund will leave an estimated cash balance of $27,600.

The Motor Vehicle Highway Fund appropriation of $352,484 is to budget the Indiana Department of Homeland Security disaster recovery reimbursement. The estimated year end cash balance of the MVH fund is $10,000.

Thank you for your consideration of this request. As always, we are happy to answer questions related to this request.

City of Bloomington, Indiana
Notice to Taxpayers of
Additional Appropriations

Notice is hereby given to the taxpayers of Bloomington, Monroe County, Indiana that the Bloomington Common Council will consider the following additional appropriations in excess of the budget for the current year during their meeting on December 3, 2025 at 6:30 pm in the Council Chambers (Room #115) of City Hall, 401 N. Morton Street, Bloomington, Indiana and/or via Zoom.

Taxpayers appearing at the meeting shall have the right to be heard. The additional appropriation as finally made will be referred to the Department of Local Government Finance (DLGF). The DLGF will make a written determination as to the sufficiency of funds to support the appropriations made within fifteen (15) days of receipt of a Certified Copy of the action taken.

https://bloomington.zoom.us/j/81910240028?pwd=F09ZNyFSQxOq27QMokVfmQIdUoPICh.1

Meeting ID: 819 1024 0028
Passcode: 578294

Please check https://bloomington.in.gov/council for the most up-to-date information about how the public can access Council meetings and for meeting materials.

Fund Amount:		Dept. Amount:		From:	
$0				General Fund	
		$215,000			Public Works Admin
		($150,000)			Engineering
		($65,000)			Office of the Mayor
($352,484)				Motor Vehicle Highway	
		($352,484)			Street Department
($25,000)				CC Jack Hopkins	
		($25,000)			CC Jack Hopkins

Dated: November 12, 2025

Jessica McClellan, City of Bloomington Controller

KERRY THOMSON
MAYOR

JESSICA MCCLELLAN
CONTROLLER

CITY OF BLOOMINGTON

401 N Morton St
Post Office Box 100
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CONTROLLER'S OFFICE

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Memorandum

To: Council Members
From: Jessica McClellan, Controller
Date: November 18, 2025
Re: Appropriation Ordinance 2025-14 – Additional Requests

Appropriation Ordinance 2025-14 is our comprehensive 2025 year-end appropriation, which was submitted on November 12. After that date, it was discovered that two requests were not included within the original Appropriation Ordinance 2025-14 request.

1. **General Fund 1101**. The majority of this ordinance transfers appropriations between departments and categories in order to cover changes between the initial budget prepared, and actual operational results. For 2025, the net effect on the actual appropriation from the General Fund is zero. There will be no impact on the fund balance or tax rates.
    a. **Mayor** – the **Office of the Mayor** is requesting the de-appropriation of $14,000 from Classification 1 – Personnel. The savings comes from vacancies in Classification 1 – Personnel Services. The savings will be transferred to the Parks and Recreation General Fund to support the Seminary Park Port-O-Let outsourcing in 2025.
2. **Parks & Recreation General Fund 2204 –** the **Parks and Recreation Department** is requesting an additional appropriation in Classification 3 – Services in the amount of $14,000. This will support the cost of the Port-O-Let in Seminary Park which was not originally included in the 2025 budget. There is no fiscal impact from this request because the funding will be provided through unspent General Fund cash balance from the Office of the Mayor, Classification 1 - Personnel General Fund savings.
3. **Public Safety LIT Fund 2240** – the **Police Department** is requesting a transfer of $6,000 from Classification 1 – Personnel Services to Classification 3 – Capital to cover additional Dispatch HVAC and/or generator expenses. The savings comes from excess salary funds due to vacancies. There is no fiscal impact to the PS LIT Fund due to this request.

The fiscal impact of the transfer between the General Fund and the Parks & Recreation fund is -$14,000 to the General Fund. The estimated year end cash balance of the general fund will change from $36,698,764 to $36,684,764.

The appropriation of $14,000 in the Parks and Recreation General Fund will be offset by a revenue transfer from the General Fund, leaving the Parks & Rec Fund estimated cash balance as unchanged.

Thank you for your consideration of this request. As always, we are happy to answer questions related to this request.

ORDINANCE 2025-44

TO AMEND TITLE 10
OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED
“WASTEWATER”
(Septic Hauler Rate Adjustment)

WHEREAS, the City of Bloomington, Indiana (the “City”) has established, acquired, and financed its sewage works pursuant to Indiana Code 36-9-23, as amended (the “Act”), for the purpose of providing for the collection, treatment and disposal of sewage from inhabitants in and around the City; and

WHEREAS, the current rates and charges of the sewage works of the City for waste haulers were established by Common Council under Ordinance 00-34 on September 13, 2000, with said rate adjustment taking effect on September 15, 2000; and,

WHEREAS, the City, through its Utilities Service Board, engaged the services of Crowe LLP, to conduct a thorough study of the revenue requirements for continued receipt and treatment of hauled wastewater; and

WHEREAS, Crowe LLP prepared a Waste Haulers – Septic Hauler Rate Report concerning the current rates and charges of CBU (“the Report”); and

WHEREAS, the City, through its Utilities Service Board, upon consideration of the Report prepared by Crowe LLP, recommends that the Common Council approve a rate of \$.08/per gallon for all hauled wastewater received at the Dillman Wastewater Treatment Plant; and

WHEREAS, the Council finds that the current rates and charges for the use of and service rendered by CBU do not produce sufficient revenues to pay all the necessary expenses incidental to the operation of such services which are included in the Report; and

WHEREAS, the Council finds that the current rates and charges for the use of and service rendered by the sewage works must be increased in order to provide sufficient revenue to meet such requirements; and

WHEREAS, the Council finds that the rates and charges set forth herein are nondiscriminatory, reasonable and just and are based upon the cost of providing service to the customers of the sewage works and will enable the City to meet its legal revenue requirements for the sewage works; and

WHEREAS, the Council caused notice of a public hearing on the rates and charges set forth herein to be duly advertised and mailed, and held a public hearing thereon, all pursuant to the Act.

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

SECTION 1. Section 10.08.120 of the Bloomington Municipal Code (the “Code”), entitled “Waste Haulers - Charges”, is hereby amended to reflect the following charges:

	Portion of Rate Applicable to		
	Operations, Maintenance, and Replacement Expenses	Capital Related Costs	Total
Domestic Septage -			
First 500	$29.05	$10.95	$40.00
Each Additional 100 gallons	$5.81	$2.19	$8.00
Grease Waste -			
First 100	$5.81	$2.19	$8.00
Each Additional 100 gallons	$5.81	$2.19	$8.00

Wastewater Treatment Plant Waste -			
First 500	$29.05	$10.95	$40.00
Each Additional 100 gallons	$5.81	$2.19	$8.00
Commercial/Industrial Waste -			
First 500	$29.05	$10.95	$40.00
Each Additional 100 gallons	$5.81	$2.19	$8.00

SECTION 2. Section 10.08.120 of the Bloomington Municipal Code (the “Code”), entitled “Waste Haulers - Charges” subsection (c) is hereby amended in its entirety to read as follows:

(c) The fees for the treatment and disposal of domestic septage shall be charged to the waste hauler with a valid wastewater management business permit issued by the state department of environmental management who transports the waste to the treatment facility for disposal. Any CBU-approved waste hauler may purchase single-load manifests which authorize that hauler to dispose of one load of domestic septage.

