City of Bloomington
Common Council

Legislative Packet

Wednesday, 04 October 2017

Special Session
to be immediately followed by a
Committee of the Whole

All legislation and background material contained herein.

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To: **Council Members**
From: **Council Office**
Re: **Weekly Packet Memo**
Date: **September 29, 2017**

Packet Related Material

Memo
Agenda
Calendar
Notices and Agendas:
None

Legislation for Second Reading and Resolutions at the Special Session on October 4th:

- **Res 17-37** Resolution Proposing an Ordinance Modifying Local Income Tax Allocations in Monroe County and Casting Fifty-Eight Votes in Favor of the Ordinance - Re: Adjusting the Allocations between the Public Safety Answering Point (PSAP) and General Public Safety Purposes Tax Rates Without Changing Other Allocations or the Total Expenditure Tax Rate
    - Insert (indicating that the summary in the packet serves as the Memo for this legislation)
    - PSAP Budget
    - Spreadsheet of Requests from Eligible Providers
    - Map of Fire Districts/Territories in Monroe County
    - Minutes (Approved)
        - June 15, 2017;
        - July 25, 2017 – with attachments:
            - Tax Rates and Revenues (for 2017 and estimated for 2018); and
            - Revised Central Dispatch Budget (for 2018 and a revised one for 2017)
        - July 27, 2017
        - August 10, 2017 – with attachments:
            - Spreadsheets prepared by Cm. Cobine and Cm. Munson
                - Alternative Funding Scenarios – with the Committee's recommendation highlighted in yellow; and

- Worksheet for allocating funds to Qualified Providers

Contact:
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Cm. Chopra at 812-349-3409 or chopraa@bloomington.in.gov

Legislation and Background Material for Introduction at Special Session and Discussion at the Committee of the Whole on October 4th:

- ***(Introduced at the Special Session Earlier in the Evening)***
  Ord 17-39 Ordinance Authorizing and Approving an *Agreement in Lieu of Annexation* Between the City of Bloomington and Cook Group, Incorporated and Affiliates
  - Exhibit A: Agreement in Lieu of Annexation
  - Memorandum from Corporation Counsel Guthrie.

Contacts:
Corporation Counsel Guthrie at 812-349-3547 or guthriep@bloomington.in.gov
Controller Underwood at 812-349-3416 or underwoj@bloomington.in.gov

- ***(Included in this Packet and ready for Discussion this Evening)***
  Res 17-38 Resolution Supporting the Passage of a Food and Beverage Tax to Fund Expansion of the Monroe County Convention Center
  - Letter of Intent
  - Memo from Deputy Mayor Renneisen
  - Schematics

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Corporation Counsel Guthrie at 812-349-3547 or guthriep@bloomington.in.gov

Minutes from Regular and Special Sessions ***(to be emailed to Council members)***:

- September 6, 2017 (Regular Session)
- September 19, 2017 (Regular Session)
- September 27, 2017 (Special Session)

Memo

Reminder: Amendments on Chapter 5 of the Comprehensive Plan (Housing and Neighborhoods) Due by Tuesday at Noon for Release on Friday

(Sponsors requested to use forms provided by the Council Office)

Two Meetings on Wednesday Night – Special Session Followed By Committee of the Whole

There is one deadline and are two meetings next week. The deadline is for amendments to Chapter 5 (Housing and Neighborhoods) which are due on Tuesday at noon and sponsors are requested to use the amendment forms provided by the Council Office to prepare those amendments. The two meetings will be held on Wednesday night. The first meeting is a Special Session where the Council is scheduled to have an initial discussion on a resolution and introduce an ordinance. The second meeting is a Committee of the Whole where the previously introduced ordinance will be discussed along with another resolution. All of the legislation in included in this packet and summarized in this memo.

SPECIAL SESSION – SECOND READINGS AND RESOLUTIONS

Item One – Res 17-37 – Proposing Ordinance for Adoption by the Monroe County Local Income Tax Council

Res 17-37 proposes an ordinance for adoption by the Monroe County Local Income Tax (MC LIT) Council that would reallocate the tax rate between two components of the Public Safety Local Income Tax in 2018 without changing any other rates and with no net increase to the taxes. It would also cast the City's 58 of the MC LIT Council's 100 votes in favor of the ordinance.

In particular, the ordinance would increase the tax rate for the Unified Central Dispatch, otherwise referred to in statute as the Public Safety Answering Point (PSAP), from 0.0725% to 0.0916% and decrease the tax rate for general public safety purposes (Public Safety) from 0.1175% to 0.1584%. In terms of the total revenue from Public Safety in 2018, the percentage to PSAP would increase from 29% to 36.63%, which would result in allocation of ~ $2.875 million and the percentage dedicated to Public Safety would decrease from 71% to 63.37% and result in an allocation of ~ $4.974 million next year.

Please note that this matter is scheduled for a public hearing at the Special Session on Wednesday, October 4th. Due to an oversight in the notice requirement, the matter should be postponed for further consideration at the Special Session on the Budget the following week.

History – Consolidation of Local Income Taxes in 2015 – Imposition of a New Public Safety Local Income Tax in 2016 – Proposed Reallocation in 2018

You may recall from last year that, following the action of the General Assembly to consolidate local income taxes in 2015, Monroe County authorized a new Public Safety Local Income Tax in 2016. This was done by the adoption of an ordinance of the MC LIT Council in June for taxes in late 2016, and adoption of another ordinance in September, for taxes in 2017. The first ordinance[1] increased the total Local Income Tax rate by 0.25% and dedicated the additional revenue toward a new Public Safety Local Income Tax, with 30% directed to the PSAP and the remaining 70% directed toward other Public Safety needs. In addition, and as a result a change in state law, the second ordinance[2] depicted all of the local income taxes, affirmed the rates existing prior to adoption of the ordinances, and (after accounting for new revenue projections) adjusted the Public Safety additional revenue between the two components of Public Safety from a 30%/70% to a 29%/71% ratio.

The following table lists the tax rates in effect in 2017 (as depicted in the MC LIT Council September Ordinance) and highlights the proposed changes for 2018:

Local Income Tax Type		Existing Rate		Proposed Changes in 2018
Property Tax Relief Rate (Indiana Code 6-3.6-5)		0.0518%		No Change
Total Expenditure Rate (Indiana Code 6-3.6-6)		1.1982%		No Change
Components of Total Expenditure Rate	Public Safety		0.1775%	0.1584%
	Public Safety Answering Point (PSAP)		0.0725%	0.0916%
	Economic Development		0.0000%	No Change
	Certified Shares		0.9482%	No Change
Special Purpose Rate (Juvenile Local Income Tax) (Indiana Code 6-3.6-5)[3]		0.095%		No Change
Total:		1.345%		No Change

[1] As noted below, the City Council participated in this action with the adoption of Res 16-05,
[2] On September 27, 2016, the City Council initiated this ordinance with the adoption of Res 16-16.
[3] Note: That this tax is imposed by the Monroe County Council pursuant to IC 6-3.6-6-X its appearance in this table is informational and does not imply that the MC LIT Council imposed this tax.

Public Safety Local Income Tax – Components and Distribution

For purposes of explaining the changes proposed in Res 17-37, this memo will focus on the Public Safety and PSAP components of the Expenditure Rates set forth in the above table. Please see the footnotes for the definition of Public Safety (which, as of 2017, now includes law enforcement training,[4]) and PSAP.[5]

It is important to know that, pursuant to Indiana Code § 6-3.6-6-8, the revenue associated with these rates are directed in a specified order and manner:

- First, any of the rate dedicated to PSAP is directed exclusively toward this purpose;
- Second, any amounts specified by resolution of the Monroe County Local Income Tax Council under Indiana Code § 6-3.6-6-8(c) are directed to Qualified Providers who apply for funds before July 1st (see below); and
- Third, the remainder of these revenues are directed via the certified distribution to taxing units who are members of the Monroe County Local Income Tax Council as set forth under Indiana Code § 6-3.6-6-8(b) (which allocates these revenues based the amount of property taxes imposed by each

[4] Sec. 14. "Public safety" refers to the following:
(1) A police and law enforcement system to preserve public peace and order.
(2) A firefighting and fire prevention system.
(3) Emergency ambulance services (as defined in IC 16-18-2-107).
(4) Emergency medical services (as defined in IC 16-18-2-110).
(5) Emergency action (as defined in IC 13-11-2-65).
(6) A probation department of a court.
(7) Confinement, supervision, services under a community corrections program (as defined in IC 35-38-2.6-2), or other correctional services for a person who has been: (A) diverted before a final hearing or trial under an agreement that is between the county prosecuting attorney and the person or the person's custodian, guardian, or parent and that provides for confinement, supervision, community corrections services, or other correctional services instead of a final action described in clause (B) or (C); (B) convicted of a crime; or (C) adjudicated as a delinquent child or a child in need of services.
(8) A juvenile detention facility under IC 31-31-8. (9) A juvenile detention center under IC 31-31-9. (10) A county jail. (11) A communications system (as defined in IC 36-8-15-3), an enhanced emergency telephone system (as defined in IC 36-8-16-2, before its repeal on July 1, 2012), a PSAP (as defined in IC 36-8-16.7-20) that is part of the statewide 911 system (as defined in IC 36-8-16.7-22) and located within the county, or the statewide 911 system (as defined in IC 36-8-16.7-22). (12) Medical and health expenses for jailed inmates and other confined persons. (13) Pension payments for any of the following: (A) A member of a fire department (as defined in IC 36-8-1-8) or any other employee of the fire department. (B) A member of a police department (as defined in IC 36-8-1-9), a police chief hired under a waiver under IC 36-8-4-6.5, or any other employee hired by the police department. (C) A county sheriff or any other member of the office of the county sheriff. (D) Other personnel employed to provide a service described in this section. (14) Law enforcement training.

[5] PSAP is defined as a "public safety answering point: (1) that operates on a twenty-four (24) hour basis; and (2) whose primary function is to receive incoming requests for emergency assistance and relay those requests to an appropriate responding public safety agency." IC 6-3.6-2-13.5; IC 36-8-16.7-20

of these jurisdictions for the preceding year divided by the sum of property taxes imposed by all four jurisdictions for the current year).

MC LIT Council – Imposition of Local Taxes; Effective Dates; Annual Limitations; Composition; Adoption Procedures

Having touched on the history of the new Public Safety Income Tax and how the taxes are distributed, this summary will now turn the statutory process (and the complementary local process) used to authorize this new tax and make recommendations on reallocating the tax rates between two components of this Public Safety Tax. According to IC 6-3.6-3-1 and IC 6-3.6-6-4, the Local Income Tax Council is the adopting body for the Expenditure Rate, which includes the components of the Public Safety Tax Rate.

Composition. As you may remember from last year, the MC LIT Council is comprised of members consisting of the fiscal bodies of the City, Monroe County, Ellettsville, and Stinesville, with a total of 100 votes allocated between them (ad with the City allocated 58 of those votes).[6] These votes are cast in a block by each member and are allocated based upon the percentage of population located within these jurisdictions to the total population of the County.[7]

Adoption Procedure. Members may, after providing notice[8] and holding a hearing, exercise their votes by passing a resolution and transmitting the resolution to the County Auditor (Auditor).[9] Then, within 10 days of receipt, the Auditor must distribute the relevant material to the other members for their action, who, within 30 days of receipt, must act unless notified by the Auditor that a majority of the votes have been cast in favor or against the ordinance.[10] Next, the Auditor must submit a certified copy of the results to the commissioners of Department of Local Government Finance (DLGF) and Department of State Revenue, until he/she has sent certified copies substantiating that a majority of the votes have been cast in

[6] According to IC 6-3.6-3-6(c), Auditor, must, by the beginning of the year notify the members of the allocation of these 100 votes. In 2017, the Auditor, notified the City that the allocation of votes was as follows: City (58), County (37), Ellettsville (5), and Stinesville (0).
[7] Or, in the case of the county, the percentage of the population in the county located outside of the other jurisdictions. IC 6-3.6-3-6
[8] IC 6-3.6-3-7. This includes publishing notice of the hearing and legislation and, as of 2017, providing a copy of the notice to all of the taxing units within the County at least 10 days before the hearing.
[9] IC 6-3.6-3-9
[10] IC 6-3.6-3-8

favor or against the proposed ordinance.[11] Lastly, within 30 days of the submission, the DLGF must notify the MC LIT Council whether it has received the necessary information.[12] Please know that the DLGF prescribes the procedures for submitting the notice, the adopting ordinance or resolution, and the vote results and reviews submissions in accordance with those procedures.[13] Please also know that the final action on imposing a new tax or amending an existing tax under this article is not effective until the DLGF notifies the adopting body that it has received the required information.[14]

Imposition of Tax; Effective Dates. As the adopting body for these taxes in Monroe County, the MC LIT Council may adopt, increase, decrease and rescind these taxes.[15] Under IC § 6-3.6-3-3(b), depending on when they were adopted, ordinances that adopt, increase, decrease, or rescind a *tax or a tax rate* takes effect either on October 1st of the current year, January 1st of the following year, or October 1st of the following year. Under IC § 6-3.6-3-3(d), again depending on when they are adopted, ordinances that grant, increase, decrease, rescind, or change a *distribution or allocation of taxes* take effect either on January 1st of the next year or January 1st of the year after that. For purposes of this summary and the resolution being considered by the Council, please know that an ordinance changing a *distribution or allocation* adopted after December 31st of the previous year and before November 2nd of the current year, would go into effect on January 1st of the following year.[16]

Annual Limitations. Please know that a tax rate may not be changed more than once a year and, unless subject to an expiration date, these taxes stay in effect until the effective date of an ordinance that increases, decreases, or rescinds them.[17] Also, please know that the MC LIT Council may pass only one ordinance adopting, increasing, decreasing, or rescinding a tax in one year, and may not vote on a proposed ordinance when another ordinance "whose passage would have substantially the same effect" had previously been received and distributed by the Auditor during the same year.[18]

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[11] IC 6-3.6-3-5
[12] IC 6-3.6-3-2(d)
[13] Id.
[14] Id.
[15] See IC 6-3.6-6-1, which, subject to various restrictions and procedures (largely found in IC 6-3.6-3), acknowledges the power of adopting bodies to impose an Expenditure Rate and see IC 6-3.6-2-11, which defines "Impose" to include adopt, amend, increase, decrease, and rescind.
[16] IC 6-3.6-3-3(d)
[17] IC § 6-3.6-3-4
[18] IC § 6-3.6-3-10

Public Safety Local Income Tax (PS LIT) Committee

Last year, in order to comply with a statutory requirement to review certain applications for funding via public safety tax revenues (see below), members of the MC LIT Council appointed representatives to serve on a Public Safety Local Income Tax (PS LIT) Committee. The representatives include four from the City (Cms. Chopra, Granger, Piedmont-Smith & Sandberg), two from the County (Cms. Cobine and Munson), one from the Town of Ellettsville (Cm. Oldham), and one non-voting member from the Town of Stinesville (with Clerk Purcell serving in that capacity in 2017).

Specifically, IC § 6-3.6-6-8(c) requires the MC LIT Council to review applications for funding submitted to it:

- By a fire department, volunteer fire department, or emergency medical services provider (Qualified Provider) that:
  (1) provides fire protection or emergency medical services within the county; and
  (2) is operated by or serves a political subdivision that is not otherwise entitled to receive a distribution of tax revenue under this section; and
- Before July 1st of a year for a distribution for the following year.

Under statute, the MC LIT Council must review eligible applications and may, *but is not obligated to*, fund all or part of the request. If the MC LIT Council chooses to fund an application, it must, before September 1st, adopt a resolution, "specify[ing] an amount of tax revenue" that one or more of the fire departments, volunteer fire departments, or emergency medical services providers will receive for the following calendar year.

As mentioned previously, there is a particular order and manner of funding, where the amount of funding to the first beneficiary (PSAP) would reduce the funding available for the second, optional beneficiary (Qualified Providers), and funding for the first and second beneficiaries would reduce funding for the remaining beneficiaries (i.e. the City, County, Town of Ellettsville & Town of Stinesville whose fiscal bodies constitute the MC LIT Council). With that in mind, the PS LIT Committee decided to consider and make recommendations regarding funding for:

- PSAP;
- Qualified Providers; and
- Certified Shares (which would be the remainder the public safety tax revenues).

Toward that goal, the PS LIT Committee met four times as follows (with the minutes attached for further detail on these deliberations):

- Thursday, June 15th at 5:30 pm in the Nat U Hill Room of the Monroe County Courthouse where it:
    - Elected Cm. Chopra as Chair;
    - Approved an Application Form for Qualified Providers and Schedule for deliberations;
    - Heard an overview of tax rates & revenues for 2017 and an estimate for 2018;
    - Heard a recommendation from Unified Central Dispatch Board for PSAP funding in 2018; and
    - Approved minutes from August 8 and August 10, 2016.
- Tuesday, July 25th at 7:30 pm in the Nat U Hill Room of the Monroe County. Courthouse where it:
    - Approved minutes from June 15, 2017;
    - Further discussed the recommendations of the Unified Central Dispatch Policy Board for PSAP funding in 2018;
    - Heard from Jeffrey Underwood, Controller, on 2017 and 2018 revenues and rates (with breakdowns to the four taxing units);
    - Heard presentations from six applicants for funding (Qualified Providers);[19] and
    - Heard public comment.
- Thursday, July 27th at 5:30 pm in the Nat U Hill Room of the Monroe County Courthouse where it:
    - Continued to discuss the recommendation regarding PSAP funding in 2018;
    - Asked further questions from applicants for funding from Qualified Providers; and
    - Passed a Motion to Postpone Deliberations until the next meeting (which was moved to the City Council Chambers at 6:30 pm).
- Thursday, August 10th at 6:30 pm in the City Council Chambers at 401 N. Morton where it:
    - Adopted a motion allocating $2,875,185 to PSAP (which funded the recommendation of the Policy Board);[20]

[19] A seventh application was received and made a presentation at the third meeting, but was ineligible for funding.
[20] After a motion to reduce it by $144,560 failed (by a vote of 3-4);

- Rejected a motion to allocate $50,000 for the acquisition and construction of a fire station for Northern Monroe County Fire Protection Territory (by a vote of 3-4); and
- Entertained no further motions to allocate funds to Qualified Providers.

PSAP Recommendations - $2.875 Million

Over the course of the meetings, the Committee considered the recommendation of the Policy Board of Unified Central Dispatch for PSAP funding in 2018. In short, it requested ~ $2.875 million to pay for an increase of six dispatchers and the acquisition of emergency communication equipment for use by the townships (which involve more than one budget year and the creation of reserve fund to hold any unexpended funds dedicated for this purpose for future years). After robust discussion, additional information, and ultimate disagreement, the Committee voted 4-3 to fund this request. Please note that those who voted in favor of this recommendation stressed the community-wide benefit gained by the acquisition and distribution of the communication equipment via PSAP.

QUALIFIED PROVIDERS - $0

This year, the Committee received applications from six Qualified Providers[21] which requested a total of $903,343. Please see the attached sheet for the names of the Qualified Providers, amounts requested in each budget category, and the total amounts requested. The $903,343 requested broke down into: $568,019 (or 63% of the total) for Personnel; $37,800 (or 4%) for Supplies; $7,200 (or 1%) for Other Services and Charges; and $290,324 (or 32%) for Capital. Again, after robust discussion, additional information, and ultimate disagreement, the Committee decided against a $50,000 allocation for one project [22] (by 3-4 vote) and entertained no further motions to fund any of the requests. Therefore, the Committee did not recommend any funding for Qualified Providers this year.

[21] There was a seventh application which did not meet the statutory requirements.

[22] This was part of a request from Northern Monroe County Fire Protection Territory and would assist with the construction and outfitting of a new station in Washington Township and was related to last year's request for the same amount and purpose. As noted in the next footnote, funding for that project was not directly funded by the resolution since the applicant was not yet eligible for funding.

CERTIFIED SHARES (TO THE FOUR TAXING UNITS RECEIVING THE REMAINDER OF THESE FUNDS - $4.97 Million)

Once the foregoing decisions were made, the remaining $4.97 million will be distributed by statutory formula as set forth below. Please note that by allocating more for PSAP and the communication equipment the City will receive less revenues than last year.

TABLE WITH THE EFFECT OF 2017 AND PROPOSED 2018 RECOMMENDATIONS

	2017		2018	
	Revenue	Tax Rate	Revenue	Tax Rate
Public Safety Revenue (Tax Rate)	$7,527,404		$7,848,979	
1) PSAP Revenue (Tax Rate)	$2,182,947	(0.0725%)	$2,875,185	(0.0916%)
2) Allocation to Qualified Providers	$ 341,560[23]	(0.1775%)	$ 0	(0.1584%)
3) Public Safety Certified Shares	$4,952,897	(0.25%)	$4,973,794	(0.25%)
County	$2,376,182		$2,410,888 (48.5%)	
City	$2,436,451		$2,420,543 (48.7%)	
Town of Ellettsville	$ 139,405		$ 11,488 (2.8%)	
Town of Stinesville	$ 859		$ 875 (0.0%)	

COMMITTEE OF THE WHOLE

Item 2 -- Ord 17-39 Ordinance Authorizing and Approving an *Agreement in Lieu of Annexation* Between the City of Bloomington and Cook Group, Incorporated and Affiliates

Ordinance 17-39 is scheduled for introduction at the Special Session and discussion at the Committee of the Whole. The ordinance authorizes and approves an *Agreement in Lieu of Annexation* ("Agreement") for Cook Group Incorporated ("Cook") and its affiliate parties. Under the terms of the Agreement, Cook will provide an annual payment to the City based on Cook achieving certain employment and financial investment goals. In return, the City promises not to annex subject Cook properties.

Such agreements are provided by Indiana law and are not new to Bloomington. IC § 36-4-3-21(a) provides that in lieu of annexing contiguous territory, the executive may enter into contracts with owners or lessees of identified property in the

[23] Although the Committee thought the $50,000 request to help acquire land and construct a fire station was a worthwhile one, it determined that the applicant was not yet eligible for funding.

vicinity of the municipality, providing for payment or contribution of money to the municipality for municipal or public purposes specified in the contract. Among other things, the payments under such a contract can be "lieu of taxes that might be levied on annexation of the designated property." IC §36-4-3-21(a)(2). It is under this provision that the City and Cook are seeking to enter into this arrangement. Importantly, the executive may enter into these types of agreements only with the consent of the legislative body. Ord 17-39 grants such consent by authorizing and approving an Agreement with Cook. As evidenced from the attached Agreement, Cook has signed the Agreement. Subsequent to Council authorization and approval, so too will the Mayor. The Agreement becomes effective once all parties sign.

The Agreement

The Agreement is effective for a term of 15 years and is predicated on the idea that inclusion of Cook within the City's corporate boundaries creates "certain planning and financial uncertainties for Cook in terms of expansion." (p. 1, Clause 3). The Agreement also asserts that as such expansion is desirable, an Agreement in Lieu of Annexation is in the best interest of both Cook and the City. The below describes the salient components and promises of the Agreement.

Term: The Agreement runs 15 years (the statutory maximum) and is effective upon execution of the Agreement. The Agreement may be renewed upon mutual consent of the parties.

Property Subject: The Agreement applies to nine (9) specific Cook parcels. Those parcels are mapped in Exhibit A (parcel numbers and legal descriptions are in Exhibits B and C, respectively).

Runs with the Land: The Agreement is recorded with the County Recorder and is binding on subsequent property owners (p.1, clause 5). However, if Cook transfers any of the property covered under this Agreement to a non-Cook entity, then the City retains sole discretion to determine where the property at issue may be covered under the Agreement or whether the Agreement will be terminated relative to that property (p. 5, Section 12).

Cook's Promises:

- PAYMENT OF AT LEAST $100,000/year.
  Cook will make an annual payment of at least $100,000 to the City for the 15-year term of the contract, totaling $1.5million. The annual payment increases if Cook does not meet certain employment and financial investment goals. Specifically, under

the Agreement, Cook would be required to pay a set $100,000/year for five years. However, starting in year six, Cook is required to meet certain new employment and net investment goals. If Cook does not meet those goals in a particular year, then the payment for that year will be $250,000. These goals are outlined in Exhibit D (p. 11) of the Agreement. The goals call for the addition of 500 employees and an investment of $100,000,000 over the 15-year Agreement. By the same consideration, if Cook meets the 500-new-employees threshold (and maintains the level) and the $100,000,000 new net investment threshold, then the annual payment will be locked in at $100,000 for the remaining term of the Agreement.

According to Corporation Counsel Guthrie, if Cook were to be annexed it would pay approximately $250,000/year in real property taxes. In addition to this figure, Cook would also be responsible for additional personal property taxes.

- ACQUISTION OF ADDITIONAL PROPERTY. The Agreement provides that any property subsequently acquired by Cook outside of the City's corporate boundaries may be added to the Agreement by way of mutual consent between the parties. In such instances, Cook and the City would negotiate for "an appropriate and proportional *additional* Payment in Lieu of Annexation" (emphasis added). However, note that the Agreement does provide that if Cook acquires the GE Property, as it has indicated it will do, that site will automatically become part of the Agreement without any increase in payments. (p. 3, Sec. 6)
- UPON CESSATION OF OPERATION or RELOCATION. The Agreement provides that Cook agrees to be bound by the obligations contained in the Agreement for the full term of the Agreement – even if Cook ceases operations or moves it plants and operations to a new location.

The City's Promises:
In exchange for Cook's commitments, by way of the Agreement, the City makes the following promises:

- SERVICES. The City will continue to furnish to Cook governmental and proprietary services "of the same nature and same level" as it is providing at the time the Agreement is signed. The Agreement further provides that the City will not be obligated to provide services other than those being provided at the time of the signing of the Agreement nor to provide the same or similar services at any other locations.
- NO ANNEXATION. In exchange for the promises made by Cook for payment based on the aforementioned employment and new investment goals, the City agrees not to annex any of the Cook Properties covered under the Agreement prior to the expiration of the Agreement. Provided, however, such annexation before the expiration of the Agreement may occur by mutual consent of the parties.

