

City of Bloomington Common Council

Legislative Packet

Containing legislative materials related to:

Wednesday, 22 January 2025

Regular Session at 6:30pm



CITY OF BLOOMINGTON COMMON COUNCIL

AGENDA AND NOTICE:
REGULAR SESSION
Wednesday | 6:30 PM
22 January 2025

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

<https://bloomington.zoom.us/j/83086483776?pwd=bEhDjfeQ0cy1mZAlIBXqgZEJELuMcH.1>

1. **ROLL CALL**
2. **AGENDA SUMMATION**
3. **APPROVAL OF MINUTES**
April 3, 2024 – Regular Session
4. **REPORTS** *(A maximum of twenty minutes is set aside for each part of this section).*
 - A. Councilmembers
 - B. The Mayor and City Offices
 - C. Council Committees: Report from Special Committee on Council Processes
 - D. Public*
5. **APPOINTMENTS TO BOARDS AND COMMISSIONS**
Memo from Jennifer Crossley, Deputy Clerk of Communications and Outreach
6. **LEGISLATION FOR FIRST READINGS**
 - A. Ordinance 2025-03 – An Ordinance to Amend Ordinance 2024-20 That Fixed 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 2025
 - B. Ordinance 2025-04 – To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration and Personnel” - Re: The Establishment of the Transportation Commission
 - C. Appropriation Ordinance 2025-01 – To Additionally Appropriate from the General Fund For the Downtown Outreach Program
7. **LEGISLATION FOR SECOND READINGS AND RESOLUTIONS**

-Continued on Next Page-

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

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

Posted: January 17, 2025

7. LEGISLATION FOR SECOND READINGS AND RESOLUTIONS

- A. Ordinance 2025-01** – To Amend the District Ordinance and Preliminary Plan of A 3.2 Acre Planned Unit Development (PUD), The Curry PUD, In Order to Amend the Workforce Housing Contribution - Re: 105 S. Pete Ellis Drive (Bloomington SPCW JV, LLC, Petitioner)
- B. Ordinance 2025-02** – An Ordinance Establishing the Outdoor Dining Program in the Downtown Corridor
- C. Resolution 2025-01** – A Resolution of the Common Council of the City of Bloomington, Indiana, Determining, After Investigation, That an Expansion of the Monroe Convention Center Is Needed and Other Related Matters

8. ADDITIONAL PUBLIC COMMENT *

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

9. COUNCIL SCHEDULE

10. 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 up to three minutes.

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Posted: January 17, 2025



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

Minutes for Approval

03 April 2024

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, April 03, 2024 at 6:30pm, Council President Isabel Piedmont-Smith presided over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
April 03, 2024

Councilmembers present: Isak Nti Asare, Courtney Daily, Matt Flaherty, Isabel Piedmont-Smith, Dave Rollo, Kate Rosenbarger, 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]

Zulich moved and Stosberg seconded to amend the normal order of business by taking up legislation for first readings before legislation for second readings. The motion was approved by voice vote.

Vote to amend agenda [6:35pm]

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

APPROVAL OF MINUTES
[6:35pm]

Stosberg moved and Ruff seconded to approve the minutes of February 19, 2003, March 05, 2003, March 26, 2003, and April 16, 2003. The motion was approved by a voice vote.

February 19, 2003 (Regular Session)
March 05, 2003 (Regular Session)
March 26, 2003 (Regular Session)
April 16, 2003 (Regular Session)

Zulich referenced comments from a previous meeting that equated being Jewish with being Israeli, and other anti-Semitic comments. There were many varying opinions amongst members of the Jewish community including a call for a cease fire. She urged everyone to use caution when commenting.

REPORTS
• COUNCIL MEMBERS
[6:36pm]

Daily mentioned her upcoming constituent meeting.

Rosenbarger read an excerpt from the National Education Policy Center pertaining to land use and housing reform to address school segregation and provide educational opportunities.

Asare reported on his joint constituent meeting with Monroe County Councilor Jennifer Crossley. The discussion included potential collaboration between the city and county by increasing direct funding to social service agencies, and reassessing the budgeting process.

Stosberg expressed disappointment at the lack of decorum during public comment at the previous meeting. People had strong feelings about the conflict in the middle east. She urged the public to be respectful of all public commenters even if one disagreed.

Piedmont-Smith reported on a neighborhood association meeting in Broadview where there were many concerns about encampments by unhoused people on private property near Switchyard Park. She noted problems that had escalated and residents were getting afraid of things like violent arguments, aggressive dogs, and more.

There were no reports from the mayor or city offices.

• The MAYOR AND CITY
OFFICES [6:47pm]

There were no reports from council committees.

- COUNCIL COMMITTEES [6:47pm]

A member of the public (*declined to state name*) expressed gratitude that the mayor vetoed the Gaza ceasefire resolution and played audio from John Wayne.

- PUBLIC [6:50pm]

Luke Summers spoke about the rules during council meetings. It was morally correct to refuse to listen to racist comments.

Jim Atkinson discussed free speech, and the rise in violence against white people. He believed there was a genocide against his people. He said diversity meant fewer white people, inclusion meant excluding white people, and equity meant stealing from white people.

Christopher Emge, Greater Bloomington Chamber of Commerce, spoke about their recent events involving the mayor and some councilmembers. He noted upcoming events, and the Convention Center expansion.

Jamie Sholl expressed appreciation for the discussion the previous week despite differing opinions. She hoped the city would evaluate the greenways especially the one that would go by her home.

Jim Connelly asked council to proclaim June 08 as a day to honor the USS Liberty which was attacked by Israeli forces and killed thirty four service people and wounded one hundred and seventy four. He said that Diversity, Equity, and Inclusion (DEI) stood for “Didn’t Earn It” and disenfranchised white people.

Chris Moore said that DEI was not intended to make people feel guilty. It was important to discuss the true parts of history and DEI facilitated that.

Ethan [unknown] said that the current president had said that whites would be a minority in the United States (US). He said that whites were the global minority and there were Nongovernmental Organizations that were promoting mass immigration to the US. The speaker espoused hateful speech at the end of his time.

Piedmont-Smith moved and Ruff seconded to make the following Board and Commission appointments:

APPOINTMENTS TO BOARDS
AND COMMISSIONS [7:19pm]

- For the Bicycle and Pedestrian Safety Commission - to appoint Drew Yeager to seat C-3.
- For the Environmental Commission - to appoint Gabby Robles to seat C-1, Adam Martinez to seat C-5, and Nadia Cain to seat C-6.
- For the Dr. MLK Birthday Celebration Commission - to appoint Aniah Fountain to seat C-1.
- For the Traffic Commission - to reappoint Sarah Ryterband to seat C-3, reappoint Ryne Shadday to seat C-6, and appoint David Sabbagh to seat C-1.
- For the Commission on the Status of Women - to appoint Shayla George to seat C-2.

The motion was approved by voice vote.

LEGISLATION FOR FIRST
READING [7:21pm]

Stosberg moved and Zulich seconded that Ordinance 2024-03 be introduced and read by title and synopsis only. The motion was approved by a voice vote. Clerk Nicole Bolden read the legislation by title and synopsis.

Ordinance 2024-03 – To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code – Re: Technical Corrections Set Forth in BMC 20 [7:21pm]

Stosberg moved and Ruff seconded that Ordinance 2024-04 be introduced and read by title and synopsis only. The motion was approved by a voice vote. Bolden read the legislation by title and synopsis.

Ordinance 2024-04 – To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code – Re: Amendments and Updates Set Forth in BMC 20 Table of Contents and 20.04 [7:22pm]

Stosberg moved and Ruff seconded that Ordinance 2024-05 be introduced and read by title and synopsis only. The motion was approved by a voice vote. Bolden read the legislation by title and synopsis.

Ordinance 2024-05 – To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code – Re: Amendments and Updates Set Forth in BMC 20.02; 20.03; 20.05; 20.07 [7:22pm]

Stosberg moved and Ruff seconded that Ordinance 2024-06 be introduced and read by title and synopsis only. The motion was approved by a voice vote. Bolden read the legislation by title and synopsis.

Ordinance 2024-06 – To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code – Re: Amendments and Updates Set Forth in BMC 20.06 [7:23pm]

LEGISLATION FOR SECOND
READING AND RESOLUTIONS
[7:24pm]

Stosberg moved and Ruff seconded that Resolution 2024-07 be introduced and read by title and synopsis only. The motion was approved by a voice vote. Bolden read the legislation by title and synopsis.

Resolution 2024-07 – Establishing the Goal of Reducing Traffic Deaths and Serious Injuries on the City’s Roadways to Zero in the City by the Year 2039 [7:24pm]

Stosberg moved and Ruff seconded to adopt Resolution 2024-07.

Ryan Robling, Planning Services Manager, Planning and Transportation department, presented the legislation. The goal was to have zero traffic deaths and serious injuries and to implement the Safe Streets and Road for All (SS4A) safety action plan.

Dean Chamberlain, Toole Design Group, said the US Department of Transportation (USDOT) funded a bipartisan infrastructure law to support the National Roadway Safety Strategy with the goal of zero roadway deaths. There was \$5 billion available from 2022-2026 for planning and demonstration grants, and implementation grants. He described the components of the plan, the project overview, the safe system approach, and the safety analysis preliminary findings. He summarized crashes by year from 2018-2022 by mode and severity. He gave comparative information from similar communities.

Asare asked about the timeline, and easy projects with a big impact.

Council questions:

Chamberlain said that the easier projects, like signage and striping, would be done first.

Resolution 2024-07 (cont'd)

Council questions:

Flaherty discussed easy-build projects, like recent improvements on 3rd Street between Eagleson and Indiana avenues, but noted that they had taken a long time, despite addressing safety concerns. He asked if there was a way to rapidly implement some of the easier projects.

Robling said yes; via the action plan's goals.

Rollo asked to what extent collected data would be detailed.

Chamberlain said the level of detail was limited to information the state provided on crashes.

Rollo asked if staff only used state data.

Robling clarified that the state was the clearinghouse, and included local information.

Stosberg asked how the SS4A would fit with other city plans like the Transportation Plan.

Chamberlain said they would be incorporated and work together.

Rosenbarger said that fifteen years was a long time to address public safety issues on city streets. She asked if funding was the largest barrier. She asked if Toole Design could assist with grant writing.

Chamberlain confirmed funding was a constraint. There were grants that could be pursued to help with funding. Toole Design could help with grant writing.

Piedmont-Smith asked about equity considerations.

Chamberlain said it was important to identify where people of disadvantaged communities were, and learn from their lived experiences.

Piedmont-Smith asked how those communities were identified.

Chamberlain responded that census data was analyzed and other factors, like underrepresentation at meetings, were considered.

Asare noted the lengthy time it took to do projects and asked how the process could be meaningfully moved forward.

Chamberlain said that there would be regular updates to ensure progress with the projects.

Asare asked for clarification on the projects that would be done.

Robling stated it was important for council and the administration to hold themselves accountable for implementing safety projects in the current and proposed plans.

Stosberg noted the SS4A map and areas that had no comments, either positive or negative, and encouraged more input from the public. She asked staff and Toole Design to consider seeking input from the areas where there were no comments on the map.

Chamberlain explained how public input was sought, and how areas lacking information would be captured in the data; whether there were no problems or many. He urged council to get the word out about the map.

Stosberg appreciated that they were going out into the community and said it would be useful to have a computer for residents to provide information in the moment.

Flaherty asked about translating plans into actions. He noted that city plans did not necessarily include funding priorities. He asked what the action plan needed in order to fully implement projects.

Chamberlain clarified that the plan would identify different types of counter-measures and their ability to be quickly implemented. The

next step was to address high injury areas via larger projects. The plan would inform the next steps, too.

Resolution 2024-07 (cont'd)

Council questions:

Rosenbarger asked if council would be presented with cost estimates and crash modification factors and their impacts. She gave examples. She asked if other cities had similar plans and if it was useful for council to budget funding for implementation of a plan.

Chamberlain said it varied greatly amongst municipalities.

Asare spoke about current city plans and asked how notions within the community, like bicycle safety mattering more than pedestrian safety, could be resolved. He asked why not address safety across the city all at once, immediately.

Chamberlain explained that the set budget was up to council and staff. It was important to develop clear communication materials on why certain projects were done.

Robling clarified that the plan included all roadway users.

Asare said that painted crosswalks were basic city services.

Chamberlain said that the plan would review things like if the city was painting crosswalks citywide. There would be policy recommendations to come out of the plan.

Greg Alexander spoke about city plans, and prioritizing pedestrians over drivers. He discussed the incident where a drunk driver killed a young man on a scooter on N. Walnut. He noted his comment was primarily for Rollo and Ruff.

Public comment:

YY Ahn supported the legislation and referenced Helsinki and other cities within the United States, with hundreds of thousands of people and zero fatalities. He spoke about low cost, effective measures.

Katie Yoder expressed enthusiasm for the plan and spoke about her cousin who passed away from being hit by a distracted driver. She noted the important of stopping for school buses with the stop sign out, greenways, and more.

Dave Askins, B Square Bulletin, said the slide deck presented that evening was on the city website. He appreciated Robling and others for putting the useful website together.

Jeff Richardson spoke about having been hit by a car many years ago and the lasting impacts. He supported traffic-calming efforts. He hoped someone was tracking data on the efforts to reduce accidents.

Christopher Emge discussed fatalities on S. Walnut Street Pike due to a lack of sidewalks.

Adam Martinez commented on the benefits of having safer streets including health benefits from biking and walking, and more.

Anna Soka supported making streets safer for all. As a bike rider, she hoped that maintenance of bike paths was included in the plan.

Stosberg said no road users were perfect and measures were put in place to facilitate safety like seat belts, bicycle helmets, and safe driving speeds. She referenced the list of unsafe roads and noted that many of those roads were state owned. It was important to collaborate with the county and state to ensure road safety.

Council comments:

Rollo looked forward to the forthcoming data. It was important to report crashes to inform data. He was interested in seeing what peer

cities were doing. He spoke about the importance of the public's participation and stated that members of the public had been berated by a current commissioner.

Resolution 2024-07 (cont'd)

Council comments:

Asare agreed with Rollo and said it was important for councilmembers to disagree because it made ideas better. Departments that worked with streets were severely underfunded. He expressed frustration that city goals were set after the budget process. The city should be more walkable and safe. Council needed to fully fund large projects in order to truly make the city safer.

Rosenbarger spoke about traffic-calming efforts on 3rd Street and Indiana University's opposition to it. She noted the misplaced solution of disallowing scooter-riding at night after a drunk driver killed a young man. She expressed concern with the city having allocated \$30 million for a parking garage on 4th Street and \$20 million for the Building Trades District parking garage. The city's Comprehensive Plan called for prioritizing alternative modes of transportation. She believed it was possible to budget towards the Comprehensive Plan's goals and hoped councilmembers were in agreement.

Flaherty appreciated staff's work, outreach, and public engagement. It was important to get the public's feedback and was foundational to inform policy. Zero deaths on city streets was achievable. In Europe, pedestrian death numbers were halved in the previous thirty years and the US's numbers had remained stagnant and in some places had risen. Funding and political will was necessary to effect change. He noted successes like the No Turn on Red legislation that passed and was led by Rosenbarger, after a pedestrian was struck and killed in the downtown. He referenced the Accessible Transportation and Mobility Principles led by former councilmember Steve Volan and the Council for Community Accessibility as well as legislation he led on leading-pedestrian intervals in most signalized intersections, by default. He spoke about bicycle and pedestrian connectivity and the lack of full funding for the Sidewalk Committee. At least \$2 million per year was needed. There was a need for medium term transitional infrastructure, and transparent capital planning information. He had worked with the previous administration to obtain that information, but it was not immediately available. Council could codify implementation timelines for projects and require the administration to maintain and report annually on a rolling capital plan.

Ruff spoke about the community's efforts, years ago, opposing new-terrain I-69 and its exorbitant cost. It was one of the less traveled interstates. He also spoke about the Hawthorne/Weatherstone greenway which had a design cost of about \$800,000. He questioned if that helped the city given that funding was always needed. He said that political will was based on political credibility. He believed the city was spending funds on questionable projects.

Daily supported increasing alternative modes of transportation, and safety. There were changes to city streets in order to increase safety; it was important for the public to understand the reasoning. She said it would be helpful to educate drivers, bicyclists, and more on road uses.

Piedmont-Smith appreciated the equity considerations as part of the transportation planning process. She spoke about the subjugation of the Black community over centuries. The Black community in the city did not have an equitable share of the city's resources. She also recognized that city land, and more, was taken by white settlers from indigenous peoples. It was important to not ignore that history and to

try to remediate it. She believed equity and inclusion goals in the city were extremely important and attainable. Transportation planning was an area where the goals could be taken into account. There were some public comments that led her to believe the commenter had no sense of justice, history, or humane context. It was important to recognize the difficult and racist history and try to do better.

The motion to adopt Resolution 2024-07 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Zulich moved and Asare seconded to recess for ten (10) minutes. The motion was approved by a voice vote. Piedmont-Smith announced a 10-minute recess, with the meeting to recommence at 9:02pm.

Stosberg moved and Ruff seconded that Resolution 2024-05 be introduced and read by title and synopsis only. The motion was approved by a voice vote. (Rollo out of the room). Bolden read the legislation by title and synopsis.

Stosberg moved and Ruff seconded to adopt Resolution 2024-05.

Chaz Mottinger, Special Projects Manager, Economic and Sustainable Development (ESD), presented the legislation and gave a brief history of the outdoor dining program and parklets. Staff recommended continuing the programs. The improvements to the Clear Creek reconstruction project required closing some of Kirkwood Avenue. There would be temporary parklets during IU's graduation weekend. Participating businesses were required to pay a \$250 fee plus a \$50 Engineering fee. A study showed that parking revenues had not been impacted and drivers simply parked in other areas.

Rosenbarger asked about the private construction projects.

De de la Rosa, Assistant Director, Small Business Development, ESD, said there were several including the lot next to the CVS store, and also at the Peoples' State Bank, on Kirkwood and Washington,

Rosenbarger noted the alleys in the construction areas and asked what would have happened if the street closures were permanent.

De la Rosa explained that for the purposes of the legislation, the decision had been made to not close the street since it was not permanent. The goal was to be equitable to all the businesses and the topic was discussed among multiple departments.

Rollo asked if there were restaurants that felt disadvantaged.

De la Rosa said no, and that most were in support of the program. Staff worked hard to ensure fairness with the program.

Zulich asked if the street closure could have happened if more streets from Indiana to Walnut were two-way and not one-way.

Mottinger said that ESD staff were not the experts to answer that.

Daily asked what the radius was for the parklet program.

Mottinger said it included the square, restaurants on Kirkwood Avenue, and Indiana Avenue.

Daily asked how the parklets would be marked.

Mottinger said staff was looking at alternatives to the orange jersey barriers and would update council when a decision was made. There was a partnership with local artists to design covers for the barriers. The artists would be paid.

Flaherty asked about extensions and if the program would be codified in 2025, to operate the same continuously.

Resolution 2024-07 (cont'd)

Council comments:

Vote to adopt Resolution 2024-07 [8:52pm]

Recess [8:52pm]

Resolution 2024-05 – A
Resolution Authorizing the
2024 Outdoor Dining Program
in the Downtown Corridor
[9:02pm]

Council questions:

Mottinger said yes, and a multiyear closure could be proposed.

Resolution 2024-05 (cont'd)

Stosberg said the plan converted parallel parking spaces into outdoor dining, which eliminated some parking. She asked if some spaces could be converted into Americans with Disabilities Act (ADA) spaces.

Council questions:

Mottinger said yes, and gave the example of Trinity church requesting additional ADA spaces near them. The city was able to add an ADA space nearby. There was a need for additional ADA spaces around town. Staff worked with Michael Shermis in Community and Family Resources department who was knowledgeable with accessibility concerns.

Asare thanked staff for their work and asked what the core goal was for closing Kirkwood Avenue given that the program started in response to the COVID-19 pandemic.

Mottinger said the program promoted vibrancy and a community-like feeling, as well as encouraged economic development.

Jane Kupersmith, Director of ESD, concurred with Mottinger and explained the reasons for the program not being the full year.

Asare asked if the program could be expanded to a longer period of time and not be closed in the winter months.

Rosenbarger asked for about traffic being redirected onto Kirkwood Avenue and if it was part of the legislation.

Mottinger clarified the different areas on Kirkwood Avenue. The closures near Indiana Avenue were not part of the legislation, it was part of the Clear Creek reconstruction project.

Rosenbarger asked if it was worrisome to redirect traffic into a pedestrian-heavy area.

De la Rosa said the decision had been based on expert advice from Engineering, the project managers of Clear Creek reconstruction project, and Public Works.

Mike Klinge, owner of The Orbit Room, urged council to pass the legislation and provided reasons.

Public comment:

Luke Summers was disappointed that Kirkwood Avenue would not close over the summer. He supported permanent closure. He said COVID-19 was still a serious problem and public health emergency.

Collin Nielsen expressed disappointment that the closure would not happen. He supported a more permanent closure and making it plaza-like with beautification.

Asare said that he supported a more permanent, and longer duration for the street closure.

Council comments:

Zulich agreed with the many benefits of having street closures. She noted a comment from de la Rosa from a few weeks ago stating that closing Kirkwood Avenue was the physical embodiment of connecting IU to Bloomington. Many students felt they were residents of IU and not the city. She noted examples and stated that she supported full-year closure.

Rosenbarger appreciated being able to do the parklet program and expressed disappointment that Kirkwood would not be closed. She supported permanent closures and its predictability.

Flaherty thanked staff for their work. He supported a longer-term, codified closure of streets. He noted that the Transportation Plan called for converting Kirkwood Avenue, between Walnut Street and

Indiana Avenue, to a shared street which was curb-less and used different materials than blacktop, and had more trees. He believed that extending the closure on Kirkwood to the B-Line was ideal. He gave examples including connecting networks.

Resolution 2024-05 (cont'd)

Council comments:

Stosberg spoke about outdoor dining on busy streets like Walnut Street and College Avenue. Kirkwood Avenue could be a pedestrian mall or a shared street. College Avenue and Walnut Street could be made more pedestrian-friendly.

The motion to adopt Resolution 2024-05 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Resolution 2024-05 [9:45pm]

Piedmont-Smith passed the gavel to Ruff.

Resolution 2024-08 – A
Resolution Calling for a Cessation of Hostilities and for Delivery of Humanitarian Aid to Civilians in Gaza [9:46pm]

Stosberg moved and Ruff seconded that Resolution 2024-08 be introduced and read by title and synopsis only. The motion was approved by a voice vote. Bolden read the legislation by title and synopsis.

Stosberg moved and Ruff seconded to adopt Resolution 2024-08.

Piedmont-Smith presented Resolution 2024-08. She said over one hundred municipalities had passed similar legislation demanding that humanitarian aid reach civilians in Gaza. The focus was on the humanitarian catastrophe and not on the military and political causes of the disaster nor on long term solutions to the conflict between Hamas and the state of Israel. The legislation called for a ceasefire so that humanitarian aid could reach civilians because while there were many humanitarian crises, the one in Gaza was supported by United States (US) taxpayer dollars, used to send weapons to one of the warring parties. There was a petition with hundreds of signatures from community members. She acknowledged there were community members who opposed that council take any action on the topic. She gave reasons in support of council's choice to consider the legislation. She provided further context for the whereas clauses in the legislation and a brief history of the current military crisis. She summarized the request in the legislation including a cessation of hostilities directed at civilians, a lasting ceasefire, financial support for humanitarian aid, immediate release of hostages, and a sustainable, peaceful solution to the conflict between Palestinians and the state of Israel.

Rollo concurred with Piedmont-Smith and noted that councilmembers had many conversations with community members. He thanked them for the input. The legislation was based on verifiable facts through reputable sources. As of March 17, 2024, more than thirteen thousand children had been killed. He described other atrocities civilians in Gaza faced including famine, and amputations done without anesthetic due to a lack of aid. He believed it was crucial to speak out against the humanitarian catastrophe.

Mayor Kerry Thomson expressed sadness and anger at the white supremacist and Nazi comments made at the beginning of the meeting. She condemned all hate speech and while she stood for freedom of speech, she urged the public to speak out against hate speech. She was committed to making the city safe for everyone.

Stosberg asked the sponsors if they felt they had drafted the best possible legislation without alienating anyone.

Piedmont-Smith said yes.

Rollo believed there were community members that were disappointed. The legislation was an attempt at something that everyone could agree to, especially the protection of children.

Resolution 2024-08 (cont'd)

Council questions:

Asare asked about feedback that the sponsors received and the process the legislation undertook.

Piedmont-Smith described the process including the original, proposed legislation brought to council for sponsorship. She described some of the items that were omitted from the final draft.

Rollo added that it was not possible to send aid without a ceasefire.

Ruff asked about the inclusion of a strong statement regarding October 07 and if it was an effort to appease community members who did not want council to take any action.

Piedmont-Smith said yes.

Asare asked about how much time was spent in outreach efforts.

Rollo said dozens of hours and it was constantly on his mind.

Piedmont-Smith added that there had been only one constituent in her district engaged on the topic.

Stosberg moved and Asare seconded to limit public comment to two minutes per speaker for a total of three hours of public comment. There was brief council discussion on process, structure on debate, and an end time for the meeting.

Stosberg withdrew her motion.

Stosberg moved and Asare seconded to limit public comment to two minutes per speaker, and to end public comment at 11:40pm. The motion was approved by a voice vote.

Vote to limit public comment
[10:28pm]

David Keppel thanked the sponsors of Resolution 2024-08 for diligently working on the legislation and obtaining feedback from the public. He spoke about the crucial need for a ceasefire and in favor of humanitarian aid. He referenced a strike by Israeli military on a food aid convoy run by World Central Kitchen, where three vehicles were struck and seven aid workers were killed. The Prime Minister of Israel apologized for the strike but said things happen in war. Keppel reiterated that was why a ceasefire was necessary.

Public comment:

[Unknown] commented on dark conspiracy theories against Jews. He spoke against the Islamic resistance movement, Hamas's charter, and the antisemitism of the Nazi's. He said that twelve hundred people were killed on October 07 and more than two hundred were taken hostage as an effort to provoke war. He spoke against a ceasefire and the resolution.

Bob Arrove, Citizens Concerned for Justice in Palestine and Israel, was a member of the Jewish faith. He seconded Keppel's comments and thanked the sponsors. The legislation was drafted with diverse input from the public, but was not perfect. It was a reasonable call for a cessation of hostilities, for humanitarian aid, for the release of hostages, and a step towards a solution to the conflict.

Ramsey Harik thanked council for considering the resolution. He noted the pressure and bullying towards councilmembers to not consider the legislation. He noted the relevancy of the resolution since taxpayer monies were funding the slaughter. He asked why some opposed a ceasefire. The point of the resolution was to oppose injustice.

Lawrence Levy opposed council taking action on global affairs since its mandate was to enact legislation that fostered health, safety, welfare, and services. He asked why council did not take action on harm to children like with the lead-contaminated water in Flint, MI and Jackson, MS, or Rohingya children who faced disease and malnutrition. He said there was a ceasefire on October 06 which was broken by Hamas, and speaking against Zionists was also against Jews.

Resolution 2024-08 (cont'd)

Public comment:

Jim Conley supported Resolution 2024-08 because of the long history of ethnic cleansing of Palestine, done by the terrorist state of Israel. There were thousands of Palestinian political prisoners held by Israel. He referenced reasons for the October 07 attack on Israel that were shared by a Hamas spokesperson.

[Unknown] supported the ceasefire resolution but was extremely alarmed by the anti-Semitic comments. It was dangerous to conflate support for Palestine with anti-Semitism. Having a ceasefire, supporting freedom and equality for Palestinians, and criticizing a government was not anti-Semitic. She spoke against anti-Semitic comments.

Amir Rosenfeld was a dual Israeli and American citizen and did not support a ceasefire. He commented on the Jewish people that had been kicked out of Yemen, Afghanistan, Guatemala, Uganda, Poland, Algeria, Cuba, and Egypt. He believed that Israel had a right to defend itself. He said that a child throwing a rock would grow up to launch rockets. He believed Jews were God's chosen people and had more rights. He said that Israel had the right to exist, and once the campaign against the terrorists in Gaza ended, he would have a beachfront property there.

Lori Havener spoke about her experience with the Olive Harvest in the West Bank, Palestine alongside Palestinian farmers. The international presence helped diminish Israeli settler violence, like shooting, harassing, and throwing trash at Palestinian farmers harvesting on their own land. She spoke about a Palestinian farmer who was shot and killed which was not an unusual situation. Settler violence had occurred for decades and had escalated since October 07. Old Palestinian cities, like Hebron, had steel netting to protect people from items thrown by Israeli settlers. She said the violence would not be possible without the unconditional support of the US government and some evangelical churches. She urged council to pass the legislation.

Bryce Green, an IU student, presented council with a petition with over two thousand signatures in support of a ceasefire resolution. He spoke about the violence, attacks, destruction and bloodlust against Palestine. He noted that Israelis openly say in telegram channels that they were "exterminating the cockroaches." Aid work trucks and workers were targeted and with an effort to cause maximum destruction. He said future generations would ask what actions people took to stop the violence.

Hana Yuisa Vargas supported Resolution 2024-08 because the conflict was an indigenous issue. Vargas was from Toro, an indigenous island, and opposed settlers and colonizers, and was in solidarity with Palestinians, as indigenous people of their land. The US, and Israeli state, were perpetuating colonialism in Palestine, Puerto Rico, Congo, Haiti, Guatemala, and many more places. Vargas spoke against the violence and called for an immediate and permanent ceasefire. Elliot Josephine Leila Reichert supported the resolution and thanked the sponsors. Reichert was grateful for the debate and for their experience in Palestine. The situation was worse than what was on the

news. The oppression of Palestinians was total, and was supported for the past seventy five years by billions of US taxpayers' money. There were thousands of settlers in the West Bank. Reichert was wearing their grandfather's keffiyeh who was stationed in Jordan in the 1960s while in the military.

Resolution 2024-08 (cont'd)

Public comment:

[Unknown] Madhi thanked council for considering the legislation. He compared the Israeli treatment of Palestinians to an abusive husband to his wife. He noted the US's support of Palestine and urged council to vote in favor of Resolution 2024-08.

Molly Cogner said that her grandmother was born in 1942. Israel did not become a state until Cogner's grandmother was seven years old. It was disgusting to her to continue the violence. People had more access to knowledge of what was occurring in Palestine because of the internet. It was not anti-Semitic to criticize the violence. She said the silencing of opposition to Israel was bad.

Maxwell Wolf expressed disdain for council processes and the discussion on the public comment portion of the meeting because it took a long time. It appeared that the legislation would now have to wait until the following meeting. In that time, more people would die in Gaza, and the police in Bloomington would still clear the homeless camps. Money would still be sent to Israel. He said most of the US was oppressed; primarily people of color. He believed council profited from serving on council and were complicit in the oppression.

David Thelen spoke about the importance of stopping the violence. Many of the Big Ten larger cities had passed legislation similar to Resolution 2024-08. He urged council to pass the legislation.

Nejla Routsong thanked the sponsors. She said the violence was supported by the US government. She believed the resolution did not go far enough but was appreciative of council's efforts. There was a connection between the resolution and local efforts for social justice. She urged council to pass Resolution 2024-08.

Margaret Steiner strongly urged council to pass Resolution 2024-08. The situation in Gaza was dire with over thirty two thousand people killed in Palestine. She agreed that keeping hostages should be condemned. The indiscriminate bombing of homes and infrastructure, and the use of starvation as a weapon, by Israel was atrocious. As a Jew, she believed that all life was sacred and she supported solidarity with all people, especially Palestinians.

[Unknown] Hadar asked council what made them believe that they were qualified to make a statement like Resolution 2024-08. She asked if they knew better than federal governments and why not care about human suffering in places like Congo.

Rachid Madhi was born in Algeria during wartime. He discussed his activism including being anti-Apartheid, pro-Palestine, and against the Vietnam war. He knew that Resolution 2024-08 would not stop the war but it would establish Bloomington's stance. Eventually, Israel would be condemned for their actions. He spoke about international law.

Amaya Tala Shahrani thanked council for the resolution. It was extremely important that Bloomington affirm that its residents were against using taxpayer dollars to fund the war. Israel was on trial at the Hague for its atrocities. He spoke about the twelve hundred that

were killed in Israel on October 07 but noted that some of them were killed by Israeli forces. The complete decimation of a society cannot be justified by the actions on October 07. There were Israeli atrocities committed against Palestine for a long time. There was an inhumane siege against Palestine through repeated attacks even against children, and even when Palestine chose peaceful resistance in 2018.

Resolution 2024-08 (cont'd)

Public comment:

Allison Strang thanked council for proposing the resolution. She referenced the comment about the beachfront property and noted there was a superiority complex to those who aided and abetted brutality. Israelis and settlers had been given free rein to slaughter. She recognized that she was one voice but she spoke for many who did not have an opportunity to comment to their city council. She encouraged councilmembers to vote in favor of the resolution.

Michael Whitman stated that a ceasefire resolution was not enough; a boycott was necessary on those who advocated genocide on the people of Gaza. There were those supporting a ceasefire and ending the spilling of children's blood, and those who did not. There were Jewish supremacists who were upset at being exposed. Supremacy and violence against others who looked different or had a different faith was wrong. He believed that Zionism was Judaism which was Communism. He spoke against Jews.

Aidan Khamis, President of the Palestine Solidarity Committee at IU, said that as a Palestinian it was important to denounce those who hijacked the movement and spewed hatred. Palestinians wanted liberation and an end to the bloodshed. Israel was guided by American imperialism and settler colonialism. Palestine stood for their right to exist, and sovereignty on their own land. Palestinian resistance was justified. He asked if those in opposition would condemn Jews who rose up against Nazis in the Warsaw ghetto, or Haitian slaves who stood against their masters. It was important to stand alongside Palestinians who were standing for themselves and wanted a life free of settler-ism and capitalism. He said Palestinians deserved freedom from occupation and land theft.

Herbert Fertig said it was hard to listen to the Nazi-like comments that evening. He was a child of Holocaust survivors. It was also hard to listen to the minimization of what Hamas had done. The resolution called for a ceasefire that would allow Hamas to continue to commit atrocities which they had publicly stated they would do. He referenced Hamas's founding charter, which was reaffirmed in 2017, that contained anti-Semitic tropes. He could not support the resolution.

[Unknown] had been a resident of Bloomington for sixty years. He referenced Ruff's comment at a prior meeting stating that council responded to concerns and values of the community in supporting justice, peace, and human rights. He commented on previous council's and mayor's support of resolutions like ending the Vietnam war, stopping of nuclear weapons, and against the Iraq war. He hoped Mayor Thomson would not try to stop council's actions by vetoing the resolution. He reminded everyone of the thousands of starving people on the verge of destruction. He spoke of the hundreds of thousands of Jews calling for a new election.

David [unknown] had lived as a proud Jew in Bloomington for twenty one years and the first anti-Semitic statements he had heard were at the meeting. He hoped the ugliness caused by the proposed resolution cautioned council. He was sympathetic to the Israeli and Palestinian people and supported a ceasefire, but not Resolution 2024-08 because

it was flawed by leaving Hamas in power. Hamas had caused the war which undermined humanitarian aid. He called for releasing the hostages, and for a sustainable solution on the conflict.

Resolution 2024-08 (cont'd)

Public comment:

Anees Azzouni, a Palestinian, appreciated council's efforts with the resolution but noted it would not bring back the tens of thousands of dead civilians. There were millions of people displaced, children orphaned, and human rights violated. The resolution was a statement against the human suffering and in favor of securing humanitarian aid, protecting civilians, and initiating the reconstruction of Gaza. It would motivate Palestinians and Israelis for permanent peace and coexistence both internationally and locally. He spoke about the people and history of the land of Palestine and Israel.

Elisa [unknown] wanted a ceasefire and long-standing peace in the region. She wanted the release of hostages, including babies. She noted that women that had been released stated that they had been raped. She spoke about the safety of Jewish people, locally and globally, and said there had been harassment of Jews and gave examples. She discussed other communities that had passed similar legislation.

Sharon Wainshilbaum said that it was incorrect that the US did not give arms to Palestine. In 2023, the US gave \$15.7 million to United Nations Relief and Works Agency (UNRWA) which were embedded in Hamas. She said that Hamas had been firing rockets into Israel for the past twenty years. She believed that Resolution 2024-08 was incomplete and biased because it did not call for the disarmament of Hamas. She believed that the word ceasefire had anti-Semitism baked into it. She said that Hamas did not believe in human rights for anyone, not even fellow Palestinians. She asked why Hamas had not been brought to trial at the Hague.

Lillia Wolf, a Jewish student at IU, expressed disdain about the cooption of the movement for peace by neo-Nazis. She urged council to understand that the movement was diverse, filled with Black and Brown people, with a strong Jewish presence united for a lasting peace and liberation for Palestinians. They supported Palestinians.

Daniel Siegel, a Jewish community member, had grown up in New York city and had neighbors with numbers from the camp burned in their arm. He represented Jewish Voice for Peace Indiana, and thanked council for the resolution and encouraged its passing. He conveyed two lessons of love in Palestine; in 2018 he was welcomed at the Al-Aqsa Mosque as part of a faculty delegation. The head of the mosque association spoke to him and other Jewish faculty assuring that they were welcome there. They did not welcome Zionists because they were settler colonists. Five years later, he was with a Palestinian family that lived under the occupation, and the parents had to explain it to their children. He had been part of the Palestinian Solidary movement for twenty years and had never experienced anti-Semitism. The movement was anti-colonialism. The ceasefire was needed to stop a settler colonial state from committing genocide.

Anne Kavalarchik, a Jewish student at IU and member of the Jewish Voice for Peace, was part of the multicultural, multiracial group of people who supported the resolution. She had not felt more supported than at the time, standing with Palestinian and Muslim people. The appropriation of the movement by the neo-Nazis was incredibly disappointing. It was crucial to learn from the Holocaust and never again allow such dehumanization. She referenced the petition with two thousand diverse signatures. The resolution was uniting and not

divisive and supported one of the most important projects at the time; opposing genocide. She urged council to send a message to the world supporting a ceasefire and stopping a genocide.

Resolution 2024-08 (cont'd)

Public comment:

Anna Green thanked the sponsors for their work and expressed her profound gratitude. She urged council to pass the legislation. She reminded everyone that the Israeli military had been killing Palestinians with impunity for many years. Israel's current attacks were not a direct result of October 07 and to believe so was disingenuous. She referenced headlines from 2004, prior to Hamas being in power, to 2024, before October 07 including fatal shootings of Palestinians by Israeli soldiers.

Beverly Stoelje led Citizens for a Just Peace in Palestine Israel, which was a group of about seventy members who had worked for eight years on disseminating correct information about what was happening in Palestine and Israel. She appreciated council's work on the legislation. It was possible to repeatedly debate on the cause of the attacks, but it was undeniable that the Palestinian people were driven out of their homes in 1948. There were many people in the region of Israel and Palestine; Muslims, Christians, Jews, and other people.

Rosenbarger moved and Zulich seconded to move to final council comment and to limit council comment to two (2) minutes per speaker, and to allow councilmembers to give their time to one another. There was brief council discussion.

The motion received a roll call vote of Ayes: 5 (Flaherty, Piedmont-Smith, Rosenbarger, Stosberg, Zulich), Nays: 4 (Asare, Daily, Rollo, Ruff), Abstain: 0. FAILED (*Clerk's Note: Motions to limit council comment needed a 2/3 majority to pass.*)

Vote to limit council comments
[11:52pm]

Rollo moved and Ruff seconded to allow the final speakers to speak for one minute and then go to councilmember comment limited to one minute.

Lucas suggested allowing the same amount of time to all speakers.

Rollo amended his motion and Ruff seconded to allow public comment limited to two minutes per member of the public and one minute per councilmember for comments.

Stosberg moved and Flaherty seconded to divide the question. The motion to divide the question was approved by voice vote. There was brief council discussion.

Vote to divide the question
[11:47pm]

The motion to allow two minutes per member of the public received a roll call vote of Ayes: 3 (Daily, Rollo, Ruff), Nays: 6 (Asare, Flaherty, Piedmont-Smith, Rosenbarger, Stosberg, Zulich), Abstain: 0. FAILED

Vote to limit public comment
[11:52pm]

The motion to allow one minute per councilmember for final comments received a roll call vote of Ayes: 7 (Daily, Flaherty, Piedmont-Smith, Rollo, Rosenbarger, Stosberg, Zulich), Nays: 2 (Asare, Ruff), Abstain: 0.

Vote to limit council comments
[11:53pm]

Flaherty thanked the public for their engagement and was sorry for not having more time for public comment. He urged them to contact him via email. He was saddened and disturbed by the hate speech from some public speakers; he condemned that language. He thanked council for their work on the resolution and would vote yes.

Council comments:

Rosenbarger concurred with Flaherty and donated her time to Asare.

Stosberg said that the hate speech and anti-Semitism expressed that evening was disgusting. She was sorry that people had to hear that. It was protected, free speech despite being terrible. She expressed disdain that anyone might leave the meeting and feel unsafe in the city.

Resolution 2024-08 (cont'd)

Council comments:

Zulich, the only Jewish councilmember, would support Resolution 2024-08 and planned to publish a press release with her opinion on the topic. She noted that most of the hate speech was made via Zoom, and while she appreciated the accessibility of a hybrid meeting, it allowed for hate speech without looking at councilmembers in the eye. She noted the cowardice in making hate speech comments via Zoom.

Daily agreed with Zulich and was disturbed by, and condemned the hate speech. She had deep reservations about council weighing in on the ceasefire issue, but she stood for peace. She could not vote against offering humanitarian aid to innocent civilians and would support it.

Asare was frustrated with the process because it was rushed. He believed that the meeting was not the best forum to have constructive conversations towards the best outcome. He believed the efforts of the sponsors were as thorough as possible. The resolution was clear and focused on humanitarian aid, so he would support the legislation.

Rollo appreciated that council was unified in condemning hate speech. He and Piedmont-Smith had sponsored the legislation because of the risks to and killing of innocent people; 40% of which were children. The Oxford Committee for Famine Relief had called the situation the worst crisis ever. He urged council to support the legislation.

Ruff agreed with the condemnation of hate speech. He pointed out that members of the public did not engage with those speakers.

The motion to adopt Resolution 2024-08 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Resolution 2024-08 [11:59pm]

Ruff passed the gavel back to Piedmont-Smith.

Stosberg moved and Flaherty seconded adjourn the meeting. Piedmont-Smith adjourned the meeting.

ADJOURNMENT [11:59pm]

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

APPROVE:

ATTEST:

Hopi Stosberg, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

Special Committee on Council Processes

2024 Year-End Report to Council

Submitted by Isabel Piedmont-Smith, Chair

The Special Committee on Council Processes met ten times in 2024. Its membership was initially comprised of Councilmembers Flaherty, Piedmont-Smith (chair), Rana, and Rollo. After the first meeting, Councilmember Asare replaced Rana on the committee. The committee discussed three major areas of interest this year: city boards and commissions, council meetings, and equity in city government.

I. City Boards and Commissions

RECOMMENDATIONS

The committee systematically reviewed the purpose/mission statements of all the non-statutory resident boards and commissions of the city (in other words, those not dictated by state code). Initial feedback on the language in BMC was solicited by Stephen Lucas in fall 2023, and these comments were incorporated into our review in summer/fall 2024. The three commissions proposed to be merged into the Advisory Transportation Commission were excluded at that time. After our initial review and suggestions, proposed changes were sent to board and commission liaisons for the bodies' review. In addition to the review of mission/purpose statements, we proposed to add in requirements for annual reports to the mayor and council where they did not already exist. We voted on a slate of Title 2 changes at our November meeting, and these will be coming forward to the council soon.

OTHER DISCUSSIONS

We also discussed how boards and commissions could better contribute to city goals. The council could directly ask relevant bodies to make policy recommendations, or it could refer items to them for research or public engagement. There was agreement that we should ask the bodies to focus their work product on recommendations to the council (and mayor) for concrete action.

The committee continued the 2023 conversations about training and onboarding for both board and commission liaisons and resident members. For liaisons, the Hamilton administration had developed a Pre-Meeting Guidance and Checklist document (including Open Door Law rules), but further training has stalled as the new administration settled in. We discussed that subsequent, systematic training for liaisons is needed, as well as periodic check-ins after training to discuss and implement best practices, and a special focus on record-keeping. We also want to make sure that resident members receive training not just on the specific missions and tasks of the relevant body, but also on how best to communicate with the council, the administration, the public, and other boards/commissions. We felt the new Deputy Clerk position in the City Clerk's office would certainly help in coordinating training and onboarding. This position was one recommendation from the organizational assessment done by the Novak Consulting Group as detailed in their report released in January 2022.

The merger of the Bicycle and Pedestrian Safety Commission, the Traffic Commission, and the Parking Commission into one Advisory Transportation Commission was presented to us at our October meeting by Ryan Robling. This merger was another recommendation from the Novak report. We also talked again about a board/commission member code of conduct but didn't get very far on this topic.

II. City Council Meetings

RECOMMENDATIONS

At a regular session on June 12, the committee proposed to the council to convert three regular sessions into deliberative meetings, specifically on Aug. 14, Sept. 11, and Nov. 13. This motion was unanimously approved, and "Consensus-Building Activities" were held on those dates. The first two meetings were focused on getting public input, while the last one was a discussion among Councilmembers.

Looking forward to 2025, the committee discussed scheduling two regular sessions per month and one deliberative session per month in place of the current schedule of three regular sessions per month. We also talked about scheduling council committee meetings (either standing committees or committee of the whole) for consideration of legislation, which would allow **deliberation** while regular sessions only allow **debate**. Both goals were accomplished to some degree with CM Piedmont-Smith's proposed 2025 schedule, which was adopted by the council on December 4. In this schedule, there are regular sessions on the first and third Wednesdays of the month, with the second Wednesday set aside for either a committee meeting or a deliberative session.

OTHER DISCUSSIONS

The committee sees deliberative sessions as an option to serve various purposes, at various points in the legislative process, as follows:

- Discussion of a community problem and possible solutions (before any legislation is considered)
- Developing legislation (problem is already identified and actions proposed)
- Legislation that has already had a first reading but needs more public and CM discussion

We also talked about who would decide the topic and format of deliberative sessions, one idea being that the council president could decide, and another (not necessarily conflicting) idea that any Councilmember could propose a topic and a format and make a motion during the scheduling portion of a regular session, which the council would then vote on.

Committee members agreed that we need professional assistance to run deliberative sessions. It was suggested that we learn from the Community Voices for Health in Monroe County process conducted in 2020-22. The Community Justice and Mediation Center (CJAM) helped with the first two "CBA" sessions and could be asked to do so again, but other resources could be used as well. There was concern about the work load on the council president or any CM volunteer who agrees to coordinate the session unless we have considerable professional

assistance (at least for public-focused deliberation). Finally, we all agreed on the importance of deliberative sessions leading to action, lest everyone find them a waste of time.

At our last meeting, we discussed the agenda item “Reports from the Mayor and City Offices” in BMC. This year, the council president has included reports from non-profits the city partners with as well, so it was suggested to loosen BMC language for this item. In general, we felt that there was too much detail in Title 2 about council agendas. Also, we need to look at outcomes of these reports. If the goal of the reports is council action, then the desired action should be specified by the presenter(s). If the goal is just to inform the council and the public, there may be better ways to accomplish this than a ten-minute (maximum) report during a council meeting.

RELATED WORK OUTSIDE THE COMMITTEE

Note that there was work done outside the Special Committee on Council Processes related to council meetings in 2024. The council held a work session about public comment during council meetings on April 30. On June 5, Ord. 2024-13 was adopted; it clarified public comment time limits and placed first readings before second readings on the standard agenda in BMC. On June 18, Ord. 2024-16 was adopted; it placed a five-minute time limit on Councilmember comment on items of legislation, with an additional two minutes for rebuttal.

III. Equity in City Government

At our last meeting of the year, the committee discussed an equity framework for city government. In 2021-22, at the behest of the Clerk and Mayor, a ten-month equity training course was conducted via Zoom for council members, department heads, and Office of the Mayor staff, but there was no systematic follow-through. We discussed the goal to develop, in collaboration with the mayor’s administration, a definition of equity and a structure for incorporating equity into all city practices, policies, and legislation. A good start would be a legislative equity assessment tool to be used for all legislation coming to the council, similar to the fiscal impact statement that is currently required. The committee talked about how to define desired goals and outcomes, as well as how to measure progress. Adding equity goals to the Comprehensive Plan would be a good way to show commitment and get us started. We would need professional consultants to help us define and then set up a framework to achieve our equity goals.

Next Steps

The committee still has work to do and recommends its continuation as a special committee in 2025, or its conversion into a standing committee of the council. In the coming year, the work regarding boards and commissions can continue with the new Deputy Clerk for Public Engagement. Specifically, the committee could ensure that the council’s interests are represented well in new processes developed via that position. There is still the significant loose end of a code of conduct to adopt as well, to give the council some recourse should a board or commission appointee violate the public trust in some way.

We would also like to continue the steps toward a city-wide equity framework and further develop guidelines for deliberative sessions of various sorts held by the council. There are also several specific concerns about regular session processes that arose in 2024 that have yet to be addressed, such as identification of public commenters on Zoom by name, rules for comment by the administration on legislation or amendments brought by the council, and where in the agenda to place “letters from the council” regarding public policy that impacts Bloomington residents.

The committee’s goal remains to improve the processes and practices of the council to better serve our community.



CLERK NICOLE BOLDEN

CITY OF BLOOMINGTON

401 N Morton St, Ste. 110
Bloomington, IN 47404

OFFICE OF THE CITY CLERK

812.349.3408
clerk@bloomington.in.gov

To: Members of the Common Council

From: Clerk Nicole Bolden

Date: 17 January 25

Re: Interview Committee Recommendations for Board and Commissions

The council interview committees have made the following recommendations for appointment to the following boards and commissions:

Interview Committee Team A Recommendations:

- For the Animal Control Commission - to reappoint Chris Hazel to seat C-2.
- For the Commission on Aging - to reappoint David Jennings to seat C-4 and Rob Council to seat C-3.
- For the Bloomington/Monroe County Human Rights Commission - to reappoint Emma Williams to seat C-1.
- For the Housing Quality Appeals Board - to reappoint Diana Opata to seat C-3.

Interview Committee Team C Recommendations:

- For the Commission on Hispanic and Latino Affairs - to reappoint Reyes Javier Rosales to seat C-2 and Raquel Anderson to seat C-3.
- For the Arts Commission - to reappoint Suzanne Ryan-Melamed to seat C-3.
- For the Commission on the Status of Children and Youth - to reappoint Erin Reynolds to seat C-3.

Capital Improvement Board Recommendations:

- For the Capital Improvement Board (CIB) - to reappoint Doug Bruce to seat C-1.

Mayoral Appointment Recommendations*:

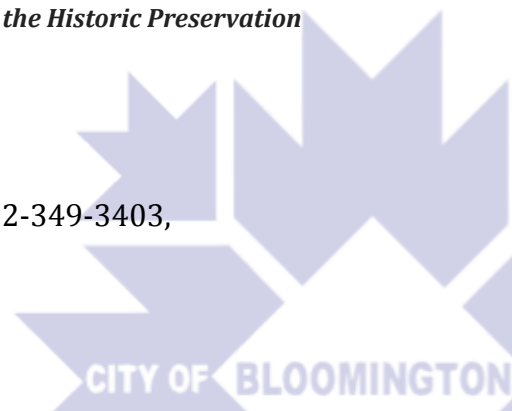
- For the Historic Preservation Commission - to reappoint Daniel Schlegel to seat M-3, to appoint Jack Baker to seat M-1, Melody Deusner to seat M-5, and Jeremy Hackerd to seat M-6.

**Per Bloomington Municipal Code 2.16 - Appointments made by the mayor to the Historic Preservation Commission are subject to the approval of the Common Council.*

Contact

Clerk Nicole Bolden, 812-349-3408, clerk@bloomington.in.gov

Jennifer Crossley, Deputy Clerk of Communications and Outreach, 812-349-3403, jennifer.crossley@bloomington.in.gov



MEMO FROM COUNCIL OFFICE:

To: Members of the Common Council

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

Date: January 17, 2025

Re: Ordinance 2025-03 - An Ordinance to Amend Ordinance 2024-20 That Fixed 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 2025

Synopsis

This ordinance amends Ordinance 2024-20, which fixed the salaries of appointed officers, non-union, and A.F.S.C.M.E. employees for the year 2025. The amendment comes at the request of the Human Resources Department to reflect changes to several non-union positions within the City.

Relevant Materials

- Ordinance 2025-03
- Staff Memo

Summary

Ordinance 2025-03 would amend one of the three 2025 salary ordinances adopted last year, which set the salaries for all appointed officers, non-union, and A.F.S.C.M.E. employees for the 2025 year. This amendment would incorporate several changes to non-union positions at the request of those departments. The staff memo details the positions that would be affected.

[Indiana Code 36-4-7-3](#) provides that the executive is authorized to fix the compensation of each appointive officer, deputy, or other employee of the city, subject to the approval of the city's legislative body. By approving this salary ordinance amendment, the Council is approving the changes to these positions as proposed by the executive.

Contact

Sharr Pechac, Human Resources Director, 812-349-3404, sharr.pechac@bloomington.in.gov
Erica De Santis, Director of Compensation & Benefits, Human Resources, 812-349-3404, erica.desantis@bloomington.in.gov

ORDINANCE 2025-03

**AN ORDINANCE TO AMEND ORDINANCE 2024-20
THAT FIXED 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 2025**

- WHEREAS, IC 36-4-7-3 authorizes the Mayor, subject to the approval to the Council, to fix the compensation of appointed officers, non-union, and A.F.S.C.M.E employees; and
- WHEREAS, salaries for City of Bloomington employees for 2025 were set by Ordinance 2024-20 which was passed by the City of Bloomington Common Council (“Council”) on October 30, 2024 and approved by Mayor Kerry Thomson (“Mayor”) on October 31, 2024; and
- WHEREAS, the Mayor desires to make or change appointments or positions within five different City departments, pursuant to the executive authority granted under IC 36-4-11-3, but which will also require amendments to the salary ordinance;

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

SECTION 1. Ordinance 2024-20 shall be amended so that the following positions are added in the following departments:

<u>Department/Division</u> (followed by Job Title)	<u>Grade</u>
<u>Community and Family Resources Department</u>	
Human Rights Administrative Assistant (Program Coordinator I)	4
<u>Utilities Department</u>	
Custodian I (.5)	1
<u>Engineering Department</u>	
Project Manager III	9
Engineering Tech II (2)	7

SECTION 2. Ordinance 2024-20 shall be amended by changing the job grades listed for the following positions such that those positions will now read as follows:

<u>Department/Division</u> (Followed by Job Title)	<u>Grade</u>
<u>Planning and Transportation</u>	
<u>Planning and Transportation Administration</u>	
Office Manager	6
<u>Planning Services Division</u>	
MPO Transportation Planner	8
Long Range Planner	8
<u>Development Services Division</u>	
Zoning Compliance Planner	7
Zoning Planner & GIS Analyst	8
Senior Zoning Compliance Planner	9
Senior Environmental Planner	9
Senior Zoning Planner	9

SECTION 3. Ordinance 2024-20 shall be amended by changing the number of the “Project Manager (2)” position within the Engineering Department from “(2)” to “(3)” such that the position now reads as follows:

<u>Department/Division</u> (Followed by Job Title)	<u>Grade</u>
<u>Engineering Department</u>	
Project Manager (2)	8

SECTION 4. Ordinance 2024-20 shall be amended by changing the title for the “Senior Transportation Planner” position in the Planning Department to “MPO Director” such that the position now reads as follows:

<u>Department/Division</u> (Followed by Job Title)	<u>Grade</u>
<u>Planning and Transportation Department</u>	
<u>Planning Services Division</u>	
MPO Director	9

SECTION 5. Ordinance 2024-20 shall be amended by changing the title and grade for the “Asset Clerk/Emergency Grants Coordinator” position within the Street Operations Division of the Public Works Department to “Accounting Clerk IV (Finance Grants Manager)” with a Grade of 7, such that the position now reads as follows:

<u>Department/Division</u> (Followed by Job Title)	<u>Grade</u>
<u>Public Works Department</u>	
<u>Street Division</u>	
Accounting Clerk IV (Finance and Grants Manager)	7

SECTION 6. Ordinance 2024-20 shall be amended so that the following positions are eliminated from the following Departments:

<u>Department/Division</u> (Followed by Job Title)	<u>Grade</u>
<u>Engineering Department</u>	
Transportation Tech	6
Engineering Tech AutoCad	6

SECTION 7. Ordinance 2024-20 shall be amended to add an additional grant-funded position within the Department of Economic and Sustainable Development that is not graded and entirely dependent upon continued receipt of grant funds. The position shall be reflected as follows:

<u>Department/Division</u> (Followed by Job Title)	<u>Grade</u>
<u>Department of Economic and Sustainable Development</u>	
...	...

The following position(s) are funded entirely by grants and, therefore, is/are not graded. The position(s) are entirely dependent upon continued receipt of grant funds. If at any time these funds are no longer available, the position(s) shall be immediately terminated.

<u>Job Title</u>	<u>Salary from Grant</u>
CCC Grant, Project Manager	\$82,400

SECTION 8. Ordinance 2024-20 shall be amended to change the stipend of the “Pension Secretaries”, listed within Section 2A, from \$4,000 to \$5,000.

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

HOPI STOSBERG, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk

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

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED AND APPROVED by me this _____ day of _____, 2025.

KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends Ordinance 2024-20, which fixed the salaries of appointed officers, non-union, and A.F.S.C.M.E. employees for the year 2025. The amendment comes at the request of the Human Resources Department to reflect changes to several non-union positions within the City.



TO: City Council members

FROM: Human Resources Director Sharr Pechac and Erica De Santis, Director of Compensation and Benefits

CC: Mayor Kerry Thomson, Deputy Mayor Gretchen Knapp, Controller Jessica McClellan, and Council Administrator Lisa Lehner

DATE: January 17, 2025

SUBJECT: Amendment of Ordinance 2024-20 for Appointed Officers, Non-Union, and AFSCME Employees

Ordinance 2024-20 set the pay grades and salary ranges for Appointed Officers, Non-Union, and AFSCME Employees for 2025.

The requested changes are explained below. Consistent with past practice, the grade classifications were determined in the same manner as has been done in the past through the new Workforce Evaluation and Realignment Committee (WERC) – formerly called the Job Evaluation Committee. The estimated fiscal impact is included. The fiscal impact for any new position includes the salary (budgeted at the midpoint of the pay range), a flat amount for benefits, retirement contributions, and taxes.

Community and Family Resources requests to change a part-time temporary Human Rights Administrative Assistant into a regular full-time Program Coordinator I, Grade 4. This is needed to ensure compliance with federal regulations as well as to increase the hours of this position to manage the ongoing workload. The fiscal impact is \$43,548.62.

Economic and Sustainable Development requests to add a new (temporary but long-term – 4 years) CCC Grant Project Manager, with a salary of \$82,400. This position will provide leadership and coordination for all phases of planning and implementation of the City of Bloomington’s contribution to the College and Community Collaboration (CCC) Grant, which is funded by the Lilly Endowment Inc. and supports a partnership between Indiana University, the Mill, and the City of Bloomington. Projects range in scope and support public art, placemaking, wayfinding, and the built environment within and surrounding the Trades District. This position is entirely funded by an external grant, which also has specific requirements for salary. As such, this is not a graded position, and it has no fiscal impact to the City of Bloomington. If the grant funding for this position is ever jeopardized, the position will cease.

Engineering requests adding two (2) Engineering Tech II (Transportation Engineering Analysts), Grade 7. These two new positions would condense and eliminate two pre-existing positions within Engineering including the Engineering Tech Auto-Cad (Grade 6) and Transportation Technician (Grade 6). This move will help to standardize this new role with a new job description and duties. The fiscal impact is \$19,192.90.

Engineering also requests to change one (1) of its three (3) mid-level Engineering Project Managers to a more advanced status, making it Engineering Project Manager III at Grade 9 (formerly Grade 8). This is needed to ensure the department has the necessary roles to support Engineering’s current needs. The fiscal impact is \$8,969.38.

Planning requests to update the job descriptions, and related grades, for eight (8) positions. All of these changes are a reflection of updating their respective job descriptions, based on the business needs within Planning, and then regrading the positions. These positions include:

Upgrading the Office Manager to Grade 6 (formerly Grade 5). The fiscal impact is \$8,969.38.

Upgrading the Zoning Compliance Planner to Grade 7 (formerly Grade 6). The fiscal impact is \$8,970.60.

Upgrading the MPO Transportation Planner to Grade 8 (formerly Grade 7). The fiscal impact is \$8344.29.

Upgrading the Long Range Planner to Grade 8 (formerly Grade 7). The fiscal impact is \$9,596.91.

Upgrading the Zoning Planner and GIS Analyst to Grade 8 (formerly Grade 7). The fiscal impact is \$8,344.29.

Upgrading the Senior Zoning Planner to grade 9 (formerly Grade 8). The fiscal impact is \$10,221.83.

Upgrading the Senior Zoning Compliance Planner to Grade 9 (formerly Grade 8). The fiscal impact is \$8,969.38.

Upgrading the Senior Environmental Planner to Grade 9 (formerly Grade 8). The fiscal impact is \$8,869.49.

Planning also requests to change the title of their Senior Transportation Planner to MPO Director. The grade remains unchanged and there is no fiscal impact.

Public Work's Sanitation division requests to update the job description and related grade for their Asset Clerk/Emergency Grant Coordinator to Grade 7 (formerly grade 6). This is needed because the job description for this critical position was severely outdated. This position has greatly changed over time from being primarily administrative support to a much larger role in the overall financial management of Public Works' largest division. The fiscal impact is \$10,848.

Utilities requests to change a part-time temporary Custodian into a regular part-time Custodian I, Grade 1. This is needed to ensure compliance with federal regulations. There is no fiscal impact for this change. (Note: this position is held through a community partnership. The individual in this position wants to maintain their existing role and salary, as increasing the salary would jeopardize this individual's externally-secured benefits, which is not desired.)

We also request to update the Pension Secretary's salary for this from \$4,000 a year to \$5,000 a year. The request to increase this salary was proposed by the Police Pension Board, and City administration has approved this change and extended it to the Fire Pension Secretary as well to maintain equity. The fiscal impact is \$2,153.

Your approval of Ordinance 2025-03 is requested. Please feel free to contact me if you have any questions. This is needed to ensure compliance with federal regulations.



MEMO FROM COUNCIL OFFICE:

To: Members of the Common Council

From: Ash Kulak, Deputy Administrator/Deputy Attorney

Date: January 17, 2025

Re: Ordinance 2025-04 - To Amend Title 2 of the Bloomington Municipal Code Entitled "Administration and Personnel" Re: The Establishment of the Transportation Commission

Synopsis

This ordinance amends Title 2 of the Bloomington Municipal Code (Administration and Personnel) to remove the Traffic Commission, Bicycle Pedestrian Safety Commission, and Parking Commission and establish a new nine-member Transportation Commission. The Transportation Commission will make recommendations on relevant transportation and parking sections of the Bloomington Municipal Code, review all transportation-related projects, and propose policies that promote safe, equitable, and sustainable transportation and parking decisions. Additionally, this ordinance amends Title 15 of the Bloomington Municipal Code (Vehicles and Traffic) to replace and update references of the Traffic Commission, Bicycle Pedestrian Safety Commission, and Parking Commission with references to the Transportation Commission.

Relevant Materials

- Ordinance 2025-04
- Current Bloomington Municipal Code Sections governing Traffic Commission, Bicycle and Pedestrian Safety Commission, and Parking Commission
- Minutes from July 8, 2024 Bicycle and Pedestrian Safety Commission meeting
- Minutes from July 24, 2024 Traffic Commission meeting
- Parking Resolution 24-07 from December 19, 2024 Parking Commission meeting

Brief History

This ordinance originally came forth as Ordinance 2024-27, which was discussed at second reading on December 11, 2024. Two amendments were introduced, one of which passed and the second of which was withdrawn. After discussion, the item was postponed indefinitely.

This ordinance that returns to council includes the changes that Amendment 02, which passed by a vote of 8-1-0, made to Ordinance 2024-27. The [packet materials for that meeting include the original ordinance and Amendment 01](#). The [packet addendum \(part 1\)](#) includes Amendment 02 and two additional amendments that councilmembers asked council staff to prepare before the meeting but were not ultimately introduced.

This ordinance also includes the changes that would have been made by proposed Amendment 03, which was never introduced, to the appointment makeup. Specifically, it splits appointments in subsection (g) of the appointment section (2) of proposed Section 2.12.070 between the Mayor and the Council. The original proposal in Ordinance 2024-27 listed both appointments in subsection (g) to be made by the Council.



After the Council's last meeting of 2024, the [Parking Commission met on December 19, 2024](#) and authored Parking Resolution 24-07 to endorse an amendment to [Ordinance 2024-27](#) that would preserve the Parking Commission. Parking Resolution 2027-07 and its proposed amendment are attached in this packet.

Original Summary

[Ordinance 2025-04](#) would dissolve three traffic-related commissions (Traffic Commission, Bicycle and Pedestrian Safety Commission, and Parking Commission) and create one Transportation Commission in their stead. This proposal comes forward after several months of discussions with the Council at the [October 15, 2024 Special Committee on Council Processes Meeting](#), as well as the [November 13 Consensus Building Activity](#).

The Planning and Transportation Department's [Memo to the Mayor from May 2024](#) explains the purpose of consolidating these three commissions into one, including the goal to reduce traffic deaths and serious injuries on the City's roadways to zero by the Year 2039, as adopted by [Resolution 2024-07](#).