Generators of nondomestic waste must request authorization to dispose of wastes in the utility treatment works. The application will be reviewed by staff and, if approved, the tickets for disposal of the waste may be purchased by the waste generator. Generators may purchase tickets in lieu of single-load manifests. The generator must provide the appropriate ticket(s) to the waste hauler and the hauler must present the ticket(s) to the staff at the treatment facility as evidence that the disposal of the waste has been authorized.

SECTION 3. If any section, sentence, or provision of this ordinance or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other parts of this ordinance which can be given effect without the invalid part, and to this end the provisions of this ordinance are declared to be severable.

SECTION 5. This ordinance shall be in full force and effect upon its passage by the Common Council of the City of Bloomington, Monroe County, Indiana, and approval of the Mayor and the rates set forth herein shall go into effect on January 1, 2026.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _______ day of _______________, 2025.

____
HOPI STOSBERG, 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 ______ day of ________________, 2025.

____
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this ______ day of __________________, 2025.

____
KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends the rates and charges in Title 10 of the Bloomington Municipal Code, entitled “Wastewater”, to reflect increased costs of treating hauled wastewater to the Dillman Wastewater Treatment Plant.

CITY OF BLOOMINGTON
CBU MEMORANDUM

TO: City of Bloomington Common Council
FROM: Steven Stanford, Pretreatment Program Coordinator

RE: Proposed Ordinance 2025-44 for Amendments to Title 10 - Wastewater

DATE: November 12, 2025

The CBU Pretreatment Group recommends updates to the Bloomington Municipal Code Title 10 - Wastewater for the following reasons:

1. The current rates and charges of the sewage works of the City for hauled wastewaters were established by Common Council under Ordinance 00-34 on September 13, 2000, with said rate adjustment taking effect on September 15, 2000.
2. Inflation has substantially increased the Consumer Price Index and Construction Cost Index since September 2000, rendering the cost of such service substantially more expensive.
3. Rates currently charged by CBU for hauled wastewater are insufficient to cover the cost of treatment, administration, and billing for the acceptance and treatment of hauled wastewaters.

The City of Bloomington Utilities (CBU) has historically accepted hauled wastewater for treatment at its Dillman Road wastewater treatment plant as a service to local residents and businesses located beyond the reach of its sewage collection system. This practice has continued as a means of enhancing community quality of life by providing safe, sustainable, cost-effective wastewater services while promoting public health, economic vitality, and environmental stewardship.

Billing rates for this service have remained unchanged since September 2000 (Ordinance 00-34). Since that time, the Consumer Price Index for All Urban Consumers has increased by 86 percent (https://fred.stlouisfed.org/series/CPIAUCSL) and the construction cost index has increased by nearly 218 percent (Engineering News Record).

In 2024, CBU commissioned Crowe LLP to study and analyze operating and financial reports and other data pertaining to calculate an appropriate rate that can be charged to domestic septage haulers who deposit waste at CBU's treatment facilities. An appropriate rate was determined by Crowe LLP considering the following direct expenses for rendering such service:

(1) Strength Charge: charge to recover bulk waste haulers' share of annual revenue requirements incurred by CBU based on the strength of waste deposited, relative to average waste treated by the facility.
(2) Bulk Waste Specific Expense Charge: charge to recover the labor and testing activities undertaken by CBU staff in order to accept bulk waste.

(3) Billing Charge: charge to recover a share of billing expenses incurred by the CBU allocable to domestic bulk waste haulers.

Based on the typical strength of septage reported by EPA (1994) and factors specific to CBU's operations, Crowe LLP determined that a billing rate of $0.175 per gallon for domestic septage would provide the revenue corresponding to the cost of treatment, CBU staff activities, and billing charges.

CBU's current rates are structured such that septage haulers are charged an equivalent of $0.0206 per gallon. Grease wastes are accepted at a billing rate equivalent to $0.0589 per gallon. Wastewater treatment plant waste (occasionally received from neighboring facilities) and commercial/industrial waste are billed at a rate of $0.0442 per gallon. CBU's Pretreatment Group finds that the different rates charged for the differing hauled wastewaters has little basis in cost of treatment or providing such services as each of the four wastewater categories typically exhibit strength of the same magnitude. As such, a single, uniform rate is appropriate for the four (4) different categories of hauled wastewater listed in the sewer use ordinance.

While a billing rate of $0.175 per gallon is indicated in Crowe LLP's study, immediate implementation of this rate is likely to be disruptive to the current waste hauler's market and counterproductive for CBU's mission of promoting environmental stewardship. Such a rate would represent an increase ranging from 297 percent for grease waste to nearly 850 percent for domestic septage. A step-wise or phased implementation is therefore recommended.

Based on the available information and CBU's evaluation of current hauled wastewater rates in the central and southern Indiana market, a uniform rate of $0.08/gallon is recommended at this time for implementation beginning January 1, 2026.

Regarding financial impact to customers hauling wastewater to CBU for treatment, the rates and charges recommended herein are nondiscriminatory, reasonable, and just. The recommended rate is based upon the cost of providing service to the customers of the Sewage Works and will enable the City to meet its legal revenue requirements for the Sewage Works. Finally, the CBU Pretreatment Group notes that the recommended rate of $0.08 per gallon is approximately one half of the state average for septage of $0.179 per gallon reported by the IDEM in 2024, and therefore comprises a logical phased increase towards CBU's actual costs of about $0.175 per gallon.

If you have any questions or concerns, please reach out to Steven Stanford at 812-349-3946, steven.stanford@bloomington.in.gov.

UTILITY SERVICE BOARD
OF THE CITY OF BLOOMINGTON, INDIANA
RESOLUTION NO. 2025-21

RE: APPROVING THE FORMS OF ORDINANCES ADJUSTING THE RATES AND CHARGES FOR SEPTIC HAULERS AND RECOMMENDING ITS ADOPTION TO THE COMMON COUNCIL OF THE CITY

WHEREAS, the City of Bloomington, Indiana (the "City"), has previously established and constructed and now owns and operates through its Utility Service Board (the "Board"): (i) a sewage works (the "Sewage Works"), for the collection, treatment and disposal of sewage and other wastes from inhabitants and entities in and around the City of Bloomington pursuant to Indiana Code 36-9-23, as amended through the City of Bloomington Utilities Department ("CBU") ; and

WEHREAS, CBU receives hauled wastewater for treatment at its Dillman Wastewater Treatment Plant as a safe, sustainable, cost-effective wastewater service to the local community; and

WHEREAS, CBU, through this Board, engaged the services of Crowe LLP, to conduct a study and analysis of the operating and financial reports and other data pertaining these septic hauler services so provided; and

WHEREAS, Crowe LLP prepared a Waste Haulers – Septic Hauler Rate Report concerning the current rates and charges of CBU ("the Report"); and

WHEREAS, CBU staff accepts the Report and recommends that this Board approve an increase in the rates and charges of the Sewage Works within the parameters of the Report; and,

WHEREAS, based upon the Report, and the recommendations of CBU staff and Crowe LLC, this Board finds that the current rates and charges for the use of and service rendered by CBU do not produce sufficient revenues to pay all the necessary expenses incidental to the operation of such services which are included in the Report; and

WHEREAS, this Board finds that the current rates and charges do not produce an income sufficient to maintain the Sewage Works property in a sound physical and financial condition to render safe, adequate and efficient service; and

WHEREAS, this Board finds that the current rates and charges for the use of and service rendered by the Sewage Works must be increased in order to provide sufficient revenue to meet such requirements; and

WHEREAS, this Board finds that the rates and charges set forth herein are nondiscriminatory, reasonable and just and are based upon the cost of providing service to the customers of the Sewage Works and will enable the City to meet its legal revenue requirements for the Sewage Works; and

WHEREAS, the proposed sewage works rate ordinance (the "Ordinance") has been duly considered by this Board and found satisfactory, a copy of which is attached hereto, marked as **Exhibit "A"** and incorporated herein; and

WHEREAS, this Board desires to recommend the adoption of the proposed Ordinance to the Bloomington Common Council.

