



City of Bloomington Common Council

Legislative Packet

Containing legislation and materials related to:

Wednesday, 06 March 2024

Regular Session at 6:30pm



CITY OF BLOOMINGTON COMMON COUNCIL

AGENDA AND NOTICE:
REGULAR SESSION
WEDNESDAY | 6:30 PM
06 March 2024

*Council Chambers (#115), Showers Building, 401 N. Morton Street
The meeting may also be accessed at the following link:*

<https://bloomington.zoom.us/j/88428650047?pwd=B8WUjVD7MRVESe9RDwnTyT8QefZA9H.1>

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. APPROVAL OF MINUTES:
 - A. September 27, 2023 – Special Session
 - B. October 11, 2023 – Special Session
 - C. October 18, 2023 – Regular Session
 - D. February 14, 2024 – Regular Session
- IV. REPORTS *(A maximum of twenty minutes is set aside for each part of this section.)*
 - A. Councilmembers
 - B. The Mayor and City Offices
 - a. Update report from Bloomington Transit
 - C. Council Committees
 - D. Public*
- V. APPOINTMENTS TO BOARDS AND COMMISSIONS
- VI. LEGISLATION FOR SECOND READINGS AND RESOLUTIONS
 - A. Resolution 2024-04 - A Resolution Opposing the LEAP Pipeline Water Diversion Project
- VII. LEGISLATION FOR FIRST READINGS
 - A. Ordinance 2024-02 - To Amend Title 8 of the Bloomington Municipal Code, Entitled “Historic Preservation and Protection” to Establish a Historic District – Re: Lower Cascades Park (Bloomington Historic Preservation Commission, Petitioner)

(over)

*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 five minutes; this time allotment may be reduced by the presiding officer if numerous people wish to speak.

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: 01 March 2024

VIII. ADDITIONAL PUBLIC COMMENT *

(A maximum of twenty-five minutes is set aside for this section.)

IX. COUNCIL SCHEDULE

X. ADJOURNMENT

*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 five minutes; this time allotment may be reduced by the presiding officer if numerous people wish to speak.

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Posted: 01 March 2024



**City of Bloomington
Office of the City Clerk**

Minutes for Approval

27 September 2023 | 11 October 2023
18 October 2023 | 14 February 2024

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, September 27, 2023 at 6:30pm, Council President Sue Sgambelluri presided over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
September 27, 2023

Councilmembers present: Matt Flaherty, Isabel Piedmont-Smith, Kate Rosenbarger, Susan Sandberg, Sue Sgambelluri, Ron Smith, Stephen Volan
Councilmembers present via Zoom: Dave Rollo, Jim Sims (arrived at 6:33pm)

ROLL CALL [6:30pm]

Councilmembers absent: none

Council Vice President Isabel Piedmont-Smith gave a land and labor acknowledgement and Council President Sue Sgambelluri summarized the agenda.

AGENDA SUMMATION
[6:30pm]

Rollo moved and Piedmont-Smith seconded that Appropriation Ordinance 23-05 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Clerk Nicole Bolden read the legislation by title and synopsis.

LEGISLATION FOR FIRST
READING [6:34pm]

Appropriation Ordinance 23-05 - An Ordinance for Appropriations and Tax Rates (Establishing 2024 Civil City Budget for the City of Bloomington)
[6:34pm]

Rollo moved and Piedmont-Smith seconded that Appropriation Ordinance 23-06 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Appropriation Ordinance 23-06 -An Ordinance Adopting a Budget for the Operation, Maintenance, Debt Service and Capital Improvements for the Water and Wastewater Utility Departments of the City of Bloomington, Indiana for the Year 2024
[6:34pm]

Rollo moved and Piedmont-Smith seconded that Appropriation Ordinance 23-07 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Appropriation Ordinance 23-07 - Appropriations and Tax Rates for Bloomington Transportation Corporation for 2024
[6:36pm]

Rollo moved and Piedmont-Smith seconded that Ordinance 23-24 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Ordinance 23-24 -An Ordinance Fixing the Salaries of Officers of the Police and Fire Departments for the City of Bloomington, Indiana, for the Year 2024
[6:37pm]

Rollo moved and Piedmont-Smith seconded that Ordinance 23-25 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Ordinance 23-25 - An Ordinance Fixing the Salaries of Appointed Officers, Non-Union and A.F.S.C.M.E. Employees for All the Departments of the City of Bloomington, Monroe County, Indiana, for the Year 2024 [6:38pm]

Rollo moved and Piedmont-Smith seconded that Ordinance 23-26 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Ordinance 23-26 - To Fix the Salaries of All Elected City Officials for the City of Bloomington for the Year 2024 [6:38pm]

Sgambelluri referred all of the legislation read that evening to the Committee of the Whole immediately following the Special Session on September 27, 2023.

There was no council discussion on council schedule.

COUNCIL SCHEDULE [6:38pm]

Sgambelluri adjourned the meeting without objection.

ADJOURNMENT [6:39pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this ____ day of _____, 2024.

APPROVE:

ATTEST:

Isabel Piedmont-Smith, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, October 11, 2023 at 6:30pm, Council President Sue Sgambelluri presided over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
October 11, 2023

Councilmembers present: Matt Flaherty, Isabel Piedmont-Smith, Kate Rosenbarger, Dave Rollo, Susan Sandberg, Sue Sgambelluri, Jim Sims, Ron Smith, Stephen Volan
Councilmembers present via Zoom: none
Councilmembers absent: none

ROLL CALL [6:30pm]

Councilmember Matt Flaherty gave a land and labor acknowledgement and Council Vice President Isabel Piedmont-Smith summarized the agenda.

AGENDA SUMMATION
[6:30pm]

Rollo moved and Piedmont-Smith seconded that Ordinance 23-25 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Nicole Bolden read the legislation by title and synopsis, giving the committee Do-Pass recommendation of Ayes: 9, Nays: 0, Abstain: 0.

LEGISLATION FOR
SECOND READING AND
RESOLUTIONS [6:32pm]

Ordinance 23-25 – An Ordinance to Fix the Salaries of Appointed Officers, Non-Union, and A.F.S.C.M.E. Employees for all the Departments of the City of Bloomington, Monroe County, Indiana for the Year 2024
[6:32pm]

Mayor John Hamilton spoke about the months-long process of drafting the legislation for consideration that evening. It was a balanced budget that continued focus on climate, inclusion, and an increased quality of life for all in the community. He discussed jobs, public safety, Recover Forward, and thanked council for their work.

Beth Cate, Corporation Counsel, presented the salary ordinances, which were required by state code as part of the city budgeting process. The ordinances affixed the compensation for elected officials, appointed officers and employees of the civil city, appointed officers and employees of City of Bloomington Utilities (CBU), and personnel covered by collected bargaining agreements. She provided details on the ordinances.

Piedmont-Smith asked what the increase was for American Federation of State, County and Municipal Employees (AFSCME).

Council questions:

Cate stated it was 5%.

Piedmont-Smith moved and Rollo seconded to adopt Amendment 01 to Ordinance 23-25. Piedmont-Smith presented Amendment 01.

Amendment 01 to
Ordinance 23-25

Amendment 01 Synopsis: This amendment was prepared at the request of the Human Resources Department to list the Senior Environmental Planner position under the correct division of the Planning and Transportation Department.

There were no council questions.

Council questions:

There were no public comments.

Public comment:

There were no council comments.

Council comments:

The motion to adopt Amendment 01 to Ordinance 23-25 received a roll call vote: Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt
Amendment 01 to
Ordinance 23-25
[6:41pm]

There were no council questions.

Council questions:

There was no public comment.

Ordinance 23-25 as amended (*cont'd*)

Flaherty said his wife, Beth Rosenbarger, was the Assistant Director in the Planning and Transportation department. He noted Bloomington Municipal Code 2.04.150 that required councilmembers to explain potential conflicts of interest or be excused from participating in matters that directly affected a financial interest of the member. He declared the potential conflict of interest because his wife's salary was part of the departmental budget, but due to the size and significance of the city budget, he felt he needed to participate to effectively represent constituents. He could participate fairly, objectively, and in the public's interest.

Council comments:

Piedmont-Smith highlighted the new full time staff in the proposal and said that city government was growing to keep up with services provided to residents. There were several new positions that would address concerns such as afterhours ambassador for downtown activities and three community emergency medical technicians. She also discussed the salary increase of the council attorney.

The motion to adopt Ordinance 23-25 as amended received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 23-25 as amended [6:47pm]

Rollo moved and Piedmont-Smith seconded that Ordinance 23-26 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis, giving the committee Do-Pass recommendation of Ayes: 8, Nays: 1, Abstain: 0.

Ordinance 23-26 – To Fix the Salaries of all Elected City Officials for the City of Bloomington for the Year 2024 [6:47pm]

Cate spoke in favor of the salary increase for Council Attorney Stephen Lucas. She presented Ordinance 23-26 and highlighted the percentage of salary increase for elected officials.

There were no council questions.

Council questions:

There were no public comments.

Public comment:

Flaherty appreciated the increases, especially the clerk's salary though he believed the increase should be on par with department head salaries.

Council comments:

Piedmont-Smith concurred with Flaherty.

The motion to adopt Ordinance 23-26 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 1 (Volan).

Vote to adopt Ordinance 23-26 [6:51pm]

Rollo moved and Piedmont-Smith seconded that Ordinance 23-24 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis, giving the committee Do-Pass recommendation for Amendment 01 of Ayes: 9, Nays: 0, Abstain: 0. The Do-Pass recommendation for Ordinance 23-24 as amended was Ayes: 8, Nays: 0, Abstain: 1.

Ordinance 23-24 – An Ordinance Fixing the Salaries of Officers of the Police and Fire Department for the City of Bloomington, Indiana, for the Year 2024 [6:51pm]

Cate presented Ordinance 23-24 and briefly explained the changes, salaries based on collective bargaining, and pay increases.

Piedmont-Smith moved and Rollo seconded Amendment 01 to Ordinance 23-24. She briefly described the additional compensation in the form of retention pay.

Amendment 01 to Ordinance 23-24

Amendment 01 Synopsis: This amendment was prepared at the request of the Human Resources Department to provide certain employees of the Fire

Department with additional compensation in the form of retention pay and to facilitate paying additional pay.

Amendment 01 to Ordinance 23-24 (cont'd)

There were no council questions.

Council questions:

There were no public comments.

Public comment:

Piedmont-Smith was pleased with Amendment 01 and would hopefully assist with firefighter retention.

Council comments:

The motion to adopt Amendment 01 Ordinance 23-24 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 Ordinance 23-24 [6:47pm]

Volan moved and Piedmont-Smith seconded to adopt Amendment 02 to Ordinance 23-24. He explained the proposed increase to current sworn officer salary by cutting positions that could not be filled in the Bloomington Police Department (BPD).

Amendment 02 to Ordinance 23-24 as amended

Amendment 02 Synopsis: This amendment is sponsored by Cm. Volan. Under authority granted to the Council under Indiana Code § 36-8-3-3, it provides that the maximum number of sworn officers within the Bloomington Police Department shall be set at 95. This amendment is proposed with the sole intent that the administration will use the savings from ten unfillable positions to offer sworn employees an increase to the salaries of the remaining funded officers equivalent to the savings.

Hamilton stated that the administration opposed Amendment 02 because it was not appropriate to reduce the number of sworn officers. He noted that if the positions were to be filled, the city budget could not support funding at a higher base salary. He provided additional reasons in opposition to Amendment 02 such as the collective bargaining agreement.

Scott Oldham, Deputy Chief, BPD, stated that it was imperative to keep the ability to hire up to one hundred and five officers. He said that it was also important to raise the salary in order to be competitive with other agencies.

Rollo asked Hamilton if the amendment passed that evening, would the savings be used to increase salaries of current sworn officers.

Council questions:

Hamilton said that it would be up to the next administration.

Volan asked Oldham how many officers could realistically be hired in the next year.

Oldham said it was hard to predict, but there was a recruiting/hiring specialist in BPD so the goal was to be fully staffed. There was an increase in applicants for BPD.

There was additional discussion on the number of hires per year.

Sims noted that the recruitment specialist had been in their position for less than a year. He asked for clarification on the term "unfillable" positions.

Volan responded that historically, there had not been many new hires at one time for BPD. He said that the Indiana Law Enforcement Academy had a bottleneck and the city would not be able to recruit trained police officers at the current salary because there were better paying jobs. He questioned if it was better to pay overtime to current officers or to simply raise the salary.

Sims asked if Amendment 02 would permanently reduce the number of funded positions to ninety five.

Volan said yes, and discussed hiring challenges the city faced in the past. He said that passing Amendment 02 would help make BPD's salary more competitive.

Piedmont-Smith asked how many officers there were. She asked about the fiscal sustainability in the long term when more officers could be hired.

Volan said there were eighty four officers. He did not believe that it was possible to hire, for example, ten officers the following year and that had never happened before. The goal was to make the compensation competitive to help with recruiting. The next mayor could then hire two officers per year.

Flaherty said that BPD was currently understaffed and was paying sworn officers overtime. Reducing the funded positions, and raising salaries, did not immediately mean that overtime work would cease. He asked if the goal was to have the funding balance out.

Volan said it was possible to reallocate funding to raise salaries and reduce overtime pay in a balanced way.

Flaherty clarified that council did not have the authority to determine how to allocate funding; it was under the mayor's purview. He asked about the administration's options to do what Amendment 02 proposed to do.

Volan stated the difference between a permanent raise in salary versus a one-time bonus.

Sgambelluri asked for staff's input on Amendment 02.

Hamilton stated that the administration would oppose any reduction, regardless of the number. He gave details on the recruitment efforts like the housing allowance. It was not ideal to reduce the number of funded officers, and increase current salaries, without a long term way to pay for it all.

Oldham said that it was not ideal to reduce the number of officers because the number of calls was increasing as the city grew. BPD needed the ability to recruit to the full one hundred and five funded positions.

Piedmont-Smith asked if it was legally possible for the city to increase salaries given that there was an agreement done via collective bargaining.

Cate said it was possible that the contract would have to be renegotiated. She highlighted some concerns with long time sustainability.

Piedmont-Smith asked if the contract included that there would be one hundred and five officers funded.

Cate would look at the contract and confirm.

Rollo mentioned that a recent report called for one hundred and twenty officers.

Oldham confirmed that was correct.

Volan asked what the maximum number of officers employed at BPD was.

Oldham did not know.

Hamilton said there was ninety nine at one point in the last eight years.

There was additional discussion on the number of officers at BPD over the years.

Eric Spoonmore, Greater Bloomington Chamber of Commerce, spoke against Amendment 02.

Public comment:

Piedmont-Smith asked if Volan had contacted the Fraternal Order of Police (FOP) for their feedback.

Council comments:

Volan said yes, they reached out and preferred a salary increase and not a one-time bonus. The goal was to attract recruits with a higher, more competitive salary.

Piedmont-Smith asked if the FOP was in favor of Amendment 02.

Volan said they were if the salary was increased and was not a bonus. He read from an email from Jeff Rodgers noting the desire for a salary increase.

Cate added that the contract did not specify one hundred and five officers.

Rollo appreciated the discussion and he hoped that officer salaries would be prioritized. He was hesitant to lower the goal of having one hundred and five officers, especially since more would be needed as the city grew. He would not support Amendment 02.

Amendment 02 to Ordinance 23-24 as amended (*cont'd*)

Council comments:

Sandberg had been sounding the alarm about the short-staffing of BPD for years. Salaries needed to be competitive. She said Amendment 02 capped BPD and was not sustainable. Currently, overtime pay was not done by choice, it was needed. She thanked Volan for his good intentions but would not support the amendment.

Sims also appreciated Volan's efforts. He did not believe that the open officer positions were unfillable. Amendment 02 would not reduce the need for overtime. He wanted to give the recruitment efforts a chance to work. He discussed the compromise of one hundred and five officers, city growth, annexation, and more. He would not support Amendment 02.

Volan noted that the discussion did not have to end that evening and the next administration could address the idea. His proposal was not a criticism of the administration or BPD. Overtime work was exhausting officers and did not provide for competitive salary recruitment. He noted the lack of data on the number of officers per year. He spoke about alternatives to a formal raise. He urged council to pass the amendment.

Piedmont-Smith agreed that it was difficult to reach one hundred and five officers but she was encouraged by the recruitment specialist. She understood the reasoning behind Amendment 02 but there were concerns about sustainability. She believed additional vetting on a plan was ideal, perhaps the following year. She would vote against the amendment.

Rollo was not in favor of reducing the number of funded officers and would continue to advocate for salary increases.

Volan reiterated that at present, council could pass Amendment 02 which would increase salaries. He commented on the expressed concerns.

The motion to adopt Amendment 02 to Ordinance 23-24 as amended received a roll call vote of Ayes: 1 (Volan), Nays: 8, Abstain: 0. FAILED

Vote to adopt Amendment 02 to Ordinance 23-24 as amended [7:50pm]

There were no council questions.

Council questions:

Eric Spoonmore commented on public safety and in favor of staffing BPD.