During the November 13 Consensus Building Activity Meeting, Planning Services Manager Ryan Robling gave a brief presentation to the Council on the reasoning behind this change. Notably, Robling notes the challenges with the current structure of having multiple City commissions with overlapping duties, a lack of coordinated decision-making, and difficulty for the public to understand which entity to go to for their needs. Consolidating these three commissions into one is also consistent with [Recommendation 2 of the 2022 Novak report](#) that assessed and reviewed the City's Boards and Commissions.

The new proposed code provisions governing the Transportation Commission specify its purpose, the appointment structure and terms, its powers and duties, procedure and scheduling, and staffing.

Purpose (proposed Section 2.12.070(1)): The purpose of the new Transportation Commission is to provide a comprehensive framework with clearly identified tasks and responsibilities for helping the City achieve its transportation goals. In addition, the Transportation Commission will provide recommendations and guidance to the Mayor and Council, and it will act as a steering committee for future transportation studies and grant programs.

Appointments and Terms (proposed Section 2.12.070(2) and (3)): The proposed appointment and term structure of the new Transportation Commission is designed to address issues with equity in the current three-commission structure with varying membership requirements and appointing entities involved in the process.

Powers and Duties (proposed Section 2.12.070(4)): The new Transportation Commission will be responsible for reviewing all transportation projects, as well as reviewing changes to relevant Bloomington Municipal Code sections, especially



relevant sections from [Title 15 \(Vehicles and Traffic\)](#) and [Title 12 \(Streets, Sidewalks, and Storm Sewers\)](#), and determining whether those proposed changes are consistent with the Comprehensive Plan, best practices, sustainable design, equitable access, community-based solutions, and adequate public input. The new Transportation Commission will also be heavily involved with transportation studies, activities, programs, and projects, as well as education activities on transportation safety, serving additionally as a forum for the public on transportation-related matters. The Transportation Commission will be responsible for making recommendations on public parking policy and applying for city appropriations and grants when necessary.

Procedure and Scheduling (proposed Section 2.12.070(5)): The new Transportation Commission will be responsible for establishing its own rules and procedures under this section.

Staffing (proposed Section 2.12.070(6)): The new Transportation Commission will be staffed by the Engineering Department, with additional staffing by the Planning & Transportation Department when serving as a steering committee.

All three commissions discussed this proposal with Planning Services Manager Robling in meetings from this past summer. Minutes from the Bicycle and Pedestrian Safety Commission (July 8, 2024) and Traffic Commission (July 24, 2024) meetings are enclosed in this packet and were also included in the [November 13 Consensus Building Activity Packet Addendum](#). The Parking Commission additionally met in December after the last Regular Session of 2024 to discuss a proposal to preserve the Parking Commission.

Contact

David Hittle, Director, Planning & Transportation, 812-349-3423, david.hittle@bloomington.in.gov
Ryan Robling, Planning Services Manager, 812-349-3459, roblingr@bloomington.in.gov

ORDINANCE 2025-04

**TO AMEND TITLE 2 OF THE BLOOMINGTON MUNICIPAL CODE
ENTITLED "ADMINISTRATION AND PERSONNEL"**

Re: The Establishment of the Transportation Commission

- WHEREAS, in April of 2024, the City adopted Resolution 2024-07 establishing the goal of reducing traffic deaths and serious injuries on the City’s roadways to zero in the city by the Year 2039; and
- WHEREAS, in January 2018, the Bloomington Common Council passed Resolution 18-01, adopting the City’s Comprehensive Plan, which serves as the long-range vision for the community and upon which future transportation and land use decisions are predicated; and
- WHEREAS, the Comprehensive Plan outlines broad goals, policies, and programs to promote the health and safety of the city’s residents, promote environmentally sustainable practices, encourage public engagement, and strengthen the economic well-being of the community; and
- WHEREAS, the Comprehensive Plan Policy 1.6.1 states, “foster inclusive and representative engagement to steer and direct development processes toward community benefit.” (Comprehensive Plan, p. 29); and
- WHEREAS, the Comprehensive Plan outlines transportation as a basic need stating that “rights of way are the foundation of the transportation systems and must accommodate the diverse needs of the population, from a child walking to school to a delivery truck taking products to a local restaurant;” (Comprehensive Plan, p. 67) and
- WHEREAS, the Comprehensive Plan Goal 6.1 states, “increase sustainability: improve the sustainability of the transportation system” (Comprehensive Plan, p. 74); and
- WHEREAS, the Comprehensive Plan Goal 6.4 states, "prioritize non-automotive modes: continue to integrate all modes into the transportation network and to prioritize bicycle, pedestrian, public transit, and other non-automotive modes to make our network equally accessible, safe, and efficient for all users” (Comprehensive Plan, p. 75); and
- WHEREAS, the Comprehensive Plan Goal 6.6 states, “optimize public space for parking: plan and develop parking for cars and bicycles with a focus on efficiency and equity” (Comprehensive Plan, p. 75); and
- WHEREAS, the Comprehensive Plan Goal 6.8.1 states, "involve people with disabilities in decision-making. Establish a transparent, equitable public process that include people with low vision, mobility challenges, and other disabilities in the full range of transportation decisions from design to operations.” (Comprehensive Plan, p. 75); and
- WHEREAS, in March 2021, the Bloomington Common Council passed Resolution 21-08, adopting the City’s Climate Action Plan which is intended to guide City activities and funding priorities for climate change mitigation, specifically reducing local greenhouse gas emissions, and increasing resilience to the local impacts of climate change; and
- WHEREAS, the Climate Action Plan’s Transportation and Land Use chapter establishes Goal TL 1 to “[d]ecrease on-road vehicle miles traveled (VMT) by 8% of 2018 values” by 2030 and includes 49 implementation actions organized under nine strategies to achieve this goal (Climate Action Plan pp. 17-28); and

WHEREAS, the Climate Action Plan Action TL1-A-1 states, “Update the City's Transportation Plan and Metropolitan Transportation Plan to incorporate reductions in carbon emissions and vehicle miles traveled, improved bicycle, pedestrian and transit service standards, and a policy requiring project evaluation to include criteria on climate, equity, economic benefit, health, safety, and cost effectiveness.” (Climate Action Plan, p. 20); and

WHEREAS, In June 2020, the Bloomington Common Council passed Resolution 20-08, adopting the City’s Transportation Demand Management Program Plan which is intended to guide City activities to efficiently manage parking, including through pricing of public parking, and to utilize transportation management strategies to advance the City’s transportation goals related to pedestrian, bicyclist, public transit, and other non-automotive modes; and

WHEREAS, the Transportation Demand Management Program Plan contains recommended transportation demand management strategies which fall into nine broad categories that include: technology accelerators; financial incentives; travel time incentives; marketing & education; mode of transportation; departure time; route; trip reduction; and location/design; and

WHEREAS, the Bloomington Parking Commission established by resolution a Comprehensive Parking Policy in 2022 (Resolution 22-07) to further develop the parking policy directives of the Comprehensive Plan, outlining six core tenets to guide its parking policy efforts: reduce excess vehicle miles traveled (VMT) through [parking] pricing; reduce excess VMT through communications; prioritize modes other than automobiles; prioritize users in hardship; pursue a parking system that pays for itself; and pursue transparency; and

WHEREAS, the Traffic Commission, Bicycle Pedestrian Safety Commission, and the Parking Commission in their current design have faced challenges in delivering impactful transportation-related recommendations to common council and appropriate city officials; and

WHEREAS, a transportation-related policy oversight body is necessary to ensure that transportation projects are consistent with the Comprehensive Plan and other applicable city plans, are consistent with the best practices for eliminating all transportation-related fatalities and serious injuries within the city, are consistent with promoting a more sustainable transportation system and equitable access to all transportation facility users, and have provided for community-based solutions and allowed for adequate public input;

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

SECTION 1. Section 2.12.070, entitled “Traffic commission” shall be repealed and replaced.

Delete

- (1) Purpose—Duties. It shall be the duty of the commission, and to this end it shall have the authority within the limits of the funds at its disposal, to coordinate traffic activities, to carry on educational activities in traffic matters, to supervise the preparation and publication of traffic reports, to receive complaints having to do with traffic matters, and to recommend to the common council and to appropriate city officials ways and means for improving traffic conditions and the administration and enforcement of traffic regulations.
- (2) Appointments. The commission shall consist of the following nine members: a designee of the director of engineering, a designee of the director of public works, a designee of the chief of police and six additional members who shall be appointed by the common council. All terms shall be for two years.

- (3) Qualifications. Each common council appointee shall be a resident of the city with preference being given so that each councilmanic district is represented.
- (4) Meetings. Meetings will be held monthly.
- (5) Procedure. The commission shall establish its own rules of operating procedure which may be amended from time to time by a majority vote.

Add

Section 2.12.070, entitled “Transportation Commission.”

- (1) Purpose. The Transportation Commission (hereinafter referred to as “commission”) is established with the explicit purpose of guiding the city’s transportation endeavors through a comprehensive framework which seeks to provide adequate and safe access to all right-of-way users while prioritizing non-automotive modes and sustainability. The commission shall provide recommendations and guidance to the mayor and common council in the pursuit of developing and implementing a city-wide policy to eliminate all transportation-related fatalities and serious injuries to pedestrians, bicyclists, transit users, motorists, and passengers; shall promote sustainable transportation; shall foster equitable access; and shall promote community-centric design. The commission shall also serve as a standing steering committee for future transportation related studies and grant programs.
- (2) Appointments: The commission shall consist of nine members, none of whom may hold any employment, elected, or appointed position with the City, unless specifically permitted as outlined in this section:
 - (a) One member appointed by the mayor shall be a member from the council for community accessibility or a designated representative. The council for community accessibility shall submit a list of at least three names to the mayor for consideration;
 - (b) One member appointed by the public transportation corporation board of directors shall be a member or a designated representative, including from among staff of the corporation;
 - (c) One member appointed by the plan commission shall be a member or a designated representative;
 - (d) One member appointed by the board of public works shall be a member or a designated representative;
 - (e) One member appointed by the common council shall be from among its membership;
 - (f) Two members shall be appointed by the council, and shall be residents living within city limits who have demonstrated experience using forms of travel other than personal motor vehicles as their primary method of transportation;
 - (g) Two members shall be appointed, one by the mayor and one by the council, and shall be residents living within the city limits. Preference for appointments shall be given to board members, employees, or other formal volunteers with Monroe County Community School Corporation, especially as involved in safe routes to school, pollution reduction, and school bus utilization; and members of community organizations dedicated to serving marginalized groups, especially safety-marginalized transportation users.
- (3) Terms. Members appointed from the membership of the public transportation corporation board of directors, plan commission, board of public works, and common council shall serve a term coextensive with their terms on the body from which they were appointed or until that body appoints another at its first regular meeting of the year. Members appointed from the council for community accessibility, members who are acting as appointed representatives, and members appointed by common council who are not among its membership shall serve a two year term.

- (4) Powers and Duties. The commission's powers and duties shall include, but are not limited to:
- (a) Coordinate, supervise, and, when necessary, approve transportation-related studies, plans, consultant reports, activities, programs, and projects, including acting as a standing steering committee for future transportation related studies, plans and plans updates, and grant programs.
 - (b) Review all transportation projects, proposed changes to Title 15 - Vehicles and Traffic, relevant proposed changes to Title 12 - Streets, Sidewalks and Storm Sewers, and other applicable changes to the Bloomington Municipal Code to determine if the proposed change:
 - (i) is consistent with the comprehensive plan and other applicable city adopted plans;
 - (ii) is consistent with the best practices for eliminating all transportation-related fatalities and serious injuries within the city;
 - (iii) is consistent with advancing a sustainable transportation system and equitable access to all transportation facility users while prioritizing non-automotive modes; and
 - (iv) has adequately conducted public engagement and considered community-centric design tied to targeted outcomes.
 - (c) Provide a forum for members of the public to submit transportation-related testimonials, inquires, and requests;
 - (d) Conduct education activities in matters related to transportation safety in an effort to both eliminate all transportation-related fatalities and serious injuries, and promote sustainable forms of transportation within the city;
 - (e) Make recommendations on transportation policy, including but not limited to: changes to city code, changes to applicable city plans, capital planning, program implementation, or any other aspect of advancing a safe, accessible, and sustainable transportation system;
 - (f) Make recommendations on public parking policy, including but not limited to: pricing, hours of operation, addition or removal of parking supply or parking spaces, changes to city code, changes to applicable city plans, enforcement procedures, or any other aspect of parking management policy;
 - (g) Produce or oversee an annual analysis of parking asset management, including but not limited to: reporting all costs and revenues for city-owned structured parking, surface parking, metered parking, neighborhood parking zones, and other relevant city-owned parking; documenting parking utilization rates and longitudinal trends; conducting or contracting for parking data analytics; and recommending changes to the parking system necessary to advance the goals of the Comprehensive Plan and other applicable city plans;
 - (h) Request appropriations through the mayor and communicate the need for appropriations to the city council, or research and apply for grants, gifts, or other funds from public or private agencies, for the purpose of carrying out any of the provisions of this section.
- (5) Procedure and Scheduling. The commission shall establish its own rules and procedures, subject to amendment by a majority vote. This shall include the ability to define its meeting schedule within the scope of the established rules and procedures.
- (6) Staff. The commission shall be primarily staffed by the engineering department. When serving as a steering committee, the commission shall be staffed by the planning and transportation department.

SECTION 2. Section 2.12.080, entitled "Bloomington Bicycle Pedestrian Safety Commission" shall be repealed and reserved for future use.

Delete

- (1) Purpose. The purpose of this commission is to promote and encourage bicycling,

walking and running in a safe and efficient manner in the City of Bloomington for the purpose of health, recreation and transportation.

- (2) Appointments. The commission shall consist of seven members appointed in the following manner:
 - (A) The mayor shall make four appointments. Preference for two of those four appointments will be given one member from the Bloomington Bicycle Club Inc. and one member from the Bloomington Track Club Inc. The above named organizations shall submit a list of at least three names to the mayor for consideration.
 - (B) The Common Council shall make three appointments. Preference for one of those three appointments will be given to one member from the Indiana University Student Association. The above named organization shall submit a list of at least three names to the common council for consideration.
- (3) Terms. The initial terms of the members shall be staggered. All subsequent terms shall be for two years.
- (4) Removal. Members may be removed for cause by the mayor or common council. "Cause" shall include, but not be limited to, failure to attend three consecutive regularly scheduled or four regularly scheduled commission meetings within a twelve-month period. The commissioner shall have the right to submit in writing any extenuating circumstances to the mayor or common council before the formal decision to remove is reached. However, acceptance of extenuating circumstances puts the commissioner on notice that further excessive absenteeism will result in removal.
- (5) Meetings. The commission shall meet at times and places as agreed on by the Commission and shall advertise those meeting times and places in accordance with the law. In any event the commissioner shall meet no less than six times per calendar year.
- (6) Duties. The duties of this commission shall be as follows:
 - (A) To serve as a citizens forum for discussion and recommendation of improvement to existing facilities and planning of new projects concerning safe access for cyclists, pedestrians and runners;
 - (B) To prepare reports and recommendations to the mayor, common council, plan commission and planning and transportation department as needed, concerning the needs of cyclists, pedestrians and runners within the city;
 - (C) To foster and develop safety programs for cyclists, pedestrians and runners; and,
 - (D) To encourage the hosting of cycling, walking and running events conducted in a safe manner which will attract visitors from outside of the City.

SECTION 3. Section 2.12.110, entitled "Parking Commission" shall be repealed and reserved for future use.

Delete

- (a) Purpose. It shall be the primary purpose of the parking commission (commission), in coordination with decision-makers and other entities as is necessary or prudent:
 - (1) To develop, implement, maintain, and promote a comprehensive policy on parking that takes into account the entirety of, and furthers the objectives of, the city's comprehensive plan; and
 - (2) To coordinate parking activities, to carry on educational activities in parking matters, to supervise the preparation and publication of parking reports, to receive comments and concerns having to do with parking matters, and to recommend to the common council and to appropriate city officials ways and means for achieving the city's comprehensive plan objectives through the administration of parking policies and the enforcement of parking regulations.
- (b) Composition—Appointments. The parking commission shall be composed of nine voting members. These voting members shall be composed of five members appointed by the mayor and four members appointed by the common council. Each appointing authority may also appoint a standing alternate for each of its appointees and such alternate may participate with the commission at any meeting where the regular member is disqualified or is otherwise unable to participate. All

alternate members appointed hereunder shall meet all qualification requirements of the regular member for whom they serve as alternate.

- (c) Qualifications of Voting Membership.
 - (1) One member appointed by the mayor and one member appointed by the common council shall be a merchant owning and operating a business located at an address within the city limits;
 - (2) One member appointed by the mayor shall be a board member or an employee of a non-profit organization which operates at property that is owned or leased by the non-profit organization within the city limits;
 - (3) Four members, one appointed by the mayor and three appointed by the council, shall be residents living within the city limits;
 - (4) One member appointed by the common council shall be from among its membership; and
 - (5) One member appointed by the mayor shall be from within the planning and transportation department, engineering department, or department of public works.
- (d) Terms. The initial terms of three mayoral and two council citizen appointments shall expire on January 31, 2018. The terms of the remaining initial citizen appointments shall expire on January 31, 2019. Thereafter, all terms of citizen appointments shall be for two years and expire on January 31. The terms for the one mayoral appointment made from within the planning and transportation department and the one council appointment made from within the members of the council shall be for one year and expire on January 31.
- (e) Powers and Duties. The commission shall meet at least one time each month, unless it votes to cancel the meeting. Its powers and duties shall include, but are not limited to:
 - (1) Accessing all data regarding the city's parking inventory, including usage, capital and operating costs, so long as the data is released in a manner consistent with exemptions from disclosure of public records set forth in Indiana Code § 5-14-3-4;
 - (2) Reviewing the performance of all meters, lots, garages, and neighborhood zones in the city's parking inventory, and reviewing the performance of all divisions of city departments devoted specifically to parking management;
 - (3) Making recommendations on parking policy, including but not limited to: pricing, hours of operation, addition or removal of parking spaces, and changes when necessary to city code, enforcement procedures, or any other aspect of parking management policy;
 - (4) Submitting an annual report of its activities and programs to the mayor and council by October of each year;
 - (5) Adopting rules and regulations for the conduct of its business; and
 - (6) Applying for appropriations through the mayor, or researching and applying for grants, gifts, or other funds from public or private agencies, for the purpose of carrying out any of the provisions of this section.
- (f) Staff. The commission shall be staffed by the planning and transportation department.

SECTION 4. Chapter 15, entitled “Vehicles and Traffic” shall be amended by replacing all references to “Traffic Commission,” and “Bicycle Pedestrian Safety Commission” with references to “Transportation Commission.”

SECTION 5. Section 5.58.050, entitled “Parking” shall be amended by adding the following to section (i).

Delete

The City of Bloomington Parking Commission, established by Bloomington Municipal Code Section 2.12.110, and the City of Bloomington Bicycle and Pedestrian Safety Commission, established by Bloomington Municipal Code Section 2.12.080, are jointly directed to take up the study of parking associated with shared-use motorized scooters within downtown Bloomington and within neighborhoods where there have been documented substantial complaints regarding shared-use motorized scooters.

The commissions are directed to produce a report which documents their findings. Said report shall be forwarded to the common council no later than March 31, 2020 for review. The common council shall take the report and its findings into consideration when deciding what additional parking restrictions may be appropriate for shared-use motorized scooters.

Add

The City of Bloomington Transportation Commission, established by Bloomington Municipal Code Section 2.12.070 is directed to take up the study of parking associated with shared-use motorized scooters within downtown Bloomington and within neighborhoods where there have been documented substantial complaints regarding shared-use motorized scooters.

The Transportation Commission is directed to include a study of parking associated with shared-use motorized scooters in its annual report to the common council.

SECTION 6. If any section, sentence or provision of this ordinance, or application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions or application 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 7. This ordinance shall be in effect immediately after its passage by the Common Council and approval of the Mayor, any required publication, and, as necessary, other promulgation in accordance with the law.

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

HOPI STOSBERG, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

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

NICOLE BOLDEN, Clerk,
City of Bloomington

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

KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends Title 2 of the Bloomington Municipal Code (Administration and Personnel) to remove the Traffic Commission, Bicycle Pedestrian Safety Commission, and Parking Commission and establish a new nine-member Transportation Commission. The Transportation Commission will make recommendations on relevant transportation and parking sections of the Bloomington Municipal Code, review all transportation-related projects, and propose policies that promote safe, equitable, and sustainable transportation and parking policies and decisions. Additionally, this ordinance amends Title 15 of the Bloomington Municipal Code (Vehicles and Traffic) to replace references of the Traffic Commission, Bicycle Pedestrian Safety Commission, and Parking Commission with references to the Transportation Commission.

2.12.070 Traffic commission.

- (1) Purpose—Duties. It shall be the duty of the commission, and to this end it shall have the authority within the limits of the funds at its disposal, to coordinate traffic activities, to carry on educational activities in traffic matters, to supervise the preparation and publication of traffic reports, to receive complaints having to do with traffic matters, and to recommend to the common council and to appropriate city officials ways and means for improving traffic conditions and the administration and enforcement of traffic regulations.
- (2) Appointments. The commission shall consist of the following nine members: a designee of the director of engineering, a designee of the director of public works, a designee of the chief of police and six additional members who shall be appointed by the common council. All terms shall be for two years.
- (3) Qualifications. Each common council appointee shall be a resident of the city with preference being given so that each councilmanic district is represented.
- (4) Meetings. Meetings will be held monthly.
- (5) Procedure. The commission shall establish its own rules of operating procedure which may be amended from time to time by a majority vote.

(Ord. 97-03 § 7, 1997; Ord. 89-14 § 2, 1989; Ord. 87-20 § 3, 1987; Ord. 83-6 § 2 (part), 1983).

(Ord. No. 14-11, §§ 25, 26, 7-2-2014; Ord. No. 21-11, § III, 4-7-2021)

2.12.080 Bloomington Bicycle and Pedestrian Safety Commission.

- (1) Purpose. The purpose of this commission is to promote and encourage bicycling, walking and running in a safe and efficient manner in the City of Bloomington for the purpose of health, recreation and transportation.
- (2) Appointments. The commission shall consist of seven members appointed in the following manner:
 - (A) The mayor shall make four appointments. Preference for two of those four appointments will be given one member from the Bloomington Bicycle Club Inc. and one member from the Bloomington Track Club Inc. The above named organizations shall submit a list of at least three names to the mayor for consideration.
 - (B) The Common Council shall make three appointments. Preference for one of those three appointments will be given to one member from the Indiana University Student Association. The above named organization shall submit a list of at least three names to the common council for consideration.
- (3) Terms. The initial terms of the members shall be staggered. All subsequent terms shall be for two years.
- (4) Removal. Members may be removed for cause by the mayor or common council. "Cause" shall include, but not be limited to, failure to attend three consecutive regularly scheduled or four regularly scheduled commission meetings within a twelve-month period. The commissioner shall have the right to submit in writing any extenuating circumstances to the mayor or common council before the formal decision to remove is reached. However, acceptance of extenuating circumstances puts the commissioner on notice that further excessive absenteeism will result in removal.
- (5) Meetings. The commission shall meet at times and places as agreed on by the Commission and shall advertise those meeting times and places in accordance with the law. In any event the commissioner shall meet no less than six times per calendar year.
- (6) Duties. The duties of this commission shall be as follows:

-
- (A) To serve as a citizens forum for discussion and recommendation of improvement to existing facilities and planning of new projects concerning safe access for cyclists, pedestrians and runners;
 - (B) To prepare reports and recommendations to the mayor, common council, plan commission and planning and transportation department as needed, concerning the needs of cyclists, pedestrians and runners within the city;
 - (C) To foster and develop safety programs for cyclists, pedestrians and runners; and,
 - (D) To encourage the hosting of cycling, walking and running events conducted in a safe manner which will attract visitors from outside of the City.

(Ord. 02-15 § 1, 2002; Ord. 89-22 §§ 1, 2, 1989).

(Ord. No. 14-11, §§ 27—31, 7-2-2014)

2.12.110 Parking commission.

- (a) Purpose. It shall be the primary purpose of the parking commission (commission), in coordination with decision-makers and other entities as is necessary or prudent:
 - (1) To develop, implement, maintain, and promote a comprehensive policy on parking that takes into account the entirety of, and furthers the objectives of, the city's comprehensive plan; and
 - (2) To coordinate parking activities, to carry on educational activities in parking matters, to supervise the preparation and publication of parking reports, to receive comments and concerns having to do with parking matters, and to recommend to the common council and to appropriate city officials ways and means for achieving the city's comprehensive plan objectives through the administration of parking policies and the enforcement of parking regulations.
- (b) Composition—Appointments. The parking commission shall be composed of nine voting members. These voting members shall be composed of five members appointed by the mayor and four members appointed by the common council. Each appointing authority may also appoint a standing alternate for each of its appointees and such alternate may participate with the commission at any meeting where the regular member is disqualified or is otherwise unable to participate. All alternate members appointed hereunder shall meet all qualification requirements of the regular member for whom they serve as alternate.
- (c) Qualifications of Voting Membership.
 - (1) One member appointed by the mayor and one member appointed by the common council shall be a merchant owning and operating a business located at an address within the city limits;
 - (2) One member appointed by the mayor shall be a board member or an employee of a non-profit organization which operates at property that is owned or leased by the non-profit organization within the city limits;
 - (3) Four members, one appointed by the mayor and three appointed by the council, shall be residents living within the city limits;
 - (4) One member appointed by the common council shall be from among its membership; and
 - (5) One member appointed by the mayor shall be from within the planning and transportation department, engineering department, or department of public works.
- (d) Terms. The initial terms of three mayoral and two council citizen appointments shall expire on January 31, 2018. The terms of the remaining initial citizen appointments shall expire on January 31, 2019. Thereafter, all terms of citizen appointments shall be for two years and expire on January 31. The terms for the one

mayoral appointment made from within the planning and transportation department and the one council appointment made from within the members of the council shall be for one year and expire on January 31.

- (e) Powers and Duties. The commission shall meet at least one time each month, unless it votes to cancel the meeting. Its powers and duties shall include, but are not limited to:
- (1) Accessing all data regarding the city's parking inventory, including usage, capital and operating costs, so long as the data is released in a manner consistent with exemptions from disclosure of public records set forth in Indiana Code § 5-14-3-4;
 - (2) Reviewing the performance of all meters, lots, garages, and neighborhood zones in the city's parking inventory, and reviewing the performance of all divisions of city departments devoted specifically to parking management;
 - (3) Making recommendations on parking policy, including but not limited to: pricing, hours of operation, addition or removal of parking spaces, and changes when necessary to city code, enforcement procedures, or any other aspect of parking management policy;
 - (4) Submitting an annual report of its activities and programs to the mayor and council by October of each year;
 - (5) Adopting rules and regulations for the conduct of its business; and
 - (6) Applying for appropriations through the mayor, or researching and applying for grants, gifts, or other funds from public or private agencies, for the purpose of carrying out any of the provisions of this section.
- (f) Staff. The commission shall be staffed by the planning and transportation department.

(Ord. No. 16-22, § 1, 11-2-2016; Ord. No. 19-14, § 1, 8-7-2019; Ord. No. 21-11, § IV, 4-7-2021; Ord. No. 22-04, § 1, 2-7-2022)

Bicycle Pedestrian Safety Commission
MINUTES
July 8, 5:30 P.M.
In-person and virtual hybrid meeting
McCloskey Room, #135

1. Attendance City Staff: Ryan Robling, Steve Cotter P&R
Commissioners: Jaclyn Ray, Drew Yeager, Ann Edmonds, Rob Danzman, Pauly Tarricone (zoom)
absent: Kori Renn, Stephanie Hatton,
Public who spoke: only recorded names of the public who made comments, see below
2. Approval of Minutes - June 10, 2024 **Drew** moves, **Rob** seconds **All** in favor: aye none opposed
3. New Business: **Ann**: get updates from missing Local-Motion grant recipients, heard from B&G Club, MCCSC program, not heard: MCPL, YMCA event happened, Bike Project from previous years **Drew**: met with student body president to meet with IU's transportation person and to meet with Hank in regards to getting more student involvement in City projects **Rob**: also more IU presence in general **Drew**: fear IU may not want to be involved, also dirt path in Switchyard and Hank said P&R already planning to pave it
4. Old Business:
 - a. Advisory Transportation Commission Staff Update: **Ryan**: draft presentation ATC shown, in feedback stage **Jaclyn**: 4 citizens? **Ryan**: 8 citizens **Drew**: 21 down to 8, gov't not supposed to be easy and fast, should be slow and safe, reason to have commissions to hear from the community **Ryan**: 9, 3rd St. bike lane took several years, safety needs to move quicker **Drew**: slow because of IU not community **Ryan**: due to bureaucratic red tape, safety cannot take time **Jaclyn**: 9 citizens **Ryan**: vetted thoroughly by council, all roadway users **Jaclyn**: so few cycle but everyone drives **Ann**: if doing their homework on their boards, already committed to a whole lot of time, this is another chunk of time, even more responsibility than we already have **Drew**: those 9 become czars **Ann**: padding their resume **Ryan**: this commission more susceptible to resume padding, we need the decision makers to hear feedback, needs to work both ways, 30 years of this commission and we are at an all-time high of deaths and serious injury of cyclists and pedestrians **Ann**: 30 year is not accomplishing safety, make good things better but not look for places where problems need to be solved **Ryan**: the public is not satisfied in how we prioritize projects **Ann**: also in purpose is federal funding for SS4A **Ryan**: no, our vision zero statement is separate, happening at the same time **Ann**: thought it was a requirement to get the funds **Ryan**: yes, happening at the same time **Rob**: how much impact do we have? **Ryan**: ton of feedback, not a vote **Rob**: when you hear a disagreement, how to repackage it that is helpful to you? "Consolidation of power" may not be helpful so what do you want to take back? Action items? **Ryan**: I encourage everyone to email me **Drew**: capped at 9? Could you increase that number? **Ryan**: hard to make quorum, State of Indiana sets quorum **Ann**: expand a bit for 'wild card' members? someone not on another commission but who advocates for safety **Jaclyn**: how much time do ppl have equity wise **Ann**: Plan commission is a heavy lift **Ryan**: rules to appoint reps, they are the conduit **Jaclyn**: how? **Ryan**: the City Engineer quarterly report to mayor and council **Jaclyn**: actual funds? **Ryan**: local-motion grant are the only funds, almost no funds, can look for funds into the future **Ann**: we will have a vote on projects that come up for consideration? **Ryan**: Neighborhood Greenways are required to be reviewed by BPSC, any Title 15 amendment will be reviewed, eventually everything will be reviewed by this body, similar to greenway projects **Ann**: sidewalks, council sidewalk committee used to be political, changed to be more based on data, does ATC have more of a say related to sidewalk committee? **Ryan**: currently a council committee, staff are invited to weigh in, could ask to incorporate **Drew**: what are pros for public? I know the benefits to staff **Ryan**: concern we hear from public that there are too many meetings to go to, e.g.: how to get a stop-sign in your neighborhood? **Drew**: they are still not going to know where to find the one committee, I don't see it solving the problem, in fact one commission might not care about a stop sign but another does **Ryan**: but currently the whims of the commission make the decisions, the ATC will design the rules for any decision made *on a slide, they will have to have findings **Ann**: spent time working with staff refining the Resident Led matrix based on data, we want to expand that idea to allocate resources on cost-benefit model, I don't see that **Drew**: add to that, agree with the goals but this plan doesn't get to that point in the most efficient way, is there a better way to do it? City improve communication? Wrong approach to great goal. **Ann**: Resident-Led based on data but never understood Staff-Led **Ryan**: I 100% agree, current process the prioritization makes sense to me but ppl are dying on our streets, SS4A will inform the T.Plan then inform this committee, this is the body not the muscle **Rob**: 'E' enforcement, that has been anemic, not

pointed at the staff, ATC would benefit from this, only one member from public safety, seems like a big part, there will be ppl that break rules **Ryan:** can talk about enforcement **Rob:** we've asked **Ryan:** traffic commish has a member of the Police Dept., we also don't have an engineer to come to this commission, limited amount of staff time, some community members also have problems with police voting, moving it to ATC may slightly ease this, (back to presentation) last 'E' is Education **Jaclyn:** parking commish comment on parking garages? **Ryan:** no but could go to ATC, then make a recommendation to council or planning commission **Drew:** these seem like rule changes **Ryan:** no difference, you could weigh in, but there is a current structure that staff tries to stick to **Drew:** nothing stopping us then? **Ryan:** feel free to weigh in **Drew:** my main concern is lack of public involvement, couldn't we do a sub-structure to council committee then commission? 3 to 1 committees with 1/3 members of the public, communication is inefficient, we need to build a pipeline to getting things done **Ryan:** internally communication is great, decision-making bodies are not communicating, 7 ppl here with no authority **Drew:** to increase communication this is reducing ppl talking 21 to 9 citizens, could the commissions communicate better? **Ryan:** you can do that now, burden on Ann but I'm saying the other way around and that there is a person there with the duty to act on the communication heard, we need a structural change so they are required to hear it **Drew:** you are saying we need decision makers together but my concern is the members of the public present, cutting out stakeholders **Ryan:** do you feel more heard with a vote on this body? **Drew:** no **Ryan:** they should be required to hear your concern and decision-makers should be required to address it **Rob:** many times we listen to public comment and just move forward without response, sometimes we address it, there is subjectivity to what we choose to respond to **Drew:** but anything we vote on we can make council accountable **Ryan:** I think the public should have the weight **Jaclyn:** ATC communicate better with public? BPSC do not do a good job **Ryan:** good idea **Drew:** that is a drawback to lose the number of people to spread out information about transportation so actually losing contact points **Ryan:** you will still be advocates to spread the word, we don't bring every decision to this commission, if there was a new body that could maintain an email list, social media, etc. **Ann:** frequency of meetings? **Ryan:** up to ATC, there are huge agendas that happen in the City and they make it happen, this is an open conversation, the ATC will have a structure **Steve Cotter:** I appreciate the position you're in with staff time, I think Bloomington is special, we have committed and intelligent ppl here, they have improved projects, lots of staff turnover and this body brings that new staff up to speed, low turn-out tonight due to summer, inefficient yes but not fair to say we still have fatalities in town, this commission does help reduce it, we are in a national epidemic, this commission is in a better place to advocate for safety, e.g. Right turn on red, this body advocated for that, the pipeline point is good, communication needs to be improved, they are ambassadors, venue for the public to come and share things that they might not be able to do with a bigger agenda, I'd hate to see it go **Ryan:** I don't mean to disparage this body once again, fatalities are not on your shoulders, no right turn on red came from council **Steve:** I do agree, duties and responsibilities of bpssc need improvement to be clear more rigid, maybe quarterly meeting? **Ann:** anyone from public who would like to speak on this? **Dave Askins:** issue of applying for grants, recall 2020 friction points community crossing project, no striped bike lanes, they did get added but the general policy question: shouldn't the council have more power to choose projects? Would this new body have power to choose community crossing projects? **Ryan:** yes, they would be involved in things like that, that one is staff-led, but that's a great point, we don't ask any commission about what we are proposing, yes, every transportation decision would go through this commission if formed

5. Reports from Commissioners: **Jaclyn:** B-line at University St. in Hopewell Plaza: taking into consideration the 400-person petition to keep bikes and peds separated on all MUPs, can we not mix the two at the Kroger bus stop area? ...big mistake to extend the pedestrian plaza there and mix bikes and peds. The City will regret that. No one likes the SYP Plaza area where cyclists ride through peds.

6. Public Comment none

7. Adjourn

BLOOMINGTON TRAFFIC COMMISSION
MINUTES
July 24, 2024

- I. Call to Order**
Ryterband, Moore, Alexander, Love, Knoke, Shadday, Woerner – in person
- II. Approval of Minutes**
- III. Communications from Commission**
A. Alexander gave a report about refuge island on 3rd and Grant.
- IV. Public Comment***
- V. Reports from Staff**
- VI. Old Business***
- VII. New Business***
 - A. TC-24-03: Limit Vehicular Access to a Portion of the Alley between E. Kirkwood Ave. and E. 4th St. – *Ryan Robling, Planning and Transportation Department*
Forward TC-24-03 Motion: Alexander Second: Moore. Motion Passed: 3-2-2 Nays: Knoke, Love Abstentions: Shadday, Ryterband.
 - i. Robling presented
 - ii. Galen Cassady gave a petitioners statement
 - iii. Michael Cassady gave some additional background and information.
 - iv. Shadday asked about amount of damage to private property.
 - v. Shadday asked about other businesses along the alley, and if the Cassady's have reached out to them.
 - 1. Michael Cassady stated that he has reached out to some adjacent businesses.
 - 2. Galen gave additional feedback regarding from the Buskirk-Chumley Theater.
 - vi. Alexander asked for clarification about alleys that seem to be closed to vehicular traffic.
 - 1. Robling explained that those alleys were designed to prevent vehicular traffic prior to the creation of Title 15.
 - vii. Ryterband asked if alleys that seem to be closed to vehicular traffic have been vacated, and if not should they be included in a Title 15 amendment.

- viii. Knoke asked about how effective the current speed bumps appear to be at slowing cars down.
 - 1. Cassady answered that they had seen some benefits but not to their desired result.
- ix. Knoke asked if other local businesses have had similar complaints about their alleys.
 - 1. Robling responded that this is the first such complaint.
- x. Love asked for clarification on where the restriction would start, and if it would have effects on delivery vehicles.
- xi. Ryterband asked for official positions on alleyways.
- xii. Motion was erroneously identified as failed. The final tally was in favor of the motion with a final vote of 3-2-2.

B. TC-24-04: Advisory Transportation Commission Draft Review – *Ryan Robling, Planning and Transportation Department*

- i. Robling presented.
- ii. Ryterband exited the meeting.
- iii. Shadday asked about the new commission incorporating what is now being reviewed and completed by Parking Commission, and if the new commission could take on that responsibility along with other responsibilities.
 - 1. Robling answered that the current structure of commissions does not lead to a holistic approach to transportation planning and that parking management is a form of transportation management.
- iv. Shadday asked if the work load will result in longer meetings for the new commission.
 - 1. Robling answered that the current structure leads to many meetings being cancelled.
- v. Knoke asked the new commission will have powers and duties that the three existing commissions do not currently have.
 - 1. Robling answered that to start no, the new commission will take on the responsibilities shared by the existing commissions. Additional duties and powers will likely come along as the commission grows.

VIII. Traffic Inquiries

IX. Adjournment

A. 5:43

CITY OF BLOOMINGTON • PARKING COMMISSION

Parking Resolution 24-07

To Endorse the Amendment to Ordinance 2024-27 to Preserve (and Rename) the Parking Commission

- WHEREAS,** the Parking Commission was created in 2016 by a 7-1 vote of the Common Council;
- WHEREAS,** the ordinance creating it was vetoed by the mayor, but overridden by Council 9-0;
- WHEREAS,** the administration has continued to object to the commission ever since by neglecting it, despite its existence being the will of the Council;
- WHEREAS,** examples of this neglect include: leaving all four non-staff mayoral appointments open in 2019, leaving two seats open for more than two years or more, and not making financial resources available to aid the commission in the compilation of its reports;
- WHEREAS,** the Parking Commission has made accomplishments despite that neglect, including the establishment of a comprehensive policy on parking, the authoring of Ordinance 18-11, and detailed reporting of parking-related revenues, expenses, and meter usage;
- WHEREAS,** the Ordinance 2024-27 proposes a new Transportation Commission largely focused on safety, and eliminates the Parking Commission without specific provisions for the new commission to study and deliver analyses of parking finances and data;

RESOLVED that the Parking Commission endorses the following amendment to Ordinance 2024-27, to continue its existence as the renamed Parking Demand Management Commission, and explicitly requests the cooperation of the administration in achieving its long-set objectives.

APPROVED this _____ day of _____, 2024, at a regular meeting of the Bloomington Parking Commission at which two-thirds of the Members were present and voting.

We, the below-signed, do hereby certify that the above is a true and correct copy of the resolution.

X _____
Chair, Parking Commission
Steve Volan

X _____
Secretary, Parking Commission
Eoban Binder

***** Amendment Form *****

Ordinance #: 2024-27
Amendment #: 01
Submitted By: CM X
Date: December 2, 2024

Proposed Amendment: Sections shall be added and numbered appropriately.

A. The ordinance shall be amended as follows:

SECTION 3. Section 2.12.110, entitled "Parking Commission" shall be amended as follows:

~~Delete~~

2.12.110 - Parking Demand Management Commission

(a) Purpose. It shall be the primary purpose of the Parking Demand Management Commission (commission), in coordination with decision-makers and other entities as is necessary or prudent:

- (1) To develop, ~~implement~~, maintain, and promote a comprehensive policy on parking demand management that takes into account the entirety of, and furthers the objectives of, the city's comprehensive plan; and
- (2) ~~To coordinate parking activities, to supervise the preparation and publication of parking reports, to receive comments and concerns having to do with parking matters, and to recommend to the common council and to appropriate city officials ways and means for achieving the city's comprehensive plan objectives through the administration of parking policies and the enforcement of parking regulations.~~
- (2) To recommend to the common council and appropriate city officials ways and means for implementing that comprehensive policy.
- (3) To focus on the economics of parking, and defer to the Advisory Transportation Commission on all questions of transportation safety and sustainability, including any proposed addition or removal of on-street parking in service of those goals.

(b) Composition—Appointments. The ~~parking~~ commission shall be composed of nine voting members. These voting members shall be composed of four members

appointed by the mayor, four members appointed by the common council, and one member designated by the Advisory Transportation Commission. ~~Each appointing authority may also appoint a standing alternate for each of its appointees and such alternate may participate with the commission at any meeting where the regular member is disqualified or is otherwise unable to participate. All alternate members appointed hereunder shall meet all qualification requirements of the regular member for whom they serve as alternate.~~

(c) Qualifications of Voting Membership.

- (1) One member appointed by the mayor and one member appointed by the Common Council shall be a merchant owning and operating a business located at an address within the city limits, with preference given to a merchant located within the parking meter zone;
- (2) One member appointed by the common council shall be from among its membership;
- (3) One member appointed by the Advisory Transportation Commission shall be a member of that body;
- (4) All members shall be residents living within the city limits.

(d) Terms. The initial terms of three mayoral and two council citizen appointments shall expire on January 31, 2018. The terms of the remaining initial citizen appointments shall expire on January 31, 2019. Thereafter, all terms of citizen appointments shall be for two years and expire on January 31.

(e) Powers and Duties. The commission shall meet at least one time each month, unless it votes to cancel the meeting or is otherwise unable to meet. Its powers and duties shall include, but are not limited to:

- (1) Accessing all data regarding the city's parking inventory, including usage, capital and operating costs, so long as the data is released in a manner consistent with exemptions from disclosure of public records set forth in IC 5-14-3-4;
- (2) Reviewing the performance of all meters, lots, garages, and neighborhood zones in the city's parking inventory, and reviewing the performance of all divisions of city departments devoted specifically to parking management;
 - (1) Supervising the preparation and publication of parking reports in collaboration with city staff, city vendors, and/or contracted third-party consultants, including all data analytics reasonably necessary to achieve the commission's purpose and duties;
 - (2) Supervising and collaborating with city staff and relevant third parties in the execution of parking related studies, including but not limited to pricing studies, asset conditions assessments, and
 - (3) Making recommendations on parking policy, including but not limited to: pricing, hours of operation, ~~addition or removal of parking spaces,~~ and

changes when necessary to city code, enforcement procedures, or any other aspect of parking management policy;

- (4) Submitting an annual report of its activities and programs to the mayor and council;
- (5) Adopting rules and regulations for the conduct of its business; and
- (6) Applying for appropriations through the mayor, communicating the need for appropriations to the common council, or researching and applying for grants, gifts, or other funds from public or private agencies, for the purpose of carrying out any of the provisions of this section.

(f) Staff. The commission shall be staffed by the planning and transportation department.

Synopsis

This amendment, sponsored by CM XXXXX, amends Ordinance 2024-27 to retain the Parking Commission and make changes to existing code that improve its function. The amendment renames it the Parking Demand Management (PDM) Commission, reflecting its focus on the economics of parking; adds a clause to its Purpose deferring questions of safety from the PDMC to the new Advisory Transportation Commission (ATC) to emphasize that parking concerns are subordinate to safety concerns; converts one mayoral appointee to be a designee of the ATC; and moves oversight of the PDMC to the Economic & Sustainable Development department.

#

DRAFT ONE — 2024.12.01

DRAFT TWO — 2024.12.05

12/19/24 Commission Action:

(December 1, 2024)



MEMO FROM COUNCIL OFFICE:

To: Members of the Common Council

From: Lisa Lehner, Council Administrator/Attorney

Date: January 16, 2025

Re: Appropriation Ordinance 2025-01 - To Additionally Appropriate From the General Fund for the Downtown Outreach Grant Program

Synopses

Appropriation Ordinance 2025-01: This appropriation ordinance funds the Downtown Outreach Grant program in the General Fund, Community and Family Resources Department for the year 2025 for \$250,000.

Relevant Materials

- Appropriation Ordinance 2025-01
- Staff Memo from Controller Jessica McClellan

Summary

[Indiana Code 36-4-7-8](#) provides that the legislative body may, on the recommendation of the city executive, make further or additional appropriations by ordinance, as long as the result does not increase the City's tax levy that was set as part of the annual budgeting process. The additional appropriations requested by Appropriation Ordinance 2025-01 should not result in such an increase to the City's tax levy.

[Indiana Code 6-1.1-17-3](#) requires a public hearing to be held before additional appropriations can be made, with a notice to taxpayers sent out at least ten (10) days before the public hearing. The public hearing for this appropriation ordinance is set for the Regular Session on February 5, 2025.

Contacts

Jessica McClellan, Controller, 812-349-3412, jessica.mcclellan@bloomington.in.gov

APPROPRIATION ORDINANCE 2025-01

TO ADDITIONALLY APPROPRIATE FROM THE GENERAL FUND
FOR THE DOWNTOWN OUTREACH GRANT PROGRAM

WHEREAS, in 2024, the City Council appropriated \$250,000 from the Parking Meter Fund for the Downtown Outreach Grant Program administered by the Community and Family Resources Department and

WHEREAS, in 2024, the Downtown Outreach Grant Program supported the work of these Bloomington and Monroe County service agencies: Amethyst House, INC; Beacon, INC; Centerstone of Indiana, INC; Community Kitchen of Monroe County, INC; Courage to Change Sober Living, INC; Hotels for Hope, INC; Monroe County Humane Association, INC; New Hope Family Shelter, INC; New Leaf/New Life, INC; Sojourn House, INC; and Wheeler Mission Ministries, INC; and

WHEREAS, the City wishes to continue the Downtown Outreach Program in 2025, and presented a 2025 budget for the program in the Parking Meter Fund during the August 2024 budget hearings. City Ordinance 13-13 establishes the Parking Meter Fund and the allowable uses of that fund. Appropriations to support local public service non-profit agencies are not an allowable expense in Ordinance 13-13.

WHEREAS, the City looked into using the Opioid Settlement Unrestricted Fund, but the current balance is insufficient to support the program. The City also considered the Opioid Settlement Restricted Fund; however, the restrictions on opioid abatement outlined by the Indiana Attorney General's Office are narrow. The City needs to develop an application process for the Restricted Fund to ensure that applicants meet the necessary eligibility criteria for funding.

WHEREAS, the City desires to appropriate funding from allowable sources, such as the General Fund, to continue the support to local non-profit organizations that support our residents in the community.

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

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

GENERAL FUND – Community and Family Resources 1101-09

Classification - 3 Services \$250,000

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

Hopi Stosberg, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk

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

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED AND APPROVED by me this _____ day of January, 2025.

Kerry Thomson, Mayor
City of Bloomington

SYNOPSIS

This appropriation ordinance funds the Downtown Outreach Grant program in the General Fund, Community and Family Resources Department for the year 2025 for \$250,000.



TO: City Council members
FROM: Controller Jessica McClellan,
CC: Mayor Kerry Thomson, Deputy Mayor Gretchen Knapp, Community and Family
Resources Director Shatoyia Moss, and Council Administrator Lisa Lehner
DATE: January 13, 2025
SUBJECT: 2025 Downtown Outreach Grant Additional Appropriation

Ordinance 2025-01 additionally appropriates a budget in the General Fund for the Downtown Outreach Grant program. The department is Community and Family Resources Department. The fund number is 1101. The amount is \$250,000.

Since 2018, the City has administered the Downtown Outreach grant program. The grant application states: The City of Bloomington Downtown Outreach (DTO) grants are enabled by City of Bloomington taxpayer dollars and strive to fund projects that will improve the human condition of Bloomington residents who are unhoused or who are at risk of homelessness. The City's Community and Family Resources Department is responsible for the distribution and administration of this grant.

In 2024, the Downtown Outreach Grant Program supported the work of these Bloomington and Monroe County service agencies: Amethyst House, Beacon, Centerstone of Indiana, Community Kitchen of Monroe County, Courage to Change Sober Living, Hotels for Hope, Monroe County Humane Association, New Hope Family Shelter, New Leaf/New Life, Sojourn House, and Wheeler Mission Ministries, INC.

Since its inception in 2018, the Downtown Outreach Grant total funding has been \$250,000. The funding source was the Parking Meter Fund. The grant program is not an eligible expense in the Parking Meter Fund. The City wishes to continue the program in the General Fund.

Your approval of Ordinance 2025-01 is requested. Please feel free to contact me if you have any questions.



MEMO FROM COUNCIL OFFICE ON:

To: Members of Common Council

From: Lisa Lehner, Council Administrator/Attorney

Date: January 3, 2025

Re: Ordinance 25-01 – To Amend the District Ordinance and Preliminary Plan of A 3.2 Acre Planned Unit Development (PUD), The Curry PUD, In Order to Amend the Workforce Housing Contribution. – Re: 105 S. Pete Ellis Drive (SPCW Bloomington JV, LLC, Petitioner)

Synopsis

Ordinance 25-01 would amend the District Ordinance and Preliminary Plan for the Curry PUD to allow the workforce housing commitment to be met through a payment to the Housing Development Fund, instead of through the inclusion of workforce housing units on-site.

Relevant Materials

- Ordinance 2025-01, which incorporates Attachment A by reference
- Certification of Ordinance 2025-01 by Plan Commission
- Staff Memo from Jacqueline Scanlan
- [*New material*] Proposed amendment and reasonable condition

Background

This property was rezoned from Commercial Limited (CL) to Planned Unit Development (PUD) on February 5, 2020 by Ordinance 20-01 (background materials for this legislation can be found in the [January 8, 2020 Legislative Packet](#)), which ordinance codified the PUD under the Unified Development Ordinance in effect at that time (the “2019 UDO”). The Preliminary Plan documents included Workforce Housing to comprise 15% of the unit bedroom count, which was similar to the Affordable Housing Incentives percentage later added by Ordinance 20-06.

In June of 2022, the UDO was amended to make the payment-in-lieu option of [Bloomington Municipal Code Title 20.04](#) more viable. The Petitioner is requesting to amend the existing PUD District Ordinance and Preliminary Plan in order to modify the Affordable Housing commitment within the PUD by allowing a payment-in-lieu of on-site workforce housing units. The Petitioner proposes to contribute \$20,000 per bedroom for 15 percent of the bedrooms in the development, for a total of \$1,040,000 to be paid to the City’s Housing Development Fund.

In accordance with [Section 20.01.040 of the current UDO \(Transition from Prior Regulations\)](#), this petition will be reviewed under the 2019 UDO, which was in place when the PUD was approved in 2020.¹

¹ A copy of the 2019 UDO can be found at <https://bloomington.in.gov/sites/default/files/2019-09/UDO%20%282019%29.pdf>



Council's Review and Consideration

The Council's review of a PUD proposal is guided by state statute and local code. The Council has wide discretion but must have a rational basis for its decision. Within ninety (90) days after such a proposal is certified to the Council by the Plan Commission, the Council may adopt or reject the proposal pursuant to [IC 36-7-4-607](#) and may also exercise powers set forth under Indiana Code [36-7-4-1500](#) et seq. Pursuant to [Section 36-7-4-1512](#), those powers include:

- imposing reasonable conditions;
- conditioning the issuance of a certificate of zoning compliance on the furnishing of a bond or certain guarantees; and
- allowing or requiring the owner of real property to make written commitments.

If the Council fails to act on the proposal within 90 days after certification, the ordinance would take effect as if it had been adopted as certified by the Plan Commission.²

In consideration of [Ordinance 2025-01](#), Indiana Code directs that Council shall pay reasonable regard to the following³:

- the [comprehensive plan](#);
- current conditions and the character of current structures and uses in each district;
- the most desirable use for which the land in each district is adapted;
- the conservation of property values throughout the jurisdiction; and
- responsible development and growth.

It is not necessary that Council find absolute conformity with each of the factors outlined above. Rather, the Council is to take into consideration the entire constellation of criteria, balancing the statutory factors.

Further, the Council will review [Ordinance 2025-01](#) under [the 2019 UDO](#)⁴ and will consider the following factors per [2019 BMC 20.04.080\(h\)](#):

- The extent to which the PUD meets the requirements, standards, and stated purpose of Chapter 20.04, *Planned Unit Development Districts*.
- The extent to which the proposed preliminary plan departs from the UDO provision otherwise applicable to the property (including but not limited to, the density, dimension, bulk, use, required improvements, and construction and design standards and the reasons why such departures are or are not deemed to be in the public interest).
- The extent to which the PUD meets the purpose of the UDO, the Comprehensive Plan and other adopted planning policy documents.

² [IC 36-7-4-607](#)

³ [IC 36-7-4-603](#)

⁴ [2019 BMC 20.04.080\(j\)\(1\)](#)



City of Bloomington Indiana

City Hall | 401 N. Morton St. | Post Office Box 100 | Bloomington, Indiana 47402

Office of the Common Council | (812) 349-3409 | Fax: (812) 349-3570 | email: council@bloomington.in.gov

- The physical design of the PUD and the extent to which it: makes adequate provision for public services; provides adequate control over vehicular traffic; provides for and protects designated common open space; and furthers the amenities of light and air, recreation and visual enjoyment.
- Relationship and compatibility of the PUD to adjacent properties and neighborhood, and whether the PUD would substantially interfere with the use or diminish the value of adjacent properties and neighborhoods.
- The desirability of the proposed preliminary plan to the city's physical development, tax base and economic well-being.
- The proposal will not cause undue traffic congestion, and can be adequately served by existing or programmed public facilities and services.
- The proposal preserves significant ecological, natural, historical and architectural resources.
- The proposal will not be injurious to the public health, safety, and general welfare.
- The proposal is an effective and unified treatment of the development possibilities on the PUD site.

Finally, the 2019 BMC provides that permitted uses in a PUD are subject to the discretion and approval of the Plan Commission and the Council.⁵ Permitted uses are determined in consideration of the Growth Policies Plan (now Comprehensive Plan), existing zoning, land uses contiguous to the area being rezoned, and the development standards outlined in the UDO.⁶

Certified by Plan Commission

Ordinance 2025-01 was certified to the Council by the Plan Commission on December 9, 2024 with a favorable recommendation (6-1). The findings of the Plan Commission are outlined in the staff memo, concluding that the project still includes multiple characteristics that support the goals of the Comprehensive Plan. The petition is forwarded to the Council by the Plan Commission with a favorable recommendation and various conditions, which are listed in the staff memo.

Contact

Jacqueline Scanlan, Development Services Manager, scanlanj@bloomington.in.gov, (812) 349-3524

⁵ [2019 BMC 20.04.020\(a\)\(1\)](#)

⁶ [2019 BMC 20.04.020\(a\)\(2\)](#)

ORDINANCE 2025-01

TO AMEND THE DISTRICT ORDINANCE AND PRELIMINARY PLAN OF A 3.2 ACRE PLANNED UNIT DEVELOPMENT (PUD), THE CURRY PUD, IN ORDER TO AMEND THE WORKFORCE HOUSING CONTRIBUTION.

**- Re: 105 S. Pete Ellis Drive
(SPCW Bloomington JV, LLC, Petitioner)**

WHEREAS, Ordinance 20-06, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled, “Unified Development Ordinance”, went into effect on April 18, 2020; and

WHEREAS, Ordinance 20-01, which established the Curry PUD, went into effect on February 10, 2020; and

WHEREAS, the Plan Commission has considered this case, PUD-44-24, and recommended that the petitioner, Curry Urban Properties, be granted an approval to amend the District Ordinance and Preliminary Plan for a Planned Unit Development (PUD) to allow a payment-in-lieu of on-site workforce housing units; and

WHEREAS, the Plan Commission therefore requests that the Common Council consider this petition;

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

SECTION I. Through the authority of IC 36-7-4 and pursuant to Chapter 20.04 of the Bloomington Municipal Code, the zoning of the property located at 105 N. Pete Ellis Drive shall be changed from Commercial Limited (CL) to Planned Unit Development (PUD). The property is further described as follows:

A part of the Southwest Quarter of Section Thirty five (35), Township nine (9) North, Range one (1) West, in Monroe County, Indiana, more particularly described as follows: Lot 8 in the Deckard East Third Street Subdivision as shown on the final plat thereof, recorded in Plat Cabinet C, Envelope 334 in the Office of the Recorder of Monroe County, Indiana. AND ALSO EXCEPTING that part platted as Arlington Park, Phase 1 as per plat thereof, recorded in Plat Cabinet C Envelope 196, in the Office of the Recorder of Monroe County, Indiana.

SECTION II. This District Ordinance and the Preliminary Plan shall be amended with the information attached hereto in the report labeled Attachment A and made a part thereof.

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

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

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

President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk

City of Bloomington

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

NICOLE BOLDEN, Clerk
City of Bloomington

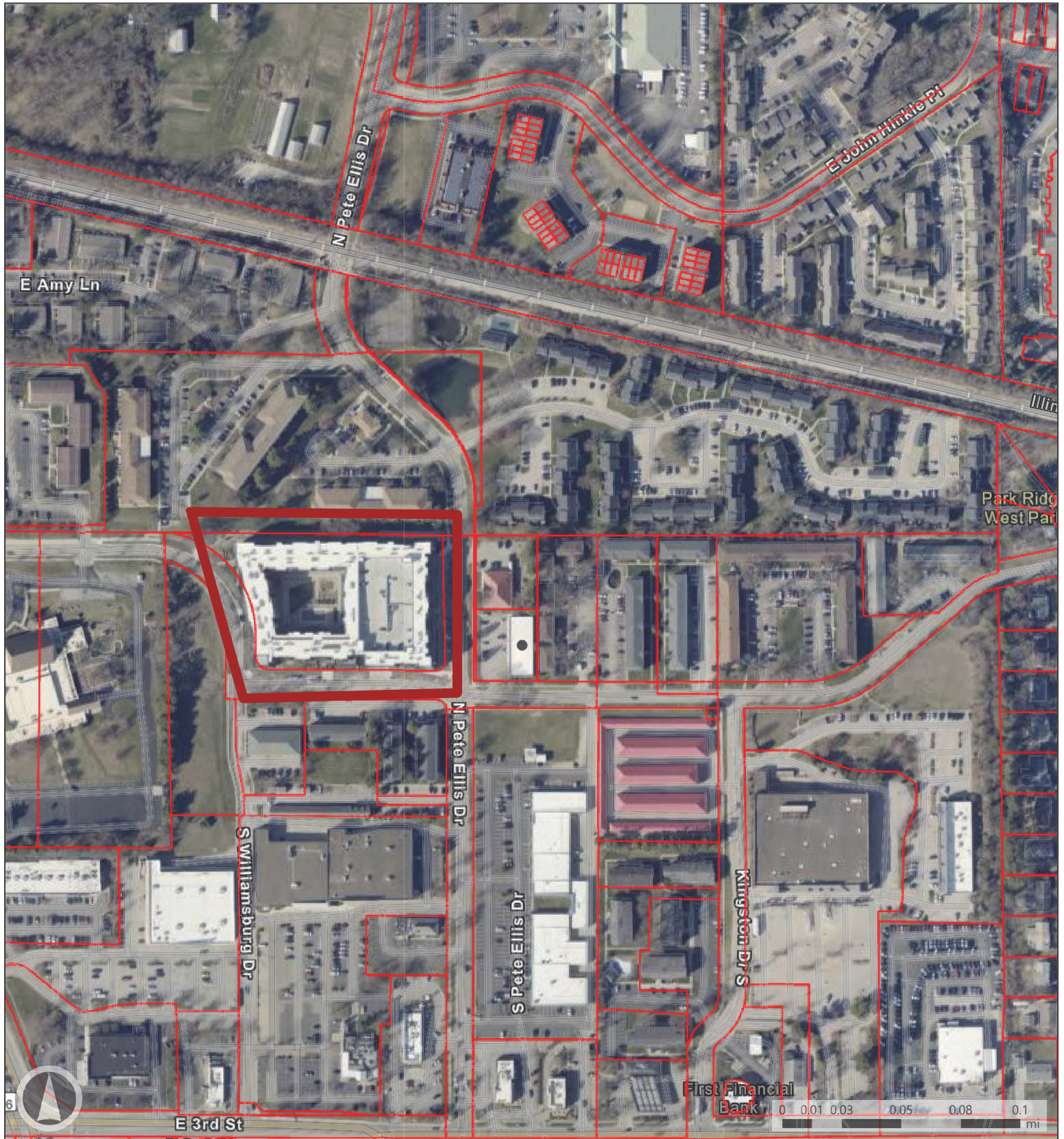
SIGNED and APPROVED by me upon this _____ day of _____, 2025.

KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

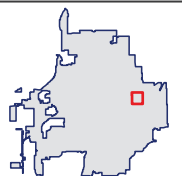
Ordinance 2025-01 would amend the District Ordinance and Preliminary Plan for the Curry PUD to allow the workforce housing commitment to be met through a payment to the Housing Development Fund, instead of through the inclusion of workforce housing units on-site.

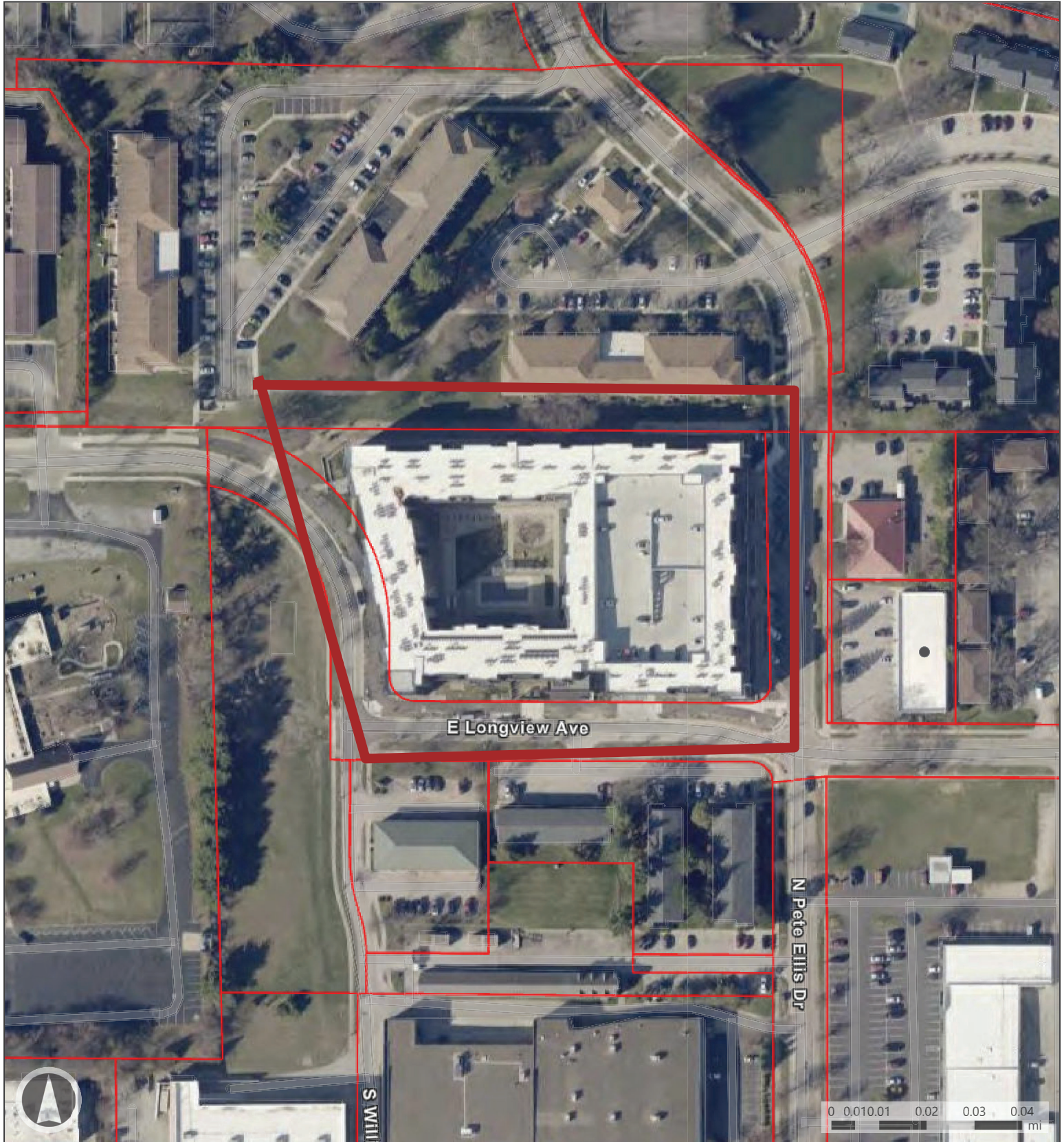
Attachment A



Map Legend

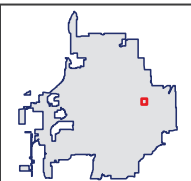
- Parcels
- Bloomington Municipal Boundary





Map Legend

-  Parcels
-  Bloomington Municipal Boundary



8801 River Crossing Blvd, Suite 300
Indianapolis, Indiana 46240
T 317.843.5959
F 317.843.5957

To: City of Bloomington
From: SPCW Bloomington JV, LLC (“SPCW”)
Date: November 4, 2024
RE: Petitioner’s Statement: 121 N Pete Ellise Drive - WFH - Zoning Commitment

Petition: Amend the recorded Zoning Commitment (Instrument Number 2023004318) and relevant and applicable text and obligations in District Ordinance 21-31 and Curry PUD Preliminary Plan.