NOW, THEREFORE, BE IT RESOLVED BY THE UTILITY SERVICE BOARD OF THE CITY OF BLOOMINGTON, INDIANA, AS FOLLOWS:

1. The Board requests the Common Council authorize the modification of the rates and charges for the users of the Sewage Works as set forth in the proposed form of the Ordinance presented at this meeting, by the adoption of the proposed Ordinance, in substantially the form attached hereto as **Exhibit "A"**.

2. The Secretary of the Board is hereby directed to present a copy of this Resolution to the Bloomington City Clerk for presentation to the Bloomington Common Council as soon as may be done.

3. This Resolution shall be in full force and effect after its adoption by the Board.

PASSED AND ADOPTED THIS 20 **DAY OF** October**, 2025.**

CITY OF BLOOMINGTON, INDIANA
By and Through its Utility Service Board

Seth Debro
Seth Debro (Oct 21, 2025 10:48:03 EDT)

Seth Debro, President

ATTEST:

Rachel Gray
Rachel Gray (Oct 21, 2025 10:49:30 EDT)

Rachel Gray, Secretary

EXHIBIT "A"

ORDINANCE 2025-44

TO AMEND TITLE 10
OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED
"WASTEWATER"
(Septic Hauler Rate Adjustment)

WHEREAS, the City of Bloomington, Indiana (the "City") has established, acquired, and financed its sewage works pursuant to Indiana Code 36-9-23, as amended (the "Act"), for the purpose of providing for the collection, treatment and disposal of sewage from inhabitants in and around the City; and

WHEREAS, the current rates and charges of the sewage works of the City for waste haulers were established by Common Council under Ordinance 00-34 on September 13, 2000, with said rate adjustment taking effect on September 15, 2000; and,

WHEREAS, the City, through its Utilities Service Board, engaged the services of Crowe LLP, to conduct a thorough study of the revenue requirements for continued receipt and treatment of hauled wastewater; and

WHEREAS, Crowe LLP prepared a Waste Haulers – Septic Hauler Rate Report concerning the current rates and charges of CBU ("the Report"); and

WHEREAS, the City, through its Utilities Service Board, upon consideration of the Report prepared by Crowe LLP, recommends that the Common Council approve a rate of $.08/per gallon for all hauled wastewater received at the Dillman Wastewater Treatment Plant; and

WHEREAS, the Council finds that the current rates and charges for the use of and service rendered by CBU do not produce sufficient revenues to pay all the necessary expenses incidental to the operation of such services which are included in the Report; and

WHEREAS, the Council finds that the current rates and charges for the use of and service rendered by the sewage works must be increased in order to provide sufficient revenue to meet such requirements; and

WHEREAS, the Council finds that the rates and charges set forth herein are nondiscriminatory, reasonable and just and are based upon the cost of providing service to the customers of the sewage works and will enable the City to meet its legal revenue requirements for the sewage works; and

WHEREAS, the Council caused notice of a public hearing on the rates and charges set forth herein to be duly advertised and mailed, and held a public hearing thereon, all pursuant to the Act.

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

SECTION 1. Section 10.08.120 of the Bloomington Municipal Code (the "Code"), entitled "Waste Haulers - Charges", is hereby amended to reflect the following charges:

	Portion of Rate Applicable to		
	Operations, Maintenance, and Replacement Expenses	Capital Related Costs	Total
Domestic Septage -			
First 500	$29.05	$10.95	$40.00
Each Additional 100 gallons	$5.81	$2.19	$8.00
Grease Waste -			
First 100	$5.81	$2.19	$8.00
Each Additional 100 gallons	$5.81	$2.19	$8.00
Wastewater Treatment Plant Waste -			
First 500	$29.05	$10.95	$40.00
Each Additional 100 gallons	$5.81	$2.19	$8.00
Commercial/Industrial Waste -			
First 500	$29.05	$10.95	$40.00
Each Additional 100 gallons	$5.81	$2.19	$8.00

SECTION 2. Section 10.08.120 of the Bloomington Municipal Code (the "Code"), entitled "Waste Haulers - Charges" subsection (c) is hereby amended in its entirety to read as follows:

(c) The fees for the treatment and disposal of domestic septage shall be charged to the waste hauler with a valid wastewater management business permit issued by the state department of environmental management who transports the waste to the treatment facility for disposal. Any CBU-approved waste hauler may purchase single-load manifests which authorize that hauler to dispose of one load of domestic septage.

Generators of nondomestic waste must request authorization to dispose of wastes in the utility treatment works. The application will be reviewed by staff and, if approved, the tickets for disposal of the waste may be purchased by the waste generator. Generators may purchase tickets in lieu of single-load manifests. The generator must provide the appropriate ticket(s) to the waste hauler and the hauler must present the ticket(s) to the staff at the treatment facility as evidence that the disposal of the waste has been authorized.

SECTION 3. If any section, sentence, or provision of this ordinance or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other parts of this ordinance which can be given effect without the invalid part, and to this end the provisions of this ordinance are declared to be severable.

SECTION 5. This ordinance shall be in full force and effect upon its passage by the Common Council of the City of Bloomington, Monroe County, Indiana, and approval of the Mayor and the rates set forth herein shall go into effect on January 1, 2026.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _______ day of _______________, 2025.

____
HOPI STOSBERG, 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 ______ day of ________________, 2025.

____
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this ______ day of __________________, 2025.

____
KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends the rates and charges in Title 10 of the Bloomington Municipal Code, entitled “Wastewater”, to reflect increased costs of treating hauled wastewater to the Dillman Wastewater Treatment Plant.

Crowe

Smart decisions. Lasting value.™

Waste Haulers - Septic Hauler Rate Report

City of Bloomington Municipal Sewer Utility

January 24, 2025

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Purpose of the Report

Crowe LLP ("Crowe" or "we") has performed a study and analysis of the operating and financial reports, and other data pertaining to the City of Bloomington Municipal Sewer Utility ("Utility"). The results of our analysis are contained in this Waste Haulers – Septic Hauler Rate Report ("Report").

The purpose of this Report is to calculate an appropriate rate that could be charged to domestic waste septic haulers who deposit waste at the Utility's treatment facilities. The proposed rate is comprised of the following elements:

(1) Strength Charge: charge to recover bulk waste haulers' share of annual revenue requirements incurred by the Utility based on the strength of waste deposited, relative to average waste treated by the Utility.
(2) Bulk Waste Specific Expense Charge: charge to recover the labor and testing activities undertaken by the Utility's staff in order to accept bulk waste.
(3) Billing Charge: charge to recover a share of billing expenses incurred by the Utility allocable to domestic bulk waste haulers.

The historical information used in this Report was taken from the books and records of the Utility.

In the course of preparing this Report, we have not conducted an audit of any financial or supplemental data used in the accompanying exhibits and schedules. We have made certain projections that may vary from actual results because events and circumstances frequently do not occur as estimated and such variances may be material. We have no responsibility to update this Report for events and circumstances occurring after the date of this Report.