The Payments: Use and Destination

The Agreement provides that all payments made by Cook to the City may be used for "any legal public purpose" (p. 4, Sec. 9). Ord 17-39 requires that all monies received pursuant to this proposed Agreement in Lieu of Annexation be deposited into the City's General Fund.

A Brief Note on History

Agreements or payments in lieu of annexation are not new for the City, nor are they new for Cook. Indeed, the City first struck such an agreement with a collective of westside industries back in 1979. Commonly known as the "Westside Agreement," the agreement included GE, Otis, Westinghouse, Wetterau, and Cook. That agreement required these companies to pay $1.5 million over the course of 12 years in exchange for a promise by the City not to annex these sites for 15 years. As recounted in both Ord 17-39 and in the accompanying Memorandum from Corporation Counsel Guthrie, that agreement was replaced by another in 1987. The 1987 agreement was then modified in 1997. The 1997 agreement expired in 2012. Since 2012, no such payment in lieu of annexation has been in place. It is worth noting that in all instantiations of the Westside Agreement, Cook's payment proportionate to the other industries in the agreement, was modest: in 1979, Cook was responsible for 1.6% (5 companies in the agreement); in 1987, Cook was responsible for 4.6% (5 companies in the agreement); and, in 1997, Cook was responsible for 4.59% (by this time, 12 companies were included in the agreement)[24]. Unlike the proposed Agreement wherein all payments are to be

[24] ABB, Cook, GE, Otis, PYA Monarch, ATR COIL, Dunn & Ferguson, EXMIN, Public Inv. Corp., Sabin, Schulte, and D&F.

deposited into the General Fund, all monies from the Westside Agreement were deposited into a dedicated "Non-Reverting Improvement Fund" whose purpose was right-of-way procurement, traffic signalization, construction/reconstruction of streets, curbs, and gutters in order to serve the existing industries and encourage development in the vicinity.

Item 3 -- Res 17-38 Resolution Supporting the Passage of a Food and Beverage Tax to Fund Expansion of the Monroe County Convention Center

Res 17-38 expresses the City's support for the passage of a county-level Food and Beverage Tax to fund the expansion of the Monroe County Convention Center. As you are aware, the issue of such expansion and of a food and beverage tax to support the expansion has been the subject of much community discussion for many years. State law authorizes the imposition of a Food and Beverage Tax in Monroe County. I. C. 6-9-41, *et seq*. Notably, this provision of the Indiana Code is specific to Monroe County and makes the finding that due to the large percentage of land in Bloomington and Monroe County that is owned by state and federal government, and thus not taxable, the City and County are put at a disadvantage in funding projects. IC. § 6-9-41-0.3. For that reason, the Indiana General Assembly authorized Monroe County to impose a Food and Beverage Tax if it wishes to do so.

The Food and Beverage Tax

In general, such a tax would apply to any transaction in which food or beverage is furnished, prepared, or served: (1) on site, as provided by a retail merchant; (2) in Monroe County; and (3) by a retail merchant for consideration (money). I.C. § 6-9-41-6. The Food and Beverage Tax imposed on such a transaction equals one percent (1%) of the gross retail income received by the merchant from the transaction. I.C. § 6-9-41-7. The County fiscal body must adopt an ordinance to impose the tax. If the body adopts the ordinance, then each month the County auditor distributes the tax revenue to either the City or the County, based on where the tax was collected. If collected inside the city, then the City of Bloomington must receive the revenue. If collected outside of the corporate boundaries, then the revenue goes to Monroe County. I.C. § 6-9-41-13. Under statute, shares distributed to both the City of Bloomington and Monroe County can be used "only to finance, refinance, construct, operate, or maintain a convention center, a conference center, or related tourism or economic development projects." I.C. § 6-9-41-14-15. According to the Memo submitted by Deputy Mayor Mick Renneisen, a Food and Beverage Tax in Monroe County is estimated to generate approximately $3 million/year.

Where a Food and Beverage Tax is passed, statute requires that an Advisory Commission be established to coordinate and assist the County and City fiscal bodies regarding the utilization of Food and Beverage Tax receipts.[25] I.C. § 6-9-41-16. Statute further requires that the County and City legislative bodies "must request the advisory commission's recommendations concerning the expenditure of any food and beverage tax funds collected under this chapter. The county or city legislative body may not adopt an ordinance or resolution requiring the expenditure of food and beverage tax collected under this chapter without the approval, in writing, of a majority of the members of the advisory commission." I.C. § 6-9-41-16.

Resolution 17-38 does the following:

- tracks the history of the Convention Center;
- points out that the Center is a local economic development driver, bringing in an estimated $256 million over the last 25 years;
- Asserts that the size of the Center is a limiting factor, and that in 2016, 40 groups were prevented from holding events in Bloomington due to the Center's insufficient size;
- Maintains that both Monroe County and the City of Bloomington agree that Convention Center expansion would enhance the local economy by growing the number of visitors to, and jobs in, the community;
- Maintains that both the County and City agree that any expansion effort requires collaboration and that both governmental entities have taken steps toward realizing expansion, including the issuance of a RFP to potential hotel and convention center developers and reviewing responses prior to approving a development partner;
- Expresses support for a Food and Beverage Tax, as provided by I.C. 6-9-41;

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[25] I.C. § 6-9-41-16(a) provides that such an Advisory Commission shall be populated by the following:
(1) Three (3) members who are owners of retail facilities that sell food or beverages subject to the county food and beverage tax imposed under this chapter appointed by the city and county executive.
(2) The president of the county executive.
(3) A member of the county fiscal body appointed by the members of the county fiscal body.
(4) The city executive.
(5) A member of the city legislative body appointed by the members of the city legislative body.

- Resolves that the City strongly supports the imposition of a Food and Beverage Tax and urges the County Commissioners and Council to pass such a tax; and
- Pledges the City's cooperation, as needed, in the administration and use of the tax proceeds.

Please see the Memo submitted by Deputy Mayor Renneisen for details on the need for an expanded convention center.

Non-binding Letter of Intent

As supporting documentation, the Administration plans to execute a non-binding Letter of Intent ("Letter") with the County. The proposed letter is attached. Such a letter is merely an expression of future intent and does not have the force of law. According to the Letter, the County will pursue all available means for expansion of the Convention Center, including the adoption of a Food and Beverage Tax. Should the County adopt the Food and Beverage Tax, the Letter outlines how such tax allocation would be spent by the County, and how it would be spent by the City. The Letter states that the County may use 100% of its allocation for tourism or economic development projects. However, if the County passes the Tax, the Letter states that the City may use up to 7.5% of its Tax allocation for "related tourism or economic development projects that support the convention center expansion project." (Letter, Section 5). The balance of the City allocation will go directly to the other allowable expenditures pursuant to I.C. 6-9-41-15: construction and/or renovation of a convention center; financing or refinancing of a convention center; operation of a convention center; and, maintenance of a convention center. Monies would first be dedicated to construction. After construction is complete, the City's allocation would be devoted to maintenance. After maintenance costs are covered, then any remaining funds could be spent for related tourism or economic development activities.

Happy Birthday Council Intern Victoria Brown!

NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL
SPECIAL SESSION AND COMMITTEE OF THE WHOLE
6:30 P.M., WEDNESDAY, OCTOBER 4, 2017
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.

SPECIAL SESSION

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES September 6, 2017 (Regular Session)
September 19, 2017 (Regular Session)
September 27, 2017 (Special Session)

IV. LEGISLATION FOR SECOND READINGS AND RESOLUTIONS

1. Resolution 17-37 - Resolution Proposing an Ordinance Modifying Local Income Tax Allocations in Monroe County and Casting Fifty-Eight Votes in Favor of the Ordinance - Re: Adjusting the Allocations between the Public Safety Answering Point (PSAP) and General Public Safety Purposes Tax Rates Without Changing Other Allocations or the Total Expenditure Tax Rate

Committee Action: On August 10, 2017, the Public Safety Local Income Tax Committee of the Monroe County Local Income Tax Council forwarded its recommendations (which are embodied in this resolution) to the members of the aforementioned Council (which includes the Common Council.)

Note: After discussion and public comment, a motion to postpone further deliberation of this resolution until the Special Session on Wednesday, October 11, 2017 is anticipated.

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR FIRST READING

1. Ordinance 17-39 - To Authorize and Approve an Agreement in Lieu of Annexation Between the City of Bloomington and Cook Group, Incorporated and Affiliates

VII. COUNCIL SCHEDULE

VIII. ADJOURNMENT *(to be followed immediately by a)*

COMMITTEE OF THE WHOLE

Chair: Dorothy Granger

1. Ordinance 17-39 - To Authorize and Approve an Agreement in Lieu of Annexation Between the City of Bloomington and Cook Group, Incorporated and Affiliates

Asked to attend: John Hamilton, Mayor
Philippa Guthrie, Corporation Counsel
Jeff Underwood, Controller
Pete Yonkman, President of Cook Group Incorporated
Other Representatives of Petitioner

2. Resolution 17-38 – Supporting Passage of a Food and Beverage Tax to Fund Expansion of the Monroe County Convention Center

Asked to attend: John Hamilton, Mayor
Mick Renneisen, Deputy Mayor

**Members of the public may speak on matters of community concern not listed on the agenda at one of the two Reports from the Public opportunities. Citizens may speak at one of these periods, but not both. Speakers are allowed five minutes; this time allotment may be reduced by the presiding officer if numerous people wish to speak.*

***Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call (812)349-3409 or e-mail council@bloomington.in.gov.*

Posted & Distributed: September 29, 2017

City of Bloomington
Office of the Common Council

To Council Members
From Council Office
Re Weekly Calendar – 02 -07 October 2017

Monday, 02 October

12:00 pm Board of Public Works – Work Session, McCloskey
12:00 pm Affordable Living Committee – Housing and Transportation Subcommittee, Hooker Conference Room
12:00 pm Affordable Living Committee – Childcare and Employment Subcommittee, Council Library
4:00 pm Plat Committee, Kelly
4:30 pm Board of Park Commissioners, Parks
5:00 pm Redevelopment Commission, McCloskey
5:00 pm Utilities Service Board, 600 E. Miller Dr.
5:30 pm Plan Commission, Chambers
5:30 pm Bicycle and Pedestrian Safety Commission, Hooker Conference Room

Tuesday, 03 October

5:30 pm Board of Public Works, Chambers

Wednesday, 04 October

2:00 pm Hearing Officer, Kelly
5:00 pm Bloomington Arts Commission, Hooker Conference Room
5:30 pm Commission on Hispanic and Latino Affairs, McCloskey
6:00 pm Bloomington Commission on Sustainability Work Session, Kelly
6:30 pm Common Council - Special Session *followed by a* Committee of the Whole, Chambers

Thursday, 05 October

4:00 pm Bloomington Digital Underground Advisory Council, McCloskey
5:30 pm Commission on the Status of Women, McCloskey

Friday, 06 October

12:00 pm Common Council - Internal Work Session, Council Library

Happy Birthday to Common Council Intern Victoria Brown!

Saturday, 07 October

8:00 am Bloomington Community Farmers' Market, 401 N. Morton St.

*Auxiliary aids for people with disabilities are available upon request with adequate notice. Please contact the applicable board or commission or call (812) 349-3400.

Posted and Distributed: Friday, 29 September 2017

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Bloomington, IN 47404

City Hall
www.bloomington.in.gov/council
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RESOLUTION 17-37

RESOLUTION PROPOSING AN ORDINANCE MODIFYING LOCAL INCOME TAX ALLOCATIONS IN MONROE COUNTY AND CASTING FIFTY-EIGHT VOTES IN FAVOR OF THE ORDINANCE
- Re: Adjusting the Allocations between the Public Safety Answering Point (PSAP) and General Public Safety Purposes Tax Rates Without Changing Other Allocations or the Total Expenditure Tax Rate

WHEREAS, the Monroe County ("County") Local Income Tax Council previously imposed a County Option Income Tax in the County (under Indiana Code 6-3.5) which, pursuant to Indiana Code 6-3.6, was transformed into a Local Income Tax; and

WHEREAS, pursuant to Indiana Code § 6-3.6-3-1(a), having previously adopted the County Option Income Tax in the County under Indiana Code 6-3.5-6, the County Local Income Tax Council continues to serve as the adopting body for the Local Income Tax with, pursuant to Indiana Code 6-3.6-3-1(b), the same membership; and

WHEREAS, Indiana Code 6-3.6 permits a Local Income Tax to be imposed for, among other things, public safety purposes ("Public Safety Income Tax"); and

WHEREAS, pursuant to Indiana Code § 6-3.6-6-8, a portion of the Public Safety Income Tax may be used to fund a public safety answering point ("PSAP") and, pursuant to Indiana Code § 6-3.6-11-4, the tax revenues for this purpose shall be allocated and distributed to the PSAP before allocation and distribution to any taxing units; and

WHEREAS, in September 2016, after notice and a hearing and in support of public safety for all county residents, the Monroe County Local Income Tax Council adopted an ordinance that increased the local income tax expenditure rate by twenty five hundredths percent (0.25%) ("2016 Increased Expenditure Rate") from nine thousand four hundred eighty two ten-thousandths percent (0.9482%) ("Previous Expenditure Rate") to one and one thousand nine hundred eighty two ten-thousandths percent (1.1982%) pursuant to Indiana Code § 6-3.6-6-2; and

WHEREAS, upon the passage of that ordinance, the total Local Income Tax Rate rose to one and three hundred forty five thousandths percent (1.345%), with the Increased Expenditure Rate allocated to and used for public safety purposes pursuant to Indiana Code § 6-3.6-6-8 ("Public Safety Income Tax"), and the Previous Expenditure Rate remaining allocated to Certified Shares pursuant to Indiana Code § 6-3.6-6-10;

WHEREAS, the aforementioned 2016 Increased Expenditure Rate is composed of two component rates, which direct tax revenue to public safety purposes in the following manner: (1) an income tax rate of seven hundred twenty five ten-thousandths percent (0.0725%) is directed to the PSAP and comprises about 29% of the revenue; and (2) an income tax rate of one thousand seven hundred seventy five ten-thousandths percent (0.1775%) is directed for other public safety purposes and comprises about 71% of the revenue; and

WHEREAS, the allocations made by ordinance in September 2016 are depicted in the following table and, pursuant to Indiana Code § 6-3.6-6-4, continue in effect until rescinded or modified:

Local Income Tax Type		Existing Rate	
Property Tax Relief Rate (Indiana Code 6-3.6-5)		0.0518%	
Total Expenditure Rate (Indiana Code 6-3.6-6)		1.1982%	
Components of Total Expenditure Rate	Public Safety		0.1775%
	Public Safety Answering Point		0.0725%
	Economic Development		0.0000%
	Certified Shares		0.9482%

Special Purpose Rate (Juvenile Local Income Tax) (Indiana Code 6-3.6-5)	0.095%
Total:	1.345%

WHEREAS, Indiana Code § 6-3.6-6-8(c) requires the Monroe County Local Income Tax Council to review, but not necessarily fund, timely applications submitted for a distribution of Public Safety Income Tax revenues from fire departments, volunteer fire departments, and emergency medical services providers that: (1) provide fire protection or emergency medical services within Monroe County and (2) are operated by or serve a political subdivision that is not otherwise entitled to a distribution of Public Safety Income Tax ("Qualified Providers"); and

WHEREAS, pursuant to Indiana Code § 6-3.6-6-8(c), any specified amounts of Public Safety Income Tax revenues directed by resolution of the Monroe County Local Income Tax Council to the aforementioned Qualified Providers shall be distributed before the remainder of public safety revenue is directed by certified distribution to the jurisdictions represented on the Monroe County Local Income Tax Council; and

WHEREAS, over the course of June, July and August of this year, representatives from the members of the County Local Income Tax Council convened as the Public Safety Local Income Tax (PS LIT) Committee (of the County Local Income Tax Council) to review applications for funding under the above statutory provision and consider a recommendation from the Policy Board for the Unified Central Dispatch (i.e. the local PSAP) to increase funding in 2018 to pay for six more dispatchers and acquire uniform communication equipment for providers of emergency services; and

WHEREAS, on August 10, 2017, after four meetings, the PS LIT Committee voted to recommend that the County Local Income Tax Council accept the recommendation of the Policy Board and also not to fund any of the applications submitted under Indiana Code § 6-3.6-6-8(c); and

WHEREAS, the Bloomington Common Council is a member of the County Local Income Tax Council, was represented on the PS LIT Committee, and is adopting this resolution in order to propose to the other members of the County Local Income Tax Council the following ordinance that reflects the recommendations of the PS LIT Committee; and

WHEREAS, pursuant to Indiana Code § 6-3.6-3-7, before a member of the Monroe County Local Income Tax Council may propose an ordinance or vote on a proposed ordinance, the member must hold a public hearing on the proposed ordinance and provide the public with the time and place where the public meeting will be held in accordance with Indiana Code 5-3-1 and include the proposed ordinance or resolution to propose an ordinance in that notice; and

WHEREAS, the Bloomington Common Council has published notice in accordance with Indiana Code 5-3-1 and Indiana Code § 6-3.6-3-7.

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

SECTION 1. A need now exists in Monroe County, Indiana, to modify the allocation of the previously imposed expenditure rate under Indiana Code 6-3.6-6. As a member of the Monroe County Local Income Tax Council, the Common Council of the City of Bloomington is adopting this resolution in order to propose the ordinance below to the other members of the Monroe County Local Income Tax Council.

ORDINANCE OF THE MONROE COUNTY LOCAL INCOME TAX COUNCIL MODIFYING LOCAL INCOME TAX ALLOCATIONS IN MONROE COUNTY

- **Re: Adjusting the Allocations between the Public Safety Answering Point (PSAP) and General Public Safety Purpose Tax Rates without Changing Other Allocations or the Total Expenditure Tax Rate**

BE IT ORDAINED BY THE LOCAL INCOME TAX COUNCIL OF MONROE COUNTY, INDIANA, THAT:

1. A need now exists to modify the allocation of the portion of the Local Income Tax used for public safety purposes ("Public Safety Income Tax"). At present, the Public Safety Income Tax (0.25%) is divided between the Public Safety Answering Point (0.0725%) and General Public Safety (0.1775%).

2. For the avoidance of doubt, no change to: (1) the special purpose tax rate imposed by the Monroe County Council under Indiana Code § 6-3.6-7-16 ("Juvenile Local Income Tax") (which is currently ninety five thousandths percent [0.095%]); (2) the property tax rate under Indiana Code 6-3.6-5 ("Property Tax Relief Rate") (which is currently five hundred eighteen ten thousandths percent [0.0518%]); (3) the tax rate under Indiana Code § 6-3.6-6-10 (Certified Shares) (which is currently nine thousand four hundred and eighty two ten thousandths percent [0.9482%]) or (4) the total tax rate under Indiana Code 6-3.6-6 ("Expenditure Tax Rate") (which is currently one and nineteen hundred and eighty-two ten thousandths percent [1.1982%]) is intended or authorized by this Ordinance.

3. In order to support public safety for all county residents, the Monroe County Local Income Tax Council hereby reallocates the Public Safety Income Tax as follows: The Public Safety Answering Point Rate, which is directed to the public safety answering point, shall be increased from 0.0725% to 0.0916% and the General Public Safety Rate, which shall be used for other public safety purposes under Indiana Code § 6-3.6-6-8, shall be decreased from 0.1775% to 0.1584%. The total Public Safety Income Tax shall remain at 0.25% and the total Local Income Tax Rate shall remain at 1.345%.

4. As a result of the actions in this Ordinance, the Public Safety Income Tax will be divided as follows, beginning on January 1, 2018:

Local Income Tax Type	Existing Rate	Proposed Rate
Public Safety Answering Point Rate	0.0725 %	0.0916%
Public Safety Rate	0.1775 %	0.1584%

Further, pursuant to Indiana Code § 6-3.6-6-8, the revenue associated with these rates shall be directed in the following manner. First, these revenues will be directed to the PSAP. Second, any amounts specified by resolution of the Monroe County Local Income Tax Council under Indiana Code § 6-3.6-6-8(c) shall be directed to Qualified Providers. Third, the remainder of these revenues shall be directed via the certified distribution to taxing units who are members of the Monroe County Local Income Tax Council as set forth under Indiana Code § 6-3.6-6-8(b).

5. For further avoidance of doubt, no other change in the ordinance adopted in September 2016 is intended or authorized. In that regard, the ordinance affirms and clarifies that, pursuant to Indiana Code § 6-3.6-6-4, the Monroe County Local Income Tax Council continues to retain the right to change the allocation of taxes comprised within the expenditure rate on an annual basis. At this time in Monroe County, the components of the expenditure rate that may be affected by this allocation include the PSAP rate, Public Safety rate and Certified Shares rate. Any future change to the allocation of these local income taxes must be done via an ordinance of the Monroe County Local Income Tax Council in a manner and with an effective date as set forth Indiana Code § 6-3.6-3-3, as may be amended by the Indiana General Assembly from time to time. Currently, the effective date for an ordinance changing the allocation of the local income tax adopted after December 31st of the immediately preceding year and before November 2nd of the current year is January 1st of the following year.

6. This ordinance shall take effect upon passage and in accordance with Indiana Code 6-3.6-3.

7. The Monroe County Auditor shall record all votes taken on this ordinance and immediately send a certified copy of the results to the Indiana Department of Revenue and Department of Local Government Finance by certified mail.

8. Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation shall be inapplicable, shall be deemed omitted but the rest and remainder of this resolution, to the extent feasible, shall remain in full force and effect.

SECTION 2. BE IT FURTHER RESOLVED that by adopting this resolution, the City of Bloomington Common Council is casting all of its fifty-eight (58) votes as a member of the Monroe County Local Income Tax Council in favor of the proposed ordinance.

SECTION 3. BE IT FURTHER RESOLVED that a public hearing was held on this resolution and the proposed ordinance at a Special Session on Wednesday, October 11, 2017. Proper notice of the public hearing was provided pursuant to IC 5-3-1 and IC 6-3.6-3-7.

SECTION 4. This resolution shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____ 2017.

_____
SUSAN SANDBERG, President
Bloomington Common Council

ATTEST:

_____
NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana upon this _____ day of _____, 2017.

_____
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2017.

_____
JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

Resolution 17-37 proposes an ordinance to the Monroe County Local Income Tax Council that would modify the allocation of tax revenues between two components of the Local Income Tax Expenditure tax rate. This reallocation will affect the public safety answering point (PSAP) and general public safety (Public Safety) rates authorized under Indiana Code § 6-3.6-6-8, without changing other components of the Expenditure Rate or the Expenditure Rate overall. With adoption of the ordinance, the tax rate for the PSAP would increase to 0.0916% (representing 36.63% of the total), and the tax rate for Public Safety would decrease to 0.1584% (representing 63.37% of the total). The reallocation follows the recommendation of the Public Safety Local Income Tax Committee of the County Income Tax Council and would go into effect on January 1, 2018.

RESOLUTION 17-37

RESOLUTION PROPOSING AN ORDINANCE MODIFYING LOCAL INCOME TAX ALLOCATIONS IN MONROE COUNTY AND CASTING FIFTY-EIGHT VOTES IN FAVOR OF THE ORDINANCE

- **Re: Adjusting the Allocations between the Public Safety Answering Point (PSAP) and General Public Safety Purposes Tax Rates Without Changing Other Allocations or the Total Expenditure Tax Rate**

Memo to the Council

Please see the portion of the Packet Summary which serves as the Memo to the Council on this Legislation this week.