Petitioner is also requesting a waiver of second hearing.

The Petitioner’s Statement dated 06.04.2021 identified offering 15% of its unit bedrooms to be set aside for workforce housing with the proposed Zoning Commitment attached with the submittal. The Zoning Commitment was recorded on April 27, 2023.

Since opening, and despite its best efforts, SPCW has had difficulty in securing qualifying tenants for the designated units and sees a payment in lieu as an effective way to assist the City’s efforts concerning workforce housing. Further, SPCW and the City of Bloomington Housing and Neighborhood Development and Planning and Transportation Department entered into a Memorandum of Understanding (the “**MOU**”) on October 2, 2024. In the MOU, SPCW and HAND agreed to work together in good faith to pursue a modification to the Zoning Commitment with mutually agreeable terms.

SPCW proposes modifications to District Ordinance 21-31 and Curry PUD Preliminary Plan, by way of the attached PAYMENT IN LIEU AGREEMENT AND TERMINATION OF ZONING COMMITMENT AND WORKFORCE (AFFORDABLE) HOUSING REQUIREMENTS document attached hereto, to terminate and replace the Zoning Commitment, as summarized below:

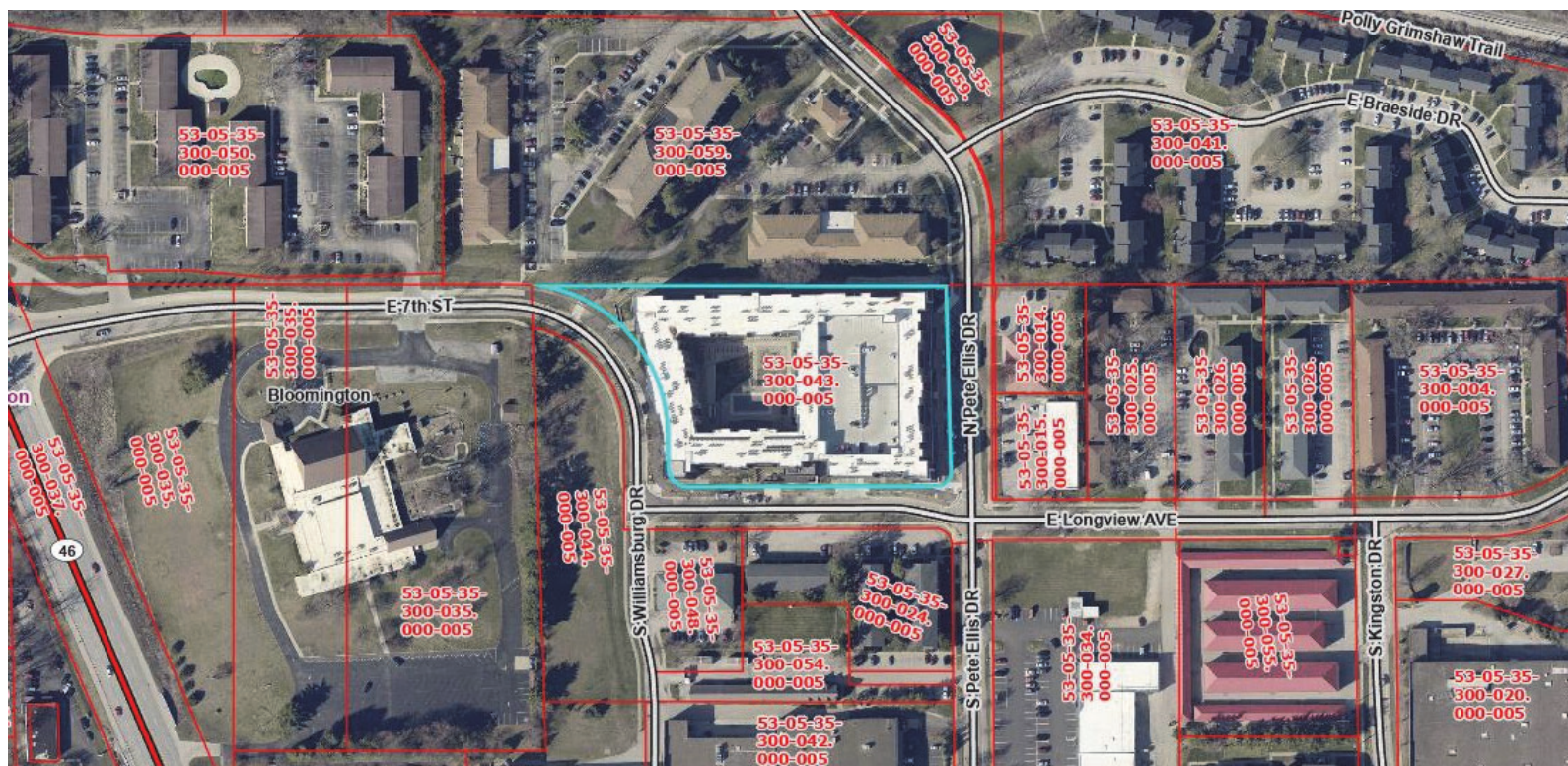
Owner to make a payment to the City in an amount equal to One Million Forty Thousand and No/100 Dollars (\$1,040,000.00) (based on the current UDO fee schedule of \$20,000 per bed applied to the 52 bedrooms currently enrolled in the workforce housing program) to fully satisfy all obligations under the Zoning Commitment and the Workforce Housing Commitment (the “Payment in Lieu”) as allowed for new developments under 20.04.110(c)(7)(A) of the UDO.

We appreciate the City considering our petition to modify to the subject property’s zoning commitment and the opportunity to be a partner in the City’s housing initiatives.

Sincerely,

SPCW Bloomington JV, LLC

Subject Property Aerial



**PAYMENT IN LIEU AGREEMENT AND TERMINATION OF ZONING
COMMITMENT AND WORKFORCE (AFFORDABLE) HOUSING
REQUIREMENTS**

This Payment in Lieu Agreement and Termination of Zoning Commitment and Workforce (Affordable) Housing Requirements (this “**Agreement**”) is made and entered into this ____ of _____, 2024, by Bloomington SPCW JV, LLC, LLC, an Indiana limited liability company (“**Owner**”), having an office at 8801 River Crossing Boulevard, Suite 300, Indianapolis, IN 46240, The City of Bloomington, Indiana (the “**City**”) and The City of Bloomington, Indiana Plan Commission (the “**Commission**”).

RECITALS

A. Owner is the owner of certain real property located at 105 N. Pete Ellis Drive, Bloomington, Indiana, the property is identified by the following Monroe County Parcel Number 53-05-35-300-043.000-005 (“the **Property**”), which is more particularly described as Lot 8 located in Deckard East Third Street Subdivision, Monroe County, Indiana, as recorded in Plat Cabinet C, Envelope 334, in the Office of the Recorder of Monroe County, Indiana.

B. The Property is subject to that certain Zoning Commitment executed by Owner on January 4, 2023, and recorded on April 27, 2023, in the Office of the Recorder of Monroe County, Indiana, as Instrument Number 2023004318 MIS (the “**Zoning Commitment**”).

C. Under the Zoning Commitment, the Owner committed to providing workforce housing at the Property in exchange for receiving additional zoning benefits from the City of Bloomington’s Plan Commission, as permitted under Indiana Code Section 36-1-24.2-4 (the “**Workforce Housing Commitment**”).

D. Questions and concerns have arisen regarding the Zoning Commitment, and the interpretation of the Owner’s ability to qualify certain tenants under the Commitment for Workforce Housing.

E. In furtherance of the City’s efforts to create affordable housing, Owner, the City and the Commission desire for Owner to make a payment to the City in an amount equal to One Million Forty Thousand and No/100 Dollars (\$1,040,000.00) (based on the current UDO fee schedule of \$20,000 per bed applied to the 52 bedrooms currently enrolled in the workforce housing program) to fully satisfy all obligations under the Zoning Commitment and the Workforce Housing Commitment (the “**Payment in Lieu**”).

F. Pursuant to Section 11 of the Zoning Commitment, the Zoning Commitment shall only terminate with the approval from the Commission after notice of hearing has been provided in accordance with the Rules and Procedures of the Commission.

G. Such obligation under Section 11 of the Zoning Commitment was satisfied at the public hearing held by the Commission on _____, 2024, at which time the Commission approved (i) this Agreement, and (ii) accepting the Payment in Lieu in consideration for terminating the Zoning Commitment, the Workforce Housing Commitment and, if applicable,

any and all other workforce/affordable housing requirements pertaining to the Property that were imposed by the City and/or the Commission, as the case may be.

H. Owner, the City and the Commission now desire to terminate the Zoning Commitment and fully release and terminate the Property from Workforce Housing Commitment.

AGREEMENTS

1. Incorporation of Recitals. The Recitals set forth above are hereby incorporated into this Agreement and are hereby made a part hereof, as if fully set forth herein.

2. Payment in Lieu. On or before five (5) days after approval of the City, approval of the Commission and execution and delivery of this Agreement by all parties, Owner shall make the Payment in Lieu to the City.

3. Termination of Zoning Commitment and Workforce Housing Commitment. Upon receipt of the Payment in Lieu, the City, the Commission and Owner hereby agree that the Zoning Commitment, the Workforce Housing Commitment and, if applicable, any and all other workforce/affordable housing requirements pertaining to the Property that were imposed by the City and/or the Commission, as the case may be, shall automatically terminate and be of no further force and effect. In furtherance of the foregoing, upon receipt of the Payment in Lieu by the City, the Property shall be released from the Zoning Commitment in its entirety.

4. Waiver. Subject to Owner making the Payment in Lieu as required herein, Owner, the City and the Commission hereby release and waive any and all actual or alleged claims, actions, causes of action and/or violations in connection with the Zoning Commitment and the Workforce Housing Commitment whether arising prior to or after the date hereof.

5. Governing Law. This Agreement shall be governed and construed in accordance with the laws of the State of Indiana.

6. Counterparts. This Agreement may be executed in any number of identical counterparts any or all of which may contain the signatures of fewer than all of the parties but all of which shall be taken together as a single instrument.

IN WITNESS WHEREOF, Owner, the City and the Commission have caused this Agreement to be executed this ____ day of _____, 2024.

OWNER:

BLOMINGTON SPCW JV, LLC,
An Indiana limited liability company

By: _____
Marc D. Pfleging, Manager

STATE OF INDIANA)
) SS
COUNTY OF MARION)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, this ____ day of _____, 204, personally appeared Marc D. Pfleging, Manager of Bloomington SPCW JV, LLC, an Indiana limited liability company, who acknowledged the execution of the foregoing Payment in Lieu Agreement and Termination of Zoning Commitment and Workforce (Affordable) Housing Requirements to be his voluntary act and deed.

WITNESS my hand and Notarial Seal this this ____ day of _____, 2024.

My commission expires:

Notary Public _____
Resident of _____ County, Indiana

[Signatures continue on following page(s).]

CITY:

THE CITY OF BLOMINGTON, INDIANA

By: _____

Printed: _____

Title: _____

STATE OF INDIANA)
) SS
COUNTY OF MONROE)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, this ____ day of _____, 204, personally appeared _____, the _____ of The City of Bloomington, Indiana, who acknowledged the execution of the foregoing Payment in Lieu Agreement and Termination of Zoning Commitment and Workforce (Affordable) Housing Requirements to be his voluntary act and deed.

WITNESS my hand and Notarial Seal this this ____ day of _____, 2024.

My commission expires:

Notary Public _____
Resident of _____ County, Indiana

[Signatures continue on following page(s).]

COMMISSION:

THE CITY OF BLOOMINGTON, INDIANA PLAN
COMMISSION

By: _____

Printed: _____

Title: _____

STATE OF INDIANA)
) SS
COUNTY OF MONROE)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, this _____ day of _____, 204, personally appeared _____, the _____ of The City of Bloomington, Indiana Plan Commission, who acknowledged the execution of the foregoing Payment in Lieu Agreement and Termination of Zoning Commitment and Workforce (Affordable) Housing Requirements to be his voluntary act and deed.

WITNESS my hand and Notarial Seal this this _____ day of _____, 2024.

My commission expires:

Notary Public _____

Resident of _____ County, Indiana

THIS INSTRUMENT PREPARED BY
AND AFTER RECORDING RETURN TO:

Marc D. Pfleging, General Counsel
Scannell Properties
8801 River Crossing Boulevard, Suite 300
Indianapolis, IN 46240

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. /s/ Marc Pfleging

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 2025-01 is a true and complete copy of Plan Commission Case Number PUD-44-24 which was given a positive recommendation by a vote of 6 Ayes, 1 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on December 9, 2024

Date: December 18, 2024

D-H-
DAVID HITTLE, Secretary
Plan Commission

Received by the Common Council Office this _____ day of _____, 2024.

NICOLE BOLDEN, City Clerk

Appropriation Ordinance #	Fiscal Impact Statement Ordinance #	Resolution #
_____	_____	_____

Type of Legislation:

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

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

Cause of Request:

Planned Expenditure	_____	Emergency	_____
Unforeseen Need	_____	Other	_____

Funds Affected by Request:

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

Signature of Controller

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

Yes _____ No X

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.
This is an amendment to a PUD that allows for a financial contribution from the petitioner to the Housing Development Fund. No commitment is made by the City of Bloomington.

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

Interdepartmental Memo

To: Members of the Common Council
From: Jacqueline Scanlan, AICP Development Services Manager
Subject: PUD-44-22 Amendment to Curry PUD
Date: December 18, 2024

Attached are the staff report, maps, petitioner's statement, and petitioner's exhibits which pertain to Plan Commission case PUD-44-24. The Plan Commission heard this petition at the December 9, 2024 hearing and voted 6-1 to send this petition to the Common Council with a positive recommendation.

The amended Plan Commission report for that hearing is below. Recommended Conditions were amended at the hearing.

REQUEST: The petitioner is requesting to amend the Planned Unit Development (PUD) District Ordinance and Preliminary Plan in order to modify the Affordable Housing commitment. And requesting a waiver of second hearing.

BACKGROUND:

Area:	3.2 acres
Current Zoning:	Planned Unit Development
GPP Designation:	Regional Activity Center / edge of Focus Area
Existing Land Use:	Dwelling, Multi-Family / Commercial / Business/Professional Office
Surrounding Uses:	North – Dwelling, Multi-Family West – Vacant / Place of Worship East – Commercial South – Dwelling, Multi-Family

REPORT: The property is located at the northwest corner of E. Longview Avenue and S. Pete Ellis Drive and is zoned Planned Unit Development (PUD). The property was rezoned to PUD in 2020 in case PUD-34-19. The 3.2 acre property is currently operating as Relato, a multi-family residential development with public spaces for commercial and office use on the first floor facing Pete Ellis Drive. Surrounding zoning includes Residential High-Density Multifamily (RH) to the north, Mixed-Use Corridor (MC) and Mixed-Use Neighborhood Scale (MN) to the south, and Mixed-Use Neighborhood Scale (MN) to the east and west. The surrounding properties have been developed with a mix of high density multi-family residences and commercial tenant spaces with the St. Mark United Methodist Church just to the west of the site.

The petitioner is requesting to amend the existing PUD in order to alter the codified affordable housing commitment within the PUD and a related Zoning Commitment.

The petitioner contends that they have had difficulty marketing and filling the workforce housing units in the development. The original petition for rezoning to a PUD was filed in 2019, before the large overhaul of the Unified Development Ordinance (UDO). At that time, the petitioner worked with the Housing and Neighborhood Development (HAND) Department to craft an agreement for Workforce Housing that would be similar to the anticipated UDO updates that were subsequently adopted in April 2020. Ordinance 20-01 was signed by the Mayor on February 10, 2020, which

codified the creation of the PUD. In the approved PUD District Ordinance and Preliminary Plan documents, the petitioner proposed “Workforce housing to comprise 15% of unit bedroom count” in a commitment created with HAND, which was similar to the Affordable Housing Incentives percentage expected in the April 2020 UDO. The petitioner subsequently amended the PUD with Ordinance 21-31, but did not alter the Workforce Housing agreement. In June 2022, the UDO was amended to make the payment-in-lieu option of the Incentives section in Chapter 20.04 more viable.

The petitioner is proposing to contribute \$20,000 per bedroom for 15 percent of the bedrooms in the development, which amounts to 52 bedrooms, for a total of \$1,040,000 to be paid to the City’s Housing Development Fund. This figure is in line with the current calculation in the Administrative Manual that is used with the Affordable Housing incentives in Chapter 20.04 of the UDO. The petitioner has discussed this request extensively with HAND and has that Department’s full support for this request.

The PUD still contains a 4-story, mixed-use building. The building includes 14,000 square feet of commercial space, a total of 233 units and 341 beds in the multifamily portion. The building contains a structured parking garage accessed from Longview Drive with 254 parking spaces.

COMPREHENSIVE PLAN: This property is designated as *Regional Activity Center* in the southeast corner of the *Regional Academic Health Center Focus Area*. The Comprehensive Plan notes the following about the intent of the *Regional Activity Center* area:

- ...district is a large commercial area that provides high intensity retail activity
- Regional Activity Centers contain higher intensity uses such as national retailers, offices, food services, lodging, and entertainment.
- The district may also incorporate medium- to high-density multifamily residential uses.
- The main purpose of the district is to provide semi-urban activity centers that complement, rather than compete with, the Downtown district.
- The district is expected to change with increasing activity through infill and redevelopment.
- Incorporating multifamily residential within the district is supported.
- Changing the context of the district towards mixed use is a significant change.
- Less intense commercial uses should be developed adjacent to residential areas to buffer the impacts of such development. Multifamily residential and office uses could likewise serve as transitional elements.
- Redevelopment within the district should be encouraged to grow vertically, with the possibility of two- or three-story buildings to accommodate denser office development, residential multifamily, structures parking, and improved multimodal connectivity.

The Comprehensive Plan notes the following about the *Regional Academic Health Center Focus Area*:

- The relocation of the hospital onto the Indiana University campus will allow for the hospital to grow and meet the needs of the region. However, there are many ancillary support services, businesses, and medical offices that also may relocate near the hospital.

The proposed amendment does not change the aspects of the project that support the Comprehensive Plan, including adding mixed use with office and multifamily residential to a

portion of the Regional Activity Center that is not on the main commercial thoroughfare.

PRELIMINARY PLAN:

Housing Diversity: The petitioner has an existing Housing Zoning Commitment with the Housing and Neighborhood Development Department, but is proposing to change that Commitment in the manner described at the beginning of this report. The change would remove the requirement for units on-site and replace it with a payment-in-lieu equivalent to \$20,000 a bedroom for 15 percent of the bedrooms in the development. The petitioner has had extensive conversations with the Housing and Neighborhood Development Department and that Department is supportive of this change.

20.04.080(h) Planned Unit Development Considerations

The UDO outlines that in their consideration of a PUD District Ordinance and Preliminary Plan, the Plan Commission and Common Council shall consider as many of the following as may be relevant to the specific proposal. The following list shall not be construed as providing a prioritization of the items on the list. Each item shall be considered individually as it applies to the specific Planning Unit Development proposal.

- (1) The extent to which the proposed Preliminary Plan meets the requirements, standards, and stated purpose of Chapter 20.04: Planned Unit Development Districts.

Section 20.04.010 of the UDO, states that the purpose of the planned unit development (PUD) is to encourage flexibility in the development of land in order to promote its most appropriate use; to improve the design, character and quality of new developments; to encourage a harmonious and appropriate mixture of uses; to facilitate the adequate and economic provision of streets, utilities, and city services; to preserve the natural, environmental and scenic features of the site; to encourage and provide a mechanism for arranging improvements on sites so as to preserve desirable features; and to mitigate the problems which may be presented by specific site conditions. It is anticipated that planned unit developments will offer one or more of the following advantages:

- (a) Implement the guiding principles and land use policies of the Comprehensive Plan; specifically reflect the policies of the Comprehensive Plan specific to the neighborhood in which the planned unit development is to be located;
- (b) Buffer land uses proposed for the PUD so as to minimize any adverse impact which new development may have on surrounding properties; additionally provide buffers and transitions of density within the PUD itself to distinguish between different land use areas;
- (c) Enhance the appearance of neighborhoods by conserving areas of natural beauty, and natural green spaces;
- (d) Counteract urban monotony and congestion on streets;
- (e) Promote architecture that is compatible with the surroundings;
- (f) Promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area; and
- (g) Provide a public benefit that would not occur without deviation from the standards of the Unified Development Ordinance.

PROPOSED FINDINGS: The requested amendment does not alter those aspects of the PUD that address the items listed above. The project provides housing and commercial space in the area near the Regional Health Campus.

- (2) The extent to which the proposed Preliminary Plan departs from the Unified Development Ordinance provisions otherwise applicable to the subject property, including but not limited to, the density, dimension, bulk, use, required improvements, and construction and design standards and the reasons why such departures are or are not deemed to be in the public interest.

PROPOSED FINDINGS: The proposed amendment is compliant with the UDO's current allowance of utilization of the Affordable Housing incentives, and proposes no changes to any departures that were previously approved in this PUD.

- (3) The extent to which the Planned Unit Development meets the purposes of this Unified Development Ordinance, the Comprehensive Plan, and any other adopted planning objectives of the City. Any specific benefits shall be specifically cited.

PROPOSED FINDINGS: The petition does further some of the goals of the UDO and the Comprehensive Plan, including contributing to a need for housing across multiple areas of the economic spectrum, from a financial contribution and agreement to address workforce housing to small-unit market rate. Altering the contribution from on-site units to a payment to the City's Housing Development Fund may allow for units to be provided in the City at a lower income level than the current agreement allows.

- (4) The physical design of the Planned Unit Development and the extent to which it:
- a. Makes adequate provision for public services;
 - b. Provides adequate control over vehicular traffic;
 - c. Provides for and protects designated common open space; and
 - d. Furthers the amenities of light and air, recreation and visual enjoyment.

PROPOSED FINDINGS: The proposed amendment does not change anything about the physical design of the building in the PUD.

- (5) The relationship and compatibility of the proposed Preliminary Plan to the adjacent properties and neighborhood, and whether the proposed Preliminary Plan would substantially interfere with the use or diminish the value of adjacent properties and neighborhoods.

PROPOSED FINDINGS: The proposed amendment does not change anything about the physical design of the building in the PUD.

- (6) The desirability of the proposed Preliminary Plan to the City's physical development, tax base and economic well-being.

PROPOSED FINDINGS: The proposed amendment does not alter the benefits that the petition provides including residential units as well as 14,000 square feet of supportive office space near the new hospital location, both benefits to the tax base.

- (7) The proposal will not cause undue traffic congestion, and can be adequately served by existing or programmed public facilities and services.

PROPOSED FINDINGS: The proposed amendment does not change anything about the physical design of the building or traffic impacts of the PUD.

- (8) The proposal preserves significant ecological, natural, historical and architectural resources.

PROPOSED FINDINGS: There are no known significant ecological, natural, historical or architectural resources on this site.

- (9) The proposal will not be injurious to the public health, safety, and general welfare.

PROPOSED FINDINGS: The proposed amendment will not be injurious to the public health, safety, and general welfare of the community, and in fact, may create opportunity for more successful and impactful workforce an affordable housing in the community.

- (10) The proposal is an effective and unified treatment of the development possibilities on the PUD site.

PROPOSED FINDINGS: The proposed amendment does not affect the development possibilities of the existing built PUD, only allows for 52 bedrooms to be leased at market rate on the site.

CONCLUSION: The proposed PUD amendment allows for the petitioner to contribute an amount established by the Administrative Manual to the Housing Development Fund, in lieu of providing 52 units on-site. The contribution to the Housing Development Fund can be targeted at specific housing needs. The project still includes multiple characteristics that support the goals of the Comprehensive Plan. The Comprehensive Plan clearly encourages incorporating diverse housing types within the City and this site provides small units near the Regional Health Campus, along with sustainable building practices.

RECOMMENDATION: The Plan Commission waived the second hearing and forwarded this petition, PUD-44-24, to the Common Council with a positive recommendation with the following conditions:

1. PUD Final Plan approval is delegated to the Planning and Transportation Department staff, if needed.
2. The petitioner will record the proposed payment-in-lieu Zoning Commitment approved by the Housing and Neighborhood Development Department within four weeks of approval of the PUD Amendment.
3. The petitioner will honor the existing leases of the 25 units that currently exist from the workforce housing commitment, and the petitioner will renew those leases upon request by those specific tenants, as long as they continue to qualify.

***** Amendment Form *****

Ordinance #: 2025-01
Amendment #: Am 01
Submitted By: Cm. Piedmont-Smith
Date: January 17, 2025

Proposed Amendment:

Ordinance 2025-01 and its Attachment A shall be amended by adding the revised Payment in Lieu Agreement and Termination Agreement attached hereto as intended to be signed by the Petitioner.

Synopsis

This amendment would amend Ordinance 2025-01 by incorporating a revised Payment In Lieu Agreement to be signed by Petitioner for the purpose of requiring Petitioner to sign a new Zoning Commitment and of committing the Petitioner to honor the renewal of existing leases under the terms and conditions stated in the revised Payment In Lieu Agreement. This revised version of the Payment in Lieu Agreement is intended to be signed by Petitioner instead of the version attached to the Certification from the Plan Commission.

01/22/25 Regular Session Action: Pending

**PAYMENT IN LIEU AGREEMENT AND TERMINATION OF ZONING
COMMITMENT AND WORKFORCE (AFFORDABLE) HOUSING
REQUIREMENTS**

This Payment in Lieu Agreement and Termination of Zoning Commitment and Workforce (Affordable) Housing Requirements (this “**Agreement**”) is made and entered into this ____ of _____, 2025, by Bloomington SPCW JV, LLC, LLC, an Indiana limited liability company (“**Owner**”), having an office at 8801 River Crossing Boulevard, Suite 300, Indianapolis, IN 46240, The City of Bloomington, Indiana (the “**City**”) and The City of Bloomington, Indiana Plan Commission (the “**Commission**”).

RECITALS

A. Owner is the owner of certain real property located at 105 N. Pete Ellis Drive, Bloomington, Indiana, the property is identified by the following Monroe County Parcel Number 53-05-35-300-043.000-005 (“the **Property**”), which is more particularly described as Lot 8 located in Deckard East Third Street Subdivision, Monroe County, Indiana, as recorded in Plat Cabinet C, Envelope 334, in the Office of the Recorder of Monroe County, Indiana.

B. The Property is subject to that certain Zoning Commitment executed by Owner on January 4, 2023, and recorded on April 27, 2023, in the Office of the Recorder of Monroe County, Indiana, as Instrument Number 2023004318 MIS (the “**Zoning Commitment**”).

C. Under the Zoning Commitment, the Owner committed to providing workforce housing at the Property in exchange for receiving additional zoning benefits from the City of Bloomington’s Plan Commission, as permitted under Indiana Code Section 36-1-24.2-4 (the “**Workforce Housing Commitment**”).

D. Questions and concerns have arisen regarding the Zoning Commitment, the Workforce Housing Commitment and Owner’s ability to qualify tenants under the same.

E. In furtherance of the City's efforts to create affordable housing, Owner, the City and the Commission desire for Owner to make a payment to the City in an amount equal to One Million Forty Thousand and No/100 Dollars (\$1,040,000.00) (based on the current UDO fee schedule of \$20,000 per bed applied to the 52 bedrooms currently enrolled in the workforce housing program) to fully satisfy all obligations under the Zoning Commitment and the Workforce Housing Commitment (the "**Payment in Lieu**").

F. Pursuant to Section 11 of the Zoning Commitment, the Zoning Commitment shall only terminate with the approval from the Commission after notice of hearing has been provided in accordance with the Rules and Procedures of the Commission.

G. Such obligation under Section 11 of the Zoning Commitment was satisfied at the public hearing held by the Commission on December 9, 2024, at which time the Commission approved (i) this Agreement, and (ii) accepting the Payment in Lieu in consideration for terminating the Zoning Commitment, the Workforce Housing Commitment and, if applicable, any and all other workforce/affordable housing requirements pertaining to the Property that were imposed by the City and/or the Commission, as the case may be.

H. Owner, the City and the Commission now desire to terminate the Zoning Commitment and fully release and terminate the Property from Workforce Housing Commitment.

AGREEMENTS

1. Incorporation of Recitals. The Recitals set forth above are hereby incorporated into this Agreement and are hereby made a part hereof, as if fully set forth herein.

2. Payment in Lieu. On or before five (5) days after approval of the City, approval of the Commission and execution and delivery of this Agreement by all parties, Owner shall make the Payment in Lieu to the City.

3. Termination of Zoning Commitment and Workforce Housing Commitment. Upon receipt of the Payment in Lieu, the City, the Commission and Owner hereby agree that the Zoning Commitment, the Workforce Housing Commitment and, if applicable, any and all other workforce/affordable housing requirements pertaining to the Property that were imposed by the City and/or the Commission, as the case may be, shall automatically terminate and be of no further force and effect. In furtherance of the foregoing, upon receipt of the Payment in Lieu by the City, the Property shall be released from the Zoning Commitment in its entirety.

4. Execution of Payment-In-Lieu Zoning Commitment. Pursuant to Plan Commission case PUD-44-24, Owner will record the Payment-In-Lieu Zoning Commitment approved by the Housing and Neighborhood Development Department within four weeks of approval of the PUD Amendment. Said approval date will be set by the date of final approval of corresponding Ordinance 2025-01.

5. Waiver. Subject to Owner making the Payment in Lieu as required herein, Owner, the City and the Commission hereby release and waive any and all actual or alleged claims, actions,

causes of action and/or violations in connection with the Zoning Commitment and the Workforce Housing Commitment whether arising prior to or after the date hereof.

6. Existing Workforce Housing Tenants. Notwithstanding Sections 2-5 hereof, all existing leases at the Property of, at a minimum, the twenty-five (25) workforce housing units that existed at the time of the Plan Commission meeting, shall remain in full force and effect with the applicable tenant thereunder (herein a “**Workforce Housing Tenant**”). Provided that the Workforce Housing Tenant is not in breach or default thereunder, Owner shall (i) honor all current leases of the workforce housing units for the remainder of their respective lease terms, and (ii) allow such Workforce Housing Tenants to renew their leases, if requested by such Workforce Housing Tenant(s), at the then applicable workforce housing rates, conditioned upon such Workforce Housing Tenant meeting the workforce housing qualifications as of the date of renewal. Within 45 days of execution of the Agreement, the Owner shall notify the Workforce Housing Tenants in writing by certified mail of their right to renew their leases at the then applicable workforce housing rates, for as long as such Workforce Housing Tenant continues to meet the workforce housing qualifications as established in coordination with Bloomington’s Housing and Neighborhood Development Policies. The Owner shall continue to comply with reporting and monitoring to the City until such time that the Owner no longer has Workforce Housing Tenants.

7. Governing Law. This Agreement shall be governed and construed in accordance with the laws of the State of Indiana.

8. Counterparts. This Agreement may be executed in any number of identical counterparts any or all of which may contain the signatures of fewer than all of the parties but all of which shall be taken together as a single instrument.

IN WITNESS WHEREOF, Owner, the City and the Commission have caused this Agreement to be executed this ____ day of _____, 2025.

OWNER:

BLOMINGTON SPCW JV, LLC,
An Indiana limited liability company

By: _____
Marc D. Pfleging, Manager

STATE OF INDIANA)
) SS
COUNTY OF MARION)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, this ____ day of _____, 2025, personally appeared Marc D. Pfleging, Manager of Bloomington SPCW JV, LLC, an Indiana limited liability company, who acknowledged the execution of the foregoing Payment in Lieu Agreement and Termination of Zoning Commitment and Workforce (Affordable) Housing Requirements to be his voluntary act and deed.

WITNESS my hand and Notarial Seal this this ____ day of _____, 2025.

My commission expires:

Notary Public _____

Resident of _____ County, Indiana

[Signatures continue on following page(s).]

CITY:

THE CITY OF BLOMINGTON, INDIANA

By: _____

Printed: _____

Title: _____

STATE OF INDIANA)
) SS
COUNTY OF MONROE)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, this ____ day of _____, 204, personally appeared _____, the _____ of The City of Bloomington, Indiana, who acknowledged the execution of the foregoing Payment in Lieu Agreement and Termination of Zoning Commitment and Workforce (Affordable) Housing Requirements to be his voluntary act and deed.

WITNESS my hand and Notarial Seal this this ____ day of _____, 2025.

My commission expires:

Notary Public _____

Resident of _____ County, Indiana

[Signatures continue on following page(s).]

COMMISSION:

THE CITY OF BLOOMINGTON, INDIANA PLAN
COMMISSION

By: _____

Printed: _____

Title: _____

STATE OF INDIANA)
) SS
COUNTY OF MONROE)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, this _____ day of _____, 204, personally appeared _____, the _____ of The City of Bloomington, Indiana Plan Commission, who acknowledged the execution of the foregoing Payment in Lieu Agreement and Termination of Zoning Commitment and Workforce (Affordable) Housing Requirements to be his voluntary act and deed.

WITNESS my hand and Notarial Seal this this _____ day of _____, 2025.

My commission expires:

Notary Public _____

Resident of _____ County, Indiana

THIS INSTRUMENT PREPARED BY
AND AFTER RECORDING RETURN TO:

Marc D. Pfleging, General Counsel
Scannell Properties
8801 River Crossing Boulevard, Suite 300
Indianapolis, IN 46240

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. /s/ Marc Pfleging

***** Reasonable Conditions Form *****

Ordinance #: 2025-01
Reasonable Condition #: 01
Submitted By: Cm. Piedmont-Smith
Date: January 16, 2025

Proposed Reasonable Condition:

1. That the draft Zoning Commitment shall be executed by the Petitioner in the form attached hereto with a revised date of adoption of Ordinance 2025-01 and recorded as set forth therein.

Synopsis

This Reasonable Condition (01) is sponsored by Cm. Piedmont-Smith and is contemplated by the revised Payment In Lieu Agreement proposed in Amendment-01 to Ordinance 2025-01. Under the terms of the Zoning Commitment, Petitioner commits to renew the existing leases of workforce housing units on the conditions set forth therein.

01/22/25 Regular Session Action: Pending

DRAFT PAYMENT-IN-LIEU ZONING COMMITMENT

- WHEREAS, Indiana Code § 36-1-24.2-4 allows the owner of real property to make a written commitment as part of its request for incentives or grants from a municipality; and
- WHEREAS, Bloomington SPCW JV, LLC (“Owner”), is the owner of the property located at 105 N. Pete Ellis Drive, Bloomington, Indiana the property is identified by the following Monroe County Parcel Number 53-05-35-300-043.000-005 (the “Property”); and
- WHEREAS, Owner petitioned the City of Bloomington Plan Commission (the “Commission”) to rezone 3.2 acres from Commercial Limited to a Planned Unit Development (“PUD”) and to approve a preliminary plan and district ordinance; and
- WHEREAS, the Commission recommended approval of Owners’ petition PUD-34-19; and
- WHEREAS, the Common Council of the City of Bloomington approved the PUD through Ordinance 20-01 on February 7, 2020; and
- WHEREAS, the Mayor of the City of Bloomington signed Ordinance 20-01 on February 10, 2020; and
- WHEREAS, Owner pledged its intent to record a Commitment, which was presented for consideration during the Council’s consideration of its petition; and
- WHEREAS, Owner executed said Commitment on January 4, 2023 and recorded it on April 27, 2023, in the Office of the Recorder of Monroe County, Indiana, as Instrument Number 2023004318 MIS; and
- WHEREAS, Questions and concerns arose regarding said Commitment and Owner’s ability to qualify tenants under the same; and
- WHEREAS, In furtherance of the City’s efforts to create affordable housing, Owner and the City desire for Owner to make a payment to the City in an amount equal to One Million Forty Thousand and No/100 Dollars (\$1,040,000.00) (based on the current UDO fee schedule of \$20,000 per bed applied to the 52 bedrooms currently enrolled in the workforce housing program) to fully satisfy all obligations under said Commitment and the Workforce Housing Commitment (the “Payment in Lieu”); and
- WHEREAS, Pursuant to Section 11 of said Commitment, the Commitment shall only terminate with the approval from the Commission after notice of hearing has been provided in accordance with the Rules and Procedures of the Commission; and
- WHEREAS, Owner satisfied such obligation under Section 11 of the Zoning Commitment at the public hearing held for petition PUD-44-24 by the Plan Commission on December 9, 2024; and
- WHEREAS, The Plan Commission recommended approval of amendment to the District Ordinance and Preliminary Plan originally approved with petition PUD-34-19 to allow acceptance of a financial payment in lieu of accepting on-site workforce housing units; and
- WHEREAS, The Plan Commission included three (3) conditions of approval in its recommendation of approval for petition PUD-44-24, two of which are related to workforce housing; and
- WHEREAS, Condition 2 reads: The petitioner will record the proposed Payment-in-lieu Zoning Commitment approved by the Housing and Neighborhood Development Department within four weeks of approval of the PUD Amendment; and

WHEREAS, Condition 3 reads: The petitioner will honor the existing leases of the 25 units that currently exist from the workforce housing commitment, and the petitioner will renew those leases upon request by those specific tenants, as long as they continue to qualify; and

WHEREAS, Owner presented a “Payment In Lieu Agreement and Termination of Zoning Commitment and Workforce (Affordable) Housing Requirements” to the City; and

WHEREAS, Said Agreement outlines the termination of the April 27, 2023 Zoning Commitment, terms for a new payment-in-lieu agreement, terms for the continuation of existing workforce housing leases, and acknowledgement of this Zoning Commitment; and

WHEREAS, The terms agreed upon to satisfy Plan Commission Condition 3 are included in the Commitment below, and

WHEREAS, the Common Council of the City of Bloomington adopted Ordinance 2025-01 on XXXXXX.

NOW THEREFORE, in recognition of its ability to voluntarily provide a written commitment under Indiana Code § 36-1-24.2-4, the Owner hereby voluntarily provides and records this Zoning Commitment for the Property.

1. Legal Description for the Property. The Property is located at 105 N. Pete Ellis Drive (Parcel No. 53-05-35-300-043.000-005), Bloomington, Indiana, with the following legal description:

A part of the Southwest Quarter of Section Thirty five (35), Township nine (9) North, Range one (1) West, in Monroe County, Indiana, more particularly described as follows: Lot Number 8 in the Deckard East Third Street Subdivision as shown on the final plat thereof, recorded in Plat Cabinet C, Envelope 334 in the Office of the Recorder of Monroe County Indiana. AND ALSO EXCEPTING that part platted as Arlington Park, Phase I as per plat thereof, recorded in Plat Cabinet C Envelope 196, in the office of the Recorder of Monroe County, Indiana.

2. Commitments. Owner hereby commits to the following:

- a. Pursuant to Condition 2, owner will record this proposed Payment-in-lieu Zoning Commitment approved by the Housing and Neighborhood Development Department within four weeks of approval of the PUD Amendment.
- b. Pursuant to Condition 3, all existing leases at the Property of, at a minimum, the twenty-five (25) workforce housing units that existed at the time of the Plan Commission meeting, shall remain in full force and effect with the applicable tenant thereunder (herein a “**Workforce Housing Tenant**”). Provided that the Workforce Housing Tenant is not in breach or default thereunder, Owner shall (i) honor all current leases of the workforce housing units for the remainder of their respective lease terms, and (ii) allow such Workforce Housing Tenants to renew their leases, if requested by such Workforce Housing Tenant(s), at the then applicable workforce housing rates, conditioned upon such Workforce Housing Tenant meeting the workforce housing qualifications as of the date of renewal. Within 45 days of execution of the Agreement, the Owner shall notify the Workforce Housing Tenants in writing by certified mail of their right to renew their leases at the then applicable workforce housing rates, for as long as such Workforce Housing Tenant continues to meet the workforce housing qualifications as established in coordination with Bloomington’s Housing and Neighborhood Development Policies. The

Owner shall continue to comply with reporting and monitoring to the City until such time that the Owner no longer has Workforce Housing Tenants.

3. Binding. This written Commitment is binding on the owner of the Property. Upon the written Commitment being recorded in the office of the Monroe County Recorder, this written Commitment shall be binding on Owner's successors and assigns, including but not limited to any subsequent owner or any other person who acquires an interest in the Property, and shall run with the land.
4. Recording. This written Commitment shall be recorded in the office of the Monroe County Recorder within 30 days of the signing of this Commitment.
5. Modification. This written Commitment shall only be modified by the City of Bloomington Plan Commission after notice of the hearing in which the modification will be considered has been provided in accordance with the Rules and Procedures of said Commission.
6. Base Rental Rate. The base rental rate shall be inclusive of utilities with the exception of cable, internet, and/or electricity. In the event that the individual units within the Property are separately metered or sub-metered for water or sewer utility purposes, Owner shall have the right to pass through to its tenants the amount of the monthly billing that exceeds the average monthly billing for similar sized units at the Property, regardless of whether such tenant is a workforce housing tenant or not. Location premiums, unit finish premiums, furniture premiums, and washer/dryer premiums are not considered base rental rate amounts and shall not be included in base rental rates. Rather, said premiums will be in addition to any base rental rates for all units at the Property, including workforce housing.
7. Workforce Housing Qualifications. The workforce housing qualifications and rents shall be set in coordination with Bloomington's Housing and Neighborhood Development ("HAND") Department policies. HAND will annually provide income eligibility guidelines and rent structure guidelines to the Owner for use in this workforce housing project. The income eligibility and rent structure may be modified from time to time in accordance with guidelines provided by HAND, or its successor City department, in which case notice shall issue to Owner by HAND.
8. Unit Types. Owner shall make units available to tenants, as outlined in 2(b) above.
9. Term of Commitment. The term of this Commitment shall be ninety-nine (99) years commencing from the date it is recorded with the office of the Monroe County Recorder.
10. Notice of Compliance. Owner shall provide HAND and the Commission an affidavit affirming that the Owner has complied with this Commitment on or before January 1 of each year until the end of the 99-year term of this Commitment. As part of this affidavit, the City may require information from Owner concerning (1) the number of Workforce Housing Units occupied; (2) the rent of the Workforce Housing Units; (3) the wage rates and/or salaries of the persons living in the Workforce Housing Units, and (4) the Market rate rent for a unit comparable to the Workforce Housing Units.
11. Termination. This written Commitment shall only terminate with approval from the City of Bloomington Plan Commission after notice of the hearing in which the termination will be considered has been provided in accordance with the Rules and Procedures of said Commission.
12. Sale or Transfer. In the event that Owner or any subsequent owner of the Property sells or transfers title to the Property or otherwise alters any ownership interest in the Property, he/she/they shall provide HAND with thirty (30) days advance written notice of the transaction and shall provide HAND with contact information for the party with whom the transaction is being conducted.
13. Violation and Enforcement. Failure to honor this Commitment shall constitute a violation of the City of Bloomington's Unified Development Ordinance and, in particular, of the

14. Copy. A copy of this written Commitment shall be provided to the City of
Bloomington's Planning and Transportation Department.

Bloomington SPCW JV, LLC

ATTEST:

Personally appeared before me, a Notary Public in and for said County and State, _____, Owner who acknowledged execution of the above and foregoing instrument to be his or her voluntary act and deed.

Printed Name of Notary Public	Signature of Notary Public
My Commission Expires: _____	
County of Residence: _____	
Commission Number: _____	

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Enedina Kassamanian/s.

This instrument was prepared by Enedina Kassamanian, Attorney at Law, City of Bloomington, P.O. Box 100, Bloomington, Indiana 47402.

MEMO FROM COUNCIL OFFICE:

To: Members of the Common Council

From: Ash Kulak, Deputy Council Administrator/Attorney

Date: January 3, 2025

Re: Ordinance 2025-02 – An Ordinance Establishing the Outdoor Dining Program in the Downtown Corridor

Synopsis

Ordinance 2025-02 establishes the Outdoor Dining Program for the use of parklets (also known as streateries) as additional seating space and suspends certain portion of the Bloomington Municipal Code in order to facilitate the Program. The Program is authorized to continue through December 31, 2028.

Relevant Materials

- Ordinance 2025-02
- Staff Memo
 - Exhibit A: 2025 Outdoor Dining Program Guidelines
 - Exhibit B: ADA/Accessibility Requirements
 - Exhibit C: Beautification Guidelines
- Board of Public Works Resolution 2025-01 - forthcoming

Summary

Ordinance 2025-02 establishes the Outdoor Dining Program (Program), specifically the use of parking spaces by restaurants as additional outdoor seating space. This ordinance would temporarily suspend portions of the Bloomington Municipal Code to implement the Program, including standards for encroachment ([BMC 12.06](#)), use of right-of-way ([BMC 12.08](#)), intoxicating beverages ([BMC 14.36.090](#)), parking meter changes ([BMC 15.40.010](#) Schedule U), and signs ([BMC 20.04.100](#)).

In June 2020, the Council approved [Ordinance 20-11](#), which suspended portions of the municipal code in order to support the operation of businesses in downtown Bloomington and assist in economic recovery from the COVID-19 public health emergency. Background materials for Ordinance 20-11 can be found in the [June 10, 2020 legislative packet](#). The Council extended provisions of Ordinance 20-11 multiple times, with [Resolution 20-15](#), [Resolution 20-19](#), and [Resolution 21-18](#) (which extended the ordinance through October 31, 2021).

Due to the success of the Program, the Council approved and established an expanded Program by passage of [Ordinance 22-01](#), which set the dates of the Program from March 1, 2022 through October 31, 2022, adopted the program guidelines, and allowed additional one-year extensions by authorizing resolutions of the Council. Like Ordinance 20-11, the ordinance temporarily suspended several sections of Bloomington Municipal Code to implement the Program for the 2022 season. The Program was extended twice by [Resolution 23-04](#) (setting the dates of the Program from April 3, 2023 through October 1, 2023) and [Resolution 2024-05](#) (setting the dates of the Program from April 29, 2024 through November 1, 2024).

City staff recommends that the Program be implemented for the next three years, from 2025 through 2028. This recommendation is based in part on the continued economic benefits of the Program. This three-year revitalized Program comes with some modifications as outlined in the staff memo.

In years past, the Program both relaxed regulations making it possible to extend outdoor seating areas into parklets as well as closed portions of Kirkwood Avenue to enhance social distancing for outdoor seating. Only parklets were included in the 2024 Program due to construction and lane and alley closures on Indiana Avenue, Dunn Street, and Kirkwood Avenue that required continued vehicular traffic access to Kirkwood Avenue during the Program dates. As noted in the staff memo, the Kirkwood conversion program will again not be considered in this year's Program due to staff's need to conduct further study of the Kirkwood corridor due to the changing downtown dynamic (ie, Safe Streets for All Initiative, new Convention Center).

In brief, this Ordinance:

- Sections 1 & 2: Approves the Program for a duration of three years, from 2025 through 2028, with exact dates for each year of operation to be determined by City staff from the Economic and Sustainable Development (ESD) Department, with the possibility for additional further terms through an authorizing resolution;
- Section 3: Requires the Board of Public Works to approve the Program Guidelines, which must comply with the terms and restrictions of the Ordinance, for each year of the Program, and for City staff to publish and distribute the Program Guidelines each year;
 - Note that this year's proposed Program Guidelines, seen in Exhibit A of the staff memo, are going to be presented to the Board of Public Works in its Resolution 2025-01 at its next meeting on January 14, 2025;
- Section 4: Approves the fee schedule for the operation of the Program, and authorizes City staff to set the specific fees for the Program for each year;
- Section 5: Temporarily suspends the portions of the Bloomington Municipal Code for the sole purpose of extending the Program;
- Section 6: Authorizes the ESD Director to issue Provisional Use Permits to approved applicants, creating a 21-day period in which parklets will be set up, utilized, and inspected by city staff, and giving City staff discretion to request modifications or temporarily cease operation of non-conforming parklets until they come into compliance. This section also requires City staff to issue Program Permits for parklets in compliance with the Ordinance and Program Guidelines at or before the end of the 21-day period;
- Section 7: Authorizes the suspension of the Program by City Staff in the event of emergency, lack of participation, or any other reason that may render the Program impractical; and
- Sections 8 & 9: Authorizes the ESD Director to issue a notice of violation (NOV) to Program participants that violate the Ordinance or Program Guidelines, and lists the penalties and remedies available to the City to bring usage of the right-of-way into compliance.

Contact

Jane Kupersmith, Director of ESD, jane.kupersmith@bloomington.in.gov, 812-349-3418

Chaz Mottinger, Special Projects Manager, chaz.mottinger@bloomington.in.gov, 812-349-3418

ORDINANCE 2025-02

AN ORDINANCE ESTABLISHING THE OUTDOOR DINING PROGRAM IN THE DOWNTOWN CORRIDOR

WHEREAS, on June 17, 2020, the Common Council passed Ordinance 20-11, which suspended portions of the Bloomington Municipal Code during the public health emergency caused by the COVID-19 virus; and

WHEREAS, Ordinance 20-11 relaxed certain City regulations, including sign and seating encroachment regulations, which made it possible to assist local restaurants by extending the outdoor seating area into parklets, which are also known around the country as streateries; and

WHEREAS, the City also temporarily closed portions of Kirkwood Avenue to make it available for enhanced social distancing and outdoor seating; and

WHEREAS, due to the success of the program, the Common Council expanded and extended the Outdoor Dining Program (“Program”) in Ordinance 22-01 and Resolution 23-04 and Resolution 2024-05; and

WHEREAS, in 2024, the Program only included parklets/streateries to account for ongoing construction in and around Kirkwood Avenue; and

WHEREAS, the Program continues to add vibrancy to our downtown and add to the health and use of our downtown business community; and

WHEREAS, the City desires to continue the Outdoor Dining Program in the downtown through 2028; and

WHEREAS, to continue the Program, it is necessary for the Common Council to suspend certain elements of the Municipal Code during those portions of the year that the Program is active; and

WHEREAS, the Board of Public Works will consider its Resolution 2025-01 on January 14, 2025, which, if approved, will authorize alternative seating and encroachment policies, approve the Program Guidelines, and express support for the Program; and

WHEREAS, the Common Council therefore wishes to extend the Program and continue its support for Bloomington’s business community;

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

SECTION 1. The Common Council hereby approves the Program.

SECTION 2. The Program shall operate from 2025 through 2028. For each year of operation, City staff from the Economic and Sustainable Development Department shall establish the dates of the Program duration. The Program shall operate unless earlier terminated under SECTION 7 of this Ordinance. The Common Council reserves the right to further extend the term of this Ordinance for additional terms through an authorizing resolutions.

SECTION 3. City staff shall also publish Program Guidelines for each year the Program operates on the City’s website and distribute the guidelines to all eligible businesses. The Program Guidelines must comply with the terms and restrictions of this Ordinance. The Program Guidelines shall be presented and approved by the Board of Public Works for each year of the Program.

SECTION 4. The Common Council approves fees for the operation of the Program. City staff shall set the specific fees for the Program for each year the Program is in operation, subject to the following limitations:

Program	Minimum Fee	Maximum Fee
Parklet	\$250 per space	\$1,000 per space

SECTION 5. Through December 31, 2028, the City of Bloomington Common Council hereby temporarily suspends the following sections of the Bloomington Municipal Code only to the extent necessary to operate and for the sole purpose of implementing the Program:

Standard	B.M.C. Section	Temporary Waiver and Guidelines
Standards for Encroachment	12.06	The businesses participating in the Program and their seating areas shall be subject to the Program Guidelines in <u>Exhibit A</u> and B.M.C. 12.06 as modified by the Board of Public Works Resolution 2024-77. Existing encroachments shall continue to be subject to the full rules, requirements, and conditions of B.M.C. 12.06.
Use of Right-of-Way	12.08	Program participants shall not be required to obtain an additional permit for the use of right-of-way under B.M.C. 12.08, provided that the right of way is not blocked or used for anything other than those uses explicitly authorized by the Program. All other uses, closures, or access to right-of-way as indicated in B.M.C. 12.08, even in areas being used for the Program or by Program participants, shall continue to be subject to the full rules, requirements, and conditions of B.M.C. 12.08.
Intoxicating beverages	14.36.090	Designated parklets participating in the Program shall be excepted from the prohibition of consuming alcoholic beverages in or on any public street or right of way as long as the beverage is procured at a participating business that is operating in accordance with a license from the Indiana Alcohol and Tobacco Commission.
Parking Meter Charges	15.40.010 Schedule U	Meter fees for on-street parking spaces that are to be used as parklets shall be suspended.
Signs	20.04.100	For the avoidance of doubt, any signs that may be required under the Program, shall be considered public signs under B.M.C. 20.04.100(c)(2)(A).

SECTION 6. The Director of the City's Economic and Sustainable Development Department (ESD) shall issue a Provisional Use Permit to any applicants approved by ESD staff, provided that the applicants and their applications are found to be in compliance with this Ordinance, Program Guidelines, and any other reasonable conditions and restrictions set forth. The Provisional Use permit shall be valid for 21 days after the implementation date of the Program as set forth in the guidelines. The purpose of the Provisional Use permit will be to allow for the parklet to be set up, utilized, and inspected by city staff. If, during this period, any non-conformities with this Ordinance or the program guidelines are found, city staff, at their sole discretion may:

- Request modifications to the parklet to come into compliance with this Ordinance or the Program Guidelines; and
- Temporarily cease operation of the affected parklet under the Program until such time city staff has found the parklet to be in compliance with this Ordinance and the program guidelines.

If, at or prior to, the end of the 21-day period it is found by city staff that the parklet is within compliance with this Ordinance and the program guidelines, city staff shall issue the Program Permit. Failure to obtain a Program Permit will result in the immediate termination of the affected parklet.

SECTION 7. In cases of emergency, lack of participation, or any other reason that may render the Program impractical, the Common Council authorizes the City Engineer to permanently or temporarily suspend the Program, in part or in whole. If the City Engineer suspends operation of the Program or any part of the Program, except in cases of emergency, the City shall provide notice to participating businesses no later than 14 days prior to suspension and report back to the Common Council the reasons for the suspension within 45 days of the action taken. In cases of emergency, any part or participating area of the Program may be immediately terminated. City staff shall notify businesses and City Council of the emergency termination within 72-hours of the action.

SECTION 8. Businesses participating within this Program shall remain in compliance with the Program Guidelines adopted under this Ordinance and by the Board of Public Works. If a Program participant violates any provision of this Ordinance, violates the Program Guidelines, or if any condition of approval has not been met, the ESD Director may issue a notice of violation (NOV) to the responsible party. Any Program participant charged with violating any provision of this Ordinance or the program guidelines may, in the sole discretion of the ESD Director, be issued an official warning or be subject to the penalties and remedies described in SECTION 9 of this Ordinance. If an official warning is issued, it shall be considered as affording the violator one opportunity to comply with this Ordinance or Program Guidelines. If a NOV is issued, it shall be served to the responsible party by first class mail, email, or in person in accordance with the contact information provided in the Program application. A participant that receives an NOV from the City shall have 14 days to appeal the NOV to the Board of Public Works.

SECTION 9. The City may use any remedy available at law to bring usage of the right-of-way under this Program into compliance in the event a NOV, in accordance with SECTION 8 of this ordinance, is issued, including those penalties and remedies found in Bloomington Municipal Code 1.01.130 and the following:

- Order a temporary cessation of the operation of the affected parklet under the Program until such time city staff has found the parklet to be in compliance with this Ordinance and the program guidelines;
- Order the removal of the Parklet under the terms set forth in SECTION 7 of this Ordinance; and
- Issue a civil penalty of not more than \$2,500.00 for each violation.

SECTION 10. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstance, shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid section, sentence, provision or application, and to this end the provisions of this ordinance are declared to be severable.

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

President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

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

NICOLE BOLDEN, Clerk
City of Bloomington

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

KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

Ordinance 2025-02 establishes the Outdoor Dining Program for the use of parklets (also known as streateries) as additional seating space and suspends certain portion of the Bloomington Municipal Code in order to facilitate the Program. The Program is authorized to continue through December 31, 2028.



To: Members of the Common Council

Cc: Kerry Thomson, Mayor; Gretchen Knapp, Deputy Mayor; Adam Wason, Director, Public Works; Jane Kupersmith, Director, Economic & Sustainable Development; Michelle Wahl, Parking Services Director, Public Works; Andrew Cibor, Director, Engineering; David Hittle, Director, Planning and Transportation; Tim Clapp, Fire Marshal; Larry Allen, City Attorney; Mike Stewart, Transportation Technician, Engineering; Michael Shermis, Special Projects Coordinator, Community and Family Resources; Ash Kulak, Deputy Attorney for Common Council; Lisa Lehner, Council Attorney; De de la Rosa, Assistant Director for Small Business Development, Economic and Sustainable Development

From: Chaz Mottinger, Special Projects Manager, Economic and Sustainable Development

Date: December 30, 2024

Re: ORDINANCE 2025-02: AN ORDINANCE ESTABLISHING THE OUTDOOR DINING PROGRAM IN THE DOWNTOWN CORRIDOR

Executive Summary

In response to the COVID-19 pandemic, the City of Bloomington Common Council approved Ordinance 20-11, An Ordinance Recommending that Portions of the Bloomington Municipal Code be Temporarily Suspended Due to the Ongoing Public Health Emergency, which suspended portions of the municipal code to support the operation of businesses in downtown Bloomington. The Common Council extended this ordinance and approved the expansion of outdoor seating through the end of 2021. In Ordinance 22-01: An Ordinance Establishing and Approving the Expanded Outdoor Dining Program in the Downtown Corridor, the Common Council approved the Expanded Outdoor Dining Program ("the Program"), which extended the ability for local restaurants to utilize parklets and enhanced pedestrian seating space on Kirkwood Avenue. Council reserved the right to extend the Program and the terms of Ordinance 22-01 by authorizing resolution. In 2024, a resolution was approved that allowed only parklets as the Kirkwood Avenue conversion was suspended due to Clear Creek Reconstruction.

Due to the continued economic benefits of the Program, City Staff recommends that the City Council pass a new Ordinance 2025-02 to revitalize the Program. The overview below outlines how the City can continue to support this seasonal program with modifications.

Overview

Ordinance 2025-02 establishes a three-year Outdoor Dining Parklet/Streatery Program, running from 2025 through 2028. Each year during this period, the program's guidelines will be reviewed and approved by the Board of Public Works. Based on stakeholder input, staff recommends reimplementing the 2025 parklet program from April 4, 2025, to November 10, 2025.

The Kirkwood conversion program from 2023 will not be considered in this Ordinance. This decision is due to the need for additional study of the Kirkwood corridor, particularly in light of the Safe Streets for All initiative, the new Convention Center, and possible construction projects in the area. City staff are excited to explore the future possibilities for Kirkwood Avenue, and this three-year parklet program will serve as an important tool for gathering data and insights to inform the long-term vision for the corridor.

Ordinance 2025-02 allows the continuation of the expanded outdoor dining program to generate increased economic vibrancy and cultural connectivity in our pedestrian-friendly community. The 2025 expanded outdoor dining program requires participating businesses to pay fees of \$200 for each parklet as outlined in Exhibit A: Program Guidelines — see exhibit for logistical details of the outdoor dining programs.

To promote vibrancy along Kirkwood Avenue, the City staff will collaborate with Kirkwood businesses and local partners to organize strategic street events throughout the seasonal parklet program. These events will occur over extended weekends and aim to engage the community in expanded outdoor dining and shopping experiences, as well as other activities designed to activate the street through art, games, and more. These events will foster a sense of equity by ensuring that all downtown businesses have the opportunity to participate in a community event.

Conclusion

The Program and accompanying recommendations promote cultural vibrancy and economic benefits while balancing the need to retain parking downtown. Recalling that the program was initiated as a temporary measure, Ordinance 2025-02 creates predictability for the future while continuing to gather feedback and improve implementation through this seasonal program.

Exhibit A: 2025 Outdoor Dining Program Guidelines

Timeline:

- Materials due to Council: December 30, 2024
- Council - first reading: January 8, 2025

- Board of Public Works approval of guidelines January 14, 2025
- Council vote on new ordinance: January 20, 2025
- Applications available to businesses: Early February 2025
- Deadline for submitting applications: March 3, 2025
- Final staff determination of the number and location of parklets: March 10, 2025
- Implementation of program (*weather permitting*): March 31-April 3, 2025
- Season officially begins: April 4, 2025
- End of seasonal outdoor dining program: November 10, 2025

Costs

- All fees are due in full by March 28, 2025.
- Businesses are responsible for any direct costs associated with utilizing a parklet.
- Each participating business must submit a certificate of insurance to the Economic and Sustainable Development Department establishing proof of a comprehensive general liability policy naming the City of Bloomington as additional insured to the extent of at least \$500,000 bodily injury and \$100,000 property damage, which shall be in effect during the term of this authorization.
- Cost to businesses will be \$250 per parking space. A two-space parklet will cost \$500, 3 spaces will cost \$750.
- Businesses that share a parklet may split the cost.

Parklet Logistics

- Eligibility:
 - Eligibility is limited to food service establishments adjacent to metered parking in downtown Bloomington.
 - City staff will review the proposed parklets' street locations to ensure they are suitable for the program.
 - All participating businesses must agree to cease alcohol sales in parklets by midnight.
 - Eligible businesses must complete the application and payment process as outlined in this memo.
 - As the City incorporates feedback and best practices, previously approved parklet plans and implementations do not guarantee approval for the 2025 season.
- Application process:
 - Application form will go live on the City's webpage in February 2025.
 - Applications are due by March 3, 2025. Businesses may submit applications in advance of the deadline.

- A detailed site plan drawn to scale shall be submitted with the application. This site shall indicate the location of any ramps and seating installed in the parklet as well as any street furniture/trees. Measurements should be included to show conformance with Exhibit B.
- Fees are payable via grant application site by March 28, 2025.
- Implementation:
 - The participating businesses will work with City staff to install and remove parklets at the beginning and end of the 2025 season. Implementation will be coordinated by City staff.
 - If used, City staff will fill jersey barriers with water on the installation day. Participating businesses will be required to top off the barriers with water as needed, and the barriers must remain sufficiently full for safety purposes.
 - If the weather in March/April 2025, is not conducive to outdoor dining, City staff may exercise discretion on the exact dates the parklets are installed.
 - If a parklet is removed, either by request of the business or by determination of City staff, it may not be reinstalled in the same calendar year. Any fees paid by the business will not be refunded.
- Requirements for participating businesses:
 - Participating businesses are required to provide their own furniture, decorations, etc.
 - Participating businesses are required to invest in the beautification of parklet spaces through decor that meets safety standards (see Exhibit C).
 - Participating businesses must meet all requirements for their extended outdoor seating, including the Americans with Disabilities Act (ADA), Indiana Alcohol Tobacco Commission (ATC), Monroe County Health Department, safety, and insurance requirements.
 - Participating businesses must meet ADA/Accessibility requirements as stated in Exhibit B.
 - Participating businesses must meet all Monroe County Building Department requirements and permits for their extended outdoor spaces.
 - Decks or platforms can be up to and under 30 inches in height.
 - If any portion of the decks/platforms exceed the maximum height requirement of 30 inches, construction design must be approved by the appropriate State and County building departments and a permit must be issued.
 - Decks/platforms, furniture, or anything else in spaces cannot block any building exits and must be designed to keep buildings in compliance with codes.
 - Any decks or platforms constructed shall allow for adequate drainage through the gutter and not block any drainage inlets.
 - Any decks or platforms constructed shall be easily removable in the event of an emergency.

- Parklet structures cannot block access to Fire Department Connections (FDCs) or Post Indicator Valves (PIVs).
- Tents and heaters are not allowed for use in the Outdoor Dining Program.
- Participating businesses must comply with Indiana Fire Code regulations.
- Businesses must remove all seating, furniture, decorations, and any other property from the parklet before the end of the program on November 10, 2025, when the parklet setups are set to come down or face fines in accordance with Title 12 of the Bloomington Municipal Code.

Exhibit B: ADA/Accessibility Requirements

Parklets must conform to the Americans with Disabilities Act (ADA) guidelines and Public Right-of-Way Accessibility Guidelines (PROWAG), or have adjacent outdoor seating options which conform to the ADA and PROWAG (if applicable). It is the responsibility of the applicant to design and implement their parklet seating to be compliant. Below are guidelines that will help design your space to be compliant with the ADA, PROWAG, and the City of Bloomington's standards. The guidelines below are not expected to cover all contingencies, but rather to provide basic information that participants must adhere to.

Ramps for Curb Access

- A platform flush with the curb can be constructed. This allows easy access for all users without having to worry about slope or tripping hazards.
- If a flush platform cannot be constructed, a ramp may be installed. Any ramp shall adhere to the following minimum requirements:
 - Slope: The maximum slope allowed is **1:12 (8.3%)**. This means that for every 12 inches in length there will be a 1 inch of rise (or less).
 - Width: The width of a ramp shall be no less than **48 inches wide**.
 - Landings: The landing clear width shall be at least as wide as the ramp. The landing clear length shall be a minimum of **48 inches long**. Ramps that change direction at the landing shall have a clear space a minimum of **48 x 48 inches**.
- Further information can be found in the PROWAG:
 - Section R304 *Curb Ramps and Blended Transitions*
 - Section R407 *Ramps*

Accessible Seating

- While it is encouraged that all seating be wheelchair accessible, it shall be required that a minimum of at least **1 seat for every 25** to remain accessible. Seating can be made accessible by following the guidelines below:
 - If only one accessible table is provided, it shall be placed closest to the accessible route into the parklet.
 - Table Height: The table shall be **28-34 inches** from the ground to the underside of the table.