Public comments:

There were no council comments.

Council comments:

The motion to adopt Ordinance 23-24 as amended received a roll call vote of Ayes: 8, Nays: 1 (Volan), Abstain: 0.

Vote to adopt Ordinance 23-24 as amended [7:54pm]

Rollo moved and Piedmont-Smith seconded that Appropriation Ordinance 23-06 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis, giving the committee Do-Pass recommendation of Ayes: 9, Nays: 0, Abstain: 0.

Vic Kelson, Director of City of Bloomington Utilities (CBU), stated that there were no changes to the budget he presented on previously.

Piedmont-Smith asked what the amounts for water and waste water were.

Kelson said it was \$50 million in total.

Lucas shared from the slide deck; water was \$22.4 million and sewer was around \$28 million.

There were no public comments.

Sims asked about long term sustainability of the water source and anticipated growth of the city.

Kelson stated that Lake Monroe could produce over one hundred million gallons of drinking water per day. Capacity was thirty million gallons per day and the average was around sixteen million gallons. He commented on water quality and processing at the water plants, as well as algal growth.

Sims asked about keeping storm water drains clear especially since the leaf collection program had ceased.

Kelson said that if residents did not rake their leaves into the street, then there would not be much difference from before. Residents were not supposed to rake leaves into the street, even when the leaf collection program was running. He commented on staff monitoring the drains. CBU would be doing more street sweeping the following year.

Rollo asked what the spare capacity was at peak time.

Kelson stated that the peak had been decreasing over six to ten years. The city had not exceeded twenty million gallons per day.

Rollo asked what the longevity of Lake Monroe was.

Kelson said he was not specifically sure but it could be fifty to one hundred years. He gave some additional information on siltation. CBU was supporting the Lake Monroe Water Fund and the Friends of Lake Monroe who wanted to conduct additional studies.

The motion to adopt Appropriation Ordinance 23-06 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Rollo moved and Piedmont-Smith seconded that Appropriation Ordinance 23-07 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis, giving the committee Do-Pass recommendation of Ayes: 8, Nays: 0, Abstain: 0.

Rollo moved and Piedmont-Smith seconded that Appropriation Ordinance 23-07 be adopted.

John Connell, General Manager, Bloomington Public Transportation Corporation (BPTC) stated that there were no changes to the proposal from prior readings.

Piedmont-Smith asked for a reminder of the total budget.

Lucas displayed the slide deck and showed it was \$26.6 million.

There were no public comments.

Appropriation Ordinance 23-06 – An Ordinance Adopting a Budget for the Operation, Maintenance, Debt Service and Capital Improvements for the Water and Wastewater Utility Departments of the City of Bloomington, Indiana for the Year 2024 [7:55pm]

Council questions:

Public comment:

Council comments:

Vote to adopt Appropriation Ordinance 23-06 [8:07pm]

Appropriation Ordinance 23-07 – Appropriations and Tax Rates for Bloomington Transportation Corporation 2024 [8:07pm]

Council questions:

Public comment:

There were no council comments.

Council comments:

The motion to adopt Appropriation Ordinance 23-07 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Appropriation Ordinance 23-07 [8:10pm]

Rollo moved and Piedmont-Smith seconded that Appropriation Ordinance 23-05 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis, giving the committee Do-Pass recommendation of Ayes: 5, Nays: 1, Abstain: 3.

Appropriation Ordinance 23-05 – An Ordinance for the Appropriations and Tax Rates (Establishing 2024 Civil City Budget for the City of Bloomington) [8:11pm]

Rollo moved and Piedmont-Smith seconded that Appropriation Ordinance 23-07 be adopted.

Jeff Underwood, Controller, summarized the legislation which was the final phase of the budgeting process. He gave some key points on changes and the timeline.

There were no council questions.

Council questions:

Volan moved and Piedmont-Smith seconded to adopt Amendment 01 to Appropriation Ordinance 23-05. He presented the amendment.

Amendment 01 to Appropriation Ordinance 23-05

Amendment 01 Synopsis: This amendment is sponsored by Cm. Volan. The intent is to reduce Category 3 and Category 4 appropriations for various departments to eliminate \$9,975,000 in proposed appropriations of former Community Revitalization Enhancement District (CRED) funds; the amendment calls for the reduction of other lines and totals in the various budget forms necessary to implement these reductions. The amendment calls for the reduction of former CRED funds (except for the Downtown Activation and Maintenance project (\$2.1M) in the Parking Services Division of Public Works) because the administration’s proposal for the use of these funds is overly broad. Because the original intent of funds raised in the CRED was to “revitalize” and “enhance” the CRED districts themselves, the administration must identify where projects to be paid for with these funds are located, so that Council may determine whether they meet the intent of the CRED. Since these funds are static and already in the city’s possession, these funds do not need to be appropriated with the 2024 budget; the administration may bring a new appropriation ordinance at any time after it has given sufficient detail for Council to make an informed determination on the use of these funds.

Hamilton said the administration opposed Amendment 01 and referenced the list of projects that could use CRED and American Rescue Plan Act (ARPA) funds. He discussed the robust deliberations regarding CRED funds over many months.

Volan referenced the memo from the administration and asked what the funding would pay for.

Council questions:

Allen said it would go to a safety plan to reduce crashes and dangerous intersections. The funds would match grant funding. He gave additional details on the process of planning.

Volan asked what types of changes would be made to reduce crashes and dangerous intersections.

Hamilton explained that it was a wide range of options like structural changes, or lane changes. He said that it was likely that at least 20% of CRED funds would be used in the districts CRED funds came from.

Piedmont-Smith asked how much of each CRED fund, both the downtown and Thompson, would be used.

Underwood said it was tracked in a combined total and he would research the exact amounts from each district.

Volan said it was \$10 million from the downtown, and \$7 million from Thompson.

Piedmont-Smith said that \$3 million was reserved for the tech building.

Amendment 01 to
Appropriation Ordinance
23-05 (cont'd)

Council questions:

Volan asked for clarification on the \$2 million for street maintenance and bus and bike lanes.

Allen said it was prioritized by the condition of the street, and the analysis was conducted by Public Works.

There was additional discussion on the location of the listed projects and their proximity to the districts.

Volan asked about the \$2.7 million for traffic signal modernization.

Allen responded that the goal was that all the traffic signals in the city would be updated.

Hamilton reiterated that the plans were to make the improvements and maximize matching grants.

There was more discussion on funding.

Flaherty noted that the CRED districts no longer existed and the funds from the districts could be used for any legal purpose of the General Fund.

Allen confirmed that was correct.

Sandberg asked about the current status for the listed projects.

Allen explained various projects and their status, and said some were already started. He described the solar panel program and gave details.

Volan asked about the jobs and climate projects totaling \$475,000 in which a portion would be spent on developing the trades building and park.

Allen said that the exact amount was still to be determined.

Holly Warren, Interim Director, Economic and Sustainable Development (ESD) department, said that the funding could be used in the district but some might be outside of it.

There was additional discussion on the design of projects using CRED funds, as well as matching grant funds.

Volan asked what the funds for affordable housing were.

Allen said portions of the projects were in the districts. He reiterated that the investments into the city would still serve the districts and did not have to be in the districts.

Volan asked how council would know how the money was spent and if it followed the current description in the administration's memo.

Allen responded that the end product would demonstrate that, and there would be council involvement throughout the process. He referenced the Hopewell project as well as an upcoming presentation from the Housing and Neighborhood Development (HAND) department.

Hamilton added details of council's involvement in the budget process.

Volan commented on the administration's estimation of cost on projects and what the end result was. He referenced the proposals for the city's entryways, Griffy Lake improvements, and more. He said that council voted on a particular plan and then the end result was substantially different, both in cost and design.

Hamilton said that there were external factors like an increase in cost for materials, et cetera, that affected the final result. He described the process, including the design portion which could not be done without being funded. The official cost of projects was not exactly known until there was a design, a bidding process, and more. It was impossible to tell council the specific amounts prior to design and bidding.

There was continued discussion on the process.

There was no public comment.

Public comment:

Volan commented on the process and believed there was still not enough detail. CRED funds could have been spent in the districts while they existed. He spoke about proposed projects, entryways to the city, and expressed disappointment in the process.

Amendment 01 to Appropriation Ordinance 23-05 (cont'd)

Council comments:

Sandberg sympathized with Volan's concerns and the difficulty with the administration's planning including funding for design, and starting construction, but funding needed to be confirmed first. She urged that council and the administration make more effort to involve the public.

Volan reiterated that the administration had intentionally neglected spending the CRED funds. He referenced the monolith proposed at Miller Showers Park and said council needed to scrutinize the administration's proposals further.

Piedmont-Smith responded to Volan and said that she had voted for the proposed monolith because it was packaged with the plan to plant fourteen hundred public trees. She had spoken out against the gateway projects as a waste of funding, and did not appreciate Volan's framing of the vote as not having paid attention to the proposal. She did not agree with Amendment 01 and supported the administration's proposal.

Sims commented on council's actions.

Volan moved and Sims seconded to withdraw Amendment 01 to Appropriation Ordinance 23-05. The motion passed with no objections.

Motion to withdraw Amendment 01 [9:01pm]

There was no public comment.

Public comment:

Volan expressed his many concerns on processes and on using CRED funds outside of their districts.

Council comments:

The motion to adopt Appropriation Ordinance 23-05 received a roll call vote of Ayes: 8, Nays: 1 (Volan), Abstain: 0.

Vote to adopt Appropriation Ordinance 23-05 [9:04pm]

Hamilton and attending staff, wore a shirt honoring Jeff Underwood since he was retiring that year. Hamilton read a proclamation in honor of Underwood for his work as controller for fourteen years and highlighted some key points. October 11, 2023 was Jeff Underwood day in Bloomington.

Proclamation in honor of Jeff Underwood

Underwood said it had been a pleasure to work with the scores of wonderful staff, council, and administration over the years. He was looking forward to his retirement. He spoke about his time in Bloomington since birth.

Lucas reviewed the upcoming council schedule.

COUNCIL SCHEDULE [9:04pm]

Piedmont-Smith adjourned the meeting without objection.

ADJOURNMENT [9:11pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this ____ day of _____, 2024.

APPROVE:

ATTEST:

Isabel Piedmont-Smith, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

FOR APPROVAL

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, October 18, 2023 at 6:30pm, Council President Sue Sgambelluri presided over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
October 18, 2023

Councilmembers present: Matt Flaherty, Isabel Piedmont-Smith, Dave Rollo, Kate Rosenbarger, Sue Sgambelluri, Jims Sims, Ron Smith, Stephen Volan
Councilmembers present via Zoom: none
Councilmembers absent: Susan Sandberg

ROLL CALL [6:30pm]

Council Vice President Isabel Piedmont-Smith gave a land acknowledgment and Council President Sue Sgambelluri summarized the agenda.

AGENDA SUMMATION
[6:30pm]

There were no minutes for approval.

APPROVAL OF MINUTES
[6:34pm]

Smith reported on the Community Development Block Grant (CDBG) meeting. He also urged the public to volunteer at the ReStore, as he did.

REPORTS [6:34pm]
• COUNCIL MEMBERS

Volan echoed the call for volunteers at ReStore. He commented on the consideration of Bloomington Transit service outside of the city.

Holly Warren, Interim Director, Assistant Director for the Arts, Economic and Sustainable Development (ESD) department, presented the Bloomington Arts Commission's (BAC) work. She described BAC's mission, background, members, and the importance of art in the community. She noted projects, operations, and emerging artist grants that were awarded in 2022 and 2023. She spoke about public art and the public art master plan.

• The MAYOR AND CITY
OFFICES [6:36pm]

Gerard Panekoek, Chair, BAC, discussed why the arts were important for the city. He provided details on the grants that were awarded.

There was discussion on the maintenance of the painted electrical boxes, guided tours of city public art, amount of grants in relation to need, art spaces, BAC's participation in the design of the Miller-Showers Park monolith, and collaboration with the Capital Improvement Board (CIB) for the expansion of the Convention Center.

There were no reports from council committees.

• COUNCIL
COMMITTEES
[6:57pm]

Collin Neelson spoke about his experience of nearly being hit by a car that ran a red light on 10th Street and Woodlawn. He said that adjusting the traffic signal could help make the intersection less dangerous.

• PUBLIC [6:58pm]

Marc Haggerty commented on democracy in the city, elections, political parties, and write-in candidates.

Christopher Emge, Greater Bloomington Chamber of Commerce, discussed work being done by the chamber and recent and upcoming events.

Volan moved and Flaherty seconded to appoint Todd Mullins to seat C-7, Adrienne Weber to seat C-8, and Jenna Buckner to seat C-11 on the Community Advisory on Public Safety commission. The motion was approved by voice vote.

APPOINTMENTS TO
BOARDS AND
COMMISSIONS [7:15pm]

Flaherty moved and Piedmont-Smith seconded to notify Shefali Prabhakar, currently appointed to seat C-2 on the Commission on the Status of Women, of the Council's intent to consider her removal from the Commission due to non-attendance pursuant to Bloomington Municipal Code 2.08.020. Ms. Prabhakar should be notified of the Council's intent to consider a motion for her removal and invited to provide any extenuating circumstances in writing.

Flaherty provided a brief description of the process that was taken on the motion.

The motion was approved by voice vote.

Rollo moved and Piedmont-Smith seconded that Ordinance 23-28 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Nicole Bolden read the legislation by title and synopsis.

Rollo moved and Piedmont-Smith seconded that Ordinance 23-28 be adopted.

Neil Kopper, Senior Project Engineer, Engineering, briefly presented the updates in the legislation. He discussed 180-day orders, stop sign placement at certain intersections, one-way lane on Henderson, speed limit changes, parking, restriping on streets, and noted there was a minimal fiscal impact.

Rollo asked about data on stop sign placement and on crashes.

Kopper said staff had looked at motor vehicle volume and the Manual and Uniform Traffic Control (MUTC) which guided where to place stop signs.

Rollo asked how police and Engineering coordinated on the 180-day order.

Kopper stated that was dictated by code and an internal administrative, written policy requiring the coordination, along with other departments like Planning and Legal.

Sims asked for clarification on back-in, angled parking on Pete Ellis Drive.

Kopper clarified that it was safer than forward facing parking, specifically while exiting the parking spot because the driver could see traffic.

Sims asked if back-in, angled parking would be used more throughout the city and how it would be determined that it was successful.

Kopper stated it was possible to use that parking more, and described the two areas with that type of parking. He gave additional details on the evaluation of using back-in parking. Staff would look at crash data after the back-in parking was installed.

Volan said another benefit of back-in parking included loading cars from the sidewalk.

Kopper confirmed that was correct, as well as safety for children exiting a vehicle.

There was additional discussion on areas in the city that might be considered for back-in, angled parking and the factors staff would consider.

Piedmont-Smith asked for clarification on the Fountain Drive and Crescent Drive stop sign change, and how it related to the B-Line extension.

Kopper explained the need for an additional stop sign in that intersection because the traffic pattern was dominant on Fountain with lower volume on 11th Street. There would be a multiuse path on Fountain Drive extending the B-Line. He gave additional details.

Flaherty understood there was not statistical analyses of crash data at other locations with forward, angled parking.

Kopper said that back-in, angled parking was notably safer. He provided examples such as bicyclists passing behind parked cars.

APPOINTMENTS TO BOARDS AND COMMISSIONS (*cont'd*)

Vote to appoint and
notify [7:17pm]

LEGISLATION FOR SECOND READING AND RESOLUTIONS [7:18pm]

Ordinance 23-28 –To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” Re: Amending Section 15.08.040 to update how temporary, experimental, or emergency traffic regulations may be made and enforced; Section 15.12.010 to add three stop intersections; Section 15.16.010 to amend the included intersections of one-way travel on Henderson Street; Section 15.24.020 to modify the posted speed limit on Seventeenth Street; Section 15.32.030 to add back in angle parking on Pete Ellis Drive; Section 15.32.080 to add no parking spaces on Eight Street, Swain Avenue, Wilson Street, Southern Drive and Third Street and to; Section 15.32.090 to remove limited parking zones on Allen Street, Eighth Street, Swain Avenue and Third Street and add limited parking zone on Third Street; Section 15.32.100 to add a loading zone on East Longview Avenue; and Section 15.32.110 to add a bus zone on Third Street [7:18pm]

Council questions:

Ordinance 23-28 (cont'd)

Council questions:

Flaherty commented on forward, angled parking on Morton, with the recent changes near 7th street and in front of City Hall, and the painted center lane that gave drivers a lot of space to back out. He asked if roads were being designed to be wider and if so, for what reasons.

Kopper noted that Morton was a unique example, and for angled parking, roads were not changed. He expected that back-in, angled parking would require less space, but he was not certain.

Sgambelluri asked if it had been considered to decrease the speed limit on 17th street to below thirty miles per hour. She asked what was being done to alert drivers of the change.

Kopper stated that there had not been a corridor study and the change was for consistency on the street. He said that there would be a posted speed limit sign and with the changes, drivers would be alerted.

Sims asked if a traffic signal on Pete Ellis Drive would change the parking.

