



City of Bloomington
Common Council

Legislative Packet

Regular Session

01 November 2006

Office of the Common Council
P.O. Box 100
401 North Morton Street
Bloomington, Indiana 47402

812.349.3409

council@bloomington.in.gov
<http://www.bloomington.in.gov>



Packet Related Material

Memo Agenda Calendar

Annual Schedule (for action at the Regular Session on November 8th, 2006): Draft Annual Schedule

- Memo from Daniel Sherman, Council Administrator/Attorney

Contact: Daniel Sherman at 349-3562 or shermamd@bloomington.in.gov

Notices and Agendas:

Council Sidewalk Committee to be held on Monday, November 6th at noon in the McCloskey Room

Legislation for Final Action:

Res 06-12 Waiving Current Payments in Lieu of Taxes by the Bloomington Housing Authority to the City

- Memo from Jennifer Osterholt, Director of Housing Authority;
PILOT Calculation

Contact: Jennifer Osterholt at 339-3491 ext 122 or josterholt@blha.net

Ord 06-21 To Amend the Title 7 of the Bloomington Municipal Code Entitled "Animals" - Re: To Permit Small Flocks of Chickens by Waiver

(Please see the 18 October 2006 Council Legislative Packet for the legislation, summary and background material.)

Contact: Chris Sturbaum at 349-3409 or sturbauc@bloomington.in.gov

Stacy Jane Rhoads at 349-3565 or rhoadss@bloomington.in.gov

Legislation and Background Material for First Reading:

App Ord 06-07 To Specially Appropriate from the General Fund, Fleet Maintenance Fund, Risk Management Fund, Parks & Recreation Fund, and Sanitation Fund Expenditures Not Otherwise Appropriated (Appropriating Various Transfers of Funds within the General Fund for Animal Care & Control, Clerk's Office, Fire, Planning, and Police; Appropriating Transfers of Funds within the Parks & Recreation General Fund, within the Sanitation Fund, and within the Risk Management Fund; Appropriating Funds from the General Fund for Animal Care & Control, Police and

Housing & Neighborhood Development; Appropriating Funds from the Risk Management Fund and from the Fleet Maintenance Fund)

- Memo from Susan Clark, Controller

Contact: Susan Clark at 349-3416 or clarks@bloomington.in.gov

Material Regarding Tax Abatement for the Village Green Affordable Housing Project with a 12-Lot Subdivision at 2300 Rockport Road and Susie Street

- Staff Report to the Economic Development Commission from Ron Walker, Director of Economic Development and Danise Alano, Assistant Director of Economic Development; Aerial Map Combined with Site Plan

Contact: Ron Walker at 349-3534 or walker@bloomington.in.gov

Danise Alano at 349-3477 at alanod@bloomington.in.gov

Res 06-13 To Designate an Economic Revitalization Area, Approve a Statement of Benefits, Authorize a Period of Tax Abatement, and Indicate Intent to Waive Certain Statutory Requirements - Re: 2300 Rockport Road and 2101, 2105, 2109, 2112, 2113, 2116, 2117, 2120, 2121, 2124, and 2125 Susie Street (City of Bloomington Housing and Neighborhood Development Department, Petitioner)

- Memo from Ron Walker, Director and Danise Alano, Assistant Director of Economic Development; Statement of Benefits; Tax Calculations; Application for Tax Abatements; Attachment 1 – Plat Map; Attachment 2 - Building Elevations and Floor Plans

Ord 06-23 To Designate an Economic Development Target Area (EDTA) - Re: 2300 Rockport Road and 2101, 2105, 2109, 2112, 2113, 2116, 2117, 2120, 2121, 2124, and 2125 Susie Street (City of Bloomington Housing and Neighborhood Development Department, Petitioner)

- EDC Res 06-01; Memo from Ron Walker, Director and Danise Alano, Assistant Director of Economic Development

Minutes from Regular Session:

None

Memo

One Resolution Joins One Ordinance for Final Action at the Regular Session on Wednesday, November 1st

There are two items ready for final action next Wednesday night. One is **Ord 06-21**, which permits small flocks of chickens upon waiver of adjacent property owners. It was discussed last week, can be found in the 18 October 2006 Council Legislative Packet, and will be augmented next week with the following information:

- 1) a few diagrams of adjacent lot scenarios;
- 2) the relationship between the ordinance and neighborhood covenants and how covenants are enforced; and

- 3) analysis from a virologist or public health expert on the threat posed by Avian Flu.

Please contact the Council Office early next week if you intend to offer an amendment.

The other item for final action next week is **Res 06-12** which waives payments in lieu of taxes (PILOT) and can be found in this packet.

End of the Year Matters

Special Session Proposed for November 8th

In the interest of clearing our agendas for consideration of the UDO in November and December, I will be recommending that you hold a Special Session on November 8th to take final action on the items in the first legislative cycle of November without discussion at a Committee of the Whole. These items should include the usual end-of-the-year appropriation ordinance, a tax abatement for the City's Evergreen Village (off Rockport Road) and, perhaps, a resolution on Darfur.

Unified Development Ordinance (UDO) Coming Up

The Plan Commission should conclude their deliberations on the UDO and forward it to the Council the week of November 6th. I have been discussing a special schedule with the Council President and Council members who have been closely following these discussions and intend to offer a schedule for you to consider on November 8th.

This schedule will propose a series of meetings in order to educate the Council on the UDO followed by a series of meetings where you would consider amendments to the UDO. It will also set deadlines for you to submit amendments to the Council Office.

At this time I think it's reasonable for you to expect to spend at least 20 hours in deliberations over at least 6 meetings. (Please note that the Plan Commission will have spent more than 30 hours and about 11 meetings on it since September).

Preview of Annual Schedule for 2007 – Action Requested on November 8th

This packet contains a draft Council Schedule for 2007 and a memo explaining it. Please review the material and offer your comments and suggestions in the next week so that changes can be incorporated before it comes forward for a vote on November 8th.

Here are some of the meetings or deadlines that do not follow the usual first-four-Wednesdays-a-month schedule:

- Organizational and Committee of the Whole Meeting on **Wednesday, January 3rd** (*Please note that statute no longer requires the Council to meet on the first Monday of the new year and the local code allows you to change that date by a majority vote.*);
- **Fifth Wednesdays in January, May, August, and October** (*which affect deadlines for filing legislation*);
- By holding a Regular Session immediately followed by a Committee of the Whole on **Wednesday, March 7th** the Council will avoid holding a Committee of the Whole meeting during **Spring Break**;
- **“Budget Advance” on Wednesday, May 16th at 5:30 in the McCloskey Room, Departmental Budget Hearings in four evenings during the fourth week of July (23rd – 26th); and a Special Session for Final Action on the Budget on September 12th** (*The May and July schedule follow what we’ve done for the past two years. The September schedule follows a decade-long practice.*
 - *Please note, however, that September 12th falls on Rosh Hashanah (Jewish New Year), and that the Controller would need to know in mid-August if we wanted to change that date.) Please refer to the memo for a link to a list of religious holidays on the Indiana University website in order see whether our schedule should account for any of them, as well.*
- The fourth **Wednesday in November** will be used for a Regular Session and Committee of the Whole meeting because the Council does not meet on the night before Thanksgiving.

Final Actions for November 1st

Item One – Res 06-12 - Waiving Payments to the City from the Bloomington Housing Authority

Res 06-12 will join **Ord 06-21** for final action on November 1st. It is an annual resolution requested by the Bloomington Housing Authority which waives any payment in lieu of taxes (PILOT) we might require of them. I.C. 36-7-18-25 exempts housing authorities from the payment of property taxes, but allows these entities to enter into agreements with political subdivisions to provide a PILOT for the estimated cost of services, improvements, and facilities that are provided by the political subdivisions. In the early 1960s, the Housing Authority agreed to pay the

City a PILOT. After acknowledging the services performed by the Housing Authority that might be provided by the City and acknowledging the benefits we receive from its other services, this resolution waives that obligation. Jennifer Osterholt has submitted a memo explaining the history of the PILOT obligation and a calculation sheet using HUD guidelines to estimate the \$2,788 that the Housing Authority would otherwise pay the City. She will be present on November 1st to explain and support the resolution.

First Readings for November 1st Accompanied, in One Case, with Related Legislation

App Ord 06-07 End-of-the-Year Appropriations

App Ord 06-07 is one of two items being introduced for first reading on November 1st. It is the end-of-the-year appropriation ordinance that would *transfer* funds within departmental budgets which draw moneys from General Fund, Parks General Fund, Sanitation Fund, and Risk Management Fund. It would also *increase* appropriations for departments which draw moneys from the General Fund, Fleet Maintenance Fund and the Risk Management Fund. The total appropriations amount to \$169,591, but once you account for the new revenues from two grants valued at \$25, 690, the net impact of this appropriation on all funds would be about \$143,900. Please note that because of reversions of unspent funds expected at the end of the year, this ordinance will not lead to an increase in the overall appropriations for the year. The following summary is derived from a memo from Susan Clark, Controller (enclosed) as well as conversations I've had with her about the appropriations.

Transfers within Departmental Budgets – Listed by Fund

General Fund

Animal Care and Control – this department realized savings in its spay neuter program (which is performing more operations than in the past) and wants use those funds to purchase more ID microchips that are implanted into cats and dogs. For that reason it is requesting a transfer of \$15,000 from Medical Services (Line 53130) to Institutional and Medical Supplies (Line 52210). (*See a request for an additional appropriation below.*)

Clerk's Office – the Clerk requests transferring \$2,900 from Other Supplies (Line 52420 - \$1,700) and Travel (Line 53230 - \$1,200) to Salaries and

Wages – Regular (Line 51110) to pay for the upgrade of two positions and the increase in hours for one position due to the increase in parking ticket appeals.

Fire Department – this department has about \$40,790 extra in its Lease Purchase Line (54410) because the cost of one medium size rescue truck was less than originally estimated. It wants to use most of these funds for Overtime (Line 51130 - \$23,000) to cover employees who are out on sick and military leave and for Fuel and Oil (Line 52240 - \$9,000). The remaining \$8,790 would go towards Institutional and Medical Supplies (Line 52210 - \$5,000), Other Supplies (Line 52420 – \$2,000), and Other Services and Charges (Line 53990 - \$1,790).

Planning Department – this department has extra funds in Salaries and Wages – Regular (Line 51110) due to staff turnover and wants to use \$1,300 of those funds for a scanner (Other Supplies - Line 52420 - \$800) and for fuel and oil (Line 52240 - \$500).

Police Department – this department has extra funds in Salaries and Wages – Regular (Line 51110) due to staff turnover and wants to transfer \$16,000 of those funds to Medical Services (Line 53130) for Hepatitis titer tests and vaccinations. *(See requests for grant appropriations below) turnover*

Parks and Recreation General Fund

Parks and Recreation – this department has extra funds in Salaries and Wages – Regular (Line 51110) due to staff turnover and wants to use \$16,000 of those funds for Fuel and Oil (Line 52240).

Sanitation Fund

Sanitation – this department has extra funds in Salaries and Wages- Regular (Line 51110) and wants to use \$7,500 of those funds for Fuel and Oil (Line 52240).

Risk Management Fund

Risk Management – as noted later in this memo, this department obtained \$150,000 for workers’ compensation in July and anticipated needing more for the latter part of the year because of unusually high amount of claims this year and last year. It has extra funds in Salaries and Wages – Regular (Line 51110) due to staff turnover and wants to use \$16,000 of those funds for Workers’ Compensation (Line 53420) and is also seeking an additional appropriation (*See below*).

Increased Appropriations – Listed by Fund

General Fund - \$40,591 (\$25,691 from New Revenue - Grants)

Animal Control – this department requests a \$14,400 additional appropriation to cover earned PTO for two employees who resigned (about \$2,600), unbudgeted on-call pay (\$6,400) and “supported employment” for a person with disabilities (\$5,400).

Housing and Neighborhood Development (HAND) Department – this department requests an additional \$500 for Fuel and Oil (Line 52240)

Police Department (Grants) – this department requests appropriation of \$25,691 for two grants. The first is a \$19,740 Judge Advocate General grant to purchase and install video cameras in police cars (Other Supplies – Line 52420). The second is a DUI taskforce grant from the Indiana Criminal Justice Institute that would involve forwarding \$5,951 to the IU Police Department and Monroe County Sheriff’s Department (via Line 53960 – Grants).

Fleet Maintenance Fund - \$35,000

Fleet Maintenance – this department requests an appropriation of \$35,000 to be used for Fuel and Oil (Line 52240 - \$30,000) and Motor Repairs (Line 53620 - \$5,000). Please note that this is an Internal Service Fund that derives its revenue from the other departments and would obtain most of the \$30,000 for fuel and oil from the other appropriations in this ordinance.