- Knee Space: There shall be at least **27 inches** of vertical knee space from the underside of the table, and at least **30 inches** wide.
- Clearance: There shall be a clear floor space of at least **30 by 48 inches** around the accessible seating.
- Availability: Accessible seating shall be available without necessitating the moving/removal of furniture.
- Further information can be found in the 2010 ADA Standards for Accessible Design:
 - Section 221 *Assembly Areas*
 - Section 306 *Knee and Toe Clearance*
 - Section 902 *Dining Surfaces and Work Surfaces*
- Further information can be found in the PROWAG:
 - Section R405 Knee and Toe Clearance

Decks and Raised Platforms

- Deck Surface:
 - Decks shall have a smooth, non-slip surface.
 - Deck gaps shall be no greater than **½ inch wide**.
- Ramps to Deck Surface:
 - Width: The width of a ramp shall be no less than **48 inches wide**.
 - Rise: The rise for any run shall be 30 inches maximum
 - Handrails: Ramps with a rise greater than 6 inches shall have handrails between **34 to 38 inches vertically** above the walking surface. The handrails shall extend 12 inches beyond both the top and bottom of the ramp.
 - Edge Protection: Ramps shall have edge protection a minimum of **4 inches above** the ramp surface.
 - Landings: The landing clear width shall be at least as wide as the ramp. The landing clear length shall be a minimum of **60 inches long**. Ramps that change direction at the landing shall have a clear space a minimum of **60 x 60 inches**.
- Further information can be found in the 2010 ADA Standards for Accessible Design:
 - Section 302 *Floor or Ground Surfaces*
 - Section 405 *Ramps*
 - Section 505 *Handrails*

Exhibit C: Beautification Guidelines

Several options are available to outdoor dining program participants for beautification. Examples of parklet + block beautification may include, but are not limited to, the adornment of art, accessibility alterations, or cosmetic improvements, all per guidelines listed in this “Exhibit C: Beautification Guidelines.” Given the potential costs for professional parklet beautification, employing cost-friendly and easy-to-implement solutions is crucial, as businesses will bear the costs.

Beautification Options:

- Additional seating platforms
 - Outside of their uses associated with outdoor dining, spaces installations may include wooden or metal benches, platforms, ramps, or additional forms of seating to compensate for increased customer capacity and general community interactions.
- Adornment of art
 - Program participants are encouraged to use a variety of art sources to beautify spaces.
 - E.g., collaboration with local artists and the utilization of murals
- Space greenery
- Additional lighting
 - Please review the Bloomington Municipal Code section 20.04.090 for compliance.
- Further cosmetic and logistical improvements
 - More options for cosmetic improvements include the use of budget-friendly space dividers, outdoor rugs/flooring, temporary installations of menu/special boards, spaces dedicated for bike parking, and the inclusion of interactive features.
- Businesses should work with City staff to determine appropriate beautification options for the spaces. **No permanent physical changes can be made to the streetscape.**

MEMO FROM COUNCIL OFFICE:

To: Members of the Common Council

From: Ash Kulak, Deputy Council Administrator/Attorney

Date: January 17, 2025

Re: Amendment 01 to Ordinance 2025-02

Relevant Materials

- Memo from Cms. Asare & Rosenbarger
- Amendment 01 to Ordinance 2025-02
- Attachment A to Amendment 01 – revised Ordinance 2025-02
- Attachment A redline – showing tracked changes from original ordinance
- Staff Memorandum with Additional Information Regarding Ordinance 2025-02
 - Exhibit A – Draft Program Guidelines

Summary

Councilmembers Rosenbarger and Asare have sponsored an amendment to this item that would repeal and replace the original version with a version of the ordinance that includes a Kirkwood conversion as part of the Outdoor Dining Program. This Kirkwood conversion would mirror that of past Programs, specifically from 2022 in [Ordinance 22-01](#).

Memorandum from: Cms. Isak Asare and Kate Rosenbarger

To: Common Council

Re: Amendment 01 to Ordinance 2025-02

Amendment 01 to Ordinance 2025-02, drafted by councilmembers Rosenbarger and Asare, repeals and replaces the ordinance with Amendment 01 Attachment A.

Amendment 01 to Ordinance 2025-02 represents a shift in how the proposed ordinance envisions Kirkwood Avenue closures. Instead of focusing exclusively on outdoor dining, the updated ordinance expands the purview of the ordinance to the entirety of Kirkwood (in similar fashion to what we had during summer since 2021. While the original ordinance established the program through 2028, the new version makes Kirkwood's seasonal closure an indefinite policy and aligns it with broader city planning efforts. In line with this changed purview are some necessary changes to the ordinance. Below is a summary of those changes.

Indefinite Authorization of Seasonal Closure of Kirkwood

The original ordinance authorized outdoor dining and parklets through 2028 but did not commit to making Kirkwood's seasonal closure a standing policy. The revised ordinance ensures Kirkwood Avenue will be closed annually from March through November, providing long-term certainty for businesses, visitors, and residents.

Expanded Fee Structure

The previous ordinance only addressed fees for parklets, with a range of \$250 to \$1,000 per space. The revised version introduces a separate fee structure for businesses using Kirkwood Avenue, with fees ranging from \$250 to \$5,000. This expanded fee structure is to allow ESD sufficient flexibility in executing the program.

Alignment with Transportation and Safe Streets for All Plans

The new ordinance explicitly states that it does not preclude further investments in Kirkwood Avenue, as outlined in the Transportation Plan and Safe Streets for All Plan. This signals a commitment to future improvements that enhance the corridor's role as a pedestrian-friendly and multimodal space.

Expanded Alcohol and Parking Regulations

The previous ordinance allowed alcohol consumption in designated parklets but did not address the broader Kirkwood closure. The revised ordinance extends this provision to Kirkwood Avenue, allowing businesses within the closure area to serve alcohol in compliance with Indiana ATC regulations. It also suspends parking meter fees and loading zones along the 100–500 block of Kirkwood Avenue during the closure period.

Strengthened Enforcement and Compliance Measures

The new ordinance expands the City's enforcement powers. While the original version allowed for the removal of non-compliant parklets, the revised ordinance also grants the City the ability to suspend Kirkwood street space usage in cases of emergency or lack of participation.

Conclusion

This ordinance represents a shift from a temporary program to a long-term policy for activating Kirkwood Avenue as a pedestrian and business-friendly space. It provides predictability for businesses, enhances regulatory clarity, and integrates Kirkwood's future development into the city's broader planning framework.

***** Amendment Form *****

Ordinance #: 2025-02
Amendment #: Am 01
Submitted By: Cms. Rosenbarger & Asare
Date: January 22, 2025
Proposed Amendment:

1. Ordinance 2025-02 shall be deleted in its entirety and replaced with an amended version of the ordinance, attached to this Amendment Form as “Amendment 01 Attachment A”.

Synopsis

This amendment, sponsored by Cms. Rosenbarger and Asare, would replace Ordinance 2025-02 in its entirety with an amended version of the ordinance and draft Program Guidelines that would include a Kirkwood conversion in the Outdoor Dining Program that would allow for additional seating on the 100 E. through 500 E. blocks of Kirkwood Avenue. The ordinance also deletes language limiting the program duration through December 2028, allowing for the Program to exist beyond that time.

Regular Session Action (1/22/2025):

Pending

ORDINANCE 2025-02

AN ORDINANCE ESTABLISHING THE OUTDOOR DINING PROGRAM IN THE DOWNTOWN CORRIDOR

- WHEREAS, on June 17, 2020, the Common Council passed Ordinance 20-11, which suspended portions of the Bloomington Municipal Code during the public health emergency caused by the COVID-19 virus; and
- WHEREAS, Ordinance 20-11 relaxed certain City regulations, including sign and seating encroachment regulations, which made it possible to assist local restaurants by extending the outdoor seating area into parklets, which are also known around the country as streateries; and
- WHEREAS, the City also temporarily closed portions of Kirkwood Avenue to make it available for enhanced social distancing and outdoor seating; and
- WHEREAS, due to the success of the program, the Common Council expanded and extended the Outdoor Dining Program (“Program”) in Ordinance 22-01 and Resolution 23-04 and Resolution 2024-05 (streateries only); and
- WHEREAS, the Program continues to add vibrancy to our downtown and add to the health and use of our downtown business community; and
- WHEREAS, the Common Council seeks to provide long-term certainty to businesses, residents, and visitors regarding parklets and the Kirkwood conversion, allowing them to plan, adapt, and invest with confidence; and
- WHEREAS, the Common Council is committed to activating Kirkwood Avenue as a premier destination for commerce, pedestrians, civic engagement, and community life, fostering economic vitality and social interaction; and
- WHEREAS, the City desires to continue the Outdoor Dining Program in the downtown ; and
- WHEREAS, to continue the Program, it is necessary for the Common Council to suspend certain elements of the Municipal Code during those portions of the year that the Program is active; and
- WHEREAS, the Board of Public Works will consider a resolution which, if approved, will authorize alternative seating and encroachment policies, approve the final Program Guidelines, and express support for the Program; and
- WHEREAS, the Common Council therefore wishes to extend the Program to create a downtown outdoor gathering space and to continue its support for Bloomington’s business community;
- WHEREAS, this ordinance does not preclude the City of Bloomington from advancing additional investments in Kirkwood Avenue as outlined in the Transportation Plan and Safe Streets for All Plan, ensuring future improvements align with the city’s vision for a vibrant, accessible, and multimodal corridor;

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

- SECTION 1. The Common Council hereby approves the Program as set forth by the Program Guidelines, and any amendments thereto, approved by the Board of Public Works, attached as Exhibit A. The Kirkwood conversion shall be from the 100 E. block through 500 E. block and operate each year pursuant to the Program Guidelines.
- SECTION 2. The Program shall operate annually from March through November, with specific dates to be set by City Staff from the Economic and Sustainable Development

Department. City Staff shall report on the status of the Program to the Council once annually. The Program shall operate unless earlier terminated under SECTION 7 of this Ordinance.

SECTION 3. City staff shall also publish Program Guidelines for each year the Program operates on the City’s website and distribute the guidelines to all eligible businesses. The Program Guidelines must comply with the terms and restrictions of this Ordinance. The Program Guidelines shall be presented and approved by the Board of Public Works for each year of the Program.

SECTION 4. The Common Council approves fees for the operation of the Program. City staff shall set the specific fees for the Program for each year the Program is in operation, subject to the following limitations:

Program	Minimum Fee	Maximum Fee
Parklet	\$250 per space	\$1,000 per space
Kirkwood Seating	\$250	\$5,000

SECTION 5. The City of Bloomington Common Council hereby temporarily suspends the following sections of the Bloomington Municipal Code only to the extent necessary to operate and for the sole purpose of implementing the Program:

Standard	B.M.C. Section	Temporary Waiver and Guidelines
Standards for Encroachment	12.06	The businesses participating in the Program and their seating areas shall be subject to the Program Guidelines and B.M.C. 12.06 as modified by the Board of Public Works. Existing encroachments shall continue to be subject to the full rules, requirements, and conditions of B.M.C. 12.06.
Use of Right-of-Way	12.08	Program participants shall not be required to obtain an additional permit for the use of right-of-way under B.M.C. 12.08, provided that the right of way is not blocked or used for anything other than those uses explicitly authorized by the Program. All other uses, closures, or access to right-of-way as indicated in B.M.C. 12.08, even in areas being used for the Program or by Program participants, shall continue to be subject to the full rules, requirements, and conditions of B.M.C. 12.08.
Intoxicating beverages	14.36.090	Designated parklets and areas along Kirkwood participating in the Program shall be excepted from the prohibition of consuming alcoholic beverages in or on any public street or right of way as long as the beverage is procured at a participating business that is operating in accordance with a license from

		the Indiana Alcohol and Tobacco Commission.
Parking Meter Charges	15.40.010 Schedule U	Meter fees for on-street parking spaces that are to be used as parklets and from 100 E. Kirkwood through the 500 block of E. Kirkwood Avenue shall be suspended.
Signs	20.04.100	For the avoidance of doubt, any signs that may be required under the Program, shall be considered public signs under B.M.C. 20.04.100(c)(2)(A).
Loading Zones	15.32.100	For the duration of the Kirkwood closure, the loading zones from 100 E. Kirkwood through the 500 block of E. Kirkwood, as indicated in Schedule O of B.M.C. 15.32.100, shall be suspended.

SECTION 6. The Director of the City’s Economic and Sustainable Development Department (ESD) shall issue a Provisional Use Permit to any applicants approved by ESD staff, provided that the applicants and their applications are found to be in compliance with this Ordinance, Program Guidelines, and any other reasonable conditions and restrictions set forth. The Provisional Use permit shall be valid for 21 days after the implementation date of the Program as set forth in the guidelines. The purpose of the Provisional Use permit will be to allow for the parklet to be set up, utilized, and inspected by city staff. If, during this period, any non-conformities with this Ordinance or the program guidelines are found, city staff, at their sole discretion may:

- Request modifications to the parklet to come into compliance with this Ordinance or the Program Guidelines; and
- Temporarily cease operation of the affected parklet under the Program until such time city staff has found the parklet to be in compliance with this Ordinance and the program guidelines.

If, at or prior to, the end of the 21-day period it is found by city staff that the parklet is within compliance with this Ordinance and the program guidelines, city staff shall issue the Program Permit. Failure to obtain a Program Permit will result in the immediate termination of the affected parklet.

SECTION 7. In cases of emergency, lack of participation, or any other reason that may render the Program impractical, the Common Council authorizes the City Engineer to permanently or temporarily suspend the Program, in part or in whole. If the City Engineer suspends operation of the Program or any part of the Program, except in cases of emergency, the City shall provide notice to participating businesses no later than 14 days prior to suspension and report back to the Common Council the reasons for the suspension within 45 days of the action taken. In cases of emergency, any part or participating area of the Program may be immediately terminated. City staff shall notify businesses and City Council of the emergency termination within 72-hours of the action.

SECTION 8. Businesses participating within this Program shall remain in compliance with the Program Guidelines adopted under this Ordinance and by the Board of Public Works. If a Program participant violates any provision of this Ordinance, violates the Program Guidelines, or if any condition of approval has not been met, the ESD Director may issue a notice of violation (NOV) to the responsible party. Any Program participant charged with violating any provision of this Ordinance or the program guidelines may, in the sole discretion of the ESD Director, be issued an official warning or be subject to the penalties and remedies described in SECTION 9 of this Ordinance. If an official warning is issued, it shall be considered as affording the violator one opportunity to comply with this

Ordinance or Program Guidelines. If a NOV is issued, it shall be served to the responsible party by first class mail, email, or in person in accordance with the contact information provided in the Program application. A participant that receives an NOV from the City shall have 14 days to appeal the NOV to the Board of Public Works.

SECTION 9. The City may use any remedy available at law to bring usage of the right-of-way under this Program into compliance in the event a NOV, in accordance with SECTION 8 of this ordinance, is issued, including those penalties and remedies found in Bloomington Municipal Code 1.01.130 and the following:

- Order a temporary cessation of the operation of the affected parklet/Kirkwood space under the Program until such time city staff has found the parklet/Kirkwood space to be in compliance with this Ordinance and the program guidelines;
- Order the removal of the parklet or cease using Kirkwood Avenue street space under the terms set forth in SECTION 7 of this Ordinance; and
- Issue a civil penalty of not more than \$2,500.00 for each violation.

SECTION 10. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstance, shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid section, sentence, provision or application, and to this end the provisions of this ordinance are declared to be severable.

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

President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

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

NICOLE BOLDEN, Clerk
City of Bloomington

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

KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

Ordinance 2025-02 establishes the Outdoor Dining Program for the use of parklets (also known as streateries) and Kirkwood Avenue as additional seating space and opportunities for businesses to expand into the street and suspends certain portion of the Bloomington Municipal Code in order to facilitate the Program.

ORDINANCE 2025-02

AN ORDINANCE ESTABLISHING THE OUTDOOR DINING PROGRAM IN THE DOWNTOWN CORRIDOR

WHEREAS, on June 17, 2020, the Common Council passed Ordinance 20-11, which suspended portions of the Bloomington Municipal Code during the public health emergency caused by the COVID-19 virus; and

WHEREAS, Ordinance 20-11 relaxed certain City regulations, including sign and seating encroachment regulations, which made it possible to assist local restaurants by extending the outdoor seating area into parklets, which are also known around the country as streateries; and

WHEREAS, the City also temporarily closed portions of Kirkwood Avenue to make it available for enhanced social distancing and outdoor seating; and

WHEREAS, due to the success of the program, the Common Council expanded and extended the Outdoor Dining Program (“Program”) in Ordinance 22-01 and Resolution 23-04 and Resolution 2024-05 (streateries only); and

~~WHEREAS, in 2024, the Program only included parklets/streateries to account for ongoing construction in and around Kirkwood Avenue; and~~

WHEREAS, the Program continues to add vibrancy to our downtown and add to the health and use of our downtown business community; and

WHEREAS, the City Common Council seeks to provide long-term certainty to businesses, residents, and visitors regarding parklets and the Kirkwood conversion, allowing them to plan, adapt, and invest with confidence; and

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WHEREAS, the Common Council is committed to activating Kirkwood Avenue as a premier destination for commerce, pedestrians, civic engagement, and community life, fostering economic vitality and social interaction; and

WHEREAS, the City desires to continue the Outdoor Dining Program in the downtown ~~through 2028~~; and

WHEREAS, to continue the Program, it is necessary for the Common Council to suspend certain elements of the Municipal Code during those portions of the year that the Program is active; and

WHEREAS, ~~the Board of Public Works will consider a resolution on January 28 which, if approved, will authorize alternative seating and encroachment policies, approve the final Program Guidelines, and express support for the Program; and the Board of Public Works will consider its Resolution 2025-01 on January 14, 2025, which, if approved, will authorize alternative seating and encroachment policies, approve the Program Guidelines, and express support for the Program; and~~

WHEREAS, the Common Council therefore wishes to extend the Program to create a downtown outdoor gathering space and to continue its support for Bloomington’s business community;

WHEREAS, this ordinance does not preclude the City of Bloomington from advancing additional investments in Kirkwood Avenue as outlined in the Transportation Plan and Safe Streets for All Plan, ensuring future improvements align with the city’s vision for a vibrant, accessible, and multimodal corridor;

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

- SECTION 1. The Common Council hereby approves the Program as set forth by the Program Guidelines, and any amendments thereto, approved by the Board of Public Works, attached as Exhibit A. The Kirkwood conversion shall be from the 100 E. block through 500 E. block and operate each year- pursuant to the Program Guidelines.
- SECTION 2. The Program shall operate annually from March or April through October/November, with specific dates to be set by City Staff from the Economic and Sustainable Development Department. City Staff shall report on the status of the Program to the Council once annually. from 2025 through 2028. For each year of operation, City staff from the Economic and Sustainable Development Department shall establish the dates of the Program duration- The Program shall operate unless earlier terminated under SECTION 7 of this Ordinance. ~~The Common Council reserves the right to further extend the term of this Ordinance for additional terms through any authorizing resolutions.~~
- SECTION 3. City staff shall also publish Program Guidelines for each year the Program operates on the City’s website and distribute the guidelines to all eligible businesses. The Program Guidelines must comply with the terms and restrictions of this Ordinance. The Program Guidelines shall be presented and approved by the Board of Public Works for each year of the Program.
- SECTION 4. The Common Council approves fees for the operation of the Program. City staff shall set the specific fees for the Program for each year the Program is in operation, subject to the following limitations:

Program	Minimum Fee	Maximum Fee
Parklet	\$250 per space	\$1,000 per space
<u>Kirkwood Avenue Seating</u>	<u>\$250</u>	<u>\$5,000</u>

- SECTION 5. ~~Through December 31, 2028, t~~The City of Bloomington Common Council hereby temporarily suspends the following sections of the Bloomington Municipal Code only to the extent necessary to operate and for the sole purpose of implementing the Program:

Standard	B.M.C. Section	Temporary Waiver and Guidelines
Standards for Encroachment	12.06	The businesses participating in the Program and their seating areas shall be subject to the Program Guidelines in Exhibit A and B.M.C. 12.06 as modified by the Board of Public Works <u>Resolution 2024 77</u> . Existing encroachments shall continue to be subject to the full rules, requirements, and conditions of B.M.C. 12.06.
Use of Right-of-Way	12.08	Program participants shall not be required to obtain an additional permit for the use of right-of-way under B.M.C. 12.08, provided that the right of way is not blocked or used for anything other than those uses explicitly authorized by the Program. All other uses, closures, or access to right-of-way as indicated in B.M.C. 12.08, even in areas being

		used for the Program or by Program participants, shall continue to be subject to the full rules, requirements, and conditions of B.M.C. 12.08.
Intoxicating beverages	14.36.090	Designated parklets <u>and areas along Kirkwood</u> participating in the Program shall be excepted from the prohibition of consuming alcoholic beverages in or on any public street or right of way as long as the beverage is procured at a participating business that is operating in accordance with a license from the Indiana Alcohol and Tobacco Commission.
Parking Meter Charges	15.40.010 Schedule U	Meter fees for on-street parking spaces that are to be used as parklets <u>and from 100 E. Kirkwood through the 500 block of E. Kirkwood Avenue</u> shall be suspended.
Signs	20.04.100	For the avoidance of doubt, any signs that may be required under the Program, shall be considered public signs under B.M.C. 20.04.100(c)(2)(A).
<u>Loading Zones</u>	<u>15.32.100</u>	<u>For the duration of the Kirkwood closure, the loading zones from 100 E. Kirkwood through the 500 block of E. Kirkwood, as indicated in Schedule O of B.M.C. 15.32.100, shall be suspended.</u>

SECTION 6. The Director of the City’s Economic and Sustainable Development Department (ESD) shall issue a Provisional Use Permit to any applicants approved by ESD staff, provided that the applicants and their applications are found to be in compliance with this Ordinance, Program Guidelines, and any other reasonable conditions and restrictions set forth. The Provisional Use permit shall be valid for 21 days after the implementation date of the Program as set forth in the guidelines. The purpose of the Provisional Use permit will be to allow for the parklet to be set up, utilized, and inspected by city staff. If, during this period, any non-conformities with this Ordinance or the program guidelines are found, city staff, at their sole discretion may:

- Request modifications to the parklet to come into compliance with this Ordinance or the Program Guidelines; and
- Temporarily cease operation of the affected parklet under the Program until such time city staff has found the parklet to be in compliance with this Ordinance and the program guidelines.

If, at or prior to, the end of the 21-day period it is found by city staff that the parklet is within compliance with this Ordinance and the program guidelines, city staff shall issue the Program Permit. Failure to obtain a Program Permit will result in the immediate termination of the affected parklet.

SECTION 7. In cases of emergency, lack of participation, or any other reason that may render the Program impractical, the Common Council authorizes the City Engineer to permanently or temporarily suspend the Program, in part or in whole. If the City Engineer suspends operation of the Program or any part of the Program, except in cases of emergency, the City shall provide notice to participating businesses no

later than 14 days prior to suspension and report back to the Common Council the reasons for the suspension within 45 days of the action taken. In cases of emergency, any part or participating area of the Program may be immediately terminated. City staff shall notify businesses and City Council of the emergency termination within 72-hours of the action.

SECTION 8. Businesses participating within this Program shall remain in compliance with the Program Guidelines adopted under this Ordinance and by the Board of Public Works. If a Program participant violates any provision of this Ordinance, violates the Program Guidelines, or if any condition of approval has not been met, the ESD Director may issue a notice of violation (NOV) to the responsible party. Any Program participant charged with violating any provision of this Ordinance or the program guidelines may, in the sole discretion of the ESD Director, be issued an official warning or be subject to the penalties and remedies described in SECTION 9 of this Ordinance. If an official warning is issued, it shall be considered as affording the violator one opportunity to comply with this Ordinance or Program Guidelines. If a NOV is issued, it shall be served to the responsible party by first class mail, email, or in person in accordance with the contact information provided in the Program application. A participant that receives an NOV from the City shall have 14 days to appeal the NOV to the Board of Public Works.

SECTION 9. The City may use any remedy available at law to bring usage of the right-of-way under this Program into compliance in the event a NOV, in accordance with SECTION 8 of this ordinance, is issued, including those penalties and remedies found in Bloomington Municipal Code 1.01.130 and the following:

- Order a temporary cessation of the operation of the affected parklet/Kirkwood space under the Program until such time city staff has found the parklet/Kirkwood space to be in compliance with this Ordinance and the program guidelines;
- Order the removal of the ~~P~~parklet or cease using Kirkwood Avenue street space under the terms set forth in SECTION 7 of this Ordinance; and
- Issue a civil penalty of not more than \$2,500.00 for each violation.

SECTION 10. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstance, shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid section, sentence, provision or application, and to this end the provisions of this ordinance are declared to be severable.

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

President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

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

NICOLE BOLDEN, Clerk
City of Bloomington

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

KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

Ordinance 2025-02 establishes the Outdoor Dining Program for the use of parklets (also known as streateries) and Kirkwood Avenue as additional seating space and opportunities for businesses to expand into the street and suspends certain portion of the Bloomington Municipal Code in order to facilitate the Program. ~~The Program is authorized to continue through December 31, 2028.~~



To: Members of the Common Council

Cc: Kerry Thomson, Mayor; Gretchen Knapp, Deputy Mayor; Adam Wason, Director, Public Works; Margie Rice, Corporation Counsel; Michelle Wahl, Parking Services Director; Andrew Cibor, Director, Engineering; David Hittle, Director, Planning and Transportation; Tim Clapp, Fire Marshal; Mike Stewart, Transportation Technician; Michael Shermis, Special Projects Coordinator; Ash Kulak, Deputy Attorney for Common Council; Lisa Lehner, Council Attorney; De de la Rosa, Assistant Director for Small Business Development; Chaz Mottinger, Special Projects Manager

From: Jane Kupersmith, Director, Economic and Sustainable Development

Date: January 17, 2025

Re: Additional information regarding **ORDINANCE 2025-02: AN ORDINANCE ESTABLISHING THE OUTDOOR DINING PROGRAM IN THE DOWNTOWN CORRIDOR**

Executive Summary

City staff submitted a memo to Common Council on December 30, 2024, proposing ORDINANCE 2025-02: AN ORDINANCE ESTABLISHING THE OUTDOOR DINING PROGRAM IN THE DOWNTOWN CORRIDOR. In response to feedback from business owners and members of the Common Council, City Staff has drafted guidelines that may be considered for approval by the Board of Public works, should the Common Council approve an amendment to the Ordinance that adds the conversion of blocks of Kirkwood Avenue to pedestrian-only spaces to the Outdoor Dining Program.

Background

In response to the COVID-19 pandemic, the City of Bloomington Common Council approved Ordinance 20-11, An Ordinance Recommending that Portions of the Bloomington Municipal Code be Temporarily Suspended Due to the Ongoing Public Health Emergency, which suspended portions of the municipal code to support the operation of businesses in downtown Bloomington. The Common Council extended this ordinance and approved the expansion of outdoor seating through the end of 2021. Ordinance 22-01 extended the program through 2022. Resolution 23-04 extended the program through 2023, and resolution 2024-05 extended the program but allowed only parklets. The Kirkwood Avenue conversion was suspended due to Clear Creek Reconstruction. Each ordinance and resolution included program guidelines (also required to have approval from the Board of Public Works).

Due to the continued economic benefits of the Program, City Staff recommended that the City Council pass a new Ordinance 2025-02 to renew the Program. The Ordinance 2025-02 as

initially presented would establish a three-year Outdoor Dining Parklet/Streatery Program, running from 2025 through 2028. Each year during this period, the program's guidelines will be reviewed and approved by the Board of Public Works only. They were provided as an exhibit to Ordinance 25-02.

Staff made the recommendation to City Council to extend only the parklet program for the next three years, to improve the look of the parklets, and to focus on event-based closures of Kirkwood, understanding that during this window, the Planning & Transportation Department would begin formal evaluation and public engagement process regarding the future vision of Kirkwood Avenue.

The issue of converting Kirkwood to a pedestrian space is a complex one, with many competing views. Staff made its recommendation, having cross-functionally evaluated issues of safety, construction closures, and equitable access to this resource. It is clear that additional input is needed from the Kirkwood businesses, as decisions about the way Kirkwood is handled affects them directly. Staff has issued a survey to these businesses and will be prepared to present that feedback to Council at the January 22 meeting.

Since issuing its recommended strategy, staff has revisited some of the major inputs:

Safety

Initial feedback was that given the longer 400 block, BFD had concerns about being able to access the middle of the block in a timely manner since hoses do not reach the interior from outside the bollards. Since that initial feedback, BFD believes that with a reserved fire lane, and with BFD completing practice runs on this block, they feel supportive of a full or partial closure of Kirkwood.

BPD states that if north-south streets are open, they can get access to deliver services to the “closed” streets.

Construction

A construction project in the parking lot adjacent to CVS is slated to begin in Q1 2025. This project will require deliveries and heavy equipment in the first block. This would preclude the 100 block of E. Kirkwood from a full block closure. Construction continues on a hotel project at the corner of Kirkwood and S. Washington Streets.

Access

In past years, respondents to surveys are in favor of the conversion of Kirkwood to a pedestrian space. Certain businesses benefit from the program; certain businesses have operational challenges; and others are hindered by the program. In the 500 block, the street closure has traditionally been utilized by one business, while one other business does not support the closure and states that it harms their business. In the 2023 survey, 50% of 26 of respondents were in favor; 38% were against; 13% were neutral; and 3 businesses did not respond.

Outreach

As of the writing of this memo, there were 17 business respondents from Kirkwood Avenue. 52.9% support parklets and Kirkwood conversion; 35.3% support parklets only; and 11.8% do not support any outdoor dining program. ESD staff will download survey data and share that with Council staff in advance of the Jan 22 meeting.

Some written comments are as follows:

- *Not enough businesses participate to warrant closing the street.*
- *If businesses feel the need for outdoor dining they should have worked that into the structure of their building if they own it or should have chosen another building that supported those needed. Every business on the block pays taxes for the streets to be open and accessible and those businesses during closure are not taking our taxes away.*
- *This program needs to end. It is not fair nor beneficial to most of the businesses in the area. It also provides unfair advantage to only a handful of restaurants. It decreases already shrinking parking options. It actively discourages people from coming downtown. We are far enough past the pandemic shutdowns that this should not still be happening.*
- *Great to see local coming to downtown in summer*
- *Again, positive impact for specific events. Negative impact on operations during seasonal closure. No impact on revenue or foot traffic.*
- *Sustainability*
- *Thanks for all City Of Bloomington for helping downtown business*
- *If an event--i.e Lotus fest, 4th St. We benefit from that b/c of the increased traffic. But when the City just keeps the blocks closed, it affects delivery, staff, all the daily business inputs. But if it's a Fri-Sat-Sun event, we actually benefit from those things because of the increase in traffic.*
- *Decreasing cost and safety measures*
- *More attractive barriers, do not close Kirkwood*
- *My only other suggestion is to start a long term plan on the future of Kirkwood with expanded outdoor dining and still some traffic. We've been talking about this for 5 years now but I haven't seen any design ideas come through yet.*
- *Closed Kirkwood is a great vibe! It makes Bloomington feel charming and warm, makes people want to amble about and not worry about cars! We love it, all power to the pedestrians.*
- *Kirkwood is dark during the fall months. More street lights (permanent or temporary) may keep people out eating/shopping for longer*

Program Implementation

Resolution 25-02 was approved by the Board of Public Works on January 14, 2025. These guidelines address the implementation of parklets. Staff is currently working to finalize similar guidelines for a Kirkwood conversion dining program, should one be approved, and would seek to have them ready for consideration by the Board of Public Works on January 28, 2025. Staff will ensure that the Kirkwood Conversion is both PROWAG and ADA compliant. The program would maintain an open lane for use by emergency responders. DRAFT guidelines are included with this memo as Exhibit A.

Future of Kirkwood

Kirkwood Avenue is identified as one of the highest priority corridors in the newly adopted SS4A Safety Action Plan and will need to be comprehensively addressed to achieve the goal of zero roadway fatalities and serious injuries by 2039. The Planning and Transportation Department has already begun analyzing ways to improve safety for roadway users along Kirkwood and will continue this work in coordination with the Engineering and Economic & Sustainable Development Departments. While we do not currently have a timeline for any proposed changes, we expect to begin earnest analysis and public outreach in the interim years of the proposed outdoor dining program.

The Safety Action Plan on the SS4A website here: <https://bton.in/SS4Aw>

Conclusion

As of the writing of this memo, the conversion of Kirkwood to a pedestrian space remains a program with multifaceted inputs and impacts. With this memo, staff seeks to address questions that may arise for council members as they consider how they might amend the proposed program; to share information about the inputs that went into the initial staff recommendation; and to share direct feedback from businesses.

Exhibit A: 2025 Kirkwood Conversion Dining Program DRAFT Guidelines

Timeline:

- Materials due to Council: December 30, 2024
- Council - first reading: January 8, 2025
- Board of Public Works approval of [parklet] guidelines January 14, 2025
- Council vote on new ordinance: January 22, 2025
- Board of Public Works–potential approval of [Kirkwood] guidelines January 28, 2025
- Applications available to businesses: Early February 2025
- Deadline for submitting applications: March 3, 2025
- Final staff determination of the number and location of parklets: March 10, 2025
- Implementation of program (*weather permitting*): March 31–April 3, 2025
- Season officially begins: April 4, 2025
- End of seasonal outdoor dining program: November 10, 2025

Costs

- Kirkwood conversion outdoor dining cost:
 - For businesses with a capacity of under 20, the cost will be \$500 for utilization of the extended outdoor space on Kirkwood during the 2025 season.
 - For businesses with a capacity between 20 and 100, the cost will be \$1,250 for utilization of the extended outdoor space on Kirkwood during the 2025 season.
 - For businesses with a capacity 100 and above, the cost will be \$3,500 for utilization of the extended outdoor space on Kirkwood during the 2025 season.
 - All fees are due in full by March 28, 2025.
- Businesses are responsible for any direct costs associated with utilizing expanded outdoor dining space.
- Each participating business must submit a certificate of insurance to the Economic and Sustainable Development Department establishing proof of a comprehensive general liability policy naming the City of Bloomington as additional insured to the extent of at least \$500,000 bodily injury and \$100,000 property damage, which shall be in effect during the term of this authorization.

Eligibility

- Eligibility is limited to establishments on Kirkwood Avenue from Indiana Avenue to the B-line.
 - City staff will review the proposed spaces' street locations to ensure they are suitable for the program.

- All participating businesses must agree to cease alcohol sales in parklets by midnight.
 - Eligible businesses must complete the application and payment process as outlined in this memo.
 - Eligibility is limited to any business or organization located in the participating blocks of Kirkwood Ave. This program is focused on, but not limited to, food service establishments.
 - All participating businesses must agree to cease alcohol sales in parklets and on Kirkwood by midnight.
- Application process:
 - Application form will go live on the City's webpage in February 2025.
 - Applications are due by March 3, 2025. Businesses may submit applications in advance of the deadline.
 - A detailed site plan drawn to scale shall be submitted with the application. This site shall indicate the location of any ramps and seating installed in the parklet as well as any street furniture/trees. Measurements should be included to show conformance with Exhibit B.
 - Fees are payable via grant application site by March 28, 2025.
- Implementation:
 - The participating businesses will work with City staff to install and remove bollards at the beginning and end of the 2025 season. Implementation will be coordinated by City staff.
 - City staff will temporarily reconvert the participating blocks of Kirkwood Ave. during the 2025 season. No permanent physical changes will be made to the streetscape.
 - All cross streets will remain open.
 - A fire lane will be left in the middle of the street as necessary, as determined by the Bloomington Fire Department.
 - Where the street is closed with a contiguous barrier (i.e. orange jersey barriers as opposed to bollards), there will be a bike lane so that bikes and scooters may retain a path despite Kirkwood being a dismount zone.
 - City staff will review the quantity and location of ADA parking spaces in the downtown area and will determine whether additional ADA spaces are needed.
 - Areas not occupied by businesses or the fire lane will have greater arts programming, such as live music, mural and plein air painting, performances, or festivals. The nature and timing of this programming will be determined by City staff, in partnership with community stakeholders
 - If the weather in March/April 2025, is not conducive to outdoor dining, City staff may exercise discretion on the exact dates the bollards are installed.

- If a space is removed, either by request of the business or by determination of City staff, it may not be reinstalled in the same calendar year. Any fees paid by the business will not be refunded.
- Requirements for participating businesses:
 - Participating businesses are required to provide their own furniture, decorations, etc.
 - Participating businesses are required to invest in the beautification of street spaces through decor that meets safety standards (see Exhibit C).
 - Participating businesses must meet all requirements for their extended outdoor seating, including the Americans with Disabilities Act (ADA), PROWAG, Indiana Alcohol Tobacco Commission (ATC), Monroe County Health Department, safety, and insurance requirements.
 - Participating businesses must meet ADA/Accessibility requirements as stated in Exhibit B. All businesses utilizing the extended outdoor space on Kirkwood will be required to have a temporary PROWAG-compliant ramp from the sidewalk into the section of the street they are utilizing.
 - Tents and heaters are not allowed for use in the Outdoor Dining Program.
 - Participating businesses must comply with Indiana Fire Code regulations.
 - Businesses must remove all seating, furniture, decorations, and any other property from the parklet before the end of the program on November 10, 2025, when the parklet setups are set to come down or face fines in accordance with Title 12 of the Bloomington Municipal Code.

ADA/Accessibility Requirements

Expanded outdoor street spaces must conform to the Americans with Disabilities Act (ADA) guidelines and Public Right-of-Way Accessibility Guidelines (PROWAG), or have adjacent outdoor seating options which conform to the ADA and PROWAG (if applicable). It is the responsibility of the applicant to design and implement their seating to be compliant. Below are guidelines that will help design your space to be compliant with the ADA, PROWAG, and the City of Bloomington's standards. The guidelines below are not expected to cover all contingencies, but rather to provide basic information that participants must adhere to.

Ramps for Curb Access

- All participating businesses shall have a ramp which provides access directly from the business to the seating area.

- The ramp shall be placed in a manner that provides a clear, straight pathway, no less than 54 inches, leading from the entrance of the building to the seating area
- Slope: The maximum slope allowed is 1:12 (8.3%). This means that for every 12 inches in length there will be a 1 inch of rise (or less).
- Width: The width of a ramp shall be no less than 48 inches wide.
- Landings: The landing clear width shall be at least as wide as the ramp. The landing clear length shall be a minimum of 48 inches long. Ramps that change direction at the landing shall have a clear space a minimum of 48 x 48 inches.
- Further information can be found in the PROWAG:
 - Section R304 Curb Ramps and Blended Transitions
 - Section R407 Ramps

Accessible Seating

- While it is encouraged that all seating be wheelchair accessible, it shall be required that a minimum of at least 1 seat for every 25 to remain accessible. Seating can be made accessible by following the guidelines below:
- If only one accessible table is provided, it shall be placed closest to the accessible route into the space.
- Table Height: The table shall be 28-34 inches from the ground to the underside of the table.
- Knee Space: There shall be at least 27 inches of vertical knee space from the underside of the table, and at least 30 inches wide.
- Clearance: There shall be a clear floor space of at least 30 by 48 inches around the accessible seating.
- Availability: Accessible seating shall be available without necessitating the moving/removal of furniture.
- Further information can be found in the 2010 ADA Standards for Accessible Design:
 - Section 221 Assembly Areas
 - Section 306 Knee and Toe Clearance
 - Section 902 Dining Surfaces and Work Surfaces
 - Further information can be found in the PROWAG:
 - Section R405 Knee and Toe Clearance

Beautification Guidelines

Several options are available to outdoor dining program participants for beautification. Examples of parklet + block beautification may include, but are not limited to, the adornment of art, accessibility alterations, or cosmetic improvements, all per guidelines listed in this “Exhibit C: Beautification Guidelines.” Given the potential costs for professional parklet beautification, employing cost-friendly and easy-to-implement solutions is crucial, as businesses will bear the costs.

Beautification Options:

- Additional seating platforms
 - Outside of their uses associated with outdoor dining, spaces installations may include wooden or metal benches, platforms, ramps, or additional forms of seating to compensate for increased customer capacity and general community interactions.
- Adornment of art
 - Program participants are encouraged to use a variety of art sources to beautify spaces.
 - E.g., collaboration with local artists and the utilization of murals
- Space greenery
- Additional lighting
 - Please review the Bloomington Municipal Code section 20.04.090 for compliance.
- Further cosmetic and logistical improvements
 - More options for cosmetic improvements include the use of budget-friendly space dividers, outdoor rugs/flooring, temporary installations of menu/special boards, spaces dedicated for bike parking, and the inclusion of interactive features.
- Businesses should work with City staff to determine appropriate beautification options for the spaces. No permanent physical changes can be made to the streetscape.



City of Bloomington Indiana

City Hall | 401 N. Morton St. | Post Office Box 100 | Bloomington, Indiana 47402

Office of the Common Council | (812) 349-3409 | Fax: (812) 349-3570 | email: council@bloomington.in.gov

MEMO FROM COUNCIL OFFICE ON:

To: Members of Common Council

From: Lisa Lehner, Council Administrator/Attorney

Date: January 16, 2025

Re: Resolution 2025-01 – A Resolution of the Common Council of the City of Bloomington, Indiana, Determining, After Investigation, That an Expansion of the Monroe Convention Center Is Needed and Other Related Matters

Summary

Resolution 2025-01 continues the process to expand the Monroe Convention Center (the “Convention Center”), as previously reviewed and considered by Council in prior pieces of legislation.

Relevant Materials

- Resolution 2025-01
- Memo from Corporation Counsel Margie Rice and Controller Jessica McClellan and attachments such as recent Interlocal Agreements and legislation previously approved by Council related to the Convention Center

Resolution 2025-01

The history of the expansion of the Convention Center (the “Project”) is described in the various materials provided by the Controller. As described in the 2024 Interlocal Agreement therein, the transaction framework of the Project envisions the formation of a not-for-profit City Building Corporation which would own the real estate on which the Project would be located. Monroe County would transfer the underlying real estate to the City Building Corporation, which would issue bonds to fund the Project. The City Building Corporation would lease the real estate and improvements to the City, which would use proceeds from the Food and Beverage tax to make lease payments.

According to Resolution 2025-01, the City seeks to finance the Project relying [on Indiana Code 36-1-10 et seq.](#) This statute establishes a process where a not-for-profit corporation organized under Indiana law may lease a structure, like a building, to a political subdivision such as a City. This statute contemplates that after parties have agreed to lease terms, but before a lease has been executed, a public hearing would be held upon at least 10 days’ notice. That notice would include information about the lease. After the public hearing, the lease may be modified, confirmed or rescinded.

Section 36-1-10-7(c) describes the first step of this process. That process is initiated with 1) the receipt of a petition signed by 50 or more taxpayers of the City requesting a lease and 2) the determination, after investigation, that the Project is needed. Council, as the City’s fiscal body, plays a critical role in this process.



City of Bloomington Indiana

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Determination After Investigation that the Project is Needed

In reliance on IC 36-1-10-7(c), Resolution 2025-01 contemplates Council making certain determinations and approvals as required by statute. Section 1 of Resolution 2025-01 states that “Common Council hereby determines, after investigation, that a need exists for the acquisition, construction, installation and equipping of the Project...” In short, Council must determine, “after investigation”, that the Project “is needed”.

“After Investigation”

“Investigation” is not defined in the statute, and no judicial interpretation was found. Given the lack of statutory definition, Indiana courts will give the term its plain and ordinary meaning. As opposed to the investigation of a person for potential misconduct, the context here is the review of information in advance of a legislative decision. Meriam-Webster defines “investigation” as meaning “to observe or study by close examination and systematic inquiry”. Given that this “investigation” is in the context of a statute regarding leases, “investigation” could be read to mean review, study, and closely examine, such as Council’s actions appear to have been over the last several years with respect to the Project. Indiana courts are reticent to review and second-guess decisions of legislative bodies, given the separation of powers between the branches of government.

“Is Needed”

IC 36-1-10 et seq. does not state that specific findings are required in determining that the Project is needed. In *Luebke v. Indiana Department of Local Government Finance*, 244 N.E.3d 976(2024), the Indiana Tax Court found that Allen County Council’s determination under IC 36-1-10-7 that its Courthouse project was “needed” based upon the Resolution’s language. The Resolution stated, “After investigation, the County Council hereby finds and determines that a need exists for the Project and that the Project to be financed through the Lease will be of public utility and benefit to the County.”

Additional Approvals

Resolution 2025-01 requires that Council authorize and/or approve:

1. The Petition signed by at least 50 Taxpayers;
2. The formation of the City Building Company pursuant to IC 23-17 et seq.;
3. The publication of a notice of public hearing regarding the proposed lease to be held before Council; and
4. The appraisal of the real property financed by the Project and the appointment of 2 appraisers by the Mayor.

Conclusion

Staff review of this matter is ongoing and.

RESOLUTION NO. 2025-01

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, DETERMINING, AFTER INVESTIGATION, THAT AN EXPANSION OF THE MONROE CONVENTION CENTER IS NEEDED AND OTHER RELATED MATTERS

WHEREAS, Bloomington/Monroe County is a highly sought-after destination for groups seeking to hold events of significant size in Indiana; and

WHEREAS, people attending events at the Monroe Convention Center ("Convention Center") also patronize restaurants and shops in the County and City, which has benefited the local economy by hundreds of millions of dollars since the existing Convention Center began operating; and

WHEREAS, the Convention Center was upgraded and remodeled, but not enlarged, in 2012, and its current size has limited its ability to accommodate many groups desiring to hold events in Bloomington; and

WHEREAS, the City agrees that an expanded Convention Center ("Expanded Convention Center") would provide civic benefits as well as significantly enhance the local economy through additional visitors to the area and increased employment opportunities; and

WHEREAS, the City of Bloomington, Indiana (the "City") Common Council (the "Common Council") has determined, after investigation, that it is necessary and desirable that an expansion (the "Project") to the Monroe Convention Center (the "Convention Center") be constructed and financed; and

WHEREAS, the City has determined to finance the Project pursuant to the provisions of Indiana Code 36-1-10, as amended (the "Act"), necessitating (a) the formation of a nonprofit building corporation (the "Building Corporation") and (b) the circulation of a petition to be signed by at least fifty (50) owners of taxable real property located within the boundaries of the City (the "Petition") requesting the Common Council to enter into negotiations to secure a lease under the Act, providing for the acquisition, construction, installation and equipping of the Project and the lease thereof from the Building Corporation; and

WHEREAS, the Common Council desires to take such steps as may be necessary to secure the acquisition, construction, installation and equipping of the Project, and the lease thereof (including, without limitation, the real property upon which the Project is to be located) from the Building Corporation (when formed) as provided under the Act; and

WHEREAS, the Building Corporation is intended to be organized for the purpose of the acquisition, construction, installation and equipping of such Convention Center expansion; and

WHEREAS, the Common Council has received the Petition of at least fifty (50) owners of taxable real estate located within the boundaries of the City, requesting the Common Council to enter into negotiations to secure a lease providing for the construction, installation and equipping of the Project, which Petition has been presented to this meeting; and

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

Section 1. The Common Council hereby determines, after investigation, that a need exists for the acquisition, construction, installation and equipping of the Project and the funds needed therefor exceed the funds presently available to the City. The Common Council recommends to and authorizes the Mayor and the Controller of the City, with assistance from counsel, to proceed to take such steps as may be necessary, to secure the acquisition, construction, installation and equipping of the Project and the lease thereof (including, without limitation, the site of the Project) from the Building Corporation as provided under Indiana Code 36-1-10, as amended, including, without limitation, ratification of actions taken by the officers of the City with respect to the circulation of the Petition. The Common Council hereby accepts and approves the Petition presented to this meeting.

Section 2. The Common Council hereby authorizes and approves of the formation of the Building Corporation pursuant to Indiana Code 23-17 for the purpose of assisting with the completion of the financing of the Project pursuant to Indiana Code 36-1-10.

Section 3. The Common Council hereby authorizes and approves the publication of a notice of public hearing concerning a proposed lease (when drafted) to be held before the Common Council. The Common Council hereby approves the publication of said notice in such newspapers and at such times as required by law. The notice shall state the date, place and hour of the hearing; provide a summary of the principal terms of the lease; contain the name of the proposed lessor, the location and character of the structure to be leased, the rental to be paid and the number of years the lease is to be in effect; state that the proposed lease, plans and specifications, and cost estimates for the Project (including, without limitation, the site therefor) are on file in the office of the Controller for the City for public inspection; state that all persons are entitled to be heard at the hearing as to whether the execution of the proposed lease is necessary and whether the rental is fair and reasonable; and state that after the hearing, which may be adjourned from time to time, the Common Council may modify, confirm or rescind the proposed lease, but that the rental as set out in the published notice may not be increased.

Section 4. The Common Council hereby authorizes the appraisal of real property to be financed by the Project and the existing Convention Center, as more particularly set forth in exhibits to the proposed lease (the "Property").

Section 5. The Common Council hereby authorizes The Mayor of the City to appoint two appraisers (the "Appraisers") to appraise the fair market value of the Property. The Appraisers shall be professionally engaged in making appraisals or licensed under Indiana Code 25-34.1. The Appraisers shall be directed to return the appraisals to the Mayor of the City within two (2) weeks of their engagement by the Mayor for the appraisal work. When returned, the appraisals shall be presented to a subsequent meeting of the Common Council for approval and ratification.

Section 6. The Mayor, the Clerk and the Controller of the City, and such other officers of the City as may be necessary and appropriate, are hereby authorized to take any such actions and to execute all such instruments as may be necessary or appropriate to carry out the transactions contemplated by this Resolution, in such forms as the officers executing the same shall deem proper, to be evidenced by the execution thereof.

Section 7. This Resolution shall be in full force and effect from and upon compliance with the procedures required by law.

PASSED AND ADOPTED this ____ day of _____, 2025, by the City of Bloomington, Indiana Common Council.

CITY OF BLOOMINGTON, INDIANA
COMMON COUNCIL

Presiding Officer

ATTEST:

Nicole Bolden, City Clerk

PRESENTED to the Mayor of the City of Bloomington, Indiana, this ____ day of _____, 2025, at __:__.m.

Nicole Bolden, City Clerk

APPROVED by me, the Mayor of the City of Bloomington, Indiana, this ____ day of _____, 2025, at __:__.m.

Kerry Thomson, Mayor

SYNOPSIS

Per Indiana Code 36-1-10-7, this Resolution is required to be passed by the Common Council of the City of Bloomington (“Common Council”) in their capacity as the fiscal body if the City is going to enter into a lease for a structure, such as an expanded Convention Center. In this case, Monroe County and the City of Bloomington (“City”) have been working together since 2017 to establish funding for and expand the current Monroe County Convention Center. The City, previously, approved various documents in support of the passage of a Food and Beverage Tax by the Monroe County Council, which would fund the expansion of the Convention Center. The City also approved an Interlocal Cooperation Agreement in 2024 with Monroe County that created a Capital Improvement Board (“CIB”), appointed members to the CIB, and provided for a City Building Corporation to be created by a lease to be entered into for the ownership of the expanded Convention Center. The Resolution affirms the Common Council’s finding that the expanded Convention Center is necessary and allows for the next steps, which will include a public hearing and approval of a lease to occur.



MEMO FROM Legal and Controller:

To: Members of the Common Council

From: Corporation Counsel Margie Rice, Controller Jessica McClellan

Date: Jan 13 2025

Re: Resolution 2025-01 Convention Center Authorization of Public Hearing

Introduction

Resolution 2025-01 is presented for consideration by the Common Council in fulfillment of the requirements set forth in Indiana Code 36-1-10, and it addresses several key actions necessary for the advancement of the Monroe Convention Center expansion project. Specifically, the resolution: (1) accepts the petition signatures, (2) affirms the necessity of the project, and (3) authorizes the publication of notice of a public hearing regarding the proposed lease of the Convention Center land and buildings to the City Building Corporation.

This is the first step in the lease-bond process. The city will manage the Convention Center through a lease with the City Building Corporation, which will temporarily own the Convention Center until the bonds are paid off. The City Building Corporation is a special city board set up to handle lease bond financing. This is a typical process for funding city projects. There are several steps in this process, and today's action is just the beginning. Later steps will include approving the lease and bonds, as well as reviewing plans and cost estimates. While this step is important, it's just the start of the process.

The packet includes several key documents as background information: a preliminary timeline of the lease bond process, City and County resolutions related to the Convention Center, and a timeline for the Food and Beverage Tax. Additionally, a market analysis conducted in 2019 is provided. Visit Bloomington has commissioned five market studies since 2004, and a sixth study is currently in progress.

Background

1. Support for the Project:

In 2017, the Bloomington Common Council ("City Council") adopted Resolution 17-38, expressing support for the imposition of a Food and Beverage Tax to fund the expansion of the Monroe Convention Center. This initiative was further authorized by the Monroe County Council, which enacted Ordinance 2017-51, authorizing the collection of the Food and Beverage Tax for this purpose.

2. Creation of the Capital Improvement Board:

In 2023, the Monroe County Council ("County Council") passed Ordinance 2023-24, which established the Capital Improvement Board ("CIB") to oversee the selection of the Convention Center site, as well as the design, construction, and operations of the



expanded facility. The CIB is a governmental entity created specifically to manage such projects and operates with protections under the Tort Claims Act, ensuring transparency and accountability to the public.

3. Interlocal Agreement and Collaborative Effort:

In 2024, both the City Council and the County Council passed resolutions affirming an interlocal agreement that outlines the respective responsibilities of the city and county in relation to the Convention Center expansion project. This agreement underscores that the development of the expanded Convention Center, as well as any associated amenities such as a hotel or parking garage (collectively referred to as the "Project"), requires cooperation between the City and County. It further confirms that the CIB is the appropriate vehicle for facilitating such collaboration.

4. Ongoing Efforts:

Since its creation, the CIB has worked closely with elected officials from both the city and county to advance the shared vision of a destination convention center located in the heart of Southern Indiana.

5. Legal and Financial Expertise:

To ensure the successful execution of this complex project, the city has retained the services of special counsel Tenley Dresher-Rhoades, Scott Chin, and Scott Peck of Faegre Drinker Biddle & Reath LLP. In addition, financial consultants Buzz Krohn and Jarrod Hall of O.W. Krohn Associates LLP have been engaged to provide the necessary financial guidance required for the project's success.

Why Expansion is Needed

1. Uniqueness of Place:

Bloomington has built a strong reputation over two decades as a prime destination for small to mid-sized meetings, conferences, and conventions. The city's unique blend of university culture and vibrant community, coupled with its walkable downtown area offering numerous amenities like restaurants, shops, and hotels, creates an appealing atmosphere for business events. It's safe, progressive environment with access to nearby outdoor attractions, as well as its central location in the Midwest, makes it an attractive choice for meeting planners.

2. Missed Opportunities Due to Space Limitations

However, the current Monroe Convention Center is unable to accommodate larger events, with its maximum capacity of 250 attendees. This limitation has resulted in missed opportunities for events that require up to 600 attendees or more, such as agricultural conferences, medical groups, and religious gatherings. Over 100 event bids have been lost due to the lack of sufficient space, limiting Bloomington's potential to attract higher-value meetings and conventions. Expanding the convention center to meet these needs could significantly boost the city's ability to host a broader range of events.

3. Economic Impact of Expansion

An expanded Monroe Convention Center with additional meeting, exhibitor, and breakout spaces, as well as improved facilities like a larger ballroom, modern



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technology, and a designated host hotel, would position Bloomington to capture a larger share of the meetings industry. Projections estimate that the economic impact of such an expansion could generate \$12.8 million in new visitor spending annually, with a total economic impact ranging from \$19.3 million to \$25.7 million. This expansion would not only increase business tourism but also solidify Bloomington's reputation as a top meeting destination.

Conclusion

Resolution 2025-01 is a critical step in moving forward with the Convention Center expansion project. It not only affirms the need for the Project but also establishes the procedural framework for the lease agreement and ensures compliance with statutory requirements. The Board's approval of this resolution will facilitate the next steps in the process, including the publication of notice for the public hearing.

Should you require further clarification or have any questions regarding the content of this resolution, please do not hesitate to reach out.

**PRELIMINARY TIMETABLE AND CHECKLIST
CITY OF BLOOMINGTON, INDIANA
CONVENTION CENTER EXPANSION PROJECT (LEASE FINANCING)**

(Italicized date indicates completion of action.)

<u>Date*</u>	<u>Action</u>
<i>December 12, 2024 to January 13, 2025</i>	- Circulation of petition for signature by at least fifty (50) taxpayers of the City of Bloomington, Indiana (the "City") requesting that the City enter into a Lease for the financing of the convention center expansion project (the "Project"). (Petition counterparts are to be submitted to the Monroe County Auditor for verification and execution of certificate regarding such verification.)
<i>December 30, 2024 (Monday)</i>	- Target date for selection of members of not-for-profit Building Corporation to issue bonds.
<i>January 22, 2025 (Wednesday)</i>	- Meeting of the Common Council (the "Common Council") of the City to authorize/ratify taxpayer petition, and to adopt resolution determining, after investigation, that the Project is needed, authorizing publication of notice of public hearing on the proposed Lease, and requesting the appointment of appraisers for sale of Project site to the Building Corporation.
<i>January 24, 2025 (Friday)</i>	- Articles of Incorporation of the Building Corporation are filed with the Indiana Secretary of State.
<i>[January] __, 2025 (____ day)</i>	- Notice of special (organizational) meeting of the Board of Directors of the Building Corporation (the "Board of Directors") posted and provided to media (at least forty-eight (48) hours prior to meeting).

Date***Action**

[January] ____, 2025
(____ day)

- Organizational meeting of the Board of Directors to adopt resolution adopting bylaws, elect officers, authorize filing of federal and state exemption applications, appoint a depository, designate officers to sign checks and contracts, approve of Lease with the City, approve preliminary plans and specifications and costs estimates, authorize the reimbursement of expenditures made prior to the issuance of the bonds, and authorize execution of the Lease.

January 31, 2025
(Friday)

- Notice of public hearing on the Lease (required by Indiana Code 36-1-10-13(a)) is delivered to the Bloomington Herald Times, for publication one (1) time on Friday, February 7, 2024.

February 7, 2025
(Friday)

- Publication of notice of public hearing on the Lease in the Bloomington Herald Times. (Notice must be published at least ten (10) days prior to the public hearing.)

February 7, 2025
(Friday)

- File Form 1024 with Internal Revenue Service for 501(c)(4) exemption (state form filed with Indiana Department of Revenue upon receipt of federal determination letter).

February 10, 2025
(Monday)

- Initial draft of Preliminary Official Statement circulated to working group for review.

February 12, 2025
(Wednesday)

- Work Session with Common Council to:
 - (a) Describe preliminary plans and specifications and cost estimates for the Project; and
 - (b) Describe process for bonding, form of bonds, and legal pathway of the Project.

<u>Date*</u>	<u>Action</u>
March 3, 2025 (Wednesday)	- Meeting of the Common Council to: <ul style="list-style-type: none"> (a) Approve preliminary plans and specifications and cost estimates for the Project; (b) Conduct public hearing on the Lease; and (c) Adopt resolution authorizing the execution of the Lease, pledging Food and Beverage tax and LIT revenues to the payment of the lease rentals, approving of issuance of bonds by the Building Corporation, approving the appraisal of the Project site (if necessary), and approving substantially final forms of financing documents.
March 4, 2025 (Thursday)	- Execution of the Lease by the City and the Building Corporation. Notice of execution of the Lease is delivered to the <u>Bloomington Herald Times</u> , for publication one (1) time on Wednesday, March 10, 2025. (Notice to be delivered the day after adoption of final Council resolution.)
March 10, 2025 (Wednesday)	- Notice of execution of the Lease is published in the <u>Bloomington Herald Times</u> .
[March] ____, 2025 (____ day)	- Notice of special meeting of the Board of Directors posted and provided to media (at least forty-eight (48) hours prior to meeting).
[March] ____, 2025 (____ day)	- Special meeting of the Board of Directors to adopt resolution approving of issuance of bonds, the method of sale of the bonds (<i>i.e.</i> , public bidding or negotiated sale), and approving substantially final forms of trust indenture and related documents.
April 2, 2025 (Wednesday)	- Target date for printing of Preliminary Official Statement.

<u>Date*</u>		<u>Action</u>
April 10, 2025 (Thursday)	-	Last day an action may be brought contesting the validity of the Lease or enjoining performance of the Lease. (This timetable assumes no such challenge.)
April 10, 2025 (Thursday)	-	Pricing of bonds.
April 22, 2025 (Tuesday)	-	Closing on bonds.

* Dates are estimates only and depend on factors such as regularly scheduled meeting dates, newspaper publication dates, public approvals and other similar factors. This timetable assumes a private, negotiated sale of the bonds; bond sale procedures will be revised if public sale method is chosen.

** This timetable assumes that the lease rentals are not payable from a property tax levy. Additional procedures are required for lease rentals payable from a property tax levy.

Timeline of Food and Beverage Tax and Convention Center Expansion Project

Monroe County Government established, maintained, and has operated the Monroe Convention Center (“Convention Center”) for more than thirty years, using Innkeepers Tax Funds provided for by Indiana Code 6-9-4 et seq. and appropriated by the Monroe County Council.

The Indiana General Assembly enabled the County Council to enact a County Food and Beverage Tax in 2009, with the passage of P.L. 176-2009, SEC 21

In 2017, through Resolution 17-38, the Bloomington Common Council supported the passage of a county wide food and beverage tax to fund expansion of the Convention Center.

The County Council, relying upon the assurances of collaboration and partnership issued by the City of Bloomington Common Council and Mayor of Bloomington, adopted Ordinance 2017-51, which authorized the Monroe County Food and Beverage Tax

County Council Ordinance 2017-51 confirmed and affirmed the state-law provisions providing for a Food and Beverage Advisory Commission (“Commission”) to *“coordinate and assist efforts of the County and City of Bloomington fiscal bodies”* and requiring legislative action to seek and receive the Commission’s recommendations of all expenditures prior to the legislative approval of any expenditures of Tax proceeds

The County Council adopted Ordinance 2023-24 to create a Capital Improvement Board (“CIB”) to direct Convention Center site selection, design, construction, and operations, as it is a governmental entity created for this very purpose, protected by the Tort Claims Act, and completely transparent and publicly accountable

The City Council adopted Resolution 23-22, which approved of an interlocal agreement detailing city and county responsibilities with respect to the Convention Center expansion project as well as the membership and funding of the CIB and Convention and Visitors Commission (CVC).

The County adopted an amended interlocal agreement in early February 2024 affirming that building and activating an expanded Convention Center and any

related amenities such as a hotel and/or parking garage (collectively, the “Project”) requires their collaboration and that a Capital Improvement Board (CIB) is an appropriate vehicle for achieving that collaboration

City Council adoption of Resolution 2024-02 in late February of 2024 reconciling two versions of the interlocal agreement between the city and the county for mutual and collaborative support of an expanded Convention Center, related amenities and necessary related entities, including the CIB and CVC, managing the expansion project and Convention Center operations.

The boards and commissions related to the expanded Convention Center project hold regular meetings, publicly noticed, with public comment, whose members are representative of the public, combining appointments from the City Council, Mayor of Bloomington, County Council and Commissioners, as well as both political parties, with publicly available information and details on the spending of the Food and Beverage Tax fund, and site selection, design, construction and operations of the current Convention Center and proposed plans for the expanded Convention Center.

Bloomington/Monroe County is a highly sought-after destination for groups seeking to hold events of significant size in Indiana

People attending events at the Monroe Convention Center also patronize restaurants and shop in the County and City, which has benefited the local economy by hundreds of millions of dollars since the existing Convention Center began operations.

Passed: 7-1 (Rosenbarger)

RESOLUTION 2024-02

TO AMEND RESOLUTION 23-22, WHICH APPROVED AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF BLOOMINGTON AND MONROE COUNTY, INDIANA FOR THE OPERATION OF THE BLOOMINGTON/MONROE COUNTY CAPITAL IMPROVEMENT BOARD AND THE CONVENTION AND VISITORS COMMISSION
(To Reconcile Two Versions of the Agreement)

WHEREAS, on November 15, 2023, the Common Council of the City of Bloomington considered and approved Resolution 23-22 to approve an Interlocal Cooperation Agreement between the City of Bloomington and Monroe County, Indiana for the Operation of the Bloomington/Monroe County Capital Improvement Board and the Convention and Visitors Commission ("Agreement"), which resolution was subsequently signed and approved by the Mayor on November 17, 2023; and

WHEREAS, on February 13, 2024, the Monroe County Council approved of the Agreement with a number of differences from the version adopted by the City of Bloomington via Resolution 23-22; and

WHEREAS, on February 21, 2024, the Monroe County Commissioners approved of the Agreement as adopted by the Monroe County Council; and

WHEREAS, the City of Bloomington wishes to amend Resolution 23-22 to reconcile said differences between the two different versions of the Agreement and to approve of the version of the Agreement that was approved by both the Monroe County Council and the Monroe County Commissioners, a copy of which is attached hereto as Exhibit A and made a part hereof;

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

SECTION 1. The Interlocal Cooperation Agreement between the City of Bloomington and Monroe County, Indiana for the Operation of the Bloomington/Monroe County Capital Improvement Board and the Convention and Visitors Commission, a copy of which is attached hereto as Exhibit A and made a part hereof, is hereby approved.


SECTION 2. If any sections, sentences or provisions of this resolution, 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 3. This resolution shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 28th day of February, 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 29th day of February, 2024.



NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 29th day of February, 2024.



KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This resolution amends Resolution 23-22 to reconcile two versions of an Interlocal Cooperation Agreement between the City and the County for mutual and collaborative support of an expanded Convention Center, related amenities, and necessary related entities, including the Capital Improvement Board (“CIB”) and Convention & Visitors Commission (“CVC”), managing the expansion project and Convention Center operations. This resolution adopts the version of the agreement approved by Monroe County in February 2024.

Distributed to: Clerk, CA, County Attorney, County Commissioners, Legal, Mayor, Controller, CIB, County Council

**MONROE COUNTY AND CITY OF BLOOMINGTON, INDIANA
INTERLOCAL COOPERATION AGREEMENT
FOR
THE OPERATION OF THE BLOOMINGTON/MONROE COUNTY CAPITAL
IMPROVEMENT BOARD AND THE
CONVENTION AND VISITORS COMMISSION**

This Interlocal Cooperation Agreement, entered into on this 21st day of February, 2024, by and between Monroe County, Indiana (“County”), the City of Bloomington, Indiana. (“City”).

WITNESSETH:

WHEREAS, Indiana Code 36-1-7, *et seq.*, allows local government entities to make the most efficient use of their powers by enabling them to contract with other governmental entities for the provision of services to the public; and

WHEREAS, the County and the City each possesses the power and authority to engage in activities that promote tourism and recreation, and to construct and operate improvements to further those ends; and

WHEREAS, Bloomington/Monroe County is a highly sought-after destination for groups seeking to hold events of significant size in Indiana; and

WHEREAS, people attending events at the Monroe Convention Center (“Convention Center”) also patronize restaurants and shops in the County and City, which has benefited the local economy by hundreds of millions of dollars since the existing Convention Center began operating; and

WHEREAS, the Convention Center was upgraded and remodeled, but not enlarged in 2012, and its current size has limited its ability to accommodate many groups desiring to hold events in Bloomington; and

WHEREAS, the parties agree that an expanded Convention Center (“Expanded Convention Center”) would provide civic benefits as well as significantly enhance the local economy through additional visitors to the area and increased employment opportunities; and

WHEREAS, the parties acknowledge that building and activating an Expanded Convention Center and any related amenities such as a hotel and/or parking garage (collectively, the “Project”) requires their collaboration and that a Capital Improvement Board (“CIB”) is an appropriate vehicle for achieving that collaboration; and

WHEREAS, the parties agree that the Project and ongoing operations of an Expanded Convention Center will be funded through a combination of assets to be transferred or pledged by each party to the CIB, including but not limited to real property controlled by the parties, as well as certain tax revenues provided for under Indiana Code § 6-9-41-0.3, *et seq.* (“Food and Beverage Tax”), and under Indiana Code §6-9-4-1 *et seq.* (“Innkeepers Tax”); and

WHEREAS, the County is authorized under Indiana Code §36-10-8-4 to determine who may appoint members to the CIB, and the County is also authorized to make appointments to the Convention and Visitors Commission (“CVC”), which oversees expenditures of the Innkeepers Tax revenues; and

WHEREAS, the parties agree that their success of the Project requires an effective distribution of responsibility for funding and managing the Project and the future management and operation of the Expanded Convention Center and related amenities;

NOW, THEREFORE, in consideration of the mutual terms, covenants and conditions set forth herein, the County and the City hereby agree as follows:

ARTICLE I

PURPOSE AND DURATION OF AGREEMENT

Section 1. Purpose: The purpose of this Agreement is to set forth and define the respective duties, obligations, rights, and responsibilities of the parties with regard to the Project and their interactions with the CIB and the CVC, as these entities together will control (except as provided below) the Expanded Convention Center’s assets and funding streams.

The Project goals are threefold, 1) to expand the convention and tourism industries in downtown Bloomington, Monroe County, and the region; 2) to provide accommodations to local not-for-profits and civic organizations; and 3) to accentuate the Community goals of sustainable and environmentally progressive action.

Section 2. Duration: This Agreement shall be in full force and effect as of the date of its execution and shall remain in full force and effect for the duration of the longest term of any of the bonds issued to finance the Project, and thereafter until either party provides written notice of termination at least six (6) months in advance. The terms of this Agreement may not be changed except by mutual agreement of the parties. In the event state statutes governing the CIB and CVC are amended so as to substantively affect the balance of authority among the parties under either the terms of this Agreement or any of the other governing documents for the CIB or CVC, the County and City agree to renegotiate the terms of this Agreement in the interest of maintaining the balance of authority between the parties, including finding other means of restoring the balance. The County and City also agree that regardless of the duration of this specific Agreement, their explicitly shared and publicly declared intent is to continue collaboration in perpetuity to oversee and direct the affairs of the Convention Center for the betterment of the entire community and region, as future office holders determine.

ARTICLE II

CIB MEMBERSHIP

Section 1. APPOINTMENTS

Per County Ordinance 2023-24, the CIB shall be composed of seven (7) members, consistent with IC 36-10-8-4. The units of government which shall make appointments to the CIB are

Monroe County and the City of Bloomington. Specifically, Monroe County (“County”) shall appoint three (3) members and the City of Bloomington (“City”) shall appoint three (3) members. Those six (6) members appointed shall appoint the seventh appointment by a vote of at least four (4) members. The Mayor shall appoint two members to the CIB; the appointments must not be from the same political party. The City Council shall appoint one member to the CIB. The County Commissioners shall appoint two members to the CIB; the appointments must not be from the same political party. The County Council shall appoint one member to the CIB.

Section 2. RESTRICTIONS

No members of the CIB may be elected officials of or employees of either the County or the City, Visit Bloomington, Convention and Visitors Commission, Food & Beverage Tax Advisory Commission, the Convention Center Management Company or of the following entities affiliated with or related to the County or City: the Bloomington Housing Authority, the City of Bloomington Utilities, and Bloomington Public Transportation Corporation (“Bloomington Transit”). This restriction does not apply to board members of any County or City convention center building corporation or City of Bloomington Capital Improvements, Inc.

All terms of office shall begin on January 15th, consistent with State law. A member whose term expires may be reappointed to serve another term. If a vacancy occurs, a person shall be appointed by the original appointing authority in the same manner as the original appointment to serve for the remainder of the term.

ARTICLE III **ASSETS, FUNDING AND OPERATIONAL RESPONSIBILITIES**

Section 1. Real Property Assets:

- A. The parties agree that the work previously conducted regarding location, scope and design of the Convention Center expansion retains relevance. Accordingly, they expect the CIB to incorporate that work, updated as appropriate with additional data and input from City and County leadership and the public, into the CIB’s selection of a site for the Expanded Convention Center and sites for related amenities (e.g., hotel(s), parking garage), corresponding designs for the same, and partner selection for architectural and design services and hotelier(s).
- B. The CIB shall request from the parties such transfer of ownership of property assets as are needed in its judgment successfully to complete the Project, including property needed directly for such structures or needed to help finance them, and on such terms as needed. The Parties shall in good faith review and negotiate regarding such requests. The Parties agree that the County properties located south of W. 3rd Street and east of South College Avenue shall not become available for use prior to the conclusion of the 2024 election cycle.

Section 2. Project Construction Funding and Management:

- A. The City shall be solely responsible for approving any debt issued to finance the design and construction of the Expanded Convention Center. For this purpose, the City intends to use a non-CIB third-party building corporation (“City Building Corporation”) to issue debt on behalf of the City. Such City Building Corporation shall own the Expanded Convention Center and lease it to the City, and the City, and if necessary, the City Building Corporation shall contract with the CIB to manage the design and construction of the Expanded Convention Center, consistent with and subject to Indiana public construction laws and the terms of the debt financing and budgets for design and construction approved by the City Council. These same provisions shall apply in the event that any debt used to finance amenities such as a parking garage or hotel is issued on behalf of the City rather than the CIB or County.
- B. The bond proceeds and any other designated funds provided by the City to be used in connection with the Project shall not be included in any annual budget presented by the CIB to the County Council or otherwise require approval for their use from County authorities.
- C. As soon as reasonably practicable following completion of construction, the City shall enter into a contract with the CIB for post-construction operation and management of the Expanded Convention Center.
- D. Once debt service is completed, the City Building Corporation shall transfer ownership of the Expanded Convention Center, and the real property(ies) on which it is located, and any other structures that are financed with debt approved and issued on behalf of the City and the real property(ies) on which they are located, first to the City as lessee, in accordance with the terms of the debt financing arrangements and such terms as have been agreed between the entity(ies) that transferred real property to the City Building Corporation on terms agreed under Section 1(B) above. Subject to Indiana property disposition laws and federal tax laws relating to tax-exempt debt issued by the City Building Corporation, the City shall then transfer ownership to the CIB.

Section 3. Convention Center Operation and Management:

The Parties understand and agree to the following regarding the operation and management of the existing and expanded Convention Center and any related amenities:

- A. The existing County contract with the CVC for facility management of the current Convention Center will be assigned to the CIB as soon as practicable following completion of the design and construction period, but not before, to ensure that the ongoing operations of the current Convention Center are sustained smoothly and to allow the CIB to focus fully on the design and construction of the Project.
- B. The CVC shall promote the existing and Expanded Convention Center and related tourism and convention opportunities.

- C. The CVC shall provide the City and County Councils with updates concerning revenue projections of the Innkeepers' tax prior to July 1 of each year.
- D. The CIB shall be responsible for selecting and overseeing partnerships with any hotelier partners.
- E. The CIB shall have the authority to name the Expanded Convention Center, subject to Article IV Section 1 below.

Section 4: CIB and CVC Funding:

- A. CIB Funding:
 - a. The parties agree that during the Project design and construction period and before implementation of the contract described in Article III Section 2C above, the CIB shall have authority to determine its budget solely with the City Council, including City food and beverage funds or any other City-designated funds needed to cover the hiring/retention during the design and construction phase of relevant support staff (e.g., an Executive Director/Project Manager, financial and legal support, administrative support).
 - b. The parties anticipate that the CIB shall be funded solely with City funds through the completion of the Project design and construction period. However, to the extent that the CIB does seek appropriations from the County during the Project design and construction phase, the County agrees not to use its approval authorities over CIB annual budgets or otherwise to override, change, or interfere with (i) CIB budgets and expenditures that are agreed to by the City Council during and covering the Project design and construction period, or (ii) Project design and construction decisions that rest with the CIB and are to be funded through debt approved by the City Council or other City Council appropriations.
 - c. The parties agree that following the Project design and construction period and implementation of the contract described in Article III Section 2C above, the CIB shall work with both the City and County Councils in developing its annual budget to reach agreement among the parties prior to presenting the budget for official approval. The parties shall coordinate with the CIB so that it will present its budget to the City Council for review and approval prior to the County Council Budget Session and will present its budget to the County Council during a County Council Budget Session. In the event the County Council does not agree with the budget approved by the City Council, the two Councils shall work to come to agreement on a budget that both Councils can approve. If the Councils cannot agree on a budget by December 1st, the budget for the then-current year shall be the budget for the succeeding year.
 - d. The parties agree that in the event the CIB determines a bond or other financing is recommended for activities other than Expanded Convention Center design and construction, the CIB shall make that recommendation to the City and/or County Council, depending on the proposed source(s) of financing. If the relevant

Council(s), by resolution, approve the recommendation, then the statutory process for issuing the debt may proceed. No such bond or other financing may be issued for CIB purposes without first going through this process.

B. CVC Funding:

- a. The parties agree that during the Project design and construction period, the CVC shall develop and present its annual budget to the County Council. The County Council shall ensure that such budget reflects the continued use of Innkeepers Tax revenue to properly and sufficiently fund the operation and management of the existing Convention Center.
- b. Following the Project design and construction period and implementation of the contract described in Article III Section 2C above, the City and County shall work with the CVC in developing its annual budget to reach agreement among the parties prior to the CVC presenting its budget for official approval. The parties shall ensure through this process that the CVC uses Innkeeper's Tax to properly and sufficiently fund the ongoing operation and maintenance of the Expanded Convention Center, with at least the same proportion or dollar amount, whichever is greater, of Innkeepers Tax revenue going to support the expanded Convention Center as the CVC and County Council have approved for existing Convention Center support in recent years. The parties shall coordinate with the CVC so that the CVC shall present its proposed budget to the City Council for review and approval prior to the County Council Budget Session, and then present the budget to the County Council during a County Council Budget Session. In the event the County Council does not agree with the budget approved by the City Council, the two Councils shall work to come to agreement on a budget that both Councils can approve. If the Councils cannot agree on a budget by December 1st, the budget for the then-current year shall be the budget for the succeeding year.

ARTICLE IV

MISCELLANEOUS PROVISIONS

Section 1. Convention Center Name: The CIB shall determine a process for selecting a name for the Expanded Convention Center, except that any sale of overall naming rights to the Expanded Convention Center by the CIB shall require prior approval by both the County Board of Commissioners and the Mayor of the City of Bloomington.

Section 2. Local Government Approvals: The parties shall cooperate on the review and approval of any documents necessary to secure timely regulatory approvals for the Project site plan, design, and construction.

Section 3. Amendment of this Agreement: The parties may mutually agree to amend this Agreement to correct errors, clarify the understanding of the parties, or to otherwise fulfill the intent of the parties where the initial signed version is deemed inadequate for that purpose. The CIB and CVC may recommend changes to this Agreement for review by the parties.

Section 4. Effective Date: This Agreement will be effective when approved, in the same manner as approval of all Interlocal Agreements, except that the State Attorney General shall not be asked to approve this contract.

Section 5. General Intention as to Convention Center Use: The parties intend that the Expanded Convention Center shall also serve as a Civic Center for the use of community residents and non-profit organizations, consistent with the financial and operational needs of the Expanded Convention Center.

Section 6. Sustainability: The parties hereby express their desire and intention that the Project will incorporate sustainability into its design and future operations, and the CIB is directed to continually pursue sustainability as a primary goal, so far as financially and operationally feasible and practicable.

Section 8. Savings Clause: In the event any Article, Section or Portion of this Interlocal Agreement should be held invalid and unenforceable by any court of competent jurisdiction, such decision shall apply only to the specific Article, Section or Portion thereof specifically specified in the court's decision.

Section 9. Compliance with Monroe Couty Ordinance 2023-24. Nothing in this interlocal is meant to contradict or supplant Monroe County Ordinance 2023-24, which is attached to this Interlocal as Exhibit A.

WHEREFORE, the parties hereto have executed this Agreement as of the date first set forth above.


COUNTY OF MONROE, INDIANA
BOARD OF COMMISSIONERS



Julie Thomas, President



Penny Githens, Vice President



Lee Jones, Member

CITY OF BLOOMINGTON



Kerry Thomson, Mayor


ATTEST: (Dated: 2/21/2024)

Brienne Gregory, Auditor
Monroe County, Indiana

CITY OF BLOOMINGTON COMMON COUNCIL


Isabel Piedmont-Smith, President

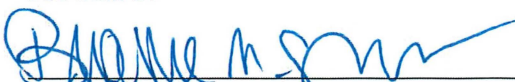
ATTEST:


Nicole Bolden, Clerk
City of Bloomington

MONROE COUNTY COUNCIL


Trent Deckard, President

ATTEST:


Brianne Gregory, Auditor
Monroe County



Monroe County Board of Commissioners Agenda Request Form

Date to be heard Formal ☒Work session ☐Department Title to appear on Agenda: Vendor #

Executive Summary:

This Interlocal agreement was approved by the County Council on February 13, 2024. It explains the interactions with the City and County as it relates to the Capital Improvement Board and Convention Center Expansion project.

Fund Name(s):

Fund Number(s):

Amount(s)

Presenter:

Speaker(s) for Zoom purposes:

Name(s)

Phone Number(s)

(the speaker phone numbers will be removed from the document prior to posting)

Attorney who reviewed:

ORDINANCE 2024-11

An Ordinance Approving the Interlocal Cooperation Agreement between the City of Bloomington and Monroe County, Indiana, regarding the Capital Improvement Board.

WHEREAS, the City of Bloomington, Indiana ("City") and the County of Monroe, Indiana ("County"), desire to enter interlocal agreement ("Agreement") which authorizes the purchase of vehicle pursuit intervention devices; and

WHEREAS, the form of the Agreement has been developed and is attached to this Ordinance as Exhibit A;

WHEREAS, the County, acting by and through its Board of Commissioners, hereby finds that the Agreement promotes the public interest and should be approved;

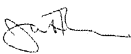
NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Monroe County, Indiana, that the Exhibit A shall be, and hereby is, approved.

Approved this 21st day of February, 2024, by the Board of Commissioners of Monroe County.

MONROE COUNTY BOARD OF COMMISSIONERS

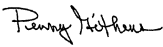
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
Julie Thomas, President

Julie Thomas, President



Penny Githens, Vice President

Penny Githens, Vice President



Lee Jones, Commissioner

Lee Jones, Commissioner

ATTEST:

Brienne Gregory, Auditor

RESOLUTION 2024-07

A Resolution Approving the Interlocal Cooperation Agreement between the City of Bloomington and Monroe County, Indiana, in regards to Capital improvement Board.

WHEREAS, be it resolved that the Monroe County Commissioners passed, An Interlocal Cooperation Agreement between Monroe County, Indiana and City of Bloomington regarding the Building Code Authority("Interlocal"), and;

WHEREAS, the Ordinance approving the Interlocal agreement is as "Exhibit A" and,

WHEREAS, the Monroe County Council has reviewed and approves of the Interlocal.

BE IT THEREFORE RESOLVED, that the Monroe County Council approves the Interlocal Cooperation Agreement between Monroe County, Indiana and City of Bloomington regarding the Capital Improvement Board.

This Resolution was presented and approved to Monroe County Council on **February 13, 2024**.

MONROE COUNTY COUNCIL

☒ Aye ☐ Nay ☐ Abstain ☐ Not Present

Trent Deckard, President

☒ Aye ☐ Nay ☐ Abstain ☐ Not Present

Jennifer Crossley, President Pro Tempore

☒ Aye ☐ Nay ☐ Abstain ☐ Not Present

Marty Hawk, Councilor

☒ Aye ☐ Nay ☐ Abstain ☐ Not Present

Peter Iversen, Councilor

☒ Aye ☐ Nay ☐ Abstain ☐ Not Present

Geoff McKim, Councilor

☒ Aye ☐ Nay ☐ Abstain ☐ Not Present

Cheryl Munson, Councilor

☒ Aye ☐ Nay ☐ Abstain ☐ Not Present

L. Kate Wiltz, Councilor

ATTEST:

Brianne Gregory, Auditor
 Brianne Gregory, Auditor
 Monroe County, Indiana

2/13/2024
 Date
 153

RESOLUTION 23-22

**TO APPROVE AN INTERLOCAL COOPERATION AGREEMENT
BETWEEN THE CITY OF BLOOMINGTON AND
MONROE COUNTY, INDIANA
FOR THE OPERATION OF THE BLOOMINGTON/MONROE COUNTY CAPITAL
IMPROVEMENT BOARD AND THE CONVENTION AND VISITORS COMMISSION**

- WHEREAS, Indiana Code 36-1-7, *et seq.*, allows local government entities to make the most efficient use of their powers by enabling them to contract with other governmental entities for the provision of services to the public; and
- WHEREAS, the City and County each possesses the power and authority to engage in activities that promote tourism and recreation and to construct and operate improvements to further those ends; and
- WHEREAS, Bloomington/Monroe County is a highly sought-after destination for groups seeking to hold events of significant size in Indiana; and
- WHEREAS, people attending events at the Monroe Convention Center (“Convention Center”) also patronize restaurants and shops in the County and City, which has benefited the local economy by hundreds of millions of dollars since the existing Convention Center began operating; and
- WHEREAS, the Convention Center was upgraded and remodeled, but not enlarged, in 2012, and its current size has limited its ability to accommodate many groups desiring to hold events in Bloomington; and
- WHEREAS, the City and County agree that an expanded Convention Center (“Expanded Convention Center”) would provide civic benefits as well as significantly enhance the local economy through additional visitors to the area and increased employment opportunities; and
- WHEREAS, the City and County agree that the success of an Expanded Convention Center project requires an effective distribution of responsibility for funding and managing the construction and future management and operation of the Expanded Convention Center and related amenities such as a hotel and/or parking garage (collectively, the “Project”); and
- WHEREAS, the City and County have negotiated an Interlocal Agreement to provide for collaborative support for the Project and the entities, including the Capital Improvement Board (“CIB”) and Convention & Visitors Commission (“CVC”), managing the Project and Convention Center operations, which Interlocal Agreement includes appropriate terms governing the contribution to the Project of real property assets and certain tax revenues provided for under Indiana Code § 6-9-41-0.3, *et seq.* (“Food and Beverage Tax”), and under Indiana Code § 6-9-4-1, *et seq.* (“Innkeepers Tax”); and
- WHEREAS, the Interlocal Agreement reflects a partnership between the City and County to achieve community economic, civic, and sustainability goals; and
- WHEREAS, the Common Council considers it in the best interests of the City to enter into the Interlocal Agreement;


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

SECTION 1. The Interlocal Cooperation Agreement between the City of Bloomington and Monroe County, Indiana For the Operation of the Bloomington/Monroe County Capital Improvement Board and the Convention and Visitors Commission, a copy of which is attached hereto and made a part hereof, is hereby approved.

SECTION 2. If any sections, sentences or provisions of this resolution, 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 3. This resolution shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 15 day of November, 2023.


SUE SGAMBELLURI, President
Bloomington Common Council

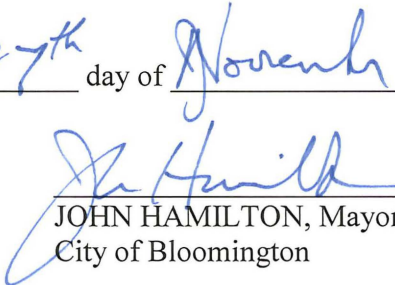
ATTEST:


NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana upon this 16 day of November, 2023.


NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 17th day of November, 2023.


JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This resolution approves the Interlocal Cooperation Agreement between the City and the County for mutual and collaborative support of an expanded Convention Center, any related amenities, and necessary related entities, including the Capital Improvement Board (“CIB”) and Convention & Visitors Commission (“CVC”), managing the expansion project and Convention Center operations.

Distributed to: Clerk, Council Attorney, County Attorney, County Commissioners, Legal, and Mayor.

**MONROE COUNTY AND CITY OF BLOOMINGTON, INDIANA
INTERLOCAL COOPERATION AGREEMENT
FOR
THE OPERATION OF THE BLOOMINGTON/MONROE COUNTY CAPITAL
IMPROVEMENT BOARD AND THE
CONVENTION AND VISITORS COMMISSION**

This Interlocal Cooperation Agreement, entered into on this ____ day of _____, 2023, by and between Monroe County, Indiana (“County”), the City of Bloomington, Indiana. (“City”).

WITNESSETH:

WHEREAS, Indiana Code 36-1-7, *et seq.*, allows local government entities to make the most efficient use of their powers by enabling them to contract with other governmental entities for the provision of services to the public; and

WHEREAS, the County and the City each possesses the power and authority to engage in activities that promote tourism and recreation, and to construct and operate improvements to further those ends; and

WHEREAS, Bloomington/Monroe County is a highly sought-after destination for groups seeking to hold events of significant size in Indiana; and

WHEREAS, people attending events at the Monroe Convention Center (“Convention Center”) also patronize restaurants and shops in the County and City, which has benefited the local economy by hundreds of millions of dollars since the existing Convention Center began operating; and

WHEREAS, the Convention Center was upgraded and remodeled, but not enlarged, in 2012, and its current size has limited its ability to accommodate many groups desiring to hold events in Bloomington; and

WHEREAS, the parties agree that an expanded Convention Center (“Expanded Convention Center”) would provide civic benefits as well as significantly enhance the local economy through additional visitors to the area and increased employment opportunities; and

WHEREAS, the parties acknowledge that building and activating an Expanded Convention Center and any related amenities such as a hotel and/or parking garage (collectively, the “Project”) requires their collaboration and that a Capital Improvement Board (“CIB”) is an appropriate vehicle for achieving that collaboration; and

WHEREAS, the parties agree that the Project and ongoing operations of an Expanded Convention Center will be funded through a combination of assets to be transferred or pledged by each party to the CIB, including but not limited to real property controlled by the parties, as well as certain tax revenues provided for under Indiana Code § 6-9-41-0.3, *et seq.* (“Food and Beverage Tax”), and under Indiana Code §6-9-4-1 *et seq.* (“Innkeepers Tax”); and

WHEREAS, the County is authorized under Indiana Code §36-10-8-4 to determine who may appoint members to the CIB, and the County is also authorized to make appointments to the Convention & Visitors Commission (“CVC”), which oversees expenditures of the Innkeepers Tax revenues; and

WHEREAS, the parties agree that their success of the Project requires an effective distribution of responsibility for funding and managing the Project and the future management and operation of the Expanded Convention Center and related amenities;

NOW, THEREFORE, in consideration of the mutual terms, covenants and conditions set forth herein, the County and the City hereby agree as follows:

ARTICLE I

PURPOSE AND DURATION OF AGREEMENT

Section 1. Purpose: The purpose of this Agreement is to set forth and define the respective duties, obligations, rights and responsibilities of the parties with regard to the Project and their interactions with the CIB and the CVC, as these entities together will control (except as provided below) the Expanded Convention Center’s assets and funding streams.

The Project goals are threefold, 1) to expand the convention and tourism industries in downtown Bloomington, Monroe County, and the region; 2) to provide accommodations to local not for profits and civic organizations; and 3) to accentuate the Community goals of sustainable and environmentally progressive action.

Section 2. Duration: This Agreement shall be in full force and effect as of the date of its execution and shall remain in full force and effect for the duration of the longest term of any of the bonds issued to finance the Project, and thereafter until either party provides written notice of termination at least six (6) months in advance. The terms of this Agreement may not be changed except by mutual agreement of the parties. In the event state statutes governing the CIB and CVC are amended so as to substantively affect the balance of authority among the parties under either the terms of this Agreement or any of the other governing documents for the CIB or CVC, the County and City agree to renegotiate the terms of this Agreement in the interest of maintaining the balance of authority between the parties, including finding other means of restoring the balance. The County and City also agree that regardless of the duration of this specific Agreement, their explicitly shared and publicly declared intent is to continue collaboration in perpetuity to oversee and direct the affairs of the Convention Center for the betterment of the entire community and region, as future office holders determine.

ARTICLE II
CIB AND CVC BOARD/COMMISSION MEMBERSHIP

Section 1. CIB Membership:

- A. Per County Ordinance 2023-24, the CIB shall be composed of seven (7) members, consistent with IC 36-10-8-4. The units of government which shall make appointments to the CIB are Monroe County and the City of Bloomington. Specifically, Monroe County (“County”) shall appoint three (3) members and the City of Bloomington (“City”) shall appoint three (3) members. Those six (6) members appointed shall appoint the seventh appointment by a vote of at least four (4) members. The Mayor shall appoint two members to the CIB; the appointments must not be from the same political party. The City Council shall appoint one member to the CIB. The County Commissioners shall appoint two members to the CIB; the appointments must not be from the same political party. The County Council shall appoint one member to the CIB. To create staggered appointments, the first round of appointments made by the Mayor and the County Commissioners will expire at 12:01 am on January 15, 2024. All other and subsequent appointments will be two-year appointments to the CIB.
- B. No members of the CIB may be elected officials of or employees of either the County or the City, Visit Bloomington, the Convention Center Management Company or of the following entities affiliated with or related to the County or City: the Bloomington Housing Authority, the City of Bloomington Utilities, and Bloomington Public Transportation Corporation (“Bloomington Transit”). This restriction does not apply to board members of any County or City convention center building corporation or City of Bloomington Capital Improvements, Inc.
- C. No member of the CIB may also serve simultaneously on the CVC or Food & Beverage Tax Advisory Commission (FABTAC).
- D. Except as provided above, all terms of office shall begin on January 15th, consistent with State law. A member whose term expires may be reappointed to serve another term. If a vacancy occurs, a person shall be appointed by the original appointing authority in the same manner as the original appointment to serve for the remainder of the term.

Section 2. CVC Membership:

- A. The CVC shall be composed of five (5) members, as required by IC 6-9-4-2.
- B. No members of the CVC may be elected officials of or employees of either the County or the City, or of the following entities affiliated with or related to the County or the City: the Bloomington Housing Authority, the City of Bloomington Utilities, and Bloomington Public Transportation Corporation (“Bloomington Transit”). This restriction does not apply to board members of any County or City convention center building corporation or City of Bloomington Capital Improvements, Inc..

- C. The Commissioners shall appoint two members to one-year terms, with the restrictions found in the IC 6-9-4-2.
- D. The County Council shall appoint three members to two-year terms. Two appointees shall meet the statutory restrictions found in the second sentence of IC 6-9-4-2(b) -- i.e., shall be the owners or general managers of hotels or motels in the county with at least 40 beds - - and shall be made after giving good faith consideration to a list of at least three recommendations made by the City Council. The third appointee, who is not subject to statutory restrictions ("the unrestricted appointment"), shall be made by the County Council from a list of four recommendations made by the City Council.

City Council recommendations for appointments must be made in writing to the County Council before November 1. The County Council shall make the appointments before January 1. If the County Council has not received the City Council's recommendations by October 15, the County Council shall send a written reminder to the City Council Administrator/Attorney.

If the County Council has not received the City Council's list of four recommendations for the unrestricted appointment before November 1, the County Council shall make the unrestricted appointment at their discretion.

- E. All terms of office shall begin on January 1 and end on December 31, consistent with State law. A member whose term expires may be reappointed to serve another term. If a vacancy occurs, a person shall be appointed by the original appointing authority in the same manner as the original appointment to serve for the remainder of the term.
- F. No member of the CVC may also serve simultaneously on the CIB or FABTAC.

ARTICLE III

ASSETS, FUNDING AND OPERATIONAL RESPONSIBILITIES

Section 1. Real Property Assets:

- A. The parties agree that the work previously conducted regarding location, scope and design of the Convention Center expansion retains relevance. Accordingly, they expect the CIB to incorporate that work, updated as appropriate with additional data and input from City and County leadership and the public, into the CIB's selection of a site for the Expanded Convention Center and sites for related amenities (e.g., hotel(s), parking garage), corresponding designs for the same, and partner selection for architectural and design services and hotelier(s).

- B. The CIB shall request from the parties such transfer of ownership of property assets as are needed in its judgment successfully to complete the Project, including property needed directly for such structures or needed to help finance them, and on such terms as needed. The Parties shall in good faith review and negotiate regarding such requests. The Parties agree that the County properties located south of W. 3rd Street and east of South College Avenue shall not become available for use prior to the conclusion of the 2024 election cycle.

Section 2. Project Construction Funding and Management:

- A. The City shall be solely responsible for approving any debt issued to finance the design and construction of the Expanded Convention Center. For this purpose, the City intends to use a non-CIB third-party building corporation (“City Building Corporation”) to issue debt on behalf of the City. Such City Building Corporation shall own the Expanded Convention Center and lease it to the City, and the City Building Corporation and the City shall contract with the CIB to manage the design and construction of the Expanded Convention Center, consistent with and subject to Indiana public construction laws and the terms of the debt financing and budgets for design and construction approved by the City Council. These same provisions shall apply in the event that any debt used to finance amenities such as a parking garage or hotel is issued on behalf of the City rather than the CIB or County.
- B. The bond proceeds and any other designated funds provided by the City to be used in connection with the Project shall not be included in any annual budget presented by the CIB to the County Council or otherwise require approval for their use from County authorities.
- C. As soon as reasonably practicable following completion of construction, the City shall enter into a contract with the CIB for post-construction operation and management of the Expanded Convention Center.
- D. Once debt service is completed, the City Building Corporation shall transfer ownership of the Expanded Convention Center, and the real property(ies) on which it is located, and any other structures that are financed with debt approved and issued on behalf of the City and the real property(ies) on which they are located, first to the City as lessee, in accordance with the terms of the debt financing arrangements and such terms as have been agreed between the entity(ies) that transferred real property to the City Building Corporation on terms agreed under Section 1(B) above. Subject to Indiana property disposition laws and federal tax laws relating to tax-exempt debt issued by the City Building Corporation, the City shall then transfer ownership to the CIB.

Section 3. Convention Center Operation and Management:

The Parties understand and agree to the following regarding the operation and management of the existing and expanded Convention Center and any related amenities:

- A. The existing County contract with the CVC for facility management of the current Convention Center will be assigned to the CIB as soon as practicable following completion of the design and construction period, but not before, to ensure that the ongoing operations of the current Convention Center are sustained smoothly and to allow the CIB to focus fully on the design and construction of the Project.
- B. The CVC shall promote the existing and Expanded Convention Center and related tourism and convention opportunities.
- C. The CVC shall provide the City and County Councils with updates concerning revenue projections of the Innkeepers' tax prior to July 1 of each year.
- D. The CIB shall be responsible for selecting and overseeing partnerships with any hotelier partners.
- E. The CIB shall have the authority to name the Expanded Convention Center, subject to Article IV Section 1 below.

Section 4: CIB and CVC Funding:

- A. CIB Funding:
 - a. The parties agree that during the Project design and construction period and before implementation of the contract described in Article III Section 2C above, the CIB shall have authority to determine its budget solely with the City Council, including City food and beverage funds or any other City-designated funds needed to cover the hiring/retention during the design and construction phase of relevant support staff (e.g., an Executive Director/Project Manager, financial and legal support, administrative support).
 - b. The parties anticipate that the CIB shall be funded solely with City funds through the completion of the Project design and construction period. However, to the extent that the CIB does seek appropriations from the County during the Project design and construction phase, the County agrees not to use its approval authorities over CIB annual budgets or otherwise to override, change, or interfere with (i) CIB budgets and expenditures that are agreed to by the City Council during and covering the Project design and construction period, or (ii) Project design and construction decisions that rest with the CIB and are to be funded through debt approved by the City Council or other City Council appropriations.
 - c. The parties agree that following the Project design and construction period and implementation of the contract described in Article III Section 2C above, the CIB shall work with both the City and County Councils in developing its annual budget to reach agreement among the parties prior to presenting the budget for official approval. The parties shall coordinate with the CIB so that it will present its budget to the City Council for review and approval prior to the County Council Budget Session, and will present its budget to the County Council during a County Council Budget Session. In the event the County Council does not agree

with the budget approved by the City Council, the two Councils shall work to come to agreement on a budget that both Councils can approve. If the Councils cannot agree on a budget by December 1st, the budget for the then-current year shall be the budget for the succeeding year.

- d. The parties agree that in the event the CIB determines a bond or other financing is recommended for activities other than Expanded Convention Center design and construction, the CIB shall make that recommendation to the City and/or County Council, depending on the proposed source(s) of financing. If the relevant Council(s), by resolution, approve the recommendation, then the statutory process for issuing the debt may proceed. No such bond or other financing may be issued for CIB purposes without first going through this process.

B. CVC Funding:

- a. The parties agree that during the Project design and construction period, the CVC shall develop and present its annual budget to the County Council. The County Council shall ensure that such budget reflects the continued use of Innkeepers Tax revenue to properly and sufficiently fund the operation and management of the existing Convention Center.
- b. Following the Project design and construction period and implementation of the contract described in Article III Section 2C above, the City and County shall work with the CVC in developing its annual budget to reach agreement among the parties prior to the CVC presenting its budget for official approval. The parties shall ensure through this process that the CVC uses Innkeeper's Tax to properly and sufficiently fund the ongoing operation and maintenance of the Expanded Convention Center, with at least the same proportion or dollar amount, whichever is greater, of Innkeepers Tax revenue going to support the expanded Convention Center as the CVC and County Council have approved for existing Convention Center support in recent years. The parties shall coordinate with the CVC so that the CVC shall present its proposed budget to the City Council for review and approval prior to the County Council Budget Session, and then present the budget to the County Council during a County Council Budget Session. In the event the County Council does not agree with the budget approved by the City Council, the two Councils shall work to come to agreement on a budget that both Councils can approve. If the Councils cannot agree on a budget by December 1st, the budget for the then-current year shall be the budget for the succeeding year.

ARTICLE IV
MISCELLANEOUS PROVISIONS

Section 1. Convention Center Name: The CIB shall determine a process for selecting a name for the Expanded Convention Center, except that any sale of overall naming rights to the Expanded Convention Center by the CIB shall require prior approval by both the County Board of Commissioners and the Mayor of the City of Bloomington.

Section 2. Local Government Approvals: The parties shall cooperate on the review and approval of any documents necessary to secure timely regulatory approvals for the Project site plan, design, and construction.

Section 3. Amendment of this Agreement: The parties may mutually agree to amend this Agreement to correct errors, clarify the understanding of the parties, or to otherwise fulfill the intent of the parties where the initial signed version is deemed inadequate for that purpose. The CIB and CVC may recommend changes to this Agreement for review by the parties.

Section 4. Effective Date: This Agreement will be effective when approved, in the same manner as approval of all Interlocal Agreements, except that the State Attorney General shall not be asked to approve this contract.

Section 5. General Intention as to Convention Center Use: The parties intend that the Expanded Convention Center shall also serve as a Civic Center for the use of community residents and non-profit organizations, consistent with the financial and operational needs of the Expanded Convention Center.

Section 6. Sustainability: The parties hereby express their desire and intention that the Project will incorporate sustainability into its design and future operations, and the CIB is directed to continually pursue sustainability as a primary goal, so far as financially and operationally feasible and practicable.

Section 8. Savings Clause: In the event any Article, Section or Portion of this Interlocal Agreement should be held invalid and unenforceable by any court of competent jurisdiction, such decision shall apply only to the specific Article, Section or Portion thereof specifically specified in the court's decision.

WHEREFORE, the parties hereto have executed this Agreement as of the date first set forth above.

COUNTY OF MONROE, INDIANA
BOARD OF COMMISSIONERS

Penny Githens, President

Julie Thomas, Vice President

Lee Jones, Member

ATTEST: (Dated: _____)

Auditor, Monroe County, Indiana

CITY OF BLOOMINGTON



John Hamilton, Mayor

CITY OF BLOOMINGTON COMMON COUNCIL


_____, President

ATTEST:



Nicole Bolden, Clerk
City of Bloomington

MONROE COUNTY COUNCIL

_____, President

ATTEST:

_____, Auditor
Monroe County

ORDINANCE 2023-24

**AN ORDINANCE OF THE MONROE COUNTY BOARD OF COMMISSIONERS
CREATING A CAPITAL IMPROVEMENT BOARD TO DIRECT
CONVENTION CENTER SITE SELECTION, DESIGN, CONSTRUCTION, AND OPERATIONS**

WHEREAS, Monroe County Government established, maintained, and has operated the Monroe Convention Center ("Convention Center") for more than thirty years, using Innkeeper's Tax Funds provided for by Indiana Code 6-9-4 et seq. and appropriated by the Monroe County Council ("County Council"); and,

WHEREAS, the Monroe County Board of Commissioners ("Commissioners") have purchased real property, funded through bonds and appropriations approved by the County Council, for the expansion of the Convention Center; and,

WHEREAS, the Indiana General Assembly enabled the County Council to enact a County Food and Beverage Tax in 2009, with the passage of P.L. 176-2009, SEC. 21; and,

WHEREAS, the County Council, relying upon assurances of collaboration and partnership issued by the City of Bloomington Common Council and Mayor of Bloomington, the County Council adopted Ordinance 2017-51, which authorized the Monroe County Food and Beverage Tax ("Tax"); and,

WHEREAS, local enabling Ordinance 2017-51 confirmed and affirmed the state-law provisions providing for a Food and Beverage Advisory Commission ("Commission") to *"coordinate and assist efforts of the County and City of Bloomington fiscal bodies"* and requiring legislative action to seek and receive the Commission's recommendations of all expenditures prior to the legislative approval of any expenditures of Tax proceeds; and,

WHEREAS, the Commissioners wish to follow state law procedures and those procedures which are required by Ordinance 2017-51, including reliance upon Commission to coordinate and assist the City and the County Council regarding the utilization of Tax receipts and requiring legislative oversight and action, which may not be contradicted or delegated under the guise of Indiana's Home Rule authority; and,

WHEREAS, the Commissioners, County Council, City, and Mayor ("Elected Officials") met on at least three occasions in 2019 in order to resolve issues regarding construction and future operation and management of the Convention Center; and,

WHEREAS, the discussions were delayed due to the COVID-19 pandemic; and,

WHEREAS, in 2022, the City of Bloomington expressed a wish to move forward with the project and expressed urgency due to the possibility of state legislation which would rescind the local Food and Beverage Tax; and,

WHEREAS, the City's offer did not reflect the status of the negotiations from 2019 with the Commissioners; and,

WHEREAS, the Commissioners wish to move forward with the 2019 structure, which included a CIB, however, there is a concern that the City does not; and,

WHEREAS, a Capital Improvement Board ("CIB"), discussed by the Elected Officials and authorized pursuant to Indiana Code 36-10-8 et seq., is a natural option to direct Convention Center site selection, design, construction, and operations, as it is a governmental entity created for this very purpose, protected by the Tort Claims Act, and completely transparent and publicly accountable; and,

WHEREAS, the Commissioners do not support the creation of an independent 501c3 corporation, due to the lack of legally-required transparency, the lack of Tort Claim liability protection, and the inherent risks that are associated with the "flexibility" provided to a 501c3; and,

WHEREAS, the Commissioners wish to see the Convention Center expansion and its ongoing operations advance and be directed by a bipartisan, neutral CIB, which is composed of appointments made by the City and County, who are empowered under state law and Ordinance 2017-51; and,

WHEREAS, the Commissioners look forward to working with their City colleagues to expeditiously move forward making appointments to a CIB so that the Convention Center expansion may proceed, and the process no longer stalled.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF MONROE COUNTY, INDIANA.

Section 1. A Capital Improvement Board ("CIB") is hereby created, pursuant to Indiana Code 36-10-8 et seq. to manage and direct the affairs of the Monroe County Convention Center ("Convention Center") and its expansion.

Section 2. The CIB shall be composed of seven (7) members, consistent with IC 36-10-8-4. The units of government which shall make appointments to the CIB are Monroe County and the City of Bloomington. Specifically, Monroe County ("County") shall appoint three (3) members and the City of Bloomington ("City") shall appoint three (3) members. Those six (6) members appointed shall appoint the seventh appointment, such appointment must comply with IC 36-10-8-4 (b). The Mayor shall appoint two members to the CIB, the appointments must not be from the same political party. The City Council shall appoint one member to the CIB. The County Commissioners shall appoint two members to the CIB, the appointments must not be from the same political party. The County Council shall appoint one member to the CIB. To create staggered appointments, the first round of appointments made by the Mayor and the County Commissioners will expire ending on January 15, 2024. All other and subsequent appointments will be two-year appointments to the CIB.

Section 3. The CIB shall have all authority permitted by law, however, the CIB shall not be allowed to employ or have appointed to the Board of Directors any Monroe County or City of Bloomington elected officials, employees, or board members who oversee any potential local governmental funding stream, such as Redevelopment funds, Innkeepers tax, or Food and Beverage Tax. It is the intent of the Commissioners, with this limiting provision, to avoid conflicts of interest and to ensure independent and fair decision-making by the CIB.

Section 4. The CIB shall select the site for the expansion of the Convention Center expansion components, including a site plan, select and contract with the operation and management organization(s), oversee process for hotelier partner selection, name the expanded center, hire/retain support staff, and the need for additional amenities including a parking garage.

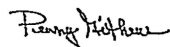
Section 5. In accordance with Section 3 and 4, this ordinance is subject to both the City of Bloomington and the Monroe County Officials to perform statutory functions. The Commissioners vow to work with their colleagues at the City to transfer the necessary real property for the actual expansion, execute all agreements, and take any/all steps necessary in order to allow the CIB to fulfill the statutory duties contained in Indiana Code 36-10-8 et seq., including the financing, construction, equipping, operating, and maintaining of the capital improvements that are and will be a part of the Monroe County Convention Center. The building and parking lot currently utilized for County Election Operations will not be made available until the conclusion of the November General Election in 2024.

Section 6. This Ordinance takes effect upon passage by the Commissioners.

Approved this 5th day of July 2023, by the Board of Commissioners of Monroe County, Indiana.

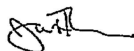
MONROE COUNTY BOARD OF COMMISSIONERS

"AYES"



7/6/2023

Penny Githens, President



7/6/2023

Julie Thomas, Vice President



7/7/2023

Lee Jones, Member

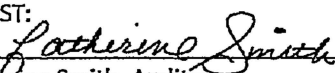
"NAYS"

Penny Githens, President

Julie Thomas, Vice President

Lee Jones, Member

ATTEST:


Catherine Smith, Auditor



Monroe Convention Center Expansion & HQ Hotel Analysis

June 10, 2019

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- ❖ Headquarter Hotel Realities
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- ❖ Projections & Impact Analysis
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Executive Summary

Purpose of Project

Hunden Strategic Partners (HSP) was engaged to conduct a market, feasibility, recommendations, and impact analysis related to the expansion of the Monroe Convention Center (MCC), including a potential new headquarters hotel, as part of a larger team effort. HSP worked amongst the team and stakeholders to develop scenarios for expansion and new hotel development. The results are shown in this document.

In summary, while similar studies have been conducted during the past 15 years, HSP's market, feasibility and impact study will be utilized by Schmidt Associates, Convergence Design and Cornerstone Planning & Design to develop a site, facility and budget plan for the recommended scenario(s).

Key Questions

When considering what is recommended for Bloomington regarding its convention center package, the following questions must be answered then interpreted:

- What is the market for conventions, conferences, sports and other events that could be held at a center in downtown Bloomington?
 - How have other Indiana convention centers in similar markets performed (South Bend, Fort Wayne, etc)?
 - What do event planners think of Bloomington as a destination vs. the competition?
 - What is Bloomington/MCC turning away now that could be captured if the right package was available?
 - What kinds of events do tourism and convention pro's in Bloomington believe they can attract?
- What can we learn from other developed projects?
 - How have comparable convention centers in similar university-oriented markets performed (non-capital, non-largest city, semi-centrally located)?
 - Why do most comparable university markets not have true convention centers, but larger conference hotels?
- What is the appropriate physical program and hotel package for Bloomington and where should it be located?
 - What do event planners say they want/need in terms of exhibit, ballroom, meeting rooms?
 - What walkable, block-able hotel package is needed/desired?

The answers to these and related questions point to the recommendations for Bloomington



Headlines

What is the market for conventions, conferences, sports and other events that could be held at a center in downtown Bloomington?

- How have other Indiana convention centers in similar markets performed (South Bend, Fort Wayne, Bloomington)?
 - While all are valued demand drivers and event facilities in their communities, the room night generation is limited, ranging from approximately 10,000 – 25,000 room nights annually, or about 0.3 to 0.5 room nights per square foot of exhibit space. This is a relatively low productivity level. The primary reason cited is the allure of large hotels and facilities in Indianapolis, which is centrally located and the center of population in the state. Outlying areas receive opportunities every 2 to 3 years, while Indianapolis is often the host for statewide meetings at least every other year. HSP expects Bloomington to perform better, given the popularity of its downtown/campus relationship and overall appeal.
- What do event planners think of Bloomington as a destination vs. the competition?
 - Planners love Bloomington for many reasons, including its vibrant, easy to walk downtown with many restaurants and shops, along with the IU campus just a few blocks away.
 - Bloomington's nearly central location is also positive and its weather is often better than northern locations throughout fall – spring.
 - There are concerns about room block availability, blocked dates for IU events, and high hotel costs due to IU demand. These are not likely to be solved by a new HQ hotel, but can be mitigated somewhat.



Headlines

- What is Bloomington/MCC turning away now that could be captured if the right package was available?
 - Multi-day conferences, banquets > 500 seats, consumer shows w/ > 60 booths, religious groups requiring a large assembly space and conventions
- What kinds of events do tourism and convention professionals in Bloomington believe they can attract?
 - All of the types of groups/events mentioned above that have been lost due to the size and/or availability of MCC, concerts and indoor sports (not considered currently). Based on HSP's analysis, an expanded facility would be able to capture all of the event types, including indoor sports.

What can we learn from other developed projects?

- How have comparable convention centers in similar university-oriented markets performed (non-capital, non-largest city, semi-centrally located)?
 - While there are few examples of true convention centers in these types of markets, those that exist have performed well, often due to the attractiveness of the downtown-university campus combination.
- Why do most comparable university markets not have true convention centers, but larger conference hotels?
 - Markets like Bloomington with IU as the main driver are often perfect for conferences and small conventions, but are limited in their appeal for larger conventions and consumer shows, as they often lack the critical mass of market size to drive larger events. Indoor sports are changing this dynamic, however, which puts Bloomington in a position to capture more events than before the sports boom.

Headlines

What do event planners say they want/need in terms of exhibit, ballroom, meeting rooms?

- But for the opportunity for sports and consumer shows, exhibit space need is limited. With sports/consumer shows, the ability to fit four regulation basketball courts and minimal retractable seating is desired. Consumer shows typically look for a minimum of 40 – 45k SF, but in smaller markets, this need is reduced.
- Ultimately, the facility should be designed to build out as little exhibit space as sports and consumer shows need. The market for conventions is limited enough that the solution for consumer/sports events will accommodate the types of conventions that Bloomington can attract.
- For a ballroom, these are the most utilized and highest revenue generating spaces. Given budgetary constraints and lack of 365-day need for exhibit space, HSP recommends that up to half of the exhibit space be designed for ballroom buildout (FF&E) and divisibility. Therefore, the space can be used as both ballroom and exhibit without developing 50% more space. Durham is an example of a convention center that converted their exhibit space to a ballroom and saw utilization increase significantly, while still being able to use it for exhibit style events.
- The number of meeting rooms recommended is 18-20, totaling approximately 14,000 SF. Utilizing existing meeting rooms in MCC will lower construction expenses.



Headlines

What walkable, block-able hotel package is needed/desired?

- The existing four walkable hotels provide 607 rooms, which is the recommended walkable room block at 15 rooms/1,000 SF of facility space. However, because of the strong hotel market, existing hotels are not able to provide blocks as is the case in non-university dominated markets. Of the existing rooms, it is often the case that the MCC can get zero – 25% of rooms, or 150 or fewer rooms.
- This is generally good news for the hotel market, but tough for the MCC to fill its spaces, especially once it is much larger. While HSP cannot recommend a 350 – 450-room property, as it would not be feasible, that range of additional rooms downtown is ultimately what would be needed in walking distance to make the facility work.
- HSP completed scenarios for recommended HQ hotels and determined that a 300-room full-service hotel is called for in order to optimize the performance of the expanded MCC.

Recommendations

After numerous scenarios were completed, HSP recommends the following for the expanded MCC:

- 30,000 Square Feet of Exhibit Space, with up to 2/3 (20,000 Square Feet) as near ballroom quality and amenities, for a truly convertible space. This will save the cost of building a separate ballroom, given that full-hall exhibit events are not as plentiful in the marketplace.
- Ballroom as noted above. The existing MCC should consider creating a small junior ballroom that breaks into multiple breakout meeting room.
- 14,000 – 16,000 Square Feet of breakout meeting rooms, utilizing much of the existing MCC as possible and reconfiguring the second level to include a junior ballroom/meeting room block combination.
- 300-room Full-Service Headquarters hotel with up to a 10,000-Square Foot ballroom and a bank of breakout rooms.
- Siting the convention center and hotel north of the current MCC is the most impactful and provides the most return on investment and benefit for the downtown and overall community. This includes siting the hotel at the current 4th Street Garage location and connecting via a skywalk.
- Renaming the facility to evoke the most impactful name as it relates to what people know the community for (or naming rights deal to generate investment). People are more familiar with Bloomington than Monroe County, so a name that includes the word Bloomington would be beneficial.



Recommended Option: North Site

After numerous meetings, stakeholder sessions and HSP's market analysis, many scenarios were considered and the most advantageous to the community (City/County) was determined.

This recommendation is the 30,000-square foot exhibit hall option on the north site, along with a hotel developed that would be attached to the convention center to the east or southeast.

HSP recommends the hotel be located at the 4th Street garage site, as it is closest to the heart of downtown and will have more viability there and require less of a subsidy, most likely.

The other option shown is the south option, which would cost more and have more of a challenge with loading/deliveries, due to higher traffic volumes. In addition, HSP has determined that the fiscal health of the project would be less, as revenues would be slightly lower and expenses higher.

Bloomington-Monroe County Convention Center - Design Options Comparison		
	North Option	South Option
Image		
Assumptions	30,000 SF New Exhibit Hall/Ballroom; 60,000 SF total new addition; Reuse existing facility for meeting rooms	
Project Cost	\$45,000,000	\$50,000,000
Truck Deliveries	Off of 4th Street (Local Street) - 4,000 Average Daily Trips	Off of 2nd Street (Arterial Street) - 12,000 Average Daily Trips
Distance from Meeting Rooms to Exhibit Hall	85 feet	530 feet
Projected Revenue		
Commonalities	Adjacent to B-Line; Faces College Avenue; Hotel access requires going through existing MC	
Other Pros	Close to downtown square; engages 4th Street and College Corner; Direct Connection to Hyatt; Potential alley connection to new 4th Street Garage	Land is currently owned; Could connect to hospital site development; Room for expansion; Adjacent to proposed parking structure
Other Cons	Need to acquire land to complete site; Limited space for expansion	Remote from existing meeting rooms; furthest away from existing hotels; furthest from downtown square
	178	

Projected Events at the Convention Center						
Event Type	Year 1	Year 2	Year 3	Year 4	Year 5	Year 10
Conventions, Conferences	17	23	25	26	26	26
Consumer Shows	9	11	13	14	15	15
Corporate Events	8	12	13	14	14	14
Sports/Entertainment Events	8	10	12	14	14	14
Sub-total Exhibit Hall	34	46	51	54	55	55
Non-Exhibit						
Banquets	115	127	139	153	153	153
Meetings Room Events	220	264	290	319	351	351
Sub-total Non-Exhibit	335	391	430	473	504	504
Total	377	447	493	541	573	573
Source: HSP						

CONVENTION CENTER PROJECTIONS: 30,000 SF North Site Events

The MCC is expected to host between 377 and 573 events per year during the first ten years of operation post-expansion. Essentially 88% of the events are expected to be non-exhibit events, which take place in ballrooms and meeting rooms.

The MCC is also expected to book between 34 and 55 exhibit events per year during the period, most of which will be conventions and conferences. Consumer shows are also expected to increase by around 60% compared to the average in recent years.

Convention Center Projected Attendance - 30k Exhibit Hall										
Event Type	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Conventions, Conferences	11,200	14,900	15,500	15,500	16,300	16,300	16,300	16,300	16,300	16,300
Consumer Shows	27,000	33,000	39,000	42,000	45,000	45,000	45,000	45,000	45,000	45,000
Corporate Events	1,800	2,600	2,800	3,000	3,000	3,000	3,000	3,000	3,000	3,000
Sports/Entertainment Events	11,000	15,000	16,500	20,500	20,500	20,500	20,500	20,500	20,500	20,500
Banquets/Receptions	48,900	53,800	59,100	64,400	64,400	64,400	64,400	64,400	64,400	64,400
Meetings Room Events	34,700	41,300	46,000	50,400	55,600	55,600	55,600	55,600	55,600	55,600
Total All Events	134,600	160,600	178,900	195,800	204,800	204,800	204,800	204,800	204,800	204,800
Source: HSP										

CONVENTION CENTER PROJECTIONS: 30,000 SF North Site Attendance

HSP projects that the expanded MCC will attract approximately 200,000 attendees once the expansion stabilizes. The majority of these attendees will come from banquets and receptions, followed by meetings room events.

This level of attendance would rise around 50% that of the average annual attendance at the MCC currently.

30,000 SF North Site Pro Forma

The MCC is expected to generate between \$1.5 million and \$2.6 million per year in operating revenues, 60% of which is expected to come from net food and beverage services net of expenses.

Expenses are expected to total between \$2.2 million in the first year up to \$3 million in Year 10. Salaries and wages far outweigh other expenses at \$988,000 or 32%.

These figures lead to an operating deficit each year, however, as events and attendance ramp up, the deficit increases significantly throughout the period. The deficit begins at \$771,000 in Year 1 and falls by around \$400,000 to less than \$440,000 in Year 10.

However, with strong third-party management, HSP expects that the operating deficit could be eliminated.

A rent “buy-down” fund should also be planned for to help buy down the rent at the facility for special events that the community wants to bid on.

Pro Forma Operating Statement of Revenue and Expenses (\$000's, Inflated)

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Revenue										
Event Revenue										
Space Rental	\$384	\$491	\$514	\$557	\$615	\$631	\$646	\$663	\$679	\$696
Equipment Rental	58	74	77	84	92	95	97	99	102	104
Net Food and Beverage	915	1,071	1,202	1,332	1,398	1,433	1,469	1,505	1,543	1,582
Event Services Income	104	133	139	150	166	170	175	179	183	188
Sub-total	\$1,460	\$1,769	\$1,932	\$2,123	\$2,272	\$2,328	\$2,387	\$2,446	\$2,507	\$2,570
Other Revenue										
Advertising and Sponsorships	15	15	16	16	16	17	17	17	18	18
Other Revenue	29	35	39	42	45	47	48	49	50	51
Total Operating Revenue	\$1,504	\$1,819	\$1,986	\$2,182	\$2,333	\$2,392	\$2,451	\$2,513	\$2,575	\$2,640
Expenses										
Salaries and Wages	812	830	848	867	886	905	925	946	966	988
Employee Benefits	284	290	297	303	310	317	324	331	338	346
Passthrough Labor	104	133	139	150	166	170	175	179	183	188
Maintenance & Repairs	169	205	231	258	284	291	297	304	310	317
Cleaning	56	69	78	86	93	95	97	99	102	104
Utilities	259	267	273	278	282	283	285	286	287	289
Sales and Marketing	45	46	37	37	38	39	40	41	42	43
General and Administrative	168	172	175	179	183	187	191	196	200	204
Insurance	90	92	94	96	98	100	102	104	107	109
Other Operating Expenses	99	104	107	111	114	117	119	121	124	126
Management Fee	149	169	187	207	219	224	229	235	240	246
Reserve For Replacement	41	52	55	59	65	67	69	71	72	74
Total Expenses	\$2,275	\$2,429	\$2,520	\$2,631	\$2,740	\$2,796	\$2,853	\$2,912	\$2,972	\$3,033
Net Operating Income	(\$771)	(\$610)	(\$534)	(\$450)	(\$406)	(\$404)	(\$402)	(\$399)	(\$397)	(\$394)

Source: HSP

300-Key HQ Hotel Performance Summary

The HQ Hotel is expected to increase its performance during the 10-year period shown from \$97 of revenue per available room (RevPAR) to \$156.

Reality Check

As shown in the report, the reality of the convention headquarter development is that a larger than typical hotel will need to be built (300 rooms vs. 175) along with robust function space in order to both host the size of groups needed at the expanded MCC and stay occupied with groups when the convention center is not full.

As shown in this report, the average public subsidy for a headquarters hotel over the past 25 years is approximately 33 percent. Other communities have publicly-funded their headquarters hotel 100% via public bonds. The city/county should be prepared for this conversation. Any smaller hotel will handicap the ability of the convention center to block needed rooms for events.

Performance Projections - 300-Room HQ Hotel

Year	Average Daily Rate	Occupancy	Revenue per Available Room	Annual Increase
Year 1	\$168	58%	\$97	–
Year 2	\$171	66%	\$113	17.3%
Year 3	\$174	73%	\$127	12.0%
Year 4	\$178	74%	\$133	4.4%
Year 5	\$183	75%	\$138	3.7%
Year 6	\$187	75%	\$141	2.5%
Year 7	\$192	75%	\$144	2.5%
Year 8	\$197	75%	\$148	2.5%
Year 9	\$201	75%	\$152	2.5%
Year 10	\$207	75%	\$156	2.5%

Source: Hunden Strategic Partners

Summary of 30-Year Impacts

The Project is expected to generate \$1.3 billion in net new spending, \$429 million in net new earnings and 495 new full-time equivalent jobs at peak.

Fiscal impact is expected to be approximately \$60 million in total tax from F&B, hotel, COIT, and property tax. Property tax accounts for almost \$34 million itself.

Construction impact is also expected to total more than \$76 million between spending on materials and labor, as well as support nearly 653 job-years.

Summary of 30-Year Estimated Impacts

Net New Spending	(millions)
Direct	\$777
Indirect	\$264
Induced	\$307
Total	\$1,348

Net New Earnings	(millions)
From Direct	\$252
From Indirect	\$86
From Induced	\$91
Total	\$429

Net New FTE Jobs	Actual
From Direct	284
From Indirect	98
From Induced	113
Total	495

Taxes Collected	(millions)
County Hotel Tax (5%)	\$18.8
Food & Beverage Tax (1%)	\$2.0
COIT (1.345%)	\$5.8
Property Tax	\$33.6
Total	\$60.2

Construction Impact	(millions)
New Materials Spending	\$40.7
New Labor Spending	\$35.4
Job-Years, Actual	653

Source: Hunden Strategic Partners

Profile of Monroe Convention Center

Site Map

The Monroe Convention Center is located on the southern edge of downtown Bloomington. MCC is attached to a Courtyard by Marriott hotel. The potential expansion area extends west across the B-Line Trail, east across College Avenue, north across 3rd Street and south to 2nd Street. The City of Bloomington and Monroe County each own portions of the land.

There are many restaurants, shops and other attractions within walking distance of the MCC, mostly to the north and northeast.

An expansion of the MCC and connections to downtown will grow the perceived footprint of downtown and pull its center of gravity further south.



Monroe Convention Center

The Monroe Convention Center (MCC) is a two-story building located in downtown Bloomington, Indiana, at the intersection of North College Avenue and 3rd Street. The building was originally constructed in 1923 as Graham Motor Sales, a car dealership, but was later renamed the Henry Ford Model T assembly plant and showroom.

In 1991, the building became the Bloomington/Monroe County Convention Center and was transformed into a meetings and event center for the community and beyond. Five years later the 117-room Courtyard Bloomington was constructed adjacent to the BMCCC and was later attached by an enclosed walkway. The BMCCC underwent a renovation in 2012 to modernize the interior spaces of the building. It is now known as the Monroe Convention Center (MCC).

The facility is owned by Monroe County, but is operated by the Convention Center Management Company, a non-profit organization established to operate the MCC. Funding for the operations of the MCC is provided by a joint-partnership between Monroe County and the City of Bloomington using funds collected via an innkeepers tax.



MCC Function Space

Although called a “Convention Center” the facility primarily targets smaller groups (up to 500), according to facility management. MCC also lacks the requisite exhibit hall space to be considered a true convention center. There is a total of nearly 21,000 square feet of meeting and ballroom space.

The MCC features one 12,146-square foot irregularly-shaped ballroom on the second floor, in addition to seven other meeting rooms, which are located on the ground floor. The Olcott Young Room is the largest meeting room available for rent at the MCC at 2,600 square feet, followed by the Duke Energy Room West at 2,067 square feet. The total function space to hotel key ratio is approximately 178 square feet per key when accounting for the 117 guestrooms at the adjacent Courtyard by Marriott hotel.

MCC’s function space and attached hotel package will be compared to its competitors and comparable facilities later in this report.

Monroe Convention Center Function Space

Facilities	Total (SF)	By Division (SF)	Divisions
Ballroom Facilities			
The Great Room & Duke Energy Room	12,146		3
The Great Room		8,675	1
Duke Energy Room		3,471	2
	12,146		3
Meeting Room Facilities			
Olcott Young Room	2,600		1
William J. Finch Room	1,350		1
Zebendon Room	1,166		1
Hansen Room	1,130		1
Rogers Room	864		1
Cook Group Room	1,610		2
	8,720		7
Hotel Rooms	117		
Total Exhibit Space	0	/ Guest Room	0.0
Total Ballroom Space	12,146		103.8
Total Meeting Space	8,720		74.5
Total Function Space	20,866		178.3
Ballroom Divisions	3	/ 100 Guest Rooms	2.6
Meeting Room Divisions	7		6.0
Total Divisions (including Ballroom)	10		8.5

Source: Hunden Strategic Partners

Courtyard Bloomington

Rooms: 117

Meeting Space: 1,138

The Courtyard Bloomington opened in September 1996, five years after the MCC opened. The upscale, select-service property offers 112 guest rooms and five suites, a dining area called the Bistro, and two meeting rooms.

Courtyard Bloomington was originally intended to act as a headquarter hotel for the MCC. However, due to very strong corporate and leisure transient guest demand, Courtyard Bloomington often is unable or unwilling to provide meaningful room blocks to groups hosting events at the MCC.

In the event of a facility expansion, larger room blocks for groups utilizing the MCC should be expected and required from a new headquarter hotel.



Visit Bloomington Conventions Held

Visit Bloomington assisted in booking 141 conventions between February 2012 and March 2019. These conventions averaged more than 3 days and 250 attendees per event. These conventions also generated more than 28,000 rooms nights for Bloomington hotels, which is an average of 200 per event.

According to Visit Bloomington, the average convention books 215 days or 7 months in advance, a relatively short booking window. With a larger facility, the booking window will likely lengthen to beyond 1-2 years for the larger events.

Visit Bloomington Conventions Feb 2012 - Mar 2019

Events	141
Event Days	460
Average Event Days per Event	3.3
Total Attendance	35,192
Average Attendance per Event	250
Total Room Nights	28,521
Average Room Nights per Event	202
Average Lead Time (Days)	215

Source: Visit Bloomington

MCC Events & Attendance

Over the three year period, MCC averaged nearly 550 events per year and attracted nearly 220,000 total attendees during the same period. Attendance at the facility grew slightly in 2018 despite the facility hosting fewer events. The average number of attendees per event is small (135) compared to larger convention centers.

