



# City of Bloomington Common Council

## Legislative Packet - Addendum

Issued on Wednesday, 21 December 2022

Wednesday, 21 December 2022

Regular Session at 6:30 pm

**\*\*\* Amendment Form \*\*\***

**Appropriation Ordinance #:** 22-06  
**Amendment #:** Am 01  
**Submitted By:** Cm. Smith  
**Date:** December 21, 2022

**Proposed Amendment:**

1. Appropriation Ordinance 22-06 shall be amended by deleting “, **AND APPROVING AN AGREEMENT OF THE BLOOMINGTON REDEVELOPMENT COMMISSION TO PURCHASE CERTAIN PROPERTY**” from the title of the ordinance so that the title, as amended, shall read:

**AN ORDINANCE APPROPRIATING THE PROCEEDS OF THE CITY OF BLOOMINGTON, INDIANA, GENERAL REVENUE ANNUAL APPROPRIATION BONDS OF 2022, TOGETHER WITH ALL INVESTMENT EARNINGS THEREON, FOR THE PURPOSE OF PROVIDING FUNDS TO BE APPLIED TO THE COSTS OF CERTAIN CAPITAL IMPROVEMENTS FOR PUBLIC SAFETY FACILITIES, AND PAYING MISCELLANEOUS COSTS IN CONNECTION WITH THE FOREGOING AND THE ISSUANCE OF SAID BONDS AND SALE THEREOF**

2. Appropriation Ordinance 22-06 shall be amended by deleting the sixth Whereas clause from the ordinance, which is depicted below:

WHEREAS, as part of the Projects to be financed with the proceeds of the Bonds, the City, acting by and through the City of Bloomington Redevelopment Commission (the “Commission”), has entered into an agreement, dated July 18, 2022, between the Commission and CFC, LLC (the “Purchase Agreement”) to purchase the portion of the property comprising the existing Showers Building complex not currently owned by the City (the “Showers Building”) at a purchase price that exceeds \$5,000,000, which agreement is contingent upon Council approval by January 31, 2023 of said purchase price and appropriation of financing for the purchase;

3. Appropriation Ordinance 22-06, Section 1 shall be amended by inserting the following sentence after the first sentence of the section:

Such appropriation shall not include payment of costs associated with the acquisition of any portion of the property comprising the existing Showers Building complex not currently owned by the City.

4. Appropriation Ordinance 22-06, Section 2 shall be deleted in its entirety and subsequent sections shall be renumbered accordingly.

## **Synopsis**

This amendment removes language from the appropriation ordinance related to a Redevelopment Commission purchase agreement for a portion of the Showers Building complex at a purchase price exceeding \$5,000,000. The intent behind the removal of this language is to indicate that the Council does not approve of said agreement. It also makes clear that the additional funds to be appropriated by App Ord 22-06 shall not be used for the purpose of paying costs associated with the acquisition of any portion of the property comprising the existing Showers Building complex not currently owned by the City.

**12/21/22 Regular Session Action:**

**Pending**

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**MEMO**

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**DATE: DECEMBER 19, 2022**  
**TO: BLOOMINGTON COMMON COUNCIL**  
**FROM: MICHAEL L. CARMIN**  
**RE: ORDINANCE 22-38: ZONING MAP AMENDMENT ME ZONE TO MI ZONE**

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I am the attorney for Bill Brown who owns the 87-acre parcel at Fullerton Pike and I-69 that is the subject of the Monroe County petition to rezone, proposed ordinance 22-38.

For your consideration, I want to offer a little zoning history on this property.

Bill Brown has owned this property for approximately 37 years. In 1988 a rezoning to Planned Commercial Development was approved. The PCD has been amended and analyzed for additional amendments to the list of permitted uses. However, the core permitted uses remain unchanged since the original PCD approval.