Risk Management Fund - \$94,000

Risk Management Department – along with the intradepartmental transfer noted above, the department is requesting an appropriation of another \$94,000 for workers' compensation. The Council appropriated \$150,000 in July (App Ord 06-02) for this purpose and was told at that time that more would be needed for the latter half of the year to the inordinately higher claims this year and last year.

Resolution and Ordinance Proposing Tax Abatements for the Construction of 12 Affordable Homes in the Evergreen Village Subdivision Located at 2300 Rockport Road and Along Susie Street

The Housing and Neighborhood Development (HAND) Department is proposing that the City grant a tax abatement for a 12-lot, single-family affordable housing project on 4.5 acres of City-owned land at 2300 Rockport Road and along Susie Street. Memos from Ron Walker, Director and Danise Alano, Assistant Director of Economic Development, explain this unique affordable housing initiative for the City's south west side. The following paragraphs briefly explain this initiative and the legislation necessary for its implementation.

In the last few years, the HAND department has sought tax abatements for projects that give low-income households an opportunity at home ownership. Along with helping low-income households, the department is also pursuing this course of action in order to meet a new, 25% matching requirement from the U.S. Housing and Urban Development Department for HOME funds. Both the tax abatement and the value of the City-owned land go towards that matching requirement.

Here, the department proposes using a 4.5 acre remnant from the Housing Land Trust which is owned by the Redevelopment Commission and which is constrained by its odd shape, an easement for a power line, and a drain way and detention pond. The Council should be familiar with the project because it approved the Planned Unit Development for this property last year (see Ord 05-31 in the [2 November 2005 Council Legislative Packet](#)).

The homes in this 12-lot subdivision/PUD will have two to four bedrooms and will initially be sold for about \$90,000 - \$130,000 to households at or below 80% of median income and will be required to be sold to this income category for a period of 30 years. These homes will be a mix of one and two-story structures, with carports,

and a few accessible units if needed. The HAND department also believes the project will be eligible for a future Leadership in Energy and Environmental Design (LEED) certification and serve as a model of sustainable design standards for the community. That certification will be largely due to the construction of solar-oriented buildings with recycled or recyclable materials. The sustainable or “green” initiatives refer to the restoration of the creek, minimal disruption of the site, and use of pervious surfaces and native vegetation to handle and filter storm water. Please note that the owners of the homes will be given instruction on home-ownership and the maintenance required for the green technologies on these properties.

Initiative Requires Three Pieces of Legislation Over Two Legislative Cycles

The tax abatement for this twelve-lot affordable housing subdivision and PUD will require two resolutions and an ordinance. The first resolution, **Res 06-13**, designates an Economic Revitalization Area (ERA), approves a statement of benefits, and authorizes a five-year period of abatement. Please note that, in this case, it also declares the intent to waive certain statutory requirements regarding the timing of the development in relation to the decision to grant the abatement.

The second resolution needed for tax abatements, **Res 06-14**, confirms the first one and formally waives some statutory requirements. *Please note that the statute requires that we hold a legally-advertised public hearing before adopting this ‘confirming’ resolution, which will be scheduled for action before the end of the year.*

The ordinance for these tax abatements (**Ord 06-23**) establishes an Economic Development Target Area (EDTA) which is necessary for the single family uses proposed here to be eligible for tax abatements.

Resolution Designating the ERA, Approving the Statement of Benefits, and Authorizing a 5-Year Period Abatement, and Also Declaring Intent to Waive Certain Statutory Requirements

As mentioned above, **Res 06-13** makes four statutory determinations for the twelve lots in the Evergreen Village PUD/Subdivision at 2300 Rockport Road. The following paragraphs summarize those determinations.

- **ERA.** The first determination designates the property as an Economic Revitalization Area, which entails a finding that the property is not susceptible to normal growth and development. In that regard, the memo indicates this parcel has:

- multiple development constraints; and
- suffered a cessation in growth and deterioration of character of occupancy.

Statement of Benefits. The second determination approves the Statement of Benefits. In so doing, it finds that the stated benefits are a reasonable and probable outcome of the development and, in their totality, justify the tax abatement. Those benefits include:

- increasing the property value of this parcel an additional \$1,919,791 so that it will rise from \$450,000 (which includes the cost of infrastructure) to \$2,369,791;
- providing homes for households with incomes that are at or below 80% of median income (per HOME fund guidelines) for a period of 30 years; and
- providing a subdivision and homes incorporating green technologies that make the project eligible for the Leadership in Energy and Environmental Design (LEED) certification.

Period of Abatement. The third determination relates to the 5-year period of tax abatement for these projects. Please note that the state legislature provides for a 1 to 10 year period of abatement and that the City of Bloomington has established local guidelines to help determine whether the project should receive a tax abatement and, if so, the number of years it should be abated.

These guidelines, however, are over 10 years old and do not reflect current land use and other city policies. Under the guidelines, this project would receive a zero-year presumptive period of abatement for the physical improvements, with one factor which would increase the period of abatement and one that might decrease it. The factor increasing the period of abatement is the prospect of a housing project where at least 50% of the units will be set aside for low to moderate income households (with between 50% - 80% of median income). Please note that this factor refers to renters, but would seem to apply to home-owners with low-to-moderate income as well. The factor decreasing the period of abatement is the increased density of the area created by the project.

Waiver of Statutory Requirements. Both resolutions make a fourth determination which declares intent to waive certain statutory requirements regarding the timing of development. State statute requires that the initiation of redevelopment occur after the submittal of a completed statement of benefits by the Petitioner and after the designation of the ERA and the making of certain findings of facts by the Common Council. The HAND department has asked the Council to waive those requirements in order to allow it to get the projects

underway as soon as possible. This resolution declares your intent to waive those requirements after the statutorily-required public hearing, which will be scheduled before the end of this year.

Tax Calculations – Real and Personal Property Ron Walker, Director of Economic Development, has provided estimates of the tax consequences of granting these abatements. Those calculations indicate that owners of all the properties in aggregate would pay approximately \$75,924 (with the amount for these two to four bedroom households ranging from \$5,782 to \$7,119) and would forego approximately \$13,886 (with the amount per household ranging from \$8,673 to \$10,678).

An Ordinance Establishing an Economic Development Target Area Designation for the 12 Lots in Evergreen Village PUD/Subdivision

Ord 06-23 designates the twelve lots in the Evergreen Village PUD/ Subdivision as an Economic Development Target Area (EDTA). The EDTA is a statutory designation that can only be applied to 15 % of the City’s jurisdiction and allows tax abatements for uses that would not otherwise be eligible for them (See I.C. 6-1.1-12.1-3(e)(10-11)). In this case, the designation would allow this owner-occupied, single-family residential use to receive a tax abatement. Please note that multi-family uses with less than 20% of the units set aside for affordable housing would require this designation as well.

In order to grant this designation, State law requires that the Common Council find the property eligible either because of its historic character or because it has “become undesirable or impossible for normal growth and development.” Given the lack of historic character of this site, the support for this designation would depend upon its susceptibility to normal growth and development.

The Economic Development Commission has, in accordance with State law, made a favorable recommendation on the designation. A copy of its resolution is included in the packet.

**NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL REGULAR SESSION
7:30 P.M., WEDNESDAY, NOVEMBER 1, 2006
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.**

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES FOR: None

IV. REPORTS FROM:

- 1. Councilmembers**
- 2. The Mayor and City Offices**
- 3. Council Committees**
- 4. Public**

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS

1. Resolution 06-12 Waiving Current Payments in Lieu of Taxes by the Bloomington Housing Authority to the City

Committee Recommendation: None

2. Ordinance 06-21 To Amend the Title 7 of the Bloomington Municipal Code Entitled "Animals" - Re: To Permit Small Flocks of Chickens by Waiver

Committee Recommendation: Do Pass 5- 1 -3

VII. LEGISLATION FOR FIRST READING

1. Appropriation Ordinance 06-07 To Specially Appropriate From the General Fund, Fleet Maintenance Fund, Risk Management Fund, Parks & Recreation Fund, and Sanitation Fund Expenditures Not Otherwise Appropriated (Appropriating Various Transfers of Funds within the General Fund for Animal Care & Control, Clerk's Office, Fire, Planning, and Police; Appropriating Transfers of Funds within the Parks & Recreation General Fund, within the Sanitation Fund, and within the Risk Management Fund; Appropriating Funds from the General Fund for Animal Care & Control, Police and Housing & Neighborhood Development; Appropriating Funds from the Risk Management Fund and from the Fleet Maintenance Fund)

2. Ordinance 06-23 To Designate an Economic Development Target Area (EDTA) - Re: 2300 Rockport Road and 2101, 2105, 2109, 2112, 2113, 2116, 2117, 2120, 2121, 2124, and 2125 Susie Street (City of Bloomington Housing and Neighborhood Development Department, Petitioner)

VIII. PRIVILEGE OF THE FLOOR (This section of the agenda will be limited to 25 minutes maximum, with each speaker limited to 5 minutes)

IX. ADJOURNMENT

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
council@bloomington.in.gov
www.bloomington.in.gov/council

To: Council Members
From: Council Office
Re: Calendar for the Week of October 30- November 4, 2006
Date: October 27, 2006

Monday, October 30, 2006

5:00 pm Utilities Service Board, IU Research Park, 501 N. Morton, Room 100B
5:00 pm Unified Development Ordinance (UDO) Public Hearing, Council Chambers

Tuesday, October 31, 2006

1:30 pm Development Review Committee, McCloskey
5:30 pm Bloomington Public Transportation Corporation, Transit Center, 130 W. Grimes Lane
5:30 pm Board of Public Works, Council Chambers
5:30 pm Solid Waste Management District Citizen Advisory Council, McCloskey

Wednesday, November 1, 2006

12:00 pm Bloomington Urban Enterprise Association, McCloskey
3:00 pm Board of Public Safety, Special Meeting, McCloskey
7:30 pm Common Council Regular Session, Council Chambers

Thursday, November 2, 2006

No meetings are scheduled for this date.

Friday, November 3, 2006

10:30 am Council for Community Accessibility, Arts Access Committee, Dunlap
12:00 pm *Don't Borrow Trouble* sponsored by Housing and Neighborhood Development, Kelly
1:30 pm Metropolitan Planning Organization, Technical Advisory Committee and Policy Committee, McCloskey

Saturday, November 4, 2006

8:30 am Farmers' Market, Showers Plaza



City of Bloomington
Office of the Common Council

MEETING NOTICE

Common Council Sidewalk Committee

The Common Council Sidewalk Committee will meet at 12:00 p.m. on Monday, November 6, 2006. The meeting will be held in the McCloskey Room at City Hall (401 N. Morton Street). The purpose of the meeting is to discuss sidewalk projects and procedures for 2007. Because a quorum of the Council may be present, this meeting would constitute a meeting of the Council as well as of this committee under the Indiana Open Door Law. For that reason, this statement is providing notice that this meeting will occur and is open for the public to attend, observe, and record what transpires.

Posted: Friday, October 27, 2006

**COMMON COUNCIL
MEETING SCHEDULE AND LEGISLATION DEADLINES FOR THE YEAR 2007
(Subject to Revision by Common Council)**

<u>DEADLINE FOR ORDINANCES; E-MAILED TO CCL BY NOON</u>	<u>DEADLINE FOR RESOLUTIONS; E-MAILED TO CCL BY NOON</u>	<u>REGULAR SESSION 1st READING FOR ORDS.</u>	<u>COMMITTEE DISCUSSION</u>	<u>REGULAR SESSION FINAL ACTION</u>
Mon. Dec. 18 (2006)	Mon. Dec. 18 (2006)	¹ Jan. 3	¹ Jan. 3	Jan. 17
Mon. Jan. 8	Fri. Jan. 12	Jan. 17	Jan. 24	² Feb. 7
Wed. Jan. 24	Mon. Feb. 5	² Feb. 7	Feb. 14	Feb. 21
Mon. Feb. 12	Mon. Feb. 19	Feb. 21	Feb. 28	Mar. 7
Mon. Feb. 26	Mon. Feb. 26	Mar. 7	³ Mar. 7	Mar. 21
Mon. Mar. 12	Mon. Mar. 19	Mar. 21	Mar. 28	Apr. 4
Mon. Mar. 26	Fri. March 30	Apr. 4	Apr. 11	Apr. 18
Mon. Apr. 9	Mon. Apr. 16	Apr. 18	Apr. 25	May 2
Mon. Apr. 23	Mon. April 30	May 2	May 9	⁴ May 16
Fri. May 4	Mon. May 14	⁴ May 16	May 23	² June 6
Wed. May 23	Mon. Jun. 4	² June 6	June 13	June 20
Mon. June 11	Mon. June 18	June 20	June 27	⁵ July 11
Wed. June 27	Wed. June 27	⁵ July 11	⁵ July 11	⁶ July 18
Mon. July 9	Mon. July 9	⁶ July 18	⁶ July 18	⁷ Aug. 1
AUGUST RECESS				
Wed. Aug. 22	Wed. Aug. 22	⁸ Sep. 5	⁸ Sep. 12	Sep. 19
Mon. Sep. 10	Mon. Sep. 17	Sep. 19	Sep. 26	Oct. 3
Mon. Sep. 24	Mon. Oct. 1	Oct. 3	Oct. 10	Oct. 17
Mon. Oct. 8	Mon. Oct. 15	Oct. 17	Oct. 24	² Nov. 7
Wed. Oct. 24	Fri. Nov. 2	² Nov. 7	Nov. 14	⁹ Nov. 28
Tue. Nov. 13	Tue. Nov. 13	⁹ Nov. 28	⁹ Nov. 28	Dec. 5
Mon. Nov. 26	Mon. Dec. 3	Dec. 5	Dec. 12	⁷ Dec. 19
YEAR END RECESS				
First Legislative Cycle for 2007:				
Mon. Dec. 17 (2007)	Mon. Dec. 17 (2007)	¹ Wed. Jan. 2 (2008)	¹ Wed. Jan. 2 (2008)	Wed. Jan. 16 (2008)

Deadlines for Legislation: The deadline for submitting legislation and all accompanying materials, including a summary memo, is noon on the date listed. For information on the manner for submitting these materials, please inquire with the Council Office.