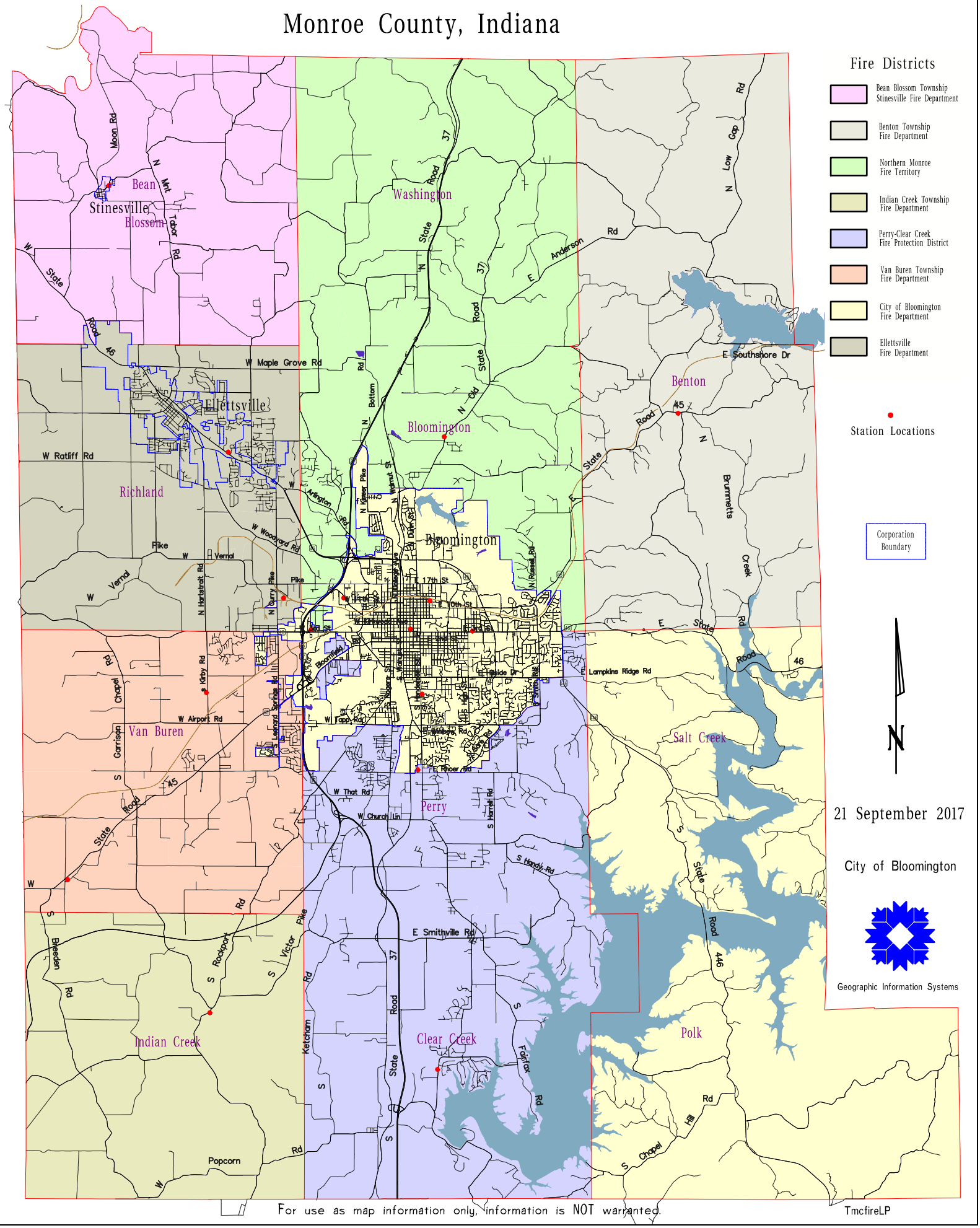
Central Dispatch

		2018 Budget			Revised 2017 Budget		
Major Category	**Minor Category**	**Public Safety LIT**	**E911 Funds**	**Total**	**Public Safety LIT**	**E911 Funds**	**Total**
Personnel Services							
	Salaries and Wages - Regular	1,056,105	277,635		1,055,904	23,306	
	Salaries and Wages- Overtime	119,995	0		118,559	1,436	
	FICA	111,211	0		89,754	1,893	
	PERF	206,430	0		165,287	5,000	
	Health and Life Insurance	442,494	0		350,850	6,000	
Total: Personnel		**1,936,235**	**277,635**	**2,213,870**	**1,780,354**	**37,635**	**1,817,989**
Supplies							
	Office Supplies	750	0		750	0	
	Institutional Supplies	3,000	0		3,000	0	
	Building Materials and Supplies	2,200	0		2,200	0	
	Other Repairs and Maintenance	1,000	0		1,000	0	
	Other Supplies	53,000	0		53,000	0	
Total: Supplies		**59,950**	**0**	**59,950**	**59,950**	**0**	**59,950**
Other Services							
	Exterminator Services	1,000	0		1,000	0	
	Communications Contract	0	475,000		0	400,000	
	Instruction	12,000	15,000		0	15,000	
	Telephone	4,000	0		4,000	0	
	Electrical Services	40,000	0		39,280	0	
	Water and Sewer	1,000	0		1,000	0	
	Building Repairs	10,000	0		10,000	0	
	Machinery and Equipment Repairs	5,000	0		5,000	0	
	Other Repairs	1,000	0		1,000	0	
	Other Services and Charges	5,000	0		5,000	0	
Total: Other		**79,000**	**490,000**	**569,000**	**66,280**	**415,000**	**481,280**
Capital Outlays							
	Other Capital Outlays	800,000	95,000		40,000	410,000	
Total: Capital		**800,000**	**95,000**	895,000	**40,000**	**410,000**	**450,000**
Grand Total		**$2,875,185**	**$862,635**	**$3,737,820**	**$1,946,584**	**$862,635**	**$2,809,219**

APPLICATIONS FOR 2018 PUBLIC SAFETY LOCAL INCOME TAX ALLOCATIONS

Provider/ Political Subdivision	Eligibility	Category 1: Personnel and Fringe Benefits	Category 2: Supplies	Category 3: Other Services and Charges	Category 4: Capital	Totals
Bean Blossom Township Stinesville Volunteer Fire Department, Inc.	Volunteer Fire Department	$58,240.00	$33,800.00	$1,500.00	$25,000.00	**$118,540.00**
Benton Township of Monroe County Volunteer Fire Department, Inc.	Volunteer Fire Department	*none*	*none*	*none*	$65,824.00	**$65,824.00**
Indian Creek Firefighters, Inc.	Volunteer Fire Department	$28,100.00	*none*	$2,200.00	$31,000.00	**$61,300.00**
Northern Monroe County Fire Protection Territory	Fire Department	*none*	*none*	*none*	$97,500.00	**$97,500.00**
Perry - Clear Creek Fire Protection District	Fire Department and Emergency Medical Services Provider	$283,679.28	*none*	*none*	*none*	**$283,679.28**
Van Buren Township, Monroe County	Fire Department, Volunteer Fire Department, and Emergency Medical Services Provider	$198,000.00	$4,000.00	$3,500.00	$71,000.00	**$276,500.00**
Totals	**N/A**	**$568,019.28**	**$37,800.00**	**$7,200.00**	**$290,324.00**	**$903,343.28**

Monroe County, Indiana



Monroe County Fire Districts

Scale: 1 inch = 2.5 miles

Approved Minutes for the
2017 Public Safety Local Income Tax Committee
(of the Monroe County Local Income Tax Council)

- **June 15, 2017**

- **July 25, 2017** – with attachments:
  - Tax Rates and Revenues (for 2017 and estimated for 2018); and
  - Revised Central Dispatch Budget (for 2018 and a revised one for 2017)

- **July 27, 2017**

- **August 10, 2017** – with attachments:
  - Spreadsheets prepared by Cm. Cobine and Cm. Munson:
    - Alternative Funding Scenarios – with the Committee's recommendation highlighted in yellow; and
    - Worksheet for allocating funds to Qualified Providers

MEETING MINUTES
Monroe County Income Tax Council
Public Safety Option Income Tax Committee

Nat U. Hill Meeting Room
Monroe County Courthouse, 100 West Kirkwood, Bloomington, Indiana
June 15, 2017
5:30pm

Susan Sandberg called the meeting to order at 5:30 p.m.

1. ROLL CALL AND INTRODUCTIONS

Committee Members Present: Allison Chopra (Bloomington Common Council), Susan Sandberg (Bloomington Common Council), Isabel Piedmont-Smith (Bloomington Common Council), Dorothy Granger (Bloomington Common Council), Ryan Cobine (Monroe County Council), Cheryl Munson (Monroe County Council), Scott Oldham (Ellettsville Town Council), Lois Purcell (Stinesville Town Council)

Staff Present: Thomas Cameron (Assistant City Attorney, City of Bloomington), Dan Sherman (Council Attorney/Administrator, City of Bloomington), Michael Flory (Council Attorney, Monroe County)

2. ELECTION OF CHAIR

Ms. Piedmont-Smith moved and it was seconded to elect Ms. Chopra as chair of the committee. The motion was approved by voice vote.

3. MINUTES – Meetings on August 8, 2016 and August 10, 2016

Ms. Sandberg moved and it was seconded to approve the minutes of August 8, 2016 and August 10, 2016 as previously amended. The motion was approved by voice vote.

4. GUIDELINES

The committee began consideration of the eligibility and proposed guidelines for applications.

Ms. Chopra asked whether the guidelines were the same as those used in the previous year. Mr. Sherman said that statutory references had been updated.

Ms. Chopra asked for feedback from the committee regarding the proposed guidelines.

Ms. Piedmont-Smith asked whether the guidelines would state that the committee would consider how funds previously allocated to the applicant had been used in the year prior. Mr. Sherman said such a question appeared in the application form, but was not included as part of the criteria to use in judging whether or not the applicant would receive funds. The committee discussed whether that information should be added to the criteria included in the guidelines as information that would be considered by the committee in making allocation decisions. Ms. Piedmont-Smith moved and it was seconded to add the following to the criteria: "If the requesting agency received funds in the previous year, whether the funds were used for the purposes proposed." The motion was approved by voice vote.

5. SCHEDULE

Mr. Sherman reviewed possible dates, times, and locations for future meetings of the committee. The committee members discussed their availability. The following meetings were scheduled: July 25, 2017 at 7:30 p.m. and July 27, 2017 at 5:30 p.m., with both meetings to be held in the Nat U. Hill meeting room of the Monroe County Courthouse.

6. APPLICATION FORM

The committee discussed potential amendments to the application form, along with possible deadline dates for both electronic applications and hardcopy applications.

Ms. Munson noted the size of the boxes on the application form were not indicative of anything and should not dictate the length of responses.

Mr. Sherman suggested that the committee approve the application but also give the chair of the committee the authority to revise the form and approve a cover letter to applicants.

Ms. Chopra asked when applications were due. Mr. Sherman explained the deadlines for both hardcopy applications and electronic applications on June 30. Ms. Chopra expressed concerns about amending the application form so close to the deadline.

Ms. Piedmont-Smith suggested that "items of personnel" be clarified in Category 1 of the application. The committee discussed how best to make the amendments. Ms. Piedmont-Smith also noted a change to a date on page six of the application.

Ms. Piedmont-Smith moved approval of the application form as amended. The motion was approved by voice vote.

Mr. Sherman asked if the committee wished to allow the chair of the committee to approve amendments and any cover message. Ms. Chopra said such a motion had not been made. Mr. Sherman asked whether the deadlines previously mentioned were acceptable to the committee. The committee indicated the deadlines were acceptable but asked that the applications be made available as soon as possible.

7. OVERVIEW OF LOCAL INCOME TAX RATES, REVENUES, AND DISTRIBUTIONS (Handout prepared by Jeffrey Underwood, City Controller)

Thomas Cameron, Assistant City Attorney, City of Bloomington, introduced himself and said he would be explaining a spreadsheet distributed to the committee members entitled 2018 PS LIT Analysis (attached hereto). He said the spreadsheet attempted to show the 2017 public safety local income tax (PS LIT) distribution amounts and what the 2018 PS LIT distributions might look like. He explained how the tax funds were distributed in 2017 between the public safety answering point (PSAP) and various incorporated entities within the county. He then explained how distributions might look assuming no increase in tax revenue and how distributions might look assuming a 4% increase in tax revenue, while also assuming that the funding request submitted by the dispatch center would be fully funded.

Ms. Munson noted that the committee would not learn from the state the amount of revenue available for distribution before August 1, 2017. She pointed out that the committee had just approved a schedule that would involve making decisions before that date. She asked if such a schedule was wise. Mr. Sherman said the committee was statutorily required to review timely applications and could do so in July with the understanding that better information would be available in August. Ms. Sandberg pointed out that the committee members often dealt with projections and ranges of funds and could do so with the PS Lit revenue. Ms. Chopra asked if the committee should schedule a tentative meeting in August in case the committee needed to meet again. The committee and Sherman had discussion about when it would be most convenient to schedule a tentative meeting. The committee scheduled a tentative meeting for August 10, 2017 at 7:00 p.m. in the Nat U. Hill meeting room of the Monroe County Courthouse.

Mr. Cameron explained why the spreadsheet reflected two projected scenarios, one with no increase in tax revenue available for distribution and one with a 4% increase in tax revenue available for distribution. He said that the 4% increase in distribution was included to show the committee what revenue would be required to fully fund the budget request submitted by the Dispatch Policy Board without reducing the amount allocated to the incorporated entities. Ms. Piedmont-Smith noted that the committee had the option to increase the tax rate. Mr. Cameron confirmed that the maximum rate for local income tax that the income tax council could impose was 2.5%. He said the current rate imposed was 1.345%, so the rate was not yet at the cap. Ms. Chopra asked if raising the rate would involve an additional process. Mr. Cameron explained the process for approving or increasing the tax rate, and also explained an ambiguity regarding the process for approving the portion of the distribution going to the dispatch center. He said that he had been in contact with the Department of Local Government Finance and was awaiting a response to clarify the process for the distribution to the dispatch center.

8. REPORT FROM UNIFIED CENTRAL DISPATCH POLICY BOARD
(Jeff Schemmer, Manager)

Jeff Schemmer, Communications Manager, Monroe County Central Emergency Dispatch, introduced himself and explained he would be providing details about a proposed project that had been approved by the Dispatch Policy Board regarding a township communications plan. He said the purpose of the plan was to accomplish two things. First, the plan would move all fire department radios to an 800 MHz platform. He explained that there were two different radio platforms, VHF and 800 MHz, which different fire departments used. Moving to a single platform would allow responders to carry only one radio that would then operate on the single platform. Second, the proposal would provide funding for the installation of mobile data terminals into the township fire departments. The laptops would help relay information to those fire departments and help them better track information and equipment. Mr. Schemmer noted that the dispatch center was transitioning to new dispatch software called Locution and he said the requested laptops would help make use of that new software. He explained how the laptops would help automate much of what dispatch had to do. He said the total cost for the proposal would be $1.2 million, which the Dispatch Policy Board acknowledged might be cost prohibitive. He said the Board was requesting to split the cost into two years. He referred the committee to a spreadsheet entitled Township Communications Breakdown (attached hereto). He said we would prefer to first fund the purchase of the laptops because it would be less costly, costing approximately $435,600. He said the Dispatch Policy Board intended to ask for $800,000 in 2018 distributions and the same amount in 2019. If the $800,000 was granted for 2018, any money left over after purchasing the laptops would be used to help offset the cost of new radios. He explained that dispatch was still waiting for bids for the radios, but that portion would cost around $730,000. He said that cost would include mobile radios for fire departments that did not have those for their vehicles. He said the total project would be about $1.2 million.

Ms. Piedmont-Smith asked for clarification as to the total cost of the project and what amount was being requested, pointing out that Mr. Schemmer said dispatch was requesting $800,000 for 2018 and $800,000 in 2019 for a total of $1.6 million, but he had also stated the project cost was $1.2 million. Mr. Schemmer said the $400,000 difference was being made up for through other funding.

Ms. Chopra asked whether the total request for PS LIT money was $800,000 for 2018. Mr. Schemmer said yes. Ms. Chopra asked what amount would be requested in 2019. Mr. Schemmer said the amount would be $800,000 or the balance needed to complete the purchase of the radios. Ms. Chopra asked whether granting the funds requested for 2018 would commit the committee to providing PS LIT money two years in a row. Mr. Schemmer said yes, which was why leftover funds would be rolled over to help offset the cost.

Mr. Cobine clarified that the $800,000 requested for each of the next two years was an estimate, and the numbers on the Township Communications Breakdown spreadsheet reflected the estimated minimum cost for the purchases. Mr. Cobine asked what the $800,000 was composed of. Mr. Schemmer explained the 9-1-1 fund was restricted to certain uses and could not be used to fund the proposed project. He said dispatch was using money from the 9-1-1 fund to pay for other things.

Ms. Munson asked about capital expenditures approved in the dispatch budget. Mr. Schemmer explained that those expenditure were approved for 2017 and were not relevant to the budget requests for 2018 and 2019. He said the proposed projects did build upon one another though, so dispatch wanted to explain the proposals to the committee members to give them advanced notice. Ms. Munson noted it was unusual for a fiscal body to approve money two years in advance and asked whether the laptops would work independent of the radios. Mr. Schemmer said yes, the laptops alone would be a needed upgrade.

Mr. Oldham asked how dispatch had come up with the estimate for how many laptops were needed. Mr. Schemmer said he had asked fire departments how many they would need for their front line equipment. Mr. Oldham suggested that the fire departments should reexamine their need for laptops, as the numbers presented were perhaps higher than they should be for the equipment needs of the departments. Ms. Chopra suggested that could be addressed in future meetings.

Ms. Piedmont-Smith pointed out that the total requested for PSAP funding had increased by $300,000 but the request for capital expenditures was $400,000. She asked if PSAP's other needs had decreased. Mr. Schemmer said no and explained that when dispatch had come up with the original figure last year, they had enough to proceed because they did not rely solely on the PS LIT for funding. Ms. Piedmont-Smith said she did not understand why the increase on the 2018 PS LIT Analysis spreadsheet, prepared by Mr. Underwood, only reflected a $300,000 increase in the PSAP budget when the request for the project was over $400,000. Mr. Schemmer said he was not sure and that question might be better addressed by Mr. Underwood. Mr. Cameron said it was likely an incomplete budget picture as the 9-1-1 fund also played a role. He said that without seeing the numbers from that fund, it might be hard to see how the pieces moved together. Ms. Piedmont-Smith asked how dispatch was able to move expenses to the 9-1-1 fund and asked why they had not done that before. Mr. Cameron said that fund was controlled by the county. Mr. Schemmer said they also had money that they were rolling over from 2017 to 2018 to help.

Ms. Sandberg asked who served on the Dispatch Policy Board. Mr. Schemmer said there was one vacancy (reserved for a member of law enforcement), the deputy chief from Bloomington Police Department, the chief deputy from the Monroe County Sheriff's Department, the president of the county firefighter's association, and the deputy fire chief for Bloomington Fire Department. Ms. Sandberg asked whether the request was aimed at unifying practices and equipment for the various departments and responders. Mr. Schemmer said yes, that was the overarching goal. Ms. Sandberg asked whether anyone from the townships had attended the Dispatch Policy Board meetings to voice concerns.

Mr. Schemmer explained the Board's meetings were open to the public and said some township trustees had attended, but no one had voiced concerns during the public comment portion of the meeting. Ms. Sandberg asked whether people agreed that it was a good proposal. Mr. Schemmer said yes. Ms. Sandberg asked about the life span of the 800 MHz radios. Mr. Schemmer said they were sturdy radios with a shelf life of about ten years.

Ms. Munson said she had attended the Dispatch Policy Board meetings, and while she had not heard any questions at the meetings, she did receive questions afterward. She said she had heard some fire departments say they would rather have money for more staffing instead of radios. She explained she had heard support for the 800 MHz system but said some departments had other priorities simply because they had small budgets. She also noted that when the county council had previously approved $325,000 for equipment, it had no idea that that money would be going into the enhanced communications systems. Mr. Schemmer explained how dispatch was able to shift funds around to help pay for things.

Ms. Chopra asked what percentage of the PS LIT money distributed in 2017 had been requested by the PSAP. Mr. Schemmer said 29%. Ms. Chopra asked what percentage of the PS LIT revenue was being requested by the PSAP for 2018, assuming no change in revenue. Mr. Schemmer said he was not sure, but thought dispatch was trying to structure its request so as to not increase that percentage. Ms. Chopra said she thought it was 38%. She wanted it to be clear that that was almost a 10% difference from year to year. She said that would impact how other people thought about distributions to the other entities.

Mr. Oldham said dispatch served everyone in the county, and the needs being addressed by the request were the biggest issues dispatch faced. He said it impacted dispatch's capabilities, which could, in turn, impact lives. He said the committee should not second guess the priorities of dispatch.

Ms. Chopra clarified that awarding $800,000 to dispatch might limit funds available to award to the townships. Ms. Sandberg said the tax council had to look at the overall picture and make decisions based on what would do the most overall good.

Mr. Oldham said that was why he had suggested that dispatch look hard at how many laptops were really needed, and if dispatch did not need a laptop on every piece of equipment, it should rethink the request.

Mr. Cobine asked Mr. Oldham if he was familiar enough with the issues to know whether or not certain types of vehicles might be able to go without a laptop. Mr. Oldham said yes, and explained that it was unlikely that every piece of equipment needed a laptop or radio. He encouraged dispatch to look at the need versus the request.

Ms. Chopra asked who had prepared the Township Communication Breakdown spreadsheet. Mr. Schemmer said he had collected the information from the departments and prepared the figures quickly to give the committee an estimate. He said he would be able to provide more specific information if the committee members passed along any additional questions.

Ms. Piedmont-Smith noted that the amount allocated to dispatch for 2019 could be reduced if fewer laptops than predicted were necessary. She also noted that if fewer laptops were needed, it might enable dispatch to purchase radios faster. Mr. Schemmer agreed and said that the idea for the phase-in came about recently after realizing the two purchases would be too expensive for one year.

Ms. Granger asked if there were any problems with the funds reverting. Mr. Cameron said the funds could be structured to ensure the funds would not revert and would be earmarked for what they were intended.

Ms. Munson said she would like to see a reevaluation of the needs of the fire departments for laptops and radios, given the scarcity of funds.

Ms. Chopra said she was inclined to fund the entire request as she did not want to have any holes in the equipment.

Ms. Piedmont-Smith encouraged committee members to indicate what information they would need by the next meeting, as Ms. Munson had done.

Mr. Schemmer said that the proposal had been created in part to help out the townships receive the laptops and radios, as they might not be able to afford those things on their own.

Ms. Piedmont-Smith asked for information about whether the non-city fire departments were at their maximum levies.

9. OTHER BUSINESS

No other business was discussed.

10. ADJOURNMENT

The meeting was adjourned at 7:16 p.m.

MEETING MINUTES
Monroe County Income Tax Council
Public Safety Option Income Tax Committee

Nat U. Hill Meeting Room
Monroe County Courthouse, 100 West Kirkwood, Bloomington, Indiana
July 25, 2017 - 7:30pm

Allison Chopra called the meeting to order at 7:30 p.m.

1. ROLL CALL

Committee Members Present: Allison Chopra (Bloomington Common Council), Susan Sandberg (Bloomington Common Council), Isabel Piedmont-Smith (Bloomington Common Council), Dorothy Granger (Bloomington Common Council), Ryan Cobine (Monroe County Council), Cheryl Munson (Monroe County Council), Scott Oldham (Ellettsville Town Council), Lois Purcell (Stinesville Town Council)

Staff Present: Jeffrey Underwood (Controller, City of Bloomington), Thomas Cameron (Assistant City Attorney, City of Bloomington), Dan Sherman (Council Attorney/Administrator, City of Bloomington), Michael Flory (Council Attorney, Monroe County), Michael Rouker (City Attorney, City of Bloomington), Michael Diekhoff (Chief of Police, City of Bloomington), Jeff Schemmer (Communications Manager, Monroe County Central Emergency Dispatch), Brad Swain (Sheriff, Monroe County), Stacy Jane Rhoads (Deputy Council Attorney/Administrator, City of Bloomington)

2. AGENDA SUMMATION

Ms. Chopra gave a summary of the agenda.

3. MINUTES – Meeting on June 15, 2017

It was moved and seconded to approve the minutes of June 15, 2017 as corrected. The motion was approved by voice vote.

4. ADDITIONAL OVERVIEW OF LOCAL INCOME TAX RATES, REVENUES, AND DISTRIBUTIONS

Mr. Underwood provided background information about the creation of the local income tax. He displayed a spreadsheet entitled 2018 PS-LIT Analysis (Exhibit 1) and reviewed the 2017 distribution of PS-LIT revenue as contained on the spreadsheet. He then explained how 2018 distributions to the various entities might be affected under the assumption that the amount available for distribution did not increase and that the amount requested by the Public Safety Access Point (PSAP or dispatch) was granted in full. He then explained that a 4% increase in distribution was needed to both fully fund the budget request from PSAP as well as maintain the amounts allocated to the other incorporated entities. He said that the amount of revenue available for distribution would not be known until later in July or early August.

Mr. Cameron followed up on issues raised at the committee's previous meeting. He explained the process that the committee would need to follow should it decide to adjust the local income tax rate and the process needed if the committee chose not to adjust the rate. He also explained the deadlines by which the committee would need to act. Ms. Munson asked when a new rate would take effect. Mr. Cameron said that, depending on when the Monroe County Local Income Tax Council acted, a new rate could take effect on October 1, 2017, January 1, 2017, or October 1, 2018. Ms. Munson clarified that not all of the rates within the 1.345% local income tax rate could be adjusted. Mr. Cameron agreed, noting that the juvenile services rate could not be changed as that rate was under the control of the Monroe County Council.

Ms. Piedmont-Smith asked what taxes were included within the 1.345% local income tax. Mr. Cameron said that general local income tax was 1%, public safety local income tax was .25%, and juvenile services local income tax was .095%.

Mr. Underwood provided additional detail on the percentage of PS-LIT revenue that was distributed to PSAP in 2017 and what percentage would be distributed in 2018 if PSAP's request was fully funded. Ms. Munson asked for clarification on what Mr. Underwood meant when he said above the line. Mr. Underwood explained that above the line referred to distributions that the tax council could allocate before distributions would be made to the four incorporated units of government.

Mr. Cobine clarified a portion of the displayed spreadsheet to ensure he understood it correctly. Mr. Underwood explained how the net amount on the spreadsheet was calculated.

Ms. Piedmont-Smith said she did not understand how the 2018 PS-LIT Analysis spreadsheet related to the Central Dispatch worksheet (Exhibit B). Mr. Underwood explained that the total proposed budget for dispatch was $3,737,820, with $862,635 coming from E-911 funds and the remaining $2,875,185 to come from PS LIT funds, which was reflected on the 2018 PS-LIT Analysis spreadsheet. Ms. Piedmont-Smith clarified that some of the amounts had been updated since the previous meeting, which might explain some of the confusion.

Ms. Munson said she was concerned about making distribution determinations before knowing the exact amount that would be available for distribution. Ms. Chopra pointed out that the same situation had existed the previous year. Ms. Munson said the committee had met in August after learning the revenue amount from the state. Ms. Chopra said that there was a tentative meeting scheduled for August. Mr. Sherman said that it was common to work with estimates when working on budgets and the committee had not needed to make adjustments the previous year when it learned the exact amount of revenue. Ms. Chopra suggested that the committee use conservative estimates for revenue while deliberating. Ms. Munson asked if a 4% increase in revenue was a conservative estimate. Mr. Underwood said no, though he was hopeful the revenue would increase some amount. He explained that various indicators led him to believe there would be some growth in revenue and doubted that there would be a decrease in the amount of revenue available.

Ms. Piedmont-Smith asked Mr. Underwood to explain why the 2018 PS-LIT Analysis spreadsheet listed the total 2017 PS-LIT distribution to PSAP as $2,574,507 when the Central Dispatch spreadsheet listed the PS-LIT funding portion of its total budget as $1,946,584. Mr. Underwood noted that the amount that was allocated to PSAP was actually $2,182,947, as $391,560 had been allocated to the townships. He explained that the $1,946,584 amount listed on the Central Dispatch spreadsheet was a revised figure, which had been the result of combining budgets for dispatch. He said that they had spent less than had been allocated and noted any amount remaining would be put into a capital replacement fund. Mr. Cobine summarized Mr. Underwood's explanation to ensure the committee understood it correctly.