Kopper said a study could supply a variety of considerations and parking would be included. A traffic signal near back-in parking did not prohibit that type of parking.

Piedmont-Smith asked about the No Parking Zone on Swain between 3rd Street and State Court Street.

Kopper was not specifically familiar with that change; it was on a previous Title 15 ordinance, and was maybe requested by police.

Rollo asked for clarification on the 180-day orders and any extensions that were to be brought before council. He asked how many extensions could be put in place.

Kopper said any order could be in place for 180-days and extensions of the same order were not prohibited. He was not aware of any limits.

Allen added that consecutive orders could be done, and were used sparsely.

Stephen Lucas, Council Attorney, stated that council was not obligated to act on those orders.

Volan asked for clarification on the name of East State Court Street.

Kopper said it was codified to include the word "street."

Volan asked why a loading zone was defaulted to twenty four hours.

Kopper described the purpose of loading zones, including not obstructing traffic flow and parking, and could be reconsidered.

Sue Tuohy commented on 17th Street and its speed limit. She wanted to reduce the speed on 17th Street all the way to the bypass.

Public comment:

Rollo asked how it was known that future councils would not reverse the changes.

Council comments:

Volan appreciated back-in, angled parking and commented on parking in the city. He agreed with slowing traffic on 17th Street. He would be proposing Title 15 changes in the near future. He believed the intersection on 10th Street and Woodlawn Avenue needed addressed.

Volan moved and Rollo seconded that Amendment 01 to Ordinance 23-28 be adopted.

Amendment 01 to Ordinance 23-28

Amendment 01 Synopsis: This amendment corrects the spelling of Eighth Street in the title of the ordinance.

There were no council questions.

Council questions:

There was no public comment.

Public comment:

There were no council comments.

Council comments:

The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 to Ordinance 23-28 [8:12pm]

There were no council comments.

Council comments:

The motion to adopt Ordinance 23-28 as amended received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 23-28 as amended [8:13pm]

Rollo moved and Piedmont-Smith seconded that Ordinance 23-23 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 3 (Rollo, Smith, Volan), Nays: 5, Abstain: 0. FAILED

Ordinance 23-23 – To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” – Re: Amending Section 15.12.010 (Stop Intersections) to remove a stop intersection from Schedule A and add a multi-stop intersection to Schedule B [8:14pm]

There was no legislation for first reading.

LEGISLATION FOR FIRST READING [8:14pm]

There was no additional public comment.

ADDITIONAL PUBLIC COMMENT [8:15pm]

Lucas reviewed the upcoming council schedule and noted that there was no legislation for review at the next meeting. There was brief council discussion.

COUNCIL SCHEDULE [8:19pm]

Piedmont-Smith moved and Flaherty seconded that the Council authorize the Council President to cancel the Regular Session meeting scheduled for November 1, 2023 if no items of legislation were ready for consideration. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to cancel Regular Session [8:19pm]

Piedmont-Smith adjourned the meeting without objection.

ADJOURNMENT [8:19pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this ____ day of _____, 2024.

APPROVE:

ATTEST:

Isabel Piedmont-Smith, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, February 14, 2024 at 6:30pm, Council President Isabel Piedmont-Smith presided over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
14 February 2024

Councilmembers present: Isak Nti Asare, Matt Flaherty, Isabel Piedmont-Smith, Dave Rollo, Kate Rosenbarger, Andrew (Andy) Ruff, Hopi Stosberg, Sydney Zulich
Councilmembers present via Zoom: none
Councilmembers absent: none

ROLL CALL [6:31pm]

Council President Isabel Piedmont-Smith gave a land and labor acknowledgment and summarized the agenda.

AGENDA SUMMATION [6:31pm]

Stosberg moved and Ruff seconded to suspend the rules to consider the minutes for approval. The motion was approved by voice vote.

APPROVAL OF MINUTES [6:33pm]

Stosberg moved and Ruff seconded to approve the minutes of July 26, 2023, August 02, 2023, August 09, 2023, August 16, 2024, and February 07, 2024. The motion was approved by voice vote.

July 26, 2023 – Regular Session
August 02, 2023 – Regular Session
August 09, 2023 – Regular Session
August 16, 2024 – Regular Session
February 07, 2024 – Regular Session

Rosenbarger commented about an article related to housing.

REPORTS

Asare announced an upcoming constituent meeting on February 24, 2024. He also commented on the Lunar New Year celebration he recently attended and its relevance to the work of the city council.

- COUNCIL MEMBERS [6:35pm]

Stosberg announced her constituent meeting to be held on February 17, 2024. She also discussed the Black Market to be held on the same day. Stosberg reported on the activities of the Plan Commission.

Zulich announced a town hall to be held on March 2, 2024 to discuss homelessness.

Rollo expressed appreciation to the Mayor and staff for reconsidering the location of police headquarters. He discussed the Weatherstone Greenway, suggested amending the greenway, and asked for the process to be readdressed in the future. He announced his upcoming constituent meeting with Ruff to be held on February 17, 2024.

Piedmont-Smith reported that Monroe County had been picked to host a pilot program, Integrated Re-Entry and Correctional Support (IRACS), gave an update on the community justice committee at the county, and discussed proposed pet shop legislation in the state legislature. She announced an upcoming Black History Month event that upcoming weekend.

Andrea “De” de la Rosa, Assistant Director of Small Business Development for the Economic and Sustainable Development Department, reported on the Clear Creek Reconstruction project, street closings, and the impact on the city’s outdoor dining program. There was a brief council discussion following the report.

- The MAYOR AND CITY OFFICES [6:55pm]

Mayor Kerry Thomson gave updates related to the Weatherstone Greenway, the transparent government report produced by Harvard students, and an update on assistance for the unhoused.

Piedmont-Smith moved and Asare seconded to extend the time for reports from the mayor by 10 minutes in order to allow for questions for Mayor Thomson. The motion was approved by voice vote.

- The MAYOR AND CITY OFFICES (*cont'd*)

There was council discussion about the report given by Mayor Thomson.

There were no council committee reports.

- COUNCIL COMMITTEES
- PUBLIC [7:02pm]

A member of the public (declined to give name) and Sam Dove (via Zoom) offered comments to the council.

Zulich moved and Flaherty seconded to make the following appointment(s): for the Commission on the Status of Children and Youth – Stacey Mecier to be appointed to seat C-2; and for the Historic Preservation Commission – Jeremy Hackerd to be appointed to advisory seat C-4. The motion was approved by voice vote.

APPOINTMENTS TO BOARDS AND COMMISSIONS [7:09pm]

Ruff moved and Piedmont-Smith seconded to make the following appointment(s): for the Environmental Commission – Mitchell Owens to be reappointed to seat C-3. The motion was approved by voice vote.

LEGISLATION FOR SECOND READING AND RESOLUTIONS [7:11pm]

Stosberg moved and Ruff seconded that Ordinance 2024-01 be read by title and synopsis only. The motion was approved by voice vote. Clerk Nicole Bolden read the legislation by title and synopsis.

Ordinance 2024-01 - To Amend Title 12 of the Bloomington Municipal Code Entitled "Streets, Sidewalks and Storm Sewers" Re: Amending Various Chapters to Update References to the City Engineer, to Update References to the Comprehensive Plan and Transportation Plan, to Amend Language about Trees and Vegetation in Chapter 12.24, and Using this Occasion to Make Typographical and Grammatical Updates

Stosberg moved and Zulich seconded that Ordinance 2024-01 be adopted.

Karina Pazos, Long Range Planner, Planning & Transportation Department, presented the legislation. Pazos noted that the legislation made various updates to the city code, including grammatical and typographical corrections, and added or amended standards related to trees.

Stosberg moved and Ruff seconded that Amendment 01 to Ordinance 2024-01 be adopted.

Amendment 01 Synopsis: This amendment would replace a reference to the transportation or traffic engineer with a reference to the city engineer, and would make a minor grammatical correction.

Stosberg explained that the Amendment was to make some minor corrections to the legislation.

There were no public comments on the amendment.

Public comment:

The motion to adopt Amendment 01 to Ordinance 2024-01 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 to Ordinance 2024-01 [7:19pm]

Stosberg asked if the ordinance changed the tree removal process as it related to stump grinding and if the cost of that process would be passed on to homeowners.

Council questions:

Haskell Smith, Urban Forester in the Parks and Recreation Department, explained the process applied to public trees and that homeowners followed a different process with that additional expense.

Amendment 01 to Ordinance 2024-01 (cont'd)

Council questions

Rollo asked about the process for a notice of violation appeal through the board of public works rather than a fine that could be appealed through the courts.

Stephen Lucas, Council Attorney, explained that the ordinance did not change the process but instead updated the information contained in the notice of violation to better direct members of the public.

Rollo asked if the board of public works would be in a position to reduce fines or just impose the fines.

Lucas explained that the board would retain the authority they already had in place.

There was no public comment on the legislation.

Public comment:

There were no additional council comments.

Council comment:

The motion to adopt Ordinance 2024-01 as amended received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Ordinance [number] [7:56pm]

There was no legislation for first reading.

LEGISLATION FOR FIRST READING

There was no public comment.

ADDITIONAL PUBLIC COMMENT

Stosberg moved and Ruff seconded to cancel the Regular Session on February 21, 2024. The motion was approved by voice vote.

COUNCIL SCHEDULE [7:57pm]

Vote to cancel Regular Session [7:57pm]

Piedmont-Smith noted that the council was invited to a collaboration meeting hosted by the mayor the following week at the regular council meeting time.

Piedmont-Smith adjourned the meeting.

ADJOURNMENT [7:59pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this ____ day of _____, 2024.

APPROVE:

ATTEST:

Isabel Piedmont-Smith, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

MEMO FROM COUNCIL OFFICE:

To: Members of the Common Council

From: Ash Kulak, Deputy Administrator / Deputy Attorney for Common Council

Date: March 1, 2024

Re: Resolution 2024-04 – A Resolution Opposing the LEAP Pipeline Water Diversion Project

Synopsis

This resolution is sponsored by Councilmember Ruff. It expresses the Common Council's opposition to the Indiana Economic Development Corporation's proposed Limitless Exploration / Advanced Pace Innovation District Project that would divert water from the Wabash River aquifer and/or Teays River aquifer, which may impact Hoosiers who rely on these aquifers for their water supply. This resolution also directs the City Clerk to send copies of the resolution to the Indiana General Assembly, Indiana Economic Development Corporation, the Indiana Finance Authority, the Indiana Secretary of Commerce, and Indiana Governor Eric Holcomb.

Relevant Materials

- Resolution 2024-04
- Map of Counties Included in IFA Water Study
- Citizens Action Coalition Report: Proposed LEAP Project in Boone County Reveals Severe Deficiencies in Indiana's Water and Economic Development Policy

Summary

This resolution expresses opposition to the Indiana Economic Development Corporation (IEDC)'s proposed plans to divert water from several different areas within the Wabash River to Boone County for its creation of the LEAP District Project. It expresses the city's solidarity with the Hoosier communities that would be affected by diverting water from their primary water source, as Bloomington faced a similar proposed water diversion project proposed in 2006 that was ultimately not pursued.

In 2006, the Indianapolis Department of Waterworks authorized a private non-profit corporation, Aquavisions, to proceed with a feasibility study and financial review of a [proposal to build a 60-mile pipeline](#), capable of carrying 90 million gallons of water per day, from Lake Monroe to Indianapolis. Questions were raised by Monroe County, as well as then-Bloomington mayor Mark Kruzan, who developed a task force to study the [impact the proposed pipeline would have on Bloomington's water supply](#). The developer ultimately decided not to go through with the pipeline project when the then-governor [Mitch Daniels called the idea a "nonstarter."](#)

Now, the IEDC has proposed a large industrial development to be located just north of Lebanon in Boone County, in an area where [water quantity is too sparse to support such a large industrial development project](#). To ensure there will be enough water to support the industries the IEDC wants to attract to the area, it has already taken steps to initiate the creation of a water pipeline to divert water from the Wabash River into Boone County. Unlike in 2006, governor Eric Holcomb is supportive of the proposed diversion and has directed the [Indiana Finance Authority \(IFA\) to oversee a water supply study for the project](#).

Residents in affected communities along the Wabash River have [gathered to voice their opposition to this water diversion proposal](#), including a group formed by West Lafayette councilmember David Sanders called [Stop the Water Steal](#). Sanders has spoken to local news media about his opposition to the project, both as a city councilmember and founder of Stop the Water Steal.

The Citizens Action Coalition (CAC), a consumer and environmental advocacy organization, has also [chimed in](#), criticizing the IEDC's lack of transparency in this process, as well as the state's position on its use of water as a resource. The Executive Director of the CAC, Kerwin Olson, spoke to local news media about the CAC's opposition to the pipeline project.

Local news clips from community gatherings and stakeholder interviews are available at the following links:

- Community Expresses Concerns About LEAP Project: <https://www.youtube.com/watch?v=NW-a9c3x4m0>
- Councilmember Sanders Speaks Against LEAP Project: <https://www.youtube.com/watch?v=gkA55abAGVQ>
- CAC Executive Director Kerwin Olson Claims LEAP Project Threatens Indiana Water & Taxpayers: <https://www.youtube.com/watch?v=93epYAlgjH8>

After facing this pushback, [governor Holcomb has paused action on development](#) of the pipeline until the IFA study is complete. Governor Holcomb explains the purpose of the water study [in an interview with WLF New 18](#). The IFA has taken steps to [initiate the study](#) by engaging professional consultants, as well as releasing goals, an FAQ page, and a request for proposals.

Affected communities have also taken action by developing legislation in opposition to this project, including cities of Attica, Lafayette, West Lafayette, and Monticello, as well as the counties of Miami, Benton, and Tippecanoe. The Tippecanoe County Board of Commissioners went so far as to [pass an ordinance](#) placing a nine-month moratorium on the export of water from its borders. The moratorium was passed in an attempt to get the Indiana General Assembly to take action. WTHR [reported](#) on this action by Tippecanoe County in December 2023. West Lafayette was the first to propose a [resolution](#) in opposition to this project. West Lafayette Councilmember David Sanders spearheaded this initiative, bringing experts from Purdue to discuss ground water hydrogeology.

Contact

Councilmember Andy Ruff, ruffa@bloomington.in.gov, (812) 349-3409

Sources linked above

Jennie Runevitch, "Monroe County Balks at Indy Water Pipeline Proposal," *WTHR*, (July 19, 2006), <https://www.wthr.com/article/news/monroe-county-balks-at-indy-water-pipeline-proposal/531-bcaa5cbd-e812-4da6-85d2-2a619d095902>.

Sarah Morin, "Pipeline Plan One of Many Regarding Indy Water Needs," *The Herald Times*, (July 23, 2006), <https://www.heraldtimesonline.com/story/news/2006/07/23/pipeline-plan-one-of-many-regarding-indy-water-needs/48244651/>.

"Developer Pulls Plug on Lake Monroe Pipeline Plan," *WTHR*, (July 27, 2006), <https://www.wthr.com/article/news/developer-pulls-plug-on-lake-monroe-pipeline-plan/531-9de19e0d-343b-4f71-a417-a0db4b0cd709>.

Bob Seagall, "Indiana Spends Millions on Proposed Pipeline Plan as State Agency Remains Silent and Hides Details," *WTHR*, (July 27, 2023), <https://www.wthr.com/article/news/investigations/13-investigates/indiana-spends-millions-lafayette-lebanon-pipeline-plan-wabash-river-boone-county/531-7537884e-3f88-418c-a539-5d944a3dba90>.

Noe Padilla, "Gov. Holcomb Announces Indiana Finance Authority Will Oversee Water Study Related to LEAP," *Journal & Courier*, (Nov. 13, 2023), <https://www.jconline.com/story/news/local/indiana/2023/11/13/holcomb-announces-indiana-finance-authority-will-oversee-water-study/71574404007/>.

"Stop the LEAP Pipeline," *Stop The Water Steal*, <https://stopthewatersteal.org/about>. See also, Marco Rivero Luna, "Stop the Water Steal Hosts First Meeting in Opposition to LEAP Project Pipeline," *The Purdue Exponent*, (Nov. 2, 2023), https://www.purdueexponent.org/city_state/article_0e1ef11e-79be-11ee-a421-8fc589406d02.html.

"Leap Project Threatens Hoosier Water and Wallets," *Citizens Action Coalition*, <https://www.citact.org/leap>.

Ella Chew, "State Pauses LEAP Pipeline Until IFA Study Complete," *WLF1 News 18*, (Dec. 19, 2023), https://www.wlfi.com/news/local/state-pauses-leap-pipeline-until-ifa-study-complete/article_2a49024a-9ec0-11ee-9ef0-1f4b98cc53df.html.

Staff Reporters, "INTERVIEW: Governor Holcomb Discussing LEAP Project," *WLF1 News 18*, (Dec. 15, 2023), https://www.wlfi.com/news/local/interview-governor-holcomb-discussing-leap-project/article_acbee16e-9b86-11ee-bacf-f3f1ea22895c.html.