Unless otherwise indicated, the Council meets on the first four Wednesdays of the month in the Council Chambers in Room 115 of the Showers Center, 401 North Morton, at 7:30 p.m. The following footnotes list and explain the exceptions to that schedule:

1. There will be an annual Organizational Meeting on this date when the Council elects officers and gives legislation first reading. The meeting is generally held on the first Monday in January, except when it is a legal holiday, in which case the meeting is held on the first Tuesday. (BMC 2.04.050(d)). However, by the adoption of this schedule, the Council has set this meeting for the first Wednesday in January. This meeting will be immediately followed by a Committee of the Whole.
2. There will be two weeks between the Committee of the Whole and the Regular Session due to the occurrence of a fifth Wednesday in these months.
3. The Council will not meet during Spring Break and will hold a special Committee of the Whole after the Regular Session on the first Wednesday of March.
4. There will be a Council Budget Advance in the McCloskey Room of City Hall at 5:30 p.m. on Wednesday, May 16th and departmental budget hearings in the Council Chambers at 6:00 p.m. on Monday, July 23rd, Tuesday, July 24th, Wednesday, July 25th, and Thursday, July 26th, 2007.
5. The Common Council will not meet on the first Wednesday of July since it falls on a holiday (BMC 2.04.050 (b)), but will hold a Regular Session and Committee of the Whole on the second Wednesday in July.
6. Due to the Departmental Budget Hearings being held during the fourth week of July, the second Regular Session and Committee of the Whole will be held on the third Wednesday of July.
7. Since the Council will have a brief recess after first meeting in August and the second Regular Session in December, no legislation will be introduced for first reading at these meetings. (BMC 2.04.060 (e) & (g))
8. The Council will consider the City Budget for 2008 along with routine legislation during the first legislative cycle in September. The public hearing on the City Budget will be held during the Committee of the Whole that will occur immediately after the Regular Session on Wednesday, September 5th and final adoption is scheduled for a Special Session on Wednesday, September 12th.
9. There will not be a Committee of the Whole meeting on the third Wednesday of November, which is the night before the Thanksgiving Holiday (BMC 2.04.050(f)). For that reason, there will be a Regular Session immediately followed by a Committee of the Whole on Wednesday, November 28, 2007.



**City of Bloomington
Office of the Common Council**

To: Council Members
From: Council Office
Re: Approving the Annual Schedule for Year 2007 on November 8th
Date: October 27, 2006

Contents

Memo with Highlights of Meeting and Scheduling Issues
Proposed Annual Schedule for 2007

Memo

The Council should set its schedule for next year by mid-November so that our calendar can be finished before our Intern, Bridget Gross, leaves for winter vacation. The Council typically meets on the first four Wednesdays of the month, with Regular Sessions being held on the first and third Wednesday and Committees of the Whole being held on the second and fourth Wednesday.

Explanation of the Schedule Sheet. The Annual Schedule presents these meetings in legislative cycles which appear as 21 rows with 5 columns. The rows indicate the 21 legislative cycles next year. Legislative cycles begin with a Regular Session, are followed by a Committee of the Whole, and end with another Regular Session. The 5 columns indicate:

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>	<u>Column 5</u>
Deadline for Filing Ordinances	Deadline for Filing Resolutions	Regular Session When Ordinances are Introduced	Committee of the Whole When Ordinances and Newly Introduced Resolutions are Discussed	Regular Session When Ordinances and Resolutions are Ready for Final Action

Deadlines. The deadline for legislation generally falls 10 days before the meeting when legislation is scheduled to be introduced (whether at a Regular Session or a Committee of the Whole) and provides time for staff to review the legislation and prepare the weekly legislative packet for distribution on Friday. The deadline is typically on the Monday of the week before that meeting (or, in other words, the Monday of the week the Council packet for that meeting goes out). However, the deadline is moved back a day when there is a City holiday and is moved back as much as a week when there are 5th Wednesdays in the month. This latter change allows staff to take time-off other than during the August Recess. Please note that the Municipal Code requires legislation and background material be filed at least two weeks before the item is to be introduced at the Council.

Explanation of the Footnotes. The footnotes in the Annual Schedule indicate those occasions when the Council does not meet on a Wednesday or does not follow the usual four-Wednesdays-a-month routine.

Religious Holidays. Please note that this calendar schedules final action on the budget at a Special Session that falls on the first night of Rosh Hashanah (September 12th) and your decision to change that date should be made in time for the Controller to advertise the budget adoption schedule (mid-August). There may be other religious holidays you want to observe and for that reason a copy of the IU "Five-Year Religious Holidays Calendar" is available in the Council Office or can be found on the web at http://www.indiana.edu/~deanfac/rel_hol_cal.html.

Please review it and be prepared to vote on the schedule on November 8th.

Proposed Annual Schedule - Highlights and Issues

January

Wednesday, January 3rd Organizational Meeting and Committee of the Whole. *Please note that while statute no longer requires the Council to hold an Organizational Meeting on the first Monday of the new year (unless it was a legal holiday, in which case the meeting was to be held on Tuesday), our local code still does. However, under local code you may reschedule that meeting by a majority vote of the Council (e.g. by approving a different date in the annual schedule).*
Question: Do you want to meet on the first Wednesday of the year?

Wednesday, January 10th No Committee of the Whole Meeting (See above)

Wednesday, January 31st No Meeting – Fifth Wednesday

March

Note on Schedule: Spring Break occurs during the week of March 12th – 16th. This schedule avoids meeting during Spring Break by holding a Committee of the Whole immediately after the first Regular Session.

Wednesday, March 14th No Committee of the Whole (Spring Break)

May

Wednesday, May 16th “Budget Advance” in the McCloskey Room at 5:30 p.m. *Please note that the schedule for budget meetings should be confirmed by the Mayor’s Office before voted upon.*

Wednesday, May 30th No Meeting – Fifth Wednesday

July

This month is unusual for two reasons: first, July 4th falls on the first Wednesday and second, the Council will hold departmental budget hearings over four evenings during the last week of the month. This would mean that the second and third Wednesdays this month will include a Regular Session immediately followed by a Committee of the Whole

Wednesday, July 11th

The Council will meet for a Regular Session immediately followed by a Committee of the Whole on the second Wednesday in July (because the first Wednesday falls on July 4th)

Wednesday, July 18th

There will be a Regular Session Immediately Followed by a Committee of the Whole

Monday, July 23rd

(Through)

Start of Departmental Budget Hearings which will begin at 6:00 p.m.

Thursday, July 26th

End of Departmental Budget Hearings

August

Wednesday, August 1st

August Recess begins after Regular Session

September

Wednesday, September 5th

August Recess ends with Regular Session immediately followed by Committee of the Whole to discuss 2008 Budget

Wednesday, September 13th

Council will hold Special Session to take action on 2007 budget immediately followed by Committee of the Whole. *Please note that this evening falls on the Rosh Hashanah (Jewish New Year). We set this meeting early in the month, but have until the end of September to adopt the budget. Please also note that if you subsequently wanted to change that date you would need to inform the Controller in time for her to advertise the schedule for adoption of the budget (mid-August).*

October

Wednesday, October 31st

No Meeting – Fifth Wednesday

November

Wednesday, November 21st

3rd Wednesday – No Meeting - Night Before Thanksgiving

Wednesday, November 28th

4th Wednesday – To be used for a Regular Session immediately followed by a Committee of the Whole during the second legislative cycle in November.

December

Wednesday, December 19th

Last meeting of the year

RESOLUTION 06-12

**WAIVING CURRENT PAYMENTS IN LIEU OF TAXES
BY THE BLOOMINGTON HOUSING AUTHORITY TO THE CITY**

WHEREAS, the Bloomington Housing Authority provides a public service to the Bloomington community by providing sanitary, safe and affordable housing for low income people; and

WHEREAS, the Bloomington Housing Authority also provides services to its residents which, if not so provided, would be provided by the City of Bloomington at additional expense to the City of Bloomington; and

WHEREAS, according to I.C. 36-7-18-25, the Bloomington Housing Authority is exempt from all property taxes, but may enter into an agreement with a political subdivision to pay no more than the estimated costs of services, improvements, or facilities provided by that political subdivision; and

WHEREAS, on May 2, 1961, the Bloomington Housing Authority and City of Bloomington entered into a Cooperation Agreement under which the Bloomington Housing Authority agreed to make annual payments in lieu of taxation based upon the value of services established by Housing and Urban Development guidelines; and

WHEREAS, the City of Bloomington does not desire for the Bloomington Housing Authority to make these payments in lieu of taxes this year;

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

SECTION I. In consideration for the provision of services to its residents and property by the Bloomington Housing Authority, the City of Bloomington hereby waives its right to any and all payments in lieu of taxes for the year 2006.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2006.

CHRIS STURBAUM, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2006.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2006.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This resolution waives the right of the City of Bloomington to receive payments in lieu of taxes from the Bloomington Housing Authority for the year 2006.



Bloomington Housing Authority

1007 North Summit, Bloomington, Indiana 47404
812-339-3491 fax 812-339-7177

TO: Common Council

FROM: Jennifer J. Osterholt
Executive Director

RE: Waiver of Payment in Lieu of Taxes (PILOT) for Fiscal Year Ending
09/30/06

The Housing Authority of the City of Bloomington entered into a Cooperation Agreement with the City of Bloomington, Indiana on May 2, 1961 as allowed by the Department of Housing and Urban Development.

The Cooperation Agreement states "Under the constitution and statutes of the State of Indiana, all Projects are exempt from all real and personal property taxes levied or imposed by the Taxing Body, as long as the projects continue to serve low income citizens this rule applies". The Authority also agreed to pay, as do most housing authorities, a Payment in Lieu to Taxes, following HUD's guidelines, which set forth how that calculation is to be done. Indiana State Statute does allow for the Common Council to forgive the PILOT.

I have attached a copy of our PILOT computation.

Following HUD's prescribed formula the Housing Authority of the City of Bloomington is requesting the Bloomington Common Council to forgive the PILOT for fiscal year ending September 30, 2006.