Ms. Granger asked if the funds allocated to the townships would revert to a similar capital replacement fund if not all allocations were spent. Mr. Underwood said no, as it was his understanding that there was no written agreement with the townships to spend allocated funds in any particular way. He recommended having such agreements in the future if the committee wanted to ensure funds were spent on the proposals presented to the committee.

Ms. Munson asked for a further explanation of the difference between the amount allocated to PSAP in 2017 ($2,182,947) and the amount listed as the total budget for dispatch ($1,946,584). Mr. Underwood restated the explanation he had provided in response to Ms. Piedmont-Smith's earlier question.

Ms. Piedmont-Smith said she was disappointed that no written agreements had been executed with the townships for the funds allocated to them. She said that it seemed like good governing to have such written agreements.

Ms. Granger asked how dispatch had spent the money allocated to it. Mr. Underwood said dispatch was in the middle of its budget year, but he could provide her with a six-month look back at the budget. Ms. Granger said she and other committee members would like that.

Ms. Sandberg said that the PS-LIT allocation process was relatively new, and there might be loose ends that needed to be tied up from the previous year. She agreed that there should be written funding agreements. She also said that those involved with the process could provide feedback on the criteria used by the committee to assess requests.

Mr. Cobine reported on some conversations that had taken place between the county and city attorneys about the possibility of some sort of monthly reporting that might be put in place in the future.

Ms. Munson commented that the difference between the amount allocated to PSAP and the actual amount in its budget was approximately $236,000, which she thought was a large amount to explain through variations in the budgeting process. Mr. Underwood elaborated on some of the factors that had led to the difference.

Mr. Cobine asked for further detail about the leftover PS-LIT allocations and how the capital replacement fund would work. Mr. Underwood explained that any unspent distributions for dispatch would roll over into a capital replacement fund, which would be controlled jointly by the city and county.

Ms. Piedmont-Smith and Mr. Underwood further clarified portions of the two spreadsheets.

5. FURTHER DISCUSSION OF REPORT FROM UNIFIED CENTRAL DISPATCH POLICY BOARD

Mr. Rouker highlighted notable portions of the proposed 2018 budget for central dispatch. He pointed out that the 2018 proposed budget included money for six new dispatchers, which would help align the central dispatch center with national standards for the number of dispatchers recommended for a center that size. He also noted that the proposed budget included funds for the purchase of mobile data terminals (MDTs) for the seven township fire departments.

Ms. Munson pointed out that the Central Dispatch spreadsheet reflected capital outlays of $800,000, while a spreadsheet distributed at a previous meeting, entitled Township Communications Breakdown, listed the price of laptops as $435,600. She asked if the $800,000 capital outlays contained in the proposed budget would be used for more than the mobile data terminals. Mr. Schemmer explained that the requested amount would be used to purchase laptops, while any money remaining after the purchase of the laptops would be rolled over to the next year to help with the purchase of radios. Ms. Munson asked if the price for the laptops included ITS support. Mr. Schemmer said yes, and explained what that support would entail. Ms. Munson clarified that there would be a request the following year for the amount needed to complete the purchase of the radios. Mr. Schemmer confirmed that was the case.

Ms. Piedmont-Smith asked why dispatch was requesting $800,000 for 2018 when the purchase of the laptops would cost much less. She asked if the intent was to purchase all of the laptops and some of the radios in 2018. Mr. Underwood explained that the intent was to try to keep the budget request for dispatch level over the two years. Ms. Piedmont-Smith pointed out that the total cost of the laptops and radios would be approximately $1.2 million. Mr. Underwood said that was a very rough estimate, as there had not been bids completed for the purchases. He said dispatch used a higher estimate in the request to allow for that uncertainty. He also noted that after purchasing the laptops, the money could be used to begin the next phase of the project.

Ms. Granger asked for information regarding the six new positions for dispatch. Mr. Diekhoff said the request was for six additional dispatchers to help staff the dispatch center. He said the request would raise the number of full-time dispatchers to 29, which would still be short of the national standards for a dispatch center of Monroe County's size. Ms. Granger asked if there would be additional funds requested the following year. Mr. Diekhoff said possibly. Ms. Granger asked how many vacancies the dispatch center had at that time. Mr. Diekhoff said three. Ms. Granger asked if the dispatchers were paid enough. Mr. Diekhoff pointed out that there was an ongoing salary survey being conducted by the city that was looking at that question.

Mr. Cobine asked for background on the dispatch center. He said his understanding was that one major constraint of the previous dispatch location was physical space and when the new dispatch was built, it provided additional space for dispatchers. Mr. Diekhoff said that was correct and provided background information on the dispatch locations. He explained adding additional staff would allow dispatch to better schedule during peak call times, while also taking some of the stress off of the current dispatchers.

Ms. Chopra asked whether the MDTs would work anywhere in the county. Mr. Diekhoff said there could be dead spots, as the MDTs functioned on radio and cell phone technology, but said they should function in most of the county. He said they were working on standardizing how fire departments were dispatched. He said the police department and sheriff's department were dispatched the same way. He said the proposed equipment would go a long way in helping with fire dispatch. The current system left open the possibility of problems and errors, which could be dangerous. Ms. Chopra asked if there was a technology that could provide 100% coverage. Mr. Diekhoff said he did not know of anything better than proposed, other than the possibility of satellite technology, which would be much more expensive.

Ms. Sandberg asked what the rationale was in making the proposed purchases all at once and through a standardized, uniform process. Mr. Diekhoff explained that all of the purchased equipment would be the same format, would get better service for maintenance, and would be less expensive if purchased in bulk. Ms. Sandberg asked if maintenance was included with the purchase. Mr. Diekhoff said yes.

Mr. Cobine noted that he had heard concerns about the estimate for the radios being high, and asked for a response to that concern. He also asked if someone could comment about whether fully functional laptops were needed by every fire and EMS responder, or whether those responders could get by with the sort of status indicators that had been used in the past. Mr. Schemmer said dispatch had based the request on the type of MDTs used in the police department, as that equipment was familiar to the IT staff, even if not all of the functionality would be necessary. He also said the number of MDTs requested was the result of asking fire departments how many MDTs would be needed for frontline equipment. He said if the estimates for the MDTs were high, the leftover money would help offset the cost of radios the following year, which he acknowledged were expensive. He pointed out that the cost could fluctuate based on technology, manufacturers' specials, or other factors. He explained other efforts aimed at standardization through the use of new dispatch software, which involved using MDTs as part of the information delivery system. He said that if laptops were not used for the status indicators, something else would need to be used, and there had not been success in the past in coming up with an alternative. Mr. Cobine asked whether the hardware was constrained by the software choice used for dispatching. Mr. Schemmer said yes, and explained dispatch had proposed hardware that was familiar and reliable. Mr. Cobine asked if there would be any downsides to a more distributive approach to purchasing the equipment, where each fire department would have more leeway in purchasing as long as it reached the standards set county-wide. Mr. Schemmer said the logistics of such an approach would be difficult and said most county-wide communications programs were based on bulk purchases and standardization. He said it would also be easier to keep everyone on the same timeline for training and for going live. He said it would also keep everyone on the same cycle for replacing the equipment.

Ms. Piedmont-Smith asked if there had been any reevaluation of the number of laptops needed. Mr. Diekhoff said the plan was to provide every frontline vehicle with a laptop, so which vehicles needed laptops and which did not had already been considered. Ms. Munson commented that the number of laptops requested by some of the townships seemed high to her. Mr. Diekhoff said that each township had been asked how many laptops would be needed to equip all of the frontline vehicles, so the number of laptops came from the townships. Mr. Cobine added that he would like some additional information regarding the number of laptops needed for each township, which could be provided later in the meeting.

Ms. Chopra asked Mr. Diekhoff what his priorities were for the PS-LIT money that would be allocated to the police department. Mr. Diekhoff said there were many capital needs that would be addressed, including vehicles and some remodeling projects. Ms. Chopra commented that the previous year's PS-LIT money seemed to be used primarily for things related to fire protection. She asked if that imbalance would be addressed in 2018. Mr. Underwood said the city administration worked with both the chief of police and fire chief to develop a rolling five-year capital plan, in addition to facilities maintenance for the various groups. He noted the fire department had more facilities, but funding would be cyclical, based on needs and priorities. He said each department submitted requests, then the administration worked with them to develop the plan. The hope was that, over time, the funding would equal out to the need of each department. He explained that equipment for fire protection was more expensive, but police needed more vehicles and staff. He said the city had committed to use PS-LIT money to fund capital requests, not personnel.

Ms. Piedmont-Smith asked Mr. Swain to comment on the dispatch proposal and his other public safety needs for the funds. Mr. Swain said that during the previous year he had asked and had been granted ten new deputies for the Sheriff's Department. He said that hiring all ten deputies at once was not realistic, so the department had decided to hire five each year for the next two years. He was concerned that the dispatch request would impact his ability to hire the second group of five deputies as previously planned. He pointed out that once the deputies were hired and outfitted with equipment and cars, the cost associated with them would drop dramatically as they would not need to replace any of that equipment for a while. He appreciated what dispatch was asking for, but did not want to be penalized for spreading out the hiring of the deputies. Ms. Piedmont-Smith asked if his department's needs for the PS-LIT funds were the same as the previous year. Mr. Swain said there were some changes in what the money was needed for, but the amounts had essentially balanced out.

Mr. Cobine asked how bad the need was for the MDTs and radios, given the context of limited resources and the need to prioritize the requests from other entities. Mr. Schemmer said the requested upgrades were very important. A dispatcher using the wrong frequency might not be getting important information to the people responding to a call. He provided additional detail regarding the difficulties related to using two different frequencies. Mr. Rouker added that the enhancements requested could save lives, which would mean they were worth the cost. He also noted that the Dispatch Policy Board had met in May, June, and July. He said those meetings might have been a better place to raise some of the issues being discussed.

Mr. Oldham commented that the tax under discussion was created to fund dispatch, and everything else was secondary to that. He said the primary focus should be to fund dispatch and enhance public safety county-wide.

Ms. Piedmont-Smith asked why there was a request for $10,000 in building repairs, as the dispatch center was a relatively new building. Mr. Schemmer said that was part of the ongoing maintenance that was needed for the building. Mr. Underwood added that the dispatch building, while relatively new, was also in use 24 hours per day, 365 days per year, so it received much more wear and tear than other facilities.

Ms. Munson said she did not view the PS-LIT revenue as being primarily for dispatch. She viewed it as being for dispatch first, but also for other public safety needs. She said she had taken a broader view of the tax since it had passed. She noted the different county departments that dealt with public safety issues. She said the projection prepared by Mr. Underwood that showed a potential decrease in distribution to the county worried her because she did not know which department could bear that decrease. She said she was being critical of the dispatch communication project proposal not because she thought it was a bad idea, but because it seemed premature and that it deserved more scrutiny. She also had concerns after talking to some of the fire departments and learning of their priorities and needs. She hoped the committee would be able to learn more when talking to each applicant.

Ms. Granger thanked the presenters for the information and said she looked forward to the township presentations yet to come.

Ms. Sandberg thanked the presenters as well. She said she would be basing her decisions on what she thought would benefit the county as a whole. She encouraged everyone to communicate with each other.

Mr. Cobine reminded everyone that the amount of PS-LIT money for dispatch was less than a third of the revenue brought in by the tax. He also said that the Dispatch Policy Board made a recommendation, which should be taken under advisement by the decision making group, to be followed or not.

Ms. Chopra said she noticed some disjointedness and problems the previous year in how fire protection worked. She was excited to hear about the communications project proposal as it seemed to be addressing some of the problems she noticed the previous year by moving toward a more seamless way of providing fire protection.

6. PRESENTATIONS FROM APPLICANTS FOR PUBLIC SAFETY LOCAL INCOME TAX REVENUES

A. Bean Blossom Township Stinesville Volunteer Fire Department, Inc.

Cathleen Cook, Clerk of Bean Blossom Township, introduced herself and said she had worked on the application and would highlight a few items. She said the request had increased since the previous year, when about $17,000 of PS-LIT money had been granted to Bean Blossom. She said those funds would be used to hire some part-time help, which was a priority because it was a volunteer fire station. She highlighted the requests for 2018 as listed on the application. She said the township was at its maximum tax levy. She asked if the committee had any questions about the application.

Mr. Oldham asked how many frontline vehicles the department owned and staffed. Ms. Cathleen Cook asked what he meant by frontline vehicles. Mr. Oldham said he was thinking about the number of MDTs needed for the vehicles that got staffed and sent to every fire. Ms. Cathleen Cook said she could provide some follow-up information after the meeting. Shane Chapman, with the Perry-Clear Creek Fire Protection District, introduced himself and listed the vehicles he knew were owned by Bean Blossom Township. He also provided an explanation of the function of each piece of equipment. Mr. Oldham asked if the water tanker ever responded by itself. Mr. Chapman said yes, and explained how the equipment was used for different calls. Mr. Oldham said he was trying to understand which vehicles needed MDTs and wondered how many runs required the use of the different vehicles in a given year. Pamela Cook, Bean Blossom Township Trustee, introduced herself and said the department responded primarily to medical calls. She said the department had requested five laptops for the frontline equipment in the department.

Ms. Piedmont-Smith and Ms. Cathleen Cook clarified the amount of funding the fire department received.

Mr. Cobine asked what purchases or funding the department would prioritize first. Ms. Cathleen Cook said the priorities were the turnout gear, which was state-mandated, followed by the capital improvements to their building.

Ms. Piedmont-Smith clarified whether the fire department could levy taxes, separate from the township, which it could not.

Ms. Munson asked if the department would prioritize the MDTs and radios requested through the dispatch proposal or the items requested in the application. Ms. Cathleen Cook said she was not yet prepared to answer that question. Ms. Munson said she would appreciate a follow-up email with the answer.

B. Benton Township of Monroe County Volunteer Fire Department, Inc.

Hellen Caves, President of the Volunteer Fire Department, said the department was all volunteers and had limited funding. She said they were requesting $65,824, which would be used to help replace self-contained breathing apparatus (SCBA) bottles that would be expiring in the next couple of years. She said they were trying to get the bottles on a rotation so they would not have to replace all of the bottles at the same time.

Ms. Granger asked how the department spent the PS-LIT allocation it received the previous year. Ms. Caves said the trustee of the township could provide a better explanation, but she believed that much of the allocation was used to pay Bloomington Township for mutual aid. Ms. Granger asked if the trustee could provide that information. Ms. Piedmont-Smith pointed out that the application submitted by the department noted that the township had hired a fire and emergency services consulting firm for $23,000, while they had received an allocation of $25,000. Ms. Chopra asked if the department's request from the previous year included such consulting work. Mr. Sherman said the department had asked for funding for personnel, but instead the funds were used to pay for the consultant to look at how to cover personnel long term. Ms. Caves explained what the consultant was looking at, and some of the difficulties faced by the department.

Ms. Chopra asked what the department's total budget was. Ms. Caves said it totaled around $290,000.

Ms. Piedmont-Smith asked whether the department would prioritize the items requested in the application or the laptops and radios proposed through the dispatch communications project. Ms. Caves said it would be difficult to choose, as there was a need for the equipment to go into fires, but the fire fighters also needed to be able to communicate while on scene. She said the laptops were less of a priority.

Mr. Cobine asked whether it was only Benton Township fire department's SCBAs that were expiring, or whether there was more of a county-wide expiration of the bottles. Ms. Caves explained that they had received their bottles in approximately 2004, along with many other departments in the county, through a grant. She thought that there might be other departments with expiring bottles.

Ms. Munson said she would be interested to learn more about whether the expiring bottles were a county-wide issue. She also said that she wanted to know about the department's priorities vis-à-vis the laptops and radios versus the requested SCBA bottles.

C. Indian Creek Firefighters, Inc.

Vicky Sorensen, Indian Creek Township Trustee, and David Parsons, President of Indian Creek Firefighters Board, introduced themselves. Mr. Parsons provided background information on Indian Creek Firefighters, Inc., including the number and type of vehicles used, the types of calls received, and the volume of calls received. He said the most important thing in the request was money for staffing. He reviewed the other items requested in the application, including extrication equipment, thermal cameras, and funding for training. He said he was available to answer any questions.

Mr. Cobine asked where training took place. Mr. Parsons said there were classes offered through Ivy Tech and some training was available online. Ms. Sorensen noted some training was offered between different fire departments themselves. Ms. Sandberg encouraged departments to coordinate and think about efficient ways to work together, such as utilizing free training between departments.

Mr. Oldham asked for more detail about the possibility of Indian Creek joining one of the fire territories or the fire protection district. Ms. Sorensen gave an update on the status of Indian Creek's attempt to join the fire protection district.

Ms. Chopra asked whether the tax rate for fire protection was at its maximum. Ms. Sorensen said yes. Ms. Piedmont-Smith and Ms. Sorensen clarified the levy amount, which was $55,002. Mr. Cobine further explained the process used to arrive at the tax rate, which was derived from the levy.

Ms. Munson asked how the MDTs and radios would fit into the department's priority list. Mr. Parsons said they did not need the radios as they had recently purchased radios. They also had software they used for dispatch purposes. He noted that he appreciated the goal of the communications project proposed by dispatch, but explained some concerns he had with the proposal. Ms. Munson asked if the radios the department had acquired the previous year were combination radios that supported both 800 MHz and VHF. Mr. Parsons said the radios could be programmed for one or the other but not both.

D. Northern Monroe County Fire Protection Territory

Joel Bomgardner, Chief, Northern Monroe County Fire Protection Territory, reviewed the requests included in the application. He said he was available for questions.

Ms. Piedmont-Smith asked about a grant program to replace expiring SCBA bottles. Mr. Bomgardner explained there was a county-wide grant that funded the purchase of the bottles years ago. Because those bottles were expiring, a number of departments had joined in applying for a new grant to replace those bottles. The grant was competitive and there was no guarantee that the funding would be available. Ms. Piedmont-Smith asked if all other township fire departments or territories were part of the grant application. Mr. Bomgardner believed so. Ms. Piedmont-Smith asked whether the grant would include just the bottles or all of the equipment associated with SCBAs. Mr. Bomgardner explained it would include all of the equipment.

Mr. Oldham asked for an update regarding the construction of a new station. Mr. Bomgardner explained the status of the project.

Ms. Granger asked for information regarding the PS-LIT money the territory had received the previous year. Mr. Bomgardner said that money had been coming in incrementally to the territory and would be used to purchase a truck.

Mr. Cobine asked what training was available through the territory. Mr. Bomgardner explained the equipment and types of training that were available through the territory. Mr. Cobine asked whether compatible and comparable equipment was important for SCBAs. Mr. Bomgardner said yes, it was important when responding with other fire departments.

Ms. Chopra asked for clarification on an intended allocation from the previous year. Mr. Sherman explained that an allocation of $50,000 intended for Washington Township was not disbursed because that township's application had not been eligible for funding.

Mr. Oldham asked whether any reserve vehicles were included in the numbers for the MDTs. Mr. Bomgardner said they did not have any reserve vehicles.

Ms. Piedmont-Smith asked whether the territory was at its maximum levy. Mr. Bomgardner said no and said the territory was under pressure to decrease its levy. Ms. Chopra asked for more detail. Mr. Bomgardner said when the territory was created, the residents were surprised by the amount of taxes, which put the territory under great scrutiny.

Ms. Munson asked Mr. Bomgardner what the funding priorities were for the territory. Mr. Bomgardner said the laptops and radios were not priorities, as the territory was planning to purchase similar equipment anyway. Mr. Cobine asked for clarification. Mr. Bomgardner said that if the other requests in the application were funded, the territory would likely buy the MDTs. He noted they already had 800 MHz radios.

Mr. Cobine provided additional information about the creation of the territory.

E. Perry-Clear Creek Fire Protection District

Dustin Dillard, Fire Chief of Perry-Clear Creek Fire Protection District, introduced himself. He detailed the numbers of automatic aid and mutual aid responses for the various fire departments. He then explained the requests contained within the district's application, which included funding for personnel. He explained how the funds the district received the previous year were used, as well as how the district's budget compared to that of other departments. He said many of the challenges facing the Monroe County fire departments were problems being faced across the country. He explained that using the PS-LIT funds to pay for equipment instead of personnel limited his district's flexibility, as the district's cumulative fund could only be used for certain purposes. He said he was available for questions. Mr. Chapman also spoke in support of the district's application.

Ms. Munson asked what the district's priorities were between the requests in its application and the dispatch communications project. Mr. Dillard said the district would prefer to see the PS-LIT money go toward personnel. He said the district could purchase the radios and laptops with other funds and could commit to meeting the same timeline as proposed by dispatch.

Ms. Piedmont-Smith said she found a document distributed by Mr. Dillard to be misleading, as it lumped automatic aid and mutual aid together when they were two different things. She asked why the document was distributed. Mr. Dillard explained what each term meant, and said he distributed the statistics on types of aid because the topic was discussed heavily the previous year and he thought it could help explain how the different departments worked together.

Mr. Oldham asked how often Perry-Clear Creek was receiving aid from other departments. Mr. Dillard said he could provide that information after the meeting. Mr. Oldham asked for more detail about the district's request for personnel. Mr. Dillard explained how staffing currently worked at the district's stations and how the proposed funding would impact staffing. Mr. Oldham asked what portion of the district's budget would be made up of PS-LIT funds. Mr. Dillard said 12%. Mr. Oldham asked what the district's budget was for 2017. Mr. Dillard said $2.19 million in the general fire fund and $360,000 in the cumulative fund. Mr. Oldham asked how adding Indian Creek Township to the fire protection district would work. Mr. Dillard explained the expected revenue that would be generated by adding the township to the district, as well as the services the township would receive.

Ms. Chopra asked how the district would be impacted if the committee chose to fund the dispatch communications project rather than provide funding to the townships or other fire departments. Mr. Dillard said it would mean the district could not hire a fourth fire fighter.

Mr. Cobine asked if there were national staffing standards that the district was trying to achieve with the proposed fourth fire fighter. Mr. Chapman said there were recommendations for staffing that called for four fire fighters on certain pieces of apparatus. Hitting those standards was why the district had proposed hiring a fourth fire fighter. Mr. Oldham clarified that the requested funding would allow for four fire fighters at each station in the district. Mr. Chapman said yes, and would allow for the recommended number of fighters on a piece of equipment. Mr. Oldham asked how many responders were needed for medical calls. Mr. Chapman said typically two would respond. He provided additional detail on how volunteers helped keep stations and equipment available for calls.

F. Van Buren Township, Monroe County

Rita Barrow, Van Buren Township Trustee, introduced herself. She said the township was requesting $276,500 for personnel. She acknowledged the committee was interested in funding requests for equipment, but said staffing was necessary to make use of equipment. She said the request was for three additional fighters and EMTs to get closer to meeting staffing standards. She noted other requests in the township's application. She said the two stations in the township responded to 1,294 calls the previous year. She said the levy was at its maximum. She said the township's budget for fire and EMS the previous year was $1,582,499. She said the department would likely not be able to continue without combining with another department. She had reached out to Perry-Clear Creek about joining that department. She said she was available for questions.

Ms. Piedmont-Smith asked whether the personnel requested were the first priority for the township. Ms. Barrow said the requested equipment was the top priority. Ms. Munson asked about the township's priorities regarding the dispatch communication project. Ms. Barrow said she was in favor of the project and the radios were a priority.

Mr. Cobine asked for information about the township's responsibility for airport coverage. Ms. Barrow explained the procedures the department followed for responding to calls originating from the airport. Mr. Oldham asked if the truck reserved for airport calls was manned 24/7. Ms. Barrow said no.

7. OTHER BUSINESS AND FINAL COMMENTS

Mick Renneisen, Deputy Mayor, City of Bloomington, said that he could have staff provide additional information before the committee's next meeting in response to unanswered or unclear questions.

Ms. Piedmont-Smith said she respected fire fighters, both professional and volunteer, as they had a difficult job. She said the committee had hard decisions to make with limited funds. She said there were clearly a lot of unmet needs, but there was only so much money to be used for the greatest good for the community as a whole. She thought there were efficiencies to be gained in the county through centralization and standardization. She therefore appreciated the communications project proposed by dispatch, but did not want to ignore the townships. She specifically noted that she would like to look into funding the Washington Township project that went unfunded the previous year.

Ms. Sandberg said many lessons had been learned from the previous year's process. She said funding salaries was difficult, as those requests would come back year after year. She said the committee should focus on equipment and capital improvements. She said it was a difficult decision that year.

Ms. Piedmont-Smith said the committee would like to take up Mr. Renneisen's offer of additional information.

8. ADJOURNMENT

The meeting was adjourned at 10:56 p.m.