Summary of MCC Events 2016 - 2018

Year	# of Events	Total Attendees	Average # of
			Attendees Per Event
2016	549	68,257	124
2017	571	75,556	132
2018	514	76,107	148
Average	545	73,307	135

Source: Monroe Convention Center

MCC Financial Performance

Catering is by far the largest revenue generator at the MCC, as shown in the adjacent table.

However, the next page will show that related catering expenses outweigh the revenue. Room rental and audio visual rental are the second and third largest revenue generators. Revenue increased from \$1.57 million in 2016 to nearly \$1.8 million in 2017 before decreasing to \$1.7 million in 2018.

Total revenue per square foot of function space was \$80.40 on average.

Monroe Convention Center - Revenue				
	Average PSF of Function Space	2016	2017	2018
Operating Revenue				
Room Rental	\$16.62	\$346,071	\$351,099	\$343,490
Catering Food	\$35.02	\$652,301	\$813,301	\$726,411
Catering Bars	\$3.51	\$80,129	\$80,701	\$58,919
Cat.-Serv. Fee/Misc.	\$8.43	\$163,731	\$189,932	\$174,062
Audio Visual	\$13.79	\$266,437	\$297,303	\$299,437
Equipment Rental	\$1.94	\$38,281	\$30,291	\$53,116
Extra Requirements	\$1.02	\$19,579	\$30,333	\$14,066
Parking	--	--	--	--
Parking Space Rental	--	--	--	--
Other Services	\$0.02	\$595	\$344	--
Interest Income	\$0.00	\$8	\$1	--
Misc. Income	\$0.01	--	\$195	--
CVC Interest	\$0.00	\$11	--	--
Other Income	\$0.14	\$2,957	--	--
Total Revenues	\$80.40	\$1,570,100	\$1,793,500	\$1,669,501
<i>Total Function Space: 20,866</i>				
Source: Monroe Convention Center				

MCC Financial Performance

Catering expense was the largest expense item for MCC, followed by payroll and audio visual expenses. Catering income (net of expenses) was approximately \$150,000 each year shown. A/V net income was between \$50,000 and \$65,000 per year.

Total expenses per square foot of function space are approximately \$93.17.

Monroe Convention Center - Expenses				
	Average PSF of Function Space	2016	2017	2018
Room Set Up	\$0.67	\$13,483	\$15,452	\$13,201
Catering Expense	\$40.14	\$747,122	\$939,887	\$825,386
Audio Visual	\$11.06	\$208,267	\$248,391	\$235,565
Other Equipment	\$0.52	\$9,802	\$5,375	\$17,198
Parking Expenses	\$0.86	\$18,000	\$18,000	\$18,000
Extra Requirements	\$1.28	\$26,562	\$30,717	\$22,591
Utilities	\$4.81	\$83,685	\$109,106	\$108,133
Building Maintenance	\$7.15	\$114,354	\$192,877	\$140,580
Equipment	\$0.10	\$1,688	\$2,659	--
Printing	\$0.14	\$6,011	\$1,903	\$883
Promotional	\$0.25	\$4,290	\$6,654	\$4,877
Meetings-Travel	\$0.34	\$1,255	\$10,237	\$9,922
Memberships	\$0.24	\$5,894	\$3,869	\$5,363
Services	\$0.81	\$8,379	\$21,017	\$21,193
Advertising	\$1.15	\$24,113	\$22,698	\$25,342
Telephone	\$0.16	\$2,969	\$4,024	\$3,002
Internet Expense	\$0.12	\$3,297	\$1,676	--
Payroll	\$21.58	\$422,795	\$469,004	\$458,932
Insurance	\$0.52	\$6,583	\$14,616	\$11,202
Corp Income Tax	(\$0.18)	\$13,900	(\$12,466)	(\$12,466)
Other	\$1.52	\$19,416	\$45,638	\$30,194
Total Expenses	\$93.17	\$1,741,865	\$2,151,334	\$1,939,098
<i>Total Function Space: 20,866</i>				
Source: Monroe Convention Center				

MCC Financial Performance

The Monroe Convention Center's net loss ranged from \$170,000 to \$360,000 each year shown. Funding from the CVC and Innkeepers Tax covers the shortfall.

As shown, average net operating loss per square foot of function space is \$12.77.

Monroe Convention Center - NOI				
	Average PSF of Function Space	2016	2017	2018
Total Revenues	\$80.40	\$1,570,100	\$1,793,500	\$1,669,501
Total Expenses	\$93.17	\$1,741,865	\$2,151,334	\$1,939,098
Net Income	(\$12.77)	(\$171,765)	(\$357,834)	(\$269,597)
<i>Non-Operating Revenue (*Innkeepers Tax)</i>				
CVC Income	\$15.88	\$311,331	\$336,237	\$346,324
Net With Funding	\$3.11	\$139,566	(\$21,597)	\$76,727
<i>Total Function Space: 20,866</i>				
Source: Monroe Convention Center				

MCC

Lost Business

MCC tracked 479 lost events from 2014 through 2017, averaging 120 lost events per year.

The most common reason for losing an event at MCC was that the dates requested were already booked, which accounted for one-third of lost business during the period shown. Otherwise, most groups were lost due to the cost of the event being too high. The reason for losing nearly one-quarter of events is not known.

The number of lost events increased from 104 in 2014 to 169 in 2016 before sharply declining to 52 in 2017. The reason for this rapid decrease in not known.

MCC Lost Business - Number of Events										
Reason	2014		2015		2016		2017		Average	
	Events	Percent	Events	Percent	Events	Percent	Events	Percent	Events	Percent
Cancelled	0	0%	0	0%	0	0%	11	17%	3	2%
Changes in their organization	6	4%	10	4%	7	3%	2	3%	6	4%
Date availability	32	21%	48	21%	43	19%	25	38%	37	22%
Facility too small	0	0%	0	0%	13	6%	1	2%	4	2%
Room cost too high (incl F&B, AV)	17	11%	26	12%	52	23%	0	0%	24	14%
Unknown	49	32%	70	31%	54	24%	13	20%	47	28%
Total	153	100%	224	100%	223	100%	65	100%	166	100%
Source: Monroe Convention Center										

Visit Bloomington Lost Business

Visit Bloomington is responsible for responding to various groups looking for spaces in Bloomington and Monroe County to host events, as well as coordinating efforts to get groups in contact with facilities. Visit Bloomington sells space in MCC as well as all other event facilities when possible and appropriate for event groups' needs.

For groups requesting meeting/event space between the beginning of 2012 and end of 2021, lost business totaled nearly 150 events, 41,000 attendees and 41,000 room nights. Most groups ultimately chose another city to host their event, which cost Bloomington one-third of 41,000 room nights lost during the 10-year period.

Visit Bloomington Lost Business - Meetings 2012 - 2021			
Lost Reason	Events	Attendance	Room nights
Chose a different city	38	6,444	13,800
Geographic/Location	14	2,010	1,646
Multiple reasons	15	4,185	3,219
Could not accommodate meeting/exhibit space	13	7,290	3,626
Date Availability	11	2,125	2,732
Unknown	9	2,300	2,335
Lack of response from planner	8	1,285	2,900
Could not accommodate dates needed	7	5,673	1,927
Venue Specifications	7	2,650	2,870
Funding Problems	5	425	584
Hotel Rates Too High	5	770	800
Convention center too small	3	600	805
Meeting Space Rental Too High	3	2,845	610
No Local Organizers/Members	2	325	285
Cost restrictive facilities/hosting fees	1	250	520
Could not accommodate room block	1	225	520
Event cancelled/postponed	1	45	120
Lack of response from properties	1	16	8
Lack of support from local group	1	170	450
Popularity (Attendance Issue)	1	670	255
Too Few Rooms at HQ Hotel	1	290	675
Weather	1	300	350
Total	148	40,893	41,037
Source: Visit Bloomington			

Economic & Demographic Analysis

Regional Map – Drive Times

1-hour Drive-time:

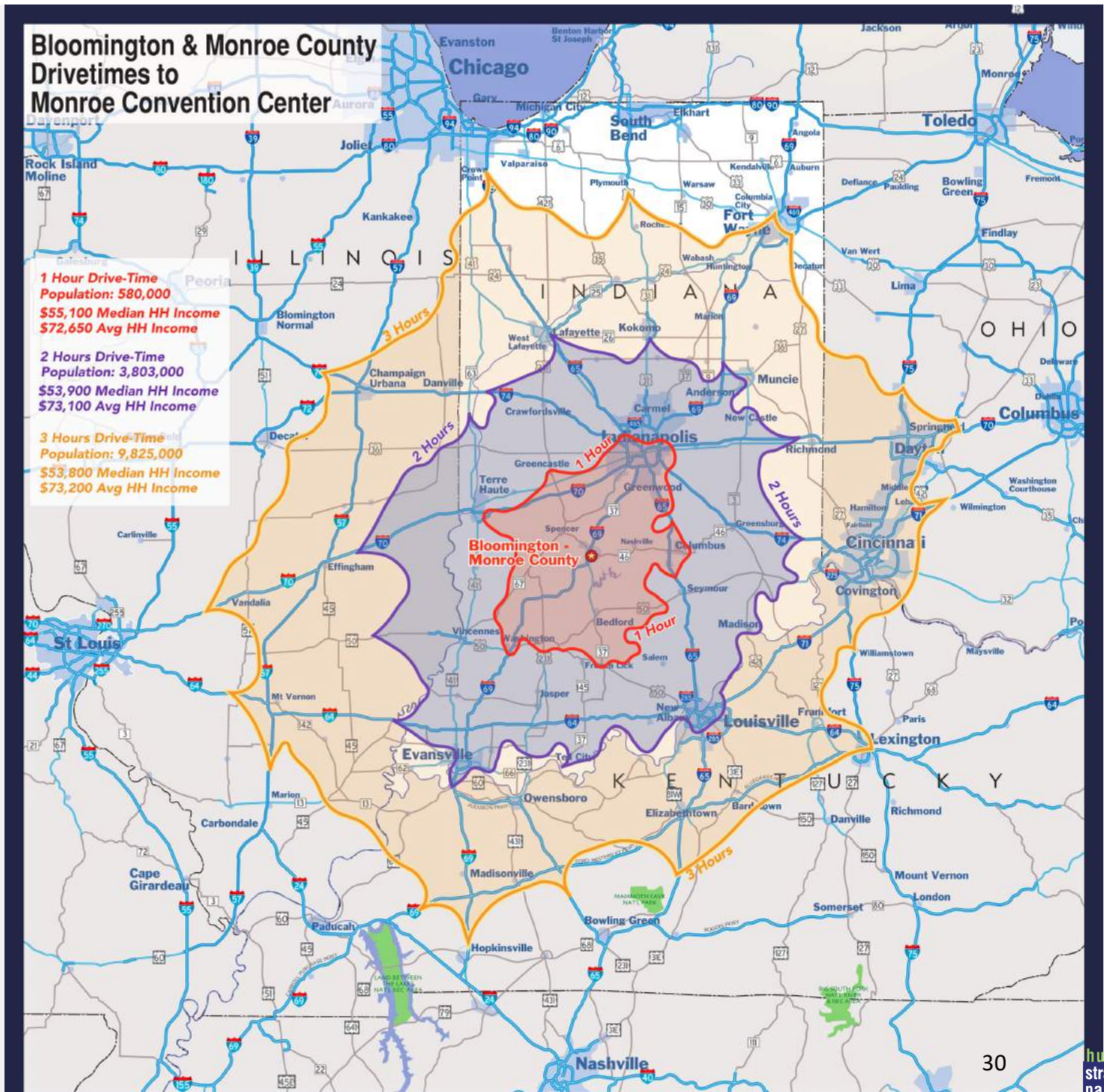
- Population: 580,000
- \$55,100 Median Household Income
- \$72,650 Average Household Income

2-hour Drive-time:

- Population: 3.8 million
- \$53,900 Median Household Income
- \$73,100 Average Household Income

3-hour Drive-time:

- Population: 9.8 million
- \$53,800 Median Household Income
- \$73,200 Average Household Income





Regional & Airport Access

Road access to Bloomington is improving in terms of access from other parts of Indiana, but is still challenged depending on the origin market. Now that Section 5 of the Interstate 69 development is complete, which extends from Bloomington to Martinsville to the north, motorists from southwestern Indiana have a very convenient route to Bloomington. Section 6 of I-69, which is the section between Martinsville and I-465 around Indianapolis, is the final section of the project and is expected to continue through at least 2024. Indiana State Road 45 is a winding highway spanning 56 miles from Scotland, 32 miles southwest of Bloomington, to Bean Blossom, 20 miles northeast of Bloomington. Indiana State Road 46 runs east-west 157 miles from Terre Haute to US 52 in Dearborn County near the Indiana-Ohio border.

Airport access can also be a challenge for Bloomington visitors. Almost exclusively travelers will fly into Indianapolis International Airport and drive or take a shuttle to Bloomington, which is typically an hour or so trip. The road portion of this journey will improve and shorten once Section 6 of I-69 is completed. Bloomington also has access to the Monroe County Airport, however, this is a private- and corporate-focused airport that does not offer commercial passenger flights.

Population

Population in Indiana, Monroe County and Bloomington has been trending upward since at least 1990. The growth rate of these areas has been less than that of the United States since 2010.

Bloomington accounts for approximately 58 percent of the county’s population since 1990.

The relationship between Indiana University and Bloomington is very similar to that of Bloomington and Monroe County. The student population living in Bloomington has been just over half of the city’s population (approximately 54 percent) since 1990. There is, however, a mass exodus of students during winter break, spring break and between Spring and Fall semesters (early May through late August), heavily decreasing Bloomington’s population temporarily.

The city and county are growing faster than the student population, which is a good sign in terms of economic diversity.

Population and Growth Rates					
	Population			2017 Estimates	Percent Change
	1990	2000	2010		2010 - 2017
United States	248,709,873	281,421,906	308,745,538	325,719,178	5.5%
State of Indiana	5,544,159	6,080,485	6,483,802	6,691,878	3.2%
Monroe County	109,308	120,563	137,974	144,436	4.7%
Bloomington	63,675	69,291	80,405	83,636	4.0%
City Pop. As % of County	58.3%	57.5%	58.3%	57.9%	--
Indiana University Enrollment	35,435	37,076	42,464	43,710	2.9%
IU Enrollment As % of Bloomington	55.6%	53.5%	52.8%	52.3%	--
Source: U.S. Census Bureau, Indiana University					

Largest Employers

Indiana University – Bloomington employs the most people of any employer in the city and Monroe County with 7,000 employees.

Between Cook Group, Inc, IU Health Bloomington, Baxter and Catalent, Bloomington has more than 7,500 employees in the medical and healthcare sector. Now that Cook Group has purchased the former General Electric plant and Catalent has nearly completed its manufacturing facility expansion, employment in this company (locally) and in this sector is expected to increase.

Beyond IU, Bloomington had historically been more reliant on manufacturing and related, but has transitioned to a much more service, medical and value-add economy.

Bloomington Major Employers

Company Name	Industry	# of Employees
Indiana University - Bloomington	Education	7,000
Cook Group, Inc	Medical Appliances & Equipment	3,300
Indiana University Health Bloomington	Medical Services	2,246
Monroe County Community School Corporation	Education	1,882
Baxter Healthcare Pharmaceuticals	Pharmaceuticals	1,100
Catalent	Pharmaceuticals	900
City of Bloomington	Government	690
Monroe County	Government	532

Source: Greater Bloomington Chamber of Commerce

Major Attractions

Bloomington has many attractions and experiences to offer visitors and residents. For a smaller city, Bloomington has a wide variety of cultural centers, art and history museums available.

A major strength of Bloomington is its appeal to eco tourists. The B-Line Trail, Indiana University's campus, McCormick's Creek State Park and Brown County State Park offer many options for experiencing the natural beauty available in south-central Indiana.

With the presence of Indiana University, collegiate sports of all kinds are also available throughout the year and attract many visitors to the city.

Bloomington Area Attractions

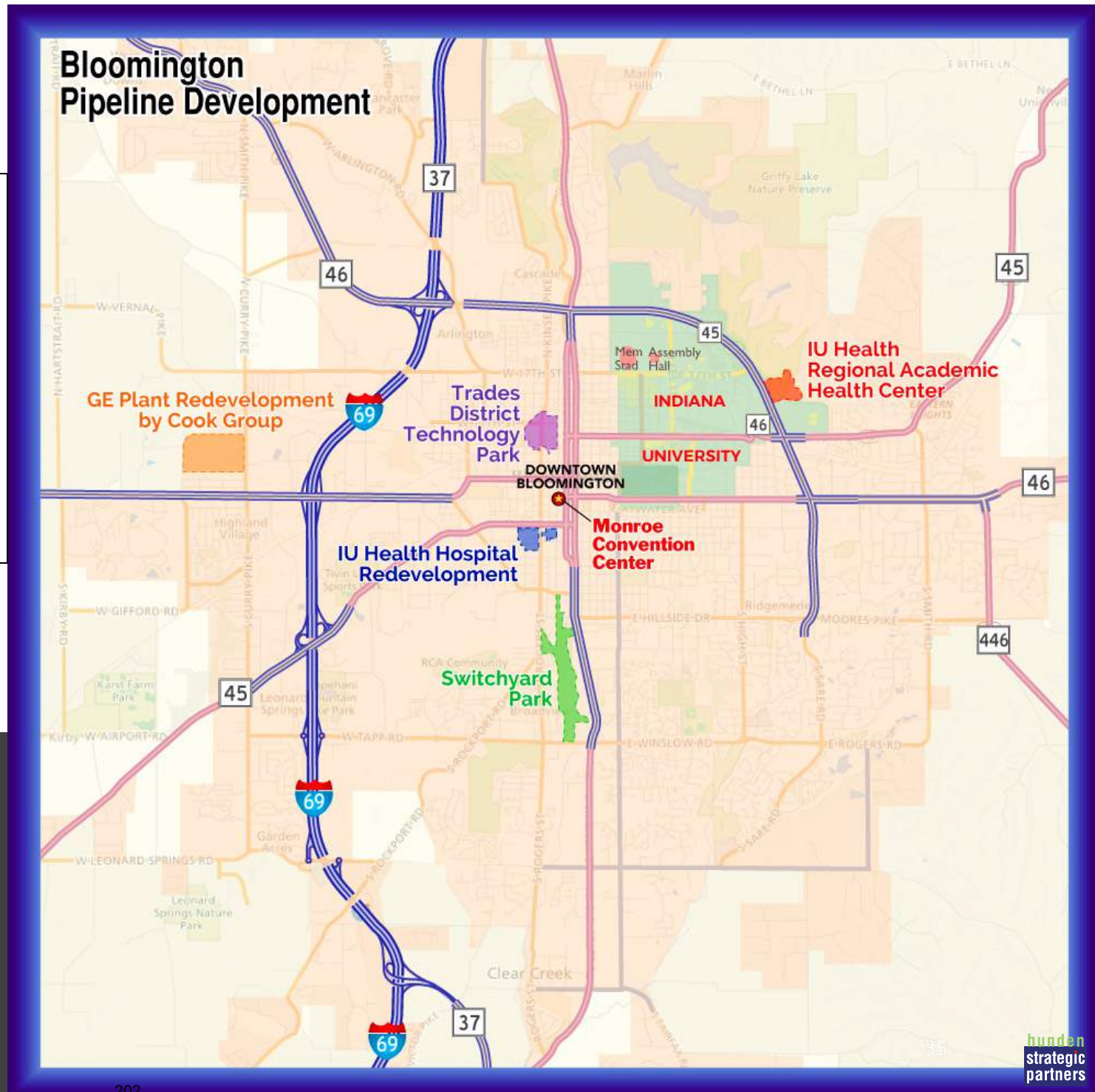
Attraction	Type
Assembly Hall	Sports
B-Line Trail	Outdoor
Buskirk Chumley Theater	Theater
Eskenazi Museum of Art	Museum
Gaden Khachaoeshing Buddhist Monastery	Cultural
Indiana Univeristy Auditorium	Theater
Indiana University Campus	Outdoor
Ivy Tech John Waldron Arts Center	Museum
Lake Monroe	Outdoor
McCormick's Creek State Park	Outdoor
Memorial Stadium	Sports
Tibetan Mongolian Buddhist Cultural Center	Cultural
Wonderlab Science Museum	Museum
Source: Visit Bloomington, Various sources	

Bloomington Major Development Pipeline

Project	Status	Anticipated Completion
4th Street Parking Garage Demolition	Planning	Late 2019
Switchyard Park	Under Construction	May 2020
IU Health Regional Academic Health Center	Under Construction	Late 2020
General Electric Site Redevelopment - Cook Group	Under Construction	N/A
Bloomington Trades District	Under Construction	N/A
Bloomington Hospital Site Redevelopment	Planning	N/A

Source: Various sources

Major Project Development Pipeline



Downtown Walkability

The Monroe Convention Center is currently considered to be outside of the core of downtown Bloomington by most local residents, even though it is one block from the center of downtown. There is a noticeable change in the area's character between Kirkwood Avenue and the MCC along College Avenue.

Two factors about this pedestrian connection feel unwelcoming and expansive: surface parking and a lack of streetscaping, as well as the intimidating and unsafe intersection of College Avenue and 3rd Street, along with fast-moving one-way streets.

Beyond this perception of disconnection, there are many walkable amenities in downtown Bloomington. Namely, the Square, Kirkwood Avenue and the 4th Street Restaurant District.



Convention and Meetings Industry Trends

Facility Types & Requirements for Various Event Types										
Event Type	Conventions with Exhibits	Conventions	Tradeshows	Consumer Shows	Assemblies	Sports Events	Conferences	Meetings	Trainings	Banquets
Attendance Range	150 - 50,000	150 - 15,000	250 - 50,000	8,000 - 1,000,000	5,000 - 50,000	500 - 100,000	50 - 2,000	10 - 300	10 - 300	50 - 2,000
Primary Purpose	Info Exchange & Sales	Info Exchange	Sales	Advertising & Sales	Info Exchange	Sports	Info Exchange	Info Exchange	Training	Social, Business & Charity
Facility Requirements	Exhibit Halls, Ballroom, Meeting Rooms, Hotel Block	Ballroom, Meeting Rooms, Hotel Block	Exhibit Halls, Hotel Block	Exhibit Halls	Arena or Exhibit Halls, Hotel Block	Arena, Stadium or Exhibit Halls, Hotel Block	Ballroom, Meeting Rooms, Hotel Block	Meeting Rooms, Hotel Block	Meeting Rooms, Hotel Block	Ballroom
Typical Facility Used	Convention Center & Large Hotels	Convention Center & Large Hotels	Expo Facilities & Convention Centers	Expo Facilities & Convention Centers	Arenas or Convention Centers	Arena, Stadiums, Convention Centers	Convention/Conference Centers and Hotels	Convention/Conference Centers and Hotels	Convention/Conference Centers and Hotels	Convention/Conference Centers and Hotels

Source: HSP

Convention and Meetings Industry Trends

It is important for stakeholders in Bloomington to understand the forces shaping the convention and meetings business. While the industry is ever-changing, the expectations for ease, convenience and affordability have increased, while the demand for authenticity and large blocks of generic/branded hotel rooms and attached high-quality flexible spaces has also increased.

Often, a single event will use many different types of spaces, including exhibit halls, banquet facilities and breakout meeting rooms increasing the need for well-designed multi-purpose facilities.



Convention and Meetings Industry Trends

The various types of convention and conference center events include:

Conventions are high-impact events economically because a large percentage of attendees originate from outside the local area and typically stay several nights in the host city and spend money on accommodations, food, transportation, retail goods, and entertainment. Spouses, family, or companions typically accompany a significant number of attendees. Associations, professional groups and other membership organizations hold conventions, with attendance generally ranging from 150 to 50,000 attendees. The larger meetings take place in convention centers with large exhibit halls, but the majority of events require less than 50,000 square feet.

Trade Shows offer a forum for exchanging industry ideas. They are more product- and sales-oriented than conventions. Trade shows typically attract a large number of attendees, who often originate from outside the host city, but tend to have a shorter average stay.

Consumer Shows are public, ticketed events featuring exhibitions of merchandise for sale or display. Consumer shows range in size from small local and specialized shows with a few hundred attendees to large shows with thousands of attendees. The larger consumer shows may occur in convention centers, shopping malls, fairgrounds and other public-assembly facilities with large exhibition areas. The majority of attendees are local, but exhibitors often come from out of town.

Sports events are high-impact events similar to conventions due to the typically high proportion of attendees coming from beyond the local area. Indoor sports, such as basketball, volleyball, dance, CHEER, wrestling, boxing, table tennis, pickleball, etc., typically require large exhibit spaces, changing rooms for athletes and spectator seating.



Convention and Meetings Industry Trends

Conferences are meetings typically held by associations, professional groups, and other membership organizations. Educational institutions also host conferences. These events do not usually require exhibit space, but otherwise the facility demands are similar to those of conventions—such as meeting space for general sessions, food service facilities and breakout rooms. Hotels and conference centers typically serve as venues for conferences.

Corporate meetings include training seminars, professional and technical conferences, business/job fairs, incentive trips and management meetings. Corporate meeting planners and attendees demand high-quality facilities. High-quality and flexible technology capabilities are essential elements that corporate and business users require when selecting meeting facilities.

Assemblies are social, military, educational, religious, and fraternal (SMERF) events. They can attract large numbers of people and require seating arrangements to support all the visitors. Larger assemblies are held in arenas or stadiums while smaller assemblies are held in venues such as school auditoriums, churches and community centers. Similar to conventions, many attendees originate from outside the host city, but, unlike conventions, these events do not usually require large amounts of exhibit and meeting room space.

Banquets are typically locally-generated events, from social and wedding events to an annual Chamber of Commerce event, which can be the largest of its kind in a given city. A mainstay of hotels and convention centers, banquets provide significant catering income and provide the community with its largest dining room, in most cases.

Convention and Meetings Industry Trends

When choosing destinations for events, planners want every space and hotel need met at a very low price. Destination appeal can trump cost, but only if they know that attendance will increase.

The adjacent table depicts the importance of proximate amenities. On-site or nearby parking availability is a critical issue for most public-consumer shows. Another critical issue is highway access. Event and meeting planners want attendees to have easy and convenient access to the facility with plenty of available parking once they arrive. Hotels are another important amenity for exhibitors and attendees.

Important Factors when Selecting a U.S. Meeting Destination

	Convention	Association Meeting	Corporate Meeting
Number, Size and Quality of Meeting Rooms	93%	69%	81%
Negotiable Food, Beverage, and Room Rates	87%	80%	79%
Cost of Hotel Meeting Facility	82%	80%	80%
Number, Size and Quality of Sleeping Rooms	79%	54%	72%
Quality of Food Service.	70%	63%	70%

Source: Meetings Market Report

Event Site-Selection Trends - Areas and Amenities

Areas & Amenities	Very Important	Moderately Important	Not Important
On-Site or Near-by Parking	100%	0%	0%
Highway access	75%	25%	0%
Hotels	64%	18%	18%
Proximity to restaurants and bars	36%	45%	18%
Proximity to mass transit access	33%	50%	17%
Suburban areas	25%	50%	25%
Entertainment areas	18%	45%	36%
Downtown business district	17%	50%	33%
Proximity to tourism, cultural attractions	8%	58%	33%
Airport	8%	33%	58%
Sports facilities	8%	17%	75%
Universities/Colleges	8%	17%	75%
Ocean beachfront areas	8%	8%	83%
Proximity to recreational activities	0%	58%	42%
Manufacturing bases	0%	25%	75%
Resorts	0%	25%	75%
Casino/Gaming Destination	0%	8%	92%

Source: R7M Research & Consulting

Convention and Meetings Industry Trends

Event and meeting planners are utilizing their leverage, being in a buyer's market, to negotiate better deals. Their events are requiring more telecom/internet bandwidth and higher-quality food and beverage. Even though 68 percent of events and shows are being booked closer to the event date compared to only eight percent being booked further in advance, 32 percent of events and shows are requiring attendance promotion assistance, which puts more pressure on convention centers.

Changes in Event & Meeting Planner's Events and Shows

Changes	Percentage
Increased Negotiations	72%
Requiring more telecom/internet bandwidth and related services	72%
Shorter booking windows, they are booking closer to the event dates	68%
Requiring higher-quality food and beverage	52%
Event attendance is growing	40%
Events are getting larger in terms of space requirements	40%
Requiring attendance promotion assistance	32%
Short Events in terms of total number of days	28%
Events attendance is declining	20%
Events are getting smaller in terms of space requirements	20%
Asking for more Public Relations assistance and outreach to city and regional leaders	16%
Shorter event day periods	12%
Focusing more on event design and ambiance	12%
Longer event day periods	8%
Longer booking windows, they are booking further from the event dates	8%
Other	4%

Source: R7M Research & Consulting

Convention and Meetings Market Analysis

Local Competitors: The Warehouse & Woolery Mill

The Woolery Mill (top left and right) is a wedding, banquet and social event venue offering 19,000 SF. As a specialized facility, Woolery Mill will continue to capture wedding and banquet demand, however it lacks the spaces and amenities necessary to be able to compete with the MCC once it has been expanded.

The Warehouse (bottom left and right) is a barebones, 70,000 SF multi-purpose community and events facility utilized mostly for youth and youth sports programming. A small number of consumer shows that have outgrown MCC have moved to the Warehouse.

While these facilities are currently able to compete with the MCC due to its small size and lack of exhibit space, these facilities will no longer be considered competitive once MCC is expanded. A few events have left MCC for the Warehouse and the Woolery Mill, but HSP fully expects these groups to return to a purpose-built, professionally managed MCC once its footprint reflects its potential.

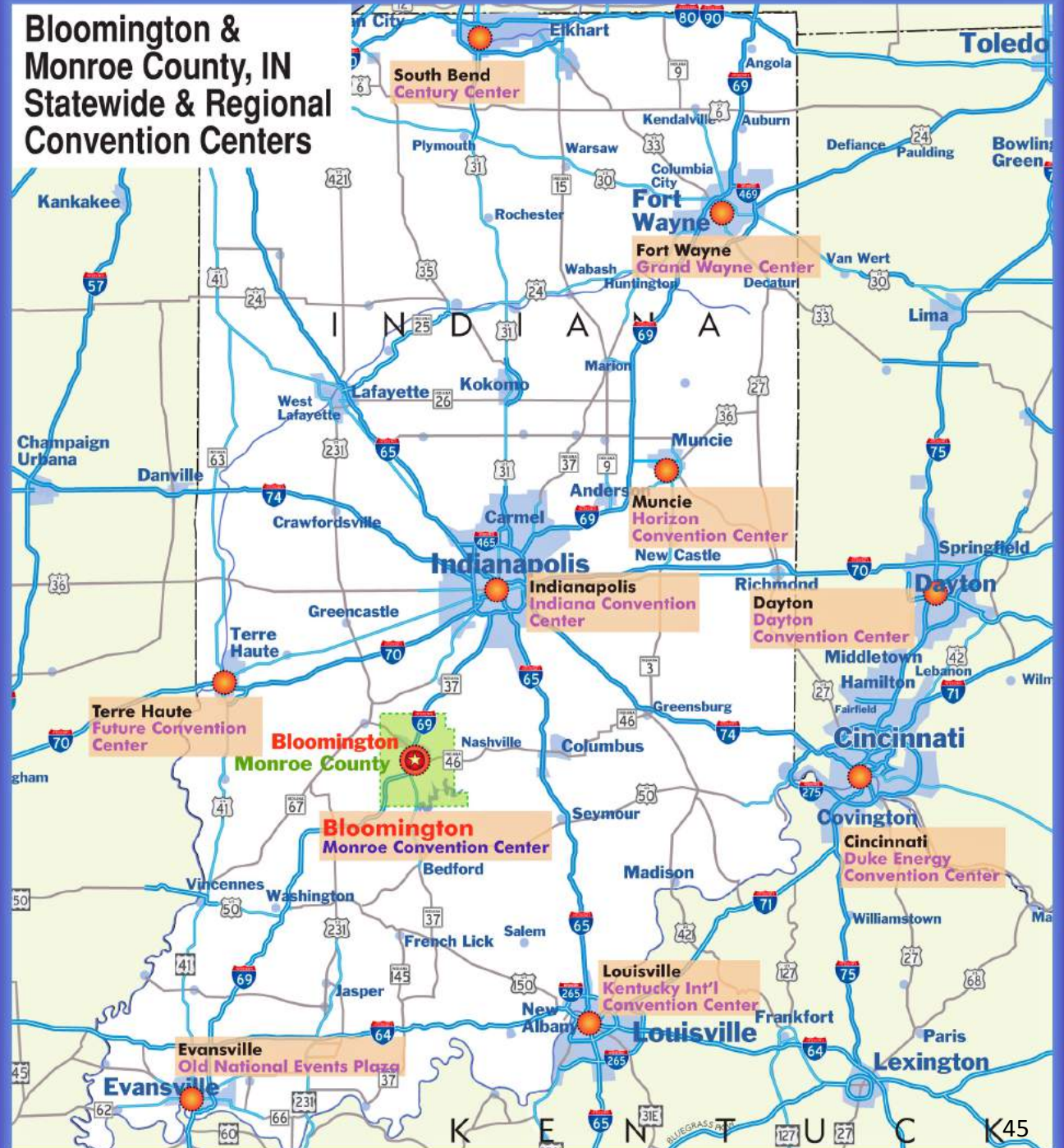


Competitive Regional Convention Centers

The MCC has eight competing convention centers across Indiana and the region. South Bend, Fort Wayne, Muncie and Evansville will be the most competitive for state association business and small and medium-sized groups, while many of the largest groups would not be able to fit in these facilities and will go to Indianapolis or the convention centers in surrounding states.

Terre Haute has also announced that it will complete construction of a new convention center by end of 2020. The Terre Haute Convention Center is projected offer 42,000 SF of rentable space with a 1,000-person ballroom and cost \$32.5 million.

Terre Haute Convention Center will be funded by \$10 million each from the City of Terre Haute and Vigo County, \$3 million from TIF funds going to the Terre Haute Redevelopment Commission (THRC) and \$5 million coming from the Terre Haute CVB from an increase in the county's innkeeper tax. An additional \$4.5 million will be funded by a TIF Bond issued by the THRC to pay for construction of a parking garage near the convention center.



Competitive Environment - Convention Centers								
Facility	City	State	Miles from MCC	Total Function Space	Exhibit Space	Ballroom Space	Mtg. Room Space	Walkable Hotel Rooms
Indiana Convention Center	Indianapolis	IN	51	729,551	558,000	57,072	114,479	7,800
Duke Energy Convention Center	Cincinnati	OH	129	296,972	195,320	57,311	44,341	2,933
Kentucky International Convention Center	Louisville	KY	93	294,902	200,455	40,256	54,191	4,626
Dayton Convention Center	Dayton	OH	167	102,221	68,352	0	33,869	471
Owensboro Convention Center	Owensboro	KY	133	76,531	44,096	26,304	6,131	273
Grand Wayne Convention Center	Fort Wayne	IN	175	75,971	48,480	15,995	11,496	632
Old National Events Plaza	Evansville	IN	119	61,660	36,252	13,312	12,096	241
Century Center	South Bend	IN	199	54,237	24,472	11,627	18,138	618
Horizon Convention Center	Muncie	IN	111	40,020	23,400	7,780	8,840	150
Average	--	--	131	192,452	133,203	25,517	33,731	1,972
Non-ICC/DECC/KICC Average	--	--	151	68,440	40,842	12,503	15,095	398
Monroe Convention Center	Bloomington	IN	--	20,866	0	12,146	8,720	607
Difference	--	--	--	47,574	40,842	357	6,375	-210

Source: Various facilities

Competitive Regional Convention Centers

There are many convention centers in the region, including three large facilities in Indianapolis, Louisville and Cincinnati.

However, the facilities most of note for Bloomington are those in Fort Wayne, Evansville and South Bend.

In addition, there is competition in Muncie and soon in Terre Haute. However, Bloomington's downtown is more compelling than these, giving it an advantage.

The average exhibit space of the relevant competitors is about 41,000 square feet.

Grand Wayne Convention Center

Location: Fort Wayne, IN

Opened: 1985, expanded in 2006

Cost: \$42 million renovation and expansion (2006)

Owner: Allen County Convention and Tourism Authority

Total Space: 67,496 square feet

Exhibit Space: 48,480 square feet

Ballroom Space: 15,995 square feet

Meeting Space: 15,211 square feet

Walkable Rooms: 632

- Hilton – 246 rooms (connected)
- Courtyard – 250 rooms (connected)
- Hampton Inn – 136 rooms (U/C, walkable)
- Boutique Hotel – Vera Bradley-backed pre-development



Grand Wayne Convention Center

The Grand Wayne Convention Center currently has two connected headquarter hotels offering nearly 500 rooms to attendees, with other walkable hotels under construction.

Parkview Field is home to the Fort Wayne Tin Caps Minor League Baseball team. Downtown Fort Wayne also offers other attractions such as the Botanical Gardens and Historic Embassy Theater, both connected to the GWCC.



**Grand Wayne Convention Center
Total Room Nights By Event Type**

Event	Average
Association	412
Conventions	14,727
Local - Business	133
Local - Public	587
Meetings	760
Other	95
Religious	52
Special Events	225
Trade Show	22
Wedding/Reception	261
Total	17,274

Source: Hunden Strategic Partners

Grand Wayne Room Night Generation

GWCC generated more than 17,000 room nights in 2017, which equates to 0.35 room nights per square foot of exhibit space.

Old National Events Plaza

Location: Evansville, IN

Operated: Operated by SMG

Total Space: 61,660 square feet

Exhibit Space: 36,252 square feet

Ballroom Space: 13,312 square feet

Meeting Space: 12,096 square feet

Walkable Rooms: 241+

- DoubleTree – 241 rooms (connected)

- Hyatt Place – 139 rooms

SMG operates the Old National Events Plaza along with the Ford Center, Victory Theatre and the Mesker Amphitheatre.



Old National Events Plaza

The Old National Events Plaza is also connected to the Ford Center (10,000-seat arena) and the DoubleTree (241 rooms). The Victory Theater and the Historic Main Street are also walkable from the Old National Events Plaza.

Another of the competitive facilities, Tropicana Hotel and Casino, is less than a mile away on the Ohio River.



Century Center

Location: South Bend, IN

Opened: 1977

Total Function Space: 54,237 square feet

Exhibit Space: 24,427 square feet

Ballroom Space: 11,627 square feet

Meeting Space: 18,138 square feet

Walkable Hotel Rooms: 618

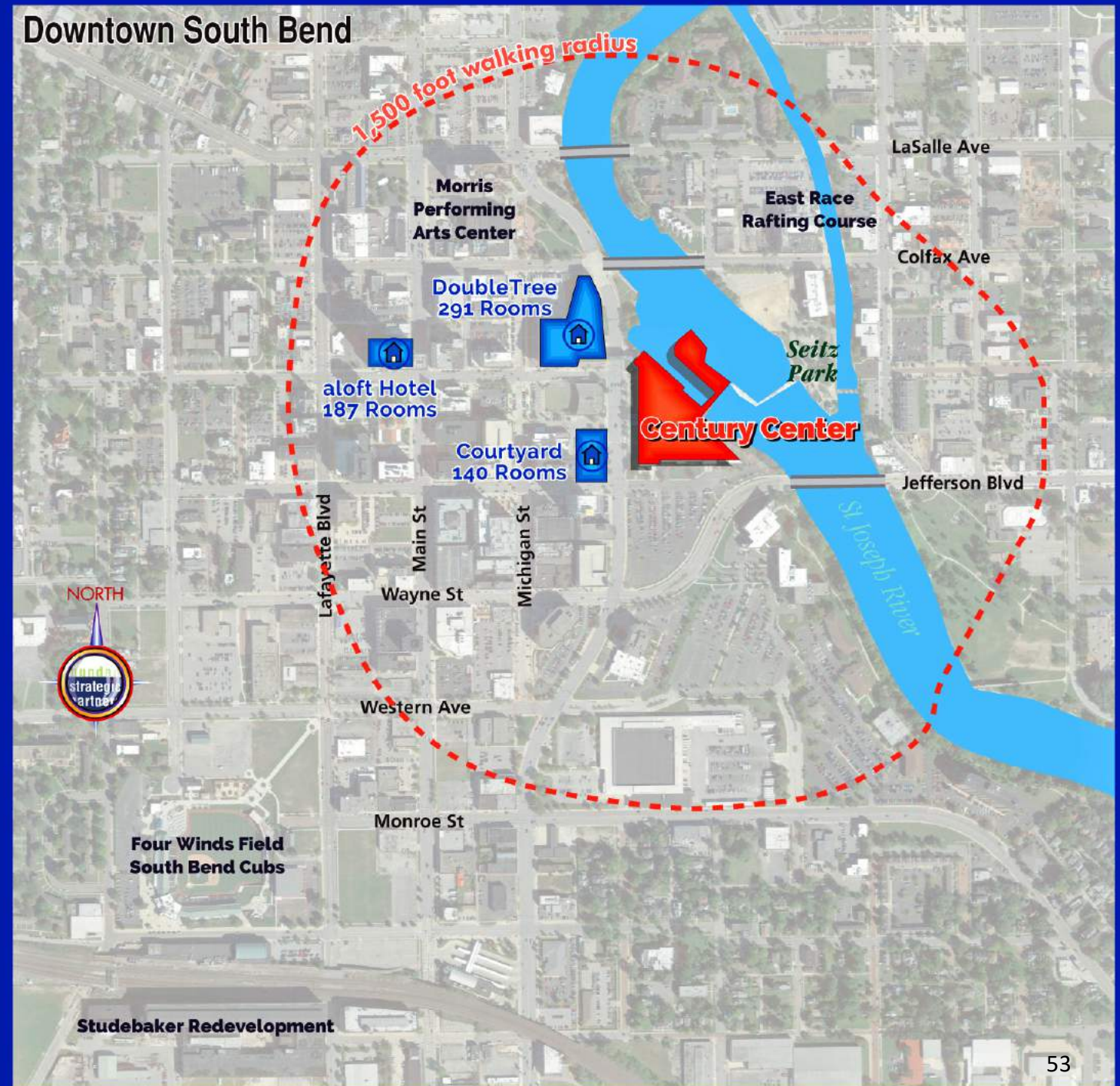
- Doubletree – 291 rooms (connected)
- Courtyard – 140 rooms (adjacent)
- Aloft – 187 rooms (walkable)

The Century Center also has the Bendix Theater (694 seats) and Recital Hall (164 seats).



Century Center

The Century Center is 2.3 miles south of the University of Notre Dame, Holy Cross College and St. Mary's University. It is also only three miles from the I-80/90 Indiana Toll Road and five miles from the Grape Road Corridor (shopping district) in Mishawaka.



Annual Event Days						
Segment	2014	2015	2016	2017	Average	%
Convention/Trade Show	5	46	29	39	25	5%
Special Events	116	178	163	305	169	35%
Banquet	74	65	69	55	58	12%
Meeting	203	213	215	114	166	35%
Consumer/Public Show	20	41	31	31	26	6%
Sporting Events	0	0	0	17	3	1%
SB School Corporation	12	23	3	10	22	5%
SB Museum	16	21	6	3	10	2%
Total Room Nights	446	587	516	574	479	--
Source: South Bend Century Center						

Annual Attendance						
Segment	2014	2015	2016	2017	Average	%
Convention/Trade Show	5,327	9,692	13,581	15,618	9,235	6%
Special Events	38,768	49,903	53,581	33,785	40,816	28%
Banquet	19,512	18,458	22,140	18,552	17,370	12%
Meeting	19,394	17,245	18,702	17,099	16,283	11%
Consumer/Public Show	49,873	61,660	53,698	67,866	51,399	36%
Sporting Events	0	0	0	16,190	3,238	2%
SB School Corporation	2,056	2,796	927	3,596	2,559	2%
SB Museum	5,466	6,256	2,143	3,020	3,671	3%
Total Attendance	140,396	166,010	164,772	175,726	144,571	--
Source: South Bend Century Center						

Century Center Events & Attendance

- Event days increased by nearly 130 from 2014 to 2017 with large increases in conventions/trade shows, special events and sporting events, which were not present in 2014.
- Consumer shows and special events drove the majority of attendance throughout the period shown.

Annual Room Nights Generated	
Year	Room Nights
2014	5,540
2015	8,439
2016	8,074
2017	10,337
Average	8,098
Source: South Bend Century Center	

Century Center Room Night Generation

- Room nights generated nearly doubled between 2014 and 2017. This is a function of there being more events overall and changes in the event mix.
- Sport events and conventions/trade shows generate more room nights than most meetings, special events and banquets, which are typically one-day events.

Century Center Financial Performance

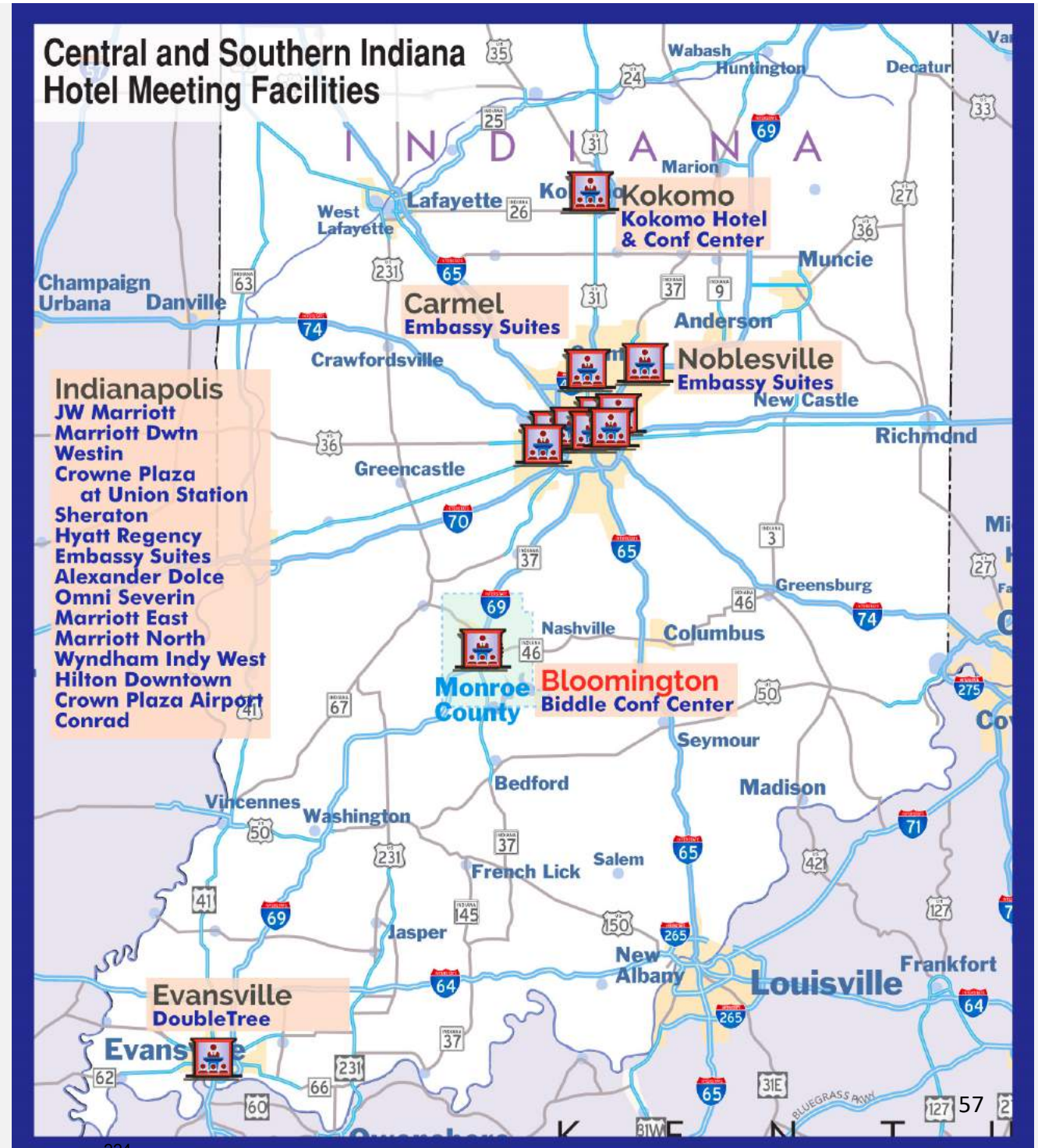
Overall, the Century Center has sustained a net loss of approximately \$1.2 million on average each year shown.

The Century Center's performance in 2016 was an anomaly due to two large one-time events for local companies.

	Century Center Operating Performance 2013 - 2017				
	2013	2014	2015	2016	2017
EVENT INCOME					
Direct Event Income					
Rental Income	\$ 400,305	\$ 369,676	\$ 401,873	\$ 415,950	\$ 423,327
Service Revenue	\$ 103,012	\$ 131,187	\$ 131,041	\$ 125,707	\$ 143,135
Service Expenses	\$ (122,427)	\$ (100,244)	\$ (87,262)	\$ (154,516)	\$ (144,702)
Total Direct Event Income	\$ 380,890	\$ 400,619	\$ 445,652	\$ 387,141	\$ 421,760
Total Ancillary Income	\$ 903,197	\$ 1,113,073	\$ 1,299,930	\$ 1,547,086	\$ 1,283,124
Total Event Income	\$ 1,284,087	\$ 1,513,692	\$ 1,745,582	\$ 1,934,227	\$ 1,704,884
Total Other Operating Income	\$ 14,013	\$ 4,320	\$ 16,924	\$ 45,612	\$ 14,849
Adjusted Gross Income	\$ 1,298,100	\$ 1,518,012	\$ 1,762,506	\$ 1,979,839	\$ 1,719,733
INDIRECT EXPENSES					
Salaries & Wages	\$ 1,408,052	\$ 1,660,061	\$ 1,663,167	\$ 1,796,156	\$ 1,828,683
Payroll Taxes & Benefits	\$ 407,758	\$ 448,455	\$ 359,387	\$ 403,125	\$ 417,476
Labor Allocations to Events	\$ (202,815)	\$ (445,702)	\$ (354,388)	\$ (485,587)	\$ (517,159)
Net Salaries and Benefits	\$ 1,612,995	\$ 1,662,814	\$ 1,668,166	\$ 1,713,694	\$ 1,729,000
Contracted Services	\$ 58,229	\$ 78,966	\$ 109,851	\$ 74,849	\$ 60,415
General and Administrative	\$ 139,521	\$ 165,272	\$ 187,865	\$ 162,889	\$ 163,720
Operating	\$ 79,248	\$ 103,855	\$ 112,014	\$ 121,392	\$ 116,500
Repairs & Maintenance	\$ 68,544	\$ 88,934	\$ 91,818	\$ 92,756	\$ 49,527
Operational Supplies	\$ 42,888	\$ 57,561	\$ 69,708	\$ 72,514	\$ 72,957
Insurance	\$ 54,920	\$ 82,710	\$ 89,095	\$ 75,782	\$ 87,396
Utilities	\$ 306,808	\$ 339,096	\$ 325,579	\$ 295,249	\$ 329,036
Other	\$ 23,414	\$ 10,909	\$ 3,583	\$ 4,734	\$ 3,933
SMG Management Fees	\$ 201,917	\$ 244,508	\$ 253,738	\$ 254,356	\$ 245,985
Allocated Expenses	\$ (5,720)	\$ -	\$ -	\$ -	\$ -
Total Indirect Expenses	\$ 2,582,764	\$ 2,834,625	\$ 2,911,417	\$ 2,868,215	\$ 2,858,469
Net Income (Loss) from Operations	\$ (1,284,664)	\$ (1,316,613)	\$ (1,148,911)	\$ (888,376)	\$ (1,138,736)
Source: South Bend Century Center					

Competitive Indiana Conference Hotels

Many of the competitive conference hotels share markets with the competitive convention centers previously shown. Indianapolis is the outlier of the group with multiple large conference hotels capable of competing with the MCC.



Competitive Regional Conference Hotels

There are many competitive conference hotels throughout the state of Indiana, most of which surpass the MCC's total function space. All but three of the conference hotels are located in Indianapolis. The Biddle Hotel at the Indiana Memorial Union on Indiana University's Bloomington campus is the largest of the three non-Indianapolis properties, and is among the three largest conference hotels in the state.

Excluding the JW Marriott in Indianapolis, the conference hotels in Indiana average 16,000 SF of ballroom space and 14,500 SF of meeting space. Thirteen individual hotels in Indiana offer more function space than the MCC and attached Courtyard by Marriott combined. The Courtyard's 117 rooms also provides the MCC with fewer guest rooms than any facility on this list.

Competitive Environment - Indiana Conference Hotels

Facility	City	Total Function Space	Ballroom Space	Mtg. Room Space	Rooms Onsite	Function SF / Hotel Room
JW Marriott	Indianapolis	102,755	79,600	23,155	1,005	102
Marriott Hotel East	Indianapolis	43,481	19,322	24,159	315	138
Biddle Hotel and Conference Center	Bloomington	41,770	9,148	32,622	186	225
Marriott Hotel Downtown	Indianapolis	38,734	29,328	9,406	650	60
Westin	Indianapolis	32,940	23,700	9,240	575	57
Crowne Plaza Union Station	Indianapolis	30,484	10,548	19,936	273	112
Sheraton	Indianapolis	27,490	9,389	18,101	378	73
Wyndham Indianapolis West	Indianapolis	27,483	17,522	9,961	407	68
Hyatt Regency	Indianapolis	27,440	17,634	9,806	499	55
Sheraton at Keystone Crossing	Indianapolis	23,121	11,964	11,157	395	59
Hilton Indianapolis	Indianapolis	22,690	8,354	14,336	332	68
Embassy Suites Noblesville	Noblesville	22,387	21,720	667	198	113
Kokomo Hotel and Conference Center*	Kokomo	22,000	N/A	N/A	123	179
Average	--	35,598	21,519	15,212	410	101
Non-JW Average	--	30,002	16,239	14,490	361	100

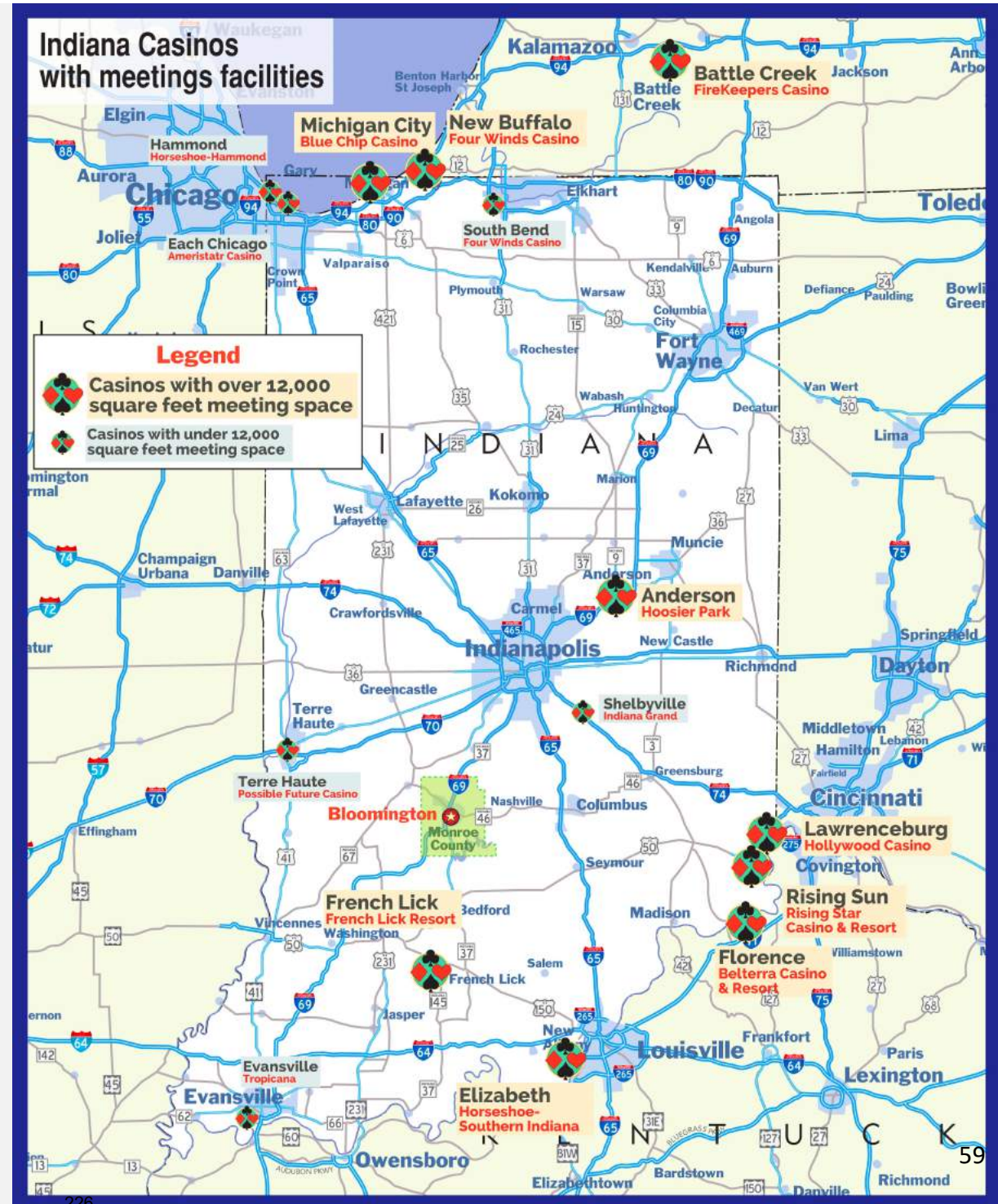
* Still in planning stage

Source: Various facilities, Smith Travel Research

Competitive Indiana Casinos w/ Meeting Space

HSP identified nine competitive casinos across Indiana and in southern Michigan that offer more than 12,000 SF of meeting space. These casinos are mostly concentrated along the state border near Lake Michigan, and near Ohio and Kentucky in southern Indiana.

French Lick Resort is the largest and closest of these casinos, making it the most relevant.



Competitive Regional Casinos

Five of the 12 competitive casinos in the region have more total function space than the MCC. Only the largest four casinos offer exhibit space, averaging 12,000 SF. Half of the casinos shown have a ballroom of similar or larger size than the MCC, as well. All casinos shown offer double to quadruple the hotel rooms available at the Courtyard, other than the Indiana Grand Casino.

Casinos in general have a different business model than the convention centers and conference hotels shown previously. Casinos are often willing to provide free or heavily discounted meeting room and hotel room rates for groups in order to attract guests to the gaming floor. The other facility types do not have this tool at their disposal. However, certain groups do not consider hosting events at casinos for political and/or ethical reasons.

French Lick Resort is not only the closest, but also the largest casino event center in the region, which has a significant competitive advantage over the Monroe Convention Center. Once the new facility it built, it will likely rival or surpass French Lick in size.

Competitive Environment - Casinos

Facility	City	Total Function Space	Exhibit Space	Ballroom Space	Mtg. Room Space	Onsite Rooms
French Lick Resort	French Lick	63,534	31,624	19,479	12,431	443
Hollywood Casino	Lawrenceburg	47,500	18,000	17,500	12,000	464
Belterra Casino	Florence	34,859	12,600	9,360	12,899	608
Blue Chip	Michigan City	27,694	20,000	8,830	5,574	486
FireKeepers Casino	Battle Creek, MI	20,642	0	17,497	3,145	242
Four Winds Casino	New Buffalo, MI	18,000	0	17,000	1,000	415
Horseshoe-Southern Indiana	Elizabeth	16,800	0	14,000	2,800	503
Tropicana	Evansville	14,540	0	0	14,540	346
Rising Star	Rising Sun	12,600	0	12,150	450	294
Indiana Grand Casino	Shelbyville	6,350	0	5,400	950	0
Horseshoe-Hammond	Hammond	6,000	0	2,370	3,420	362
Ameristar Casino	East Chicago	5,400	0	5,000	400	288
Average	--	22,827	6,852	10,716	5,801	342

Source: Various Facilities, Hunden Strategic Partners



Stakeholder Interview Feedback

HSP participated in 35+ stakeholder interviews during the three-day kickoff process (3/5-3/7), as well as conducted additional phone interviews to collect feedback regarding the current MCC, walkable downtown area and clientele, as well as needs and desires for the expansion of the MCC and a new headquarter hotel. HSP is continuing to have conversations with and collect feedback. HSP has also collected data from the MCC and Visit Bloomington.

Below are overarching themes and takeaways from conversations to date.

- Primary issues with the current facility include: too small overall, too few breakouts, non-optimal spaces throughout (columns, atypical room shapes), challenging ballroom for banquets (L-shape) and events with booths (power and spacing)
- Strengths of MCC include: beloved MCC staff, walkability of downtown, overall perception of Bloomington
- Numerous local groups are outgrowing the MCC, but want to continue hosting events there.
- Parking availability post-expansion is a concern of most stakeholders.
- Aesthetic and activation of an expanded MCC is also of great interest to stakeholders. Walkable hotel blocks are a major concern. Currently, it is difficult to block enough rooms within walking distance due to popularity of downtown and numerous university-generated events that take up most hotel rooms in the area. With an expanded facility, a much larger hotel package adjacent to the center will be needed.
- Funding sources and key stakeholders, such as the CVC and Visit Bloomington, want to be sure that the MCC is inducing large events that drive room nights to numerous hotels, not just those attached. As such, the package should be calibrated to ensure that hotel room night impact is maximized.



Indiana Recorders Association Feedback

This group would consider hosting their Annual Conference in Bloomington at the MCC if the hotel options were improved. MCC would currently be able to accommodate the 150-person conference in a classroom style setup, which also includes a 20-30 vendors, in the combined Great Room and Duke Energy Room. This event also typically includes a banquet for 150 people. Attendees have decided to explore nearby food and beverage options in lieu of attending the banquet in recent years. This would reduce the revenue for MCC, but increase the impact to downtown.

The three-day event takes place in late April each year beginning Tuesday-Thursday. The event would likely generate a total of 280 to 350 room nights. A block of 40 rooms would be needed the Monday before the event begins, while Tuesday and Wednesday would each require 120 – 150 rooms each in a block. IRA typically contracts for a rate around \$125 per room, but attendance is not typically affected until the rate exceeds \$200. These dates in April typically experience healthy hotel demand in Bloomington, but rates are well within the desired range for this group.

This year the IRA Annual Conference is being held in the Hilton Downtown Indianapolis from April 23 – 25. IRA's budget for the event this year totals approximately \$50,000, with \$41,000 dedicated to food and beverage. The event planner typically expects each attendee to drive their own vehicle, though some will carpool. IRA considered MCC in the past, but chose the now-demolished Clarion Hotel in Columbus, IN, instead due to the lower cost of the event. Now it is typically held in Indianapolis hotels.

The IRA is closely related to the Association of Indiana Counties. It was mentioned that the AIC Annual Conference was held in Bloomington in 2014, which attracted 2,000 attendees, which could potentially be hosted in Bloomington again. This event has also been held in Michigan City, Fort Wayne, the Belterra Casino and the Westin Indianapolis. It is being considered for French Lick Resort this year. Another AIC event for newly elected officials occurs every even-numbered year in December. It averages 400-500 attendees.



Indiana Democratic Party Feedback

The Indiana Democratic Party would potentially bring biannual State Convention to Bloomington on two conditions: IDP decides to begin rotating the event around the state (have not done so yet) and the MCC and hotels are able to accommodate the event. MCC would need a space capable of seating up to 2,500 in theater style seating (with center aisle), 600-SF press area with riser for cameras. State Convention also requires 10 breakout rooms with capacity for 150-200 each in theater style. The convention also has a 1,000- to 1,500-seat banquet with a stage the night before.

The State Convention typically occurs mid- to late June on a Friday (banquet) and Saturday (convention). Most attendees will be driving in and back home both days. However, a peak room block of approximately 200 would be needed on Friday. The group will not book the event if group rates exceed \$200 per night or the room block is spread out to more than 3 or 4 hotels.

The impact of this event would be considerable, especially compared to events currently utilizing MCC. The banquet has a budget of \$60,000 to \$80,000. The convention budget (Saturday only) is another \$50,000. Total hotel room nights is estimated at 300 over two nights.

First potential IDP State Convention in Bloomington would likely be June 2024, if it were decided to be rotated. Currently, IDP utilizes the Sagamore Ballroom in the Marriott Indianapolis East. Grand Wayne Convention Center in Fort Wayne was utilized six years ago and the Old National Events Plaza in Evansville is now being considered. At best, Bloomington could expect to host the event every six to eight years assuming more facilities do not become available to the IDP for this event.

This is the only event that the IDP would consider hosting in Bloomington.

Indiana Criminal Justice Association Feedback

The ICJA hosts an annual Fall Conference for 250 people from Tuesday - Friday. The Fall Conference occurs October 8 – 11 this year at the Horizon Convention Center in Muncie. ICJA was able to contract for a room block with the Courtyard by Marriott. They would not consider hosting the event in Muncie before the Courtyard was built, but now find it very appealing.

ICJA requires that the room block is offered at the prevailing government employee rate, which is currently \$94 plus tax. If this is not available to the group in a certain market, then the event will be held elsewhere. Altogether, the event typically generates more than 300 room nights with approximately 40 on the Monday before the event begins, 70 rooms on Tuesday and 105 rooms on Wednesday and Thursday.

The MCC is able to accommodate ICJA's needs for the Fall Conference already. ICJA needs to be able to host 3 or 4 general sessions (may be hosted subsequently, if necessary) for 200-250 people, 6 breakout rooms (simultaneously) for approximately 40 people and have a space for a 300-person banquet in rounds with a head table. ICJA is also sensitive to catering minimums and have a budget of \$27,000 to \$30,000 for the entire event. Some years an event sponsor will pay for the group's bar tab, but ICJA requires it still accrue to the food and beverage minimums.