If you have any questions regarding this Report, please call Jennifer Wilson at (317) 269-6696 or Jenessa Carter at (616) 233-5673.

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Summary of Utility Financial Information

Summary of Operating Expenses for the Year Ending December 31, 2023

		2023
Operation and Maintenance Expenses		
Director	$	1,043,352
Utility Service Board		3,988,206
Accounting		497,427
Billing and Collections		646,738
Customer Relations		195,094
Purchasing		289,974
Environmental Services		462,299
Communications		183,626
Blucher Poole Treatment Plant		2,082,063
Dillman Road Treatment Plant		4,171,749
Laboratory		202,191
Transmission and Distribution		2,937,908
Booster and Lift Stations		176,455
Meters		759,626
Engineering		1,037,796
Total Operation and Maintenance Expenses		18,674,504
Depreciation Expense		
Sewage Works Depreciation Expense		3,998,841
Taxes Other Than Income Taxes		
Payment in Lieu of Property Taxes		1,323,234
Total Operating Expenses	$	23,996,579

Source: Utility Trial Balances.

Adjustments to the Financial Statements

Adjusted Operating Expenses

	2023	Adjustments Amount	Ref.	Adjusted
Operation and Maintenance Expenses				
Director	$ 1,043,352			$ 1,043,352
Utility Service Board	3,988,206	$ (2,658,804)	(1)	1,329,402
Accounting	497,427			497,427
Billing and Collections	646,738			646,738
Customer Relations	195,094			195,094
Purchasing	289,974			289,974
Environmental Services	462,299			462,299
Communications	183,626			183,626
Blucher Poole Treatment Plant	2,082,063			2,082,063
Dillman Road Treatment Plant	4,171,749			4,171,749
Laboratory	202,191			202,191
Transmission and Distribution	2,937,908			2,937,908
Booster and Lift Stations	176,455			176,455
Meters	759,626			759,626
Engineering	1,037,796			1,037,796
Total Operation and Maintenance Expenses	18,674,504	(2,658,804)		16,015,700
Depreciation Expense				
Sewage Works Depreciation Expense	3,998,841			3,998,841
Taxes Other Than Income Taxes				
Payment in Lieu of Property Taxes	1,323,234	(882,156)	(1)	441,078
Total Operating Expenses	$ 23,996,579	$ (3,540,960)		$ 20,455,619

See Appendix A: Assumptions.

Allocation of Operation and Maintenance Expense

Allocation Factors

This Report uses various allocation factors to allocate Utility revenue requirements between the Utility's primary functions of Treatment, Conveyance, and Billing. The below schedule lists the Allocation Factors and allocation percentages between the functions.

Allocation	Ref.	Treatment	Conveyance	Billing
Treatment		100%		
Conveyance			100%	
Billing				100%
Treatment/Conveyance	(2)	50%	50%	
UPIS	(2)	39%	53%	8%
General	(2) (3)	59%	35%	6%

See Appendix A: Assumptions.

Allocation of 2023 Operation and Maintenance Expenses

	Allocation Method	Adjusted 2023	Treatment - Dillman WWTP	Treatment - Blucher Poole WWTP	Conveyance	Billing
Operation and Maintenance Expenses						
Director	General	$ 1,043,352	$ 409,350	$ 204,301	$ 368,228	$ 61,473
Utility Service Board	General	1,329,402	521,579	260,313	469,182	78,328
Accounting	General	497,427	195,161	97,402	175,556	29,308
Billing and Collections	Billing	646,738				646,738
Customer Relations	General	195,094	76,543	38,202	68,854	11,495
Purchasing	General	289,974	113,769	56,780	102,340	17,085
Environmental Services	General	462,299	181,379	90,524	163,158	27,238
Communications	General	183,626	72,044	35,956	64,807	10,819
Blucher Poole Treatment Plant	Direct	2,082,063		2,082,063		
Dillman Road Treatment Plant	Direct	4,171,749	4,171,749			
Laboratory	Split	202,191	134,876	67,315		
Transmission and Distribution	Conveyance	2,937,908			2,937,908	
Booster and Lift Stations	Conveyance	176,455			176,455	
Meters	Conveyance	759,626			759,626	
Engineering	General	1,037,796	407,170	203,213	366,267	61,146
Total Operation and Maintenance Expenses		16,015,700	6,283,620	3,136,069	5,652,381	943,630
Depreciation Expense						
Sewage Works Depreciation Expense	UPIS	3,998,841	965,355	578,445	2,139,144	315,897
Taxes Other Than Income Taxes						
Payment in Lieu of Property Taxes	General	441,078	173,053	86,368	155,669	25,988
Total Operating Expenses		$ 20,455,619	$ 7,422,028	$ 3,800,882	$ 7,947,194	$ 1,285,515

See Appendix A: Assumptions.

Allocation of Debt Service

The Utility has issued several series of bonds to finance infrastructure improvements to the Utility. The below schedule summarizes which dollars for each issuance were used for the Dillman Road Plant.

	Allocation Method	Average Annual Debt Service	Dillman WWTP
Annual Debt Service			
2006 A-1	Direct	$ 130,043	
2013 Refunding Bonds	Direct	1,190,826	
2017 Bonds	Direct	474,996	
2019 Refunding Bonds	Direct	885,933	
2020 Bonds (A)	Direct	1,510,447	$ 987,077
2021 Refunding Bonds	Direct	558,961	
2024 Bonds (B)	Direct	3,719,807	1,810,802
Total Operation and Maintenance Expenses		8,471,014	2,797,879
2020 Bonds Allocation to Dillman Road WWTP (A)			
Dillman Road WWTP Project Costs		$ 25,043,700	
All Other Projects		13,280,990	
Total Project Costs Funded by 2020 Bonds		38,324,690	
Dillman Road WWTP Percent of 2020 Bonds Project Costs		65.35%	
2024 Bonds Allocation to Dillman Road WWTP (G)			
Dillman Road WWTP Project Costs		$ 23,200,000	
All Other Projects		24,459,670	
Total Project Costs Funded by 2024 Bonds		47,659,670	
Dillman Road WWTP Percent of 2024 Bonds Project Costs		48.68%	

Summary of Pounds of Waste Components Treated

	2023
Biochemical Oxygen Demand (4)	3,883,278
Suspended Solids (4)	5,264,198
Ammonia (4)	542,931
Phosphorous (4)	138,244
Total Pounds of Waste Components Treated	9,828,651

Source: Utility Monthly Report of Operations submitted to the Indiana Department of Environmental Management

See Appendix A: Assumptions.

Calculation of Waste Haulers – Septic Hauler Charge

Strength Charge

Cost Per Pound for Treatment of Normal Strength Surcharge (6)		
Adjusted Allocated Dillman Treatment Costs	$	7,422,028
Debt Service Allocable to Dillman WWTP		2,797,879
Annual Revenue Requirements Allocable to Dillman Treatment		10,219,907
Divide by: Total Pounds of Waste Components Treated		9,828,651
Total Cost Per Pound of Average Strength Sewage	$	1.04
Treatment Charge (Strength of Waste) (6)		
Estimated Concentration of Waste Components (mg/l) (1)		
Biochemical Oxygen Demand		6,500
Suspended Solids		13,000
Ammonia		100
Phosporous		210
Total Estimated Concentration of Waste Components (mg/l)		19,810
Times: Conversion Factor -mg/l to 1,000 gallons		0.00834
Estimated Pounds of Waste Component per 1,000 gallons		165.21540
Times: Total Cost Per Pound of Average Strength Sewage	$	1.04
Treatment Charge Per 1,000 Gallons	$	171.82

(1) Sample results provided by the Utility.