2018 PS LIT Analysis

	2017 Distribution	No Increase in Distribution		4% Increase in Distribution	
Overall Tax Rate	0.25%		0.25%		0.25%
Total PS LIT Distribution	7,527,404	7,527,404		7,828,500	
Tax Rate	0.1775%		0.1545%		0.1582%
Less estimated funding for PSAP*	(2,574,507)	(2,875,185)	38.20%	(2,875,185)	36.73%
Tax Rate	0.0725%		0.0955%		0.0918%
Net	4,952,897	4,652,219		4,953,315	
			Decrease		Increase
City	2,436,451	2,288,540	(147,911)	2,436,657	206
County	2,376,182	2,231,930	(144,252)	2,376,383	201
Ellettsville	139,405	130,942	(8,463)	139,417	12
Stinesville	859	806	(52)	859	0
	(0)	(0)	(300,678)	(0)	418

*This represents the total amount of PS LIT that was allocated to Dispatch and the Townships

	2017	**2018**
PSAP	2,182,947	2,875,185
Townships	391,560	0
Total	2,574,507	2,875,185

Exhibit 1

Central Dispatch

		2018 Budget			Revised 2017 Budget		
Major Category	**Minor Category**	**Public Safety LIT**	**E911 Funds**	**Total**	**Public Safety LIT**	**E911 Funds**	**Total**
Personnel Services							
	Salaries and Wages - Regular	1,056,105	277,635		1,055,904	23,306	
	Salaries and Wages- Overtime	119,995	0		118,559	1,436	
	FICA	111,211	0		89,754	1,893	
	PERF	206,430	0		165,287	5,000	
	Health and Life Insurance	442,494	0		350,850	6,000	
Total: Personnel		**1,936,235**	**277,635**	**2,213,870**	**1,780,354**	**37,635**	**1,817,989**
Supplies							
	Office Supplies	750	0		750	0	
	Institutional Supplies	3,000	0		3,000	0	
	Building Materials and Supplies	2,200	0		2,200	0	
	Other Repairs and Maintenance	1,000	0		1,000	0	
	Other Supplies	53,000	0		53,000	0	
Total: Supplies		**59,950**	**0**	**59,950**	**59,950**	**0**	**59,950**
Other Services							
	Exterminator Services	1,000	0		1,000	0	
	Communications Contract	0	475,000		0	400,000	
	Instruction	12,000	15,000		0	15,000	
	Telephone	4,000	0		4,000	0	
	Electrical Services	40,000	0		39,280	0	
	Water and Sewer	1,000	0		1,000	0	
	Building Repairs	10,000	0		10,000	0	
	Machinery and Equipment Repairs	5,000	0		5,000	0	
	Other Repairs	1,000	0		1,000	0	
	Other Services and Charges	5,000	0		5,000	0	
Total: Other		**79,000**	**490,000**	**569,000**	**66,280**	**415,000**	**481,280**
Capital Outlays							
	Other Capital Outlays	800,000	95,000		40,000	410,000	
Total: Capital		**800,000**	**95,000**	895,000	**40,000**	**410,000**	**450,000**
Grand Total		**$2,875,185**	**$862,635**	**$3,737,820**	**$1,946,584**	**$862,635**	**$2,809,219**

Exhibit 2

MEETING MINUTES
Monroe County Income Tax Council
Public Safety Option Income Tax Committee

Nat U. Hill Meeting Room
Monroe County Courthouse, 100 West Kirkwood, Bloomington, Indiana
July 27, 2017
5:30pm

Allison Chopra called the meeting to order at 5:30 p.m.

1. ROLL CALL

Committee Members Present: Allison Chopra (Bloomington Common Council), Susan Sandberg (Bloomington Common Council), Isabel Piedmont-Smith (Bloomington Common Council), Dorothy Granger (Bloomington Common Council), Ryan Cobine (Monroe County Council), Cheryl Munson (Monroe County Council), Scott Oldham (Ellettsville Town Council), Lois Purcell (Stinesville Town Council)

Staff Present: Jeff Schemmer (Communications Manager, Monroe County Central Emergency Dispatch), Mick Renneisen (Deputy Mayor, City of Bloomington), Michael Diekhoff (Chief of Police, City of Bloomington), Jeffrey Underwood (Controller, City of Bloomington), Dan Sherman (Council Attorney/Administrator, City of Bloomington), Michael Flory (Council Attorney, Monroe County), Stacy Jane Rhoads (Deputy Council Attorney/Administrator, City of Bloomington)

2. AGENDA SUMMATION

Ms. Chopra gave a summary of the agenda.

3. APPLICATION PRESENTATION FROM THE TOWN OF STINESVILLE

Ms. Purcell presented the proposal from Stinesville and detailed the items contained in the town's request. She explained the need for the requested items.

Ms. Piedmont-Smith asked if there were any grants available for the kinds of purchases proposed. Ms. Purcell said she did not know.

Ms. Sandberg asked if Spencer contributed to Stinesville's department as Stinesville periodically helped respond in Owen County. Ms. Purcell said Spencer did not contribute financially, but some of Stinesville's volunteers came from an Owen County fire department, and responding was a matter of common courtesy.

Mr. Cobine asked who would apply for external funds, such as grants. He asked if it would fall on the fire fighters themselves. Ms. Purcell said yes, that was often the case. Mr. Cobine asked if there was a potential staffing issue, considering everyone in the fire department was part-time and not able to raise funds due to working several jobs. Ms. Purcell confirmed that was an issue.

Ms. Chopra asked if the proposed items would be primarily used for mutual or automatic aid. Ms. Purcell said that the Stinesville Fire Department responded every time there was trouble on White River. She noted that County Line Road flooded a lot and people would ignore the posted gates and signs. She said that some of the equipment would be used outside of the department's coverage area, but the department also responded to calls from Stinesville residents out on White River.

Mr. Cobine informed the committee he would likely move to postpone item five on the agenda to the August meeting. He stated that he would like to make a presentation about the budget, which he had not had time to prepare.

4. FOLLOW-UP QUESTIONS ON THE REPORT FROM UNIFIED CENTRAL DISPATCH POLICY BOARD – RE: RECOMMENDED ADJUSTMENT IN THE PUBLIC SAFETY ANSWERING POINT (PSAP) TAX RATE FOR 2018

Mr. Cobine asked if someone could provide a more detailed budget with a line-by-line breakout. Mr. Schemmer said that could be provided.

Ms. Piedmont-Smith asked whether a representative from the respective municipalities could comment on the impact of reduced funding to each municipality. She noted that if there were no increase in the PS-LIT distribution then there would be about $300,000 less available to the different municipalities. Mr. Oldham explained how such a decrease could impact Ellettsville and its budget process. He noted that delaying recommendations until August might also impact everyone's budget processes.

Mr. Renneisen introduced himself and said a lower distribution to the city could result in not being able to pay for repairs to equipment or stations. He said that they don't use any LIT money to pay for staffing. He noted a few items that might have to be cut if the distribution was decreased.

Ms. Piedmont-Smith asked if Ellettsville contracted with Van Buren Township for fire services. Mr. Oldham said it was Richland Township that contracted with the town for fire services, which was partly responsible for the shortfall facing Ellettsville.

Ms. Munson said that, while the county did not provide fire protection, it did provide the jail, community corrections, probation, the prosecutor, public defenders, and the court system. She noted those departments had budget requests that the county could not come close to meeting. She said a decrease in funding to the county would have a negative effect on those services they provided. She said that she had a spreadsheet that she would like to present later.

Ms. Piedmont-Smith asked whether Monroe County Sheriff Brad Swain's staffing plans would be impacted by a decrease in distribution to the county. Mr. Cobine said that question was hard to answer with certainty. He noted the county had set aside some PS-LIT funds for possible restricting of the criminal justice system. He read a report from Monroe County Judge Marc Kellams that detailed some of the conditions in the county jail. Ms. Piedmont-Smith noted that the request from dispatch was for two years. After that, she pointed out that the committee could theoretically decrease their allotment. She asked for clarification on the long term impacts to which Mr. Cobine referred. He said he was thinking about the timeline for when such changes to the justice system might be possible.

Ms. Sandberg agreed that the committee should be thinking in terms of the future. She requested that the committee discuss allocations before tabling the matter, so that members of the public and other affected entities would have some idea of how the committee was approaching the issues. Ms. Chopra agreed.

Ms. Chopra asked whether the city would be receiving less money than the previous year if the committee chose to recommend fully funding the request from dispatch. Mr. Underwood said that was correct. He provided details on the impact of fully funding the dispatch request. Ms. Chopra asked whether the city supported the dispatch request. Mr. Underwood said yes.

Ms. Chopra asked if someone could respond to a recent press release that detailed apparent requirements announced by the city related to mutual aid and automatic aid. Mr. Renneisen said that mutual aid would continue as it had before, which meant that if one entity needed another's help, all that would be needed was a phone call. Regarding automatic aid, he explained that the city would no longer request automatic aid from county and township fire departments after September 1. He said the city would also like to memorialize the automatic aid agreements it had with other departments by the end of the year. He said interoperability tied into that because dispatch would work better if everyone was operating with the same equipment. He said that the city's desire to get the automatic aid agreements reduced to writing was initiated, at least in part, due to discussions with an Insurance Service Office (ISO) representative. Ms. Chopra asked whether the dispatch communications project would help with interoperability, which would help facilitate the automatic aid agreements. Mr. Renneisen agreed that was the case.

Ms. Sandberg said the definition of automatic aid seemed very clear. She said that the press release mentioned not only equipment but training too. She said it was good to have exact definitions because the press release showed that automatic aid had higher standards than mutual aid.

Mr. Cobine provided additional context and information about the definitions of mutual aid and automatic aid. He noted some elements that could impact an ISO rating, one of which was automatic aid agreements.

Ms. Munson and Mr. Underwood clarified funding sources for dispatch personnel. Ms. Munson confirmed that the request for dispatch from PS-LIT revenue was $2,875,000. Mr. Underwood said yes. She asked if that included the proposed additional dispatchers. Mr. Underwood said the budget proposal reflected the total cost for personnel, as well as the funding sources that would be used to pay for personnel.

5. FOLLOW-UP QUESTIONS FOR APPLICANTS SEEKING PUBLIC SAFETY LOCAL INCOME TAX REVENUES FOR 2018 UNDER I.C. 6-3.6-6-8(c)

Ms. Chopra and Ms. Purcell clarified that there were separate applications from Bean Blossom Township and the Town of Stinesville. Ms. Purcell explained that the application from Stinesville had been overlooked.

Ms. Granger asked for clarification on the ongoing consolidation efforts between fire departments. Joel Bomgardner, Chief of Northern Monroe Country Fire Protection Territory (NMCFPT), introduced himself, and said he assumed Ms. Granger was referring to Indian Creek Township's desire to join the Perry-Clear Creek Fire Protection District. He said Van Buren Township had also expressed an interest in joining that district. Dustin Dillard, Chief of Perry-Clear Creek Fire Protection District, introduced himself and said that there would potentially be just a fire protection territory and a fire protection district in the future, though consolidation would not occur before 2018.

Ms. Sandberg asked for clarification on the proposal from NMCFPT that included a $50,000 request to go toward a new fire station for Washington Township. She asked what the timeline was for the new station. Bomgardner said that the $50,000 was a one-time only request from Washington Township. Ms. Piedmont-Smith then asked for a more specific answer regarding how much money had been raised or committed for building the station. Bomgardner said that the territory's budget had a new line item to make payments toward the station. He believed $134,000 per year had been budgeted. Lillian Henegar, Bloomington Township Trustee, introduced herself and said that in the next year or two she expected to break ground on the station. She discussed the various options available for financing the construction. She said the township had budgeted $135,000 to help pay toward some sort of debt that would finance the station. Ms. Sandberg asked for details about how the newly-formed district was functioning. Ms. Henegar said it was a process. She said that Bloomington Township and Washington Township still had separate boards and citizens. She said that there was an executive board with representatives from both townships that had been meeting for a year. She said it took a long time to come to agreements for purchases and stated that they had previously been unrealistic about the time frame for things like breaking ground on the fire department.

Mr. Cobine confirmed that NMCFPT served as the training hub for District 8, which included various surrounding counties. He and Mr. Bomgardner discussed the available training at the territory. Mr. Cobine asked for information about the territory's role in hazardous material emergencies. Mr. Bomgardner explained that the territory serves as District 8's hazardous materials response team and explained what that entailed.

Mr. Oldham asked if Benton Township was planning to join NMCFPT. Ms. Henegar explained that the process of consolidating had not yet begun, noting the earliest it could occur was January 2018.

Ms. Piedmont-Smith asked Mr. Bomgardner if NMCFPT could meet the requirements laid out by Jason Moore, Chief, Bloomington Fire Department, regarding automatic aid. Mr. Bomgardner believed it could.

Ms. Sandberg asked if NMCFPT charged fees for the training it provided. Mr. Bomgardner replied that there was a charge for some training, such as flash-over training. He said that other trainings were free and paid for by District 8, such as basic fire fighter training. Ms. Sandberg asked if there were scholarships or grants for any of the trainings. Mr. Bomgardner said that he was not aware of any.

Ms. Munson suggested that the committee consider the $50,000 request for the Washington Township fire station as a separate item because the committee had wanted to fund the fire station the previous year but could not do so. She asked whether NMCFPT's application would have been different had the Washington Township fire station been funded the previous year. Ms. Henegar said she thought yes, but she was not sure how to answer.

Mr. Bomgardner and Mr. Dillard provided additional information about funding for training available through NMCFPT, noting that some grant money that helped pay for such training was available due to a tax on fireworks.

Ms. Piedmont-Smith noted that the committee had received a memo from the Benton Township Trustee, Michelle Bright. Ms. Piedmont-Smith asked for clarification on a number of points raised by the memo regarding the township's budget and whether the township also contracted with the NMCFPT. Mr. Bomgardner confirmed that Benton Township did contract with NMCFPT. He said the contract required his department to respond to every emergency that was dispatched within the township. The township department would also respond if there was available personnel.

Mr. Cobine asked if it was typical for there to be more than one responding station to fire emergencies, such as the relationship between NMCFPT and Benton Township. Mr. Bomgardner said that it was normal for a volunteer fire department. He explained that dispatch was set up so that if a fire department did not respond within a given time, another department would be dispatched.

Ms. Granger pointed out that Ms. Bright's memo included an estimated of $300,000 for the contract with NMCFPT, while the township's budget was only $212,000. She asked Ms. Henegar to comment. Ms. Henegar explained the $212,000 was Benton Township's maximum levy for fire protection. She said the $300,000 cost for the contract was her estimate for how much it cost for NMCFPT to respond to calls within Benton Township. She acknowledged that Benton Township would not be able to pay that full amount, but said the figure was a way to start a conversation. She said the $300,000 was meant to represent an estimate of the cost to NMCFPT of providing fire protection in the township. She said she would be meeting with Ms.

Bright to discuss what the township could afford. Ms. Henegar said that Bloomington Township would not leave Benton Township without fire emergency services.

Ms. Piedmont-Smith asked if Indian Creek Fire Department could meet the requirements for automatic aid laid out by Chief Moore. Vicky Sorenson, Indian Creek Township Trustee, said she was not sure. Ms. Piedmont-Smith asked if Indian Creek Township contracted for fire services. Ms. Sorenson said that they only contract with Indian Creek Fire Fighters Inc. and that the township receives mutual aid from other fire departments.

Mr. Cobine asked for information regarding the consolidation of Indiana Creek Fire Department and Perry-Clear Creek Fire Protection District. He asked Ms. Sorenson about the timeframe of such a consolidation and what impact it might have on the funding requests. Ms. Sorenson said consolidation efforts had begun, and explained where the townships were in that process. She said the process would not be complete any earlier than 2018, and in the meantime, the township had to provide fire protection. Mr. Cobine asked why Indian Creek was pursuing joining the fire protection district. Ms. Sorenson said that small township departments struggled with funding to pay for the required equipment. She said they hoped to improve upon that by joinging the fire protection district. Mr. Cobine asked if there were any parcels of land in Indian Creek Township that were part of a recent annexation proposal by the City of Bloomington. Ms. Sorenson said no.

Mr. Oldham asked whether the fire protection district would get to reset the rate for fire protection if Indian Creek Township joined the district. Mr. Dillard said that the district's levy would not reset. He said in the specific case of Indian Creek, the idea was to apply the rate currently available in Perry-Clear Creek to the Indian Creek portion. He explained the possible options for the rates.

Ms. Munson asked if the township would be contributing resources to the fire protection district should they consolidate. Ms. Sorenson said yes, and explained that some property might still be owned by Indian Creek Township, but some property would be given to the fire protection district. Ms. Munson asked if the tax rate for Indian Creek Township citizens would increase. Ms. Sorenson said yes, and pointed out that the township had notified citizens of that possibility with mailed notices. She said the township had still gotten a positive response to the consolidation proposal.

Mr. Cobine asked whether there were any considerations that should be highlighted in the Perry-Clear Creek Fire Protection District application regarding possible township consolidation efforts. Mr. Dillard said that he did not understand why, in 1987 when the district was formed, more townships were not included. He said that Indian Creek was the first township to ask about joining and there was talk about Polk and Salt Creek Townships joining too. He said there was a possibility in the future for the six southern townships to become one fire protection district. He said in terms of those requests that nothing would happen until January 1, 2018.

Ms. Piedmont-Smith asked if the district would be able to meet the requirements to formalize automatic aid agreements as proposed by the city. Mr. Dillard explained personnel considerations for his department and for meeting the proposed standards.

Mr. Oldham asked if the fire protection district was taking on coverage in Polk and Salt Creek Townships, as he thought the city already provided coverage for those areas. Mr. Dillard answered that the city had offered a contract proposal to those townships but that contract was not secured. He said his district was also working on a proposal as well. He mentioned that Polk and Salt Creek had contracted with several fire departments over the years. Mr. Oldham asked if the townships were going to join the district or just contract with it. Mr. Dillard said it would be a contract as there was not enough time for those townships to join the district. Mr. Oldham asked if those townships planned to eventually join the district. Mr. Dillard said he could not answer that question, but said there had been informal discussions. He said he would like to see the six southern townships under one fire district.

Mr. Cobine and Mr. Dillard discussed automatic aid and how the district's application for additional staffing would help it meet the staffing requirements requested by the city before automatic aids could be memorialized.

Mr. Oldham asked if automatic aid affected ISO ratings. Mr. Dillard said that the only form of mutual aid that affected ISO ratings was the initial response, so automatic aid would affect ISO ratings. Mr. Dillard provided additional information on how ISO ratings were determined.

Ms. Munson asked for more detail about how ISO ratings functioned. Mr. Dillard said that an ISO rating of 10 meant there was no fire protection. Ms. Chopra said that a lower ISO rating meant insurance costs would be lower. Mr. Dillard said that was correct. Ms. Munson asked whether the type of self-contained breathing apparatus (SCBA) used by the city and those used by the townships were compatible. Mr. Dillard explained that each SCBA manufacturer had different parts and might not be compatible. Ms. Munson asked whether city and townships had interoperable equipment. Mr. Dillard said it was a tricky question, as some equipment functioned with other pieces of equipment. He noted that older SCBA units had been purchased with a county-wide grant and were therefore interoperable because they were all the same.

Mr. Cobine and Mr. Dillard clarified what equipment the city would be purchasing. Mr. Cobine asked if a fire fighter from a township or district department was able to share their air with a city fire fighter but not the reverse. Mr. Dillard said that was correct.

Mr. Oldham and Mr. Dillard discussed Ellettsville's interoperability.

Rita Barrow, Van Buren Trustee, introduced herself. Ms. Piedmont-Smith asked if Van Buren Township could commit to the standards set by the city for automatic aid. Ms. Barrow said that she only hired fire fighters who could meet all of the required training. Ms. Piedmont-Smith asked whether the township could meet the staffing requirements. Ms. Barrow said the township did not have four personnel per truck but that there were part-time and volunteer personnel.

Ms. Granger asked how much money had been allocated to Van Buren from PS-LIT revenue. Ms. Barrow said she thought it was between $283,000 and $289,000. Ms. Granger asked why the township had only spent $60,000. Ms. Barrow corrected herself and said the township had requested between $283,000 and $289,000 but had been allocated $60,000, which had already been spent.

Ms. Munson asked whether the radios proposed to be purchased by dispatch were the highest priority for Van Buren Township. Ms. Barrow said yes, along with the mobile data terminals (MDTs) and technical support. Ms. Munson said she noticed that other departments listed radios as a higher priority than the MDTs. Ms. Barrow noted some concerns she had with receiving good signals for the radios and MDTs.

Ms. Cobine asked for an update about the status and possible timeline about Van Buren Township combining with Perry-Clear Creek. Ms. Barrow said the idea had been discussed, but a lot was still unknown. Mr. Cobine asked if Barrow knew if the plan to unify radio communications included a way to identify and correct the dead spots in the southern portion of the township. Barrow said station 9 had good reception. She said she had been told by the Monroe County Emergency Management Director that there would also be a way to get radio signal at station 19.

Mr. Oldham asked Mr. Schemmer if anything was being done to address the radio dead spots throughout the county. Mr. Schemmer said yes and explained the state was coming down the following month to make a propagation map. They would identify dead spots and try to correct them. Mr. Oldham asked if the issues with the 800MHz radios were any different than those with UHF or VHF radios. Mr. Schemmer said no and provided information on the factors that could affect radio signal.

6. PUBLIC COMMENT

Jerry Ayers, from Washington Township, said that the PS-LIT was supposed to track the portion of property taxes that citizens pay. He said that he would prefer to see the township relieved of the tax burden than for the money to automatically go to fire authorities. He was frustrated that taxes went up and only six additional personnel were hired. He wanted the citizens to have input on where the money should be allocated.

Ms. Barrow referred to memos from the Bloomington Fired Department and asked who wrote them. Ms. Chopra said that representatives from the city's fire department wrote those memos. Ms. Barrow clarified that volunteer fire fighters in the township were required to be certified. She also clarified the status of discussions with the city about consolidation.

Shane Chapman, with the Perry-Clear Creek Fire Protection District, clarified portions of the same memo referenced by Ms. Barrow.

Mr. Bomgardner also clarified portions of the same memo referenced by Ms. Barrow.

7. RECOMMENDATIONS TO THE MONROE COUNTY LOCAL INCOME TAX COUNCIL

Mr. Cobine moved and it was seconded to delay any formal vote on recommendations from the committee to the meeting scheduled for August 10, 2017.

Ms. Munson was in favor of the motion. She said she was working on a spreadsheet to show different funding scenarios. She said that there were multiple variables that the committee could not control. She said the committee could not yet make good decisions about PSAP or the township requests.

Ms. Granger asked how the proposed delay might impact the city's budget process. Mr. Underwood said that it would force the city to make assumptions about funding levels rather than knowing what would actually happen.

Mr. Oldham said he viewed the question as whether the dispatch proposal was worthy of funding or not. If it was then that funding would come off the top and everything else would fall into line after. He stated he was against delaying the vote. Ms. Sandberg asked Mr. Oldham about Ellettsville's budget process. Mr. Oldham said that they had to make some estimations. He said they were waiting on what the numbers would be based on the vote. Ms. Sandberg asked if it would be possible to meet earlier than August 10. Ms. Chopra said that there were too many committee members out of town the following week to accommodate an earlier meeting.

Ms. Piedmont-Smith said she was in favor of postponing the final decision due to only receiving the information packet earlier in the day. She said it was not enough time to digest the information. She understood the urgency of the vote but needed more time to make a decision.

Mr. Cobine said that the committee had not considered budget schedules when originally scheduling meetings. He said he did not know how to make a good decision without more information, hence his motion.

Ms. Chopra said she did not support the motion. She highlighted inefficiencies she saw and concerns she had with the county's fire protection. She said that talk of consolidation highlighted those inefficiencies. She said she would suggest using PS-LIT money to hire a consultant to consolidate fire protection in Monroe County. She said she did not think the dispatch communications project proposal was a waste but was needed and would serve the entire county. She said she wanted to vote that night and wanted to support the PSAP proposal.

Ms. Sandberg said she agreed with Ms. Chopra. She said that township consolidation efforts were a good reason to suspend township funding. She agreed that unification was a good idea. She said she supported the PSAP proposal in order to create better communications throughout the county. She wanted a unified system that benefited everyone.

Mr. Cobine said that if the committee voted that night, it would be the last meeting. He stated that there were documents not ready from the city and other areas that needed to be heard before the committee voted.

Ms. Munson spoke about income tax and station needs. She said that many of the fire chiefs stated that they had greater needs for equipment replacement and staffing than anything else. She said she would rather side with the fire departments because they knew what they needed. She said she would rather see radios on the agenda for the following year rather than the current year.

Ms. Piedmont-Smith noted that the committee had not had its final meeting the previous year until August 10.

The motion to delay any formal vote on recommendations from the committee to the meeting scheduled for August 10, 2017 received a roll call vote of Ayes: 4, Nays: 3 (Oldham, Chopra, Sandberg), Abstain 0.

Mr. Cobine moved and it was seconded to reschedule and relocate the meeting previously schedule for August 10, 2017 at 7:00 pm in the Nat U. Hill Meeting Room of the Monroe County Courthouse to August 10, 2017 at 6:30 pm in the City Council Chambers of Bloomington City Hall. The motion was approved by voice vote.

8. OTHER BUSINESS AND FINAL COMMENTS

Ms. Piedmont-Smith said it was unfortunate to see the animosity between the City of Bloomington Fire Department and the township departments. She said the packet, which was issued very late, blatantly gave misinformation in the previous meeting. She said that if the Bloomington Fire Department felt there was misinformation, it could have informed the committee privately instead of putting it in a packet. She said that the press release issued from BFD about automatic aid agreements, though reasonable in terms of unity and having agreements in writing, was also coercive. She noted there was no mechanism set up for a legal agreement to recommend funding to the townships. She wanted the municipalities to enter an agreement if that happened. She said she was glad to see townships wanting to consolidate.

Ms. Munson said she was willing to entertain the idea of the city or the county working as an agent of the council to work out a legal agreement with recipients of PS-LIT funds. She said a legal agreement was important.

Mr. Cobine thanked the committee for postponing the final vote. He agreed with Ms. Munson and Ms. Piedmont-Smith about needing legal agreements. He also agreed with Ms. Piedmont-Smith about the conflict between the city and the townships. He said that, from what he saw, the conflict was born from differences in opinion on what was best for the common good at an administrative level. He then stated that the township organizations could not change if they could not maintain their current level.

Ms. Sandberg said that she agreed with everyone on the need for written agreements, but also noted that there should be funding criteria in the agreements. She said the committee should consider what it wanted to fund as a priority.

Ms. Chopra reminded people that the Dispatch Policy Board was a county-wide board and its recommendation was for a county-wide need. She said that PS-LIT funds were meant to increase public safety, not merely maintain the status quo.

9. ADJOURNMENT

The meeting was adjourned at 8:02 p.m.

MEETING MINUTES
Monroe County Income Tax Council
Public Safety Local Income Tax Committee

City Council Chambers
Bloomington City Hall, 401 N. Morton Street, Bloomington, Indiana
August 10, 2017
6:30pm

Allison Chopra called the meeting to order at 6:30 p.m.