Bloomington Housing Authority

1007 North Summit, Bloomington, Indiana 47404
812-339-3491 fax 812-339-7177

PILOT Calculation For Fiscal Year Ending 09/30/2006

Dwelling Rental Income	\$486,228.00
Excess Utilities	\$ 37,837.00
Nondwelling Rental	<u>\$ 5,784.00</u>
Total	\$529,849.00
Minus: Utilities Expense	<u>\$501,968.00</u>
Total Shelter Rent	\$ 27,881.00
PILOT equals 10% of Total Shelter Rent	
PILOT	\$ 2,788.00

APPROPRIATION ORDINANCE 06-07

TO SPECIALLY APPROPRIATE FROM THE GENERAL FUND, FLEET MAINTENANCE FUND, RISK MANAGEMENT FUND, PARKS & RECREATION FUND, AND SANITATION FUND EXPENDITURES NOT OTHERWISE APPROPRIATED

(Appropriating Various Transfers of Funds within the General Fund for Animal Care & Control, Clerk’s Office, Fire, Planning, and Police; Appropriating Transfers of Funds within the Parks & Recreation General Fund, within the Sanitation Fund, and within the Risk Management Fund; Appropriating Funds from the General Fund for Animal Care & Control, Police and Housing & Neighborhood Development; Appropriating Funds from the Risk Management Fund and from the Fleet Maintenance Fund)

WHEREAS, various departments within the General Fund have requested authorization to transfer funds among budget categories; and

WHEREAS, the Parks & Recreation Department desires to transfer funds from Category 1 – Personal Services and Charges to Category 2 – Supplies for fuel; and

WHEREAS, the Sanitation Division desires to transfer funds from Category 1 – Personal Services to Category 2 – Supplies for fuel; and

WHEREAS, the Fleet Maintenance Division and the Housing & Neighborhood Development Department desire to increase their budgets for fuel; and

WHEREAS, the Fleet Maintenance Division desires to increase its budget for motor repair; and

WHEREAS, the Animal Care & Control Division desires to increase its budget for salaries and wages; and

WHEREAS, the Police Department has been awarded and wishes to expend a JAG grant from the U.S Department of Justice for video cameras for patrol cars; and

WHEREAS, the Police Department has received a Countywide DUI Taskforce grant from the Indiana Criminal Justice Institute, and desires to increase its budget to reimburse Monroe County law enforcement agencies for overtime incurred for additional DUI enforcement; and

WHEREAS, the City has determined the need to appropriate additional funds for Worker’s Compensation and a sufficient balance remains in the Risk Management Fund to pay these expenses;

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

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

	AMOUNT REQUESTED
General Fund – Animal Care & Control	
Line 51110 – Salaries and Wages – Regular	\$ 7,719
Line 51120 – Salaries and Wages – Temporary	5,000
Line 51210 – FICA	970
Line 51220 – PERF	711
Line 52210 – Institutional & Medical Supplies	15,000
Line 53130 – Medical Services	<u>-15,000</u>
Total General Fund – Animal Care & Control	<u>14,400</u>

General Fund – Clerk's Office	
Line 51110 – Salaries and Wages – Regular	\$ 2,900
Line 52420 – Other Supplies	-1,700
Line 53230 – Travel	-1,200
Total General Fund – Clerk's Office	<u>0</u>
General Fund – Fire	
Line 51130 – Salaries and Wages – Overtime	23,000
Line 52210 – Institutional & Medical Supplies	5,000
Line 52240 – Fuel and Oil	9,000
Line 52420 – Other Supplies	2,000
Line 53990 – Other Services and Charges	1,790
Line 54410 – Lease-Purchase	-40,790
Total General Fund – Fire	<u>0</u>
General Fund – Housing & Neighborhood Development	
Line 52240 – Fuel and Oil	500
Total General Fund – HAND	<u>500</u>
General Fund – Planning	
Line 51110 – Salaries and Wages – Regular	-1,300
Line 52420 – Other Supplies	800
Line 52240 – Fuel and Oil	500
Total General Fund – Planning	<u>0</u>
General Fund – Police	
Line 51110 – Salaries and Wages – Regular	-16,000
Line 52420 – Other Supplies	19,740
Line 53130 – Medical Services	16,000
Line 53960 – Grants	5,951
Total General Fund – Police	<u>25,691</u>
Grand Total General Fund	<u>40,591</u>
Parks & Recreation	
Line 51110 – Salaries and Wages – Regular	-10,000
Line 52240 – Fuel and Oil	10,000
Total Parks & Recreation	<u>0</u>
Sanitation	
Line 51110 – Salaries and Wages – Regular	-7,500
Line 52240 – Fuel and Oil	7,500
Total Sanitation	<u>0</u>
Risk Management Fund	
Line 51110 – Salaries and Wages – Regular	-16,000
Line 53420 – Worker's Comp. & Risk Admin.	110,000
Total Risk Management Fund	<u>94,000</u>
Fleet Maintenance	
Line 52240 – Fuel and Oil	\$ 30,000
Line 53620 – Motor Repairs	5,000
Total Fleet Maintenance	<u>35,000</u>
Grand Total All Funds	<u>\$ 169,591</u>

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

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2006.

CHRIS STURBAUM, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2006.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2006.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance appropriates transfers within the General Fund for the Animal Care & Control Division, Clerks Office, Fire Department, Planning Department and Police Department. It also appropriates transfers within the Parks General Fund, the Sanitation Fund and the Risk Management Fund. It appropriates grants from the Indiana Criminal Justice Institute and the U.S Department of Justice for the Police Department. It appropriates monies in the General Fund – the Animal Care & Control Division (Salaries & Wages, FICA & PERF), Housing and Neighborhood Development Department (Fuel), the Risk Management Fund (Workers Compensation) and Fleet Maintenance Fund (Fuel and Motor Repair).



MARK KRUZAN
MAYOR

CITY OF BLOOMINGTON

401 N Morton St
Post Office Box 100
Bloomington IN 47402

SUSAN CLARK
CONTROLLER

CONTROLLER'S OFFICE

p 812.349.3412
f 812.349.3456
controller@bloomington.in.gov

Memorandum

To: Council Members
From: Susan Clark, Controller
Date: October 18, 2006
Re: Appropriation Ordinance 06-07

Appropriation Ordinance 06-07 is our 2006 year end appropriation. The majority of the items are transfers from one budget category to another. However, due to high gasoline prices, Fleet Maintenance will require a \$30,000 supplement for fuel. In addition, we are requesting a \$94,000 increase to the Risk Management budget for Workers Compensation. Even with these modifications, the City's 2006 Budget will not see an overall increase as our reversions (savings) as a whole will be higher than the appropriation added by this ordinance. In other words, taxpayers will not experience an increase in costs.

1.) General Fund – Animal Care & Control.

- a. **Transfer:** The AC&C Division of Public Works has requested a \$15,000 transfer from Line 53130 – Medical Services to Line 52210 – Institutional and Medical Supplies.
- b. **Increase:** AC&C has requested an increase of \$7,719 to Line 51110 – Salaries and Wages – Regular to cover on-call pay and a PTO payout that occurred when one of their employees resigned. In addition, the AC&C division participates in the City's "supported employment" program and has asked for an additional \$5,000 in Line 51120 – Salaries and Wages – Temporary to pay for the hours of this key individual. Along with the two Salaries and Wages request, we require \$970 for Line 51210 – FICA and \$711 for Line 51220 – PERF.

2.) General Fund – Clerk's Office. The Clerk would like to transfer \$2,900 from two lines: Line 52420 – Other Supplies (\$1,700) and Line 53230 – Travel (\$1,200) to Line 51110 – Salaries and Wages – Regular to provide for additional front desk coverage.

3.) General Fund – Fire. The BFD has requested a transfer of \$40,790 from Line 54410 – Lease Purchase to five lines in three categories, including \$23,000 for additional overtime and \$9,000 for fuel. The \$40,790 is available now due to a balance in our bank's lease escrow account that covered the majority of the January 2006 lease payment for the medium rescue truck that was acquired in 2005.

4.) General Fund – Housing and Neighborhood Development. According to our fuel analysis, HAND will require an additional \$500 for fuel (Line 52240 – Fuel and Oil).

- 5.) **General Fund – Planning.** The Planning Department has requested a \$1,300 transfer from Line 51110 – Salaries and Wages – Regular to two lines: Line 52420 – Other Supplies (\$800 for a scanner) and Line 52240 – Fuel and Oil (\$500).
- 6.) **General Fund – Police.**
 - a. **Transfer:** The BPD has requested a \$16,000 transfer from Line 51110 – Salaries and Wages – Regular to Line 53130 – Medical Services for Hepatitis titer tests and vaccinations.
 - b. **Grants:** The BPD has received a Countywide DUI Taskforce grant from the Indiana Criminal Justice Institute (ICJI) for DUI enforcement and requests authorization for an increase of \$5,951 to Line 53960 – Grants to pass through to Indiana University Police Department and the Monroe Council Sheriff Department. In addition, the BPD been awarded a JAG grant from the U.S. Department of Justice Institute for video cameras for patrol cars, and requests authorization to expend the \$19,740 grant from Line 52420 – Other Supplies.
- 7.) **Fleet Maintenance.** According to our fuel analysis, the Fleet Maintenance Division of Public Works requires an appropriation of \$30,000 for fuel. In addition, they have requested an increase of \$5,000 in their budget for Line 53620 – Motor Repairs.
- 8.) **Parks and Recreation General Fund.** The Parks Department has requested a \$10,000 transfer from Line 51110 – Salaries and Wages – Regular to Line 52240 – Fuel and Oil.
- 9.) **Sanitation Fund.** The Sanitation Division of the Public Works has requested a \$7,500 transfer from Line 51110 – Salaries and Wages – Regular to Line 52240 – Fuel and Oil.
- 10.) **Risk Management Fund.** Due to higher than normal workers compensation claims, Risk Management has requested a \$16,000 transfer from Line 51110 – Salaries and Wages – Regular to Line 53420 – Workers Compensation, with a total requested increase of \$110,000 to Line 53420 – Workers Compensation. You may recall earlier this year that Appropriation Ordinance 06-02 included \$150,000 for workers compensation, and during our presentation we mentioned that a second 2006 supplement might be needed. Unfortunately, based on our current projections, that is the case.

The grand total of the appropriation is \$169,591. Of that amount, \$25,691 is offset by new revenue. We have revised the 2006 budget with this appropriation, but there will be no increase to total budgeted expenditures at the end of the year due to reversions from various departments and funds.

Feel free to contact me by email at clarks@bloomington.in.gov or by phone at 349-3412 at any time.

Materials Regarding the Evergreen Village Tax Abatement

RESOLUTIONS 06-01: DESIGNATION OF AN AREA AS AN ECONOMIC REVITALIZATION AREA, ECONOMIC DEVELOPMENT TARGET AREA

The resolution before you, 06-01, designates an area as an Economic Revitalization Area and an Economic Development Target Area. The purpose of this resolution is to forward a recommendation to the Bloomington Common Council from the EDC to approve tax abatement for the project described below.

Project Background – EverGreen Village

Real Estate Improvement Value\$1,919,791.00
Current Zoning.....PUD
Existing Site.....Vacant
Job CreationNA
Projected New Annual WagesNA
Requested Tax Abatement Term5-Year

Recommendation.....The Office of the Mayor supports this project and recommends five-year abatement for real property improvements.

The City of Bloomington Housing and Neighborhood Development Department is seeking a five-year property tax abatement for 12 new, affordable, single-family homes to be built on property currently owned by the City of Bloomington Redevelopment Commission. The homes will be built to LEED-certification “Gold” standards and the project will serve as a national pilot project for environmentally friendly design standards. The LEED (Leadership in Energy and Environmental Design) Green Building Rating System is a voluntary national standard for sustainable buildings.

The homes on the 4.5 acre PUD, known as EverGreen Village, will feature passive solar design, photovoltaic panels to convert sunlight into electricity and rain gardens to cleanse and control storm water.

The parcels are located on Rockport Road and Susie Street on the southwest side of Bloomington. The parcels are currently vacant, though infrastructure improvements including water, sewer, storm water, rain gardens and a restored creek, were completed earlier this year.

Once constructed, ~~the homes will be designated affordable for 30 years.~~ Eligible homeowners must earn at or below 80% of the Area Median Income (\$47,300 annually or less per household for family of 4). Homeowners will be required to enroll in HAND’s free Homebuyer’s Club courses, and separate classes tailored to teach them how

to care for the unique features of the subdivision, such as maximizing the use of the solar panels, passive solar design and other household features. Instruction on how to maintain the individual rain gardens (a special planting arrangement to hold and filter storm water before it drains into the city storm water system) will also be covered.

The new improvements at 2300 Rockport Road and at 11 parcels on Susie Street will generate an estimated additional \$75,924 dollars in property tax revenues over the five-year abatement period. After the abatement has expired, it is estimated that the project area will generate approximately \$37,962 in new property tax revenue per year. The total value of the abatement is estimated to be \$113,886 (over a five-year period). See *Attached Schedule*.

The homes will range from 1,050 to 1,350 square feet, and from two to four bedrooms. The value of the abatement per home in the subdivision over the five-year period would range from an estimated \$8,673 to an estimated \$10,678. See *Attached Schedule Examples for Lot Improvements*.

ERA Criteria:

The project area meets the criteria for designation as an "Economic Revitalization Area" because the site has become undesirable or impossible for normal development and occupancy because of such factors as:

- Cessation of growth
- Existence of sub-standard or obsolescent structures
- Deterioration of character of occupancy

Several factors contributed to undesirable qualities of the property for normal development: size of the property, proximity and placement of power lines, requirement of detention pond for an adjacent neighborhood, location of a creek on the property and the previous lack of infrastructure.

EDTA Criteria:

In order to forward the tax abatement recommendation to Common Council, the EDC must designate this area also as an EDTA. Indiana Code 6-1.1-12.1-3(e)(11) dictates that a tax abatement may not be awarded to a residential facility unless:

1. it is a multifamily facility that includes at least 20% of the units for low and moderate income users; or
2. **it is located in an EDTA;** or
3. it is in a "residentially distressed" area (which requires additional specific findings regarding loss and/or deterioration of housing in the area).