See Appendix A: Assumptions.

Calculation of Waste Haulers – Septic Hauler Charge (Continued)

Bulk Waste Specific Expense Charge

Estimate of Monthly Labor Hours Bulk Waste Processing (6)	3
Times: Annualize	12
Annual Labor Hours Bulk Waste Processing	36
Times: Hourly Rate (6)	$ 30.46
Total Specific Expenses to Receipting Station	$ 1,097
Divide by: Estimated Annual Gallons at Receipting Station (000s)	2,457
Specific Expense Charge for Receipting Station per 1,000 Gallons	$ 0.45

Billing Charge

Allocated Billing Expenses	$ 1,285,515
Total Consumption (000s) for all Plants	5,080,440
Billing Charge Per 1,000 gallons	$ 0.25

Total Waste Hauler – Septic Hauler Charge

	2023
Strength Charge per 1,000 Gallons	$ 171.82
Bulk Waste Specific Expense Charge per 1,000 Gallons	0.45
Billing Charge per 1,000 Gallons	0.25
Calculated Charge per 1,000 Gallons	$ 172.52
Average Charge Per 1,000 Gallons (Rounded)	$ 175.00
Cost Per 2,000 Gallons Dumped	$ 350.00
Cost Per 4,000 Gallons Dumped	$ 700.00
Cost Per 6,000 Gallons Dumped	$ 1,050.00

See Appendix A: Assumptions.

Appendix A: Assumptions

The following assumptions, provided by and approved by the management of the Utility, were used in preparation of the Report.

#	Report Area	Assumption
1	Adjusted Operating Expenses	• Utility Service Board shared services agreement was paid in 2023 for 2021-2023, the total expenses were adjusted by 2/3 for 2023. • Payment in Lieu of Property Taxes were paid in 2023 for 2021-2023, the total expenses were adjusted by 2/3 for 2023.
2	Allocation Factors	• Expense categories related to both treatment and conveyance are allocated fifty percent (50%) to the treatment function and fifty percent (50%) to the conveyance function. • The Utility Plant in Service (“UPIS”) allocation percentages are based on the proportional share of the net book value of utility assets specifically at the Dillman Plant as of December 31, 2023. Assets associated with the Billing function are all utility assets not specifically associated with the Treatment or Conveyance functions. The UPIS allocation factor is used for purposes of allocating debt service and depreciation expenses to septic waste haulers. • General allocation percentages are used to allocate administrative and general expenses, and other expenses, not tied to a particular utility function. General allocation percentages are based on the proportional amounts of Treatment, Conveyance, and Billing expenses for each respective year.
3	Allocation of Operation and Maintenance Expenses	Adjusted Operating Expenses were allocated according to the allocation factors in assumption 2 as noted above.
4	Summary of Pounds of Waste Components Treated	Annual pounds for Biochemical Oxygen Demand, Suspended Solids, Ammonia, and Phosphorous are calculated based on monthly raw sewage amounts and monthly average strength readings from the Utility’s Monthly Report of Operations.
5	Strength Charge	• Outstanding debt service allocated to Dillman Treatment Plant. • Sampling amounts of domestic bulk waste components provided by the Utility are representative of typical bulk waste received by the Utility.
6	Total Waste Hauler - Septic Hauler Charge	• Utility staff spend approximately three hours per month processing domestic bulk waste. • Total costs for average Utility staff completing worked related to bulk waste processing is $30.46 per hour. • The Utility does not incur a quarterly sampling cost to sample and test bulk waste.

ORDINANCE 2025 - 19
TO AMEND TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "VEHICLES AND TRAFFIC"

Re: Chapters 15.48 and 15.52 – Updating Permissible Towing and Storage Charges for Authorized Towing Services

WHEREAS, In 2020, the City of Bloomington (hereafter "City") passed Ordinance 20-10, which updated the maximum amount that authorized towing services may charge for tows initiated at the request of the City; and,

WHEREAS, The City has not updated said charges since Ordinance 20-10 was adopted five years ago; and

WHEREAS, The Common Council finds that the maximum amount authorized towing services may charge for city-initiated tows is out of line with those permitted by Monroe County and the Indiana State Police; and

WHEREAS, The Common Council finds that the charges for showing up, towing, and storage are outdated and should be amended to reflect more accurately the costs associated with towing services and current market pricing; and

WHEREAS, The Common Council finds that charges for heavy tow services pursuant to police contract should be specified in the Bloomington Municipal Code.

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

Section 1. Section 15.48.030 of the Bloomington Municipal Code Section entitled "Towing and storage charges" is hereby deleted and replaced as reflected in the amended Section 15.48.030 in "Attachment 1," such that it reads as follows:

15.48.030 – Towing and storage charges.

The maximum amount that an authorized towing service may charge for hooking up, towing, or removing a vehicle under this chapter may not exceed $150.00, except where special treatment may be required. Special treatment that includes the use of dollies or skates may not exceed an additional $50.00. Special treatment that includes the use of winching may not exceed an additional $150.00. The maximum amount that may be charged for storage of vehicles shall not exceed $30.00 per day. The storage fee may being to accrue after twelve hours have passed since the vehicle arrived at the storage facility. The storage fee may incorporate an additional fee of not to exceed $75.00 if pick up is made outside of business hours.

SECTION 2. Section 15.52.060 of the Bloomington Municipal Code entitled "Maximum towing and storage charges" is hereby deleted and replaced as reflected in the amended Section 15.52.060 in "Attachment 1," such that it reads as follows:

15.52.060 – Maximum towing and storage charges.

The maximum amount that an authorized towing service may charge for hooking up, towing, or removing a vehicle under this chapter may not exceed $150.00, except where special treatment may be required. Special treatment that includes the use of dollies or skates may not exceed an additional $50.00. Special treatment that includes the use of winching may not exceed an additional $150.00. The maximum amount that may be charged for storage of vehicles shall not exceed $30.00 per day. The storage fee may being to accrue after twelve hours have passed since the vehicle arrived at the storage facility. That the storage fee may incorporate an additional fee of not to exceed $75.00 if pick up is made outside of business hours.

SECTION 3: Section 15.52.065 of the Bloomington Municipal Code Section entitled "Release of vehicle" is hereby deleted and replaced as reflected in the amended Section 15.52.065 in "Attachment 1," such that it reads as follows:

15.52.065 – Release of vehicle.

A vehicle towed under this chapter shall be available to be claimed within sixty minutes of its arrival at a vehicle storage facility, and the vehicle shall be released promptly upon demonstration of proof of ownership, such as title or registration of vehicle and Payment of fees.

SECTION 4. Section 15.52.070 of the Bloomington Municipal Code entitled "Towing contracts" is hereby deleted and replaced as reflected in the amended Section 15.52.070 in "Attachment 1," such that it reads as follows:

15.52.070 – Towing contracts.

Towing facilitated pursuant to a police contract shall have a show up fee of $100.00 and the cost of a Heavy Tow for vehicles weighing more than 10001 pounds shall include an additional fee of $450.00.

SECTION 5. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 6. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington, approval of the Mayor and all other requirements of the Indiana Code.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this ______ day of ____________________, 2025.

____
Hopi Stosberg, 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 ______ day of ________________________, 2025.

____
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _______ day of _______________________, 2025.

Kerry Thompson, Mayor
City of Bloomington

SYNOPSIS

Ordinance 2025-19 updates the maximum charges authorized towing services may collect when performing city-initiated tows, to reflect more accurately the costs associated with towing services and current market pricing.