1. ROLL CALL

Committee Members Present: Allison Chopra (Bloomington Common Council), Susan Sandberg (Bloomington Common Council), Isabel Piedmont-Smith (Bloomington Common Council), Dorothy Granger (Bloomington Common Council), Ryan Cobine (Monroe County Council), Cheryl Munson (Monroe County Council), Scott Oldham (Ellettsville Town Council), Lois Purcell (Stinesville Town Council)

Staff Present: Dan Sherman (Council Attorney/Administrator, City of Bloomington), Michael Flory (Council Attorney, Monroe County), Stacy Jane Rhoads (Deputy Council Attorney/Administrator, City of Bloomington)

2. AGENDA SUMMATION

Ms. Chopra gave a summary of the agenda.

3. RECOMMENDATIONS TO THE MONROE COUNTY LOCAL INCOME TAX COUNCIL

Ms. Chopra noted that a few committee members would be making a presentation to the committee. She said there would be an opportunity for public comment before any final vote.

Mr. Cobine explained that he and Ms. Munson had prepared certain information and spreadsheets to allow the committee to have a good view of the status quo of PS-LIT funding, as well as certain possible outcomes for funding levels in 2018. He said the Estimated PS-LIT Allocations for 2018 spreadsheet (scenarios spreadsheet) (attached as Exhibit 1) could be edited in real time to provide a view of how different decisions would affect the entire picture.

Ms. Munson added that her goal in helping design the scenarios spreadsheet was to allow the committee to see how much it would like to spend for dispatch, a proposed communications project, the townships, and the incorporated entities. She said she had used 2017 funding levels as a baseline, but had then calculated various options that had been proposed or discussed by the committee. She said the scenarios spreadsheet could be updated in real time so that the committee could see how one funding decision would affect funding levels for other things.

Mr. Cobine said that row 8 of the scenarios spreadsheet displayed the percentage of PS-LIT funds that went to the Public Safety Answering Point (PSAP or dispatch). He said there was nothing special about the 2017 percentage of funds, nor would there be anything special about the percentage for 2018. Rather, he said that the committee should look at the dollar amount needed to fund certain requests, and those decisions would lead to a percentage. He said the percentage allocated to PSAP in 2017 had become a benchmark when thinking about 2018 funding levels, but he thought it should not necessarily serve as such.

Mr. Sherman pointed out a discrepancy between the scenarios spreadsheet provided by Mr. Cobine and Ms. Munson and certain figures provided previously by Jeffrey Underwood, Controller, City of Bloomington. He cautioned total reliance on the figures in the scenario spreadsheet. Mr. Cobine said the figures included in the scenario spreadsheet came from the certified levy, but could be checked.

Ms. Piedmont-Smith and Ms. Munson clarified a formula contained within the spreadsheet. Ms. Chopra suggested that the committee should use the scenarios spreadsheet as a tool to inform the discussion without relying absolutely on the figures in it.

Ms. Munson and Mr. Cobine further explained the numbers and factors that went into the scenarios spreadsheet. Ms. Munson noted that she had also helped prepare another sheet titled PS LIT 2018 Scenarios and Options (fire and EMS spreadsheet) (attached as Exhibit 2). She said the fire and EMS spreadsheet listed the populations and levies of the various townships to help provide context for funding decisions. It also listed the funding requests for each township along with the priorities for each request.

A. PSAP Tax Rate for 2018

Ms. Chopra said the committee would entertain motions from committee members for funding recommendations.

Ms. Piedmont-Smith asked for clarification on what was meant by PSAP tax rate. Mr. Sherman explained the committee would settle on a dollar amount for PSAP, which would allow the rate to be calculated from the known number. Ms. Piedmont-Smith confirmed that the motions would therefore be for a specific dollar amount committee members thought should be allocated to PSAP. Ms. Chopra said yes.

Mr. Oldham moved and it was seconded to recommend allocating $2,875,185 to PSAP (see column highlighted in yellow in Exhibit 1). He explained that the items requested by dispatch were desperately needed and pointed out that the dispatch center served the entire county. He said the proposed communications project would also serve the entire county. He said dispatch deserved the funding it required to ensure emergency services started off appropriately.

Ms. Piedmont-Smith said the dollar amount requested for radios seemed to be inflated by at least $150,000 over what was estimated to be needed. She said that during the previous year, the committee agreed that the Washington Township fire department, as part of Northern Monroe fire territory, should have been funded but there had not been a mechanism to do so. She still believed it was an important proposal to fund, so she wanted to fund that in 2018. She also thought there was a need to consolidate township fire departments and districts to gain efficiencies. She said consolidation was already occurring with Northern Monroe and Perry-Clear Creek. She suggested funding only those two departments in the hopes of encouraging other departments to consolidate. She wanted to allocate $50,000 to Northern Monroe and wanted to fund positions that received funding the previous year in Perry Clear-Creek. She said those two things would cost $144,560. She thought the committee could afford that cost because the request for the radios was more than it needed to be and because the PS-LIT revenue was more than the committee originally thought it would be.

Ms. Sandberg said she supported Mr. Oldham's motion. She understood why dispatch had proposed the amount it did for the radios, which was to ensure that the communications project could be completed even if the radios cost more than projected. She said the committee was not bound to think about things the same way it had the previous year. She saw the communications project proposal as a county-wide good, which she thought deserved to be funded.

Mr. Cobine said he was not in support of Mr. Oldham's motion. One reason was that the proposed communications project had a two-year funding scheme built in. He said things could change year to year and it did not make sense to commit to a multi-year project. He said his more substantive reason for not supporting the motion was that most of the fire and EMS providers had stated that they supported the communications project goals, but thought those goals could be accomplished in a way that was more beneficial to each department. Mr. Cobine said that the townships had essentially committed to the goals of the communications project through other funding, and suggested that the committee should listen to what the townships stated were their funding priorities for the PS-LIT funds.

Ms. Granger said she supported Mr. Oldham's motion. She agreed with Ms. Piedmont-Smith regarding the need to fund the Washington Township project. She was unsure how best to accomplish that funding priority. Mr. Cobine suggested she could move to amend Mr. Oldham's motion. Ms. Granger asked Mr. Oldham if he could support a friendly amendment to his motion. Mr. Oldham said he could not support taking any funding from the amount requested by dispatch.

Ms. Piedmont-Smith said it was a false dichotomy to say that the committee had to either support the dispatch communications project or the township fire departments. She said the committee could do both, but said it should not do so at a cost to the city or county funds. She said she did not understand why there was such an overestimation for the cost of the radios. She said the part of Washington Township that would be served by the proposed fire station was not safe, and PS-LIT revenue was an important funding mechanism for that project. She said it made sense to her to decrease the amount going to PSAP just a little so that the committee could fund some of the requests.

Ms. Sandberg said she did not see the issue as a dichotomy. She said she saw the communications project as central to benefitting the entire community and all of the affected entities. She said much had changed for her since the previous year. She recognized that all of the incorporated entities were facing public safety challenges, but said everyone would benefit from having a unified dispatch system that would make communications more clear and reduce response times. She said she trusted dispatch to know how much was needed for the project. She supported consolidation efforts of township departments. She believed the committee should avoid funding salaries if possible, and thought an evaluation of the criteria used by the committee might have been in order. She fully supported the dispatch proposal.

Mr. Cobine pointed out that Mr. Oldham's motion was the only proposal that would result in less money for the City of Bloomington. He said he did not understand the hesitation in using PS-LIT revenue to fund salaries, as it was a major funding stream that, while finite, was not likely to go away all at once. He said the city's self-imposed restriction on using PS-LIT funding for salaries should not color how all of the other fund recipients used the funds or how the committee made its decisions.

Ms. Granger said she supported Mr. Oldham's motion. She thought consolidation and collaboration between township fire departments was important. She liked the long range vision of the communications project.

Ms. Chopra invited public comment.

Vicky Sorensen, Indian Creek Township Trustee, spoke about the needs of her department and how the PS-LIT funding could be used to fund salaries.

Rita Barrow, Van Buren Township Trustee, echoed Ms. Sorensen's comments and said that the townships were working toward consolidation.

Ms. Chopra invited final committee comment on Mr. Oldham's motion.

Ms. Sandberg believed the reason the tax council had previously agreed to support an increase in the income tax was to support dispatch. It was her understanding that the townships would then be able to apply for funding, and that process would play out like a competitive grant. She said funding dispatch was her primary concern, as it benefited everyone in the community.

Ms. Munson said she liked to think she had the greater community good in mind when she made proposals. She thought there was an overestimation for the cost of the radios, and thought townships should utilize grants, when able, to help purchase such equipment instead of using PS-LIT funds. She said she would prefer to reduce the amount proposed to go to dispatch by $400,000, which would allow the committee to fund some of the township requests.

Mr. Oldham said many of the township departments had talked about consolidation, which was good. He cautioned the committee against spending money on things that might not be useful or needed once that consolidation took place. He said the new dispatch positions were desperately needed. He said funding those positions and the communications project would be a step in the right direction.

Mr. Cobine and Ms. Chopra clarified a matter of procedure.

Mr. Cobine moved and it was seconded to amend Mr. Oldham's motion by reducing the recommended allocation to PSAP by $144,560 (for a total allocation to PSAP of $2,730,625).

Ms. Chopra said she felt that Mr. Cobine's motion was unfair and she was not in support of it.

Ms. Piedmont-Smith saw Mr. Cobine's motion as a win-win scenario. It would allow PSAP to pursue the communications project, while also allowing for funding to go to certain township proposals. Ms. Piedmont-Smith pointed out that, if the estimates were low, dispatch could request additional funds the following year. At that point, she said, the township consolidation efforts would be further along and townships might require less funding. She said she was strongly in support of Mr. Cobine's proposal.

Mr. Cobine said he did not intend to disrespect the original motion on the floor. He said if his motion failed the committee would still be able to vote on Mr. Oldham's original motion.

The motion to amend received a roll call vote of Ayes: 3 (Munson, Cobine, Piedmont-Smith), Nays: 4, Abstain: 0. FAILED

Mr. Cobine said he assumed the unamended motion on the table would pass. He reminded the committee that it was voting on a recommendation to send to the rate-setting body, the Monroe County Local Income Tax Council. He said whatever recommendation was forwarded would need to be persuasive and make sense to the members comprising that Council.

The motion to recommend allocating $2,875,185 to the Public Safety Answering Point received a roll call vote of Ayes: 4, Nays: 3 (Munson, Cobine, Piedmont-Smith), Abstain: 0.

Ms. Chopra said the proposal was fair and equitable. She said the PSAP Board that had created the proposal represented the county as a whole. She said the funds would be used for equipment and additional dispatchers that would be beneficial to the entire county.

B. Distributions to Townships/Providers for 2018

Ms. Granger moved and it was seconded to recommend allocating $50,000 to the Northern Monroe County Fire Protection Territory for acquisition and construction of a fire station per the application. She said the committee was disappointed the previous year when it had intended to fund the project but was unable to do so. She said her motion was intended to make up for that.

Ms. Sandberg asked whether the proposed allocation would reduce the remaining funds for the incorporated entities that received PS-LIT funds. Ms. Chopra said yes. Mr. Sherman clarified which project Ms. Granger had proposed funding.

Ms. Piedmont-Smith said that allocating the $50,000 would mean an even greater reduction in the amounts going to the incorporated entities. While she thought the PSAP budget could be reduced to allow for such allocations, she was much more hesitant to allocate money that would reduce the amounts going to the city, county, and Ellettsville.

Ms. Chopra said the townships were already receiving a larger portion of PS-LIT funds through the communications project than they received the previous year.

Mr. Cobine displayed the proposed funding scenario on the scenarios spreadsheet.

Ms. Sandberg asked what would happen with the funds allocated to dispatch if the laptops did not cost the full amount requested. Ms. Munson said any remaining funds would go into a special fund set up for capital improvements. Mr. Cobine provided additional detail on the matter.

Ms. Chopra called for public comment on the motion.

Jason Moore, Fire Chief, City of Bloomington, explained that the proposed allocation would reduce the city's fire or police budget.

The motion received a roll call vote of Ayes: 3 (Cobine, Granger, Munson), Nays: 4, Abstain: 0. FAILED

C. PS LIT Tax Rate for 2018

Mr. Sherman explained that the tax rate would be derived from the committee's decisions that had been made throughout the course of the meeting. He noted there was $4,973,794 remaining that would be allocated proportionally to the four political subdivisions.

4. OTHER BUSINESS AND FINAL COMMENTS

Mr. Sherman and committee members discussed the process for approving minutes of the committee's meetings.

Ms. Munson moved and it was seconded to review and approve minutes by distributing them to committee members, allowing for a period of review, submitting changes to the chair, allowing the chair to incorporate changes, and allowing the chair to approve the minutes as amended or corrected. The motion was approved by voice vote.

Ms. Piedmont-Smith and Mr. Sherman clarified the portions of the PS-LIT revenue that would be distributed to PSAP and to the incorporated entities.

Ms. Piedmont-Smith thanked the committee members and representatives from the townships and fire districts.

Ms. Sandberg said the decisions the committee had to make were not easy, but she felt comfortable with the results. She thanked those involved in public safety for the work they did. She recognized the strains that public safety officials faced, and said she was happy to fund purchases that would help create a more uniform and standardized system that would help all residents.

Mr. Cobine thanked his fellow committee members and said he appreciated staff that had helped the committee stay organized. He also thanked the applicants for their work. He also said that he had prepared an additional spreadsheet that was not discussed, to show year-over-year spending on public safety. He said he was disappointed because he felt the committee did not listen to some of the stakeholders.

Ms. Munson thanked the committee members, staff, and those who had made presentations. She said she knew the township departments were disappointed, and she was disappointed as well. She was concerned that the radios to be purchased might not have service in all parts of the county. She hoped those involved would ensure that the purchased radios would be usable for everyone.

Ms. Pursell said it was a shame that there was not more money to distribute, and looked forward to the future when the committee might be able to fund more of the requests from the township departments.

Mr. Sherman explained the next steps the Monroe County Local Income Tax Council would be taking. Ms. Piedmont-Smith asked for information regarding the timeline by which the members of the Tax Council would need to act. Mr. Sherman said the Tax Council would need to act before the end of October. Ms. Piedmont-Smith asked whether each member of the Tax Council simply voted yes or no on the Committee's recommendations or whether there could be changes made by the Tax Council. Mr. Sherman said the committee's recommendations would be forwarded to the members of the Tax Council and it would be up to those members how to act.

5. ADJOURNMENT

The meeting was adjourned at 8:16 p.m.

Spreadsheets and Information

Provided by

Cm. Cobine and Cm. Munson

By Cheryl Munson, Ryan Cobine

This workbook contains three spreadsheets to aid the committee in arriving at a recommendation for the Income Tax Council:

(1) PSLIT Scenarios

We demonstrate several key options, using the only year we have for comparison, 2017, as a baseline.
Variables such as how much goes to the Dispatch Twp Comms project and toward Fire/EMS units may be changed to see additoinal options.
The funding available to the county, city, and towns under each scenario is displayed at the bottom, along with differences relative to 2017.

(2) Fire-EMS Allocation Options

We provide context for evaluating various allocation options to the Fire/EMS units applying for PSLIT funds again for 2018.
Two allocation options are offered, but this sheet makes adding other variations possible, too.

(3) CostPerDispatcher

This is just a helper calculation.
We calculate the dollar cost, based on Central Dispatch's submitted proposal, of one dispatcher FTE.
This value, named Cost_per_Dispatcher, is used in calculations on the PSLIT Scenarios sheet.

Estimated PSLIT Allocations for 2018 *Cheryl Munson* *Ryan Cobine*	2017 PSLIT Precedent 25 Dispatch FTEs 5.2% Fire/EMS	(0) Follow 2017 Precedent "Stay the Course" 25 Dispatch FTEs 5.2% Fire/EMS	(1) 2018 Dispatch Request +6 Dispatchers +$800K Comms -0- Fire/EMS	(2) 2018 Dispatch Request +6 Dispatchers +$0 Comms 5.2% Fire/EMS	(3) 2018 Dispatch Request +4 Dispatchers +$0 Comms 5.2% Fire/EMS	(4) 2018 Dispatch Request +4 Dispatchers 12.5% Comms 3.9% Fire/EMS	(5) 2018 Dispatch Request +4 Dispatchers 12.5% Comms 3.9% Fire/EMS
TOTAL: PSLIT at 0.25%	7,527,404	7,848,979	7,848,979	7,848,979	7,848,979	7,848,979	7,848,979
PSAP Less Twp Communications	2,182,947	2,276,204	2,075,185	2,075,185	1,941,823	1,941,823	1,941,823
% PSAP of Total PS LIT	29.0%	29.0%	26.4%	26.4%	24.7%	24.7%	24.7%
LIT available AFTER PSAP	5,344,457	5,572,775	5,773,794	5,773,794	5,907,156	5,907,156	5,907,156
Proposed Twp Communications via Dispatch	$0	$0	$800,000	$0	$0	$100,000	$100,000
TOTAL: PSAP + Twp Communications	$2,182,947	$2,276,204	$2,875,185	$2,075,185	$1,941,823	$2,041,823	$2,041,823
% of PSLIT to PSAP Overall	29.0%	29.0%	36.6%	26.4%	24.7%	26.0%	26.0%
TOTAL: Funding for Fire/EMS Requests	$ 391,560	$ 407,082	$ -	$ 407,082	$ 407,082	$ 307,082	$ 407,082
% of PSLIT Funding Fire/EMS Requests	5.2%	5.2%	0.0%	5.2%	5.2%	3.9%	5.2%
Twp Comms + Funded Twp Requests	391,560	407,082	800,000	407,082	407,082	407,082	507,082
TOTAL: County/City//Towns Distribution	4,952,897	5,165,693	4,973,794	5,366,712	5,500,074	5,500,074	5,400,074
% of PSLIT to County/City/Towns	65.8%	65.8%	63.4%	68.4%	70.1%	70.1%	68.8%
County @ 45.04% Share for 2018	$2,216,625	$2,327,145	$2,240,694	$2,417,704	$2,477,783	$2,477,783	$2,432,733
County change from 2017 (@ 44.75%)		$110,520	$24,069	$201,079	$261,158	$261,158	$216,108
Bloomington @ 51.96% Share for 2018	$2,587,395	$2,684,094	$2,584,383	$2,788,544	$2,857,839	$2,857,839	$2,805,879
City Change from 2017 (@ 52.24%)		$96,699	($3,012)	$201,149	$270,444	$270,444	$218,484
Ellettsville @ 2.98% Share for 2018	$147,964	$153,938	$148,219	$159,928	$163,902	$163,902	$160,922
Ellettsville change from 2017 (@ 2.99%)		$5,974	$255	$11,964	$15,938	$15,938	$12,958
Stinesville @ 0.02% Share	$914	$1,073	$1,073	$1,073	$1,073	$1,073	$1,073
Stinesville change from 2017 (@ 0.02%)		$159	$159	$159	$159	$159	$159

Exhibit 1

		Population			Levy			Priorities							Recommendations			
Eligible Fire/EMS Unit	Total Unit Request	2015 Est [1]	% Pop Eligible Units	Pop-based Allocation	2017 Levy[2]	% Levy Eligible Units	Levy Allocation	#1 Description	#1	#2 Description	#2	#3 Description	#3	Total	Alpha	Bravo	Charlie	Notes
Bean Blossom	$ 118,540	2848	7%	$ 20,199	$ 118,140	2.7%	$ 8,169	Turnout gear	$ 25,000	Station repair	$ 15,000	Storage shelt	$ 10,000	$ 50,000	$ 12,000	$ 15,000		
Benton	$ 65,824	3527	8%	$ 25,018	$ 320,714	7.2%	$ 22,176	SCBA	$ 65,824	-	$ -	-	$ -	$ 65,824	$ 25,000	$ 32,000		
Indian Creek	$ 61,300	1713	4%	$ 12,151	$ 75,336	1.7%	$ 5,209	FF/EMTs	$ 14,050	FF/EMTs	$ 14,050	-	$ -	$ 28,100	$ 14,000	$ 18,000		
Perry-Clear Creek FPD	$ 283,679	18033	42%	$ 127,915	$ 1,628,805	36.7%	$ 112,622	FF/EMTs	$ 263,520	Benefits	$ 16,338	Benefits	$ 3,821	$ 283,679	$ 150,000	$ 180,000		
Van Buren	$ 276,500	10406	24%	$ 73,813	$ 1,790,834	40.3%	$ 123,826	Radios		FF/EMTs	$ 126,000	Benefits	$ 72,000	$ 198,000	$ 40,000	$ 80,000		+ radios @ $72,000
Northern Monroe Fire Territory	$ 97,500	6753	16%	$ 47,901	$ 506,167	11.4%	$ 34,999	Wash Twp F	$ 50,000	SCBA	$ 22,500	Outfitting app	$ 25,000	$ 97,500	$ 66,000	$ 82,000		
Total in Eligible Twps	$ 903,343	43280	100%	$ 306,997	$ 4,439,996	100%	$ 307,000		$ 418,394		$ 193,888		$ 110,821	$ 723,103	$ 307,000	$ 407,000		

Total Unit Options

$307,000 Dispatch Twps Communications Project: $100K (Option 4)

$407,000 Dispatch Twps Communications Project: $0 (Options 0, 2, 3)

$407,000 Dispatch Twps Communications Project: $100K (Option 5)

(1) 2015 Data from http://www.stats.indiana.edu/index.asp

(2) DLGF 2017 Certified Levies Memo

Exhibit 2

PSLIT 2018 Scenarios and Options

Line #	Proposed 2018 Dispatchers (+6)
51110	$222,000
Raises	$32,530
Specialty pay	$4,200
51210	$19,564
51220	$36,149
51230	$85,644
TOTAL	$400,087
Cost per Dispatcher	$66,681.17

ORDINANCE 17-39
TO AUTHORIZE AND APPROVE AN AGREEMENT IN LIEU OF ANNEXATION BETWEEN THE CITY OF BLOOMINGTON AND COOK GROUP, INCORPORATED AND AFFILIATES

WHEREAS Indiana Code § 36-4-3-21 permits a municipality to enter into an agreement with a property owner wherein payments are made to the municipality in exchange for an agreement not to annex the owner's property ("Agreement in Lieu of Annexation"); and

WHEREAS**,** in 1979 the City of Bloomington ("City") and certain local industries -- including General Electric and Cook, Incorporated -- entered into an Agreement in Lieu of Annexation with an expiration date of 1994; and

WHEREAS**,** in 1987, the City and these local industrial parties entered into a revised Agreement in Lieu of Annexation with an expiration date of 2002; and

WHEREAS**,** in 1997 the City modified and extended the 1987 Agreement in Lieu of Annexation, and in 1998 further modified the Agreement in Lieu of Annexation, which ultimately expired in December 2012; and

WHEREAS, the City desires to create an environment that promotes and retains local industrial partners, including Cook Group, Incorporated and its affiliated entities ("Cook"), one of Monroe County's and the City's most successful and generous corporate citizens; and

WHEREAS**,** the City administration and Cook believe that at this time an Agreement in Lieu of Annexation would be in the best interests of the City, Cook, Monroe County, and their various constituents, and therefore desire to enter into a new Agreement in Lieu of Annexation; and

WHEREAS, the proposed payments under the Agreement in Lieu of Annexation would run for 15 years, starting in 2018 and ending in 2032 and would require Cook to pay a minimum of $100,000 per annum, provided Cooks meets prescribed financial investment and employment goals. Where such goals are not met, Cook's payment increases. In exchange, the City agrees not to annex certain Cook real property in Monroe County; and

WHEREAS, the Agreement in Lieu of Annexation is attached to this ordinance as Exhibit A; and

WHEREAS, the Common Council agrees that an Agreement in Lieu of Annexation between the City and Cook is in the best interests of the parties;

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

SECTION 1. The Common Council hereby authorizes and approves the Agreement in Lieu of Annexation between the City and Cook, a copy of which is attached hereto and incorporated herein, with two (2) copies of the Agreement on file in the office of the City Clerk for public inspection.

SECTION 2. The monies received by the City pursuant to this Agreement in Lieu of Annexation shall be deposited into the City's General Fund.

SECTION 3. The City Clerk is hereby directed to record a copy of this Ordinance, as approved, and a copy of the executed Agreement in Lieu of Annexation with the Monroe County Recorder's Office.

SECTION 4. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 5. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor, and after any required waiting and/or notice periods under Indiana law.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2017.

_____
SUSAN SANDBERG, President
Bloomington Common Council

ATTEST:

_____
NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2017.

_____
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2017.

_____
JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance authorizes and approves the proposed Agreement in Lieu of Annexation between the City of Bloomington and Cook ("Agreement"). The Agreement would take effect in 2017 and last for fifteen (15) years, as permitted by state statute. Under the Agreement the first payment would be due in 2018, and the last would be due in 2032. Over the term of the Agreement, Cook would be obligated to pay, in lieu of taxes, a minimum of $100,000 per year, for a total of $1.5 million over the life of the Agreement. The Agreement provides that the annual payment will increase if Cook fails to meet certain prescribed goals for financial investment and increased employment in Monroe County. In exchange for the payments, the City agrees not to annex specifically identified Cook real property in Monroe County. All payments received would be deposited into the General Fund. The ordinance directs the City Clerk to record a copy of the ordinance, duly adopted, and the executed Agreement with the Monroe County Recorder's Office.

<u>EXHIBIT A</u>

AGREEMENT IN LIEU OF ANNEXATION

AGREEMENT IN LIEU OF ANNEXATION

This Agreement made and entered into on the 27th day of September, 2017 by and between the City of Bloomington, Indiana, hereinafter referred to as the "City"; and certain premises, industries and businesses of Cook Group Incorporated and its affiliates who are parties hereto located in Monroe County, Indiana, hereinafter referred to collectively as "Cook" (and further described in Exhibits A, B and C to this Agreement).