Although the entire development will be 100% affordable and will only be open to homeowners earning at or below 80% of the Area Median Income, current law requires designation of the site(s) as an EDTA because the project is not a multi-family facility and is not in a "residentially distressed" area.

The qualifications for an EDTA designation are contained in Indiana Code 6-1.1-12.1-7. The geographic area designated as an EDTA must be an area that:

1. Has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvement or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevented a normal development of property or use of property; or
2. Is designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under Indiana Code 36-7-11 , 36-7-11.1, or 14-3-3.2; or
3. Encompasses buildings, structures, sites or other facilities that are:
 - a. listed on the national register of historic places under the National Historic Preservation Act of 1966; or
 - b. listed on the register of Indiana historic sites and historic structures; or
 - c. determined to be eligible for listing on the Indiana register by the state historic preservation officer.

Recommendation:

The Office of the Mayor supports the use of tax abatement for affordable housing as a way of reducing the barriers to home ownership for low-income families.

In addition to assisting low-income families with the opportunity of home ownership, the City's Housing and Neighborhood Development Department (HAND) has asked that we utilize tax abatement to assist HAND with their affordable housing development initiatives. HAND recently learned that they will need to provide a match for HOME funds received by the U.S. Department of Housing and Urban Development. Property tax assistance for affordable housing developments will count towards the City of Bloomington's match. *

Finally, the Office of the Mayor additionally supports the use of tax abatement for the EverGreen Village project specifically because aligned with the City of Bloomington's commitment to the pursuit of a sustainable community, both in terms of providing affordable housing and also in terms of promoting environmental and energy responsibility in building and living standards,

The Office of the Mayor recommends EDC approval of resolutions 06-01 recommending that the Common Council designate this area as an Economic Development Target Area.



RESOLUTION 06-13

**TO DESIGNATE AN ECONOMIC REVITALIZATION AREA, APPROVE A STATEMENT OF BENEFITS, AUTHORIZE A PERIOD OF TAX ABATEMENT, AND DECLARE AN INTENT TO WAIVE CERTAIN STATUTORY REQUIREMENTS
- Re: 2300 Rockport Road and
2101, 2105, 2109, 2112, 2113, 2116, 2117, 2120, 2121, 2124, and 2125 Susie Street
(City of Bloomington Housing and Neighborhood Development Department, Petitioner)**

- WHEREAS, the City of Bloomington Housing and Neighborhood Development Department (“Petitioner”) has filed an application for designation of property it owns at 2300 Rockport Road and 2101, 2105, 2109, 2112, 2113, 2116, 2117, 2120, 2121, 2124, and 2125 Susie Street, Bloomington, Indiana as an “Economic Revitalization Area” (“ERA”) pursuant to IC 6-1.1-12.1 et. seq.; and
- WHEREAS, according to this material, the Petitioner wishes to construct affordable single-family housing units on the proposed ERA (the “Project”); and
- WHEREAS, the Petitioner has also submitted a statement of benefits to the Council and must, prior to May 15th of each subsequent year of the tax abatement, provide the County Auditor and the Common Council with further information showing the extent to which the Petitioner has complied with the statement of benefits; and
- WHEREAS, IC 6-1.1-12.1-11.3 authorizes the Council, after it has held a public hearing, to waive the statutory requirement that the initiation of redevelopment occur after the submittal of a completed statement of benefits by the Petitioner and after the designation of the ERA and the making of certain findings of facts by the Common Council; and
- WHEREAS, the Economic Development Commission has reviewed the Petitioner’s application and Statement of Benefits and recommends that the Common Council designate the property as an ERA, approve the statement of benefits, authorize a five (5) year period of abatement for this project and waive certain statutory requirements; and
- WHEREAS, the Common Council has investigated the area and reviewed the Application and Statement of Benefits, which are attached and made a part hereof, and found the following:
- A. the estimate of the value of the Project is reasonable;
 - B. the estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the Project as proposed;
 - C. the estimate of the annual salaries of these individuals who will be employed or whose employment will be retained can be reasonably expected to result from the Project as proposed;
 - D. any other benefits about which information was requested are benefits that can be reasonably expected to result from the Project; and
 - E. the totality of benefits is sufficient to justify the deduction; and
- WHEREAS, pursuant to IC 6-1.1-12.1-11.3, the Petitioner has requested that the Council waive the statutory requirement that the initiation of redevelopment occur after the submittal of a completed statement of benefits by the Petitioner and after the designation of the ERA and the making of certain findings of facts by the Common Council; and
- WHEREAS, the Common Council is favorably disposed to granting the foregoing waivers and will schedule the statutorily required public hearing before the end of the year to consider the matter; and
- WHEREAS, the property described above has experienced a cessation of growth; and

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

SECTION 1. The Common Council finds and determines that the area described above should be designated as an "Economic Revitalization Area" as set forth in I.C. 6-1.1-12.1-1 et. seq.; and, the Common Council further finds and determines that the totality of benefits of the Project entitle the owner of the property or its successor(s) to a deduction from the assessed value of the related improvements for a period of five (5) years.

SECTION 2. In granting this designation and deduction the Common Council incorporates I.C. 6-1.1-12.1-12. It also expressly exercises the power set forth in I.C. 6-1.1-12.1-2(I)(5) to impose additional, reasonable conditions on the rehabilitation or redevelopment beyond those listed in the Statement of Benefits. In particular, failure of the property owner to make reasonable efforts to comply with the following conditions is an additional reason for the Council to rescind this designation and deduction:

- a. the improvements described in the application shall be commenced (defined as obtaining a building permit and actual start of construction) within twelve months of the date of this designation; and
- b. the land and improvements shall be developed and used in a manner that complies with local code.

SECTION 3. The Common Council directs the Clerk of the City to publish a notice announcing the passage of this resolution and requesting that persons having objections or remonstrances to the ERA designation or to the waiver of the project commencement requirements appear before the Common Council at a public hearing to be scheduled before the end of this year.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2006.

CHRIS STURBAUM, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2006.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2006.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This resolution designates the property located at 2300 Rockport Road and 2101, 2105, 2109, 2112, 2113, 2116, 2117, 2120, 2121, 2124, and 2125 Susie Street as an Economic Revitalization Area (ERA), approves a Statement of Benefits, authorizes a 5-year period of abatement and declares the intent to waive certain statutory requirements for the project proposed by the petitioner, City of Bloomington Housing and Neighborhood Development Department. It is seeking a tax abatement in order to construct affordable single-family housing. The resolution also declares the intent of the Council to hold a public hearing later this year to hear public comment on the ERA designation and statutory waivers before voting on a resolution confirming these actions.

MEMORANDUM

To: City of Bloomington Common Council
From: Ron Walker, Director of Economic Development
Danise Alano, Assistant Director of Economic Development
Date: October 23, 2006
Regarding: *Resolutions 06-13 and 06-14*

These resolutions designate an Economic Revitalization Area (ERA), approve a Statement of Benefits, and authorize a period of tax abatement.

The City of Bloomington Housing and Neighborhood Development Department (HAND) is seeking a five-year property tax abatement for 12 new, affordable, single-family homes to be built on property currently owned by the City's Redevelopment Commission.

Real Estate Improvement Value\$1,919,791.00
Current ZoningPUD
Existing Site.....Vacant
Job CreationNA
Projected New Annual WagesNA
Requested Tax Abatement Term.....5-Year

The new improvements at 2300 Rockport Road and at 11 addresses on Susie Street will generate an estimated additional \$75,924 dollars in property tax revenues over the five-year abatement period. After the abatement has expired, it is estimated that the project area will generate approximately \$37,962 in new property tax revenue per year. The total value of the abatement is estimated to be \$113,886 (over a five-year period). The value of the abatement per home in the subdivision over the five-year period would range from an estimated \$8,673 to an estimated \$10,678. See Attached Schedule.

The parcels are currently vacant, though infrastructure improvements including water, sewer, storm water, rain gardens and a restored creek, were completed earlier this year.

The two- to four-bedroom homes will be built to LEED-certification "Gold" standards and the project will serve as a national pilot project for environmentally friendly design standards. The LEED (Leadership in Energy and Environmental Design) Green Building Rating System is a voluntary national standard for sustainable buildings. The homes on the 4.5 acre PUD, known as EverGreen Village, will feature passive solar design, photovoltaic panels to convert sunlight into electricity and rain gardens to cleanse and control storm water.

Once constructed, the homes will be designated affordable for 30 years. Eligible homeowners must earn at or below 80% of the Area Median Income (\$47,300 annually or less per household for family of 4). Homeowners will be required to enroll in

HAND's free Homebuyer's Club courses, and separate classes tailored to teach them how to care for the unique features of the subdivision, such as maximizing the use of the solar panels, passive solar design and other household features. Instruction on how to maintain the individual rain gardens (a special planting arrangement to hold and filter storm water before it drains into the city storm water system) will also be covered.

The project area meets the criteria for designation as an "Economic Revitalization Area" because the site has become undesirable or impossible for normal development and occupancy because of such factors as:

- Cessation of growth
- Existence of sub-standard or obsolescent structures
- Deterioration of character of occupancy

Several factors contributed to undesirable qualities of this property for normal development: size of the property, proximity and placement of power lines, requirement of detention pond for an adjacent neighborhood, location of a creek on the property and the previous lack of infrastructure.

Recommendation:

The Office of the Mayor supports the use of tax abatement for affordable housing as a way of reducing the barriers to home ownership for low-income families.

HAND must provide a match for HOME funds received by the U.S. Department of Housing and Urban Development. Property tax assistance for affordable housing developments will count towards the City of Bloomington's match.

Finally, the Office of the Mayor additionally recommends that the Council support the use of tax abatement for the EverGreen Village project because of its alignment with the City of Bloomington's commitment to the pursuit of a sustainable community, both in terms of providing affordable housing and also in promoting environmental and energy responsibility in building and living standards.

Tax Abatement Calculations for Real Property Improvement				
EverGreen Village - Rockport Rd & Susie Street				
Using 2005 Payable 2006 Tax Rate and AV Estimates				
Assessed Value of Improvements \$ 1,919,791				
2005 Tax Rate (Net) 1.9774%				
Annual Taxes without Abatement \$ 37,962				
Year	Abatement Percent	Abatement	Taxes Payable	Taxes Abated
1	100%	\$ 1,919,791	\$ -	\$ 37,962
2	80%	\$ 1,535,833	\$ 7,592	\$ 30,370
3	60%	\$ 1,151,875	\$ 15,185	\$ 22,777
4	40%	\$ 767,916	\$ 22,777	\$ 15,185
5	20%	\$ 383,958	\$ 30,370	\$ 7,592
Total Taxes to be Paid:				\$ 75,924
Total Value of Abatement:				\$ 113,886



Tax Abatement Calculations for Real Property Improvement				
EverGreen Village - Lot Improvement Example A.				
Using 2005 Payable 2006 Tax Rate and AV Estimates				
Assessed Value of Improvements \$ 146,200				
2005 Tax Rate (Net) 1.9774%				
Annual Taxes without Abatement \$ 2,891				
Year	Abatement Percent	Abatement	Taxes Payable	Taxes Abated
1	100%	\$ 146,200	\$ -	\$ 2,891
2	80%	\$ 116,960	\$ 578	\$ 2,313
3	60%	\$ 87,720	\$ 1,156	\$ 1,735
4	40%	\$ 58,480	\$ 1,735	\$ 1,156
5	20%	\$ 29,240	\$ 2,313	\$ 578
Total Taxes to be Paid:				\$ 5,782
Total Value of Abatement:				\$ 8,673

Tax Abatement Calculations for Real Property Improvement				
EverGreen Village - Lot Improvement Example B				
Using 2005 Payable 2006 Tax Rate and AV Estimates				
Assessed Value of Improvements \$ 180,000				
2005 Tax Rate (Net) 1.9774%				
Annual Taxes without Abatement \$ 3,559				
Year	Abatement Percent	Abatement	Taxes Payable	Taxes Abated
1	100%	\$ 180,000	\$ -	\$ 3,559
2	80%	\$ 144,000	\$ 712	\$ 2,847
3	60%	\$ 108,000	\$ 1,424	\$ 2,136
4	40%	\$ 72,000	\$ 2,136	\$ 1,424
5	20%	\$ 36,000	\$ 2,847	\$ 712
Total Taxes to be Paid:				\$ 7,119
Total Value of Abatement:				\$ 10,678



**STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS**

State Form 51767 (R / 1-06)

Prescribed by the Department of Local Government Finance

FORM SB-1 / RE

INSTRUCTIONS:

1. This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body **BEFORE** the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction. "Projects" planned or committed to after July 1, 1987, and areas designated after July 1, 1987, require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)
2. Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to initiation of the redevelopment or rehabilitation. **BEFORE** a deduction may be approved.
3. To obtain a deduction, Form 322 ERA, Application for Deduction from Assessed Valuation of Structures in Economic Revitalization Areas, must be filed with the County Auditor by the later of: (1) May 10; or (2) thirty (30) days after the notice of addition to assessed valuation or new assessment is mailed to the property owner at the address shown on the records of the township assessor.
4. Property owners whose Statement of Benefits was approved after June 30, 1991, must submit Form CF-1/RE annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.1(b))
5. The schedules established under IC 6-1.1-12.1-4(d) effective July 1, 2000, apply to any statement of benefits filed on or after July 1, 2000. The schedules effective prior to July 1, 2000, shall continue to apply to those statement of benefits filed before July 1, 2000.