"North Central Indiana Water Study," *Indiana Finance Authority*, <https://www.in.gov/ifa/regional-water-studies/north-central-indiana-water-study/>.

Tippecanoe County Board of Commissioners Ordinance No. 2023-26-CM, <https://www.tippecanoe.in.gov/DocumentCenter/View/41920/ORD-2023-26-CM-High-Volume-Water-Export-and-Radial-Collector-Well-Moratorium>.

West Lafayette Common Council Resolution No. 22-2023 (Amended), <https://www.westlafayette.in.gov/home/showpublisheddocument/2023/638330623338430000>.

RESOLUTION 2024-04

A RESOLUTION OPPOSING THE LEAP PIPELINE WATER DIVERSION PROJECT

- WHEREAS, the Indiana Economic Development Corporation (the “IEDC”) has planned a “LEAP (Limitless Exploration/Advanced Pace) Innovation District” located on more than 9,000 acres in Boone County without ensuring sufficient water resources were available for the businesses and industries to be recruited for locating in the LEAP Innovation District; and
- WHEREAS, the IEDC commenced construction planning of a pipeline to divert as much as 100 million gallons of water per day from the Wabash River aquifer and/or the Teays River aquifer in Tippecanoe County, as well as possibly other surrounding counties, to the LEAP Innovation District, which could jeopardize the water supply for aquifer-reliant residents; and
- WHEREAS, on November 13, 2023, Indiana Governor Eric Holcomb directed the Indiana Finance Authority to oversee the completion and validation of a water supply study for the LEAP Project; and
- WHEREAS, several Indiana communities in this region have passed legislation in opposition to the construction of the pipeline and diversion of water from the Wabash River aquifer and/or Teays River aquifer to the LEAP Innovation District, including the cities of Monticello, Attica, Lafayette, and West Lafayette, as well as the counties of Miami, Benton, and Tippecanoe, with Tippecanoe County passing an ordinance placing a nine-month moratorium on the export of high volumes of water outside of the county; and
- WHEREAS, these communities are chiefly concerned with the potential for negative ecological and economic development consequences within their communities due to diverting water from their residents’ primary water source; and
- WHEREAS, members of the public within communities in the impacted region, as well as consumer and environmental advocacy organizations, have spoken out against the LEAP Project, criticizing the IEDC’s lack of transparency in initiating the project, the State’s position of using water as an economic development tool, and the significant costs of the Project that could burden taxpayers across the state of Indiana as well as reduced water affordability for residents whose water supply has been siphoned; and
- WHEREAS, in response to this opposition, in mid-December of 2023, Governor Holcomb paused action on the Project until the IFA water study is complete; and
- WHEREAS, the reallocation of fundamental resources, like water, in order to further economic development projects in one region of the state at the expense of another, is an unwise policy practice that should not be supported in this or any future instance; and
- WHEREAS, Monroe County faced a similar issue in 2006, in which a 60-mile water pipeline construction project was proposed, and ultimately not pursued, that would have diverted water from Lake Monroe to Indianapolis at a rate of 90 million gallons of water per day; and
- WHEREAS, by adopting this resolution, the Bloomington Common Council hereby expresses its opposition to the LEAP pipeline water diversion project and stands in support of Indiana cities and towns, counties, and rural and agricultural areas that would be impacted by the proposed diversion of millions of gallons of water from their primary water supply;

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

SECTION 1. The City of Bloomington hereby expresses its opposition to the construction of a pipeline and diversion of water from the Wabash River aquifer and/or the Teays River aquifer to the LEAP Innovation District in Boone County.

SECTION 2. The Clerk shall send a copy of this resolution, duly adopted, to the Indiana General Assembly, the Indiana Economic Development Corporation, the Indiana Finance Authority, the Indiana Secretary of Commerce, and Indiana Governor Eric Holcomb.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2024.

ISABEL PIEDMONT-SMITH, 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 _____, 2024.

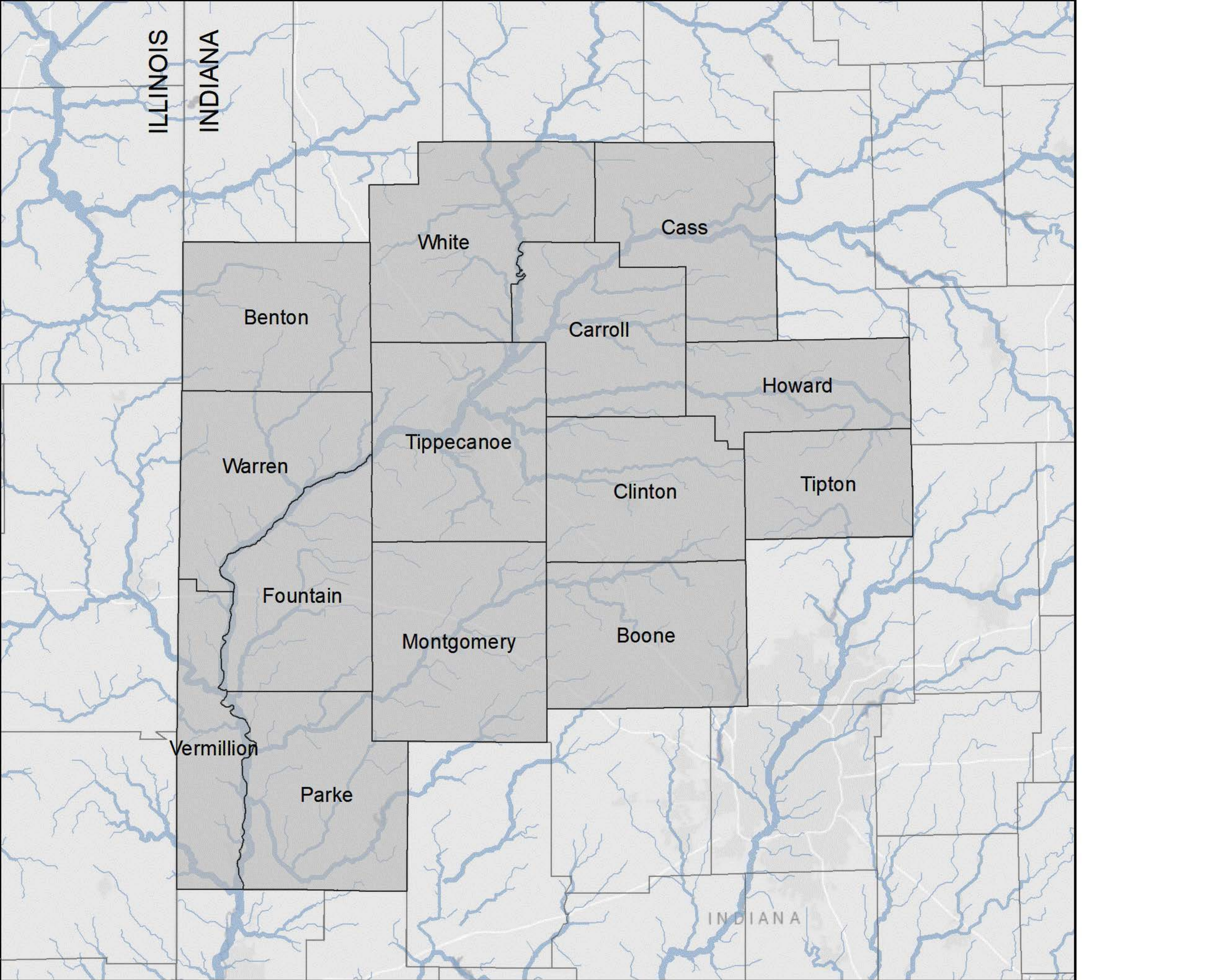
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2024.

KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This resolution is sponsored by Councilmember Ruff. It expresses the Common Council's opposition to the Indiana Economic Development Corporation's proposed Limitless Exploration / Advanced Pace Innovation District Project that would divert water from the Wabash River aquifer and/or Teays River aquifer, which may impact Hoosiers who rely on these aquifers for their water supply. This resolution also directs the City Clerk to send copies of the resolution to the Indiana General Assembly, Indiana Economic Development Corporation, the Indiana Finance Authority, the Indiana Secretary of Commerce, and Indiana Governor Eric Holcomb.





REPORT:

Proposed LEAP Project in Boone County Reveals Severe Deficiencies in Indiana's Water and Economic Development Policy

December 2023

Contents

Executive Summary.....	2
The LEAP project and the Indiana Economic Development Corporation	3
IEDC seeks water-intensive industries for LEAP	4
Water: The Achilles heel of the LEAP project	5
IEDC process foments backlash	6
Speculating with taxpayer dollars - in secret	7
LEAP becoming a financial quagmire – for taxpayers and ratepayers	9
Central Indiana Water ratepayers have reason for concern	12
Long-term water availability could be threatened in Central Indiana	13
Water wars and good policy alternatives ignored	14
Conclusions and Recommendations	17

Executive Summary

Public concern about the LEAP (Limitless Exploration/Advanced Pace) district adjacent to Lebanon in Boone County led CAC to investigate state water and economic development policy more thoroughly.

We find that:

- The shell-game with water to enable the LEAP district is fomenting public dissent and a water war, contrary to sound water policy.
- From a policy perspective, the state views water strictly as a tool for near-term, opportunistic economic development, not as a resource that requires strategic and systematic consideration to secure water availability for communities into the future and to ensure water bill affordability for ratepayers.
- The Indiana Economic Development Corporation (IEDC), essentially a privatized state agency with little to no accountability or transparency to policymakers or the public, must be reformed or abolished.
- The IEDC committed hundreds of millions of taxpayer dollars to land purchases, prior to ascertaining whether enough water resources would be available for the LEAP project.

The LEAP project and the Indiana Economic Development Corporation

The LEAP district is a 10,000-acre plot of productive farmland adjacent to Lebanon along Interstate 65 (I-65) that is to be converted into a massive industrial park. LEAP is perhaps the most expansive and expensive economic development project ever undertaken by the state.¹

The project is so water intensive that the current plan is to build two sets of pipeline infrastructure, as shown in Figure 1.

Figure 1. LEAP Pipeline Infrastructure

Pipeline Path	Est. Length	Purpose	Est. Cost (millions)
Lafayette to Lebanon	52 miles	Supply water to prospective microchip, data center, and other facilities	\$2,000
Indianapolis to Lebanon	50 miles	Supply water to Lebanon for purposes of supplying the Eli Lilly facilities	\$200 - \$400

But there are other issues that would add costs to local citizens and/or Central Indiana water and wastewater ratepayers as well as electric ratepayers that are explained below.

The LEAP project is sponsored and, up to this point, bankrolled by the Indiana Economic Development Corporation (IEDC) with taxpayer dollars. The IEDC, created by statute in 2005 under Governor Mitch Daniels, is essentially a privatized state agency that operates in secret, with little accountability or transparency, and no mechanism for public input. The IEDC has been shrouded in controversy since its inception due to its lack of transparency that is by legislative design.² The LEAP process demonstrates that the lack of transparency has continued and fomented public backlash against the project.

According to Citizens Water, “state officials” have been interested in economic development and concerned about “the lack of adequate water and groundwater resources along the I-65 corridor between Zionsville and Lafayette for some time.”³ Logistically, the LEAP district is desirable because it has access to a major interstate, it lies between the Research Park at Purdue University and the Indianapolis International Airport, and has access to plenty of land – that is, prime farmland.⁴ The Achilles heel for such large-scale development as envisioned by

¹ <https://www.wthr.com/article/news/investigations/13-investigates/indiana-spends-millions-lafayette-lebanon-pipeline-plan-wabash-river-boone-county/531-7537884e-3f88-418c-a539-5d944a3dba90>

² <https://www.wthr.com/article/news/local/inflated-numbers-secretive-contracts-surround-indiana-jobs/531-ab615819-dd36-45c8-9b40-be956bc7aca6> and <https://www.goodjobsfirst.org/wp-content/uploads/docs/pdf/scandalsnotjobs.pdf>

³ Verified Direct Testimony of Jeffrey A. Willman (June 29, 2023), https://iurc.portal.in.gov/entity/sharepointdocumentlocation/7a01165c-4117-ee11-8f6d-001dd8084f05/bb9c6bba-fd52-45ad-8e64-a444aef13c39?file=45896_CRW%20et%20al_Exhibit%204_Clean_Willman_062923.pdf

⁴ <https://lebanon.in.gov/2022/12/08/mayor-gentry-shares-benefits-of-leap-district/>

IEDC for LEAP is the scarcity of ample surface water (major rivers) or groundwater in Boone County.

IEDC seeks water-intensive industries for LEAP

What makes LEAP development even more difficult are the water-intensive industries IEDC hopes to locate at the site.

The only firm that has committed to locating new facilities at the LEAP district as of December 2023 is Eli Lilly, which is locating two new manufacturing facilities at the site. To supply water to the facilities, Lebanon and the IEDC entered into a memorandum of understanding in 2022 whereby the IEDC would pay Lebanon to set aside about 860,000 gallons of water per day⁵ (equivalent to 56% of Lebanon's "current water capacity").⁶ At the time, Lilly initially planned a \$2.1 billion facility⁷ - later expanded to a \$3.7 billion facility.⁸ A larger facility would arguably have a greater impact on Lebanon's water supply.

A microchip manufacturer – as is the norm, the name not disclosed by IEDC - is eyeing Indiana's LEAP development as well as another Midwestern state to site a \$50 billion facility.⁹ Microchip facilities consist of microchip fabricators or fabs. An example is Intel's 700-acre campus, consisting of 4 fabs, in Ocotillo, Arizona.¹⁰ Just 1 of those fabs uses about 10.2 million gallons per day. A \$50 billion facility would consist of 4 or 5 fabs, using up to nearly 41 to 51 million gallons per day. Another example of the water-intensity of microchip fabrication is Taiwan-based TSMC that plans up to 5 fabs in Phoenix, Arizona, which, according to media reports, would use an estimated 35 million gallons per day.

IEDC states it is also luring a data center to the site.¹¹ Large data centers can use 1 to 5 million gallons per day.¹²

⁵ <https://lebanon.in.gov/2022/11/07/water-plan-for-eli-lilly-approved-phase-2-of-annexation-map-shared/>

⁶ https://www.reporter.net/news/local_news/city-council-approves-water-capacity-for-eli-lilly/article_a6511f98-5700-11ed-894f-af9ae382e8ef.html The article states, "The IEDC wants the city to set aside 860,000 million gallons of water per day and the same capacity for wastewater discharge, according to a memorandum of understanding between the IEDC and Lebanon Utilities. That's about 56% of the city's current water capacity and 39% of its wastewater capacity..."

⁷ <https://lebanon.in.gov/2022/11/07/water-plan-for-eli-lilly-approved-phase-2-of-annexation-map-shared/>

⁸ <https://www.wthr.com/article/money/business/eli-lilly-ups-investment-2-new-lebanon-manufacturing-sites-to-37-billion-indiana-boone-county/531-926d5754-ed0b-440c-a372-252c95f1afcf>

⁹ <https://www.ibj.com/articles/indiana-one-of-two-states-competing-for-50b-semiconductor-plant>

¹⁰ <https://www.azcentral.com/story/money/business/tech/2021/09/24/intels-20-billion-arizona-chip-factories-break-ground-chandler/5836524001/#>

¹¹ <https://www.ibj.com/articles/indiana-one-of-two-states-competing-for-50b-semiconductor-plant>

¹² <https://www.washingtonpost.com/climate-environment//2023/04/25/data-centers-drought-water-use/#>

If each of these firms committed to the district and the LEAP microchip campus is similar to Intel's facility, the amount of water they would use on a daily basis could be as much as 47 to nearly 56 million gallons per day, equivalent to the average water use of nearly 737,000 Hoosier residents.¹³ This does not include water required for new housing that is in-process.

And this voluminous amount of water is only the beginning for IEDC. The agency plans more development at LEAP that would eventually require 100 million gallons per day, equivalent to the average water use of about 1.3 million Hoosier residents.¹⁴ For comparison, the City of Lafayette withdraws between 10 to 17 million gallons per day.¹⁵

Water: The Achilles heel of the LEAP project

But where will IEDC get the water? IEDC recently disclosed to the public that it has settled on groundwater located approximately 35 miles away along the Wabash River, near Lafayette. True to form, it only recently disclosed its intent. Elected officials and local residents immediately raised legitimate concerns with this plan.

One reason for concern is that IEDC committed to the LEAP district and water-intensive industries prior to doing any water study on the impacts locally in and around Lafayette – including on individual wells, on crop irrigation, and downstream cities and towns.

IEDC assumed that there would be no impacts, as expressed by their consultant in October 2022.¹⁶ Since then, an initial analysis has been completed that, according to IEDC, shows positive results. However, the details have not been disclosed, and questions have been raised about the methodology by INTERA, IEDC's water consulting firm. While IEDC's consultant emphasizes that "existing water users" would not likely be impacted,¹⁷ there was no mention of future users either locally or downstream in terms of industrial or commercial development, increase in crop irrigation needs, or increasing population, which is concerning given that Tippecanoe County is the fourth fastest growing county in the state¹⁸.