When ICJA considered hosting the Fall Conference at MCC in the past, they would have been forced to contract hotel rooms that were multiple blocks from the facility, which was too far. Group room rates will also be a concern during this time of year because it is peak season for hotels in Bloomington.

ICJA often considers casinos and conference hotels to host the Fall Conference. They have used the Marriott East Indianapolis, Tropicana Casino, Blue Chip Casino, Radisson Star Plaza (Merrillville, now demolished) in the past. The group does not consider downtown Indianapolis hotels for their events due to parking issues and an inability to contract hotel rooms for the government rate. *ICJA loves downtown Bloomington and wants to host here.*



Meeting Planner Survey Headlines

Nearly 70 percent of respondents had held an event at MCC. HSP excluded these from the nearly 100 responses to focus on the groups that have not been to the MCC and either are interested and/or could be accommodated by an expanded MCC and new headquarter hotel.

Of the nearly 30 respondents that had not been to the MCC, more than one-third were based in Bloomington and one-quarter were from Indianapolis. More than half of these groups have considered but not selected the MCC because the facility was too small, pricing for their event was too high (services, rental cost, etc.) or the Courtyard was not large enough for their group. For groups that had not considered the MCC, they were mostly unaware of the facility or the Courtyard was not large enough.

Two-thirds of the groups' largest events are held annually. These events are scheduled fairly evenly throughout the year, though none are held in August or December. They typically last 2-5 days, but one lasts longer than a week, and they attract 150-1,000 attendees typically and 4,000+ at most. *The majority of groups need no exhibit space or less than 10,000 SF, yet 25,000 SF is a popular requirement.* Most groups need 20,000 SF of ballroom space or less with most needing less than 10,000 SF. Approximately 20 breakout rooms would satisfy every respondent group, though the scope of the expansion would not fulfill the largest needs for exhibit (100k SF) or ballroom space (50k+ SF).

These groups would also need a contract for approximately 250 room nights on average. This would include an average peak room block of 110 rooms, most of which would be expected to be in the headquarter hotel or another hotel that is within one block of the MCC. Many of these groups have hosted events at competitive Indiana convention centers (South Bend, Fort Wayne, Evansville) and Indianapolis conference hotels (Marriott East Indianapolis, Hyatt Regency Indianapolis).

Comparable Facility Case Studies

Case Study Overview

- HSP considered convention centers in markets with similarities to Bloomington/Monroe County:
 - Large university presence
 - Not largest market in the state
 - Independent market
- The reality is that there are very few true convention centers in markets like Bloomington. As such, HSP broke its case studies into three segments:
 - Markets like Bloomington with convention centers
 - University markets that are also state capitals, but not massive
 - University markets like Bloomington but with conference hotels, not convention centers

Case Studies								
Facility	City	State	Total Function Space	Exhibit Space	Ballroom Space	Mtg. Room Space	Walkable Rooms	Walkable Rooms / 1,000 SF
Lubbock Memorial Civic Center	Lubbock	TX	64,994	40,000	14,105	10,889	656	10.1
Utah Valley Convention Center	Provo	UT	45,820	19,620	16,894	9,306	553	12.1
Durham Convention Center	Durham	NC	31,754	0	27,000	4,754	576	18.1
Average			47,523	19,873	19,333	8,316	595	13.4
Monroe Convention Center	Bloomington	IN	20,866	0	12,146	8,720	607	29.1
Source: Various facilities, Smith Travel Research								

Case Studies

Utah Valley and Durham are most like Bloomington. However, even Durham has converted their exhibit hall to a second large ballroom.

Lubbock Memorial Civic Center

Location: Lubbock, Texas

Opened: 1977

Cost: n/a

Owned/Operated: Owned by the city of Lubbock of operated by Civic Lubbock, Inc.

HQ Hotel: 250-room Marriott breaks ground in 2020

Total Space: 64,994 square feet

Exhibit Space: 40,000 square feet

Ballroom Space: 14,105 square feet

Meeting Space: 10,889 square feet

Walkable Rooms: 656

Note: In 2018, the city approved a development agreement with GRACO Development and TAJ Hospitality to create a 250-room headquarter hotel operated by Marriott International, which will include nearly 12,000 square feet of meeting space. In addition to the hotel tower, the space will include a ballroom and the possibility of retail space. The project has an estimated cost of \$76 million.



Utah Valley Convention Center

Location: Provo, Utah

Opened: 2012

Cost: \$41.8 million

Owned/Operated: Owned by Utah County (land provided by city of Provo) and managed by Spectra Venue Management

HQ Hotel: Marriott Hotel – 329 rooms

Total Space: 45,820 square feet

Exhibit Space: 19,620 square feet

Ballroom Space: 16,894 square feet

Meeting Space: 9,306 square feet

Walkable Rooms: 576



Durham Convention Center

Location: Durham, North Carolina

Opened: 1987

Owned/Operated: Owned jointly by the city of Durham and Durham County and managed by Spectra

HQ Hotel:	Durham Marriott – 189 rooms
Total Space:	31,754 square feet
Exhibit Space:	0 square feet (converted to ballroom)
Ballroom Space:	27,000 square feet
Meeting Space:	4,754 square feet
Walkable Rooms:	576



Major University Market / State Capital Convention Centers										
Facility	City	State	University	State Capital	Total Function Space	Exhibit Space	Ballroom Space	Mtg. Room Space	Walkable Rooms	Walkable Rooms / 1,000 SF
Lexington Convention Center	Lexington	KY	Univ of Kentucky		104,709	66,000	23,498	15,211	1,185	11.3
Raleigh Convention Center	Raleigh	NC	NC State	✓	102,221	68,352	32,617	33,869	929	9.1
Lansing Center	Lansing	MI	Michigan State	✓	97,118	71,760	13,320	12,038	256	2.6
Monona Terrace	Madison	WI	Univ of Wisconsin	✓	62,830	0	57,564	5,266	618	9.8
Columbia Metropolitan Convention Center	Columbia	SC	South Carolina	✓	59,959	27,300	16,366	16,293	582	9.7
Donald C Tucker Civic Center	Tallahassee	FL	Florida State	✓	47,775	33,915	10,836	3,024	300	6.3
Average	--	--	--	--	79,102	44,555	25,700	14,284	1,216	8
Monroe Convention Center	Bloomington	IN	Indiana University		20,866	0	12,146	8,720	607	29.1

Source: Various facilities, Smith Travel Research

Major University / State Capital Convention Centers

These six facilities were selected as facilities in similar markets to Bloomington. These convention centers are located in major university towns, which also happen to be mostly state capitals (Lexington is very near Frankfort, KY).

State capitals generate much activity in the state association and political sectors, while universities generate many educational, fraternal and student-led events.

Each of the facilities listed is at least double the size of the MCC, but will provide insight and set expectations for how an expanded MCC might perform in a market similar to those profiled.

Lexington Convention Center

Location: Lexington, Kentucky

Opened: 1976

Cost: \$55 million

Owned/Operated: Lexington-Fayette Urban County Government;
operated by Lexington Center Corporation

HQ Hotel: Hyatt Regency Lexington – 366 rooms

Total Space: 104,709 square feet

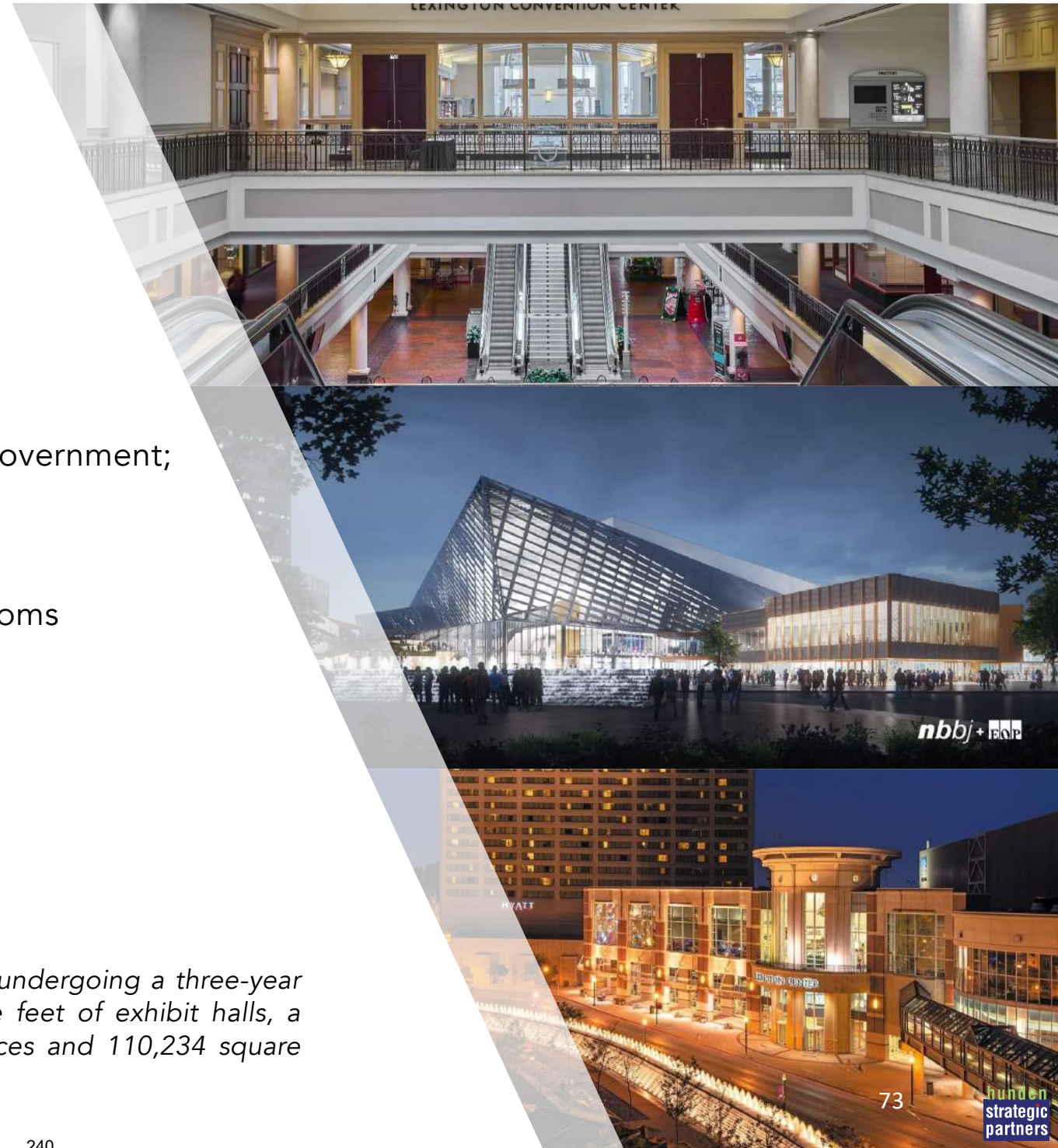
Exhibit Space: 66,000 square feet

Ballroom Space: 23,498 square feet

Meeting Space: 15,211 square feet

Walkable Rooms: 1,185

Notes: University of Kentucky (30,473 students). LCC is currently undergoing a three-year \$241 million dollar expansion which will include 100,800 square feet of exhibit halls, a 25,185-SF ballroom, 30,270 square feet of flexible meeting spaces and 110,234 square feet of pre-function and circulation space



Raleigh Convention Center

Location: Raleigh, North Carolina

Opened: 2008

Cost: \$225 million

Owned/Operated: Owned and operated by city of Raleigh

HQ Hotel: Marriott City Center – 401 rooms

Total Space: 102,221 square feet

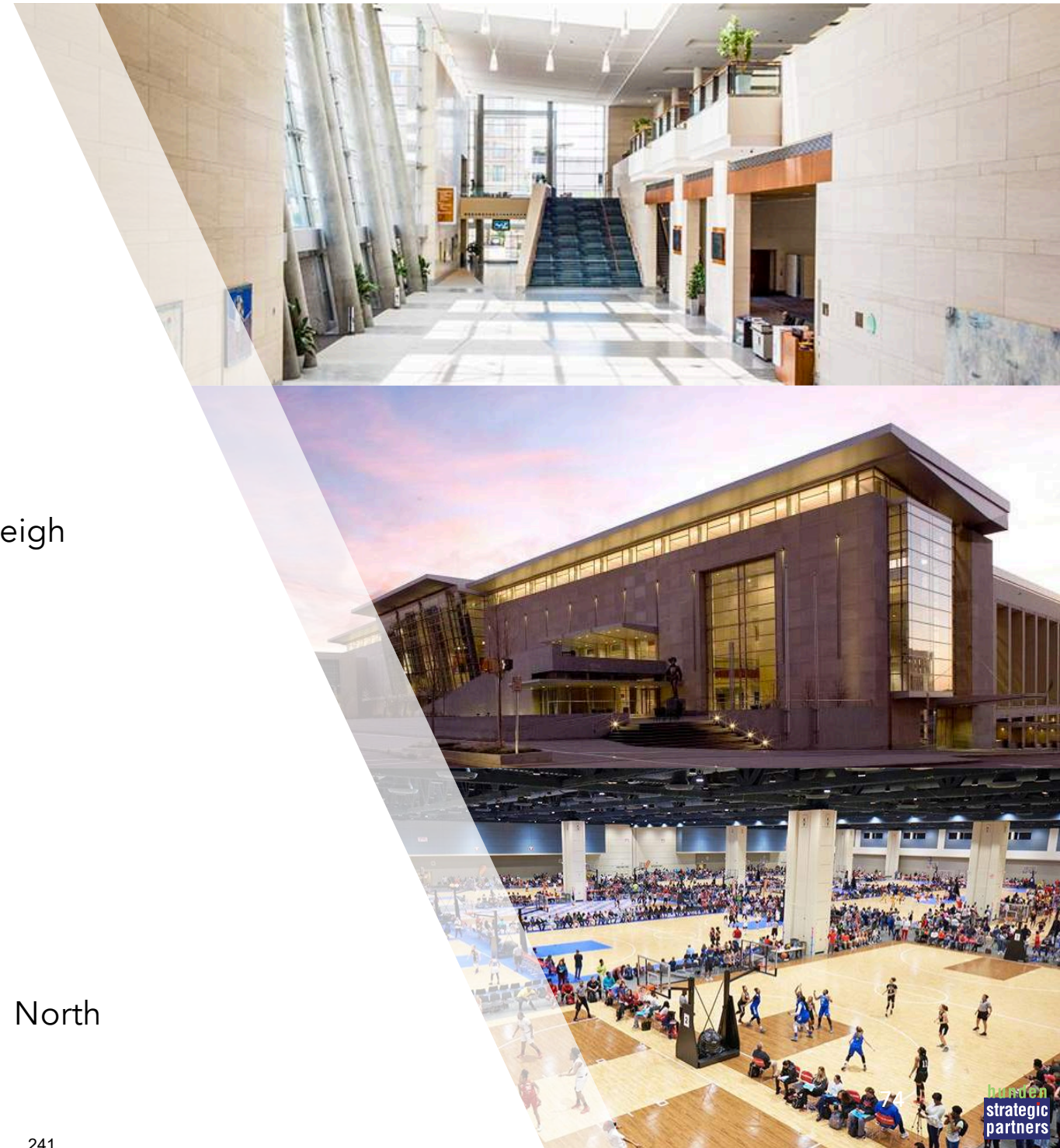
Exhibit Space: 68,352 square feet

Ballroom Space: 32,617 square feet

Meeting Space: 33,869 square feet

Walkable Rooms: 929

Market: RCC is located less than ten miles from the North Carolina State University campus (34,009 students)



Lansing Center

Location: Lansing, Michigan

Opened: 1987

Cost: n/a

Owned/Operated: Owned by the City of Lansing and operated by the Lansing Entertainment and Public Facilities Authority

HQ Hotel: Radisson Hotel at the Capitol – 256 rooms

Total Space: 97,118 square feet

Exhibit Space: 71,760 square feet

Ballroom Space: 13,320 square feet

Meeting Space: 12,038 square feet

Walkable Rooms: 256

Market: Lansing Center is located less than 5 miles from the campus of Michigan State University (38,996 students)



Monona Terrace Community and Convention Center

Location: Madison, Wisconsin

Opened: 1997

Cost: \$67.1 million

Owned/Operated: Owned and operated by City of Madison

HQ Hotel: Hilton Monona Terrace – 240 rooms

Total Space: 62,830 square feet

Exhibit Space: 0 square feet

Ballroom Space: 57,564 square feet

Meeting Space: 5,266 square feet

Walkable Rooms: 618

Market: MTCCC is located less than five miles from the campus of the University of Wisconsin (43,820 students)



Columbia Metropolitan Convention Center

Location: Columbia, South Carolina

Opened: 2004

Funding/Operation: Midlands Authority for Convention, Sports & Tourism oversees operations, while the City of Columbia, Richland County and neighboring Lexington County all fund the facility's operation via hotel tax revenues.

HQ Hotel: Hilton Columbia Center Hotel – 222 rooms

Total Space: 59,959 square feet

Exhibit Space: 27,300 square feet

Ballroom Space: 16,366 square feet

Meeting Space: 16,293 square feet

Walkable Rooms: 582

Market: CMCC is located less than two miles from the campus of the University of South Carolina (34,731 students)



Donald C. Tucker Civic Center

Location: Tallahassee, Florida

Opened: 1981

Cost: \$33.8 million

Owned/Operated: Owned by Florida State University Board of Trustees and operated by Spectra

HQ Hotel: Hampton Inn Capitol University – 124 rooms

Total Space: 47,775 square feet

Exhibit Space: 33,915 square feet

Ballroom Space: 10,836 square feet

Meeting Space: 3,024 square feet

Walkable Rooms: 300

Market: DCTCC is located on the campus of Florida State University (32,812 students) and home to the Florida State Seminoles men's and women's basketball teams.



Major Univeristy Market Conference Hotels								
Facility	City	State	Total Function Space	Exhibit Space	Ballroom Space	Mtg. Room Space	Onsite Hotel Rooms	Rooms / 1,000 SF
Coralville Marriott Hotel & Conference Center	Coralville	IA	57,588	0	52,200	5,388	286	5.0
Texas A&M Hotel and Conference Center	College Station	TX	16,674	0	8,205	8,469	250	15.0
Holiday Inn Executive Center-Columbia Mall	Columbia	MO	36,626	19,000	8,449	9,177	310	8.5
The Penn Stater Conference Center Hotel	State College	PA	42,293	14,850	0	27,443	300	7.1
NCED Conference Center and Hotel	Norman	OK	35,570	0	18,018	17,552	910	25.6
Embassy Suites Hotel & Conference Center	Norman	OK	41,192	0	36,000	5,192	283	6.9
Inn at Darden, U of Virginia	Charlottesville	VA	33,525	0	5,950	27,575	177	5.3
Marriott at Waterfront Place	Morgantown	WV	48,721	22,946	7,128	18,647	207	4.2
Hilton U of Florida Conference Center	Gainesville	FL	13,421	0	6,860	6,561	248	18.5
Eugene Hotel	Eugene	OR	44,200	11,620	13,050	19,530	274	6.2
Average			36,981	6,842	15,586	14,553	325	10.2
Monroe Convention Center	Bloomington	IN	20,866	0	12,146	8,720	117	5.6

Source: Various facilities, Smith Travel Research

Major University / State Capital Convention Centers

This group of comparable facilities further demonstrates the typical needs of markets similar to Bloomington. Conference and other ballroom- and meeting room-centric events account for the majority of demand. Exhibit space is not as prevalent because these larger events are seeking the critical mass of meeting space and block-able hotel rooms needed to host conventions, etc.



Case Studies Takeaways

Typically, these university towns are hotbeds for conferences, meetings and events related to the university. However, because most are smaller metros or micropolitan areas, they do not tend to attract many conventions of any size. These conventions tend to go to state capitals or larger market convention centers. The advent of indoor sports tournaments may be changing this trend, but it appears that, absent the sports business, it is hard to find non-state capitals that have facilities with exhibit halls that are not on campus.

Due to this, Bloomington should focus on the meeting/ballroom space. Combining the large ballroom with a sports-oriented exhibit space, which can also be used for exhibit events, would be the best way of designing flexibility into the MCC expansion, while mitigating the risk of overbuilding before the market proves it can/will support a larger facility.

Another critical factor to the success of the MCC is its connected and walkable hotel package. For the 21,000 SF of space MCC offers today, the walkable hotel package could suffice. However, due to the heavy influence IU events have on the hotel market, many groups are pushed out or priced out by transient hotel demand. Upon expansion of MCC, a larger and *more accessible* walkable and blockable hotel package will be paramount. Simply adding more rooms in hotels unwilling to provide a room block to large groups will hamstring Visit Bloomington's and MCC's efforts to attract highly impactful groups and events.

Hotel Market Analysis

Bloomington Lodging Summary

More than half of the market is comprised of upscale and upper midscale hotels. Bloomington's newest hotel, the Graduate Hotel Bloomington on Kirkwood Avenue, is also the highest quality hotel and the only in the upper upscale chain scale.

On average, hotels in Bloomington are 24 years old, though due to limited supply, dated and low-quality hotels continue to be successful.

Lodging Summary: Bloomington						
Chain Scale	Rooms	% of Total Rooms	Hotels	Rooms per Hotel	Avg. Opening Year	Avg. Age in Years
Upper Upscale	150	6%	1	150	Nov-18	0
Upscale	697	27%	5	139	Aug-07	11
Upper Mid	710	28%	7	101	Jun-98	20
Midscale	131	5%	2	66	Aug-05	13
Indep	579	23%	7	83	Sep-81	37
Economy	273	11%	4	68	Dec-81	37
Total / Average	2,540	100%	25	102	Jul-94	24
Source: Smith Travel Research						

Competitive Hotel Set

The competitive set hotels selected are generally considered the highest quality properties in the local market. The Biddle Hotel & Conference Center offers the largest meeting space of the competitive set.

This competitive set includes all downtown hotels, the largest hotel (Biddle) and the Home2 Suites, which has been open for less than one year near the northern boundary of IU’s campus.

The performance of this competitive set of hotels is further detailed in this presentation.

Bloomington Competitive Set Hotels				
Name	Miles From MCC	Rooms	Chain Scale	Open Date
Courtyard Bloomington	0	117	Upscale	Sep-96
Hyatt Place Bloomington	0.1	172	Upscale	Aug-14
Graduate Hotel Bloomington	0.2	150	Upper Upscale	Nov-18
Hilton Garden Inn Bloomington	0.3	168	Upscale	Apr-06
Springhill Suites Bloomington	0.4	158	Upscale	Mar-14
Indiana Memorial Union Biddle Hotel & Conference Center	0.7	186	Indep	Jun-59
Home2 Suites by Hilton Bloomington	1.1	107	Upper Mid	Jul-18
Total / Average	0.4	1,058	--	Jan-09
Source: Smith Travel Research				

Competitive Hotel Map

The set of hotels that would compete with a new headquarter hotel at the MCC include all downtown hotels, the Biddle Hotel at the IMU and Home2 Suites north of downtown on Walnut Street.

Four of the seven competitive hotels are within walking distance of the MCC. The largest of the competitive set is the Biddle Hotel, which is also the largest meeting facility in Bloomington.

The remaining hotels shown on this map are centered around I-69 exits and near the intersection of College Avenue/Walnut Street and the IN-45/46 Bypass north of downtown.



Historical Supply, Demand, Occupancy, ADR, and RevPar for Competitive Hotels											
Year	Annual Avg. Available Rooms	Available Room Nights	% Change	Room Nights Sold	% Change	% Occ.	% Change	ADR	% Change	RevPar	% Change
2015	801	292,365	--	170,572	--	58.3	--	\$141.26	--	\$82.42	--
2016	801	292,365	0.0%	181,776	6.6%	62.2	6.6%	\$145.65	3.1%	\$90.55	9.9%
2017	801	292,365	0.0%	187,125	2.9%	64.0	2.9%	\$146.20	0.4%	\$93.58	3.3%
2018	880	321,203	9.9%	219,242	17.2%	68.3	6.6%	\$142.50	-2.5%	\$97.27	3.9%
2019 YTD (February)	257	62,422	32.1%	33,073	24.7%	53.0	-5.6%	\$127.36	-2.7%	\$67.48	-8.2%
CAGR* (2015-2018)	--	2.0%	--	5.7%	--	3.4%	--	0.2%	--	3.6%	--
*Compound Annual Growth Rate											
Sources: Smith Travel Research											

Competitive Set Performance

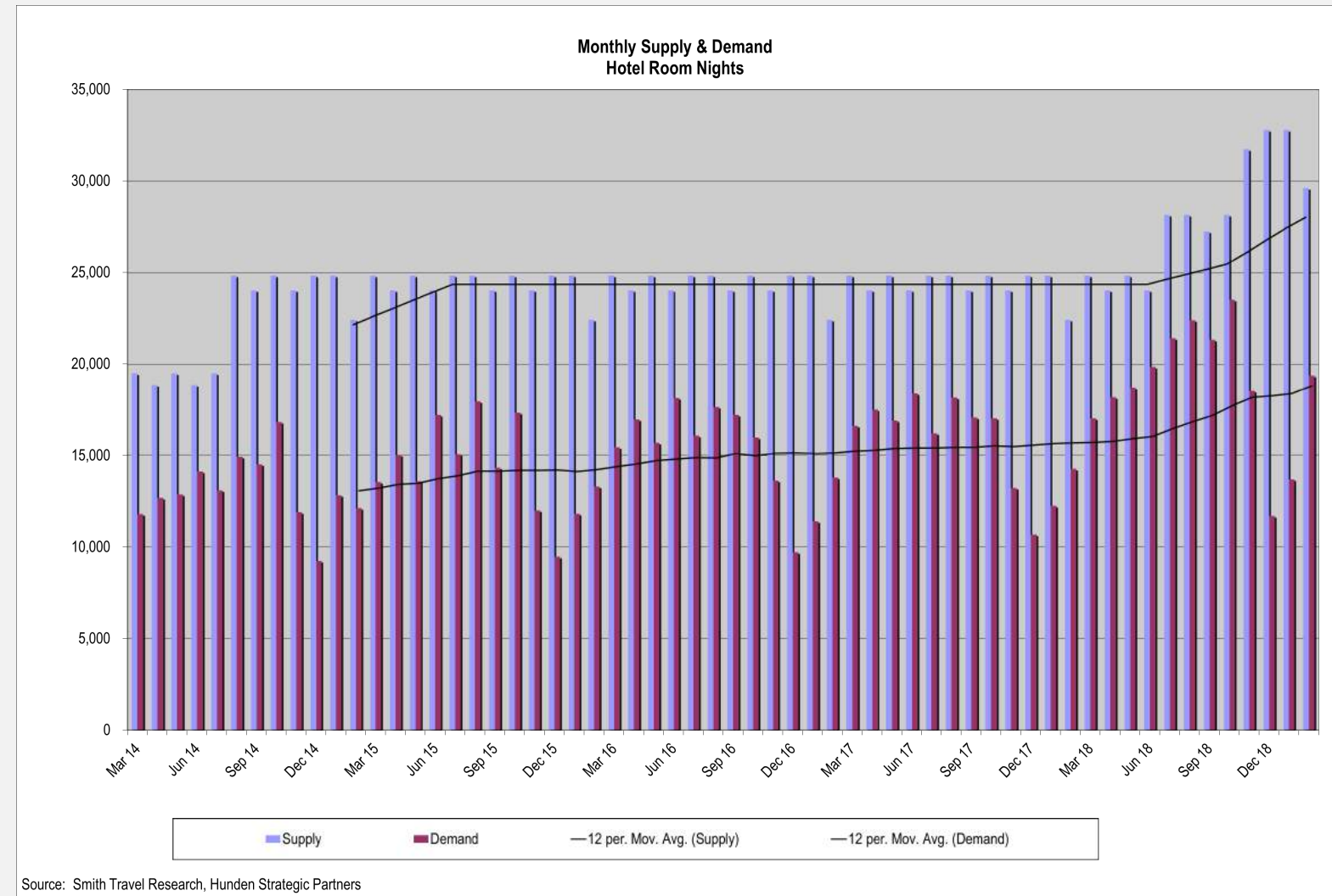
The competitive set performance, summarized in the adjacent table, indicates that room nights sold and occupancy have increased significantly over the last four years. Occupancy has increased by ten percentage points since 2015 despite the competitive set growing by 257 rooms in 2018.

Average daily rate has remained flat since 2015. ADR increased by nearly \$5 between 2015 and 2017, then decreased due to the new supply of rooms added in 2018.

Hotel Room Night Supply and Demand

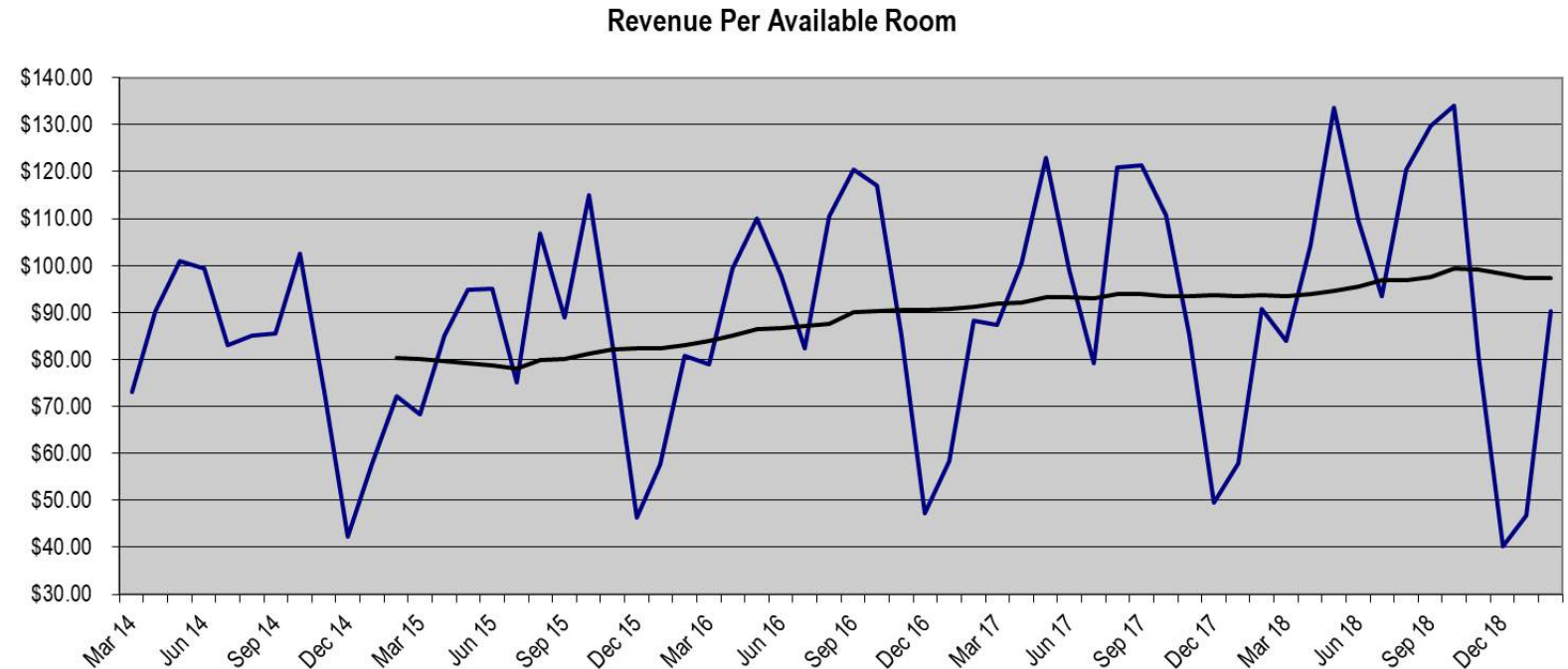
The trend lines in the adjacent figure show almost change in hotel supply over the last five years until 2018. With more available room nights, unaccommodated demand was able to fill the newly added supply.

Demand consistently peaks during the summer months of each year, which is consistent for hotels in the northern region of the U.S.



Revenue Per Available Room

The adjacent trend line shows that RevPAR, which is the product of occupancy and rate. The competitive set recorded an increase more than \$30 since 2014.

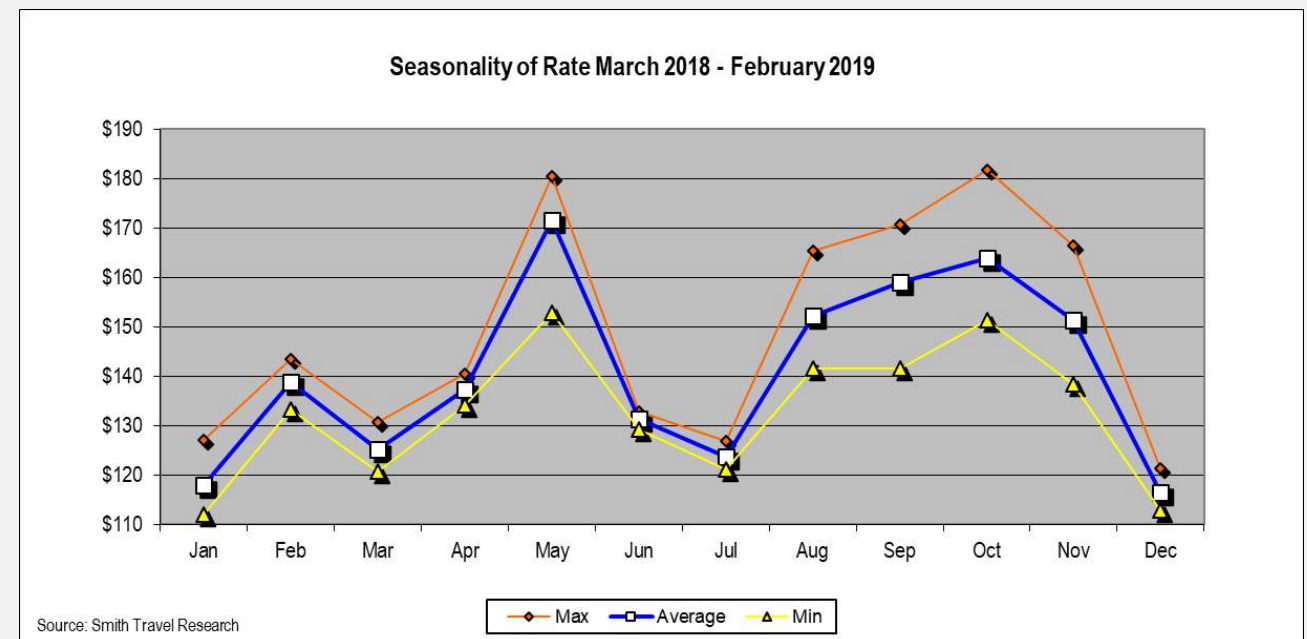
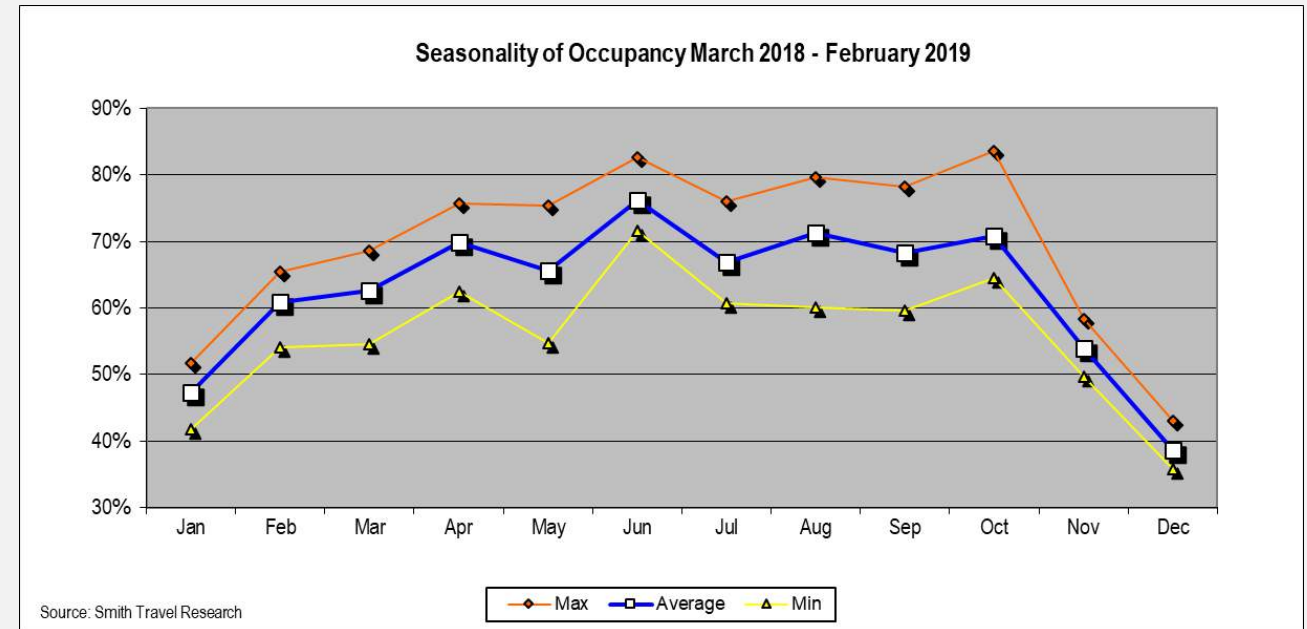


Source: Smith Travel Research

Annual Seasonality Occupancy and ADR

Due to leisure travel, the summer/fall months are the strongest in the local hotel market with an average occupancy of approximately 70 percent from June through October. The high demand extends into the fall due to Indiana University events.

Rates are highly seasonal and peak during graduation in May, the beginning of Fall semester each year in September and football games before winter begins.

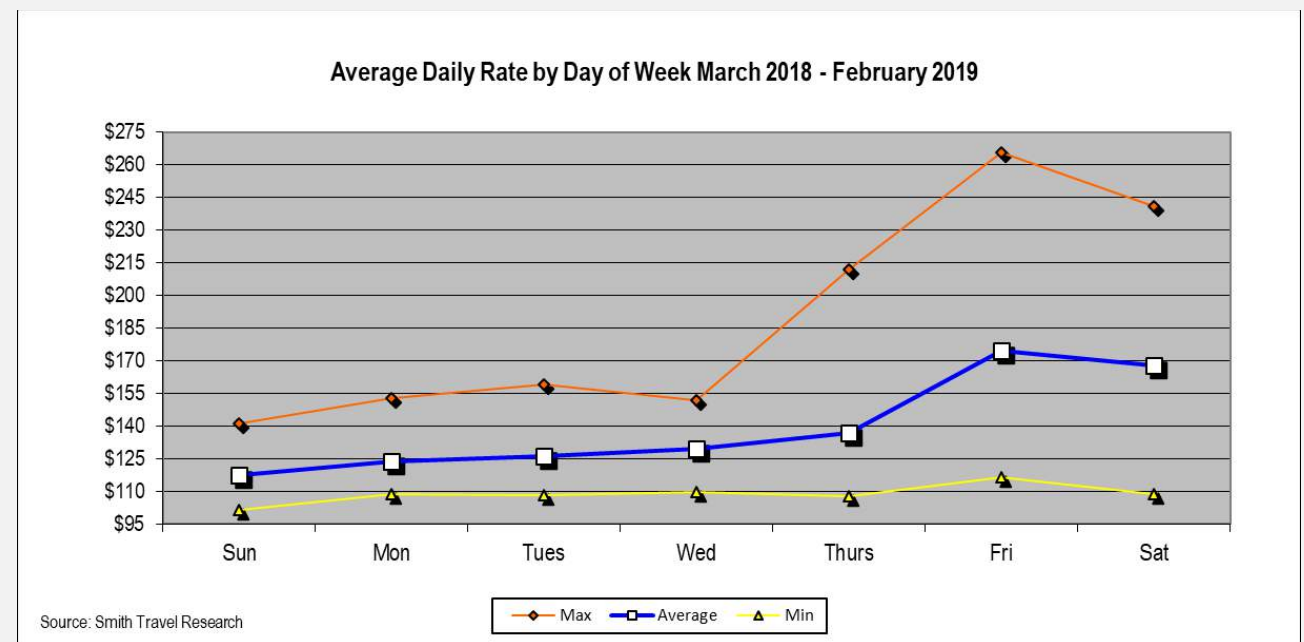
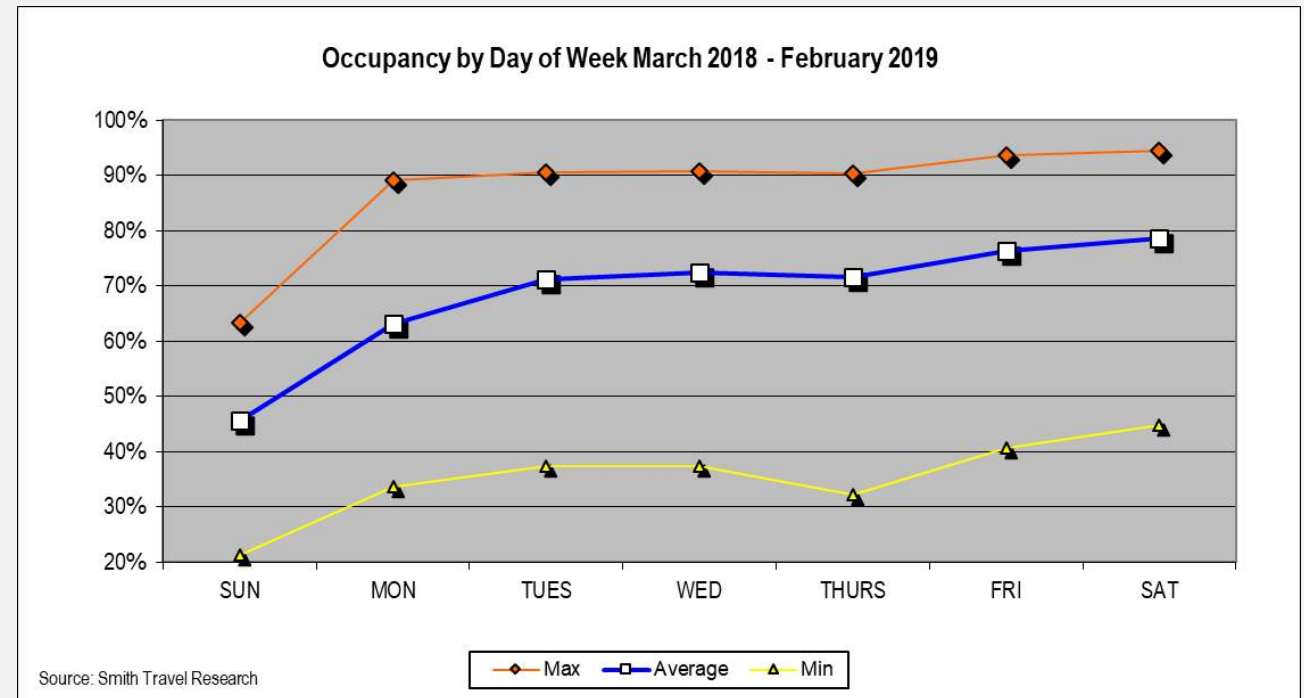


Day of Week Occupancy and ADR

The adjacent figures show the day of week performance of the competitive hotel set from March 2018 through February 2019.

Occupancy is mostly consistent during the weekdays and peaks on average on Fridays and Saturdays.

ADR is much higher on Friday and Saturday (\$170) compared to the weekdays (\$125-\$140), contrary to the mostly flat nature of occupancy throughout the week. Peak rates during certain university events (such as home football games) significantly influence the average weekend rates for the entire year, driving the average upward.



Heat Charts

Occupancy and ADR

The adjacent heat charts summarize the day of week performance of the Bloomington hotel market over the last calendar year.

Occupancy is high during most days of the week and especially weekends from April through October, with occupancy averaging over 75 percent on Fridays and Saturdays. This suggests significant unaccommodated demand that is leaving the market.

Thursdays, Fridays and Saturdays in May are extremely high relative to the average due to relatives of students and other visitors coming to Bloomington for graduation. Nearly everyday in August is generating extremely high rates due to students, especially freshmen, moving back to Bloomington and campus for Fall semester. Weekend rates are also very high in September, October, February and April due to various university-related sports and community events.

	75-80%
	80-90%
	> 90%

	\$115-\$125
	\$125-\$135
	> \$135

Occupancy Percent by Day of Week by Month - March 2018 - February 2019

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Avg
Mar - 18	40.1%	61.7%	74.6%	69.8%	69.4%	82.6%	76.4%	68.6%
Apr - 18	44.3%	65.5%	78.7%	80.1%	83.2%	93.7%	94.6%	75.7%
May - 18	56.6%	65.0%	72.7%	79.3%	82.9%	79.2%	89.9%	75.4%
Jun - 18	54.9%	89.3%	90.7%	90.8%	79.2%	83.5%	88.2%	82.6%
Jul - 18	62.1%	78.4%	75.9%	78.2%	75.7%	79.4%	85.7%	76.1%
Aug - 18	63.4%	81.6%	86.3%	83.2%	79.5%	80.8%	81.5%	79.6%
Sep - 18	54.5%	67.4%	82.0%	89.2%	85.6%	83.0%	89.5%	78.3%
Oct - 18	59.4%	79.0%	84.9%	84.6%	90.3%	93.0%	94.3%	83.6%
Nov - 18	32.1%	45.4%	58.6%	61.8%	63.5%	72.0%	70.9%	58.4%
Dec - 18	21.4%	33.7%	37.3%	37.4%	32.1%	40.7%	48.4%	35.7%
Jan - 19	22.5%	37.9%	41.5%	44.6%	47.6%	51.5%	44.8%	41.8%
Feb - 19	36.5%	51.9%	70.7%	69.8%	71.4%	78.1%	79.3%	65.4%
Average	44.6%	61.7%	69.6%	71.1%	70.2%	75.5%	77.1%	

Sources: Smith Travel Research

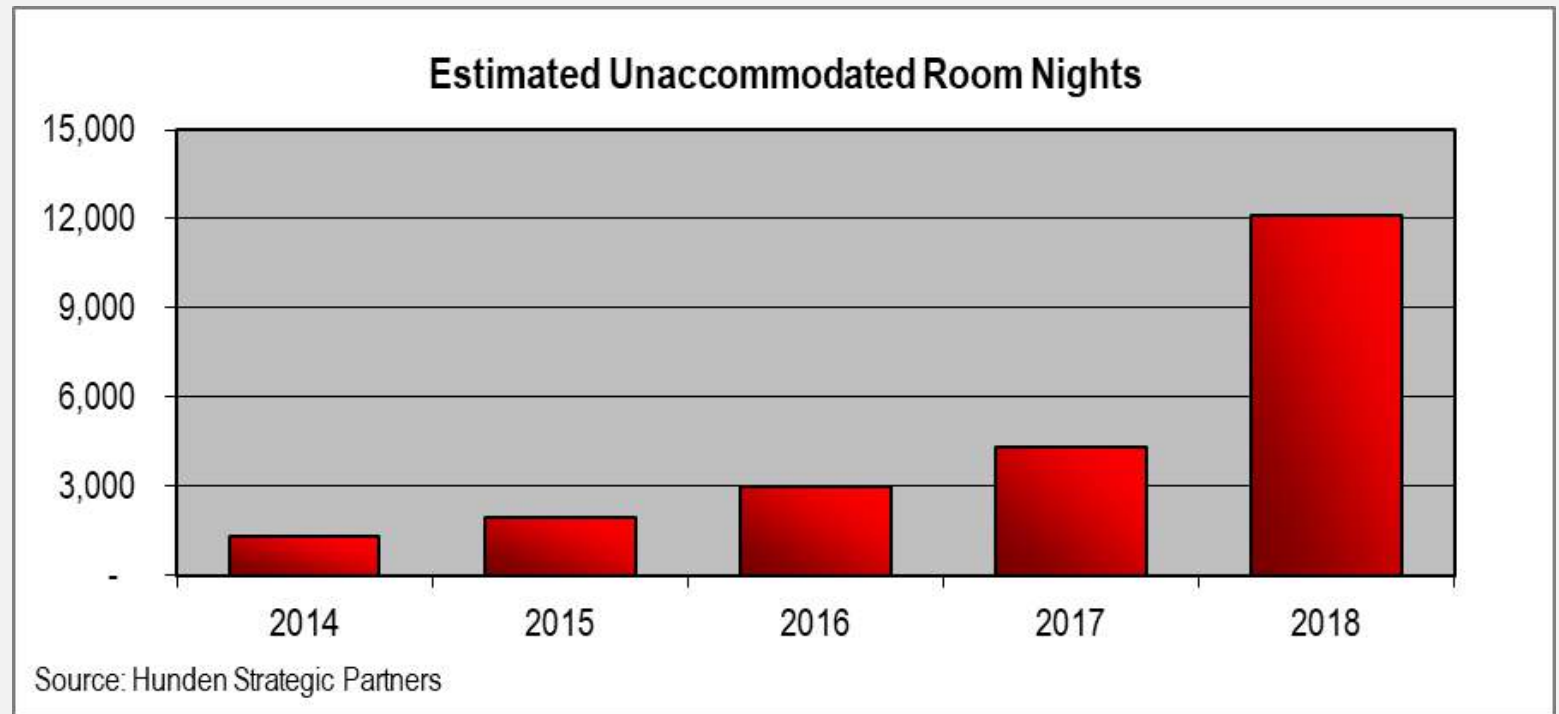
ADR by Day of Week by Month - September 2017 - August 2018

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Avg
Mar - 18	109.28	116.26	119.38	119.81	118.23	135.71	125.66	122.42
Apr - 18	110.86	119.05	119.91	122.34	127.31	175.26	170.92	137.97
May - 18	131.29	121.75	124.88	132.49	212.16	255.23	239.72	177.25
Jun - 18	120.17	128.87	134.28	138.18	130.10	138.13	133.04	132.71
Jul - 18	112.14	120.98	123.59	124.77	122.49	127.66	128.43	122.91
Aug - 18	141.12	152.75	159.06	151.80	149.25	151.64	151.63	151.38
Sep - 18	122.35	124.15	128.06	133.59	139.68	265.66	217.06	165.88
Oct - 18	116.94	121.94	124.29	132.50	138.13	241.97	240.81	160.40
Nov - 18	112.97	123.37	118.36	123.39	126.92	167.29	164.84	138.31
Dec - 18	104.72	120.39	110.83	109.71	107.65	116.30	114.71	112.83
Jan - 19	101.29	108.63	107.99	112.12	107.88	131.76	108.53	112.14
Feb - 19	103.68	113.09	127.49	126.74	124.68	170.96	169.65	138.13
Average	117.50	123.73	126.19	129.32	136.60	174.74	167.63	

Sources: Smith Travel Research

Unaccommodated Room Nights

Based on historic occupancy levels, HSP estimates that there were 12,000 unaccommodated room nights in the Bloomington market in 2018, which is more than double the estimated level in 2017. However, with the opening of the Graduate late in the year, the expected 2019 figure is less.



Headquarter Hotel Realities

Public/Private HQ Hotel Projects

HSP has tracked 35 public-private headquarter hotel projects in the United States that were developed since 1997 extending through future projects expected to open in 2023.

These hotels are needed because meeting planners want to have a large block of rooms connected or adjacent to the meeting facility, with full-service amenities.

Headquarter hotels need to have their own function space to host groups when the convention center is not full. The added facilities and restaurants add cost. As a result, on average, the projects cost \$250k/room (not inflated) and are 36% funded by the public sector and 64% by the developer/private sector.

Public-Private Hotel Developments							Public Sector*		Private Sector	
City	State	Brand	Open	Rooms	Total Hotel Costs (millions)	Cost/Room (000's)	Investment	Percentage	Investment	Percentage
							(millions)	of Total Cost	(millions)	of Total Cost
Atlantic City	NJ	Sheraton	1997	502	\$85	\$169	\$38.2	44.9%	\$46.80	55.1%
Austin	TX	Fairmont	2018	1,048	\$370	\$353	TBD	TBD	TBD	TBD
Austin	TX	JW Marriott	2015	1,012	\$303	\$299	\$3.0	1.0%	\$300.00	99.0%
Austin	TX	Marriott	2020	613	TBD	TBD	TBD	TBD	TBD	TBD
Baltimore	MD	Marriott	2001	750	\$133	\$177	\$10.0	7.5%	\$123.00	92.5%
Boston	MA	Westin	2007	793	\$200	\$252	\$15.0	7.5%	\$185.00	92.5%
Charlotte	NC	Westin	2003	700	\$143	\$204	\$16.0	11.2%	\$127.00	88.8%
Chattanooga	TN	Chattanooga	2001	202	\$43	\$213	\$20.0	46.5%	\$23.00	53.5%
Denver	CO	Adam's Mark	1998	1,230	\$135	\$110	\$25.0	18.5%	\$110.00	81.5%
Evansville	IN	Doubletree	2015	253	\$44	\$174	\$20.0	45.5%	\$24.00	54.5%
Fort Wayne	IN	Courtyard	2010	250	\$47	\$188	\$12.0	25.5%	\$35.00	74.5%
Fort Worth	TX	Omni	2009	600	\$160	\$267	\$89.0	55.6%	\$71.00	44.4%
Franklin	TN	Marriott	1999	300	\$30	\$100	\$12.0	40.0%	\$18.00	60.0%
Houston	TX	Marriott	2016	1,000	\$335	\$335	n/a	n/a	n/a	n/a
Indianapolis	IN	Marriott	2001	615	\$100	\$163	\$23.0	23.0%	\$77.00	77.0%
Indianapolis	IN	JW Marriott, Courtyard, Springhill Suites	2011	1,568	\$354	\$226	\$48.5	13.7%	\$305.50	86.3%
Irving	TX	Marriott	2018	350	\$113	\$323	\$55.0	48.7%	\$58.00	51.3%
Kansas	MO	Loews	2020	800	\$325	\$406	\$265.0	81.5%	\$60.00	18.5%
Lancaster	PA	Marriott	2009	294	\$45	\$153	\$20.0	44.4%	\$25.00	55.6%
Louisville	KY	Marriott	2005	617	\$111	\$180	\$57.5	51.8%	\$53.50	48.2%
Louisville	KY	Omni	2018	612	\$289	\$472	\$139.0	48.1%	\$150.00	51.9%
Madison	WI	Hilton	2000	222	\$29	\$131	\$10.0	34.5%	\$19.00	65.5%
Miami Beach	FL	Loews	1998	800	\$110	\$138	\$29.0	26.4%	\$81.00	73.6%
Memphis	TN	Loews	2023	550	\$220	\$400	n/a	n/a	n/a	n/a
Minneapolis	MN	Hilton	1992	816	\$145	\$178	\$89.2	61.5%	\$55.80	38.5%
Nashville	TN	Omni	2013	800	\$272	\$340	\$128.0	47.1%	\$144.00	52.9%
Norfolk	VA	Marriott	1992	405	\$60	\$148	\$23.0	38.3%	\$37.00	61.7%
Oklahoma City	OK	Omni	2021	605	\$236	\$389	\$85.4	36.3%	\$150.10	63.7%
Philadelphia	PA	Loews	1998	350	\$54	\$154	\$18.0	33.3%	\$36.00	66.7%
Philadelphia	PA	Marriott	1995	1,408	\$237	\$168	\$36.5	15.4%	\$200.50	84.6%
Portland	OR	Hyatt	2019	600	\$224	\$373	\$74.0	33.0%	\$150.00	67.0%
Salt Lake City	UT	TBD	2023	725	\$337	\$465	\$75.0	22.3%	\$262.00	77.7%
San Antonio	TX	Hyatt	2008	1,003	\$280	\$279	\$208.0	74.3%	\$72.00	25.7%
Tampa	FL	Marriott	1998	716	\$105	\$147	\$27.0	25.7%	\$78.00	74.3%
Washington	DC	Marriott	2013	1,167	\$639	\$548	\$308.0	48.2%	\$331.00	51.8%
Wichita	KS	Hyatt	1998	303	\$42	\$139	\$20.1	47.9%	\$21.90	52.1%
Average			2008	683	\$182	\$250	\$62.5	36.2%	\$107.2	63.8%

* Public participation may be upfront capital only, or include value of abatements and other incentives over time

Source: Hunden Strategic Partners

Publicly-Owned HQ Hotels

Many cities grew frustrated with their failed attempts to induce private HQ hotel development, so issued bonds to build the hotel themselves. This has occurred in all sizes of markets.

The lower cost of debt is attractive, but other hoteliers often bristle at the concept of the public getting into the hotel business.

From the control side, publicly-owned HQ hotels can guarantee room blocks at favorable room rates for the convention center, whereas privately-owned hotels will never agree to an rate-locked room block. This helps the convention center, but has a negative impact on the hotel's performance. Overall, these lower rates are similar to rent 'buy-down' funds for convention centers.

Tax-Exempt Financing with Bond Supported by Project Revenues						
City	State	Brand	Open	Rooms	Public Bond Issue (millions)	Cost/Room (000's)
Austin	TX	Hilton	2004	800	\$280.1	\$350
Baltimore	MD	Hilton	2008	757	\$305.0	\$403
Baltimore	MD	Hilton	2005	756	\$200.9	\$266
Bay City	MI	Doubletree	2004	150	\$32.9	\$219
Cheasapeake	NY	Hyatt	2002	400	\$193.0	\$483
Chicago	IL	Hyatt	1998	800	\$108.0	\$135
Chicago	IL	Hyatt Expansion	2013	451	\$180.0	\$399
Chicago	IL	Marriott	2016	1,200	\$400.0	\$333
Cleveland	OH	Hilton	2016	600	\$272.0	\$453
Columbia	SC	Hilton	2006	300	\$67.0	\$223
Columbus	OH	Hilton (468-key Expansion)	2022	1,000	\$210.0	\$449
Columbus	OH	Hilton	2012	532	\$178.0	\$335
Coralville	IA	Marriott	2006	286	\$33.0	\$115
Dallas	TX	Omni	2012	1,001	\$479.2	\$479
Denver	CO	Hyatt	2005	1,100	\$394.8	\$359
Erie	PA	Sheraton	2008	200	\$45.4	\$227
Fort Lauderdale	FL	Hilton	2011	1,000	\$415.0	\$415
Houston	TX	Hilton	2004	1,200	\$326.2	\$272
Myrtle Beach	SC	Radisson	2001	404	\$76.5	\$189
Omaha	NE	Hilton	2004	450	\$112.0	\$249
Omaha	NE	Hilton (Expansion)	2011	150	\$37.0	\$247
Overland Park	KS	Sheraton	2002	412	\$105.7	\$257
Phoenix	AZ	Sheraton	2008	1,000	\$346.1	\$346
Providence*	RI	Westin	1995	364	\$70.0	\$192
Providence*	RI	Hilton	2005	392	\$78.4	\$200
Sacramento	CA	Sheraton	2000	503	\$104.9	\$209
St. Louis	MO	Renaissance Suites	2003	1,081	\$276.6	\$256
Trenton	NJ	Marriott	2002	197	\$58.0	\$294
Vancouver	WA	Hilton	2005	226	\$47.5	\$210
Average			2006	611	\$187	\$295

* Estimated Cost

Source: Hunden Strategic Partners

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Example of a Recent HQ Hotel Project Westin Irving Convention Center Hotel

Completion Date: December 2018

Number of Rooms: 350

Cost: \$113 million total (\$322,000 per room); 49% publicly funded

- City approved \$22.5 million in bonds
- City committing \$13.5 million for second public parking garage (840 spaces)
- \$19 million in state tax rebates

Meeting Space:

- 16,000 SF total
- 10,000 SF ballroom, cocktail lounge and coffee bar

Other Key Data:

- Will become part of a three-part destination including the convention center and the Irving Music Factory



Competitive Convention Hotels

Multiple Hotels with Significant Function Space:

Fort Wayne: 2 x 250-room connected hotels

South Bend: 291-room Doubletree

Evansville: 240-room Doubletree

French Lick: 443-room hotel; 65k SF of function space

Indy: 10 hotels with more than 250 rooms



Recommendations



Headlines

What is the market for conventions, conferences, sports and other events that could be held at a center in downtown Bloomington?

- How have other Indiana convention centers in similar markets performed (South Bend, Fort Wayne, Bloomington)?
 - While all are valued demand drivers and event facilities in their communities, the room night generation is limited, ranging from approximately 10,000 – 25,000 room nights annually, or about 0.3 to 0.5 room nights per square foot of exhibit space. This is a relatively low productivity level. The primary reason cited is the allure of large hotels and facilities in Indianapolis, which is centrally located and the center of population in the state. Outlying areas receive opportunities every 2 to 3 years, while Indianapolis is often the host for statewide meetings at least every other year. HSP expects Bloomington to perform better, given the popularity of its downtown/campus relationship and overall appeal.
- What do event planners think of Bloomington as a destination vs. the competition?
 - Planners love Bloomington for many reasons, including its vibrant, easy to walk downtown with many restaurants and shops, along with the IU campus just a few blocks away.
 - Bloomington's nearly central location is also positive and its weather is often better than northern locations throughout fall – spring.
 - There are concerns about room block availability, blocked dates for IU events, and high hotel costs due to IU demand. These are not likely to be solved by a new HQ hotel, but can be mitigated somewhat.



Headlines

- What is Bloomington/MCC turning away now that could be captured if the right package was available?
 - Multi-day conferences, banquets > 500 seats, consumer shows w/ > 60 booths, religious groups requiring a large assembly space and conventions
- What kinds of events do tourism and convention professionals in Bloomington believe they can attract?
 - All of the types of groups/events mentioned above that have been lost due to the size and/or availability of MCC, concerts and indoor sports (not considered currently). Based on HSP's analysis, an expanded facility would be able to capture all of the event types, including indoor sports.

What can we learn from other developed projects?

- How have comparable convention centers in similar university-oriented markets performed (non-capital, non-largest city, semi-centrally located)?
 - While there are few examples of true convention centers in these types of markets, those that exist have performed well, often due to the attractiveness of the downtown-university campus combination.
- Why do most comparable university markets not have true convention centers, but larger conference hotels?
 - Markets like Bloomington with IU as the main driver are often perfect for conferences and small conventions, but are limited in their appeal for larger conventions and consumer shows, as they often lack the critical mass of market size to drive larger events. Indoor sports are changing this dynamic, however, which puts Bloomington in a position to capture more events than before the sports boom.

Headlines

What do event planners say they want/need in terms of exhibit, ballroom, meeting rooms?

- But for the opportunity for sports and consumer shows, exhibit space need is limited. With sports/consumer shows, the ability to fit four regulation basketball courts and minimal retractable seating is desired. Consumer shows typically look for a minimum of 40 – 45k SF, but in smaller markets, this need is reduced.
- Ultimately, the facility should be designed to build out as little exhibit space as sports and consumer shows need. The market for conventions is limited enough that the solution for consumer/sports events will accommodate the types of conventions that Bloomington can attract.
- For a ballroom, these are the most utilized and highest revenue generating spaces. Given budgetary constraints and lack of 365-day need for exhibit space, HSP recommends that up to half of the exhibit space be designed for ballroom buildout (FF&E) and divisibility. Therefore, the space can be used as both ballroom and exhibit without developing 50% more space. Durham is an example of a convention center that converted their exhibit space to a ballroom and saw utilization increase significantly, while still being able to use it for exhibit style events.
- The number of meeting rooms recommended is 18-20, totaling approximately 14,000 SF. Utilizing existing meeting rooms in MCC will lower construction expenses.



Headlines

What walkable, block-able hotel package is needed/desired?

- The existing four walkable hotels provide 607 rooms, which is the recommended walkable room block at 15 rooms/1,000 SF of facility space. However, because of the strong hotel market, existing hotels are not able to provide blocks as is the case in non-university dominated markets. Of the existing rooms, it is often the case that the MCC can get zero – 25% of rooms, or 150 or fewer rooms.
- This is generally good news for the hotel market, but tough for the MCC to fill its spaces, especially once it is much larger. While HSP cannot recommend a 350 – 450-room property, as it would not be feasible, that range of additional rooms downtown is ultimately what would be needed in walking distance to make the facility work.
- HSP completed scenarios for recommended HQ hotels and determined that a 300-room full-service hotel is called for in order to optimize the performance of the expanded MCC.

Recommendations

After numerous scenarios were completed, HSP recommends the following for the expanded MCC:

- 30,000 Square Feet of Exhibit Space, with up to 2/3 (20,000 Square Feet) as near ballroom quality and amenities, for a truly convertible space. This will save the cost of building a separate ballroom, given that full-hall exhibit events are not as plentiful in the marketplace.
- Ballroom as noted above. The existing MCC should consider creating a small junior ballroom that breaks into multiple breakout meeting room.
- 14,000 – 16,000 Square Feet of breakout meeting rooms, utilizing much of the existing MCC as possible and reconfiguring the second level to include a junior ballroom/meeting room block combination.
- 300-room Full-Service Headquarters hotel with up to a 10,000-Square Foot ballroom and a bank of breakout rooms.
- Siting the convention center and hotel north of the current MCC is the most impactful and provides the most return on investment and benefit for the downtown and overall community. This includes siting the hotel at the current 4th Street Garage location and connecting via a skywalk.
- Renaming the facility to evoke the most impactful name as it relates to what people know the community for (or naming rights deal to generate investment). People are more familiar with Bloomington than Monroe County, so a name that includes the word Bloomington would be beneficial.

Recommended Option: North Site



After numerous meetings, stakeholder sessions and HSP's market analysis, many scenarios were considered and the most advantageous to the community (City/County) was determined.

This recommendation is the 30,000-square foot exhibit hall option on the north site, along with a hotel developed that would be attached to the convention center to the east or southeast.