SECTION 1 TAXPAYER INFORMATION

Name of taxpayer City of Bloomington Housing and Neighborhood Development Department	
Address of taxpayer (number and street, city, state, and ZIP code) P.O. Box 100, 401 N. Morton, Suite 130, Bloomington, IN 47402	
Name of contact person Lisa Abbott	Telephone number 812-349-3401

SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body		Resolution number
Location of property See attached list	County	DLGF taxing district number Perry Township
Description of real property improvements, redevelopment, or rehabilitation. (use additional sheets if necessary) See attached list		ESTIMATED Start Date Completion Date 10/30/06 12/31/08

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

Current number	Salaries	Number retained	Salaries	Number additional	Salaries

SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.	REAL ESTATE IMPROVEMENTS	
	COST	ASSESSED VALUE
Current values	450,000	0
Plus estimated values of proposed project	1,919,791	
Less values of any property being replaced		
Net estimated values upon completion of project	2,369,791	

SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (pounds) _____	Estimated hazardous waste converted (pounds) _____
--	--

Other benefits:
This PUD will have 12 green built, LEED certified affordable housing units with a 30 year affordability covenant.

SECTION 6 TAXPAYER CERTIFICATION

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

Signature of authorized representative <i>Lisa Abbott</i>	Title <i>Director</i>	Date signed (month, day, year) <i>10/4/06</i>
--	--------------------------	--

FOR USE OF THE DESIGNATING BODY

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

- A. The designated area has been limited to a period of time not to exceed _____ calendar years* (see below). The date this designation expires is _____.
- B. The type of deduction that is allowed in the designated area is limited to:
1. Redevelopment or rehabilitation of real estate improvements; Yes No
 2. Residentially distressed areas Yes No
- C. The amount of deduction applicable for redevelopment or rehabilitation is limited to \$ _____ cost with an assessed value of \$ _____.
- D. Other limitations or conditions (specify) _____
- E. The deduction for redevelopment or rehabilitation is allowed for _____ years* (see below).

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above. (IC 6-1.1-12-3(b))

Approved: (signature and title of authorized member)	Telephone number	Date signed (month, day, year)
Attested by:	Designated body	

* If the designating body limits the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.1-12.1-4.

For residentially distressed areas, the deduction period may not exceed five (5) years. If the Economic Revitalization Area was designated prior to July 1, 2000, the deduction period is limited to three (3), six (6), or ten (10) years. For ERAs after June 30, 2000, the deduction period may not exceed ten (10) years. An area designated as an urban development area pursuant to an application filed after December 31, 1978, and prior to January 1, 1986, are entitled to a ten (10) year deduction.

Tax Abatement Calculations for Real Property Improvement					
EverGreen Village - Rockport Rd & Susie Street					
Using 2005 Payable 2006 Tax Rate and AV Estimates					
Assessed Value of Improvements \$ 1,919,791					
2005 Tax Rate (Net) 1.9774%					
Annual Taxes without Abatement \$ 37,962					
Year	Abatement Percent	Abatement	Taxes Payable	Taxes Abated	
1	100%	\$ 1,919,791	\$ -	\$ 37,962	
2	80%	\$ 1,535,833	\$ 7,592	\$ 30,370	
3	60%	\$ 1,151,875	\$ 15,185	\$ 22,777	
4	40%	\$ 767,916	\$ 22,777	\$ 15,185	
5	20%	\$ 383,958	\$ 30,370	\$ 7,592	
Total Taxes to be Paid:					\$ 75,924
Total Value of Abatement:					\$ 113,886

Tax Abatement Calculations for Real Property Improvement					
EverGreen Village - Lot Improvement Example A					
Using 2005 Payable 2006 Tax Rate and AV Estimates					
Assessed Value of Improvements \$ 146,200					
2005 Tax Rate (Net) 1.9774%					
Annual Taxes without Abatement \$ 2,891					
Year	Abatement Percent	Abatement	Taxes Payable	Taxes Abated	
1	100%	\$ 146,200	\$ -	\$ 2,891	
2	80%	\$ 116,960	\$ 578	\$ 2,313	
3	60%	\$ 87,720	\$ 1,156	\$ 1,735	
4	40%	\$ 58,480	\$ 1,735	\$ 1,156	
5	20%	\$ 29,240	\$ 2,313	\$ 578	
Total Taxes to be Paid:					\$ 5,782
Total Value of Abatement:					\$ 8,673

Tax Abatement Calculations for Real Property Improvement					
EverGreen Village - Lot Improvement Example B					
Using 2005 Payable 2006 Tax Rate and AV Estimates					
Assessed Value of Improvements \$ 180,000					
2005 Tax Rate (Net) 1.9774%					
Annual Taxes without Abatement \$ 3,559					
Year	Abatement Percent	Abatement	Taxes Payable	Taxes Abated	
1	100%	\$ 180,000	\$ -	\$ 3,559	
2	80%	\$ 144,000	\$ 712	\$ 2,847	
3	60%	\$ 108,000	\$ 1,424	\$ 2,136	
4	40%	\$ 72,000	\$ 2,136	\$ 1,424	
5	20%	\$ 36,000	\$ 2,847	\$ 712	
Total Taxes to be Paid:					\$ 7,119
Total Value of Abatement:					\$ 10,678

**City of Bloomington
Property Tax Abatement Program Application**

1. Ownership:

- A. The properties are owned by the City of Bloomington Redevelopment Commission (HAND), P.O. Box 100, Bloomington, IN 47402.
- B. There is only one property owner.
- C. The City of Bloomington is a local unit of government and the Redevelopment Commission is a commission of the City of Bloomington. Mayor: Mark Kruzan. Redevelopment Commission Members: David Walter, Mike Gentile, John West, Paula Gordon and Michael Szakaly.
- D. See C above.

2. Property Descriptions:

- A. Street address, lot numbers, dimensions:
 - i. 2300 Rockport Road, Lot No. 1, see Attachment A for dimensions.
 - ii. 2125 Susie Street, Lot No. 3, see Attachment A for dimensions.
 - iii. 2121 Susie Street, Lot No. 4, see Attachment A for dimensions.
 - iv. 2117 Susie Street, Lot No. 5, see Attachment A for dimensions.
 - v. 2113 Susie Street, Lot No. 6, see Attachment A for dimensions.
 - vi. 2109 Susie Street, Lot No. 7, see Attachment A. for dimensions.
 - vii. 2105 Susie Street, Lot No. 8, see Attachment A. for dimensions.
 - viii. 2101 Susie Street, Lot No. 9, see Attachment A. for dimensions.
 - ix. 2112 Susie Street, Lot No. 10, see Attachment A. for dimensions.
 - x. 2116 Susie Street, Lot No. 11, see Attachment A. for dimensions.
 - xi. 2120 Susie Street, Lot No. 12, see Attachment A. for dimensions.
 - xii. 2124 Susie Street, Lot No. 13, see Attachment A. for dimensions.
- B. Legal Descriptions: At this time, individual legal descriptions for the lots have not been created.

3. Current Status of Property:

- A. This property is zoned as a PUD.
- B. These are vacant lots. The property improvements have included water, sewer, storm water, road, rain gardens and restored creek.
- C. The property is vacant and being developed as a green built affordable housing development.
- D. Project Valuations:

Item:	Per Lot:	Total:
Land*	0	0
Infrastructure	\$37,500	\$450,000
Housing Construction:		
Lot No. 1**	\$160,000	
Lot No. 3	\$158,859	
Lot No. 4	\$154,209	
Lot No. 5	\$152,798	
Lot No. 6	\$146,200	

Lot No. 7**	\$150,000	
Lot No. 8**	\$160,000	
Lot No. 9**	\$160,000	
Lot No. 10**	\$160,000	
Lot No. 11**	\$180,000	
Lot No. 12	\$177,725	
Lot No. 13**	\$160,000	
Total		\$2,369,791

*This property has been owned by HAND since 1991. It was left over from a previous development. As the City is a local unit of government, no taxes have been paid on this property since that time. The value of the land/lots is directly related to the infrastructure.

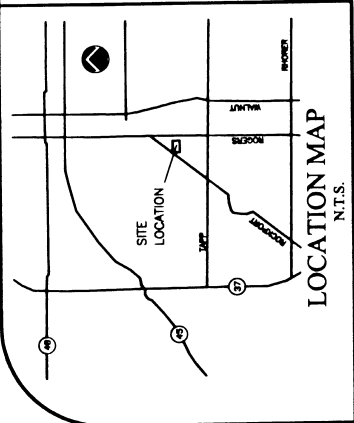
**Estimated costs at this time.

- E. These homes will be green built and are attempting to obtain Leadership in Energy and Environmental Design (LEED) Gold certification. See Attachment B for house designs.
4. Proposed Improvements:
- A. HAND will be developing twelve (12) green built, LEED certified affordable housing units. The total costs are outlined above. These homes will be built from materials discounted by Lowe's Home Improvement Center, have photovoltaics donated by Duke Energy and limestone donated by Bybee Stone.
 - B. See Attachment B.
 - C. The infrastructure has been completed. It included water, sewer, storm water, road, rain gardens and restored creek.
 - D. Construction of the first house should commence by the end of October 2006 and the first phase (five houses) should be completed in spring of 2007. The entire project should be completed by the end of 2008.
 - E. This is not a job creation project. Jobs will be created/retained in the construction industry to construct these homes.
 - F. This project will have beneficial economic benefit on the City by creating 12 new affordable housing units on previously vacant land owned by the City and will be built with local labor.
5. Eligibility:
- A. This property has been difficult to develop because of the size, placement of power lines, the location of the creek, the required detention pond for an adjacent neighborhood, and the lack of infrastructure. This project has been accepted into the LEED-H pilot program and will be a demonstration project for this type of building standards for this area.
 - B. This project will not create new jobs.
 - C. See attached Statement of Benefits form.

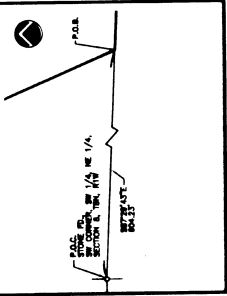
Attachment A

EverGreen Village Subdivision FINAL PLAT

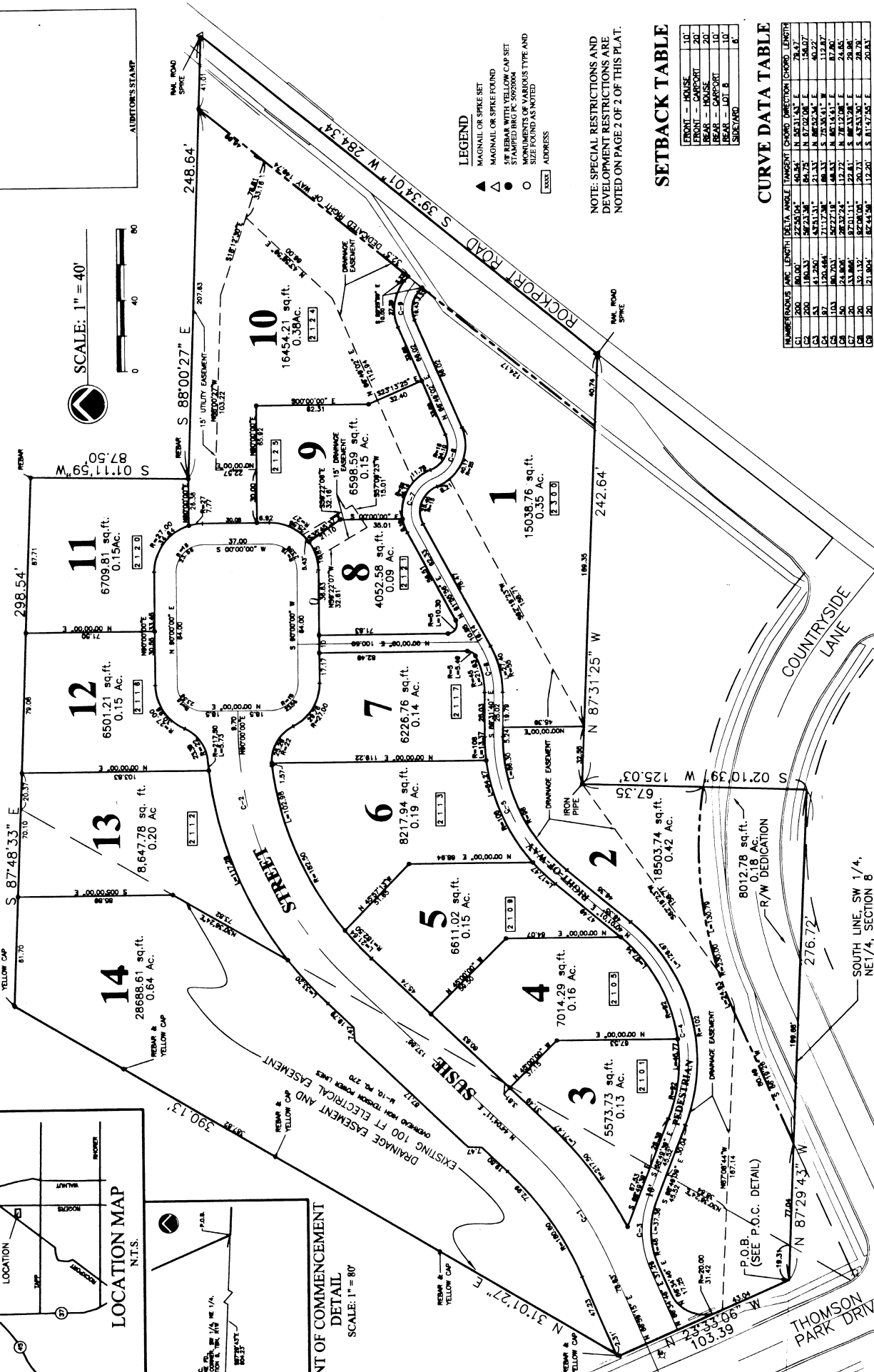
CITY OF BLOOMINGTON REDEVELOPMENT COMMISSION



LOCATION MAP
N.T.S.



