In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, March 29, 2017 at 6:30 pm with Council President Susan Sandberg presiding over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
March 29, 2017

Roll Call: Sturbaum, Ruff, Chopra, Granger, Sandberg, Mayer, Piedmont-Smith, Volan, Rollo
Absent: None

ROLL CALL
[6:30pm]

Council President Susan Sandberg gave a summary of the agenda.

AGENDA SUMMATION
[6:31pm]

It was moved and seconded to appoint Kristina Wiltsee to the Environmental Commission.

The motion was approved by voice vote.

APPOINTMENTS TO BOARDS AND COMMISSIONS
[6:34pm]

It was moved and seconded that Resolution 17-15 be introduced and read by title and synopsis only. The motion was approved by voice vote. Deputy Clerk Stephen Lucas read the legislation by title and synopsis.

LEGISLATION FOR SECOND READING AND RESOLUTIONS
[6:35pm]

It was moved and seconded that Resolution 17-15 be adopted.

Thomas Cameron, Assistant City Attorney, explained that for years the city and county had handled building code administration through an interlocal agreement. He noted that the proposed agreement would extend that arrangement for an additional year under substantially the same terms as had been used for the last few years.

Resolution 17-15 – Approval of Interlocal Cooperation Agreement Between the City of Bloomington and Monroe County, Indiana – Re: Building Code Authority

Councilmember Chris Sturbaum asked why the resolution only extended the agreement for one additional year.

Cameron answered that previous agreements had been extended for varying lengths of time. He said that the many moving parts in the community made a shorter extension more appropriate so that it could be reviewed to make sure it still made the most sense for both parties.

Council Questions:

Councilmember Dorothy Granger said she appreciated what the county did for the city in regard to the agreement, and was pleased that the Council could reapprove the interlocal agreement.

Sturbaum said the county did a good job in administering the building code, and wanted to continue with the arrangement.

Councilmember Tim Mayer thanked staff for putting the agreement together.

Council Comment:

The motion to adopt Resolution 17-15 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Resolution 17-15
[6:38pm]

It was moved and seconded that the Council consider the package of resolutions related to proposed annexations in the following manner:

Motion Regarding Consideration of Annexation Resolutions

"First, prior to the formal introduction of the resolutions, the City Administration will be given time to make a presentation regarding the annexation process, rationale, and its estimated effects, and address questions previously raised but unanswered.

Second, Council members may then ask general questions of the presenters.

Third, once Council members have finished asking questions about annexations in general, the Council will consider the resolutions one resolution at a time as they appear on the agenda. After introduction of the resolutions, the City Administration will have an opportunity to address the resolution and then the Council may ask questions regarding the resolution.

Fourth once the Council members have finished asking their questions, then the members of the public will have an opportunity to address that resolution and any amendments that may be offered in regard to it. The comments should be concise and address the resolution (or amendment). If the question is of a general nature, it should be in the context of the territory proposed to be annexed by the resolution. The Council requests that those members of the public who wish to speak:

- line up at one of the two podiums;
- sign-in on a sheet at the small table near the podium before you approach the podium to speak
- approach the podium and state your name
- be concise and speak for no more than three minutes
- you may speak no more than once at each opportunity for public comment; and
- please hand any written materials to the City Clerk for distribution to the Council.

Please note that the Council respectfully requests that the audience not interrupt the deliberations (by applause or by other action) in order to foster an orderly deliberation and allow speakers to make their comments at a reasonable hour this evening.

Fifth, after the public has had their turn to comment, Council members may ask further questions and hear further answers as necessary, before making concluding comments and entertaining a suitable motion in regard to each piece of legislation."

The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0

Vote on Consideration of Annexation Resolutions [6:43pm]

Mayor John Hamilton gave the following statement:

Annexation Resolutions Discussion

Good evening, and thank you for this opportunity to talk about the proposed annexations that will significantly chart the future course of our community.

This past week we hosted at City Hall six information sessions where we provided answers to individual property owners about how annexation would affect them, and recorded their comments on computers, note cards, or through a court reporter. I want to thank my staff for the many hours spent preparing for and attending those meetings, and the hundreds of area residents who were welcomed to City Hall, many for the first time; we deeply appreciate that they came to participate in this important civic exercise.

The goals for those meetings were equally to give and receive information. We were able to address many concerns and we learned much in return. Several City Council members were there to listen and learn. Thank you, Councilors, for your active participation.

Tonight we are asking you to adopt resolutions and a fiscal plan, and introducing annexation ordinances for your consideration over the next few months. I appreciate the chance to comment generally and also to address some common issues expressed during the two months since we first proposed that you consider annexation.

I will try to be concise in my comments, as I know many people here tonight want to be an active part of this process, which is absolutely as it should be. People care deeply about the future of this community and want a voice in that future. This is not an "us and them" issue; this is an "us and us" issue. The decisions made about our city boundaries will affect each of us, and future residents, whether in the city boundaries or outside them. All city residents are also County residents, and many many non-city but County residents work, shop, play and travel in and through the City. And I want explicitly to thank my county and township government colleagues for continuing our long-standing dialogue about how best to cooperate and deliver services to the people who pay our salaries and expect and trust we'll cooperate to be as efficient and effective as we can be.

Tonight I want to talk about why we are here, how we got here, and why I believe that annexation of each of the 9 proposed areas is the right path forward for all of us. Not that every detail is fixed or decided -- there is plenty of time to consider many details -- but that the big picture is the right path.

Let's take a deep breath, and start with the big question: Why are we proposing annexation? The answer is not a sound bite. It requires a thoughtful examination of the roles of county and city governments, the most efficient way to provide services to residents, the rights and responsibilities of the residents those governmental bodies are in place to serve, and the best way to pursue the long-term health and success of the community each of us loves and chooses to call home.

There is a separation of duties between city and county governments. For good reasons our forebears developed this system of governing, and it's why, 199 years later, it still exists and functions to our mutual benefit. City government is designed to support and serve developed, urbanized areas. It provides specific services for residents in developed areas: Public Works, among other things, provides and maintains streets and sidewalks and stop lights, animal control, snow removal

Annexation Resolutions Discussion (*cont'd*)

and street cleaning. Sanitation - removal of solid waste and handling of recyclable materials. Police and Fire Departments - fundamentally keep our residents safe, from criminal activity and other threats to human well-being. Housing and Neighborhood Development (or HAND) - enforces codes that ensure safe and livable housing, and provides financial and other support to make neighborhoods places we want to live and raise our families. Planning and Transportation - manages appropriate development and multi-modal transportation options. Economic and Sustainable Development - encourages a healthy and vibrant business community and supports the arts and sustainable business practices throughout Bloomington. Information and Technology Services serves employees of the City and residents with low-barrier access to public information and, we hope soon, access to advanced broadband service that could play a central role in our community's economic prosperity. The Community and Family Resources Department provides access to programs and education that improve quality of life and celebrate the things that make our community unique. City of Bloomington Utilities provides safe, high-quality drinking water, sewer service and stormwater management. The Bloomington Transit system provides public transportation options at reasonable cost to many areas of the city, including door-to-door transport throughout the city for disabled residents and those with special needs. And our Parks and Recreation Department provides myriad opportunities for residents of all ages for fun, education, recreation and healthy living in more than 40 parks and miles of trails.