Attachment 1

15.48.030 - Towing and storage charges.

~~The maximum amount that an authorized towing service may charge for hooking up, towing or removing a vehicle under this chapter may not exceed $135.00, except where special treatment may be required. Special treatment, including dollying, may not exceed an additional $25.00. The maximum amount that may be charged for storage of vehicles shall not exceed $25.00 per day. The storage fee may not begin to accrue until twenty-four hours have passed since the vehicle arrived at the storage facility.~~

~~(Ord. 01-33 § 1, 2001; Ord. 96-43 § 1, 1996: Ord. 93-01 § 1, 1993: Ord. 88-43 § 1, 1988; Ord. 82-1 § 1 (part), 1982).~~

~~(Ord. No. 19-07, § 1, 3-20-2019; Ord. No. 20-10, § 2, 6-3-2020)~~

The maximum amount that an authorized towing service may charge for hooking up, towing, or removing a vehicle under this chapter may not exceed $150.00, except where special treatment may be required. Special treatment that includes the use of dollies or skates may not exceed an additional $50.00. Special treatment that includes the use of winching may not exceed $150.00. The maximum amount that may be charged for storage of vehicles shall not exceed $30.00 per day. The storage fee may being to accrue after 12 hours have passed since the vehicle arrived at the storage facility. That the storage fee may begin to accrue after twelve hours have passed since the vehicle arrived at the storage facility. The storage fee may incorporate an additional fee of not to exceed $75.00 if pick up is made outside of business hours.

(Ord. 01-33 § 1, 2001; Ord. 96-43 § 1, 1996: Ord. 93-01 § 1, 1993: Ord. 88-43 § 1, 1988; Ord. 82-1 § 1 (part), 1982).

(Ord. No. 19-07, § 1, 3-20-2019; Ord. No. 20-10, § 2, 6-3-2020)

Chapter 15.52 - ABANDONED VEHICLES

15.52.060 - Maximum towing and storage charges.

~~The maximum amount that an authorized towing service may charge for hooking up, towing or removing a vehicle under this chapter may not exceed $135.00, except where special treatment may be required. Special treatment, including dollying, may not exceed an additional $25.00. The maximum amount that may be charged for storage of vehicles shall not exceed $25.00 per day. The storage fee may not begin to accrue until twenty-four hours have passed since the vehicle arrived at the storage facility.~~

~~(Ord. 01-33 § 2, 2001; Ord. 96-43 § 2, 1996: Ord. 93-01 § 2, 1993: Ord. 88-43 § 2, 1988: Ord. 82-1 § 1 (part), 1982).~~

~~(Ord. No. 17-22, § 14, 5-17-2017; Ord. No. 19-07, § 2, 3-20-2019; Ord. No. 20-10, § 3, 6-3-2020)~~

The maximum amount that an authorized towing service may charge for hooking up, towing, or removing a vehicle under this chapter may not exceed $150.00, except where special treatment may be required. Special treatment that includes the use of dollies or skates may not exceed an additional $50.00. Special treatment that includes the use of winching may not exceed $150.00. The maximum amount that may be charged for storage of vehicles shall not exceed $30.00 per day. The storage fee may being to accrue after twelve hours have passed since the vehicle arrived at the storage facility. That the storage fee may incorporate an additional fee of not to exceed $75.00 if pick up is made outside of business hours.

(Ord. 01-33 § 2, 2001; Ord. 96-43 § 2, 1996: Ord. 93-01 § 2, 1993: Ord. 88-43 § 2, 1988: Ord. 82-1 § 1 (part), 1982).

(Ord. No. 17-22, § 14, 5-17-2017; Ord. No. 19-07, § 2, 3-20-2019; Ord. No. 20-10, § 3, 6-3-2020)

15.52.065 - Release of vehicle.

~~A vehicle towed under this chapter shall be available to be claimed within sixty minutes of its arrival at a vehicle storage facility, and the vehicle shall be released promptly upon demonstration of proof of ownership, such as title or registration of vehicle and either:~~

~~(1)Payment of fees; or~~

~~(2)Payment of twenty percent of the fees and execution of a payment agreement for the fee balance.~~

~~(Ord. No. 20-10, § 4, 6-3-2020)~~

A vehicle towed under this chapter shall be available to be claimed within sixty minutes of its arrival at a vehicle storage facility, and the vehicle shall be released promptly upon demonstration of proof of ownership, such as title or registration of vehicle and Payment of fees.

(Ord. No. 20-10, § 4, 6-3-2020)

15.52.070 - Towing contracts.

~~To facilitate the removal of abandoned vehicles or parts or vehicles declared public nuisances, the police department may enter into towing contracts or agreements for the removal and storage of abandoned vehicles and parts.~~

~~(Ord. 82-1 § 1 (part), 1982)~~

Towing facilitated pursuant to a police contract shall have a show up fee of $100.00 and the cost of a Heavy Tow for vehicles weighing more than 10001 pounds shall include an additional fee of $450.00.

(Ord. 82-1 § 1 (part), 1982)

MEMORANDUM

TO: Bloomington Common Council
FROM: Enedina Kassamanian, Esq.
CC: Lisa Lehner, Council Attorney
RE: Amendment to Bloomington Municipal Code Chapters 15.48.010

The Bloomington Police Department and contracted Bloomington towing companies in consideration of current and future towing contracts are now proposing a change in title fifteen of the Bloomington Municipal Code as to all costs related to towing while taking into account the unique criteria of city initiated tows, and storage and fees. The purpose of the change is to align the city initiated tow fees with that of Monroe County, State of Indiana, and Indiana University. Additionally, the change will take into account the additional costs related to heavy tows and adjust the timeframe at which storage fees will begin to accrue. The towing fees have not been updated since 2020, roughly five years ago, and the costs associated with the towing operation has increased. The proposed changes should not have any fiscal impact, as implementing proposed legislation will not require any additional resources, nor produce any savings, nor create any revenue impact.

ORDINANCE 2025 - 20
TO AMEND CHAPTER 4.32 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "NON-CONSENSUAL TOWING BUSINESS"

Re: Updating Towing License Requirements and Permissible Towing and Storage Fees for Non-consensual Towing Services under Chapter 4.32

WHEREAS, The City of Bloomington (hereafter "City") licenses businesses engaged in non-consensual towing and imposes restrictions and requirements pertaining to the manner in which non-consensual towing is performed within City jurisdiction; and

WHEREAS, The Common Council finds that the restrictions and requirements pertaining to non-consensual towing need to be updated to ensure compliance with Indiana law and to reflect best practices in non-consensual tow business licensure; and

WHEREAS, The proposed amendment to Title 4 Chapter 4.32 has been duly considered by the Common Council of the City.

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

SECTION 1. Section 4.32.060 of the Bloomington Municipal Code entitled "Non-consensual tow business license – Application" is hereby amended as reflected in the amended Section 4.32.060 in "Attachment 1," such that it reads as follows:

4.32.060 Non-consensual tow business license—Application.

Any person or towing company who wishes to obtain a license under this chapter must first complete an application prescribed by the department of economic and sustainable development.