Moreover, according to local sources, after four days of water testing completed in September 2023,¹⁹ to assess the volume of water that could sustainably be extracted from groundwater, several residents reported sulfurous water, gravel in their wells and gravel in their water heater

¹³ <https://www.neefusa.org/story/water/home-water-use-united-states#Indiana>

¹⁴ <https://www.neefusa.org/story/water/home-water-use-united-states#Indiana>

¹⁵ <https://news.yahoo.com/look-potential-impact-transferring-water-091700441.html?guccounter=1>

¹⁶ <https://www.insideindianabusiness.com/articles/wabash-river-could-be-solution-to-boone-countys-development-needs>

¹⁷ <https://www.insideindianabusiness.com/articles/wabash-river-could-be-solution-to-boone-countys-development-needs>

¹⁸ <https://cbs4indy.com/news/these-are-the-fastest-growing-counties-in-indiana/>

¹⁹ <https://www.iedc.in.gov/events/news/details/2023/09/21/iedc-releases-initial-results-from-water-study>

filters. None of these residents experienced these issues prior to the test drilling. Additionally, according to local sources, these negative impacts were not included in IEDC's report provided to elected officials.²⁰

In addition, a 2015 Purdue University analysis finds that “during the low flow months of July–October, wastewater discharges into the Wabash River basin contributed 82 to 121% of the stream flow,” meaning the entire volume of the water in the Wabash River is being used.²¹ Which begs the question: who will get water during times of water scarcity – Tippecanoe County residents and farmers and users downstream, or big business at LEAP?

Governor Eric Holcomb recently shifted “exclusive oversight” of INTERA’s ongoing water analysis of the Wabash aquifer’s ability to supply sufficient volumes to the LEAP district from the IEDC to the Indiana Finance Authority (IFA) and called for a more comprehensive study for Central Indiana.²² However, it remains to be seen if these inquiries will result in sound water policy for the state and an actual transparent public discourse on water policy, especially considering that the IFA is shielded from public records requests in the same fashion as the IEDC.

IEDC process foments backlash

IEDC’s process for developing LEAP has been conducted in the reverse order it should have followed.

County and state legislators in the Lafayette area are seeking a third-party review of the analysis of the IEDC initial water study,²³ and local legislators plan to file legislation to require a more systematic study prior to approvals for large water withdrawals.²⁴ The Cities of West Lafayette and Lafayette have adopted resolutions opposing LEAP.²⁵ Tippecanoe County recently passed a moratorium which will impose a nine-month ban on high-volume water withdrawals.²⁶

²⁰ E-mail, November 3, 2023.

²¹ <https://www.purdue.edu/newsroom/releases/2015/Q3/study-reveals-need-for-better-understanding-of-water-use.html>

²² https://www.ibj.com/articles/indiana-finance-authority-assumes-oversight-of-iedc-water-study?utm_source=news-update&utm_medium=newsletter&utm_campaign=2023-11-13&utm_id=45485179

²³ <https://www.wbaa.org/local-news/2023-09-22/tippecanoe-county-officials-want-third-party-review-after-state-finds-abundant-water-availability-for-water-withdrawals-to-lebanon>

²⁴ <https://www.ibj.com/articles/lafayette-area-officials-take-steps-to-protect-water-supply-as-iedc-considers-35-mile-pipeline>

²⁵ <https://www.insideindianabusiness.com/articles/west-lafayette-council-declares-opposition-to-water-pipeline> and https://www.wlfi.com/news/local/lafayette-city-council-votes-unanimously-to-oppose-leap-project/article_d70b36e6-7d01-11ee-b0e6-63f0642590b6.html

²⁶ <https://www.wishtv.com/news/i-team-8/tippecanoe-county-takes-action-to-stop-massive-water-withdrawal/>

City Councils in Attica²⁷ and Monticello²⁸ have recently adopted similar resolutions in opposition to LEAP.

While the LEAP project is almost wholly speculative in nature, IEDC has committed nearly \$1 billion in taxpayer funds already, tossing taxpayer money around like Wall Street speculators. Hundreds of millions of dollars, much of it for land purchases that far exceed the actual value of the land,²⁹ have been expended prior to the microchip firm or data center committing to locate in Boone County.

And, regardless of whether the microchip firm or the data center commits to the LEAP district, the IEDC plans to develop the massive site over time with the Wabash River aquifers appearing to be the only viable source of water for such large-scale development.³⁰

Figure 2. Taxpayer Dollars Committed to LEAP – So Far

Speculating with taxpayer dollars- in secret

The amount of taxpayer dollars committed by IEDC already is staggering – about \$972 million so far, as shown in Figure 2.³¹

Description	Cost (millions)
Land purchases (~1,000 acres), June 2023	\$ 122.0
Land purchases supporting potential data center (290 acres), June 2023	\$ 16.0
Land purchases for interchange supporting Eli Lilly (220 acres), June 2023	\$ 20.2
Land purchases (1,578 acres), September 2022-March 2023	\$ 126.0
Infrastructure Improvements (Road, Drainage)	\$ 38.0
Land purchases (1,577 acres), 2022	\$ 125.0
Payment to Lebanon Utilities for Eli Lilly's Water & Wastewater	\$ 21.2
Black & Veach contract assessing Lafayette to Lebanon pipeline costs and wastewater treatment plant for microchip campus	\$ 10.2
Citizens Water Pipeline from Indianapolis to LEAP for Eli Lilly	\$ 200.0
<i>Eli Lilly Manufacturing Facility</i>	
Training Grants	\$ 4.5
Redevelopment Tax Credits	\$ 17.1
Additional Subsidies	\$ 271.5
Total	\$ 971.7

²⁷ <https://twitter.com/jconline/status/1711738108985651310>

²⁸ https://www.newsbug.info/monticello_herald_journal/news/city-council-passes-resolutions-opposing-leap-and-carbon-sequestration/article_b24c5046-88a1-11ee-b3f6-33bdda5e1e04.html

²⁹ https://ag.purdue.edu/commercialag/home/wp-content/uploads/2023/08/2023-08-PAER_v2-1.pdf and <https://www.ibj.com/articles/state-budget-committee-approves-iedc-funding-requests> and <https://www.ibj.com/articles/iedc-paying-premium-for-farmland-for-boone-county-tech-district#:~:text=The%20IEDC%20spent%20more%20than,with%20farm%20buildings%20and%20silos.>

³⁰ <https://docs.lib.purdue.edu/cgi/viewcontent.cgi?article=1000&context=climatetr> and <https://www.indianachamber.com/wp-content/uploads/2017/09/WaterStudyReport2014LoRes.pdf>

³¹ <https://www.wthr.com/article/news/investigations/13-investigates/indiana-spends-millions-lafayette-lebanon-pipeline-plan-wabash-river-boone-county/531-7537884e-3f88-418c-a539-5d944a3dba90>; <https://indianacapitalchronicle.com/2023/03/06/iedc-spends-126m-in-boone-county-land-purchases/>; <https://www.ibj.com/articles/state-budget-panel-weighs-risks-of-additional-200m-in-iedc-requests>; <https://fox59.com/indiana-news/plans-new-eli-lilly-facility-in-boone-county-move-forward/>; <https://www.indystar.com/story/news/local/indianapolis/2023/04/17/lilly-adds-1-6b-200-jobs-to-boone-county-project/70122119007/>; <https://www.ibj.com/articles/state-budget-panel-weighs-risks-of-additional-200m-in-iedc-requests>; and Verified Direct Testimony of Craig L. Jackson (June 29, 2023), https://iurc.portal.in.gov/entity/sharepointdocumentlocation/00b9e7d7-4017-ee11-8f6d-001dd8084f05/bb9c6bba-fd52-45ad-8e64-a444aef13c39?file=45896_CRW%20et%20al_Exhibit%202_Clean_Jackson_062923.pdf

Underscoring the speculative nature of the LEAP project, the IEDC initially approached Citizens Water (the water utility in Indianapolis) to build and maintain water pipelines to Lebanon and the LEAP district to supply Eli Lilly. Citizens' initial study estimated the costs of the pipeline to be \$200 million (included in the figure above).³² The Indiana Finance Authority was to provide a loan from its water and wastewater revolving loan program, to be eventually paid off by the IEDC. The problem is that this initial engineering estimate does not provide the ultimate cost of the pipeline infrastructure – it could be 50 percent less or 100 percent more.³³

However, negotiations between IEDC and Citizens broke down. Citizens pulled its petition before state utility regulators, the Indiana Utility Regulatory Commission (IURC), to create a subsidiary to manage the LEAP pipeline infrastructure.³⁴ CAC believes this is due to money. In our estimation, the IEDC has over-extended itself, despite its \$1.2 billion slush fund appropriated in the 2023 legislative session.³⁵ (The IEDC has also been promising water to towns along the Lafayette-LEAP pipeline, without any analysis of cost or additional water withdrawals.³⁶)

The breakdown in negotiations means, at the moment, there may not be sufficient water supply for Eli Lilly (or Lebanon), which has already broken ground in the LEAP district on a larger \$3.7 billion facility to produce feedstock for pharmaceutical production.³⁷ Citizens was to supply 10 million gallons of water per day by 2027 to the LEAP district, “of which 1.35 million gallons as recoupment supply for the (Lebanon) Utility.”³⁸ With Lebanon providing its own local water resources to Eli Lilly, this may indicate that Lebanon's water supply may be stressed, if additional supply is not provided by Citizens or another Central Indiana utility.

³² Verified Direct Testimony of Craig L. Jackson (June 29, 2023), https://iurc.portal.in.gov/entity/sharepointdocumentlocation/00b9e7d7-4017-ee11-8f6d-001dd8084f05/bb9c6bba-fd52-45ad-8e64-a444aef13c39?file=45896_CRW%20et%20al_Exhibit%202_Clean_Jackson_062923.pdf

³³ Verified Direct Testimony of Craig L. Jackson (June 29, 2023), https://iurc.portal.in.gov/entity/sharepointdocumentlocation/00b9e7d7-4017-ee11-8f6d-001dd8084f05/bb9c6bba-fd52-45ad-8e64-a444aef13c39?file=45896_CRW%20et%20al_Exhibit%202_Clean_Jackson_062923.pdf

³⁴ Joint Petitioners' Notice of Voluntary Dismissal Without Prejudice (Oct. 5, 2023), https://iurc.portal.in.gov/entity/sharepointdocumentlocation/a1d35e1d-9663-ee11-be6e-001dd80bf130/bb9c6bba-fd52-45ad-8e64-a444aef13c39?file=45896%20%20crw%20et%20al%20%20notice%20%206_10052023.pdf

³⁵ <https://www.ijb.com/articles/business-scores-some-sizable-legislative-wins>

³⁶ [https://indianacapitalchronicle.com/briefs/abundant-water-in-wabash-aquifer-for-leap-district-say-early-iedc-findings/#:~:text=\(IEDC\)%20announced%20Thursday.,could%20jeopardize%20their%20water%20supply.](https://indianacapitalchronicle.com/briefs/abundant-water-in-wabash-aquifer-for-leap-district-say-early-iedc-findings/#:~:text=(IEDC)%20announced%20Thursday.,could%20jeopardize%20their%20water%20supply.)

³⁷ <https://www.wthr.com/article/news/investigations/13-investigates/indiana-spends-millions-lafayette-lebanon-pipeline-plan-wabash-river-boone-county/531-7537884e-3f88-418c-a539-5d944a3dba90>

³⁸ Verified Direct Testimony of Craig L. Jackson (June 29, 2023), https://iurc.portal.in.gov/entity/sharepointdocumentlocation/00b9e7d7-4017-ee11-8f6d-001dd8084f05/bb9c6bba-fd52-45ad-8e64-a444aef13c39?file=45896_CRW%20et%20al_Exhibit%202_Clean_Jackson_062923.pdf

In other words – and similar to water supply for the microchip campus and data center – IEDC pushed LEAP without a solid commitment from Citizens that, to its credit, emphasized many times in its memorandum of understanding with the IEDC and in its testimony before the IURC that it wanted to hold its ratepayers harmless for this endeavor.

However, Citizens still left wiggle room to charge its customers for costs incurred by its proposed Central Indiana subsidiary if the utility could not properly assign those costs to Lebanon. And Citizens still expresses continued support for the project and interest in building out water infrastructure to support LEAP, including serving customers “in the City of Indianapolis and other Central Indiana communities...”³⁹

The IEDC remained silent for much of its LEAP planning and negotiation process:

- WTHR news (channel 13) in Indianapolis was unable to secure a meeting with an IEDC official after months of requests.⁴⁰
- Information gathered from public information requests has been highly redacted.⁴¹
- A farmer reported that attorneys hired by IEDC who approached him to purchase land refused to disclose who they worked for or the reason behind the land purchase.⁴²

IEDC’s subterfuge does not end there. Lebanon officials, not IEDC, disclosed that IEDC was planning a large development in the area in March 2022 but only after months of inquiry.⁴³ And IEDC did not disclose that it planned on transferring water from the Lafayette area to the LEAP District until late July 2023, despite repeated inquiries.⁴⁴

LEAP becoming a financial quagmire – for taxpayers and ratepayers

There are other cost and logistical issues outstanding for LEAP.

³⁹ <https://www.ibj.com/articles/citizens-energy-seeks-to-withdraw-application-to-supply-water-to-leap-district>

⁴⁰ <https://www.wthr.com/article/news/investigations/13-investigates/initial-tests-lafayette-lebanon-water-pipeline-show-exciting-results/531-e978b71e-b968-49fb-8d5f-012e808155cc>

⁴¹ <https://www.wthr.com/article/news/investigations/13-investigates/initial-tests-lafayette-lebanon-water-pipeline-show-exciting-results/531-e978b71e-b968-49fb-8d5f-012e808155cc>

⁴² <https://www.insideindianabusiness.com/articles/wabash-river-could-be-solution-to-boone-countys-development-needs>

⁴³ <https://www.wrtv.com/news/local-news/boone-county-commissioners-confirm-mystery-development-but-state-provides-no-details>

⁴⁴ <https://indianahousedemocrats.org/news-media/campbell-reacts-to-the-transfer-of-water-from-tippecanoe-county-to-lebanon>

There has been no discussion of:

- How the purported \$2 billion for two pipelines from the Wabash basin to Lebanon will be paid for or who is going to manage it⁴⁵ – although CAC believes that it will be water ratepayers, most likely the ratepayers of Indiana American Water that owns the West Lafayette water utility and utilities in Hamilton County.
- How the thousands of tons of hazardous waste per year generated by the LEAP district, most notably the microchip campus, will be treated and disposed of. Microchip fabs are notorious for large volumes of hazardous waste generation, which “consists of heavy metals, solvents, and corrosive compounds in both solid and liquid forms.”⁴⁶ A single fab at the sprawling Ocotillo, AZ facility mentioned above generates about 36,000 tons of hazardous waste annually.⁴⁷
- Where the tens of millions of gallons of daily wastewater from the LEAP district will be sent. Microchip fabs pre-treat their water to remove as many toxics as possible.⁴⁸ That water is sent to local wastewater treatment plants. A portion could also be reused by the facility – although it must be highly purified for microchip assembly.⁴⁹

Initially, the thought was to send the wastewater to Eagle Creek reservoir, which means the water would be lost from the Wabash River entirely – transferred out of the basin.⁵⁰ It could also end up back in the Wabash as surface water, not returned to the aquifer, which would eventually degrade the aquifer.⁵¹ If not sent to Eagle Creek reservoir, a Purdue University expert suggested it could be sent down Sugar Creek, which enters the Wabash about 30 miles north of Terre Haute.⁵²

Given the limited capacity of creeks around Lebanon,⁵³ such volumes of wastewater could require more pipelines -- an additional, potentially high cost that has yet to be identified or addressed.

⁴⁵ <https://www.basedinlafayette.com/p/leap-pipeline-funding-decisions-on#:~:text=water%20pipeline%20concept%20estimated%20at,scheduled%20to%20start%20in%20January.>

⁴⁶ <https://blog.veolianorthamerica.com/chips-act-balancing-manufacturing-capacity-waste-generation#:~:text=Electronics%20manufacturing%20in%20general%2C%20and,both%20solid%20and%20liquid%20forms>

⁴⁷ <https://www.theguardian.com/environment/2021/sep/18/semiconductor-silicon-chips-carbon-footprint-climate>

⁴⁸ <https://www.nytimes.com/2022/04/08/technology/intel-chip-shortage.html>

⁴⁹ <https://www.nytimes.com/2022/04/08/technology/intel-chip-shortage.html>

⁵⁰ <https://secure.in.gov/apps/iedc/transparencyportal/viewtaxgrantloancontract/5ac468f49792ed11aad1001dd806af48>

⁵¹ <https://news.yahoo.com/look-potential-impact-transferring-water-091700441.html>

⁵² [https://en.wikipedia.org/wiki/Sugar_Creek_\(Wabash_River_tributary\)](https://en.wikipedia.org/wiki/Sugar_Creek_(Wabash_River_tributary))

⁵³ <https://news.yahoo.com/look-potential-impact-transferring-water-091700441.html>

In addition, microchip fabs consume enormous amounts of power. A single fab at the Ocotillo facility mentioned above demands 2,244,000 megawatt-hours annually,⁵⁴ enough to power 200,000 average Hoosier homes.⁵⁵ The population of Lebanon is about 18,000.