County and township government has its own set of responsibilities: among others, running our jail and court system, maintaining vital county records in the recorder's office, handling all county taxation in the auditor's office, maintaining county roads and all bridges in the City and County, managing public safety in the non-city areas of the County through the Sheriff's Department, addressing public health issues, and, through the townships, providing essential fire safety coverage beyond the reach of municipal fire and offering last resort aid to County residents in need. Some County government responsibilities like the courts, serve the entire county, many other services are generally designed to serve a subset of the county -- the rural, non-urbanized areas.

So part of what annexation does, through time, is assure that each governmental entity has, according to its design, the ability to provide the specific roles and responsibilities related to the overall nature of the areas they govern. It helps government efficiency.

I want to note here that both our County and City local governments are effective and efficient. We get a lot of bang for our tax buck here. In fact, our property tax rates are among the lowest in the state. When comparing the 20 most populous Indiana cities, I bet it's surprising to many to know that a resident in the City of Bloomington pays lower tax rates than residents of every other city except one. That is, we are 19th in property tax rates of those 20 large cities. And by the way, we are the lowest tax rate of the vast majority of surrounding cities and towns as well -- lower than Bedford, Columbus, Martinsville, Seymour, Franklin, and Ellettsville. The County itself also ranks extremely well, as 16th out of the 20 most populous Indiana counties. With lower tax rates than all of our neighboring counties: lower rates than Lawrence, Owen, Brown, Bartholomew, Greene, Morgan and Jackson.

Annexation Resolutions Discussion (*cont'd*)

These are encouraging and important statistics, and we can be proud of the work our local governmental bodies do together. And going forward, we must keep in mind the distinct and unique missions of the county and the city.

Annexation also allows us to manage and direct growth effectively. Our attractive environment and high quality of life bring people and business and educational institutions to our area. We have grown in both population and urbanized land use over time. Successful communities grow. Certainly it must be responsibly managed, but that growth is the sign of a thriving, vibrant community. That vibrancy is why so many of us choose to live here and why we must continue to be forward thinking and acting, just as those who provided vision and leadership before us.

Growth has caused the landscape of our community to evolve. Areas that were once undeveloped are now urbanized. What was once rural is now the sites of our homes, businesses and schools. As a community, we have changed and evolved. Some of what were once areas very appropriate for County government to serve directly -- which they've done well -- are now areas appropriate for City government to serve.

Let's look at our history to put this into context. The City of Bloomington has annexed dozens of times over our 199 year history. This is not a new concept. Over the last 12 years our county population has grown by 21 thousand and urbanization is spreading, but our municipal boundary has remained fixed. Looking at our history of annexation beginning in 1970, we've generally followed the urbanizing areas, as you can see, decade by decade up to the current proposal. In 1990 only 15% of the county's urbanized area was not in the city, but today nearly double that, 27% of the urbanized area is outside city boundaries. The annexations we are proposing would leave approximately 12% of our urbanized area outside the City of Bloomington - roughly the same proportion as the City's boundaries in 1990.

Of course it's important to note that some of the areas now proposed for annexation were identified as literally, "AREAS INTENDED FOR ANNEXATION," over a decade ago. And most importantly, residents who have lived here for some time are well aware of the "two mile fringe" - the orange areas that the City and County defined and assigned City zoning responsibilities for - The concept of the two mile fringe dates back 50 years to a 1967 ordinance assigning the city zoning responsibility, and continued with interlocal agreements in 1997 and 2007 - recognizing that the areas eventually likely would be part of the City. That cooperative zoning agreement was then allowed to lapse by the prior administration, which I believe was a mistake.

What would Bloomington's growth look like if we had not annexed in the past? If Arden Place were not in the city? Or Green Acres? Or Broadview? Or Renwick? Or Griffy Lake? Or Crestmont? Or the Stands? Or Whitehall Crossing? Or Arlington Valley.....

What will it look like if we do not annex now? Without appropriate services being applied consistently throughout the urbanized areas, a patchwork of services and costs will emerge, some publicly provided and some provided by private entities, often at higher cost, and some not provided at all. Some substantially urbanized areas could attempt to incorporate themselves, leading to inefficient delivery of services, divided communities, and haphazard growth practices. This has happened in other communities to their detriment - think of the

Annexation Resolutions Discussion (*cont'd*)

"region" in the northwest corner of Indiana, with some of the highest tax rates and deep rooted fiscal issues in the State. Think of Lafayette and West Lafayette, split into two communities. Or unannexed areas in the donut counties around Indianapolis - where tax rates in some of the unincorporated townships are higher than those paid by our City residents.

Growth has been successfully managed in the past and we are well positioned to do it again now. We have proposed an annexation process of nearly three years in duration, to work on the many fine details that will need to be addressed. Some people are concerned about fire protection services, some are concerned about utility services or zoning or regulations or open burning. Each concern is worthy of consideration and discussion. With annexation effective in 2020, City, County, and township governments will have plenty of time to work together collaboratively to decide how best to provide the services each governmental entity is charged with, transferring responsibility of some important services and building additional infrastructure to accommodate others, and doing it in the most efficient, appropriate and cost effective manner possible. Good specific conversations are already happening about fire services, for example, and traffic signals, and shared construction projects, and more. Our track record proves that with input from all concerned and with mutual cooperation, we can complete an annexation that will lay the groundwork for a successful and exciting future.

Let's be frank that expanding our city boundaries does also have small "p" political effects. It will mean that the people who live in significantly urbanized areas that lie just outside the municipal boundaries, and who benefit from many of the advantages of being in the City, will finally have a vote and a voice when it comes to important decisions that already affect them. It means that those residents will now have a direct voice in matters before our City Council and our dozens of City Boards and Commissions. Additional voices, different voices, in my view, will strengthen our city. It will also mean they have access to programs and services offered to City residents - like Housing and Neighborhood Development programs and sanitation services at lower rates than they pay now. Annexation will give those new residents of the City all the benefits, rights and responsibilities of where they often already work, play and do business. Yes, with increased services it will mean for many some increase in property taxes. We absolutely can work toward solutions for those to whom that would present an undue burden. And let me say clearly that annexation is not an effort to change the character of our neighborhoods - we value the diversity that each neighborhood offers its residents. Again, this is not a question of us and them. It is us and us. We are all a part of the same future, and we should all have the benefits, rights and responsibilities that create that future - together.

And that in the end is perhaps the most important issue. Are we one Bloomington or not? Are we going to continue to grow to include all the people who are part of our urbanized, evolving community, as we have done for 199 years, or are we not? Beyond efficiency of government, and managing growth, and political engagement, the question is shouldn't our community indeed be one community -- one diverse, varied, creative, active, energized, engaged, opinionated community?

Annexation Resolutions Discussion (*cont'd*)

We have real challenges before us, our wider regional community. The new I-69 corridor must be managed and zoned to achieve good outcomes. Our infrastructure is in need of improvements. We face serious social and health challenges. We need more and higher-paying jobs, and industry needs a workforce that is trained and ready to do the work that needs to be done. Our schools and our school children need our attention and support. We must meet the demands of an increasingly technologically sophisticated society.