(a) An application for a non-consensual towing business shall include the following information:
  (1) The towing company's taxpayer identification number;
  (2) Applicant's full name and current physical address;
  (3) The telephone number and e-mail address of the primary place of business;
  (4) The address, telephone number, and hours of operation of any vehicle storage facility where towed vehicles will be towed and stored; and
  (5) A telephone number where the principal owner(s) of the towing company can be reached in the event of an emergency;

(b) Insurance Required. Upon application for the tow business license, a towing company shall provide proof of insurance and meet the requirements of Bloomington Municipal Code Section 4.32.090.
(c) Change in Licensee Information. In the event that the information provided by the licensee in the licensee's application changes during the term of the license, the towing company shall give written notice of such changes to the city within fifteen (15) business days of the occurrence of the change.
(d) Background check. In order to be eligible for a license, a towing company will be subject to a background check. The background check shall be clear of formal violations from any jurisdiction outside of the City of Bloomington within the last 12 months and from outstanding fees.
(e) Denial or Non-Renewal of License. The license administrator may decline to issue or renew a license issued under this chapter if the license administrator finds:
  (1) The applicant has previously violated any provision of this chapter and has been subject to any of the penalties listed under Bloomington Municipal Code Section 4.32.160(a); or

(2) The applicant has been previously found to be in violation of any other similar law promulgated by a different governmental entity; or
(3) The applicant has previously had a license issued under this chapter suspended or revoked.

(Ord. No. 20-03, § 1, 2-19-2020)

SECTION 2. Section 4.32.110 of the Bloomington Municipal Code entitled "Signs required to be posted at parking lot; exception" is hereby amended as reflected in the amended Section 4.32.110 in "Attachment 1," such that it reads as follows:

4.32.110 Signs required to be posted at parking lot; exception.

(a) It shall be unlawful for any tow business or tow truck operator to tow a vehicle unless the parking lot in which the vehicle is parked has signage, posted in plain view and visible to the public at each entrance and exit. The signs must be installed for a minimum of twenty-four hours prior to any vehicle being removed. Such signage shall provide the following information:
    (1) A statement that the area in the immediate vicinity of the sign is a tow-away zone;
    (2) The name of the towing company licensed in the City of Bloomington;
    (3) A twenty-four-hour phone number vehicle owners may call to locate their vehicle; and
    (4) A description of persons permitted to park in the affected area, if applicable.
(b) Pursuant to Indiana Code § 24-14-4-2 and notwithstanding the provisions of subsection (a) above, a private property owner may have a motor vehicle towed from the owner's commercial private property without first displaying signage if the vehicle is removed under Indiana Code § 9-22-1-16.
(Ord. No. 20-03, § 1, 2-19-2020)

SECTION 3. Section 4.32.120 of the Bloomington Municipal Code entitled "Additional requirements" is hereby amended as reflected in the amended Section 4.32.120 in "Attachment 1," such that it reads as follows:

4.32.120 Additional requirements.

(a) A towing company and a tow truck operator must comply with all applicable federal, State of Indiana, and City of Bloomington laws.
(b) A towing company and a tow truck operator must display their city-issued license in a conspicuous fashion visible from the exterior of the vehicle.
(c) The practice of booting or otherwise disabling a vehicle to hold it for towing is prohibited.
(d) All vehicles that are towed under this chapter shall be towed directly to a vehicle storage facility leased or owned by the towing company, and shall not be placed or kept in any temporary holding area.
(e) All vehicles towed must be stored within Monroe County.
(f) A towed vehicle shall be available to be claimed within sixty minutes of its arrival at a vehicle storage facility, and the vehicle shall be released promptly upon demonstration of proof of ownership, such as title or registration of vehicle, and payment of fees, in accordance with Indiana Code 24-14-7-2.
(g) A towing company and tow truck operator shall allow the vehicle's owner a reasonable amount of time to inspect the vehicle or to remove or retrieve personal property or possessions that are not affixed from a vehicle. The inspection or retrieval of possessions may be at the scene of the tow or at the vehicle storage facility prior to payment. A towing company or tow truck operator is prohibited from charging a fee for this inspection or retrieval as prohibited under Indiana Code § 24-14-9-2 or from refusing to allow retrieval of such possessions.
(h) A release or waiver of liability of any kind is prohibited as a condition of the release of the vehicle. A tow business may require proof of identification of the person retrieving a vehicle. The person retrieving the vehicle shall be the vehicle's owner, as defined in Section 4.32.030.

(Ord. No. 20-03, § 1, 2-19-2020)

SECTION 4. Section 4.32.130 of the Bloomington Municipal Code entitled "Towing and storage fees" is hereby amended as reflected in the amended Section 4.32.130 in "Attachment 1," such that it reads as follows:

4.32.130 – Towing and storage fees.

(a) It shall be unlawful to charge any fee associated in any way with the towing and storage of a vehicle under this chapter, except as follows:
  (1) For the towing of a vehicle, the maximum fee shall be $150.00 so long as the weight of the vehicle is under 10,001 pounds. For vehicles weighing more than 10,001 pounds the cost shall be an additional fee of $450.00.
  (2) Fees for special treatment, including dollies and skates, shall not exceed an additional $50.00. Special treatment that includes the use of winching may not exceed $150.00.
  (3) For the storage of a towed vehicle the maximum fee for each twenty-four-hour period of storage shall be $30.00; provided however, that a storage fee may not begin to accrue until twelve hours have passed since the vehicle arrived at the storage facility. The storage fee may incorporate additional fee not to exceed $75.00 if pick up is made outside of business hours.

(b) This fee limitation does not restrict fees being charged for other services, provided that said other services are requested by the vehicle's owner.

(c) Notwithstanding the provisions of subsection (a) of this section, the fee limitation does not apply to a towed vehicle having a gross vehicle weight of thirteen thousand pounds or greater.

(d) If it is determined that a vehicle is towed in violation of this chapter, towing and storage fees which have been paid may be recovered by the vehicle's owner. Liability for damage to a towed vehicle is not limited by the provisions of this chapter.

(e) It is unlawful for a person, including a towing company or tow truck operator to offer, pay, or rebate money or other valuable consideration to the owner of a parking lot for the authority to tow vehicles from that owner's parking lot.

(f) When the owner or operator of a motor vehicle is present and desires to instead personally operate and remove his/her own vehicle from a parking lot before the vehicle is in the process of being towed, the vehicle shall not be towed nor shall any fee be charged. However, when the owner or operator of a motor vehicle arrives at the location of the motor vehicle when it is already in the process of being towed, the towing company shall, pursuant to Indiana Code § 24-14-4-4, give the owner or operator either oral or written notification that the owner or operator may pay a fee in the amount that is not greater than half of the amount of the fee the towing company may normally charge for the immediate release of a motor vehicle. For purposes of this section, a motor vehicle is in the process of being towed when it is attached to the tow truck and at least two tires of the vehicle are off the ground.

(Ord. No. 20-03, § 1, 2-19-2020)

SECTION 5. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 6. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington, approval of the Mayor and all other requirements of the Indiana Code.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this ______ day of ___________________, 2025.

____
Hopi Stosberg, 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 ______ day of ______________________, 2025.

____
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _______ day of ______________________, 2025.

____
Kerry Thomson, Mayor
City of Bloomington

SYNOPSIS

Ordinance 2025-20 updates the maximum fees authorized towing services may charge when performing non-consensual towing and imposes additional requirements for licensing and operation of towing companies within the City's jurisdiction.

Chapter 4.32 NON-CONSENSUAL TOWING BUSINESSES

4.32.060 Non-consensual tow business license—Application.

Any person or towing company who wishes to obtain a license under this chapter must first complete an application prescribed by the department of economic and sustainable development.