Using the Ocotillo example above, a microchip manufacturing campus with 4 fabricators could require almost 9 million megawatt-hours per year; and a 5-fab facility at more than 11 million megawatt-hours per year. This is the equivalent of 26 percent and 32 percent, respectively, of all residential electric utility customers in the state.⁵⁶

The high electric demand would certainly substantially add to a large microchip campus's water demand, as Indiana relies heavily on water-cooled power plants, such as coal and combined cycle natural gas plants. As to who would pay for the power and the infrastructure to deliver the power to LEAP, that has yet to be determined. Power would also have to be provided to Eli Lilly and the data center, which have substantial energy demands.

In addition to the high electric demand, these heavy industries will likely require natural gas for their facilities and industrial processes. Providing that gas to the LEAP district will also require substantial investments. As to who would pay for the gas infrastructure, that also has yet to be determined.

Thanks to the Indiana General Assembly's passage of the Transmission, Distribution, and Storage System Improvement Charges ("TDSIC") law⁵⁷, the IEDC was granted the authority to approve costs associated with a utility's TDSIC plan as a "targeted economic development project,"⁵⁸ forcing ratepayers to assume the burden of those costs. CAC suspects that it will be Hoosier electric and gas ratepayers that will get stuck with the tab for the infrastructure costs related to delivering gas and power to LEAP.

We need look no further than StarPlus Energy Project in Kokomo to support CAC's conclusion. This project is the joint venture between Samsung and Stellantis to build a \$2.5 billion electric-vehicle battery manufacturing facility in Kokomo.⁵⁹ NIPSCO gas ratepayers⁶⁰ and Duke Electric ratepayers⁶¹ throughout Indiana will both realize rate increases to subsidize this project.

⁵⁴ <https://www.theguardian.com/environment/2021/sep/18/semiconductor-silicon-chips-carbon-footprint-climate>

⁵⁵ https://www.eia.gov/electricity/sales_revenue_price/pdf/table5_a.pdf
(<https://www.eia.gov/electricity/data.php#sales>)

⁵⁶ https://www.eia.gov/electricity/sales_revenue_price/pdf/table_5A.pdf

⁵⁷ TDSIC was initially passed in 2013 through [SEA560](#), and then amended in 2019 through [HEA1470](#)

⁵⁸ <https://iga.in.gov/laws/2023/ic/titles/8#8-1-39-11>

⁵⁹ <https://www.insideindianabusiness.com/articles/stellantis-plans-2-5b-ev-battery-plant-1400-jobs-in-kokomo>

⁶⁰ https://iurc.portal.in.gov/_entity/sharepointdocumentlocation/36b55900-1956-ed11-bba2-001dd8070a7e/bb9c6bba-fd52-45ad-8e64-a444aef13c39?file=45330TDSIC5S1_NIPSCO_Submission%20of%20IEDC%20Approval_10272022.pdf

⁶¹ PETITIONER'S ATTACHMENT 1-B (ES) IURC Cause No. 45647 TDSIC-2 S1,
https://iurc.portal.in.gov/_entity/sharepointdocumentlocation/4704188b-2e82-ee11-8178-001dd8065be9/bb9c6bba-fd52-45ad-8e64-a444aef13c39?file=45647%20TDSIC%20%20S1_DEI_Direct%20Testimony%20of%20Erin%20Schneider_111023.pdf

Central Indiana water ratepayers have reason for concern

A big problem for IEDC is that now that Citizens has dropped out, at least for now, it needs to find another partner or renegotiate with Citizens to provide water for Eli Lilly. That other partner, CAC believes, would likely be Indiana American Water (IAW) that owns utilities in Hamilton and Tippecanoe Counties. IAW ratepayers should be concerned. Much of the estimated \$200 million cost for the pipelines to Lebanon for purposes of serving Eli Lilly could be shifted to them, since IEDC appears to be running short of funds. And that cost, as noted, could be double the \$200 million estimate at \$400 million.

As noted, Citizens remains interested in providing infrastructure and water to LEAP, which may put its ratepayers at risk for substantial rate increases as well.

CAC believes there are four undesirable alternatives that are likely being considered, all of which result in higher monthly water bills for Citizens or IAW ratepayers:

- IAW will finance the water infrastructure, imposing another substantial rate increase on its customers, with Citizens selling the water wholesale to IAW, or another utility, which could benefit Indianapolis ratepayers financially by applying the additional revenue to bill credits or reducing rates.
- IAW seeks rate increases on its customers in Central Indiana to finance the water infrastructure and uses its wellfields in Noblesville to supply water to LEAP, which would stress groundwater supplies in Hamilton County and possibly water supply in Indianapolis. (see below)
- IEDC provides a portion of funding to assist Citizens with paying for the water infrastructure to Lebanon, but Citizens imposes rate increases on its Indianapolis customers to pay for the rest.
- Similar to the authority granted the IEDC for electric and gas infrastructure projects, the legislature grants authority to the IEDC to approve utility water projects as “targeted economic development projects,” forcing ratepayers to assume the costs.

Of note, IAW ratepayers may also be on the hook for some or most of the \$2 billion estimated cost of water pipelines from Lafayette to Lebanon regardless. But IEDC has not disclosed who would pay for those pipelines – taxpayers, ratepayers, LEAP district businesses, or a combination.

Long-term water availability could be threatened in Central Indiana

Then the question becomes: Where will the Central Indiana water come from?

For the four undesirable alternatives above, the water would come from either Hamilton or Marion County for the LEAP district. In the case of water from Hamilton County, IAW uses water from its wellfields near Noblesville, which pull water from the aquifer upstream of Indianapolis along the White River, the very aquifer on which Indianapolis relies on heavily as a water source.

But this could stress water supplies in Hamilton and Marion Counties.

Hamilton County is the fastest growing county in the state.⁶² Population is expected to increase, and there is significant business development planned for the US Highway 31 corridor.⁶³ And the county historically has relied heavily on groundwater. The problem is that Central Indiana – the 9-county area consisting of Marion and surrounding counties – is known for limited groundwater supplies and low-flows in the White River.⁶⁴

IAW has conducted tests to determine the full capacity of its current wells and its test well. It is also running tests in its largest wellfield on the north side of Noblesville but has not disclosed results of those

tests. In reviewing its currently available data,⁶⁵ it appears that IAW can withdraw about 10.3 million gallons per day more than it did in 2020 from current wells and the test well for which it provided data (Figure 3). The

Figure 3. Estimated Available Water Capacity of Indiana American Water Wells

Location	Well	GPM	Available	GPM Total	GPM Available	GPD Available
Allisonville	1	1400	28.9%	1,969	569	819,443
Allisonville	2	800	33.3%	1,199	399	575,136
Riverwood	7	280	26.2%	379	99	143,141
Riverwood	8	370	52.8%	784	414	596,014
Forest Park	2	350	56.0%	795	445	641,455
Forest Park	4	600	3.9%	624	24	35,063
Forest Park	5	700	35.2%	1,080	380	547,556
White River North	1	2000	35.0%	3,077	1,077	1,550,769
White River North	9	2000	50.3%	4,024	2,024	2,914,769
White River Christian Church	TEST	1718	100.0%	1,718	1,718	2,473,920
Total					7,151	10,297,266

Source: Cause No. 45870, Attachment MHH-24, pp. 118-122 of 173 (2022 Capacity Evaluation)

⁶² <https://cbs4indy.com/news/these-are-the-fastest-growing-counties-in-indiana/>

⁶³ https://www.stats.indiana.edu/profiles/profiles.asp?scope_choice=a&county_changer=18057;
[https://www.hamiltoncounty.in.gov/Archive/ViewFile/Item/215;](https://www.hamiltoncounty.in.gov/Archive/ViewFile/Item/215) and <https://readthereporter.com/hamilton-county-breaks-ground-on-regional-utility-district/>

⁶⁴ <https://www.indianachamber.com/wp-content/uploads/2017/09/WaterStudyReport2014LoRes.pdf>

⁶⁵ Direct Testimony of Mathew H. Hobbs II, Attachment MHH - 16 Part 5 of 6:
[https://iurc.portal.in.gov/entity/sharepointdocumentlocation/2fd68668-09d0-ed11-b596-001dd8070a7e/bb9c6bba-fd52-45ad-8e64-a444aef13c39?file=45870 Indiana%20American%20Water%20Company Petitioner%27s%20Exhibit%203%20Direct%20Testimony%20of%20Matthew%20H.%20Hobbs%20Part%206%20of%206_033123.pdf](https://iurc.portal.in.gov/entity/sharepointdocumentlocation/2fd68668-09d0-ed11-b596-001dd8070a7e/bb9c6bba-fd52-45ad-8e64-a444aef13c39?file=45870%20Indiana%20American%20Water%20Company%20Petitioner%27s%20Exhibit%203%20Direct%20Testimony%20of%20Matthew%20H.%20Hobbs%20Part%206%20of%206_033123.pdf)

10 million gallons per day for the Eli Lilly manufacturing facilities at LEAP district would essentially consume that entire volume of water.

As Marion County is the second-fastest growing county in the state,⁶⁶ sending large volumes of water from Indianapolis to Lebanon may eventually threaten the city's water supply over the long-term.

Importantly, the Indiana Chamber of Commerce noted in its 2014 report, "The expected growth could push both Hamilton County and Marion County into the highest (>1) category of potentially unsustainable withdrawal."⁶⁷

Indeed, Citizens says its recently built reservoir in Fishers will provide sufficient water supply for the region for only 15 years.⁶⁸

Water wars and good policy alternatives ignored

The state is viewing water solely as an economic development tool. This is short-sighted and opportunistic as it assumes that water can be shipped wherever and whenever needed, regardless of the near- and long-term interests of or impacts on communities and costs to taxpayers or ratepayers.

Indeed, the state set the stage for water wars through its own policy. In 2012, the Indiana General Assembly passed legislation removing groundwater from local control.⁶⁹ Whoever owns the land above the aquifer can take as much water as they want. There is no process, as shown by the LEAP project, to include local officials and the public about planning and water resource capacity. There is no water policy that would ensure water availability into the future and affordability for ratepayers.

Disconcertingly, the state is ignoring its own water studies led by the IURC and IFA at the direction of the General Assembly that provided guidance to achieve water sustainability and water bill affordability.

In its 2013 report, the IURC places emphasis on the concept of integrated water resources management (IWRM), noting that, typically, water management often focuses only on additional supply of water.⁷⁰ On the other hand, IURC states:⁷¹

⁶⁶ <https://cbs4indy.com/news/these-are-the-fastest-growing-counties-in-indiana/>

⁶⁷ <https://www.indianachamber.com/wp-content/uploads/2017/09/WaterStudyReport2014LoRes.pdf>

⁶⁸ <https://2545024.fs1.hubspotusercontent-na1.net/hubfs/2545024/site/reports/Sustainability%20Reports/Sustainability-Report-2021.pdf>

⁶⁹ <https://mckinneylaw.iu.edu/ilr/pdf/vol49p181.pdf>

⁷⁰ <https://www.in.gov/iurc/files/IURC-2013-Water-Utility-Resource-Report.pdf>

⁷¹ <https://www.in.gov/iurc/files/IURC-2013-Water-Utility-Resource-Report.pdf>

IWRM expands water utilities' options for securing adequate supplies. Instead of just installing a new well or surface water intake to meet new demands, *IWRM can be used* to determine whether water conservation, an aggressive leak detection program, or water reuse is cost effective and can supply the additional needed water. Unlike traditional groundwater and surface water supplies, these alternative options are not affected by climate variability and have minimal environmental impact. (Emphasis added).

Comprehensive water conservation measures and reducing leaks actually have profound, positive impacts on cost and water availability. For instance, due to the Massachusetts Water Resources Authority's "Long-Range Water Supply Program" implemented in 1987 that prioritized conservation and reducing leaks,⁷² the City of Boston used about the same amount of water in 2014 as it did in 1900.⁷³

Similarly, Las Vegas, has implemented conservation programs and water recycling (Las Vegas recycles all of its wastewater, treating it to near potable levels), achieving a 40% reduction in water use from 1989 to 2014, a drop in in water use of 29 billion gallons annually, even though from 2002 to 2012, population increased by 400,000, hotel rooms by 25,000, and tourists by 5 million.⁷⁴ By one estimate, leak detection efforts (Las Vegas has its own water lab) save "hundreds of millions of gallons each year."⁷⁵

Unfortunately, the Indiana Finance Authority and the State Chamber of Commerce water report in 2014 gives short shrift to water conservation, characterizing it solely as getting folks to reduce lawn watering during times of drought.⁷⁶

The IFA, in its 2016 report, does propose funding upgrades in water pipelines, estimating an initial cost, at the time, of \$2.3 billion.⁷⁷ Notably, the legislature appropriated about half that amount to the IEDC last session. The report also estimates that Indiana loses about 50 billion gallons annually due to leaks in pipelines, inaccurate meters, or stolen water⁷⁸ – although IFA says that most of the water mains in the state are at the end or nearly at the end of their lifetimes, which indicates that most of the water losses are from leaks from the water mains. IFA says that leak rates in Indiana range from 19-24% for all water utilities.⁷⁹

⁷² <https://www.mwra.com/comsupport/waterconservationmain.htm>

⁷³ <http://northendregionalreview.com/2015/05/28/bostonians-used-same-amount-of-water-in-2014-as-in-1900/>

⁷⁴ <https://www.hcn.org/issues/46.1/the-vegas-paradox>

⁷⁵ <https://www.hcn.org/issues/46.1/the-vegas-paradox>

⁷⁶ <https://www.in.gov/iurc/files/IFA-Report-October-2015-Evaluation-of-Water-Utility-Planning-in-IN.pdf> and <https://www.indianachamber.com/wp-content/uploads/2017/09/WaterStudyReport2014ExecSummary.pdf>

⁷⁷ <https://www.in.gov/ifa/files/IFA-Evaluation-of-Indianas-Water-Utilities-Report-11-18-2016.pdf>

⁷⁸ <https://www.in.gov/ifa/files/IFA-Evaluation-of-Indianas-Water-Utilities-Report-11-18-2016.pdf>

⁷⁹ <https://www.in.gov/ifa/files/IFA-Evaluation-of-Indianas-Water-Utilities-Report-11-18-2016.pdf>

If that is the case and with the understanding that Central Indiana withdraws about 132.8 billion gallons annually,⁸⁰ the region loses from about 25 billion to 32 billion gallons annually, or about 69 million gallons to more than 87 million gallons per day. IFA says additional withdrawals along the White River corridor could produce an additional 50 million gallons per day.⁸¹ But reducing leaks to 5-6%, like Las Vegas, would displace or substantially displace that amount.

In addition, the IURC warns that the state has no policy to prohibit interbasin transfers of water and urges caution and a systematic approach to ensure that such transfers does not pit one basin against another.⁸² The IURC states: “Without a procedure in place to proactively assess the impacts of withdrawals on stream flows and groundwater levels, the *water resources cannot be sustainably managed nor can the occurrence of water-use conflicts be minimized*, especially during droughts.”⁸³ (Emphasis added). The State Chamber of Commerce makes the point that water infrastructure buildouts should be “[s]trategic, not [o]ppportunistic,” in that impacts on water supply should be taken into account.⁸⁴

But the state has done nothing to create such policies and regulations, hence the growing conflict between Lafayette and Lebanon, caused by the IEDC’s “opportunistic” economic development model that includes creating more water supply in one county by removing it from another county.

This violates the important concept of regionalization brought up in IFA’s 2015 report.⁸⁵ IFA explains regionalization as a cooperative effort between utilities. IFA and others have found, such as the nonprofit Rural Community Assistance Project, that cooperation between smaller water utilities or purchase by nearby larger utilities (e.g. municipal utilities) would reduce costs and enhance financial capacity to deal with pipeline infrastructure. Also, sharing water resources and joint water infrastructure funding (such as for wastewater treatment) accomplishes these goals.

A follow-up IFA study in 2016 found that “*collaborative planning* has already begun among *neighboring* utilities in some areas of the state.”⁸⁶ (Emphasis added). The operative terms are “collaborative” and “neighboring,” not the way IEDC has apparently redefined the term as planning interbasin transfers of water for tens of miles without notifying and requesting the support of local officials and the public first.

Another important integrated water resources management (IWRM) concept is public participation. The idea of true public participation was jettisoned after the 2013 IURC report.