We have a lot on our plates in the city, besides annexation, from the Comprehensive Plan and the Unified Development Ordinance, to affordable housing strategies, to growing our economy, to the Convention Center, the Trades District, Switchyard Park, our Bicentennial, Lake Monroe, city-wide fiber, and Local Food, and improving our Energy and Sustainability, and more. And nearly all of it involves collaborating with our friends in county government and beyond.

We in government cannot afford to duplicate services or inefficiently allocate our assets, be they human, economic or social. We must work together and do our assigned tasks to the best of our abilities, keeping in mind our shared goals of economic prosperity and domestic happiness.

Generations of our predecessors recognized the benefits of appropriate growth and change and so must we. Change is challenging. It can be difficult and complicated. But we have consistently risen to those challenges in a thoughtful and collaborative fashion. We have in the past, and we can and should do so going forward.

I strongly urge you to move this process forward tonight -- remembering we're still not even halfway through the formal period of review -- so we can continue to meet and discuss the proposed city boundaries, the challenges and opportunities for joint services, the fiscal pressures and opportunities. Let the robust dialogue continue over the next 3 months before any final vote in June.

Our community -- our county, our city, our region -- we have a very positive future together. I'm confident in a bright path ahead. I believe this annexation plan will strengthen our community economically -- it's good for business and job growth, and will strengthen us regionally. We need to keep moving forward and addressing all these issues, with transparency and good will. That has and will continue to characterize our approach. And I thank you sincerely for playing your positive role in that process as well. Thank you for your time and attention this evening.

Philippa Guthrie, Corporation Counsel, spoke about the process of annexation, explain the purposes of the legislation being considered. She briefly outlined the annexation process, and where the city was in that process. She said that Area 1 had been divided into Areas 1a, 1b, and 1c, and explained that subdividing Area 1 had been proposed to avoid any legal concerns involving contiguity. She emphasized the fluid nature of the process, and said the plan could continue to change up until the final meeting. She requested that the Council adopt the resolutions and introduce the ordinances. She detailed the upcoming steps in the process, which involved additional public meetings. She repeated a request to follow the proposed schedule, and listed a number of reasons to do so, including a concern about possible action by the state legislature.

Annexation Resolutions Discussion (*cont'd*)

Jeffrey Underwood, Controller, spoke about the proposed fiscal plan attached to the proposed resolutions. He cited the statute that required a fiscal plan when a city annexed territory, and detailed the nine items that were required in such a fiscal plan. He noted that Bloomington's fiscal plan included those nine elements, plus additional information that was not required by law. He said the fiscal plan was available on the city website, and paper copies were available at various locations. He listed the broad topics contained within the fiscal plan. He noted the city had already made investments in the areas proposed to be annexed, including sewer lines and water lines. He explained the contiguity of the proposed areas to the current city boundaries, along with current land use of the proposed areas. He said that a number of parcels in the proposed areas were subject to sewer waivers, which prevented those parcel owners from contesting the proposed annexation.

Eric Reedy, CPA, introduced himself as the city's financial advisor for the annexation. He displayed various slides that contained selected information from the fiscal plan, including: property tax rate information and comparisons, information regarding municipal services, an overview of the fiscal impact to the City, a projected fiscal impact on overlapping taxing unit, budget information for various townships and taxing entities in Bloomington and Monroe County, and summary data resulting from a parcel by parcel analysis. Reedy, along with Underwood, described other possible fiscal impacts on affected parcels.

Council Questions:

Councilmember Steve Volan asked if the city would force houses with septic systems to connect to the city sewer and water systems.

Underwood said no, that ensuring functioning septic systems was a county function. He said that if a house had a functioning septic system, that the owner could not be forced to connect to the city's sewer system. He added that under certain conditions the county could force a property owner with a failing septic system to connect to the city's sewer system. He detailed other options for home owners to voluntarily connect to the city sewer system.

Volan asked if the city had any plans to add mains in any of the areas proposed to be annexed.

Underwood said the city had no plans to add mains in the areas proposed to be annexed.

Sandberg clarified that anything decided at the meeting would still be subject to change as discussions continued with stakeholders.

Underwood confirmed that was correct.

Sturbaum asked for information comparing the tax impact on a residential properties versus investments properties. He asked if the property tax impact would be different for those different types of properties.

Underwood explained that the taxes on a particular parcel were impacted by a variety of things, which was why the city did a parcel by parcel analysis.

Reedy added that caps on rates were different for homestead properties, which were capped at 1%, and for investment properties, which were capped at 2%.

Annexation Resolutions Discussion (*cont'd*)

Sturbaum asked what the difference in taxes would be for a $200,000 rental property versus a $200,000 residential property.

Reedy said he could do the calculations and provide the answer.

Councilmember Dave Rollo asked what proportion of the area proposed to be annexed was also in the area intended for annexation (AIFA), which was an area that had been agreed upon years ago with the county.

Underwood said he did not have an exact percentage, but the area proposed to be annexed would include almost all of the AIFA.

Councilmember Allison Chopra asked for more information regarding the term urbanized as that term was used in the annexation statutes.

Steve Unger, attorney with Bose, McKinney, Evans, explained the difference between urbanized and developed, and gave a summary of the statutory standards for determining whether an area was urbanized.

Councilmember Isabel Piedmont-Smith asked Unger to expand upon the other statutory tests to determine whether an area was urbanized.

Unger said other tests included determining whether an area was 60% subdivided, whether an area had three residents per acre (usually reserved for residential areas), and whether an area was zoned for commercial, business, or industrial use.

Piedmont-Smith asked whether all of the areas under consideration met one of those tests.

Unger said Area 7 did not, though there were two additional bases for annexation, which were whether an area had an economic development project, and whether the area was needed and could be used for the city's development in the future.

Volan asked why the effective date of the annexation would be January 1, 2020 instead of January 1, 2018, and asked what the typical timeframe for annexation was.

Unger detailed the possible effective dates for annexations under the statute, and explained that areas in fire protection districts had different applicable rules. He said that because certain areas proposed to be annexed could not have an effective date earlier than January 1, 2020, the city decided to set that date as the effective date for all areas.

Piedmont-Smith asked for comment about townships and fire districts that were concerned about losing revenues, and what those areas might do to make up for those shortfalls.

Reedy provided detail on how the rates would get applied after the annexation.

Piedmont-Smith asked if those taxing units could increase their rates to make up for the lost revenues.

Reedy said he did not believe they could, and that the only option would be to receive funds through the local option income tax.

Piedmont-Smith asked if the taxing units were at their maximum levies.

Reedy said he believed they were, but if not, that would be an option for replacing lost revenues.

Annexation Resolutions Discussion (*cont'd*)

Granger asked for an explanation of the impoundment fund.

Unger explained the statutory tests that required an impoundment fund, and the purpose of the fund.

Granger asked how many of the areas would need an impoundment fund.

Unger said Areas 1b, 1c, 3, 4, and 5 would have an impoundment fund.

Granger asked who would determine how the money in the funds would be spent.