Mr. Brown's property was rezoned from PUD to ME in May 2021 not by Mr. Brown, but by the City through the Planning Department and the Plan Commission proposing the rezoning to ME. The decision to rezone the property from PCD to ME did not substantially add to manufacturing and light industrial employment opportunities. The ME zone permits a number of uses not contained on the list of permitted uses in the PCD which are not high employment uses. The additional uses that are now allowed under the ME zoning includes single family residential, multi-family residential, large facility uses offering limited employment, such as a plant nursery and greenhouse, conference center, amenity center, and outdoor recreation. The ME zone carries forward the permitted uses in the PCD that were high employment uses.

The property is identified as 87 acres. A karst conservancy easement limits, if not generally prohibits, development of approximately 42 acres of the 87-acre parcel. Development under the ME uses is roughly a 45-acre question, not an 87-acre issue.

Attached to this memo is the table of permitted uses for PCD 36-88. The list of uses under the manufacturing/processing category encompasses most of the potential larger employment uses allowed in the ME zone.

This information is offered in response to comments that have been made either publicly or in staff reports to the effect that the anticipated employment that the Monroe County Jail Complex use of the property would engender is not the type of employment envisioned for the ME zone. Notwithstanding the 35-year-old PCD permitting manufacturing and processing uses and other larger employment uses, development has not occurred.

The change to ME zone now creates opportunities to develop the property as multi-family residential and single-family residential uses—both are permitted uses in ME zone. Mr. Brown has not sought and is not seeking to develop the property for residential uses. The point is that merely zoning the property as ME does not assure large employment use. The PCD uses for the most part were limited to larger employment uses. Efforts to attract development on the property via the PCD permitted uses for 35 years were unsuccessful.

Development of the I-69 corridor does not appreciably change the development opportunities for high employment uses that have long existed in the PCD. Before I-69 it was State Road 37, a divided four lane highway. State Road 37 was the principal north/south corridor through Monroe County. It was the road on which large employment uses were expected to develop. Notwithstanding that opportunity and the road being present, the development has not occurred in 35 years.

The proposition has been offered that the City rezoned the parcel to ME because it wanted to see the larger employment uses develop on this site. That does not explain why the ME zone imposed on this property allow multi-family residential and single-family residential uses and numerous other low employments uses. There are more large facility, low employment uses available in the ME zone than the PCD allowed. The high employment uses in the PCD have been continued as part of the ME zone, nevertheless 35 years of reasonable opportunity to develop the property with larger employment uses has netted nothing.

Monroe County's development of the property for the jail complex and other governmental services will bring substantial employment to this property. This will be significantly more employment than many of the ME uses. Many of the jobs will be transferred from other sites, such as the jail and governmental offices at the Justice Center and surrounding office locations. Those properties will be available for redevelopment whether by the County for additional purposes or sold for private redevelopment. It initially will be a largely lateral transfer of employment, but employment should grow at this site as services are consolidated and enhanced as has been discussed by the County in its presentations.

The ME zone is not a new experiment to promote development of the property. It is the reclassification of a 35-year experiment to try to develop this property for larger scale employment uses. It is time to move on.

PCV-36-8688

Permitted Uses  
MP Zone

MP Manufacturing--Park

20.07.05.00 BUSINESS

A. Commercial, Retail

NA

B. Commercial Trade

1. Business Service
2. Business & Prof. \*23
3. Schools (Trade & Bus.)
4. Building Trades Shop
5. Warehouses

C. Commercial, Wholesale

1. Building Material \*24
2. Farm Products \*24
3. Farm Supplies \*24
4. Food Products
5. Household Goods

20.07.06.00 INDUSTRIAL

A. Manufacturing, Processing (generally light)

1. Apparel
2. Bakery, Dairy Products, Confectionary
3. Beverage, Bottling
4. Chemicals & Chemical Products
5. Clock, Scientific Instruments
6. Drugs & Pharmaceuticals
7. Electronic Equipment
8. Furniture
9. Machinery, tool & die \*25 (heavy)
10. Meat, Poultry, Seafood \*18
11. Medical Equipment
12. Metal Fabrication \*25
13. Musical Instruments
14. Paper Products
15. Printing/Newspapers
16. Research Laboratories
17. Misc. Small Products
18. Sporting Goods, Toys, Novelties

B. Industrial Non-processing

1. Warehouse, Storage

\*18 Processing or freezing of dressed meat and poultry permitted in all M zones. Slaughter or dressing must receive special permission of the Plan Commission and is permitted only in the MG zone.