POINT OF COMMENCEMENT
DETAIL
SCALE: 1" = 80'



LEGEND
 ▲ MAGNAIL OR SPIKE SET
 ● MAGNAIL OR SPIKE FOUND
 ○ 5/8" REBAR WITH YELLOW CAP SET
 ○ MONUMENTS OF VARIOUS TYPE AND SEE FOUND AS NOTED
 [] ADDRESS

NOTE: SPECIAL RESTRICTIONS AND DEVELOPMENT RESTRICTIONS ARE NOTED ON PAGE 2 OF THIS PLAT.

SETBACK TABLE

SETBACK	MINIMUM	MAXIMUM
FRONT - HOUSE	10'	15'
FRONT - GARAGE	20'	25'
REAR - HOUSE	10'	15'
REAR - GARAGE	10'	15'
SIDEYARD	5'	8'

CURVE DATA TABLE

STATIONING	P.C.	P.T.	CHORD BEARING	CHORD LENGTH	DELTA ANGLE	TANGENT LENGTH	ARC LENGTH
1+00	1+10.39	1+20.78	S 87°31'25" W	103.39	90.00	51.96	15.84
1+20	1+30.78	1+41.17	S 87°31'25" W	103.39	90.00	51.96	15.84
1+40	1+51.17	1+61.56	S 87°31'25" W	103.39	90.00	51.96	15.84
1+60	1+71.56	1+81.95	S 87°31'25" W	103.39	90.00	51.96	15.84
1+80	1+81.95	1+92.34	S 87°31'25" W	103.39	90.00	51.96	15.84
1+92.34	1+92.34	1+92.34					

PROJECT #5198
SHEET 1 OF 2

Bledsoe Riggert Guerretaz
 LAND SURVEYING & CIVIL ENGINEERING
 1351 W. Tepp Road, Bloomington, IN 47403 P 812-338-8277 F 812-338-0817

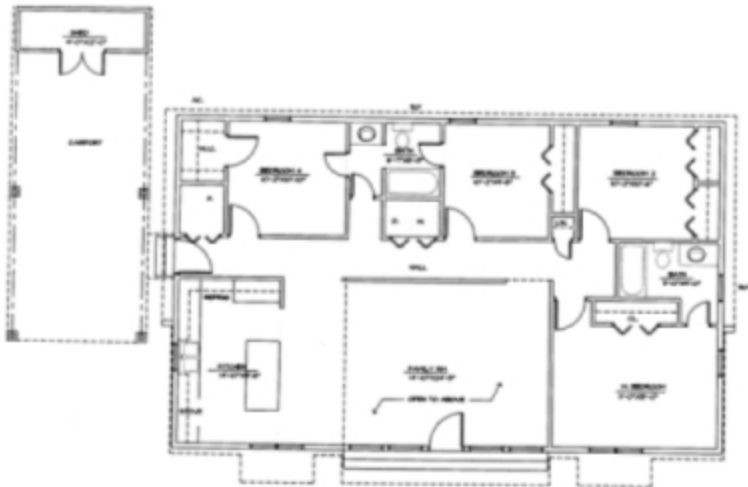
Prepared by:
 SOUTH LINE, SW 1/4,
 NET 1/4, SECTION 8
 THOMSON PARK DRIVE
 P.O.B. (SEE P.O.C. DETAIL)
 25-55-06
 103.39
 PLAT DATE:
 MAY, 2006

Attachment B

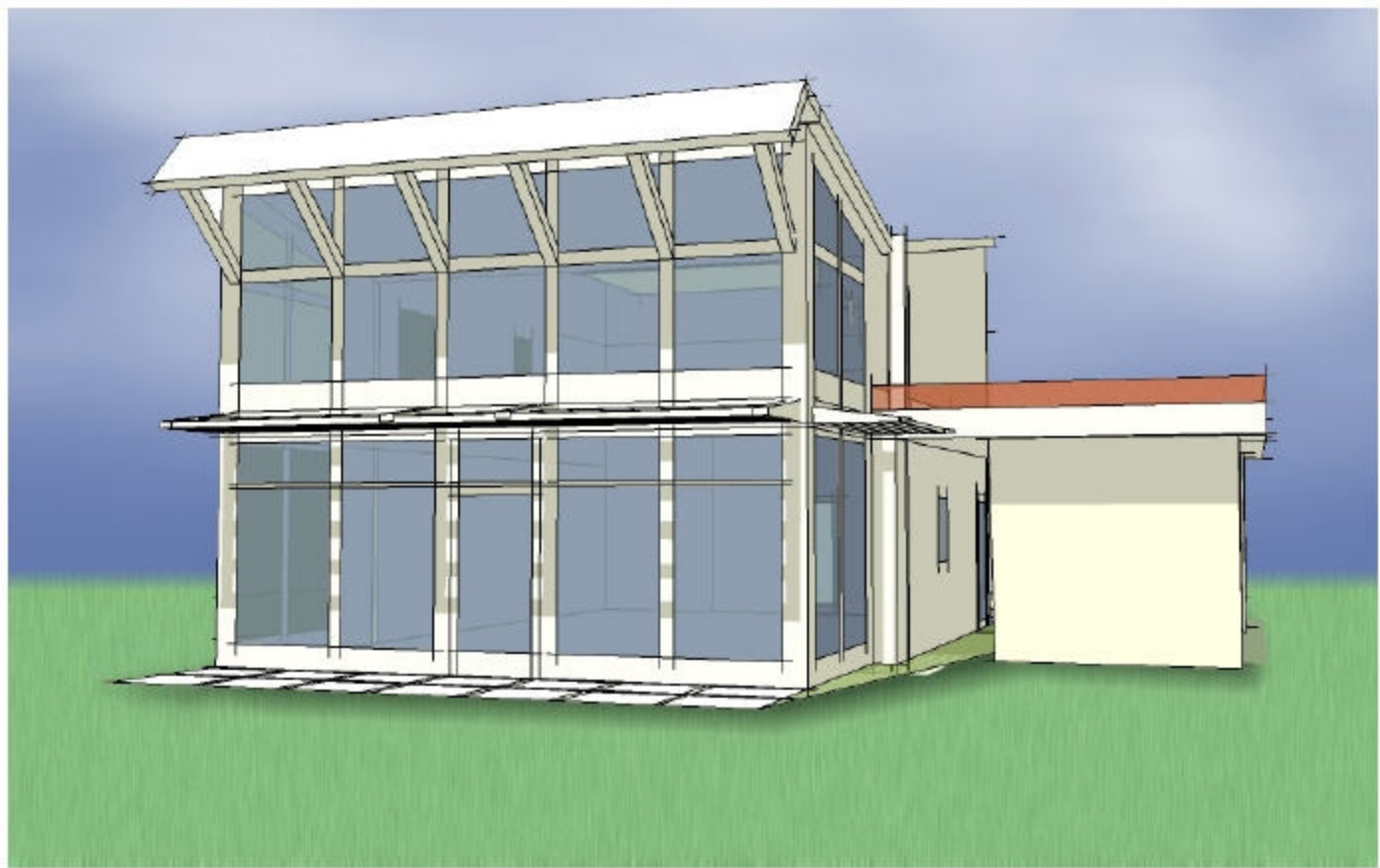


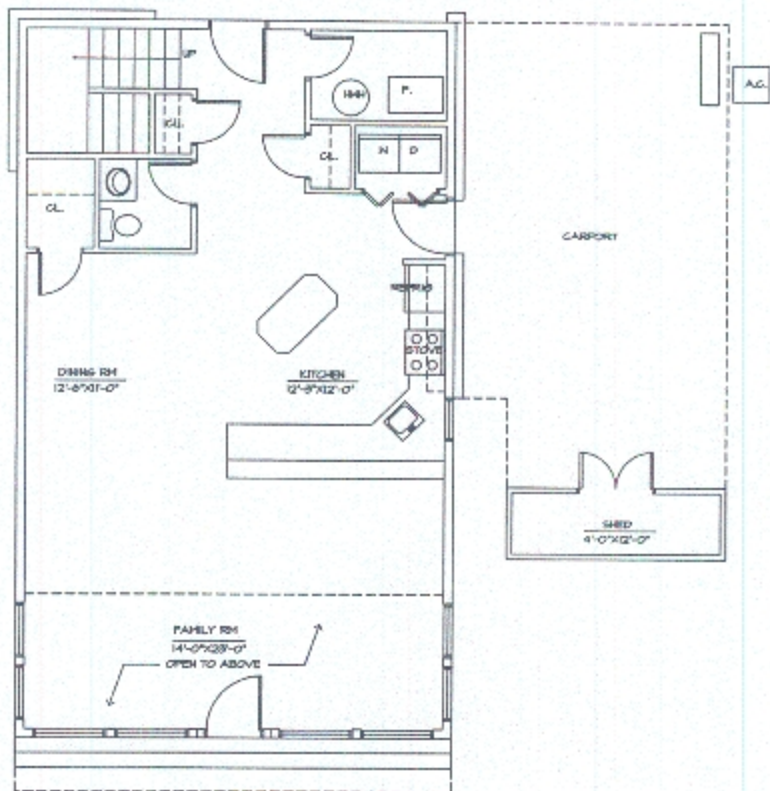






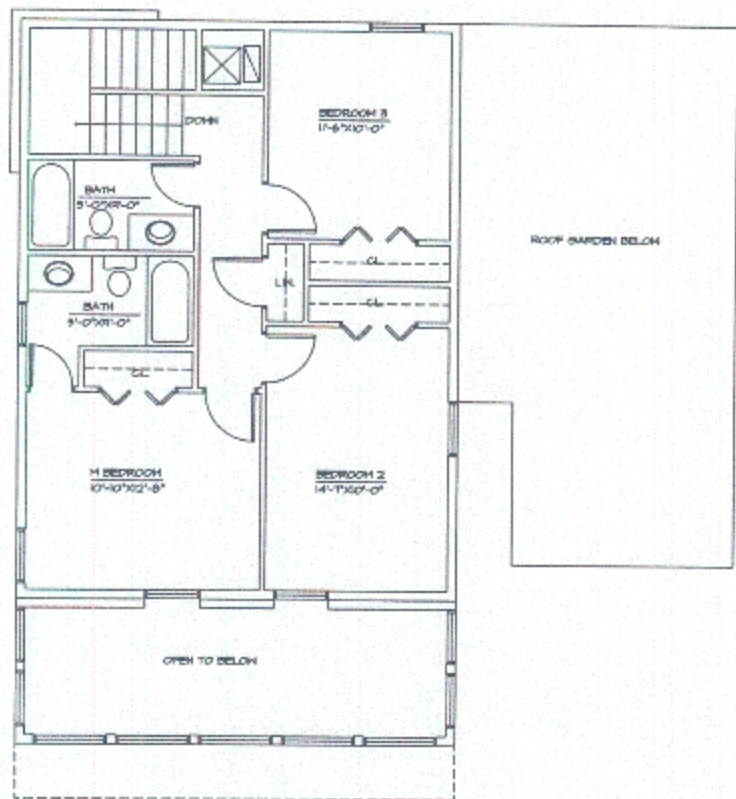

PROTOTYPE II
FIRST FLOOR PLAN
 SCALE: 1/4" = 1'-0"