Unger said the Council would ultimately determine how the money was spent, with an advisory board providing recommendations to the Council.

Volan asked what portion of current city residents did not have city sewer services

Underwood said over 99% of the area within city limits had city sewer and water services.

Volan asked for additional explanation about the revenues over costs projections, and for detail about the minimum and maximum costs used in the projections. He also asked how the city would decide what level of services to provide and thus where in that range the costs would fall.

Underwood explained that the statute required the city to determine what the minimum and maximum costs might be should the annexation happen. He said the city would be required to provide services in the same manner to the annexed areas as it did to the areas within the city. He said the city would prioritize basic services, and use a combination of revenues, cash on hand, and efficiency savings to provide services and a balanced budget.

Volan said that the city did not provide services in an even level to all areas within the city, and asked how the city determined what a sufficient level of service was for a particular area, e.g. an outlying area.

Unger provided an example of maintaining streets, and said that once an area had been annexed, its streets would be added to the city inventory of streets. The city would then prioritize projects, including any projects in the newly-annexed area, in the same way it prioritized projects for all city streets.

Reedy responded to Sturbaum's earlier questions regarding the tax impact on homestead property versus investment property. Sturbaum and Reed had additional discussion of the expected tax impact on each type of property, and how the rates for the different types of properties were applied, and what other factors affected the amount paid.

Piedmont-Smith verified that, if the city's costs were closer to the maximum projected costs, there may not be funds to put into any of the impoundment funds.

Underwood said that was correct.

Piedmont-Smith asked if there was a requirement to have money in the impoundment funds.

Underwood said only if the revenues exceeded the costs for the given area.

Annexation Resolutions Discussion (*cont'd*)

Volan verified that some property owners would see a reduction in taxes after the proposed annexation.

Reedy said that the property owners in question would not see much of a tax increase, but would still have certain deductions available to them.

Volan asked how many people would fall into that circumstance

Reedy said 225.

Reedy provided additional information regarding whether taxing units were at their maximum tax levies.

Sandberg asked for consideration from the members of the public and added additional explanation for the procedure of the meeting.

Resolution 17-16 – A Fiscal Plan and Policy Resolution for Annexing Contiguous Territory to the City of Bloomington, Monroe County, Indiana – South-West A Bloomington Annexation Area

It was moved and seconded that Resolution 17-16 be introduced and read by title and synopsis only. The motion was approved by voice vote. Deputy Clerk Lucas read Resolution 17-16 by title and synopsis.

It was moved and seconded that Resolution 17-16 be adopted.

Underwood said each area was detailed in the fiscal plan, and staff was available for additional questions about each specific area.

Council Questions:

Volan asked to display the map of the newly sub-divided Area 1. Volan and Underwood had discussion regarding the new boundaries of Area 1a. Volan asked for clarification for the reason Area 1 had been divided into Areas 1a, 1b, and 1c.

Guthrie explained it was done to meet contiguity requirements.

Public Comment:

Ryan Cobine, President of the Monroe County Council, spoke about the need for continued discussion, and some areas of concern for the county.

Geoff McKim, Monroe County Council, spoke about the proper figures needed for an accurate comparison of different budget metrics.

Marty Hawk, Monroe County Council, spoke about the potential fiscal impact of the proposed annexations on the county.

Julie Thomas, Monroe County Commissioner, spoke about the lack of notice about the proposed annexation, and against the proposed annexation in general.

Amanda Barge, Monroe County Commissioner, spoke about the need to coordinate and the need for additional time to consider the proposal.

Rod Young spoke about how the proposed annexation might affect affordable housing.

Jennifer Mickel spoke against the proposed annexation.

Michael Dyer spoke about the lack of coordination between local officials.

Diana Igo spoke against the annexation.

It was moved and seconded to introduce Amendment 01 to Resolution 17-16.

Amendment 01 to Resolution 17-16

Sturbaum spoke about the proposed amendment and about the need for additional time to consider the annexation proposals.

Council Questions:

Chopra asked if the amendment only related to Area 1a.

Sturbaum said the amendment only related to the area under discussion, but he had prepared amendments for other areas as well if the Council decided that such amendments were appropriate.

Chopra asked if the delay would change the effective date or simply the date the Council would consider the proposed annexations.

Sturbaum said it would add a few months to the timeline, but would still allow the Council to be done before the end of the year.

Volan asked Sturbaum if he had discussed the amendment with the administration, and what the administration's position on the amendment was.

Sturbaum said he had not discussed the amendment with the administration, as he understood that the administration had already communicated its preferred timeline.

Guthrie said the administration would be willing to work with any interested parties that needed additional information, but that the administration believed the additional time would not yield any additional information that would inform the Council's decision. She said the administration was also worried about the possibility of action by the state legislature that could affect the annexation process.

Volan suggested he may hold public meetings in each area, and asked if the administration would help with that.

Guthrie said the administration would be happy to support that.

Piedmont-Smith clarified that the effective date of the annexations would still be January 1, 2020 if the amendment passed.

Sturbaum confirmed that was correct.

Ruff asked about the flexibility of the schedule proposed by the amendment.

Sturbaum explained the language in the amendment.

Ruff asked whether not adopting the amendment would commit the Council to the timeline proposed by the administration.

Council Administrator/Attorney Dan Sherman explained how the timeline proposed by the administration would work and explained that delaying action would have practical impacts.

Volan noted that a provision in Amendment 01 was not needed.

Sherman explained the Council's options in deciding how to proceed if the Council chose to adopt the amendment.

Volan asked if the Council would be creating two annexation timelines if it adopted the timeline proposed by the amendment for some of the areas but not all of them.

Sherman confirmed, but suggested that the Council should address the questions to the administration.

Volan asked if Sturbaum's intent was to create two annexation timelines.

Amendment 01 to Resolution 17-16 (*cont'd*)

Sturbaum said he had prepared similar amendments for all areas except Areas 3, 4, and 5, so that the Council would have the option of delaying action for those areas if appropriate. He said he would be open to including Areas 3, 4, and 5 so that the annexation would have one timeline.

Piedmont-Smith pointed out the same unnecessary language in the amendment that Volan had pointed out and asked for additional clarification.

The Council and Sherman had additional discussion about the clause in question and options available to the Council should it wish to adopt the amendment.

Rollo asked the administration if there were any concerns with a postponement.

Underwood said there notices ready to be mailed out that had been paid for and prepared, which would need to be redone. He said the facilities for the public meetings had been secured, and would need to be reserved again. He said the consultants would need to make themselves available.

Guthrie added that delaying the timeline might impact the budget process for the city.

Chopra asked for additional information about how the annexation process might overlap with the budget process.

Underwood provided detail on how the budget schedule worked and why it might be difficult if the two processes overlapped.

Sturbaum pointed out that the amendment allowed the Council to delay the annexation process until after the budget, if it so desired.

Piedmont-Smith asked whether changes to state law typically became effective on January 1 or on July 1 in a given year.

Unger said annexation legislation typically became effective on July 1 of a given year.

Piedmont-Smith asked if the state bill that had been proposed relating to annexation procedures was dead.