(a) An application for a non-consensual towing business shall include the following information:

(1) The towing company's taxpayer identification number;

(2) Applicant's full name and current physical address;

(3) The telephone number and e-mail address of the primary place of business;

(4) The address, telephone number, and hours of operation of any vehicle storage facility where towed vehicles will be towed and stored; and

(5) A telephone number where the principal owner(s) of the towing company can be reached in the event of an emergency;

(b) Insurance Required. Upon application for the tow business license, a towing company shall provide proof of insurance and meet the requirements of Bloomington Municipal Code Section 4.32.090.

(c) Change in Licensee Information. In the event that the information provided by the licensee in the licensee's application changes during the term of the license, the towing company shall give written notice of such changes to the city within fifteen (15) business days of the occurrence of the change.

(d) Background check. In order to be eligible for a license, a towing company will be subject to a background check. The background check shall be clear of formal violations from any jurisdiction outside of the City of Bloomington within the last 12 months and from outstanding fees.

(e~~d~~) Denial or Non-Renewal of License. The license administrator may decline to issue or renew a license issued under this chapter if the license administrator finds:

(1) The applicant has previously violated any provision of this chapter and has been subject to any of the penalties listed under Bloomington Municipal Code Section 4.32.160(a); or

(2) The applicant has been previously found to be in violation of any other similar law promulgated by a different governmental entity; or

(3) The applicant has previously had a license issued under this chapter suspended or revoked.

(Ord. No. 20-03, § 1, 2-19-2020)

4.32.110 Signs required to be posted at parking lot; exception.

(a) It shall be unlawful for any tow business or tow truck operator to tow a vehicle unless the parking lot in which the vehicle is parked has signage, posted in plain view and visible to the public at each entrance and exit. The signs must be installed for a minimum of twenty-four hours prior to any vehicle being removed. Such signage shall provide the following information:

(1) A statement that the area in the immediate vicinity of the sign is a tow-away zone~~;~~

(2) The name of the towing company licensed in the City of Bloomington;

(3~~2~~) A twenty-four-hour phone number vehicle owners may call to locate their vehicle; and

(4~~3~~) A description of persons permitted to park in the affected area, if applicable.

(b) Pursuant to Indiana Code § 24-14-4-2 and notwithstanding the provisions of subsection (a) above, a private property owner may have a motor vehicle towed from the owner's commercial private property without first displaying signage if the vehicle is removed under Indiana Code § 9-22-1-16.

(Ord. No. 20-03, § 1, 2-19-2020)

4.32.120 Additional requirements.

(a) A towing company and a tow truck operator must comply with all applicable federal, State of Indiana, and City of Bloomington laws.

(b) A towing company and a tow truck operator must display their city-issued license in a conspicuous fashion visible from the exterior of the vehicle.

(c~~b~~) The practice of booting or otherwise disabling a vehicle to hold it for towing is prohibited.

(d~~c~~) All vehicles that are towed under this chapter shall be towed directly to a vehicle storage facility leased or owned by the towing company, and shall not be placed or kept in any temporary holding area.

(e~~d~~) All vehicles towed must be stored within Monroe County.

(f~~e~~) A towed vehicle shall be available to be claimed within sixty minutes of its arrival at a vehicle storage facility, and the vehicle shall be released promptly upon demonstration of proof of ownership, such as title or registration of vehicle, and ~~either:~~ payment of fees, in accordance with Indiana Code 24-14-7-2.

~~(1) Payment of fees; or~~

~~(2) Payment of twenty percent of the fees and execution of a payment agreement for the fee balance.~~

(g~~f~~) A towing company and tow truck operator shall allow the vehicle's owner a reasonable amount of time to inspect the vehicle or to remove or retrieve personal property or possessions that are not affixed from a vehicle. The inspection or retrieval of possessions may be at the scene of the tow or at the vehicle storage facility prior to payment. A towing company or tow truck operator is prohibited from charging a fee for this inspection or retrieval as prohibited under Indiana Code § 24-14-9-2 or from refusing to allow retrieval of such possessions.

(h~~g~~) A release or waiver of liability of any kind is prohibited as a condition of the release of the vehicle. A tow business may require proof of identification of the person retrieving a vehicle. The person retrieving the vehicle shall be the vehicle's owner, as defined in Section 4.32.030.

(Ord. No. 20-03, § 1, 2-19-2020)

4.32.130 Towing and storage fees.

(a) It shall be unlawful to charge any fee associated in any way with the towing and storage of a vehicle under this chapter, except as follows:

(1) For the towing of a vehicle, the maximum fee shall be $150~~35~~.00~~;~~ so long as the weight of the vehicle is under 10,001 pounds. For vehicles weighing more than 10,001 pounds the cost shall be an additional fee of $450.00.

(2) Fees for special treatment, including dollies and skates~~ying~~, shall not exceed an additional $50~~25~~.00~~;~~. Special treatment that includes the use of winching may not exceed $150.00.

(3) For the storage of a towed vehicle, the maximum fee for each twenty-four-hour period of storage shall be $30~~25~~.00; provided, however, that a storage fee may not begin to accrue until twelve~~twenty-four~~ hours have passed since the vehicle arrived at the storage facility. The storage fee may incorporate additional fee not to exceed $75.00 if pick up is made outside of business hours.

(b) This fee limitation does not restrict fees being charged for other services, provided that said other services are requested by the vehicle's owner.

(c) Notwithstanding the provisions of subsection (a) of this section, the fee limitation does not apply to a towed vehicle having a gross vehicle weight of thirteen thousand pounds or greater.

(d) If it is determined that a vehicle is towed in violation of this chapter, towing and storage fees which have been paid may be recovered by the vehicle's owner. Liability for damage to a towed vehicle is not limited by the provisions of this chapter.

(e) It is unlawful for a person, including a towing company or tow truck operator to offer, pay, or rebate money or other valuable consideration to the owner of a parking lot for the authority to tow vehicles from that owner's parking lot.

(f) When the owner or operator of a motor vehicle is present and desires to instead personally operate and remove his/her own vehicle from a parking lot before the vehicle is in the process of being towed, the vehicle shall not be towed nor shall any fee be charged. However, when the owner or operator of a motor vehicle arrives at the location of the motor vehicle when it is already in the process of being towed, the towing company shall, pursuant to Indiana Code § 24-14-4-4, give the owner or operator either oral or written notification that the owner or operator may pay a fee in the amount that is not greater than half of the amount of the fee the towing company may normally charge for the immediate release of a motor vehicle. For purposes of this section, a motor vehicle is in the process of being towed when it is attached to the tow truck and at least two tires of the vehicle are off the ground.

(Ord. No. 20-03, § 1, 2-19-2020)

MEMORANDUM

TO:	Bloomington Common Council
FROM:	Aleksandrina Pratt, Assistant City Attorney
CC:	Lisa Lehner, Council Attorney
RE:	Amendment to Bloomington Municipal Code Chapter 4.32

Towing companies licensed by the City of Bloomington for non-consensual towing are proposing a change in Title 4 of the Bloomington Municipal Code as to costs related to towing and storage fees. The purpose of the change is to align the City's non-consensual tow fees with that of Monroe County, the State of Indiana, and Indiana University. Additionally, the change will take into account the additional costs related to heavy tows and adjust the timeframe at which storage fees will begin to accrue. Furthermore, the City's license administrator is seeking to update requirements for towing companies to operate and get licensed within City limits. The proposed changes should not have any fiscal impact, as implementing proposed legislation will not require any additional resources, nor produce any savings, nor create any revenue impact.