\*23 Corporate only; consumer-oriented offices prohibited.

\*24 All activities and storage must be conducted within a fully enclosed building.

\*25 Proposed facility shall be reviewed by Plan Commission and may be permitted only if its impacts are found to be consistent with those of other uses permitted in the MP district.



OFFICE OF  
**MONROE COUNTY COMMISSIONERS**

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*Julie Thomas, President*

*Penny Githens, Vice President*

*Lee Jones*

For those who believe that the remodel/expansion of the current facility is a viable option, please reread Chapter V of the Monroe County [Indiana Criminal Justice & Incarceration Study](#), prepared by RJS (beginning on page 80), and the facility assessment appendix materials (beginning of page 211.) The report outlines 53 different facility deficiencies that need to be addressed in the current facility. The report estimates the cost of repairing the current facility to be \$56 million dollars. Specifically, the report notes that “[a]t 36 years old, the jail has far exceeded its structural and functional life cycle, despite all its renovations. Remediation of the real and potential risks posed by physical defects, inadequate architectural design, adverse impact on proper care and treatment, and security problems resulting from facility design and physical deterioration seem cost prohibitive at a provisional estimated cost exceeding 56 million dollars.”

Of the 53 different facility deficiencies noted within the report, at least 21 issues would require the addition of space or renovation of existing space, including additional programming space. Such renovation/expansion of the current facility would require a minimum of additional floors and/or the remodeling of currently unsecured Correctional Center/Charlotte Zietlow space. A review of the structural components of the facility would be required to determine if any changes are possible, particularly with the addition of more floor(s). Beyond the renovation costs, costs for housing inmates during the construction, transportation of inmates to court and back to alternate facilities, and new space for the displaced offices will be incurred.

Renovating the current facility does not address the inefficiencies inherent in this poorly designed facility. Additional personnel will be needed to provide the basic monitoring and security for the additional space, which will increase the operational costs of running the facility. This will not materially improve the living space for the inmates or working space for the staff. In contrast, a new facility should reduce the operational costs while improving the living space for the inmates and working space for the staff. This reduction in costs would be utilized for programming and addressing the community gaps identified in the reports, thus furthering the County’s stated objective of developing a treatment-based and outcomes-focused model for the Correctional Center rather than the County’s current containment model facility. In short, renovation will likely cost more to complete construction, more to operate, and do little to improve the impact on the users of the facility.

It is important to note that while renovation of the current facility has been deemed cost prohibitive, inefficient, irresponsible to inmate, staff, and visitor, Monroe County officials have taken and will continue to take the reasonable and necessary steps to remediate identified deficiencies that can be addressed at this time.

The Monroe County Board of Commissioners-



# Bloomington Public Transportation Corporation

130 West Grimes Lane, Bloomington, Indiana 47403  
812.332.5688 Fax 812.332.3660



TO: Jeff Cockerill  
FROM: John Connell, General Manager  
DATE: December 18, 2022  
RE: Transit Service to the Proposed Fullerton Pike Site

The Bloomington Public Transit Corporation (BPTC) appreciates the County including BPTC in initial discussions regarding the proposed site for a new jail and the offer to include consideration of transit options in the master planning process.

The identified existing attributes that make the site attractive for the new jail site are attributes (isolated and low population density) that discourage public transportation. However, with that said, if a new county corrections campus was constructed creating conditions favorable to public transit (employees and others needing service to the facility), BT would conduct a feasibility study to determine the viability of providing new service.

BT is not committed to providing service to the proposed location and would only do so if conditions warranted satisfying a demonstrated need.

If a location was selected outside of the city limits, BT would not (currently) have the legal authority to provide service.