WITNESSETH:

WHEREAS, the City and Cook, located in the vicinity of but beyond the corporate limits of the City, recognize mutual interests and benefits in relationship to each other, and Cook desires to share in providing financial support to the City, and the City desires to create a favorable environment for employment and capital expansion for Cook; and

WHEREAS, Cook is planning to expand substantially its operations in Monroe County; and

WHEREAS, the City is empowered by Ind. Code §36-4-3-21 to enter into agreements to receive payments or contributions from parties owning or leasing real and personal property outside the corporate boundaries; and

WHEREAS, the City recognizes that the potential for inclusion of Cook inside the corporate limits of the City creates certain planning and financial uncertainties for Cook in terms of expansion, and that the encouragement of industrial expansion by Cook via an agreement in lieu of annexation with a specific term is in the mutual best interests of the City and Cook; and

WHEREAS, this Agreement shall be recorded with the legal description of the participating properties and shall be a covenant running with the land; it is with such understanding that this Agreement is entered into.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES AND COVENANTS OF THE PARTIES, IT IS AGREED AND STIPULATED AS FOLLOWS:

1. The term of this Agreement shall be fifteen (15) years, commencing on the date of final approval of this Agreement by the Common Council of the City of Bloomington, Indiana, and ending fifteen (15) years thereafter.

2. This Agreement applies only to specific parcels located west of Interstate Highway 69/Indiana Highway 37, in Monroe County, Indiana (the "Covered Properties"). The purpose of this Agreement is to provide for protection against annexation for the Covered Properties. A map, a list of tax parcel numbers and the legal descriptions for the Covered Properties subject to this Agreement at the effective date are attached to this document as Exhibits A, B and C, respectively. The legal descriptions of the Covered Properties in Exhibit C shall be recorded with this Agreement as a covenant running with the land.

3. The parties agree and declare as follows:

A. Cook, by virtue of its long-time responsible corporate presence and major employment base, is a distinct and valued asset to the Bloomington community and Monroe County;

B. Cook benefits both directly and indirectly by the fact of its location in the Bloomington community and Monroe County;

C. It is in the mutual interests of the parties and to the benefit of the Bloomington community and Monroe County in general that Cook share in providing financial support to the City;

D. Such mutual interests can best be served by Cook making the payments herein stipulated to the City on a contractual basis, rather than by annexation of its properties to the City.

4. Cook will make an annual payment in lieu of taxes to the City of at

least One Hundred Thousand Dollars ($100,000.00) for a term of fifteen (15) years, with payments over the term totaling at least One Million Five Hundred Thousand Dollars ($1,500,000.00) ("Payments in Lieu of Annexation"). The amount paid may be adjusted each year in accordance with paragraph 5 below.

5. The Payments in Lieu of Annexation shall be due and payable on or before May 10th of each year, beginning in 2018 and ending in 2032. Payments shall be delivered to the City Controller, electronically to a specified city account or physically to P.O. Box 100, Bloomington, Indiana 47402.

The amount of the Payments in Lieu of Annexation shall remain as specified above in paragraph 4 so long as Cook: a) invests in employment and capital expansion with regard to the Covered Properties at the projected levels set forth in Exhibit D, and b) maintains such employment and investment levels for the term of this Agreement. Should employment or investment levels not meet projected levels, then the payments in lieu of annexation shall be adjusted as set forth in Exhibit D. This Agreement is intended to support investment and employment at the scale described herein.

6. In the event that Cook acquires additional property outside of the City boundaries beyond the Covered Properties set forth in Exhibit B, the parties may mutually agree to add such property to this Agreement, for an appropriate and proportional additional Payment in Lieu of Annexation. Notwithstanding the foregoing, the parties acknowledge that Cook Property Incorporated, an affiliate of Cook Group Incorporated, has entered into a purchase agreement to acquire certain property located at 301 N. Curry Pike, Bloomington, Indiana in Richland Township, Monroe County, Indiana, formerly used as a manufacturing facility by General Electric Company (the "GE Property") subject to the terms and conditions set forth in the purchase agreement. The City agrees that, if Cook Property Incorporated acquires the GE Property, the GE Property shall, without further action of the parties, become a Covered Property under this Agreement

without any increase in the Payments in Lieu of Annexation, and that the City will execute and deliver to Cook Property Incorporated all documentation necessary to evidence the same.

7. The parties recognize that the purpose of this Agreement is to provide, in accordance with Ind. Code §36-4-3-21(e), that the Covered Properties shall not be subject to annexation by the City during the term of this Agreement.

8. In consideration of the covenants and monetary contributions of Cook, the City agrees that the Covered Properties shall not be subject to annexation by the City prior to the expiration of this Agreement, except by mutual agreement of the parties.

9. All Payments in Lieu of Annexation to be paid by Cook to the City may be used for any legal public purpose.

10. The City agrees that it will continue to furnish to Cook municipal services, both governmental and proprietary, of the same nature and the same level as it is providing to Cook at the time of the signing of this Agreement. The City shall not be obligated to provide other services than those being provided at the time of the signing of this Agreement or to provide the same or similar services to any additional or other locations.

11. If any party to this Agreement fails to timely perform any of the obligations specified in the Agreement, the party desiring performance shall notify all parties by certified mail of said failure, specifying the date of said failure and specifying the date and manner by which such failure should be cured. If the failure to perform is not remedied or cured within sixty (60) days after said Notice, the party desiring performance, at its option, may declare this Agreement null and void with respect to the breaching party.

Any party aggrieved by a breach of this Agreement may, not less than sixty (60) days from the date of the notice required above, proceed to

institute any action it is legally authorized to initiate, including but not limited to annexation of property owned or leased by the defaulting party, or obtaining an injunction or restraining order prohibiting annexation.

The failure of a party to pursue its remedies for breach by any party or parties shall not be deemed a waiver of the right to proceed against the same party or any other party hereto at a future time.

12. Cook agrees to be bound by its obligations contained herein for the full term of this Agreement even if Cook ceases operations or removes its plants or operations to a new location. In the event Cook transfers any of the Covered Properties to another entity that is not a subsidiary or affiliate of Cook Group Incorporated, the City may decide, in its sole discretion, that this Agreement may be terminated as to such Covered Property and the amount of the remaining Payments in Lieu of Annexation shall be equitably and proportionately reduced.

13. This agreement may be renewed upon mutual agreement of the parties.

14. This Agreement contains the terms of all conditions, covenants, rights, responsibilities, and understandings between the parties hereto.

[Signature pages follow]

IN WITNESS WHEREOF the City of Bloomington, Indiana, by its Mayor and attested by the City Clerk with the seal of the City affixed, and Cook have caused this Agreement to be executed by their respective duly authorized officers. This Agreement shall be in full force and effect when executed by the parties heretofore set forth and approved by the Common Council of the City of Bloomington, Indiana.

CITY OF BLOOMINGTON, INDIANA

By:_____
John Hamilton, Mayor

CITY OF BLOOMINGTON, INDIANA

Attest:_____
Nicole Bolden, Clerk

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

Before me, a notary public in and for said County and State, personally appeared John Hamilton, Mayor of the City of Bloomington, Indiana, who acknowledged the execution of the foregoing Agreement in Lieu of Annexation.

Witness my hand and notary seal this_____day of _____, 2017.

My Commission Expires:
_____

_____
Notary Public
Printed Name: _____
County of Residence:_____

COOK GROUP INCORPORATED

By: _____
Pete Yonkman, President

CGI REAL ESTATE HOLDINGS LLC

By: _____
John R. Kamstra, Treasurer

CMI REAL ESTATE HOLDINGS LLC

By: _____
John R. Kamstra, Treasurer

COOK INCORPORATED

By: _____
Derek Voskuil, Vice President

SABIN CORPORATION

By: _____
Nate Myers, General Manager

COOK PROPERTY INCORPORATED

By: _____
Brent Conner, Vice President

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

Before me, a notary public in and for said County and State, personally appeared Pete Yonkman, the President of Cook Group Incorporated, John R. Kamstra, the Treasurer of CGI Real Estate Holdings LLC and the Treasurer of CMI Real Estate Holdings LLC, Derek Voskuil, the Vice President of Cook Incorporated, Nate Myers, the General Manager of Sabin Corporation, and Brent Conner, the Vice President of Cook Property Incorporated, each of whom acknowledged the execution of the foregoing Agreement in Lieu of Annexation.

Witness my hand and notary seal this 27 day of September, 2017.

Donna K. Chitwood
Notary Public

My Commission Expires:
8/8/2020

Printed Name: Donna K. Chitwood

County of Residence: Monroe

DONNA K. CHITWOOD
Notary Public, State of Indiana
SEAL
My Commission Expires 8/8/2020

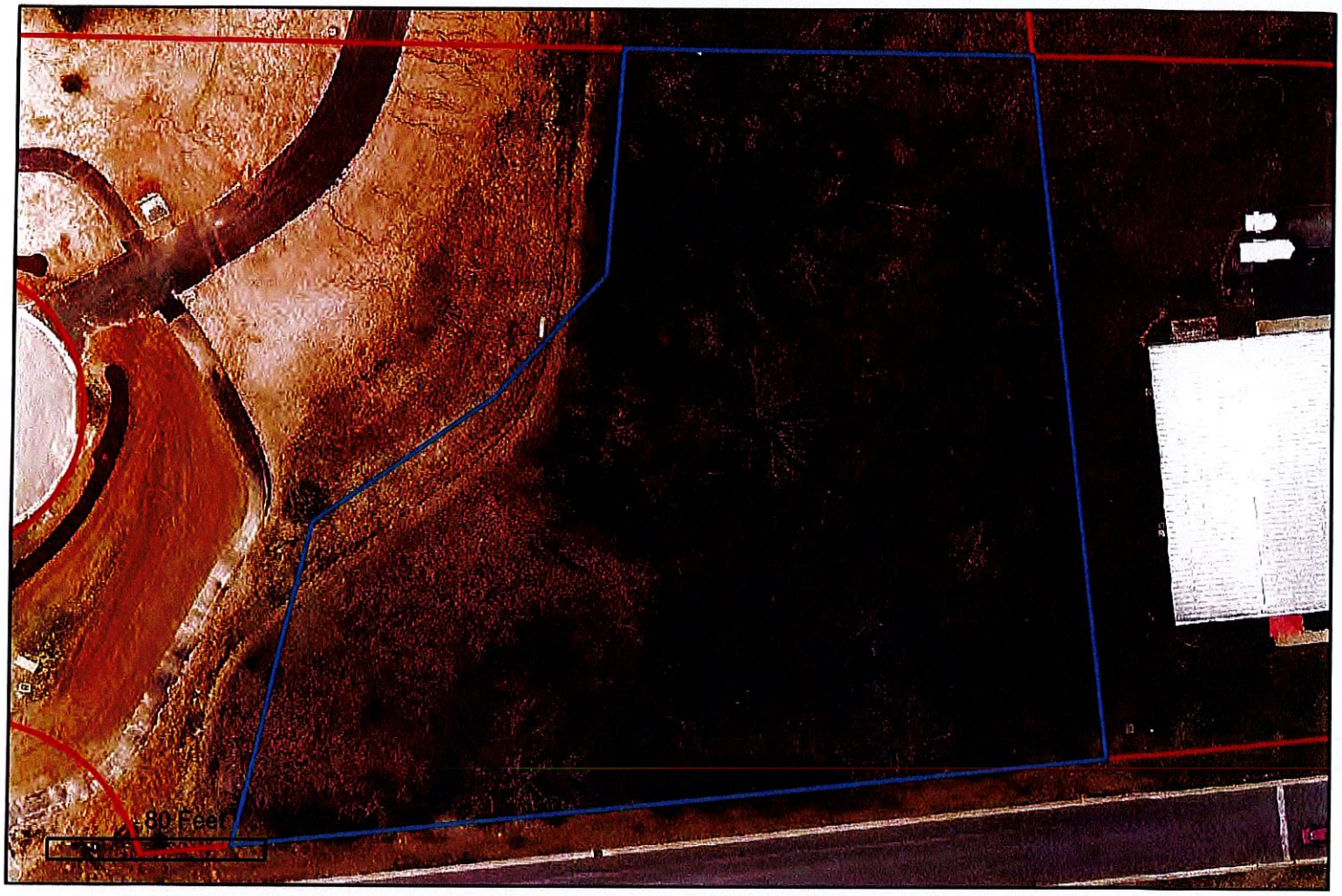
EXHIBIT A

Map of Properties

[See attached]

Monroe County, IN

4830 W Innovation DR, Bloomington, IN 47404
53-04-35-101-001.000-011



Parcel Information

Parcel Number:	53-04-35-101-001.000-011
Alt Parcel Number:	007-28150-22
Property Address:	4830 W Innovation DR Bloomington, IN 47404
Neighborhood:	21 RICHLAND TWP - COM
Property Class:	Vacant Land
Owner Name:	CGI Real Estate Holdings LLC
Owner Address:	PO Box 729 Bloomington, IN 47402
Legal Description:	007-28150-22 NORTHWEST PARK LOT 22

Taxing District

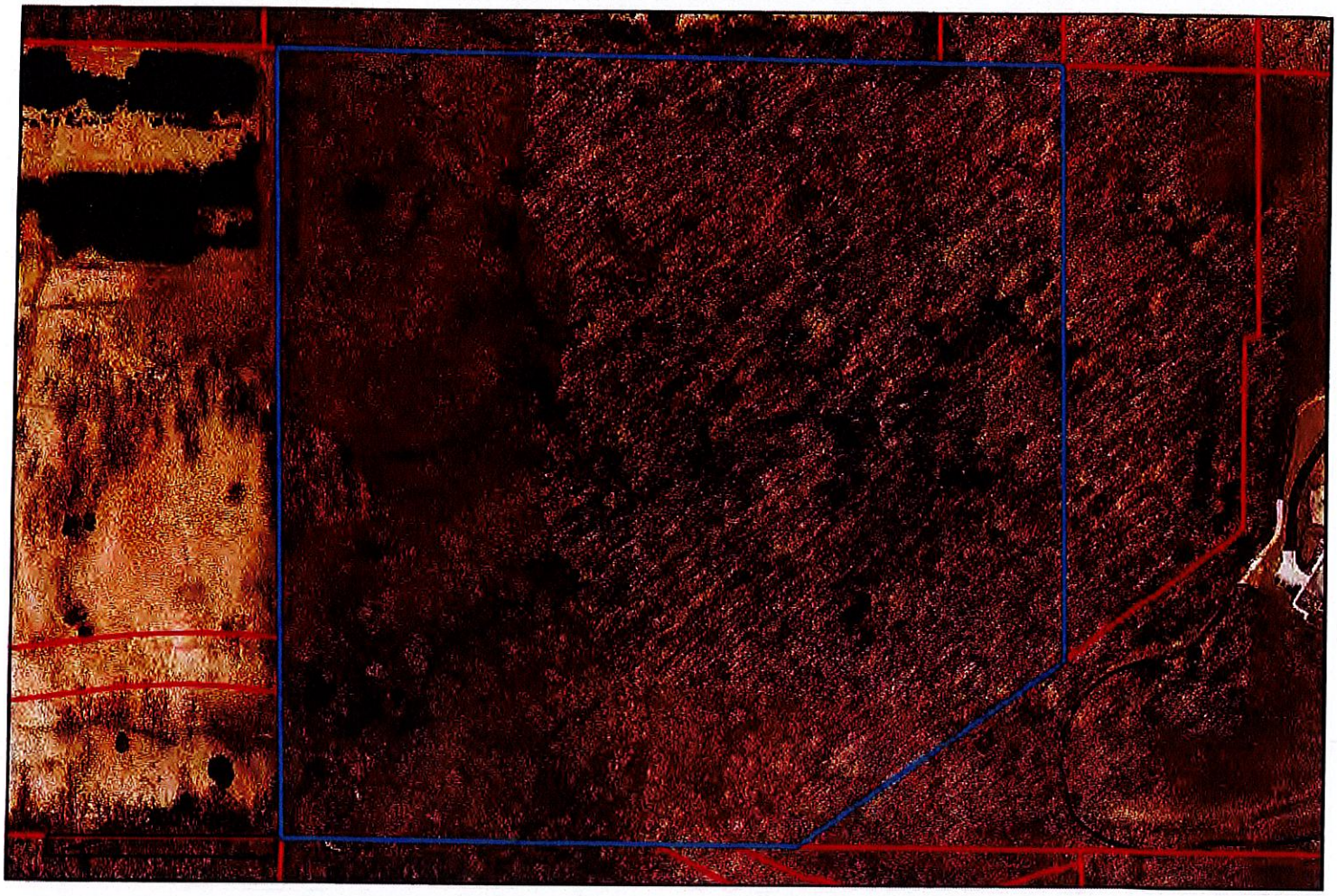
Township:	RICHLAND TOWNSHIP
Corporation:	RICHLAND-BEAN BLOSSOM COMMUNITY

Land Description

Land Type	Acreage	Dimensions
13	1.33	

Monroe County, IN

N Hartstrait RD, Bloomington, IN 47404
53-04-35-200-017.000-011



Parcel Information

Parcel Number:	53-04-35-200-017.000-011
Alt Parcel Number:	007-28140-00
Property Address:	N Hartstrait RD Bloomington, IN 47404
Neighborhood:	Hartstraight Road - A
Property Class:	Vacant - Unplatted (30 to 39.99 Acres)
Owner Name:	CGI Real Estate Holdings LLC
Owner Address:	750 N Daniels Way Bloomington, IN 47404
Legal Description:	007-28140-00 PT NE NW 35-9-2W 38.55A; PLAT 2

Taxing District

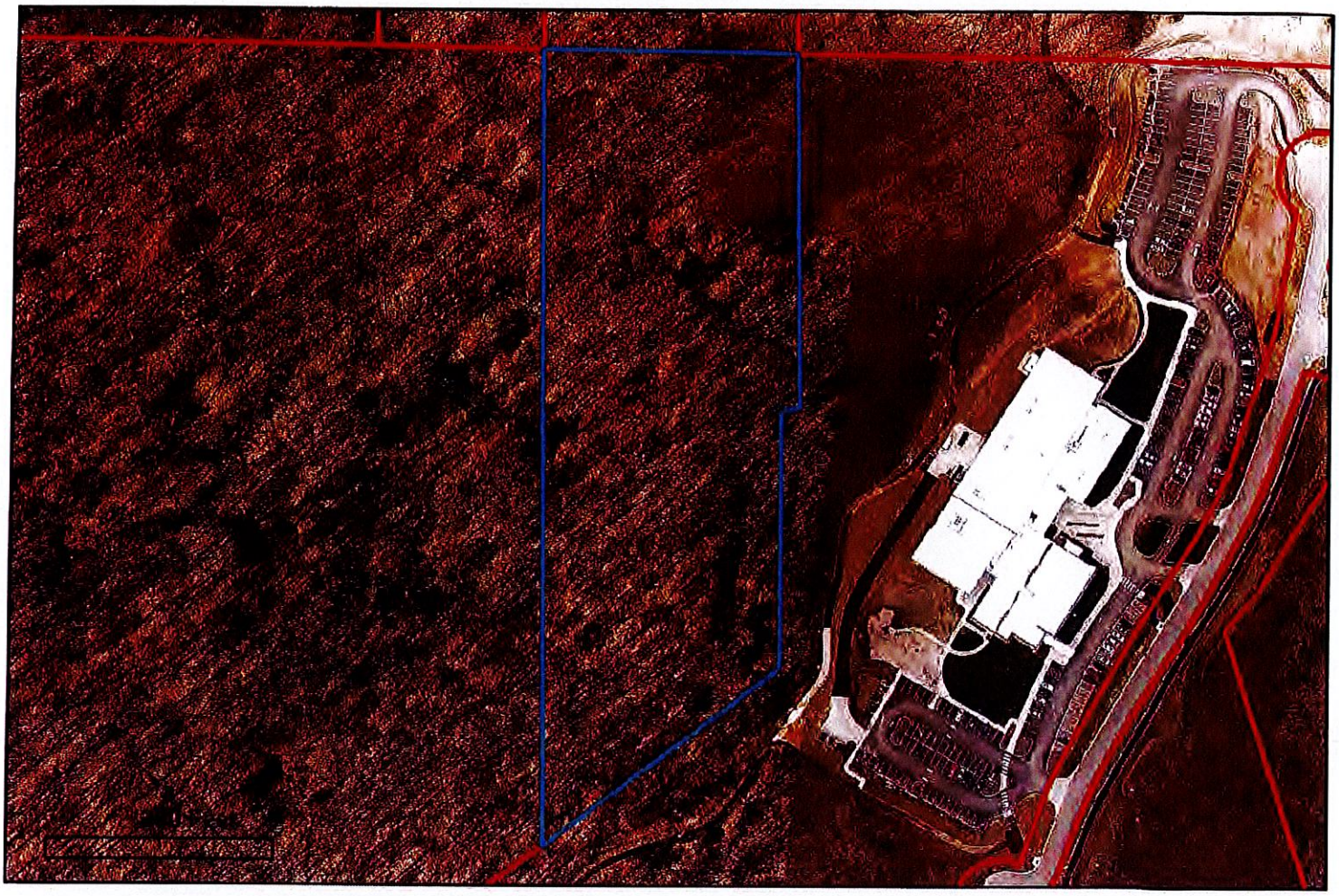
Township:	RICHLAND TOWNSHIP
Corporation:	RICHLAND-BEAN BLOSSOM COMMUNITY

Land Description

Land Type	Acreage	Dimensions
91	38.55	

Monroe County, IN

W Vernal PIKE, Bloomington, IN 47404
53-05-01-102-001.000-011



Parcel Information

Parcel Number:	53-05-01-102-001.000-011
Alt Parcel Number:	007-28160-00
Property Address:	W Vernal PIKE Bloomington, IN 47404
Neighborhood:	Vernal Pike -RT1 - A
Property Class:	Vacant - Unplatted (0 to 9.99 Acres)
Owner Name:	CGI Real Estate Holdings LLC
Owner Address:	750 N Daniels Way Bloomington, IN 47404
Legal Description:	007-28160-00 PT NW NE 35-9-2W 5.56A; PLAT 3

Taxing District

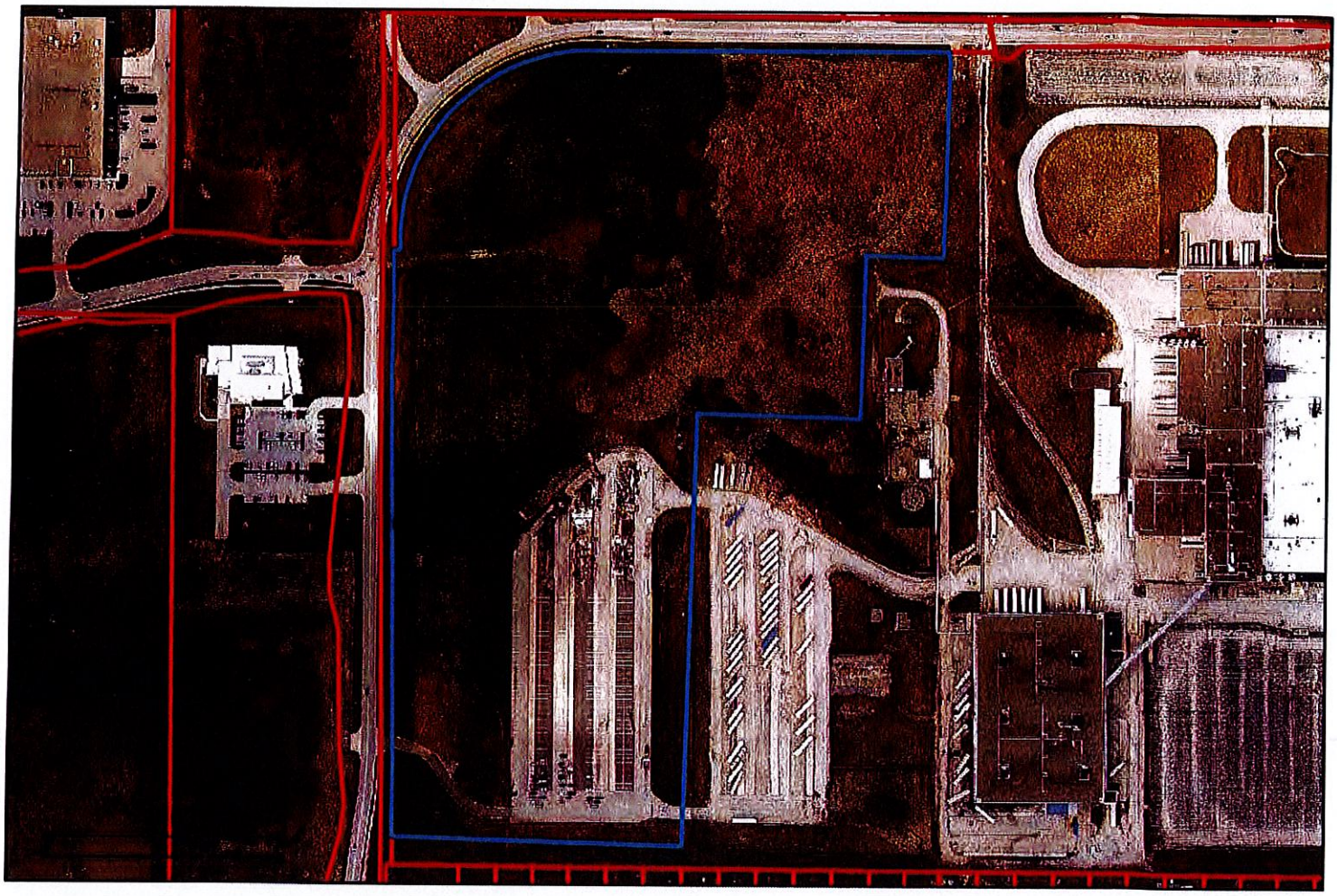
Township:	RICHLAND TOWNSHIP
Corporation:	RICHLAND-BEAN BLOSSOM COMMUNITY