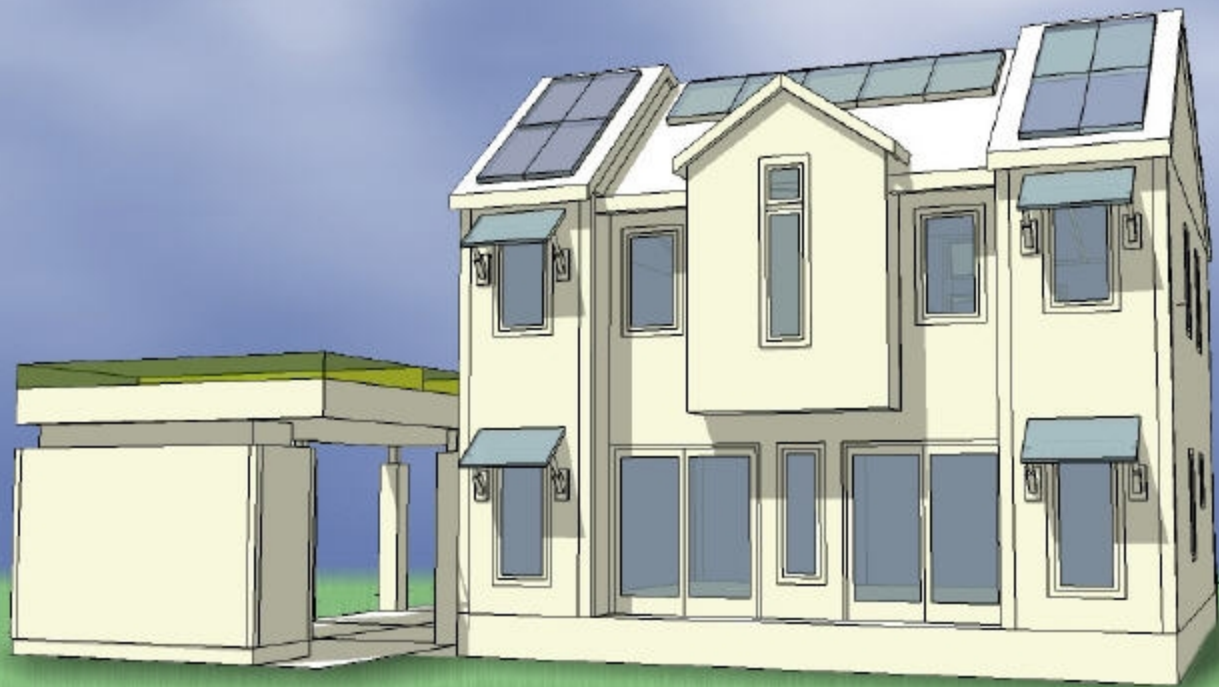


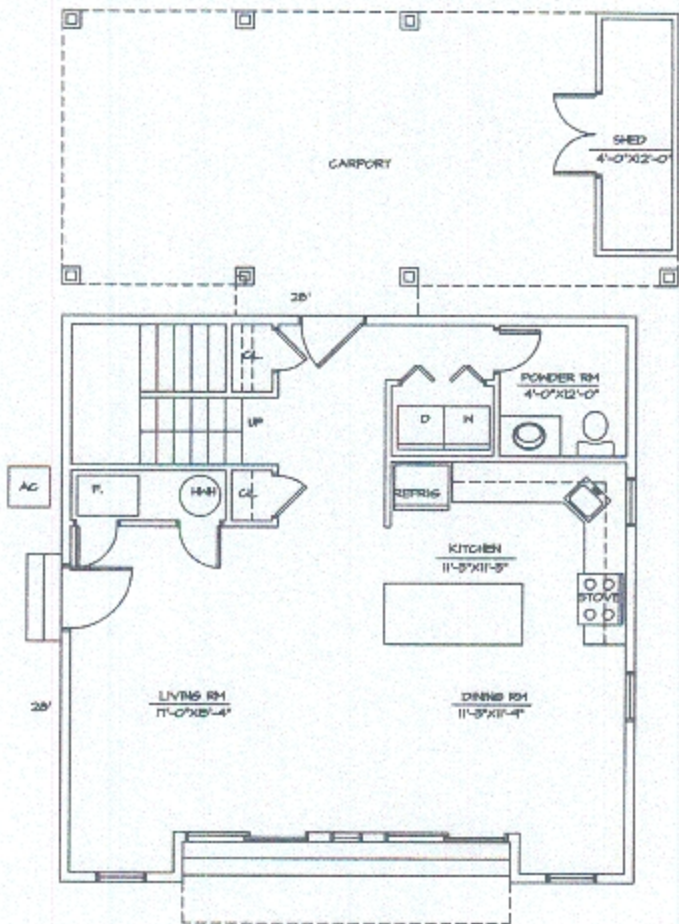
1
A-1

PROTOTYPE III
FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

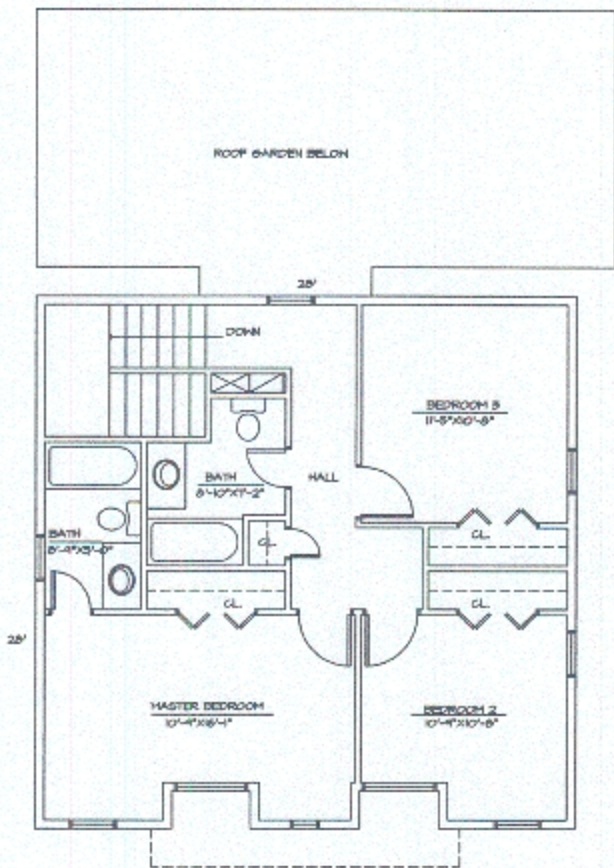



PROTOTYPE III
SECOND FLOOR PLAN
 SCALE: 1/4" = 1'-0"





1
 A-1
 PROTOTYPE IVa
 FIRST FLOOR PLAN
 SCALE: 1/4" = 1'-0"



1
A-2

PROTOTYPE IVa
SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

ORDINANCE 06-23

**TO DESIGNATE AN ECONOMIC DEVELOPMENT TARGET AREA (EDTA) -
Re: 2300 Rockport Road and 2101, 2105, 2109, 2112, 2113, 2116, 2117,
2120, 2121, 2124, and 2125 Susie Street
(City of Bloomington Housing and Neighborhood Development Department, Petitioner)**

WHEREAS, Indiana Code 6-1.1-12-7(a) authorizes the Common Council to designate an area as an Economic Development target Area; and

WHEREAS, statutory criteria require that an area so designated must be an area that:

- (1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvement or character or occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevented a normal development of property or use of property; or
- (2) is designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under Indiana Code 36-7-11, 36-7-11.1 or 14-3-3.2; or
- (3) encompasses buildings, structures, sites or other facilities that are:
 - (A) listed in the national register or historic places under the National Historic Preservation Act of 1966; or
 - (B) listed on the register of the Indiana historic sites and historic structures; or
 - (C) determined to be eligible for listing on the Indiana register by the state historic preservation officer; and

WHEREAS, on October 20, 2006 the City of Bloomington Economic Development Commission held a hearing to consider the request to designate the lots located at 2300 Rockport Road and 2101, 2105, 2109, 2112, 2113, 2116, 2117, 2120, 2121, 2124, and 2125 Susie Street, Bloomington, Indiana, as an Economic Development Target Area; and

WHEREAS, at the conclusion of the hearing, the Economic Development Commission adopted Resolution 06-01, which recommended that the Common Council designate the above-described area as an Economic Development Target Area in compliance with Indiana Code 6-1.1-12.1-7(a);

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

SECTION 1. The lots located at 2300 Rockport Road and 2101, 2105, 2109, 2112, 2113, 2116, 2117, 2120, 2121, 2124, and 2125 Susie Street, Bloomington, Indiana are hereby designated as an Economic Development Target Area under the authority of Indiana code 6-1.1-12.1-7(a).

SECTION 2. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2006.

CHRIS STURBAUM, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2006.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2006.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance designates the lots located at 2300 Rockport Road and 2101, 2105, 2109, 2112, 2113, 2116, 2117, 2120, 2121, 2124, and 2125 Susie Street as an Economic Development Target Area (EDTA). This designation was recommended by the Economic Development Commission and will enable the single family affordable homes proposed for these lots to be eligible for tax abatement. Final approval of the tax abatement for the construction of the single family affordable homes will also require the adoption of an initial and confirming resolution, which will designate these lots as an Economic Revitalization Area (ERA), approve the statement of benefits, authorize a period of abatement and waive certain statutory requirements.

**RESOLUTION 06-01
OF THE
ECONOMIC DEVELOPMENT COMMISSION
OF THE
CITY OF BLOOMINGTON, INDIANA**

WHEREAS, Indiana Code §6-1.1-12.1-7 specifies that an economic development target area may be designated by the Common Council after a favorable recommendation by an economic development commission; and

WHEREAS, the Bloomington Economic Development Commission, at the request of the petitioner, the City of Bloomington Department of Housing and Neighborhood Development, held a meeting on October 20, 2006 to consider petitioner's application for a economic development target area designation of an area located at 2300 Rockport Road and 2101, 2105, 2109, 2112, 2113, 2116, 2117, 2120, 2121, 2124, and 2125 Susie Street, in the City of Bloomington, Indiana; and

WHEREAS, the Commission has determined after the meeting that the application falls within the statutory qualifications in Indiana Code §6.1.1-12.1-7 and has voted approval of the designation;

NOW THEREFORE, BE IT RESOLVED by the Bloomington Economic Development Commission that the Commission recommends to the City of Bloomington Common Council that an ordinance be passed designating the above described location as an economic development target area.

PASSED this 20 day of OCTOBER, 2006.



Dick McGarvey, President

Approved this 20 day of OCTOBER, 2006

MEMORANDUM

To: City of Bloomington Common Council
From: Ron Walker, Director of Economic Development
Danise Alano, Assistant Director of Economic Development
Date: October 23, 2006
Regarding: *Ordinance: 06-23*
Designation of an Area as an Economic Development Target Area

This Ordinance is related to Resolutions 06-13 and 06-14 which each designate an Economic Revitalization Area (ERA), approve a Statement of Benefits and authorize a period of abatement. Specifically, these resolutions refer to 12 new LEED-certified, affordable single-family homes to be built by the City's Housing and Neighborhood Development Department on property currently owned by the City of Bloomington Redevelopment Commission at 2300 Rockport Road and 2101, 2105, 2109, 2112, 2113, 2116, 2117, 2120, 2121, 2124, and 2125 Susie Street.

The Office of the Mayor supports this project and recommends the adoption of Ordinance 06-23.

Designation of this property area as an EDTA is required under current law (IC 6-1.1-12.1-3(e)(11)) because a tax abatement may not be awarded to a residential facility unless:

1. it is a multifamily facility that includes at least 20% of the units for low and moderate income users; or
2. **it is located in an EDTA;** or
3. it is in a "residentially distressed" area (which requires additional specific findings regarding loss and/or deterioration of housing in the area).

Although the entire development will be 100% affordable and will only be open to homeowners earning at or below 80% of the Area Median Income, current law requires designation of the site(s) as an EDTA because the project is not a multi-family facility and is not in a "residentially distressed" area.

The qualifications for an EDTA designation are contained in Indiana Code 6-1.1-12.1-7. The geographic area designated as an EDTA must be an area that:

1. Has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvement or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevented a normal development of property or use of property; or
2. Is designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction of a preservation commission organized under Indiana Code 36-7-11 , 36-7-11.1, or 14-3-3.2; or
3. Encompasses buildings, structures, sites or other facilities that are:
 - a. listed on the national register of historic places under the National Historic Preservation Act of 1966; or
 - b. listed on the register of Indiana historic sites and historic structures; or
 - c. determined to be eligible for listing on the Indiana register by the state historic preservation officer.