Unger explained the recent developments to the bill and the potential changes to state law.

Piedmont-Smith asked if those proposed laws were likely to pass.

Unger said he could not answer that question.

Granger asked if the sewer waivers were contracts.

Unger said he thought there might be constitutional issues with invalidating those waivers.

Sandberg said she thought the administration's preferred timeline should not be characterized as a fast-track, and asked Sturbaum what he hoped to gain by delaying the legislation.

Sturbaum said the Council would be starting the clock that evening, and he thought people needed additional time to understand all of the impacts of the annexations to the parties involved.

Public Comment:

Carol Esquibell spoke in favor of the amendment.

Rita Barrow, Van Buren Township Trustee, spoke in favor of the amendment.

Amendment 01 to Resolution 17-16 (*cont'd*)

Julio Alonso, Board Chair for the Perry Clear Creek Fire Protection District, spoke in favor of the amendment.

Jennifer Mickel spoke in favor of the amendment.

Marty Hawk spoke in favor of the amendment.

Shelli Yoder, Monroe County Council, spoke in favor of the amendment.

Blue Butterfly Woman spoke in favor of the amendment.

Gary Roots spoke in favor of the amendment.

Tom Bowers spoke in favor of the amendment.

Council Questions:

Volan verified that the newly-annexed areas would not begin to pay property taxes that included municipal taxes until May 2021.

Underwood said that was correct.

Volan asked what the earliest date would be that another taxing entity would see a fiscal impact from annexation.

Reedy said 2021.

Volan noted that the 2018 and 2019 budget processes for the taxing units would be business as usual, and that there would be up to three years to plan for a transition.

Reedy said that was correct.

Council Comment:

Granger said she needed additional time to understand the proposals and wanted to continue working with county officials. She said she would be supporting the amendment.

Rollo said the amendment was well-intentioned, but he would not support it. He thought the risks of delaying were too great, especially regarding state action impacting local control. He thought the areas in question had been known for years, and there were years to work out the specifics. He wanted to continue working with the county and wanted to hear the concerns the county had, but would be voting against the amendment.

Volan spoke about the Council's legislative schedule and about the annexation process. He noted many of the meetings that had been held were not required by statute and that the actual decision date would not be until June. He said the questions from the county were legitimate questions and he took them seriously, but pointed out that there would be two months to answer those questions, which was more time than most other legislation the Council had considered. He thought there was enough time to do the work that needed to be done, and he was committed to working with the county officials and the public. He disagreed with the proposed amendment.

Piedmont-Smith said the annexation proposals were the most difficult decisions she had faced while serving on the Council, because the decision would impact thousands of people she did not represent. She said the fiscal plan needed work, though she thanked all involved for the work that had gone into it. She acknowledged that the fiscal plan could be amended later, though took the vote on the resolution as an adoption of the fiscal plan. She said she would be supporting the amendment, but noted many people living in the areas proposed to be annexed received the benefits of living in Bloomington without actually living in Bloomington.

Amendment 01 to Resolution 17-16 (*cont'd*)

Ruff said he concurred with the idea that those living near the city and receiving the benefits of living near the city should help buy into the community. He said he did not think the administration was trying to pull a fast one, and said they had been working tirelessly on the issue. But he noted the Council had not had enough time to review the information, and county officials felt the same way. He wanted to go out to all of the proposed areas himself, and said he needed more time to feel comfortable with it and to make the right decision. He thought concerns about the budget schedule or about possible state action should not force the Council to make a decision it would not make otherwise. He said he did not fully understand the fiscal impacts and needed additional time to do so. He said he would be asking the administration when notification was given to the county regarding the annexations. He said he would be supporting the amendment and any others that might be put forward.

Sturbaum agreed that the administration was not trying to pull a fast one, and thought the proposals might be good ideas, but said additional time was needed to work through them together.

Vote to adopt Amendment 01 to Resolution 17-16
[9:51pm]

The motion to adopt Amendment 01 to Resolution 17-16 received a roll call vote of Ayes: 4 (Sturbaum, Ruff, Granger, Piedmont-Smith), Nays: 5, Abstain: 0.

Council Comment:

Chopra said would be voting yes on the resolution as a nod to the sufficiency of the fiscal plan as a working document. She expected the document could change as information was received or better understood.

Ruff emphasized that the Mayor and administration had put forth the proposals for good reasons, and the proposals were based on a certain vision they had for Bloomington. He said although he might vote no on some items, he felt it was important to note that.

Granger said she would be passing as she needed additional time. She recognized it was subject to change, but said they needed county numbers from the county to make it a realistic fiscal plan.

Volan noted Area 1a was one of the largest areas and said it was a big deal. He shared and responded to some of the comments he had received from citizens, noting a number of benefits of annexation. He explained that Bloomington had experienced consistent growth over the years and said the city needed to plan for that growth. He said the issue involved more than just a question of higher taxes but was actually a question of how the overall collection of local governmental services in Bloomington and Monroe County would be consolidated. He said nothing was stopping local officials from working together, and he was committed to examining the financial figures. He said he would be voting to forward the resolution for consideration over the next three months, knowing that the earliest he would be asked to take a final vote on the issue would be June.

Piedmont-Smith said she would be voting in favor of the resolution because it contained language that allowed it to be amended in the future. She thought the fiscal plan should be checked with the information put forward by the county, but thought it had a lot of good information. She felt comfortable voting for it with the understanding it could be improved in the future.

Sandberg said she was looking forward to working with county and township officials on the details moving forward, and explained that she thought there was already sufficient time to do so without delaying the process. She thought the idea of having two different timelines for different areas would have created confusion, which is why she voted against the amendment. She said she would be supporting the resolution.

Vote to adopt Resolution 17-16 [10:08:pm]

The motion to adopt Resolution 17-16 received a roll call vote of Ayes: 6, Nays: 2 (Sturbaum, Ruff), Abstain: 1 (Granger).

Resolution 17-17 – A Fiscal Plan and Policy Resolution for Annexing Contiguous Territory to the City of Bloomington, Monroe County, Indiana – South-West B Bloomington Annexation Area

It was moved and seconded that Resolution 17-17 be introduced and read by title and synopsis only. The motion was approved by voice vote. Deputy Clerk Lucas read Resolution 17-17 by title and synopsis.

It was moved and seconded that Resolution 17-17 be adopted.

Council Questions:

Volan asked what percentage of properties in Area 1b were subject to waivers.

Guthrie said it was over 50%.

Volan asked what percentages of properties in Areas 1a and 1c were subject to waivers.

Guthrie said she was not sure about Area 1a, but Area 1c was well over 50%.

Chopra clarified that the administration did not know exactly what percentages of properties in Areas 1a, 1b, and 1c were subject to waivers.

Volan said it was his understanding that over 50% of properties in Areas 1b and 1c were subject to waivers, but that the administration was not sure about Area 1a.

Guthrie said they were still refining some of the numbers and had only recently divided Area 1 into Areas 1a, 1b, and 1c.

Public Comment:

Amanda Barge clarified when she had received notice of the proposed annexations, and suggested that future meetings between city and county officials be open to the public.

Tom Bowers spoke about comparing tax rates to other cities, about rate caps, and the time available for making comments at the meeting.