⁸⁰ <https://www.in.gov/ifa/regional-water-studies/central-indiana-water-study/>

⁸¹ <https://www.in.gov/ifa/regional-water-studies/central-indiana-water-study/>

⁸² <https://www.in.gov/iurc/files/IURC-2013-Water-Utility-Resource-Report.pdf>

⁸³ <https://www.in.gov/iurc/files/IURC-2013-Water-Utility-Resource-Report.pdf>

⁸⁴ <https://www.indianachamber.com/wp-content/uploads/2017/09/WaterStudyReport2014LoRes.pdf>

⁸⁵ <https://www.in.gov/iurc/files/IFA-Report-October-2015-Evaluation-of-Water-Utility-Planning-in-IN.pdf>

⁸⁶ <https://www.in.gov/iurc/files/IFA-Report-October-2015-Evaluation-of-Water-Utility-Planning-in-IN.pdf>

The IFA emphasizes educating the public about the importance of “water resources and infrastructure,”⁸⁷ which the response in Lafayette to the LEAP project indicates the public already understands. The public does not like to be presented with a *fait accompli* with respect to decisions about their water. The public expects the state to consider their concerns, a more than reasonable expectation. The public wants to and should be involved upfront in water resource and policy decisions.

It is unclear whether handing IFA the responsibility for overseeing the LEAP water studies instead of IEDC, will set the state on a course of securing water resources into the future while ensuring affordable water rates and public involvement in those decisions – or if water availability will remain strictly a near-term economic development consideration.

Conclusions and Recommendations

The saga of the LEAP project reveals many troublesome issues with respect to state economic development and water policy.

Water policy has become a subset of economic development policy, not treated as an essential resource that must be available and whose service costs must be affordable.

Ignoring previous studies with respect to the limitation on water resources and sound proposals for developing a rational water policy, the IEDC has embarked on a purely supply-side approach. This has created a water resource shell-game that will ultimately diminish water resources, increase costs to ratepayers, and foment water wars between communities and regions.

Ultimately, with the IEDC driving the water policy ship, water management policy is being discussed and formulated in secret with no public input. There is no forum or mechanism to allow for a detailed, systematic, rational discussion open to the public about water policy, which is critical for many applications – not just near-term, speculative opportunities for economic development.

Also, it appears that IEDC is angling to shift some or a substantial portion of the costs to ratepayers for the water infrastructure to supply the LEAP district from Indianapolis or Hamilton County, while remaining silent on how the costs of the pipelines from Lafayette to Lebanon will be paid for. Given the enormous cost of the project, the IEDC may seek additional funding in future legislative sessions, in addition to the real possibility of utility ratepayers subsidizing the LEAP project.

⁸⁷ <https://www.in.gov/iurc/files/IFA-Report-October-2015-Evaluation-of-Water-Utility-Planning-in-IN.pdf>

We recommend the following:

- The LEAP project should be put on hold indefinitely or proceed only with the Eli Lilly facilities if transparent, reliable studies show transferring water from Hamilton or Marion County will not impair water availability in those counties into the future.
- If the Eli Lilly facilities move forward, Eli Lilly should pay for the portion of water infrastructure and water supply required for its facilities.
- The state, with meaningful opportunities for public involvement, should adopt integrated water resource management (IWRM) principles and formulate strong policies around those.
- Part of developing sustainable water policy should include determining how to approach utility rate design coupled with comprehensive conservation measures, in a balanced approach that protects the interests of customers, addresses the acute bill affordability challenges faced by low-income customers, and allows utilities to maintain financial stability.
- As an initial step, the General Assembly should adopt the concept behind the legislation proposed by area Lafayette legislators to impose a modicum of structure to large water withdrawals.
- As an additional initial step, the General Assembly should return groundwater resources to local control in order to foster cooperation between neighboring utilities (regionalization) and stem water wars between communities and regions.
- Funding for water infrastructure should come from taxpayers, not utility ratepayers, if the infrastructure envisioned is shown to benefit the public. That way, utilities do not earn a profit off these public projects. This is what was proposed by IFA and what was envisioned in the initial agreement between Citizens Water and IEDC.
- The General Assembly should either replace the IEDC with a transparent department of commerce or significantly reform the IEDC to inject transparency and public participation upfront, without compromising sensitive negotiations. In either case, the state must engage the public early on about economic development and water usage. Having those discussions and disclosing the type of business, scale, and cost of the development to taxpayers and/or ratepayers would not divulge the specifics of the negotiations.
- The state should begin the process of reviewing current production systems in agriculture, manufacturing, and power generation, prioritizing economically efficient means of reducing or eliminating pollution of surface water and groundwater (whether that pollution is airborne, landfilled, or directly discharged into water ways) and reducing overall water usage to ensure future availability and enhance public health efforts.



MEMO FROM COUNCIL OFFICE:

To: Members of the Common Council

From: Stephen Lucas, Council Administrator/Attorney

Date: March 1, 2024

Re: Ordinance 2024-02 - To Amend Title 8 of the Bloomington Municipal Code, Entitled “Historic Preservation and Protection” to Establish a Historic District – Re: Lower Cascades Park (Bloomington Historic Preservation Commission, Petitioner)

Synopsis

This ordinance amends Chapter 8.20 of the Bloomington Municipal Code entitled “The List of Designated Historic Districts” in order to designate Lower Cascades Park as a historic district. The Bloomington Historic Preservation Commission, after a public hearing February 23, 2024, recommended that the park be designated historic with a rating as “Contributing.” This rating was based upon certain historic and architectural criteria set forth in BMC 8.08.010(e) entitled “Historic District Criteria.” Local designation will provide the protection needed to ensure that this property is preserved.

Relevant Materials

- Ordinance 2024-02
- Map of proposed historic district
- Staff Report from Bloomington Historic Preservation Commission

Summary

Ordinance 2024-02 would add “Lower Cascades Park” as a historic district under [Title 8](#) of the Bloomington Municipal Code (entitled “Historic Preservation and Protection”). The provisions of Title 8 are enabled by state law under [Indiana Code 36-7-11](#) (and following provisions) and are intended to:

- protect historic and architecturally-worthy properties that either impart a distinct aesthetic quality to the City or serve as visible reminders of our historic heritage;
- ensure the harmonious and orderly growth and development of the City;
- maintain established residential neighborhoods in danger of having their distinctiveness destroyed;
- enhance property values and attract new residents; and
- ensure the viability of the traditional downtown area and to enhance tourism.

The [Historic Preservation Commission](#) (“HPC”) is authorized to make recommendations to the Council regarding the establishment of historic districts either on its own accord or by petition of the property owner. In this case, the HPC acted on its own to recommend that Lower Cascades Park be designated as a historic district due to it meeting at least three of



the criteria required by [Bloomington Municipal Code 08.08.010\(e\)](#) for the creation of a historic district.

In order to create a historic district, the HPC prepares a map describing the district, which may divide the district into primary and secondary areas. The HPC report also designates all buildings and structures within the proposed district as either historic or non-historic. Historic buildings and structures are then further classified as either Outstanding, Notable, or Contributing. Under [BMC 8.02.020](#), the definitions of the ratings are as follows:

- “Outstanding” means that the property has sufficient historic or architectural significance that it is already listed, or is eligible for individual listing, in the National Register of Historic Places. Outstanding resources can be of local, state, or national importance.
- “Notable” means that the property does not merit the outstanding rating, but it is still above average in its importance. A notable structure may be eligible for the National Register.
- “Contributing” means the property is at least forty years old, but does not meet the criteria for an “Outstanding” or “Notable” rating. Such resources are important to the density or continuity of the area’s historic fabric. Contributing structures can be listed on the National Register only as part of an historic district.
- “Non-contributing” property is not included in an inventory unless it is located within the boundaries of an historic district. Such properties may be less than fifty years old, or they may be older structures that have been altered in such a way that they have lost their historic character, or they may be otherwise incompatible with their historic surroundings. These properties are not eligible for the National Register.

The HPC staff report attached to the ordinance lists 10 contributing buildings/structures and three non-contributing (non-historic) buildings/structures.

Under [BMC 08.08.020](#), once an area is designated as a historic district, a certificate of appropriateness must be issued by the HPC prior to the issuance of a permit for, or prior to work beginning on, any of the following within all areas of the historic district:

- The demolition of any building;
- The moving of any building;
- A conspicuous change in the exterior appearance of any historic building or any part of or appurtenance to such a building, including walls, fences, light fixtures, steps, paving, and signs by additions, reconstruction, alteration, or maintenance involving exterior color change if cited by individual ordinance, or
- Any new construction of a principal building or accessory building or structure subject to view from a public way.



City of Bloomington Indiana

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The HPC promulgates [rules and procedures](#) for reviewing changes to properties within historic districts. Those reviews occur in the context of either granting or denying Certificates of Appropriateness for the proposed changes which, in some instances may be done by staff and other instances must be done by the Commission. Unless the property owner agrees to an extension, the action on the Certificate of Appropriateness must be taken with 30 days of submittal of the application.

According to the BMC, in order to bring forward a historic designation, the HPC must hold a public hearing and submit a map and staff report to the Council. The map identifies the district and classifies properties, and the Report explains these actions in terms of the historic and architectural criteria set forth in the ordinance (see also [BMC 08.08.010\(e\)](#)). These criteria provide the grounds for the designation.

In summary, [Ordinance 2024-02](#):

- Approves the map and establishes the district, which provides the basis for the designation;
- Attaches the map and the report as part of the legislation;
- Describes the district and classifies the properties;
- Inserts the newly-established district into the List of Historic and Conservation Districts contained within BMC 8.20.

Contacts

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ORDINANCE 2024-02

**TO AMEND TITLE 8 OF THE BLOOMINGTON MUNICIPAL CODE, ENTITLED
“HISTORIC PRESERVATION AND PROTECTION”
TO ESTABLISH A HISTORIC DISTRICT – Re: LOWER CASCADES PARK
(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 February 23rd, 2024, the Commission held a public hearing for the purpose of allowing discussion and public comment on the proposed historic designation of Lower Cascades Park; and
- WHEREAS, at the same hearing, the Commission found that the site 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 accompanies the map and 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;

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 and incorporated herein by reference and two copies of them are on file in the Office of the Clerk for public inspection.

The historic district is further described as:

Parcels 53-05-28-200-042.000-005 excluding the Upper Cascades Skate Park, 53-05-28-200-016.000-005, 53-05-28-200-019.000-005, 53-05-21-300-017.000-005, 53-05-21-300-007.000-005, 53-05-21-300-004.000-005, 53-05-21-300-008.000-005, 53-05-21-200-001.000-005 west of N Walnut St, 53-05-21-300-010.000-005, and 53-05-21-200-006.000-005 excluding parts of the Upper Cascades Golf Course in the City of Bloomington, Monroe County, Indiana.

SECTION 2. The property at “Lower Cascades Park” 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 insert “Lower Cascades Park” and such entry shall read as follows:

Lower Cascades Park 2851 North Old State Road 37

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 _____, 2024.

ISABEL PIEDMONT-SMITH, 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 _____, 2024.

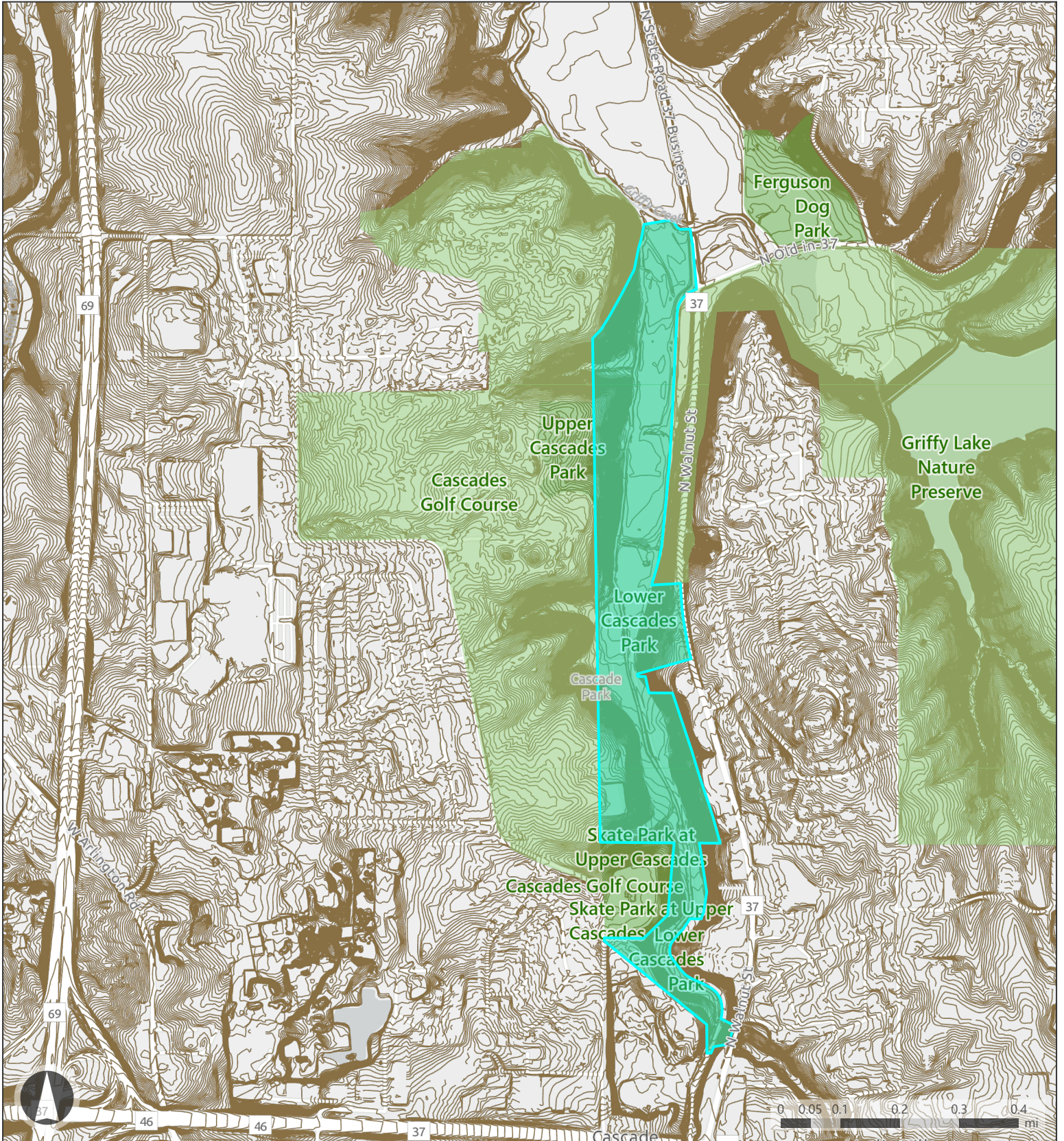
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2024.

KERRY THOMSON, Mayor
City of Bloomington

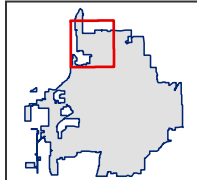
SYNOPSIS

This ordinance amends Chapter 8.20 of the Bloomington Municipal Code entitled “The List of Designated Historic Districts” in order to designate Lower Cascades Park as a historic district. The Bloomington Historic Preservation Commission, after a public hearing February 23, 2024, recommended that the park be designated historic with a rating as “Contributing.” This rating was based upon certain historic and architectural criteria set forth in BMC 8.08.010(e) entitled “Historic District Criteria.” Local designation will provide the protection needed to ensure that this property is preserved.



Map Legend

- Park Boundary
- Other Park Properties
- Contours 2005



HD 23-01 LOWER CASCADES PARK HISTORIC DISTRICT

Staff Report

Bloomington Historic Preservation Commission

The property, located at the stream bottomland bound by and surrounding old State Road 37 to the east and the steep slopes to the west, qualifies for local designation under the following highlighted criteria found in Ordinance 95-20 of the Municipal Code 1(a)(c), 2(g)

- 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

The Lower Cascades Park (the Park) is one of three distinct geographical areas within the Cascades Park along with the Upper Cascades Park and the golf courses, in the northern region of Bloomington. The Park is located at the bottom of a valley, along the Cascades Creek and Old State Road 37, bounded to the north by Griffy Creek, and by a steep rise in the land to the east and west.

“The district’s hydrology centers on Cascades Creek which is located in the bottomlands. The stream flows north and drains into Griffy Creek approximately a half-mile north of the district. The stretches of Cascades Creek that are within the district have been channelized and its bottom is primarily bedrock. The creek’s minor tributaries drain the uplands and valley slopes, and cut to the bedrock resulting in outcroppings and small waterfalls (NRHP 2021).”

The HALS Survey describes the geology of the Cascades Park as follows. “The geological history of the Cascades Park Historic District created the natural and scenic landscape features that became an early twentieth century recreational attraction for Bloomington residents. The district is located in the unglaciated Highland Rim Natural Region that is characterized by karst topography, cliffs, and rugged hills. The park’s landscape is representative of the Mitchell Karst Plain Section of this region that is further characterized by level upland, steep slopes, and stream bottomland. Oak, hickory, and sugar maple are the dominant tree species, and ash would have historically been prevalent (HALS 2021, 4).”

The Cascades Park contains three large shelters built by the Works Progress Administration (WPA) during the 1930s. Two of these shelters, Sycamore and Waterfall Shelter are located within the proposed district area. The Lion’s Den Shelter, although designed as part of the same master plan, is located in the Upper Cascades, falling outside of the proposed district.