HSP recommends the hotel be located at the 4th Street garage site, as it is closest to the heart of downtown and will have more viability there and require less of a subsidy, most likely.

The other option shown is the south option, which would cost more and have more of a challenge with loading/deliveries, due to higher traffic volumes. In addition, HSP has determined that the fiscal health of the project would be less, as revenues would be slightly lower and expenses higher.

Bloomington-Monroe County Convention Center - Design Options Comparison

	North Option	South Option
Image		
Assumptions	30,000 SF New Exhibit Hall/Ballroom; 60,000 SF total new addition; Reuse existing facility for meeting rooms	
Project Cost	\$45,000,000	\$50,000,000
Truck Deliveries	Off of 4th Street (Local Street) - 4,000 Average Daily Trips	Off of 2nd Street (Arterial Street) - 12,000 Average Daily Trips
Distance from Meeting Rooms to Exhibit Hall	85 feet	530 feet
Projected Revenue		
Commonalities	Adjacent to B-Line; Faces College Avenue; Hotel access requires going through existing MC	
Other Pros	Close to downtown square; engages 4th Street and College Corner; Direct Connection to Hyatt; Potential alley connection to new 4th Street Garage	Land is currently owned; Could connect to hospital site development; Room for expansion; Adjacent to proposed parking structure
Other Cons	Need to acquire land to complete site; Limited space for expansion	Remote from existing meeting rooms; furthest away from existing hotels; furthest from downtown square
	270	

Projections



Projection Commentary

- HSP conducted multiple scenarios to stress-test and complete a sensitivity analysis about which of four scenarios would be the smart choice for development. These included scenarios with expanded meeting rooms and:
 - 40,000 SF of exhibit space, with half (20,000 SF) upgraded to ballroom quality. Built to the north.
 - 30,000 SF of exhibit space, with half (15,000 SF) upgraded to ballroom quality. Built to the north. This scenario was selected.
 - 30,000 SF of exhibit space, with half (15,000 SF) upgraded to ballroom quality. Built to the south and connected via a long connector/building along the backside of the Courtyard.
 - 20,000 SF of exhibit space, built to the north.
- Based on the iterations, the Team, including HSP, determined that the 30,000 SF exhibit hall sizing was the most advantageous in terms of return on investment.
- Based on additional testing, it was determined that the north site option would provide a better return on investment and that detail is shown.
- Other scenarios are shown in the appendix.

30K SF North Site (Recommended)

Projected Events at the Convention Center						
Event Type	Year 1	Year 2	Year 3	Year 4	Year 5	Year 10
Conventions, Conferences	17	23	25	26	26	26
Consumer Shows	9	11	13	14	15	15
Corporate Events	8	12	13	14	14	14
Sports/Entertainment Events	8	10	12	14	14	14
Sub-total Exhibit Hall	34	46	51	54	55	55
Non-Exhibit						
Banquets	115	127	139	153	153	153
Meetings Room Events	220	264	290	319	351	351
Sub-total Non-Exhibit	335	391	430	473	504	504
Total	377	447	493	541	573	573
Source: HSP						

CONVENTION CENTER
PROJECTIONS:
30,000 SF North Site
Events

The MCC is expected to host between 377 and 573 events per year during the first ten years of operation post-expansion. Essentially 88% of the events are expected to be non-exhibit events, which take place in ballrooms and meeting rooms.

The MCC is also expected to book between 34 and 55 exhibit events per year during the period, most of which will be conventions and conferences. Consumer shows are also expected to increase by around 60% compared to the average in recent years.

Convention Center Projected Attendance - 30k Exhibit Hall										
Event Type	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Conventions, Conferences	11,200	14,900	15,500	15,500	16,300	16,300	16,300	16,300	16,300	16,300
Consumer Shows	27,000	33,000	39,000	42,000	45,000	45,000	45,000	45,000	45,000	45,000
Corporate Events	1,800	2,600	2,800	3,000	3,000	3,000	3,000	3,000	3,000	3,000
Sports/Entertainment Events	11,000	15,000	16,500	20,500	20,500	20,500	20,500	20,500	20,500	20,500
Banquets/Receptions	48,900	53,800	59,100	64,400	64,400	64,400	64,400	64,400	64,400	64,400
Meetings Room Events	34,700	41,300	46,000	50,400	55,600	55,600	55,600	55,600	55,600	55,600
Total All Events	134,600	160,600	178,900	195,800	204,800	204,800	204,800	204,800	204,800	204,800
Source: HSP										

CONVENTION CENTER PROJECTIONS: 30,000 SF North Site Attendance

HSP projects that the expanded MCC will attract approximately 200,000 attendees once the expansion stabilizes. The majority of these attendees will come from banquets and receptions, followed by meetings room events.

This level of attendance would rise around 50% that of the average annual attendance at the MCC currently.

30,000 SF North Site Pro Forma

The MCC is expected to generate between \$1.5 million and \$2.6 million per year in operating revenues, 60% of which is expected to come from net food and beverage services net of expenses.

Expenses are expected to total between \$2.2 million in the first year up to \$3 million in Year 10. Salaries and wages far outweigh other expenses at \$988,000 or 32%.

These figures lead to an operating deficit each year, however, as events and attendance ramp up, the deficit increases significantly throughout the period. The deficit begins at \$771,000 in Year 1 and falls by around \$400,000 to less than \$440,000 in Year 10.

However, with strong third-party management, HSP expects that the operating deficit could be eliminated.

A rent “buy-down” fund should also be planned for to help buy down the rent at the facility for special events that the community wants to bid on.

Pro Forma Operating Statement of Revenue and Expenses (\$000's, Inflated)

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Revenue										
Event Revenue										
Space Rental	\$384	\$491	\$514	\$557	\$615	\$631	\$646	\$663	\$679	\$696
Equipment Rental	58	74	77	84	92	95	97	99	102	104
Net Food and Beverage	915	1,071	1,202	1,332	1,398	1,433	1,469	1,505	1,543	1,582
Event Services Income	104	133	139	150	166	170	175	179	183	188
Sub-total	\$1,460	\$1,769	\$1,932	\$2,123	\$2,272	\$2,328	\$2,387	\$2,446	\$2,507	\$2,570
Other Revenue										
Advertising and Sponsorships	15	15	16	16	16	17	17	17	18	18
Other Revenue	29	35	39	42	45	47	48	49	50	51
Total Operating Revenue	\$1,504	\$1,819	\$1,986	\$2,182	\$2,333	\$2,392	\$2,451	\$2,513	\$2,575	\$2,640
Expenses										
Salaries and Wages	812	830	848	867	886	905	925	946	966	988
Employee Benefits	284	290	297	303	310	317	324	331	338	346
Passthrough Labor	104	133	139	150	166	170	175	179	183	188
Maintenance & Repairs	169	205	231	258	284	291	297	304	310	317
Cleaning	56	69	78	86	93	95	97	99	102	104
Utilities	259	267	273	278	282	283	285	286	287	289
Sales and Marketing	45	46	37	37	38	39	40	41	42	43
General and Administrative	168	172	175	179	183	187	191	196	200	204
Insurance	90	92	94	96	98	100	102	104	107	109
Other Operating Expenses	99	104	107	111	114	117	119	121	124	126
Management Fee	149	169	187	207	219	224	229	235	240	246
Reserve For Replacement	41	52	55	59	65	67	69	71	72	74
Total Expenses	\$2,275	\$2,429	\$2,520	\$2,631	\$2,740	\$2,796	\$2,853	\$2,912	\$2,972	\$3,033
Net Operating Income	(\$771)	(\$610)	(\$534)	(\$450)	(\$406)	(\$404)	(\$402)	(\$399)	(\$397)	(\$394)

Source: HSP

300-Key HQ Hotel Projections

Estimated Market Penetration						
Year	Corporate Transient	Group	Leisure	Total Penetration	Projected Set Occupancy	Subject Occupancy
2022	85%	120%	80%	92%	63%	58%
2023	87%	133%	81%	97%	68%	66%
2024	88%	145%	82%	102%	71%	73%
2025	88%	145%	82%	103%	72%	74%
2026	88%	145%	82%	103%	73%	75%
2027	88%	145%	82%	103%	73%	75%
2028	88%	145%	82%	103%	73%	75%
2029	88%	145%	82%	103%	73%	75%
2030	88%	145%	82%	103%	73%	75%
2031	88%	145%	82%	103%	73%	75%

Source: Hunden Strategic Partners

300-Key HQ Hotel Market Penetration

The HQ Hotel is projected to outperform the competitive set in group market penetration, but slightly underpenetrate in corporate and leisure, given its focus on group business. Overall, the hotel is expected to perform at a higher level than the average of the competitive set, with stabilized occupancy of 75 percent.

Projected Stabilized Demand Mix vs. Comp Set		
Segment	Hotel at Stabilization	Comp Set
Corporate	34%	40%
Group	42%	30%
Leisure	24%	30%
Total	100%	100%

Source: Hunden Strategic Partners

300-Key HQ Hotel Segmentation Mix

The HQ Hotel is expected to have approximately 42% of its room nights generated by groups, while 34% comes from corporate. The competitive set is projected to be slightly more corporate focused.

300-Key HQ Hotel Performance Summary

The HQ Hotel is expected to increase its performance during the 10-year period shown from \$97 of revenue per available room (RevPAR) to \$156.

Performance Projections - 300-Room HQ Hotel				
Year	Average Daily Rate	Occupancy	Revenue per Available Room	Annual Increase
Year 1	\$168	58%	\$97	–
Year 2	\$171	66%	\$113	17.3%
Year 3	\$174	73%	\$127	12.0%
Year 4	\$178	74%	\$133	4.4%
Year 5	\$183	75%	\$138	3.7%
Year 6	\$187	75%	\$141	2.5%
Year 7	\$192	75%	\$144	2.5%
Year 8	\$197	75%	\$148	2.5%
Year 9	\$201	75%	\$152	2.5%
Year 10	\$207	75%	\$156	2.5%

Source: Hunden Strategic Partners

300-Key HQ Hotel

Pro Forma

The HQ Hotel is expected generate \$14 million in revenue in Year 1, with this figure growing to more than \$22 million in Year 10. Room revenue is expected to be approximately 76% of total revenue with the food and beverage accounting for an additional 18% of revenue.

Departmental expenses, such as for rooms and food and beverage, are projected to increase from \$4.9 million in Year 1 to \$7.3 million in Year 10. Undistributed expenses add an additional \$3.3 million to \$4.4 million each year. Fixed expenses also add another \$1.3 million to \$2.6 million each year throughout the period.

The bottom line shows a profit of nearly \$3.25 million in Year 1, growing to more than \$6 million by Year 10.

Projection of Income & Expense (in \$000, inflated) - 300 Keys													
	Year 1				Year 2		Year 3		Year 4		Year 5		Year 10
Room Count	300				300		300		300		300		300
Available Room Nights	109,500				109,500		109,500		109,500		109,500		109,500
Occupancy Rates	58%				66%		73%		74%		75%		75%
Occupied Room Nights	63,058				72,683		79,890		81,492		82,501		82,501
Average Daily Rate	\$168				\$171		\$174		\$178		\$183		\$207
RevPAR	\$97				\$113		\$127		\$133		\$138		\$156
Percent of Change from Prior Year	—				17.3%		12.0%		4.4%		3.7%		2.5%
	\$	%	PAR	POR	\$	%	\$	%	\$	%	\$	%	
REVENUE													
Rooms	\$10,597	77.1%	\$35,322	\$168	\$12,425	76.9%	\$13,918	76.7%	\$14,528	76.5%	\$15,060	76.5%	\$17,039
Hotel Food and Beverage	2,543	18.5%	\$8,475	\$40	2,989	18.5%	3,357	18.5%	3,513	18.5%	3,642	18.5%	4,121
Other Operated Departments	618	4.5%	\$2,062	\$10	727	4.5%	817	4.5%	855	4.5%	886	4.5%	1,002
Miscellaneous Income	69	0.5%	\$229	\$1	81	0.5%	91	0.5%	95	0.5%	98	0.5%	179
Total Revenue	\$13,744	100.0%	\$45,813	\$218	\$16,158	100.0%	\$18,146	100.0%	\$18,991	100.0%	\$19,686	100.0%	\$22,341
DEPARTMENTAL EXPENSES													
Rooms	\$2,851	26.9%	\$9,502	\$45	\$3,094	24.9%	\$3,340	24.0%	\$3,487	24.0%	\$3,614	24.0%	\$4,089
Hotel Food and Beverage	1,856	73.0%	\$6,187	\$29	2,152	72.0%	2,417	72.0%	2,494	71.0%	2,586	71.0%	2,926
Other Operated Departments	223	36.0%	\$742	\$4	254	35.0%	286	35.0%	299	35.0%	310	35.0%	351
Rent and Other Income	4	6.0%	\$14	\$0	4	5.0%	5	5.0%	5	5.0%	5	5.0%	9
Total Departmental Expenses	\$4,933	35.9%	\$16,445	\$78	\$5,505	34.1%	\$6,048	33.3%	\$6,285	33.1%	\$6,515	33.1%	\$7,375
Gross Operating Income	\$8,811	64.1%	\$29,369	\$140	\$10,653	65.9%	\$12,099	66.7%	\$12,706	66.9%	\$13,171	66.9%	\$14,967
UNDISTRIBUTED OPERATING EXPENSES													
Administrative and General	\$921	6.7%	\$3,070	\$15	\$1,002	6.2%	\$1,034	5.7%	\$1,063	5.6%	\$1,102	5.6%	\$1,251
Marketing	\$742	5.4%	\$2,474	\$12	\$792	4.9%	\$835	4.6%	\$855	4.5%	\$886	4.5%	\$1,005
Infotech	\$261	1.9%	\$870	\$4	\$226	1.4%	\$200	1.1%	\$190	1.0%	\$197	1.0%	\$223
Utility Costs	\$687	5.0%	\$2,291	\$11	\$727	4.5%	\$762	4.2%	\$798	4.2%	\$827	4.2%	\$938
Property Operations and Maintenance	\$715	5.2%	\$2,382	\$11	\$759	4.7%	\$798	4.4%	\$836	4.4%	\$866	4.4%	\$983
Total Undistributed Expenses	\$3,326	24.2%	\$11,087	\$53	\$3,506	21.7%	\$3,629	20.0%	\$3,741	19.7%	\$3,878	19.7%	\$4,401
Gross Operating Profit	\$5,485	39.9%	\$18,282	\$87	\$7,147	44.2%	\$8,469	46.7%	\$8,965	47.2%	\$9,293	47.2%	\$10,565
Franchise Fees	\$936	6.8%	\$3,119	\$15	\$1,100	6.8%	\$1,236	6.8%	\$1,293	6.8%	\$1,340	6.8%	\$1,521
FIXED EXPENSES													
Property Taxes	\$ 577	4.2%	\$1,924	\$9	770	4.8%	810	4.5%	826	4.4%	843	4.3%	930
Insurance	165	1.2%	\$550	\$3	178	1.1%	181	1.0%	190	1.0%	197	1.0%	223
Management Fee	412	3.0%	\$1,374	\$7	485	3.0%	544	3.0%	570	3.0%	591	3.0%	670
Reserve for Replacement	\$137	1.0%	\$458	\$2	\$242	1.5%	\$454	2.5%	\$665	3.5%	\$689	3.5%	\$782
Total Fixed Expenses	\$1,292	9.4%	\$4,306	\$20	\$1,674	10.4%	\$1,990	11.0%	\$2,251	11.9%	\$2,319	11.8%	\$2,606
Cash Flow from Operations	\$3,257	23.7%	\$10,857	\$52	\$4,372	27.1%	\$5,244	28.9%	\$5,421	28.5%	\$5,633	28.6%	\$6,438

Source: Hunden Strategic Partners

Supportable Equity & Debt												
	Constr. Yr1	Constr. Yr2	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Net Operating Income	\$0	\$0	\$3,257	\$4,372	\$5,244	\$5,421	\$5,633	\$5,820	\$5,969	\$6,121	\$6,278	\$6,438
Interest and Debt Reserve W/D	\$630	\$1,890	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Debt Service Payment	(\$630)	(\$1,890)	(\$3,089)	(\$3,089)	(\$3,089)	(\$2,801)	(\$2,801)	(\$2,801)	(\$2,801)	(\$2,801)	(\$2,801)	(\$2,801)
Net Income to Repay Equity	\$0	\$0	\$168	\$1,283	\$2,155	\$2,620	\$2,832	\$3,019	\$3,167	\$3,320	\$3,476	\$3,637
Princ. Amount***	\$9,000	\$27,000	\$36,000	\$35,431	\$34,822	\$34,170	\$33,590	\$32,972	\$32,314	\$31,613	\$30,866	\$30,071
Interest	\$630	\$1,890	\$2,520	\$2,480	\$2,438	\$2,221	\$2,183	\$2,143	\$2,100	\$2,055	\$2,006	\$1,955
Less Payment	(\$630)	(\$1,890)	(\$3,089)	(\$3,089)	(\$3,089)	(\$2,801)	(\$2,801)	(\$2,801)	(\$2,801)	(\$2,801)	(\$2,801)	(\$2,801)
Loan Balance	\$9,000	\$27,000	\$35,431	\$34,822	\$34,170	\$33,590	\$32,972	\$32,314	\$31,613	\$30,866	\$30,071	\$29,225
Assumptions							Refi					
Loan Amount (\$000's)	\$36,000						\$34,170					
Amortization Period (Years)	25						25					
Loan Interest Rate	7.00%						6.50%					
Annual Debt Service Payment (\$000's)	(\$3,089)						(\$2,801)					
Equity:												
Developer's Equity (\$000's)	\$14,000	18%										
Private Debt	\$36,000	47%										
Total Supportable Private Financing	\$50,000	65%	\$167,000	per room								
Gap/Subsidy/Grants	\$26,500	35%	\$88,000	per room								
Project Amount (\$000's)	\$76,500	100%	\$255,000	per room								
Debt (Private) Coverage Ratio			1.05	1.42	1.70	1.94	2.01	2.08	2.13	2.19	2.24	2.30
Return on Private Equity*			1.2%	9.2%	15.4%	18.7%	20.2%	21.6%	22.6%	23.7%	24.8%	26.0%
Return on Assets**			4.3%	5.7%	6.9%	7.1%	7.4%	7.6%	7.8%	8.0%	8.2%	8.4%
*On developer's equity only.												
**On project cost.												
***Assumes 50% draw in Construction Year 1; 75% average during Construction Year 2												
Source: Hunden Strategic Partners												

300-Key HQ Hotel ROI

The HQ Hotel is expected to cost \$76.5 million. Based on the assumptions in this model, the NOI would be able to support developer equity of \$14 million and an additional \$36 million in private debt. This leaves a funding gap of \$26.5 million for the development of the HQ Hotel, which will need to be subsidized like most other headquarter hotels.

Economic, Fiscal and Employment Impact Analysis



Impact

The impact of convention centers and convention hotels is synergistic and results in net new daytrippers and overnights in both the convention center and in other hotels and locations in the community. HSP has calculated the combined daytrippers and overnights from the recommended project over a 30-year time period. The assumptions include direct spending by these non-local visitors, broken into categories (lodging, restaurants, retail, transportation and other).

There are then indirect and induced impacts, as the spending flows through the community. This new spending supports jobs across the city and county and also generates new taxes that are the return on investment by the public sector.

These impacts, which only include new visitation and spending, are shown in the following tables.

Direct Net New/Recaptured Spending to Monroe County (000s)									
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 10	Year 20	Year 30	Total
Food & Beverage	\$3,052	\$3,736	\$4,202	\$4,703	\$5,010	\$5,669	\$7,257	\$9,289	\$196,130
Lodging	\$5,622	\$6,984	\$7,844	\$8,790	\$9,437	\$10,940	\$14,005	\$17,927	\$376,736
Retail	\$974	\$1,200	\$1,348	\$1,515	\$1,611	\$1,823	\$2,333	\$2,987	\$63,050
Transportation	\$1,450	\$1,784	\$2,004	\$2,253	\$2,395	\$2,710	\$3,469	\$4,440	\$93,740
Other	\$735	\$903	\$1,015	\$1,142	\$1,214	\$1,373	\$1,758	\$2,250	\$47,502
Total	\$11,832	\$14,607	\$16,412	\$18,404	\$19,667	\$22,515	\$28,821	\$36,893	\$777,157

Source: Hunden Strategic Partners

Direct Net New & Recaptured Spending

Direct net new, including recaptured, spending falls into five categories: food & beverage, lodging, retail, transportation and other. The total for these categories during the 30-year period shown is roughly \$777 million. \$196 million of this total is expected to come from food & beverage spending, while lodging is expected to also generate almost \$377 million.

Direct, Indirect & Induced Net New Spending to Monroe County (000s)									
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 10	Year 20	Year 30	Total
Net New Spending									
Direct	\$11,832	\$14,607	\$16,412	\$18,404	\$19,667	\$22,515	\$28,821	\$36,893	\$777,157
Indirect	\$4,024	\$4,967	\$5,581	\$6,258	\$6,686	\$7,650	\$9,793	\$12,536	\$264,095
Induced	\$4,669	\$5,764	\$6,476	\$7,263	\$7,760	\$8,881	\$11,368	\$14,552	\$306,553
Total	\$20,526	\$25,338	\$28,468	\$31,925	\$34,114	\$39,046	\$49,982	\$63,981	\$1,347,806
Source: Hunden Strategic Partners									

Direct, Indirect & Induced Net New Spending

All three levels of spending are expected to combine for nearly \$1.4 billion during the Project's first 30 years. More than \$777 million of spending will come directly from net new visitation to Monroe County, while indirect and induced spending are projected to produce \$264 million and \$306 million, respectively.

Net New Earnings from Direct, Indirect & Induced Spending (000s)									
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 10	Year 20	Year 30	Total
Net New Earnings									
From Direct	\$3,840	\$4,739	\$5,324	\$5,972	\$6,379	\$7,295	\$9,338	\$11,953	\$251,844
From Indirect	\$1,309	\$1,616	\$1,815	\$2,036	\$2,176	\$2,491	\$3,188	\$4,081	\$85,975
From Induced	\$1,388	\$1,714	\$1,925	\$2,159	\$2,307	\$2,641	\$3,381	\$4,328	\$91,165
Total	\$6,537	\$8,068	\$9,065	\$10,167	\$10,861	\$12,427	\$15,907	\$20,362	\$428,984
Source: Hunden Strategic Partners									

Net New Earnings

As jobs will be created from the direct, indirect and induced spending, which is expected to produce net new earnings of \$429 million during the period shown. Of this \$252 million is expected to be the result of direct spending related to the Project.

Net New Full-Time Equivalent Jobs from Direct, Indirect & Induced Earnings (000s)								
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 10	Year 20	Year 30
Net New FTE Jobs								
From Direct	187	225	247	270	282	284	284	284
From Indirect	64	78	85	93	97	98	98	98
From Induced	74	90	98	107	112	113	113	113
Total	326	392	430	471	490	495	495	495
Source: Hunden Strategic Partners								

Net New Jobs

Net new jobs in the city and county are expected to be created directly from the new spending associated with visitation, as well as direct, indirect and induced jobs from earnings. During the 30-year period, the Project is expected to support an average of nearly 495 full-time equivalent jobs. These jobs are primarily in lodging, restaurants, retailers and other service industries. However, the overall impact on the economy helps to support many other kinds of positions throughout the County.

Construction Impact - Monroe Convention Center	
	Impact
Direct Materials Spending	\$ 23,600,000
Indirect Spending	\$ 6,610,000
Induced Spending	\$ 10,530,000
Total	\$ 40,740,000
Direct Labor Spending	\$ 35,400,000
Employment (Job Years)	653
Source: Hunden Strategic Partners	

Construction Impact

The MCC construction impact is expected to total \$41 million for materials spending, \$35 million for labor spending and support 653 job-years. A job-year is one job for one year.

Fiscal Impact - City and County Tax Impacts from Net New Spending (000s)									
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 10	Year 20	Year 30	Total
Taxes Collected									
County Hotel Tax (5%)	\$281	\$349	\$392	\$440	\$472	\$547	\$700	\$896	\$18,837
Food & Beverage Tax (1%)	\$31	\$37	\$42	\$47	\$50	\$57	\$73	\$93	\$1,961
COIT (1.345%)	\$88	\$109	\$122	\$137	\$146	\$167	\$214	\$274	\$5,770
Property Tax	\$577	\$750	\$810	\$830	\$851	\$963	\$1,233	\$1,578	\$33,613
Total	\$977	\$1,245	\$1,366	\$1,454	\$1,519	\$1,734	\$2,219	\$2,841	\$60,181
Source: Hunden Strategic Partners									

Fiscal Impact

HSP estimated the taxes that would be collected by the City of Bloomington and Monroe County due to the spending related to the Project.

Property taxes are expected to be the largest fiscal impact during the period at \$34 million.

Total fiscal impact is projected at approximately \$60 million between county hotel tax, food & beverage tax, COIT, and property tax.

Summary of 30-Year Impacts

The Project is expected to generate \$1.3 billion in net new spending, \$429 million in net new earnings and 495 new full-time equivalent jobs at peak.

Fiscal impact is expected to be approximately \$60 million in total tax from F&B, hotel, COIT, and property tax. Property Tax accounts for almost \$34 million itself.

Construction impact is also expected to total more than \$76 million between spending on materials and labor, as well as support nearly 653 job-years.

Summary of 30-Year Estimated Impacts

Net New Spending	(millions)
Direct	\$777
Indirect	\$264
Induced	\$307
Total	\$1,348

Net New Earnings	(millions)
From Direct	\$252
From Indirect	\$86
From Induced	\$91
Total	\$429

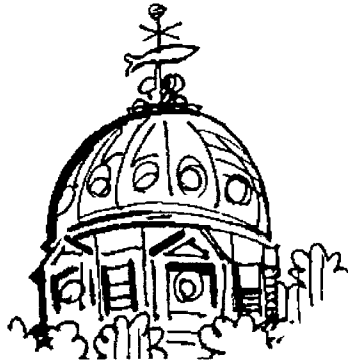
Net New FTE Jobs	Actual
From Direct	284
From Indirect	98
From Induced	113
Total	495

Taxes Collected	(millions)
County Hotel Tax (5%)	\$18.8
Food & Beverage Tax (1%)	\$2.0
COIT (1.345%)	\$5.8
Property Tax	\$33.6
Total	\$60.2

Construction Impact	(millions)
New Materials Spending	\$40.7
New Labor Spending	\$35.4
Job-Years, Actual	653

Source: Hunden Strategic Partners

Thank You



Brianne Gregory
Monroe County Auditor

100 W Kirkwood Ave
Room 209
Bloomington, IN 47404
Office: 812-349-2510
auditor@co.monroe.in.us

AUDITOR'S VERIFICATION STATEMENT

I, Brianne Gregory, the duly elected, qualified and acting Auditor of Monroe County, Indiana, hereby certify that I have examined the _____1_____ counterparts of the petition of taxpayers requesting a lease of an expansion of the convention center.

I further certify that I have checked the signatures on the various counterparts and verifying affidavits of said petitioners with the tax records in my office; that all persons signing verifying affidavits that indicate the person is the owner of real property in the petition area are owners of real estate in the city limits of Bloomington Indiana, and that said petition was signed as follows:

Petitioners' 38 real property owners who have signed a petition.

 0 non-real property owners

 38 total signatures

IN WITNESS THEREOF, I have hereunto set my hand and the official seal of the Auditor of the County of Monroe on this 17th day of January, 2025.

A handwritten signature in black ink, reading "Brianne M. Gregory". The signature is written in a cursive, flowing style.

Brianne Gregory
Monroe County Auditor

**PETITION OF TAXPAYERS
OF THE CITY OF BLOOMINGTON, INDIANA,
REQUESTING A LEASE OF AN EXPANSION OF THE CONVENTION CENTER**

Counterpart No. 1

TO: The Common Council of the City of Bloomington, Indiana

We, the undersigned, being the owners of taxable real property located within the boundaries of the City of Bloomington, Indiana (the "City"), hereby petition and request the Common Council of the City to enter into negotiations to secure a lease under Indiana Code 36-1-10, as amended, providing for the acquisition, construction, installation and equipping of an expansion of the existing convention center to be located in the City (the "Project"), and lease of the Project to the City.

We believe that a need exists for such Project and that the City does not have current funds to pay for the Project to meet the present need.

We hereby petition the Common Council of the City to investigate the need for the Project, and upon determining that such need exists, to enter into a contract of lease with an Indiana nonprofit building corporation formed for such purpose to finance the Project and thereafter lease the Project to the City.

We urge that action be taken as promptly as possible pursuant to and in accordance with the provisions and procedures set forth under Indiana Code 36-1-10, as amended, to secure, if possible, a lease upon the above-referenced Project.

This petition may be circulated in several counterparts, and all such counterparts together are to be considered as constituting one petition.

Name

Address

**Township Where
Taxable Real
Property Located**

✓ 1.

Signature


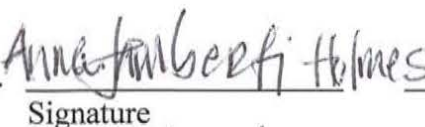
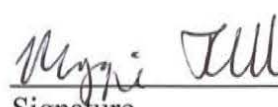
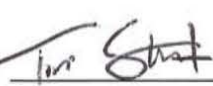
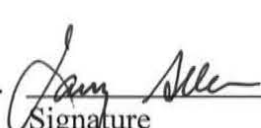

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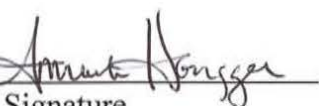
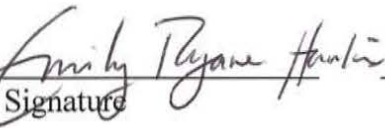



Jessica McEllan 559 W. Dogwood Ln

Jessica McEllan Bloomington IN 47401 Bloomington

47404

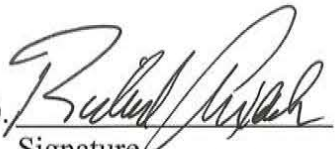





005

	<u>Name</u>	<u>Address</u>	<u>Township Where Taxable Real Property Located</u>
✓ 2.	 Signature Alessandra Pratt Printed	415 S Madison St Bloomington, IN 47403	Perry 009
✓ 3.	 Signature Anna Lambert Holmes Printed	2730 N Blue Ridge Ct, Bloomington IN 47408	Bloomington 005
✓ 4.	 Signature Maggie Tull Printed	3112 N. Kingsley Drive Bloomington, IN	Bloomington 005
✓ 5.	 Signature Tim Street Printed	1220 E Allender Dr. Bloomington, IN 47401	Perry 009
✓ 6.	 Signature Larry Allen Printed	2214 S Bent Tree Dr Bloomington, IN 47401	Perry 009
✓ 7.	 Signature E. SENSENSTEIN Printed	559 W DOGWOOD LN BLOOMINGTON, IN 47404	Bloomington 005


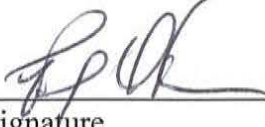
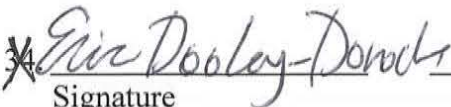


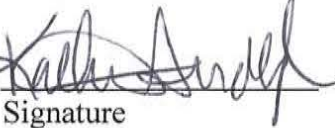
	<u>Name</u>	<u>Address</u>	<u>Township Where Taxable Real Property Located</u>
✓ 8.	<u></u> Signature <u>Elizabeth M. HONEGGER</u> Printed	<u>2410 N LAVERNE DR</u> <u>BLOOMINGTON, IN 47408</u>	<u>Bloomington</u> 005
9.	<u></u> Signature <u>Amanda Honegger</u> Printed	<u>2410 N. LAVERNE DR</u> <u>BLOOMINGTON, IN 47408</u>	<u>Bloomington</u> 005
This address is only in #8's name			
✓ 10.	<u></u> Signature <u>EMILY RYANE HAWKINS</u> Printed	<u>506 E ALLEN ST 47401</u> <u>Bloomington IN</u>	<u>Perry</u> 009
✓ 11.	<u></u> Signature <u>Cory Hawkins</u> Printed	<u>506 E Allen St</u> <u>Bloomington IN 47401</u>	<u>Perry</u> 009
✓ 12.	<u></u> Signature <u>WES STURDEVANT</u> Printed	<u>502 E ALLEN ST</u> <u>BLOOMINGTON, IN 47401</u>	<u>PERRY</u> 009
✓ 13.	<u></u> Signature <u>Angela Sturdevant</u> Printed	<u>502 E. Allen St.</u> <u>Bloomington, IN 47401</u>	<u>Perry</u> 009

NameAddressTownship Where
Taxable Real
Property Located

- ✓ 14. Melissa Grabowski 1638 S. Sycamore Ct.
Signature
Melissa Grabowski Bloomington, IN 47401 Perry
Printed 009
- ✓ 15. Michele Wilson 4215 E Cambridge
Signature
Michele Wilson Bloomington, IN 47408 Bloomington
Printed 005
16. Sarah Mullin 1419 S. Monon Dr
Signature
Sarah Mullin Bloomington IN 47403
Printed
Does not own this property
Perry
- ✓ 17. Crystal Ritter 2305 S. Madison St.
Signature
Crystal Ritter Bloomington, IN 47403 Perry
Printed 009
18. Holly Warren 807 S. Madison St., #5
Signature
Holly Warren Bloomington, IN 47403 Perry
Printed
19. [Signature] 1560 N. Walnut
Signature
Printed

	<u>Name</u>	<u>Address</u>	<u>Township Where Taxable Real Property Located</u>
✓ 20.	<u></u> Signature <u>Richard ALEXANDER</u> Printed	<u>210 N Kerry</u> <u>Bloomington IN 47408</u>	<u>BLGTW</u> 005
✓ 21.	<u></u> Signature <u>MICHAEL Arnold</u> Printed	<u>503 W Dixie</u> <u>Bloomington IN 47403</u>	<u>Perry</u> 009
✓ 22.	<u></u> Signature <u>Stephanie Latentaine</u> Printed	<u>1044 E. Chris Ln</u> <u>Bloomington IN 47401</u>	<u>Perry</u> 009
✓ 23.	<u></u> Signature <u>Amanda Burnham</u> Printed	<u>2916 S. Stratford Dr.</u> <u>Bloomington, IN 47401</u>	<u>Perry</u> 009
✓ 24.	<u></u> Signature <u>MATT HAVEY</u> Printed	<u>2943 N PANTLE LANE</u> <u>BLOOMINGTON, IN 47406</u>	<u>Bloomington</u> 005
✓ 25.	<u></u> Signature <u>Holly McLaughlin</u> Printed	<u>2307 S Madison</u> <u>Bloomington IN</u>	<u>Perry</u> 009

<u>Name</u>	<u>Address</u>	<u>Township Where Taxable Real Property Located</u>
✓ 26. <u>[Signature]</u> Signature <u>Daniel Frank</u> Printed	<u>1720 E Parkman Dr</u> <u>Bloomington, IN</u>	<u>Perry</u> 009
✓ 27. <u>[Signature]</u> Signature <u>STEVEN SHERMAN</u> Printed	<u>2129 MELVILLE DR</u> <u>Bloomington, IN 47401</u>	<u>Perry</u> 009
✓ 28. <u>[Signature]</u> Signature <u>KIRK WHITE</u> Printed	<u>2801 E. Daniel St</u> <u>Bloomington, IN 47401</u>	<u>Perry</u> 009
✓ 29. <u>[Signature]</u> Signature <u>E. Ross</u> Printed	<u>3911 E Tamarion Ct</u> <u>Bloomington IN 47408</u>	<u>Bloomington</u> 005
✓ 30. <u>[Signature]</u> Signature <u>Talisha Coppock</u> Printed	<u>3800 S Barnbridge Dr</u> <u>Bloomington, IN 47401</u>	<u>Perry</u> 009
✓ 31. <u>[Signature]</u> Signature <u>Jennifer Pearl</u> Printed	<u>2214 S. Bent Tree Dr</u> <u>Bloomington, IN 47401</u>	<u>Perry</u> 009

	<u>Name</u>	<u>Address</u>	<u>Township Where Taxable Real Property Located</u>
✓ 32.	<u></u> Signature <u>Ken Calabrese</u> Printed	<u>4131 W. Starter Creek</u> <u>47404</u>	<u>Bloomington</u> 004
✓ 33.	<u></u> Signature <u>PAUL QUICK</u> Printed	<u>1735 S. Sprig House Drive.</u> <u>47401</u>	<u>Perry</u> 009
✓ 34.	<u></u> Signature <u>Erica Dooley-Dorock</u> Printed	<u>47401</u> <u>1130 E Callaway St</u>	<u>Perry</u> 008
✓ 35.	<u></u> Signature <u>Alexis Harmon</u> Printed	<u>2310 E Montclair Ct</u> <u>47401</u>	<u>Perry</u> 009
✓ 36.	<u></u> Signature <u>Kamren Werczynski</u> Printed	<u>1120 S Rogers St</u> <u>47403</u>	<u>Perry</u> 009
✓ 37.	<u></u> Signature <u>Katherine Sensabaugh</u> Printed	<u>2708 E Redwood Cir</u> <u>47401</u>	<u>Perry</u> 009

Name	Address	Township Where Taxable Real Property Located
✓ 38. <u>[Signature]</u> Signature <u>Matthew Seddon</u> Printed	4427 <u>4427 E. Kinser</u> <u>B-town 47408</u>	<u>Bloomington</u> 005
✓ 39. <u>[Signature]</u> Signature <u>Isak Asare</u> Printed	<u>3612 E. Tamarcon Dr.</u> <u>B-TOWN 47408</u>	<u>Bloomington</u> 005
✓ 40. <u>[Signature]</u> Signature <u>RACHAEL MCAFEE</u> Printed	<u>2920 S. Olcott, Blgtn, IN 47401</u>	<u>Perry</u> 009
✗ 41. <u>[Signature]</u> Signature Printed	<u>826 N. Morton #403</u> <div style="background-color: yellow; padding: 5px; display: inline-block;"> #41 is in business name </div>	<u>Bloomington</u> <div style="background-color: yellow; padding: 5px; display: inline-block;"> This signed name does not match Sec. of St. registered name </div>
✓ 42. <u>Matthew Pierce</u> Signature <u>Matthew Pierce</u> Printed	<u>4321 E. Wembley Ct</u> <u>Bloomington</u>	<u>47408 - Bloomington</u> 005
43. _____ Signature Printed	_____ _____	_____

Name

Address

Township Where
Taxable Real
Property Located

✓ 44. Jeremy Souders 2919 E Goldin Dr. 47401
Signature

Jeremy Souders
Printed

Perry
009

✓ 45. Charlotte Zetlow 304 W Kierwood Ave, 201
Signature

Charlotte Zetlow
Printed

Bloomington
005

46. _____
Signature

Printed

47. _____
Signature

Printed

48. _____
Signature

Printed

49. _____
Signature

Printed

VERIFYING AFFIDAVIT

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

_____, being first duly sworn upon his/her oath, deposes and says:


He/she is a owner of taxable real estate property located within the boundaries of the City of Bloomington, Indiana (the "City"), and has signed the counterpart indicated below on the line shown below of a petition addressed to the Common Council of the City (the "Common Council") requesting the Common Council to commence proceedings to secure a lease under Indiana Code 36-1-10, as amended, providing for the acquisition, construction, installation and equipping of an expansion of the existing convention center to be located in the City, to be completed by an Indiana nonprofit building corporation formed or to be formed and leased to the City, all in accordance with the provisions of Indiana Code 36-1-10, as amended. All signatures appearing on the attached counterpart were affixed in his/her presence and are the true and lawful signatures of the persons signing this counterpart of this petition.

Counterpart No. 1
Line No. 1

Jessica McKellan
Signature

Jessica McKellan
(Printed Name)

Subscribed and sworn to before me, a Notary Public, in and for the State of Indiana, this 13th day of January, 2024. 25

(Seal) 
My Commission Expires:
2/5/28

April Rosenberg
Notary Public
APRIL ROSENBERGER
(Printed Name)

I am a resident of LAWRENCE County, Indiana



Brianne Gregory
Monroe County Auditor

100 W Kirkwood Ave
Room 209
Bloomington, IN 47404
Office: 812-349-2510
auditor@co.monroe.in.us

AUDITOR'S VERIFICATION STATEMENT

I, Brianne Gregory, the duly elected, qualified and acting Auditor of Monroe County, Indiana, hereby certify that I have examined the _____ 2 _____ counterparts of the petition of taxpayers requesting a lease of an expansion of the convention center.

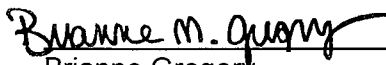
I further certify that I have checked the signatures on the various counterparts and verifying affidavits of said petitioners with the tax records in my office; that all persons signing verifying affidavits that indicate the person is the owner of real property in the petition area are owners of real estate in the city limits of Bloomington Indiana, and that said petition was signed as follows:

Petitioners' 6 real property owners who have signed a petition.

 0 non-real property owners

 6 total signatures

IN WITNESS THEREOF, I have hereunto set my hand and the official seal of the Auditor of the County of Monroe on this 17th day of January, 2025.



Brianne Gregory
Monroe County Auditor

**PETITION OF TAXPAYERS
OF THE CITY OF BLOOMINGTON, INDIANA,
REQUESTING A LEASE OF AN EXPANSION OF THE CONVENTION CENTER**

Counterpart No. 2

TO: The Common Council of the City of Bloomington, Indiana

We, the undersigned, being the owners of taxable real property located within the boundaries of the City of Bloomington, Indiana (the "City"), hereby petition and request the Common Council of the City to enter into negotiations to secure a lease under Indiana Code 36-1-10, as amended, providing for the acquisition, construction, installation and equipping of an expansion of the existing convention center to be located in the City (the "Project"), and lease of the Project to the City.

We believe that a need exists for such Project and that the City does not have current funds to pay for the Project to meet the present need.

We hereby petition the Common Council of the City to investigate the need for the Project, and upon determining that such need exists, to enter into a contract of lease with an Indiana nonprofit building corporation formed for such purpose to finance the Project and thereafter lease the Project to the City.

We urge that action be taken as promptly as possible pursuant to and in accordance with the provisions and procedures set forth under Indiana Code 36-1-10, as amended, to secure, if possible, a lease upon the above-referenced Project.

This petition may be circulated in several counterparts, and all such counterparts together are to be considered as constituting one petition.

Name

Address

Township Where
Taxable Real
Property Located

✓ 1.

Signature

Edward Cockerill

Printed

2225. E. Autumn Dr.

47401

Perry

009

Name

Address

Township Where
Taxable Real
Property Located

✓ 8. Molly Turner King 4526 E. Sheffield Dr
Signature
Molly Turner-King Bloomington IN 47408 Bloomington
Printed 005

✓ 9. Shelley Wendt 888 E Sherwood Hills Dr
Signature
Shelley Wendt Bloomington 47401 Perry City
Printed 009

✓ 10. Seth Elgar 4415 E. Deckard Dr. Does not own this property
Signature
SETH ELGAR Bloomington, IN 47408 Bloomington
Printed 005

✓ 11. Eric T. Schmitz 5431 E. Kings Rd 47408 (residence)
Signature
Eric T. Schmitz 1676 S. Olive St. 47401 (property owned) Perry
Printed 009

✓ 12. Daniel Warner 1345 S Stella dr 47401
Signature
DANIAL WARNER Perry
Printed 009

✓ 13. Michael L. Thomas 4445 E. Moores Ave
Signature
MICHAEL L. THOMAS BLOOMINGTON, IN 47401 PERRY
Printed 009

VERIFYING AFFIDAVIT

STATE OF INDIANA)

) SS:

COUNTY OF MONROE)

Edward Cockerill

[Signature], being first duly sworn upon his/her oath, deposes and says:

He/she is a owner of taxable real estate property located within the boundaries of the City of Bloomington, Indiana (the "City"), and has signed the counterpart indicated below on the line shown below of a petition addressed to the Common Council of the City (the "Common Council") requesting the Common Council to commence proceedings to secure a lease under Indiana Code 36-1-10, as amended, providing for the acquisition, construction, installation and equipping of an expansion of the existing convention center to be located in the City, to be completed by an Indiana nonprofit building corporation formed or to be formed and leased to the City, all in accordance with the provisions of Indiana Code 36-1-10, as amended. All signatures appearing on the attached counterpart were affixed in his/her presence and are the true and lawful signatures of the persons signing this counterpart of this petition.

Counterpart No. 2

Line No. 1

[Signature]
Signature

Edward Cockerill
(Printed Name)

Subscribed and sworn to before me, a Notary Public, in and for the State of Indiana, this 13th day of January, 2025



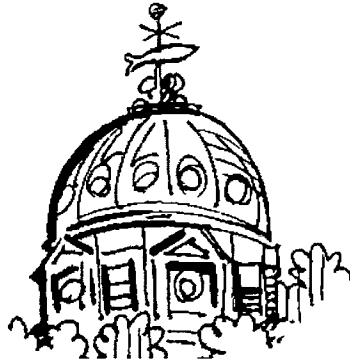
[Signature]
Notary Public

Brianne Gregory
(Printed Name)

My Commission Expires:

April 4, 2025

I am a resident of Monroe County, Indiana



Brianne Gregory
Monroe County Auditor

100 W Kirkwood Ave
Room 209
Bloomington, IN 47404
Office: 812-349-2510
auditor@co.monroe.in.us

AUDITOR'S VERIFICATION STATEMENT

I, Brianne Gregory, the duly elected, qualified and acting Auditor of Monroe County, Indiana, hereby certify that I have examined the _____ 3 _____ counterparts of the petition of taxpayers requesting a lease of an expansion of the convention center.

I further certify that I have checked the signatures on the various counterparts and verifying affidavits of said petitioners with the tax records in my office; that all persons signing verifying affidavits that indicate the person is the owner of real property in the petition area are owners of real estate in the city limits of Bloomington Indiana, and that said petition was signed as follows:

Petitioners' 12 real property owners who have signed a petition.

 0 non-real property owners

 12 total signatures

IN WITNESS THEREOF, I have hereunto set my hand and the official seal of the Auditor of the County of Monroe on this 17th day of January, 2025.

Brianne M. Gregory

Brianne Gregory
Monroe County Auditor

**PETITION OF TAXPAYERS
OF THE CITY OF BLOOMINGTON, INDIANA,
REQUESTING A LEASE OF AN EXPANSION OF THE CONVENTION CENTER**

Counterpart No. 3

TO: The Common Council of the City of Bloomington, Indiana

We, the undersigned, being the owners of taxable real property located within the boundaries of the City of Bloomington, Indiana (the "City"), hereby petition and request the Common Council of the City to enter into negotiations to secure a lease under Indiana Code 36-1-10, as amended, providing for the acquisition, construction, installation and equipping of an expansion of the existing convention center to be located in the City (the "Project"), and lease of the Project to the City.

We believe that a need exists for such Project and that the City does not have current funds to pay for the Project to meet the present need.

We hereby petition the Common Council of the City to investigate the need for the Project, and upon determining that such need exists, to enter into a contract of lease with an Indiana nonprofit building corporation formed for such purpose to finance the Project and thereafter lease the Project to the City.

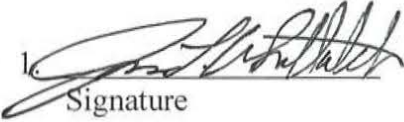
We urge that action be taken as promptly as possible pursuant to and in accordance with the provisions and procedures set forth under Indiana Code 36-1-10, as amended, to secure, if possible, a lease upon the above-referenced Project.

This petition may be circulated in several counterparts, and all such counterparts together are to be considered as constituting one petition.

Name

Address

Township Where
Taxable Real
Property Located

✓ 1. 
Signature
James L. Whitlatch
Printed

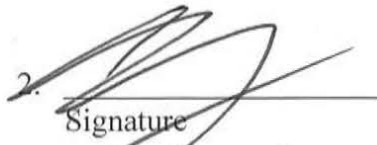
1000 S. High St
Bloomington, IN


Perry
009

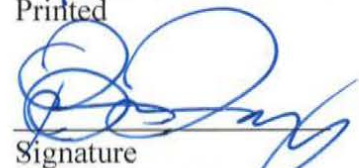
Name


Address

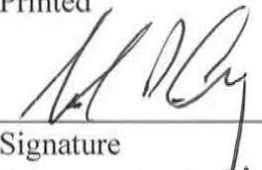
Township Where
Taxable Real
Property Located


✓ 2. 
Signature
Jessica Merchel
Printed
Bloomington, IN 47401
Perry
009

✓ 3. 
Signature
Ryan Hees
Printed
Bloomington, IN 47401
Perry
009

✓ 4. 
Signature
Brian Drummy
Printed
Bloomington, IN 47401
Perry
009

✓ 5. 
Signature
Juan Tan
Printed
Bloomington, IN 47403
Perry
009

✓ 6. 
Signature
Samuel D. Asdesy
Printed
Bloomington, IN 47402
Perry
009

✓ 7. 
Signature
Joseph D. O'Connor
Printed
Bloomington, IN 47401
Perry
009

Name

Address

Township Where
Taxable Real
Property Located

✓ 8. Ann B Whitlatch 1000 S. High

Signature

Ann B. Whitlatch Bloomington IN

Printed

Perry

009

✗ Christopher Engle 2912 S. Walnut Pk

Signature

Christopher Engle Bloomington, IN 47401

Printed

Does not own this property

✓ 10. John W. Doh 3757 S Bainbridge Dr

Signature

John W Doh Bloom 47401

Printed

Perry

009

✓ 11. John Kenney 1922 S. Sussex Dr.

Signature

John Kenney Blgtn, 47401

Printed

Perry 47401

009

✓ ✗ Mich Heath 2921 W Treadon
overlook, IN 47404

Signature

Mich Heath

Printed

Bloom. ngn

004

✓ ✗ Nicole Plunkett 613 S. Bobcat Bend

Signature

Nicole Plunkett Bloomington, IN 47403

Printed

Van Buren

015

	<u>Name</u>	<u>Address</u>	<u>Township Where Taxable Real Property Located</u>
✓ 14.	<div>Signature <u>Lori A. Todd</u></div> <div>Printed <u>Lori A. Todd</u></div>	<u>3917 S. Sage Ct</u> <u>47401</u>	<u>Perry</u> 009
✓ 15.	<div>Signature <u>[Signature]</u></div> <div>Printed <u>Trent R. Decker</u></div>	<u>2609 S. Southern Ridge Ct</u> <u>47403</u>	<u>Perry</u> 009
16.	<div>Signature _____</div> <div>Printed _____</div>	<div>_____</div> <div>_____</div>	<div>_____</div> <div>_____</div>
17.	<div>Signature _____</div> <div>Printed _____</div>	<div>_____</div> <div>_____</div>	<div>_____</div> <div>_____</div>
18.	<div>Signature _____</div> <div>Printed _____</div>	<div>_____</div> <div>_____</div>	<div>_____</div> <div>_____</div>
19.	<div>Signature _____</div> <div>Printed _____</div>	<div>_____</div> <div>_____</div>	<div>_____</div> <div>_____</div>


VERIFYING AFFIDAVIT

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

James L. Whitlatch, being first duly sworn upon his/her oath, deposes and says:

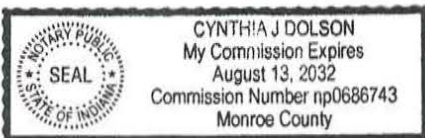
He/she is a owner of taxable real estate property located within the boundaries of the City of Bloomington, Indiana (the "City"), and has signed the counterpart indicated below on the line shown below of a petition addressed to the Common Council of the City (the "Common Council") requesting the Common Council to commence proceedings to secure a lease under Indiana Code 36-1-10, as amended, providing for the acquisition, construction, installation and equipping of an expansion of the existing convention center to be located in the City, to be completed by an Indiana nonprofit building corporation formed or to be formed and leased to the City, all in accordance with the provisions of Indiana Code 36-1-10, as amended. All signatures appearing on the attached counterpart were affixed in his/her presence and are the true and lawful signatures of the persons signing this counterpart of this petition.

Counterpart No. 3
Line No. 1


Signature

James L. Whitlatch
(Printed Name)

Subscribed and sworn to before me, a Notary Public, in and for the State of Indiana, this 10 day of January, 2024. 2025

(Seal) 

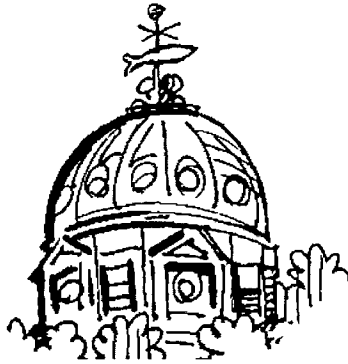

Notary Public

Cynthia J. Dolson
(Printed Name)

My Commission Expires:

8/13/2032

I am a resident of monroe County, Indiana



Brianne Gregory
Monroe County Auditor

100 W Kirkwood Ave
Room 209
Bloomington, IN 47404
Office: 812-349-2510
auditor@co.monroe.in.us

AUDITOR'S VERIFICATION STATEMENT

I, Brianne Gregory, the duly elected, qualified and acting Auditor of Monroe County, Indiana, hereby certify that I have examined the _____ 4 _____ counterparts of the petition of taxpayers requesting a lease of an expansion of the convention center.

I further certify that I have checked the signatures on the various counterparts and verifying affidavits of said petitioners with the tax records in my office; that all persons signing verifying affidavits that indicate the person is the owner of real property in the petition area are owners of real estate in the city limits of Bloomington Indiana, and that said petition was signed as follows:

Petitioners' 13 real property owners who have signed a petition.

 0 non-real property owners

 13 total signatures

IN WITNESS THEREOF, I have hereunto set my hand and the official seal of the Auditor of the County of Monroe on this 17th day of January, 2025.

Brianne M. Gregory

Brianne Gregory
Monroe County Auditor

**PETITION OF TAXPAYERS
OF THE CITY OF BLOOMINGTON, INDIANA,
REQUESTING A LEASE OF AN EXPANSION OF THE CONVENTION CENTER**

Counterpart No. 4

TO: The Common Council of the City of Bloomington, Indiana

We, the undersigned, being the owners of taxable real property located within the boundaries of the City of Bloomington, Indiana (the "City"), hereby petition and request the Common Council of the City to enter into negotiations to secure a lease under Indiana Code 36-1-10, as amended, providing for the acquisition, construction, installation and equipping of an expansion of the existing convention center to be located in the City (the "Project"), and lease of the Project to the City.

We believe that a need exists for such Project and that the City does not have current funds to pay for the Project to meet the present need.

We hereby petition the Common Council of the City to investigate the need for the Project, and upon determining that such need exists, to enter into a contract of lease with an Indiana nonprofit building corporation formed for such purpose to finance the Project and thereafter lease the Project to the City.

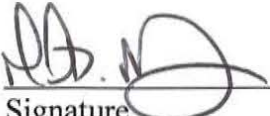
We urge that action be taken as promptly as possible pursuant to and in accordance with the provisions and procedures set forth under Indiana Code 36-1-10, as amended, to secure, if possible, a lease upon the above-referenced Project.

This petition may be circulated in several counterparts, and all such counterparts together are to be considered as constituting one petition.

Name

Address

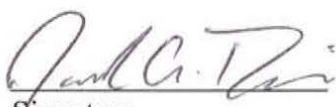

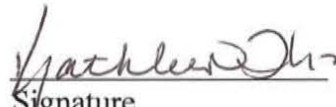
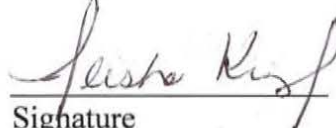
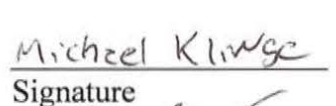
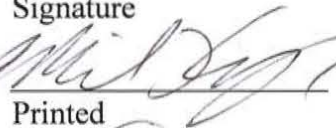
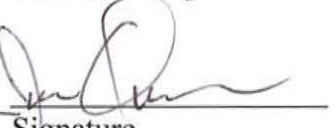
**Township Where
Taxable Real
Property Located**

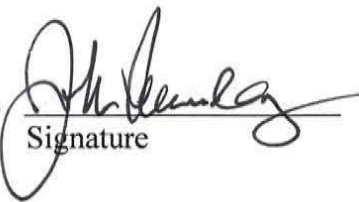



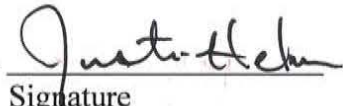
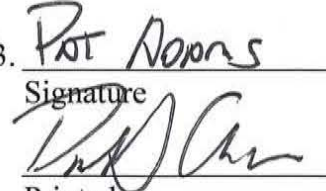
✓ 1. 
Signature
Michael McAfee
Printed

2920 S. 10th Blvd
Bloomington, IN
47401

Perry

009

	<u>Name</u>	<u>Address</u>	<u>Township Where Taxable Real Property Located</u>
✓ 2.	<u></u> Signature <u>Jordan A. Davis</u> Printed	<u>512 West Skyline Dr.</u> <u>Bloomington, IN 47404</u>	<u>Bloomington</u> 005
✓ 3.	<u></u> Signature <u>Michael Fox</u> Printed	<u>800 1917 E Viva Dr</u> <u>Bloomington, IN 47401</u>	<u>Perry</u> 009
✓ 4.	<u></u> Signature <u>Kathleen Thompson</u> Printed	<u>3952 N. Ironwood Ct</u> <u>47404</u> <u>Bloomington, IN</u>	<u>Bloomington</u> 005
✓ 5.	<u></u> Signature <u>Aleisha Kropf</u> Printed	<u>1204 S. Washington St</u> <u>Bloomington, IN</u>	<u>Bloomington</u> 009
6.	<u></u> Signature <u></u> Printed	<u>913 West 4th St</u> _____	<u>Bloomington</u> 009 Does not own this property
✓ 7.	<u></u> Signature <u>JAMES QUINN</u> Printed	<u>1929 E. Southdowns</u> <u>Bloomington, IN</u> <u>47401</u>	<u>Perry</u> 009

	<u>Name</u>	<u>Address</u>	<u>Township Where Taxable Real Property Located</u>
✓ 8.	<u></u> Signature _____ Printed	<u>3404 S. Ashwood Dr.</u> _____ _____	<u>Perry</u> _____ 009
✓ 9.	<u></u> Signature <u>Tim Pritchett</u> Printed	<u>3801 S Woods Edge Blvd</u> <u>47401</u> _____ _____	<u>Perry</u> _____ 009
✓ 10.	<u></u> Signature <u>Sarah B Rogers</u> Printed	<u>2506 E 5th St</u> <u>47408</u> _____ _____	<u>Bloomington</u> _____ 605
11.	<u></u> Signature _____ Printed	<u>3703 E. BARRINGTON DR</u> <u>#105</u> <u>47408</u> _____ _____	<div style="background-color: yellow; padding: 5px; border: 1px solid red;"> Name does not match who owns this property </div> <u>Bloomington</u> _____
✓ 12.	<u></u> Signature <u>Justin Helmer</u> Printed	<u>1719 E Greenbrier</u> <u>Lane</u> <u>47401</u> _____ _____	<u>Perry</u> _____ 009
✓ 13.	<u></u> Signature <u>Pat Norriss</u> Printed	<u>1513 W. DOVE DR</u> <u>47403</u> _____ _____	<u>Perry Township</u> _____ 008

**Township Where
Taxable Real
Property Located**

Signature

PERRY 000

Signature

Perry 009

Signature

Perry

Signature

Printed

Signature

Printed

Signature

Printed

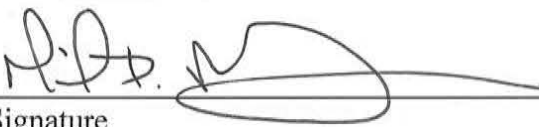
VERIFYING AFFIDAVIT

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

Michael McAfee, being first duly sworn upon his/her oath, deposes and says:

He/she is a owner of taxable real estate property located within the boundaries of the City of Bloomington, Indiana (the "City"), and has signed the counterpart indicated below on the line shown below of a petition addressed to the Common Council of the City (the "Common Council") requesting the Common Council to commence proceedings to secure a lease under Indiana Code 36-1-10, as amended, providing for the acquisition, construction, installation and equipping of an expansion of the existing convention center to be located in the City, to be completed by an Indiana nonprofit building corporation formed or to be formed and leased to the City, all in accordance with the provisions of Indiana Code 36-1-10, as amended. All signatures appearing on the attached counterpart were affixed in his/her presence and are the true and lawful signatures of the persons signing this counterpart of this petition.

Counterpart No. 4
Line No. 1


Signature

Mike McAfee
(Printed Name)

Subscribed and sworn to before me, a Notary Public, in and for the State of Indiana, this 15th day of January, 2024 25

(Seal)




Notary Public

April Rosenberger
(Printed Name)

My Commission Expires:
2/5/28

I am a resident of LAWRENCE County, Indiana



Brianne Gregory
Monroe County Auditor

100 W Kirkwood Ave
Room 209
Bloomington, IN 47404
Office: 812-349-2510
auditor@co.monroe.in.us

AUDITOR'S VERIFICATION STATEMENT

I, Brianne Gregory, the duly elected, qualified and acting Auditor of Monroe County, Indiana, hereby certify that I have examined the 5 counterparts of the petition of taxpayers requesting a lease of an expansion of the convention center.

I further certify that I have checked the signatures on the various counterparts and verifying affidavits of said petitioners with the tax records in my office; that all persons signing verifying affidavits that indicate the person is the owner of real property in the petition area are owners of real estate in the city limits of Bloomington Indiana, and that said petition was signed as follows:

Petitioners' 7 real property owners who have signed a petition
 0 non-real property owners
 7 total signatures

IN WITNESS THEREOF, I have hereunto set my hand and the official seal of the Auditor of the County of Monroe on this 17th day of January, 2025.

Brianne M. Gregory

Brianne Gregory
Monroe County Auditor

**PETITION OF TAXPAYERS
OF THE CITY OF BLOOMINGTON, INDIANA,
REQUESTING A LEASE OF AN EXPANSION OF THE CONVENTION CENTER**

Counterpart No. 5

TO: The Common Council of the City of Bloomington, Indiana

We, the undersigned, being the owners of taxable real property located within the boundaries of the City of Bloomington, Indiana (the "City"), hereby petition and request the Common Council of the City to enter into negotiations to secure a lease under Indiana Code 36-1-10, as amended, providing for the acquisition, construction, installation and equipping of an expansion of the existing convention center to be located in the City (the "Project"), and lease of the Project to the City.

We believe that a need exists for such Project and that the City does not have current funds to pay for the Project to meet the present need.

We hereby petition the Common Council of the City to investigate the need for the Project, and upon determining that such need exists, to enter into a contract of lease with an Indiana nonprofit building corporation formed for such purpose to finance the Project and thereafter lease the Project to the City.

We urge that action be taken as promptly as possible pursuant to and in accordance with the provisions and procedures set forth under Indiana Code 36-1-10, as amended, to secure, if possible, a lease upon the above-referenced Project.


This petition may be circulated in several counterparts, and all such counterparts together are to be considered as constituting one petition.

Name

Address

**Township Where
Taxable Real
Property Located**

✓ 1.






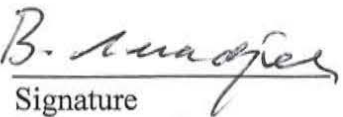

Signature

1019 E Wylie St

Gretchen Knapp
Printed

Bloomington IN 47401

Lenny
009

	<u>Name</u>	<u>Address</u>	<u>Township Where Taxable Real Property Located</u>
✓ 2.	 Signature <u>Charz Mottinger</u> Printed	<u>818 W. 6th St</u> <u>Bloomington, IN 47404</u>	<u>Bloomington</u> 005
✓ 3.	 Signature <u>Jane Kupersmith</u> Printed	<u>2843 N Dunn St.</u> <u>Bloomington, IN 47408</u>	<u>Bloomington</u> 005
✓ 4.	 Signature <u>Katherine Zaiger</u> Printed	<u>712 W. Wyke St.</u> <u>Bloomington, IN 47403</u>	<u>Perry</u> 009
✓ 5.	 Signature <u>Richard Dietz</u> Printed	<u>1500 E. MAXWELL LN</u> <u>Bloomington IN 47401</u>	<u>Perry</u> 009
✓ 6.	 Signature <u>Kerry Thomson</u> Printed	<u>841 S. Sheridan</u> <u>Bloomington IN 47401</u>	<u>Perry</u> 009
✓ 7.	 Signature <u>Babak Seradjeh</u> Printed	<u>841 S. Sheridan Dr</u> <u>Bloomington IN 47401</u>	<u>Perry.</u> 009

VERIFYING AFFIDAVIT

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

Gretchen Knapp, being first duly sworn upon his/her oath, deposes and says:

He/she is a owner of taxable real estate property located within the boundaries of the City of Bloomington, Indiana (the "City"), and has signed the counterpart indicated below on the line shown below of a petition addressed to the Common Council of the City (the "Common Council") requesting the Common Council to commence proceedings to secure a lease under Indiana Code 36-1-10, as amended, providing for the acquisition, construction, installation and equipping of an expansion of the existing convention center to be located in the City, to be completed by an Indiana nonprofit building corporation formed or to be formed and leased to the City, all in accordance with the provisions of Indiana Code 36-1-10, as amended. All signatures appearing on the attached counterpart were affixed in his/her presence and are the true and lawful signatures of the persons signing this counterpart of this petition.

Counterpart No. 5
Line No. 1

[Signature]
Signature

Gretchen Knapp
(Printed Name)

Subscribed and sworn to before me, a Notary Public, in and for the State of Indiana, this 15th day of January, 2024.



[Signature]
Notary Public

April Rosenberg
(Printed Name)

My Commission Expires:
2/5/28

I am a resident of LAWRENCE County, Indiana