Rod Young spoke about city taxes a person might pay even if the person is not a resident within the city, about sewer waivers, and about USDA loans.

Rita Barrow spoke about sewer waivers.

Marty Hawk spoke about city taxes a person might pay even if the person is not a resident within the city, and spoke about affordable housing.

Jennifer Mickel spoke about property rights in the county versus the city.

Additional Council Questions:

Rollo asked staff to comment about tax rate comparisons.

Underwood noted the medium household income for residents of the city, for the county, and for Ellettsville.

Rollo noted that the city's relatively low medium income might be a function of the student population. He asked about assessed values in determining the amount of property tax.

Underwood said assessed value was one part of the calculation and explained how the rates were calculated.

Rollo asked if some properties might benefit from living close to the city.

Underwood said yes.

Rollo asked if the waivers were legal.

Unger said it would be a waiver-by-waiver analysis. He said a waiver would be valid against a subsequent property owner if it was recorded in the chain of title for the property.

Rollo asked if they had determined areas based on whether there were waivers.

Unger said partially, and the initial analysis only included properties with recorded waivers, but the city had later found waivers that might have not been recorded. The city went ahead and recorded them as a matter of course.

Guthrie added that the city did not know that the waivers had not been recorded, but recorded them anyway as a matter of course.

Underwood added additional information about the local option income tax.

Chopra clarified that a buyer of property would be able to discover the sewer waivers in the chain of title.

Unger said that was correct, and although some people purchased property without doing a title search, the waivers would show up if such a search was conducted.

Volan asked Unger if, based on his experience with other annexations, it was generally true that medium household income of city residents was lower than those living in the unincorporated areas.

Unger said that was generally true.

Resolution 17-17 (cont'd)

Volan said he appreciated the speaker earlier in the meeting that asked about the appropriate ways to compare cities. He also noted that it was getting late and that perhaps time limits should apply both to the public and to council members. He noted that the city and county shared many responsibilities, and many of the services provided by one or the other benefitted all residents.

Council Comment:

Piedmont-Smith mentioned that, in the ordinances to be introduced, Area 1b had been preliminarily assigned to Council District 5, but that she did not have anything to do with the temporary assignment of areas to the council districts. She said she would be voting for the resolution. She said she would have supported an amendment similar to the one Sturbaum had previously introduced, but she acknowledged such an amendment would likely fail again.

The motion to adopt Resolution 17-17 received a roll call vote of Ayes: 6, Nays: 2 (Sturbaum, Ruff), Abstain: 1 (Granger).

Vote to adopt Resolution 17-17 [10:39:pm]

It was moved and seconded that Resolution 17-18 be introduced and read by title and synopsis only. The motion was approved by voice vote. Deputy Clerk Lucas read Resolution 17-18 by title and synopsis.

It was moved and seconded that Resolution 17-18 be adopted.

Resolution 17-18 – A Fiscal Plan and Policy Resolution for Annexing Contiguous Territory to the City of Bloomington, Monroe County, Indiana – South-West C Bloomington Annexation Area

Sturbaum asked in which area a particular quarry was located.
Underwood said he would need to look.
Sturbaum asked why they were proposing to annex the quarry.

Council Questions:

Marty Hawk spoke about affordable housing and the division of the local option income tax.

Public Comment:

Underwood answered Sturbaum's earlier questions about the location of the quarry, noting it was located in Area 1a.

Ruff verified that the zoning for the areas being annexed would remain the same under the city's zoning, so that the quarry, for example, could remain a quarry.
Underwood said that was correct, and explained how the change from county zoning to city zoning would work for properties that did not fit within the city's zoning.

Council Comment:

The motion to adopt Resolution 17-18 received a roll call vote of Ayes: 6, Nays: 2 (Sturbaum, Ruff), Abstain: 1 (Granger).

Vote to adopt Resolution 17-18 [10:47:pm]

It was moved and seconded that Resolution 17-19 be introduced and read by title and synopsis only. The motion was approved by voice vote. Deputy Clerk Lucas read Resolution 17-19 by title and synopsis.

It was moved and seconded that Resolution 17-19 be adopted.

Resolution 17-19 – A Fiscal Plan and Policy Resolution for Annexing Contiguous Territory to the City of Bloomington, Monroe County, Indiana – South-East Bloomington Annexation Area

Nicki Williamson, President of the Edgewood Hills Home Owners Association, presented a petition to remove Edgewood Hills from Area 2, and spoke about the request.

Public Comment:

Ryan Cobine thanked Sturbaum for proposing his earlier amendment and thanked the councilmembers who voted for it. He spoke in favor of providing additional time.

Daniel Williamson spoke about the petition from the Edgewood Hills neighborhood.

Rollo asked for a map of Edgewood Hills to be displayed.
Underwood displayed a map of the neighborhood and indicated the boundaries.

Council Questions:

Mayer asked for clarification on the contiguity of the area in question.
Unger explained how contiguity was determined.

Ruff asked about the practicality of extending sewer service to the neighborhood, and how that might be accomplished.
Underwood said he would have to check with the utility staff before answering.

Rollo asked staff to figure out how many units there were per acre in the neighborhood.

Resolution 17-19 (cont'd)

Chopra said she was familiar with the neighborhood in question, but it had taken her some time to digest the information regarding the neighborhood and area in general. She noted that properties very close to the city got the benefits of the city without paying a fair share. She said she would be voting for the resolution.

Council Comment:

Volan recalled that he had previously told Area 6 residents that if they could demonstrate through a petition that they would be successful at remonstrating, Volan would take that seriously and would vote against annexing that area. He said that Area 6 had done so, and he planned to vote against Area 6 later in the meeting. He said he disagreed with parts of Edgewood Hills' petition, but other parts of the petition were valid. He said it might not be possible to remove the neighborhood from the proposal that night, but it warranted further consideration, and there would be time to do so. He commended the neighborhood for its approach to contesting the annexation, and said he would take the request seriously.

Ruff said he was familiar with Edgewood Hills, but would like additional information about the possibility of extending sewer services and whether there had ever been any issues with the septic systems.

Rollo echoed both Volan's comments about the petition, and also shared some of Ruff's questions regarding the possibility of sewer service. He said he would consider the petition.

Piedmont-Smith said, excepting Edgewood Hills, which could be examined later, she had concerns about the viability of the Perry Clear Creek Fire District if annexation went forward. She did not want to cause harm to that district or negatively impact fire protection in the area. She said she would be voting no due to her concerns about that coverage.

The motion to adopt Resolution 17-19 received a roll call vote of Ayes: 4, Nays: 2 (Piedmont-Smith, Ruff), Abstain: 3 (Rollo, Sturbaum, Granger).

Vote to adopt Resolution 17-19 [11:11:pm]

Rollo asked to change his pass vote to a yes vote.

The Council and Sherman discussed the procedures needed to do so.

The Council took a brief recess.

It was moved and seconded that the Council reconsider the vote on Resolution 17-19.

Motion to reconsider vote on Resolution 17-19

The motion to reconsider Resolution 17-19 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 1 (Sturbaum).