In addition to the shelters, the Park also contains a WPA era retaining wall on the stream embankment, 24 picnic tables, a well house, a concrete ford, various bridges, a campfire, and three wishing well fountains. Most of the structures were built using rusticated limestone ashlar (NRHP 2021).

The following is an extract from the Historic American Landscapes Survey (HALS) performed in 2021 which describes these resources in more detail. “Landscape features, especially uplands and bottomlands, divide Cascades Park Historic District into two distinct sections: Upper Cascades and Lower Cascades. Both sections contain Works Progress Administration (WPA) constructed resources: stream retaining walls, shelters, a well pump house, picnic tables, a fire ring, and wishing well drinking fountains. The WPA resources are primarily constructed with rusticated limestone ashlar (e.g., blocks) laid in a common bond. The use of limestone is representative of the Administration’s integration of regional materials into its projects. WPA constructed wishing wells and picnic tables are located in both the upper and lower sections of the park. The wishing wells are drinking fountains constructed of a circular limestone block base with two limestone block pillars that support a timber roof. The circular base contains a shallow concrete basin with a drinking fountain and a drain. A horizontal

timber threads through the upper portion of each pillar and supports a gable roof. There are three wells in the park: near the Lion's Club Shelter, near Sycamore Shelter, and along the trail between Waterfall Shelter and the concrete highway bridge. There are several types of WPA constructed picnic tables. Generally, the tables are constructed with a rectangular (approximately 3 x 10 feet), horizontal, smooth, single limestone slab tabletop supported by three limestone block pillars. The tabletop has rounded corners. The tables have between one and four benches (some benches are missing and some have been moved to accommodate wheelchairs). The benches are constructed of a horizontal, smooth limestone block with rusticated ends (approximately 1 x 4 feet) supported by pillars of limestone blocks. The benches on the long sides of the tables are composed of two limestone slab sections on three pillars. The end benches are comprised of a single limestone slab on two pillars (HALS 2021)."

Historic surveys rating and designations:

The Lower Cascades is currently going through the nomination process to be included in the National Register of Historic Places as part of a larger district that also includes the golf courses and the Upper Cascades.

The following ratings are based on the HALS survey and the National Register of Historic Places Nomination prepared by Christopher Baas and J.P. Hall for the Parks and Recreation Department in 2021.

Contributing:

- Monroe County Bridge # 413, 1926.
- 4 Metal/Concrete Pedestrian Bridges, c. 1960's.
- 24 limestone picnic tables, WPA Rustic, c.1936.
- Wishing Well Drinking Fountain, WPA Rustic, 1936.
- Waterfall Shelter, WPA Rustic, 1936.
- Well House, WPA Rustic, 1936.
- Limestone Benches, WPA Rustic, c. 1936. Contributing. (structure)
- Concrete Pedestrian Bridge, c. 1935, Contributing. (structure)
- Sycamore Shelter (Previously the Cascade Park Bath House), WPA Rustic, 1938
- The Slide (Cascades Creek ford), concrete, date unknown

Non-Contributing:

- Pedestrian Bridge, 2000s.
- Playground (southeast of the Sycamore Shelter and west of the Cascades Creek), c. 1980s.
- Playground, modern east of Cascades Creek and Old State Road 37. 2006.

1(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

The Lower Cascades Park is part of a national movement towards the preservation of natural resources and enjoyment of outdoor spaces that was popularized in the early 20th century. Frederick Law Olmsted designed and popularized public parks and their use for a myriad of recreational uses throughout the United States including Central Park in New York City during the 19th Century. The National Park Service was instituted in 1916. The state park movement was on the tail of the national park efforts. Indiana's first state park was founded just up the road at McCormick's Creek in 1916. The Bloomington City Council created a local parks board in 1921, just five years later. The natural geographic beauty of the area led to the creation of the Cascades Park by the City of Bloomington in 1924. James Coffman wrote in his thesis titled *Cascades Park : a preservation and recreation development plan, Bloomington, Indiana* "The original intent was to preserve a naturally beautiful site."

In 1916, the road that runs through the Lower Cascades into Bloomington known as "North Pike" became a part of the "Dixie Highway", an interconnected road system that was promoted as a leisure travel alternative from Chicago to Florida in a national road trip campaign. A 1839 map featuring the Post Roads used by the United States Postal Service and prepared by David H. Burr, labels the north south road in Monroe County as a "4 Horse Mail Post Coach Road" (Burr 2021, 14).

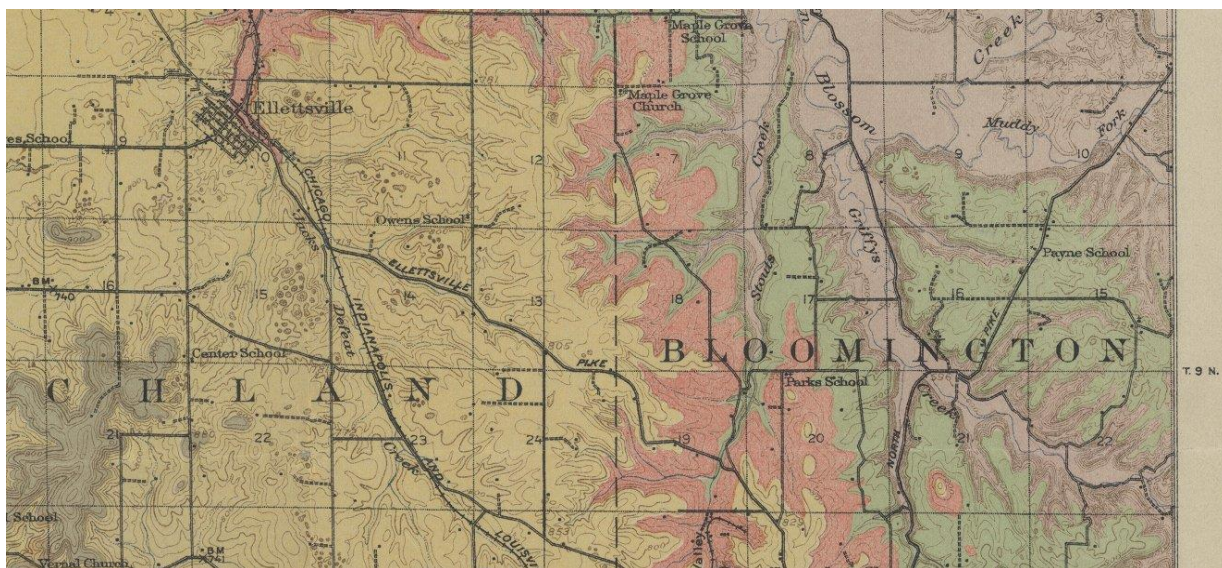


Image 1: “North Pike” Topographic map. 1914. (Courtesy, Wells Library Map Collections, Indiana University, Bloomington, Indiana)

North Pike connected Bloomington to Indianapolis (Image The “highway” consisted of a map that highlighted a map with stops along the way. Thomas Taggart, owner of the French Lick Springs Hotel, led a fierce campaign to have the proposed touristic highway diverted from Columbus to Bloomington so that his own hotel could be included. The historic highway was eventually replaced by multi lane highways as the preferred method of interstate travel and the term “Dixie” has gone out of favor throughout the United States due to its association with the confederacy. In 1927 the road was renamed State Road 37 when Indiana instituted a road numbering system.

1(c) Exemplifies the cultural, political, economic, social, or historic heritage of the community.

The Lower Cascades Park has been maintained by the City of Bloomington and enjoyed by both its residents and visitors alike for almost 100 years. During this time countless memories, picnics, races, and peaceful days have been enjoyed by community members. The history of the Cascades Park has been documented in different articles, documentaries, and even a masters thesis in 1984. In 1997 *BRI News* published an article providing information on the history of the Cascades Park stating that “In 1921, however, the owners of the stone and gravel quarry at the southern edge of the cascades planned to expand it northward, along the highway and creek bed. In response, the city’s first park board was established and chartered to protect the “beauty spot of the southern part of the state (BRI 1997, 1).”

The landscape has been maintained in its majority with minimal intervention, except to ensure its continual care. There have been changes over time. The park expanded through land purchases in the 1920’s and 1930’s. For a time there was a pool and tennis court, which were first leased and then purchased from then neighboring property to the north (1997, 2). The pool and court were eventually closed. More recently playgrounds have been installed in the last few years as well as a large bank stabilization project that was done to the Griffy Creek, replacing some of the original WPA stone retaining walls with a stepped system. The WPA structures and other landscape features such as benches, tables, and bridges remain mostly intact.



Image 2: Assortment of photos from a family trip to the Cascades Park dated to October 5, 1925. Courtesy of the Monroe County History Center

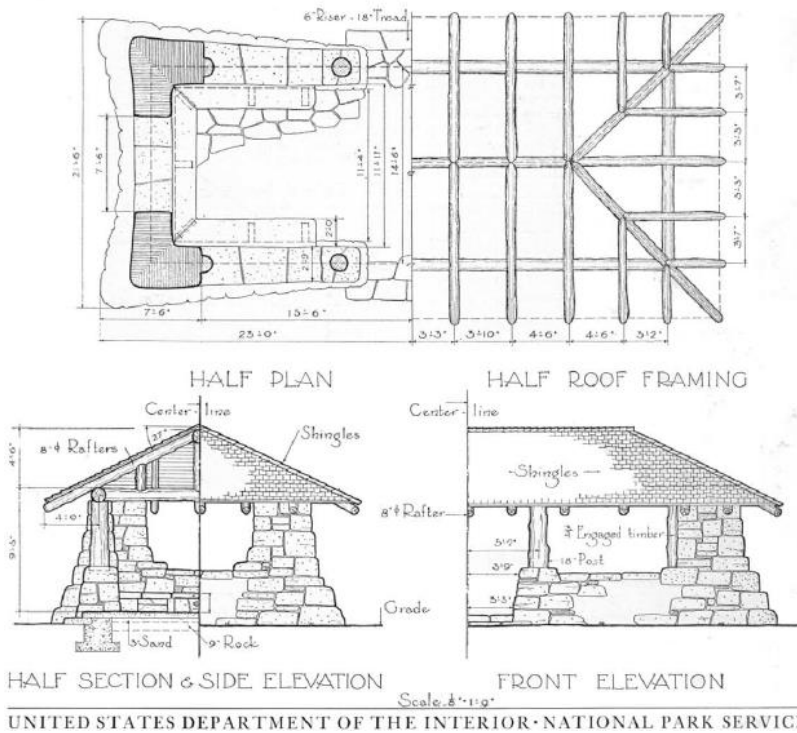
2(g) Exemplifies the built environment in an era of history characterized by a distinctive architectural style

The WPA structures including the two shelters, picnic tables, and wishing wells were built during the 1930's as part of the federal initiatives to alleviate the economic hardships affecting the entire population during the Great Depression. The City of Bloomington qualified for funds due to the economic impact felt directly by the quarries and other industries. Funds were requested for different initiatives throughout Bloomington but a sizable portion was allocated to the construction of various structures in both the Upper and Lower Cascades including the two main roofed activity structures, picnic tables, and wishing wells, amongst others.

The designs were based on the National Parks Service Rustic designs, sometimes known as "Parkitecture". This design typology emphasizes use of localized materials, and designs fitting an open aired, natural aesthetic that begins to blend into the landscape.

Shelter - Turner Falls State Park - Oklahoma

This camping critic may well skip this subject unless he would merely pause for breath. The free-hand lines of the shingle courses, doubled every fourth or fifth course for scale and accent, the well-sealed pole rather ends, the rugged informality and textural quality of the stone work, the pattern of the wall - all combine to the success of this structure.



UNITED STATES DEPARTMENT OF THE INTERIOR · NATIONAL PARK SERVICE

Image 3: National Parks Service shelter template (NPS Website)

Each design feature was created to facilitate passive recreation, mainly consisting of picnics and gatherings along with interaction with the natural features such as the cascades and creek.

Recommendation: Approvals

Staff recommends approval for the nomination of the Lower Cascades to be designated as a local historic district based on both its the Historic(a)(c) and architectural(g) merits as it has significant character, interest, and value as part of the development, heritage, or cultural characteristics of the city, exemplifies the cultural, political, social, and historic heritage of the community, and exemplifies the built environment in an era of history characterized by a distinctive architectural style.

The Lower Cascades has provided the community of Bloomington and beyond with a unique natural, cultural, and social space for over a century. The Lower Cascades will celebrate its hundredth anniversary as an officially recognized park in 2024. The combination of highly intact WPA structures built in the 1930's, its history as part of an early touristic interstate highway, and its unique natural features would each on its own be more than enough to qualify the site for designation.

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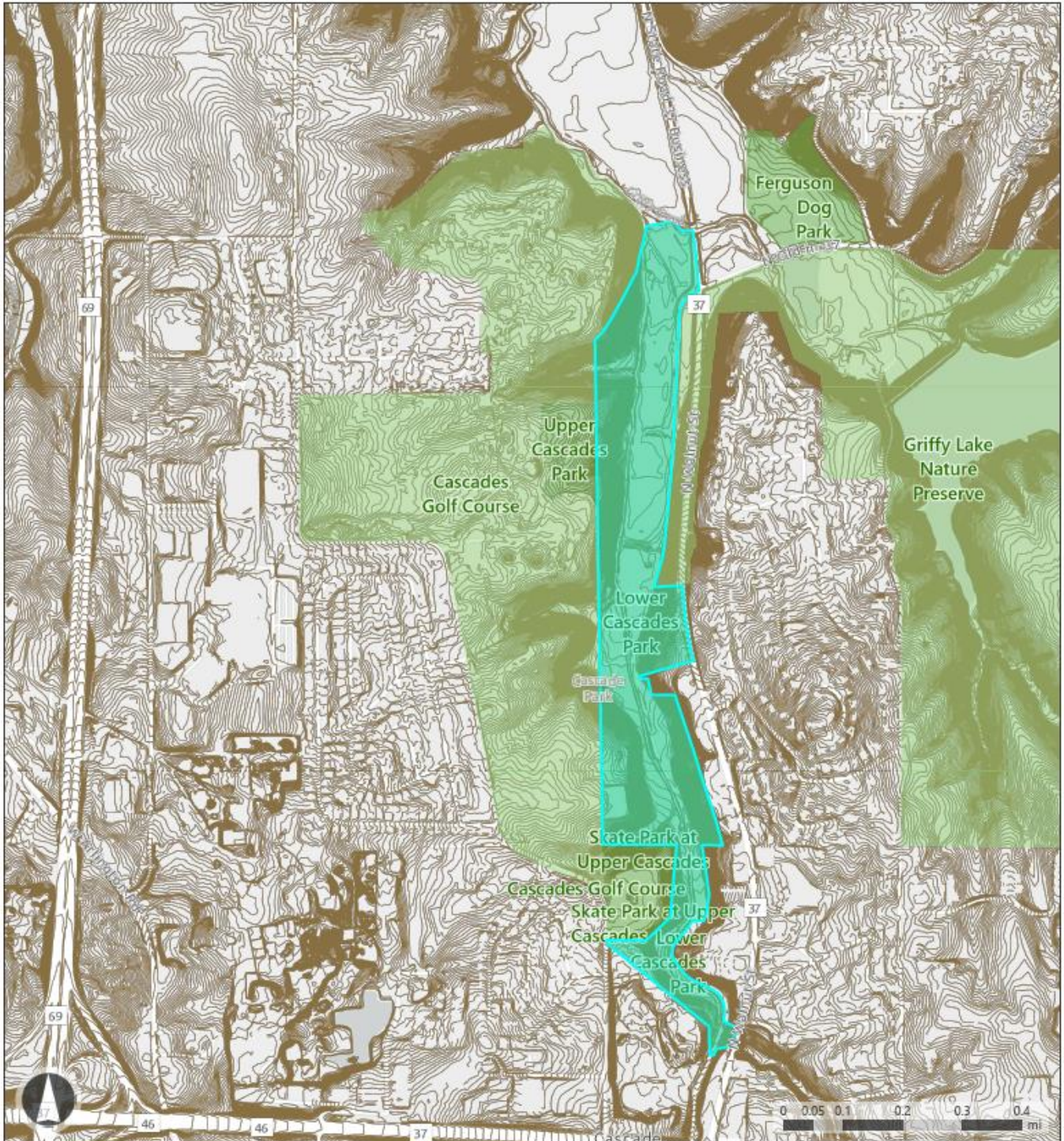
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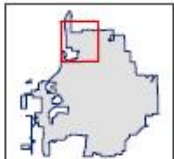
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Map Legend

	Park Boundary
	Other Park Properties
	Contours 2005



Photographs from the National Register of Historic Places Nomination taken by Chris Bass on May 26, 2021



Image 4: Waterfall Cascades (Sycamore) Shelter House, looking southwest.



Image 5: Sycamore Shelter



Image 6: Well House, looking southwest.



Image 7: Limestone bench southeast of the Sycamore Shelter, looking east.



Image 8: Concrete Pedestrian Bridge, looking southwest



Image 9: Stone Picnic Tables