Vote on motion to reconsider Resolution 17-19 [11:24pm]

It was moved and seconded that Resolution 17-19 be adopted. The motion to adopt Resolution 17-19 received a roll call vote of Ayes: 5, Nays: 2 (Piedmont-Smith, Ruff), Abstain: 2 (Granger, Sturbaum).

Vote to adopt Resolution 17-19 [11:25pm]

It was moved and seconded that Resolution 17-20 be introduced and read by title and synopsis only. The motion was approved by voice vote. Deputy Clerk Lucas read Resolution 17-20 by title and synopsis.

It was moved and seconded that Resolution 17-20 be adopted.

The motion to adopt Resolution 17-20 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

It was moved and seconded that Resolution 17-21 be introduced and read by title and synopsis only. The motion was approved by voice vote. Deputy Clerk Lucas read Resolution 17-21 by title and synopsis.

It was moved and seconded that Resolution 17-21 be adopted.

The motion to adopt Resolution 17-21 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

It was moved and seconded that Resolution 17-22 be introduced and read by title and synopsis only. The motion was approved by voice vote. Deputy Clerk Lucas read Resolution 17-22 by title and synopsis.

It was moved and seconded that Resolution 17-22 be adopted.

The motion to adopt Resolution 17-22 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

It was moved and seconded that Resolution 17-23 be introduced and read by title and synopsis only. The motion was approved by voice vote. Deputy Clerk Lucas read Resolution 17-23 by title and synopsis.

It was moved and seconded that Resolution 17-23 be adopted.

Volan noted the residents of Area 6 had the motivation and the ability to defeat the proposed annexation of the area. He asked the administration why he should vote for the resolution.

Underwood said the area was contiguous to what many people would consider the city. He said the residents worked, lived, and played in and near the city. He said the septic systems in the area might fail one day, and the residents would want city sewer service.

Chopra asked the same question, while reminding the administration that the residents of the area had demonstrated their ability to remonstrate with the petition they had given to city officials.

Guthrie said that if the process moved forward there would be more opportunity for discussion about the residents' concerns.

Piedmont-Smith asked if annexation would provide any additional environmental protection for the area.

Underwood said the only difference might be if residents were to go off the septic systems, but he could not speak to whether or not any of the septic systems were failing.

Piedmont-Smith asked how old the homes were in the area.

Underwood said he thought most of the homes were built in the 1990s.

Resolution 17-20 – A Fiscal Plan and Policy Resolution for Annexing Contiguous Territory to the City of Bloomington, Monroe County, Indiana – North Island Bloomington Annexation Area

Vote to adopt Resolution 17-20 [11:28pm]

Resolution 17-21 – A Fiscal Pla.. and Policy Resolution for Annexing Contiguous Territory to the City of Bloomington, Monroe County, Indiana – Central Island Bloomington Annexation Area

Vote to adopt Resolution 17-21 [11:30pm]

Resolution 17-22 – A Fiscal Plan and Policy Resolution for Annexing Contiguous Territory to the City of Bloomington, Monroe County, Indiana – South Island Bloomington Annexation Area

Vote to adopt Resolution 17-22 [11:31pm]

Resolution 17-23 – A Fiscal Pla and Policy Resolution for Anne g Contiguous Territory to the City of Bloomington, Monroe County, Indiana – Northeast Bloomington Annexation Area

Council Questions:

Resolution 17-23 (cont'd)

Piedmont-Smith asked how long a septic system might last.
Underwood said it depended on a number of factors, including soil type, type of system, and the installation.
Piedmont-Smith asked if the administration expected to see more development in the area.
Underwood said they expected development around the area and along State Road 45, but not necessarily in the area.

Public Comment:

Scott Faris spoke against the resolution.

Beth Silberstein spoke against the resolution.

Julie Thomas spoke against the resolution.

Art Oehmich spoke against the resolution.

Marty Hawk spoke against the resolution.

Council Questions:

Mayer asked staff if they would like to proceed with the resolution.
Guthrie said the resolution had been proposed by the administration and it was up to the Council to decide whether to move forward with it or not.

Sandberg asked staff to elaborate on the possibility of legal fees.
Unger explained that the provision for legal fees applied only if there was a remonstrance trial.

Council Comment:

Rollo said the area was rural in nature and would not be further developed. He was concerned about septic failure and the possible impact on Griffy Lake. But he was convinced that the area would get the required signatures, so there was no point in moving forward with it. He said he would be voting no.

Volan said he had previously asked the neighbors to demonstrate their ability to remonstrate, and they had done that. He said that, other than their ability to remonstrate, they had put forward unconvincing arguments against the annexation that did not recognize the benefits the area received from being proximate to the city.

Chopra said she knew the area would demonstrate its ability to remonstrate, which was why she had previously voted against moving the process forward for the area. She said if the Council voted to continue the process again, it would be a waste of time, money, and resources.

Granger said she had previously voted to continue the process for the area, because she needed the residents to demonstrate their ability to remonstrate. She said she would be voting no on the resolution, but she needed to go through the process. She thanked the residents who had shared their concerns with her.

Mayer said many neighborhoods in the area had been approved by the city plan commission, not the county. He said those homes had been built to city standards. He said he had spoken with a resident of the area who had told him to simply proceed with the process. He said in fairness to the other areas being moved forward, he would be voting to continue the process for Area 6.

Resolution 17-23 (cont'd)

Ruff said he was disappointed at the scoffing of Guthrie's statement that if the process moved forward there would be more opportunity for discussion about the residents' concerns. He said it was reasonable to put forward the proposal, because most of the area was very near to the city, and the residents lived, worked, and played in and near the city. He was disappointed at the attitude of the residents to not be open to the idea. But he agreed that it made no sense to continue with the process, so he would be voting no.

Sandberg said she got uncomfortable when the discussion did not remain civil, and was disappointed at some of the vitriol and name calling. She took the matter very seriously, and took public comments very seriously. She said the decision was tough, but she would be voting yes, because she believed in the process and wanted to continue examining the issue.

Vote to adopt Resolution 17-23 [12:05am]

The motion to adopt Resolution 17-23 received a roll call vote of Ayes: 2 (Sandberg, Mayer) Nays: 7, Abstain: 0.

Resolution 17-24 – A Fiscal Plan and Policy Resolution for Annexing Contiguous Territory to the City of Bloomington, Monroe County, Indiana – North Bloomington Annexation Area

It was moved and seconded that Resolution 17-24 be introduced and read by title and synopsis only. The motion was approved by voice vote. Deputy Clerk Lucas read Resolution 17-24 by title and synopsis.

It was moved and seconded that Resolution 17-24 be adopted.

Council Questions:

Volan asked the administration to comment on the rationale behind including the area, as much of the area was not developable.

Underwood acknowledged that much of the area could not be developed, but said there was some development in the area, and some potential for future development. In addition, he noted the area was a gateway area into Bloomington thanks to the I-69 corridor and the ramps that would be constructed.

Volan asked what development the administration was concerned about near the entry to Bloomington.

Underwood said, because it was a gateway into Bloomington, the city wanted the area to reflect the character of Bloomington, and poor development there would reflect poorly on Bloomington.

Guthrie said the area was key due to the I-69 corridor, and asked that the Council keep the area in the process so the issue could be studied further.

Granger asked if the administration had looked at the county plan, as the county had also been considering issues surrounding the I-69 corridor.

Underwood said he personally had not, but thought the planning staff had, and noted areas with which they were particularly concerned.

Ruff asked about a water intake site and whether the city owned that property.

Underwood said yes, the City still owned it, though the equipment was outdated.

Ruff asked if the property was an island in the county.

Underwood said that was correct.

Resolution 17-24 (cont'd)

Piedmont-Smith invited further comment about the statutory basis for including the area in the annexation proposal, asking specifically about any economic development that was expected in the area.

Unger clarified that the statutory basis for the area was that the area was needed and could be used for the city's development in the reasonably near future. He provided examples from other communities expecting development after construction of new infrastructure. He said that was the reason for the area's inclusion, because it was a gateway into the community.

Mayer asked about the last annexation that had occurred.

Underwood said he would check.

Piedmont-Smith asked if the administration did not trust the county to guide development in the area appropriately.

Guthrie said it was not that the city did not trust the county, but that they wanted consistency in development and planning and wanted one entity controlling that gateway.

Public Comment:

Jim Burton spoke against the resolution.

Paul Greene spoke against the resolution.

Julie Thomas spoke about the county's plan for the area.

Marty Hawk spoke against the resolution.

Council Comment:

Chopra said the area might need to be adjusted, but she needed to examine the issue more closely, so she would be voting yes to continue the process.

Piedmont-Smith said she thought it was a waste of time to continue the process with Area 7, as it had been with Area 6 because more than 65% of the property owners had signed a petition against it. She also said she found the rationale for including the area to be unconvincing. She was confident that the county could handle any future development, and saw no good reason to annex the area, so she would be voting no.

Granger saw the area as very rural, and did not see the need to have the corridor under city control when the county had a handle on it, but encouraged both to work together. She said she had heard from many residents of the area, and she would be voting no.

Volan shared some of the comments he had received from citizens regarding the area. He said the issue raised the question of community and what the community would look like. He agreed with some of Piedmont-Smith's comments, but also agreed with the administration that the issue should continue to be discussed. He said residents of Area 6 did one thing residents of Area 7 did not do, which was to turn in their petition. He said he might be inclined to vote no eventually, but would vote yes for the resolution.

Chopra clarified that Area 6 had more than 65% of residents who could have filed a remonstrance.

Underwood said yes, the area only had three waivers.

Ruff said the area was the toughest question for him, due to the issues raised by I-69. He thought the area might need to be reduced, as much of it was not developable. He said he would vote yes to

keep the discussion going, as he wanted to examine issues surrounding I-69.

The motion to adopt Resolution 17-24 received a roll call vote of Ayes: 6, Nays: 2 (Granger, Piedmont-Smith), Abstain: 1 (Sturbaum)

Vote to adopt Resolution 17-24 [12:37am]

LEGISLATION FOR FIRST READING

It was moved and seconded that Ordinance 17-09 be introduced and read by title and synopsis only. Deputy Clerk Lucas read the legislation by title and synopsis.

Ordinance 17-09 – An Ordinance of the City of Bloomington, Monro County, Indiana, Annexing Territory to the City of Bloomington, Placing the Same within the Corporate Boundaries thereof, and Making the Same a Part of the City of Bloomington – South-West A Bloomington Annexation

It was moved and seconded that Ordinance 17-10 be introduced and read by title and synopsis only. Deputy Clerk Lucas read the legislation by title and synopsis.

Ordinance 17-10 – An Ordinance of the City of Bloomington, Monroe County, Indiana, Annexing Territory to the City of Bloomington, Placing the Same within the Corporate Boundaries thereof, and Making the Same a Part of the City of Bloomington – South-West B Bloomington Annexation

It was moved and seconded that Ordinance 17-11 be introduced and read by title and synopsis only. Deputy Clerk Lucas read the legislation by title and synopsis.

Ordinance 17-11 – An Ordinance of the City of Bloomington, Monro County, Indiana, Annexing Territory to the City of Bloomington, Placing the Same within the Corporate Boundaries thereof, and Making the Same a Part of the City of Bloomington – South-West C Bloomington Annexation

It was moved and seconded that Ordinance 17-12 be introduced and read by title and synopsis only. Deputy Clerk Lucas read the legislation by title and synopsis.

Ordinance 17-12 – An Ordinance of the City of Bloomington, Monroe County, Indiana, Annexing Territory to the City of Bloomington, Placing the Same within the Corporate Boundaries thereof, and Making the Same a Part of the City of Bloomington – South-East Bloomington Annexation

It was moved and seconded that Ordinance 17-13 be introduced and read by title and synopsis only. Deputy Clerk Lucas read the legislation by title and synopsis.

Ordinance 17-13 – An Ordinance of the City of Bloomington, Monro County, Indiana, Annexing Territory to the City of Bloomington, Placing the Same within the Corporate Boundaries thereof, and Making the Same a Part of the City of Bloomington – North Island Bloomington Annexation

It was moved and seconded that Ordinance 17-14 be introduced and read by title and synopsis only. Deputy Clerk Lucas read the legislation by title and synopsis.	Ordinance 17-14 – An Ordinance of the City of Bloomington, Monroe County, Indiana, Annexing Territory to the City of Bloomington, Placing the Same within the Corporate Boundaries thereof, and Making the Same a Part of the City of Bloomington – Central Island Bloomington Annexation
It was moved and seconded that Ordinance 17-15 be introduced and read by title and synopsis only. Deputy Clerk Lucas read the legislation by title and synopsis.	Ordinance 17-15 – An Ordinance of the City of Bloomington, Monroe County, Indiana, Annexing Territory to the City of Bloomington, Placing the Same within the Corporate Boundaries thereof, and Making the Same a Part of the City of Bloomington – South Island Bloomington Annexation
It was moved and seconded that Ordinance 17-16 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 0, Nays: 9, Abstain: 0.	Ordinance 17-16 – An Ordinance of the City of Bloomington, Monroe County, Indiana, Annexing Territory to the City of Bloomington, Placing the Same within the Corporate Boundaries thereof, and Making the Same a Part of the City of Bloomington – Northeast Bloomington Annexation
It was moved and seconded that Ordinance 17-17 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 7, Nays: 2 (Piedmont-Smith, Granger), Abstain: 0. Deputy Clerk Lucas read the legislation by title and synopsis.	Ordinance 17-17 – An Ordinance of the City of Bloomington, Monroe County, Indiana, Annexing Territory to the City of Bloomington, Placing the Same within the Corporate Boundaries thereof, and Making the Same a Part of the City of Bloomington – North Bloomington Annexation
Sandberg reminded the Council of an upcoming meeting and wished Sturbaum a belated happy birthday.	COUNCIL SCHEDULE [12:52am]
The meeting was adjourned at 12:53am.	ADJOURNMENT

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 19th day of April, 2017.

APPROVE:

Susan Sandberg, PRESIDENT
Bloomington Common Council

ATTEST:

Nicole Bolden, CLERK
City of Bloomington