Land Description

Land Type	Acreage	Dimensions
91	5.56	

Monroe County, IN

500 N PROFILE PKWY, Bloomington, IN 47404
53-04-36-300-003.005-011



Parcel Information

Parcel Number:	53-04-36-300-003.005-011
Alt Parcel Number:	007-15610-05
Property Address:	500 N PROFILE PKWY Bloomington, IN 47404
Neighborhood:	17B RICHLAND TWP - COM
Property Class:	Parking Lot or Structure
Owner Name:	CMI Real Estate Holdings LLC
Owner Address:	750 N Daniels Way Bloomington, IN 47404
Legal Description:	007-15610-05 PT W1/2 SW 36-9-2W 31.23 A; Plat 191

Taxing District

Township:	RICHLAND TOWNSHIP
Corporation:	RICHLAND-BEAN BLOSSOM COMMUNITY

Land Description

Land Type	Acreage	Dimensions
11	31.23	

Monroe County, IN

750 C & D N Daniels Way, Bloomington, IN 47404-9120
53-04-35-401-008.000-011

Parcel Information

Parcel Number:	53-04-35-401-008.000-011
Alt Parcel Number:	007-19480-05
Property Address:	750 C & D N Daniels Way Bloomington, IN 47404-9120
Neighborhood:	21 RICHLAND TWP - COM
Property Class:	Vacant Land
Owner Name:	Cook Inc
Owner Address:	PO Box 489 Bloomington, IN 47402
Legal Description:	007-19480-05 PARK 48 PH 3 LOT 5

Taxing District

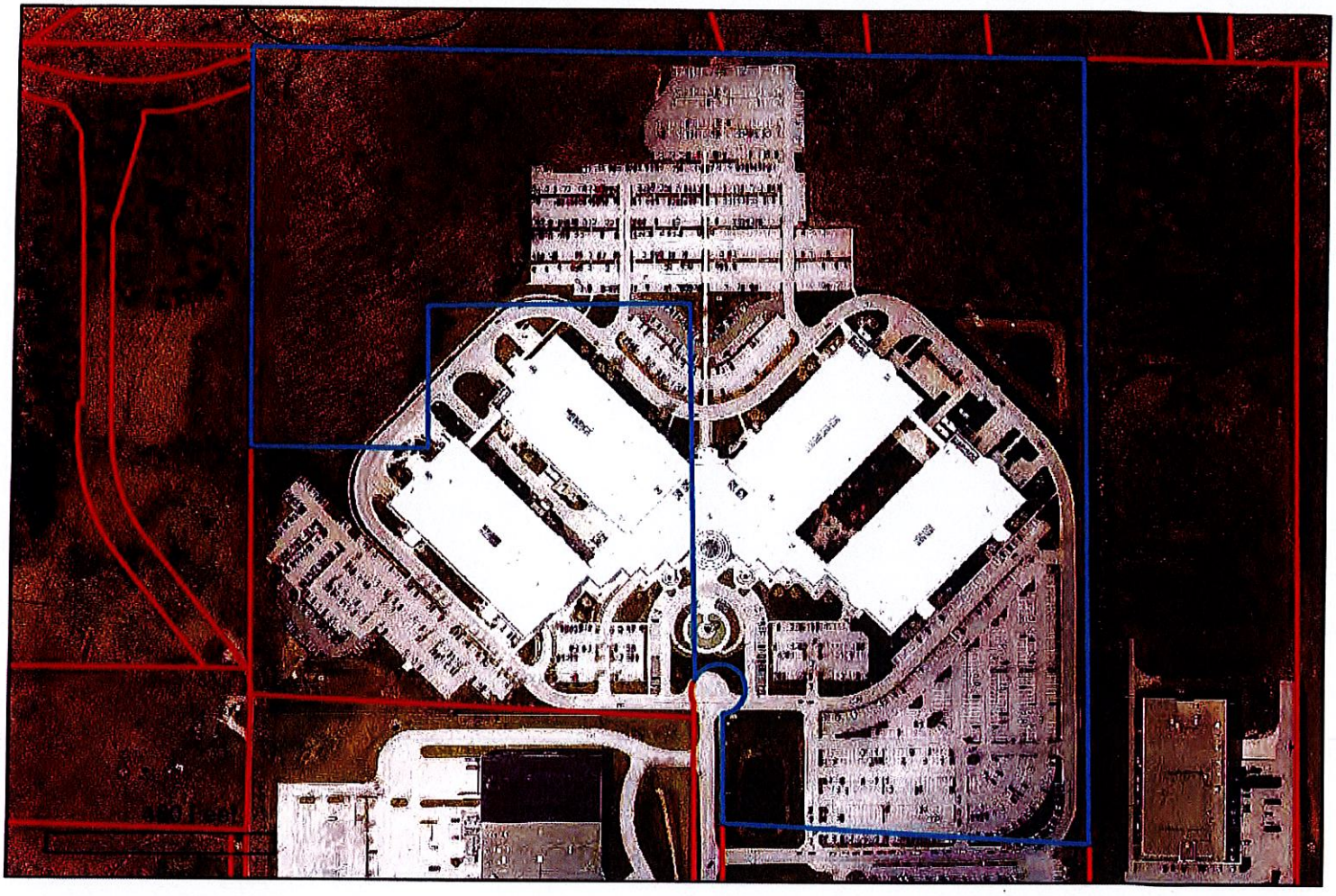
Township:	RICHLAND TOWNSHIP
Corporation:	RICHLAND-BEAN BLOSSOM COMMUNITY

Land Description

Land Type	Acreage	Dimensions
11	15.78	

Monroe County, IN

750 A & B N Daniels Way, Bloomington, IN 47404-9120
53-04-35-100-003.000-011



Parcel Information

Parcel Number:	53-04-35-100-003.000-011
Alt Parcel Number:	007-19480-04
Property Address:	750 A & B N Daniels Way Bloomington, IN 47404-9120
Neighborhood:	21 RICHLAND TWP - COM
Property Class:	Light Manufacturing & Assembly
Owner Name:	Cook Inc
Owner Address:	PO Box 489 Bloomington, IN 47402
Legal Description:	007-19480-04 PT E1/2 35-9-2W 44.00A; PLAT 83

Taxing District

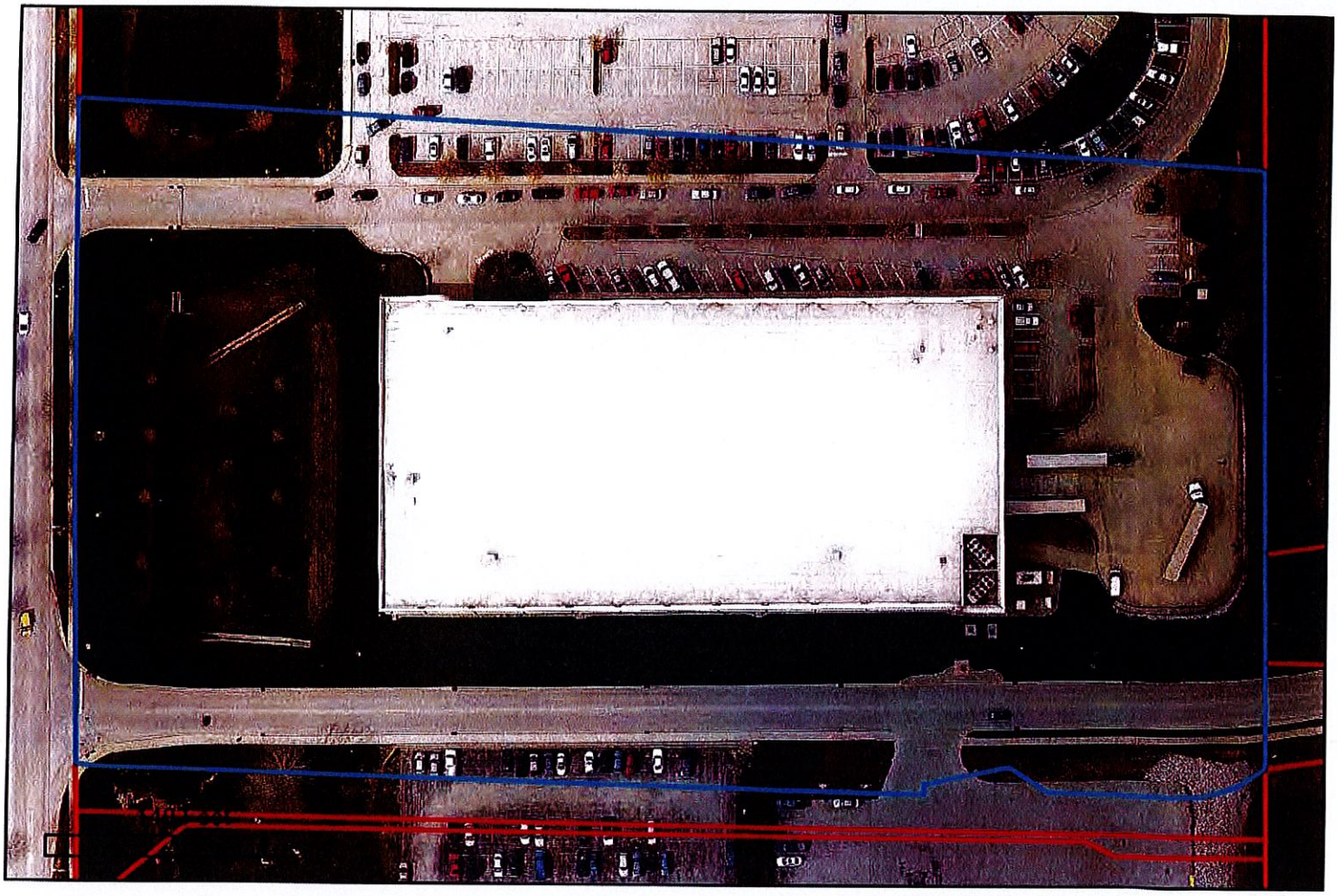
Township:	RICHLAND TOWNSHIP
Corporation:	RICHLAND-BEAN BLOSSOM COMMUNITY

Land Description

Land Type	Acreage	Dimensions
11	30.0	
13	14.0	

Monroe County, IN

400 N Daniels WAY, Bloomington, IN 47404-9120
53-04-35-400-009.000-011



Parcel Information

Parcel Number:	53-04-35-400-009.000-011
Alt Parcel Number:	007-19480-06
Property Address:	400 N Daniels WAY Bloomington, IN 47404-9120
Neighborhood:	21 RICHLAND TWP - COM
Property Class:	Industrial Warehouse
Owner Name:	Cook Inc
Owner Address:	PO Box 489 Bloomington, IN 47402
Legal Description:	007-19480-06 PT SE 35-9-2W 8.019A; PLAT 91

Taxing District

Township:	RICHLAND TOWNSHIP
Corporation:	RICHLAND-BEAN BLOSSOM COMMUNITY

Land Description

Land Type	Acreage	Dimensions
11	7.429	

Monroe County, IN

3800 W Constitution AVE, Bloomington, IN 47403-3176
53-09-01-401-004.000-015

Parcel Information

Parcel Number:	53-09-01-401-004.000-015
Alt Parcel Number:	016-24290-00
Property Address:	3800 W Constitution AVE Bloomington, IN 47403-3176
Neighborhood:	16 VAN BUREN TWP - COM/RES - A
Property Class:	Vacant Land
Owner Name:	Sabin Corporation
Owner Address:	c/o Cook Group Inc PO Box 1608 Bloomington, IN 47402
Legal Description:	016-24290-00 PARK 37 PH 9 PT LOT 19

Taxing District

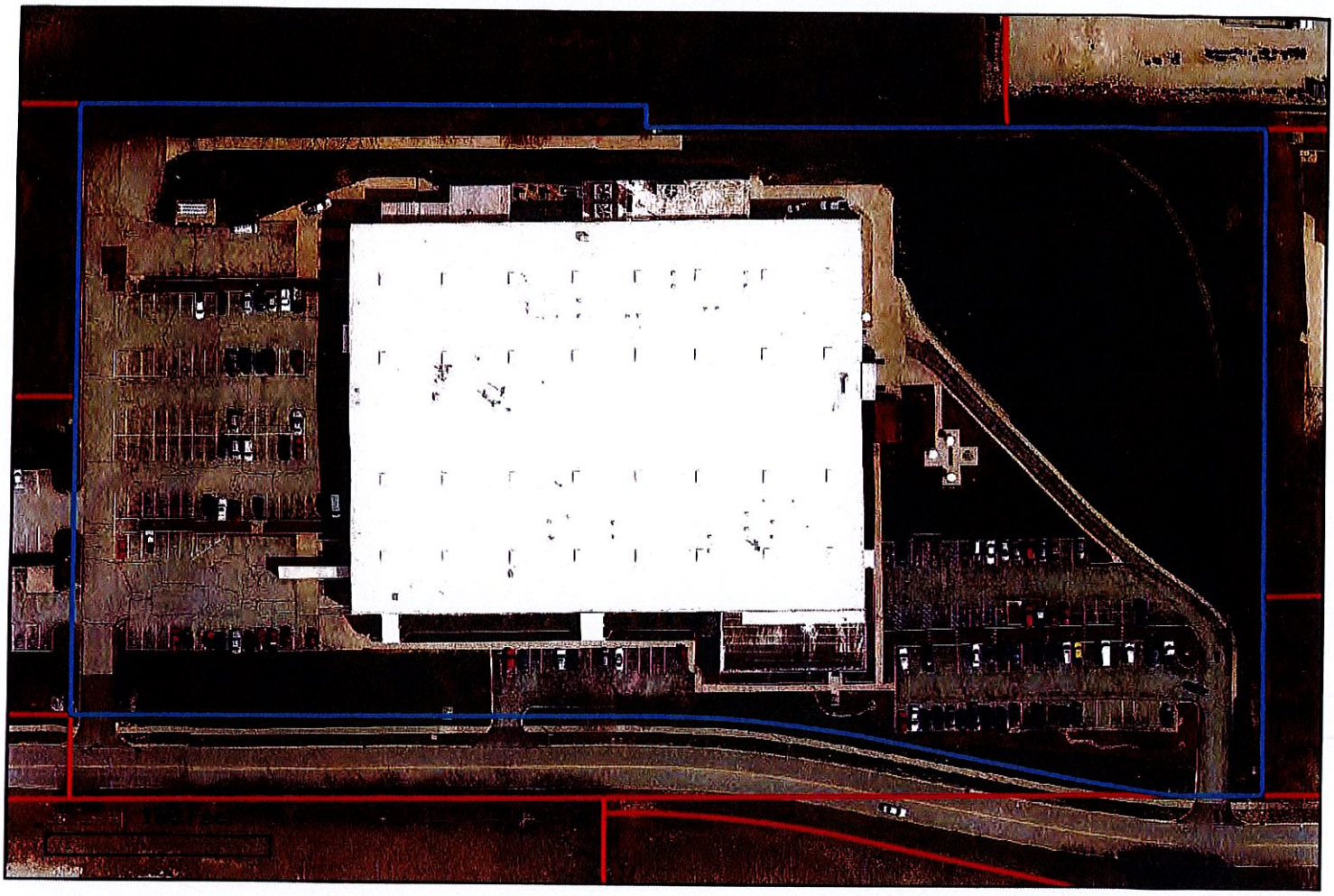
Township:	VAN BUREN TOWNSHIP
Corporation:	MONROE COUNTY COMMUNITY

Land Description

Land Type	Acreage	Dimensions
13	1.9	

Monroe County, IN

3800 W Constitution AVE, Bloomington, IN 47403-3176
53-09-01-401-001.000-015



Parcel Information

Parcel Number:	53-09-01-401-001.000-015
Alt Parcel Number:	016-24290-01
Property Address:	3800 W Constitution AVE Bloomington, IN 47403-3176
Neighborhood:	16 VAN BUREN TWP - COM/RES - A
Property Class:	Light Manufacturing & Assembly
Owner Name:	Sabin Corporation
Owner Address:	c/o Cook Group Inc PO Box 1608 Bloomington, IN 47402
Legal Description:	016-24290-01 PARK 37 PH 3 LOT 4 (8.68A)

Taxing District

Township:	VAN BUREN TOWNSHIP
Corporation:	MONROE COUNTY COMMUNITY

Land Description

Land Type	Acreage	Dimensions
11	5.0	
13	3.68	

EXHIBIT B

Tax Parcel Numbers of Properties

Owner	Township	Tax Parcel #
CGI Real Estate Holdings LLC	Richland	53-04-35-101-001.000-011
CGI Real Estate Holdings LLC	Richland	53-04-35-200-017.000-011
CGI Real Estate Holdings LLC	Richland	53-05-01-102-001.000-011
CMI Real Estate Holdings LLC	Richland	53-04-36-300-003.005-011
Cook Incorporated	Richland	53-04-35-401-008.000-011
Cook Incorporated	Richland	53-04-35-100-003.000-011
Cook Incorporated	Richland	53-04-35-400-009.000-011
Sabin Corporation	Van Buren	53-09-01-401-004.000-015
Sabin Corporation	Van Buren	53-09-01-401-001.000-015

Any parcel separated from any of the above listed parcels will also be deemed to be Covered Properties at the date of separation.

Also included in the definition of Covered Properties is personal property located at the physical address associated with the above Tax Parcel #s or the physical address associated with any parcels that are separated from the above listed parcels.

EXHIBIT C

Legal Descriptions of Cook Properties

[See attached]

CGI Real Estate Holdings LLC	Richland	53-04-35-101-001.000-011
CGI Real Estate Holdings LLC	Richland	53-04-35-200-017.000-011
CGI Real Estate Holdings LLC	Richland	53-05-01-102-001.000-011

DULY ENTERED FOR TAXATION

APR 04 2013

Auditor Monroe County, Indiana

2013005830 WAR $20.00
04/04/2013 03:17:12P 3 PGS
Jim Fielder
Monroe County Recorder IN
Recorded as Presented

Mail Tax Bills to:
P.O. Box 729
Bloomington IN 47402

WARRANTY DEED

THIS INDENTURE WITNESSETH that Stephen Daniel Blake and Heather DeNean Blake, husband and wife, of Monroe County, in the State of Indiana, CONVEY AND WARRANT to CGI Real Estate Holdings LLC, an Indiana limited liability company, of Monroe County, in the State of Indiana, for and in consideration of One Dollar ($1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, the following Real Estate in Monroe County, in the State of Indiana, to-wit: 007-28150-22

Lot Number Twenty-two (22) in Northwest Park Subdivision, as shown by the recorded plat thereof, recorded in Plat Cabinet "C", Envelope 146, in the office of the Recorder of Monroe County, Indiana.

SUBJECT TO THE FOLLOWING:

1. All covenants, conditions, restrictions, easements, and encumbrances in the plat of Northwest Park , as shown by the recorded plat thereof recorded in Plat Cabinet "C ", Envelope 145 , in the office of the Recorder of Monroe County, Indiana, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.

2. Declaration of Covenants, Conditions and Restrictions of Northwest Park dated July 24, 1995 and recorded July 24, 1995 in Miscellaneous Record 233 page 601 and modified by Modification of Conditions, Covenants, and Restrictions for Northwest Park dated August 18, 1998 and recorded September 8, 1998, in Miscellaneous Record 253 page 685 and further modified by Modification of Conditions Covenants and Restrictions for Northwest Park recorded September 29, 1998, in Miscellaneous Record 254 page 332 and amended by First

Amendment to Declaration of Covenants, Conditions and Restrictions of Northwest Park dated September 15, 2010 and recorded September 16, 2010, at Instrument No. 2010013906, all in the office of the Recorder of Monroe County, Indiana.

3. Boundary Survey by Jess A. Gwinn RLS No. 9300019 recorded May 3, 1996, in Survey Book 4 page 19, Instrument No. 607110, in the office of the Recorder of Monroe County, Indiana.

4. Subject to a 15' (fifteen foot) utility easement along South side and part of the Drainage Area along West side as per the recorded plat thereof.

5. Taxes for the year 2013 due and payable in 2014, and all subsequent taxes and assessments.

Dated this 3 day of April, 2013

Stephen Daniel Blake

Heather DeNean Blake

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

Before me, a Notary Public in and for said County and State, personally appeared Stephen Daniel Blake and Heather DeNean Blake, who acknowledged execution of the above and foregoing Warranty Deed this 3 day of April, 2013.

In Witness Whereof, I have hereunto subscribed my name and affixed my official seal.

My Commission Expires: June 20, 2016

Denise K Taylor
Notary Public

Residing in Monroe County

Denise K Taylor
Printed Name

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Michael L. Carmin

This instrument prepared by Michael L. Carmin, Attorney at Law, Andrews, Harrell, Mann, Carmin & Parker, A Professional Corporation, 400 W. 7th Street, Suite 104, P.O. Box 2639, Bloomington, IN 47402-2639

362071/5693-01AT

DULY ENTERED FOR TAXATION

SEP 25 2008

Sandra M. Thewmann
Auditor Monroe County, Indiana

2008016130 WAR $21.00
09/25/2008 02:03:47P 3 PGS

Monroe County Recorder IN
Recorded as Presented

Mail Tax Bills to:
750 DAMels Way
Bloomington IN 47403

WARRANTY DEED

THIS INDENTURE WITNESSETH that Northwest Park Corporation, an Indiana corporation, of Monroe County, in the State of Indiana, CONVEYS AND WARRANTS to CGI Real Estate Holdings LLC, of Monroe County, in the State of Indiana, for and in consideration of One Dollar ($1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, the following Real Estate in Monroe County, in the State of Indiana, to-wit:

Tract 1
Part of the Northeast Quarter of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 35, Township 9 North, Range 2 West, Monroe County, Indiana.

Beginning at a 4" x 5" Stone 1" tall marked with an "x" at the Northwest Corner of the Northeast Quarter of the Northwest Quarter Section 35, Township 9 North, Range 2 West; thence along the North line of said quarter quarter, South 89 degrees 11 minutes 20 seconds East 1327.30 feet to a 5/8" rebar with an SNA cap, also being the Northeast Corner of the Northeast Quarter of the Northwest Quarter of Section 35; thence continuing along the North line of said section. SOUTH 89 degrees 19 minutes 19 seconds East, 312.12 feet to a 5/8" rebar with an SNA cap on the West line of Lots 21 and 20 and continuing along said west line for the next 4 calls; thence along said west line, South 00 degrees 44 minutes 09 seconds East 461.04 feet; South 83 degrees 47 minutes 46 seconds West 23.40 feet; thence SOUTH 00 degrees 00 minutes 00 seconds West 319.38 feet; thence South 52 degrees 03 minutes 46 seconds West 863.84 feet; thence leaving said West line and following the South line of said Quarter Quarter, North 89 degrees 12 minutes 57 seconds West 922.01 feet to a ½" rebar also being the Southwest Corner of the Northeast Quarter of the Northwest Quarter of Section 35; thence leaving said South line of said quarter quarter and continuing along the West line of said quarter quarter section: North 00 degrees 48 minutes 30 seconds West 1324.00 feet to the Point of Beginning. Containing 45 Acres, more or less. 007-28140-00
007-28160-00

Tract 2
Access easement for ingress and egress along the north side of Lot 20 as shown on the plat of Northwest Park Subdivision recorded July 24, 1995 in Plat Cabinet C envelope 146, and in Final Plat Amendment recorded August 28, 1996 in Plat Cabinet C envelope 187, and as per the Declaration of Covenants, Conditions and Restrictions of Northwest Park recorded July 24, 1995 in Miscellaneous Record 233 page 601, all in the office of the Recorder of Monroe County, Indiana.

SUBJECT TO THE FOLLOWING:

1. All taxes, liens and encumbrances of record.

Dated this 23 day of September, 2008

Northwest Park Corporation

By: Harold A. Harrell

Harold A. Harrell

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

Before me, a Notary Public in and for said County and State, personally appeared, Harold A. Harrell, for Northwest Park Corporation, who acknowledged execution of the above and foregoing Warranty Deed this 23 day of September, 2008.

In Witness Whereof, I have hereunto subscribed my name and affixed my official seal.

My Commission Expires: June 20, 2016

Residing in Monroe County

Denise K. Taylor
Notary Public

Denise K. Taylor
Printed Name

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Michael L. Carmin

This instrument prepared by Michael L. Carmin, Attorney at Law, Andrews, Harrell, Mann, Carmin & Parker, A Professional Corporation, 400 W. 7th Street, Suite 104, P.O. Box 2639, Bloomington, IN 47402-2639

284728/5309-02AT

RECORD DESCRIPTION

Part of the Northeast Quarter of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 35, Township 9 North, Range 2 West, Monroe County, In.

Beginning at a 4"x 5" Stone 1" tall marked with an "x" at the Northwest Corner of the Northeast Quarter of the Northwest Quarter Section 35, Township 9 North, Range 2 West; thence along the North line of said quarter, quarter, SOUTH 89 degrees 11 minutes 20 seconds East 1327.30 feet to a 5/8" rebar with a SNA cap, also being the Northeast Corner of the Northeast Quarter of the Northwest Quarter of Section 35; thence continuing along the North line of said section, SOUTH 89 degrees 19 minutes 19 seconds East, 312.12 feet to a 5/8" rebar with an SNA cap on the West line of Lots 21 and 20 and continuing along said west line for the next 4 calls; thence along said west line, SOUTH 00 degrees 44 minutes 09 seconds East 461.04 feet; thence SOUTH 83 degrees 47 minutes 46 seconds West 23.40 feet; thence SOUTH 00 degrees 00 minutes 00 seconds West 319.38 feet; thence SOUTH 52 degrees 03 minutes 46 seconds West 863.84 feet; thence leaving said West line and following the South line of said Quarter Quarter, NORTH 89 degrees 12 minutes 57 seconds West 922.01 feet to a 1/2" rebar also being the Southwest Corner of the Northeast Quarter of the Northwest Quarter of Section 35; thence leaving said South line of said quarter/quarter and continuing along the West line of the said quarter/quarter section; NORTH 00 degrees 48 minutes 30 seconds West, 1324.00 feet to the Point of Beginning. Containing 45 Acres, more or less.

NOTE: SEE SURVEYS REPORT
2ND PAGE

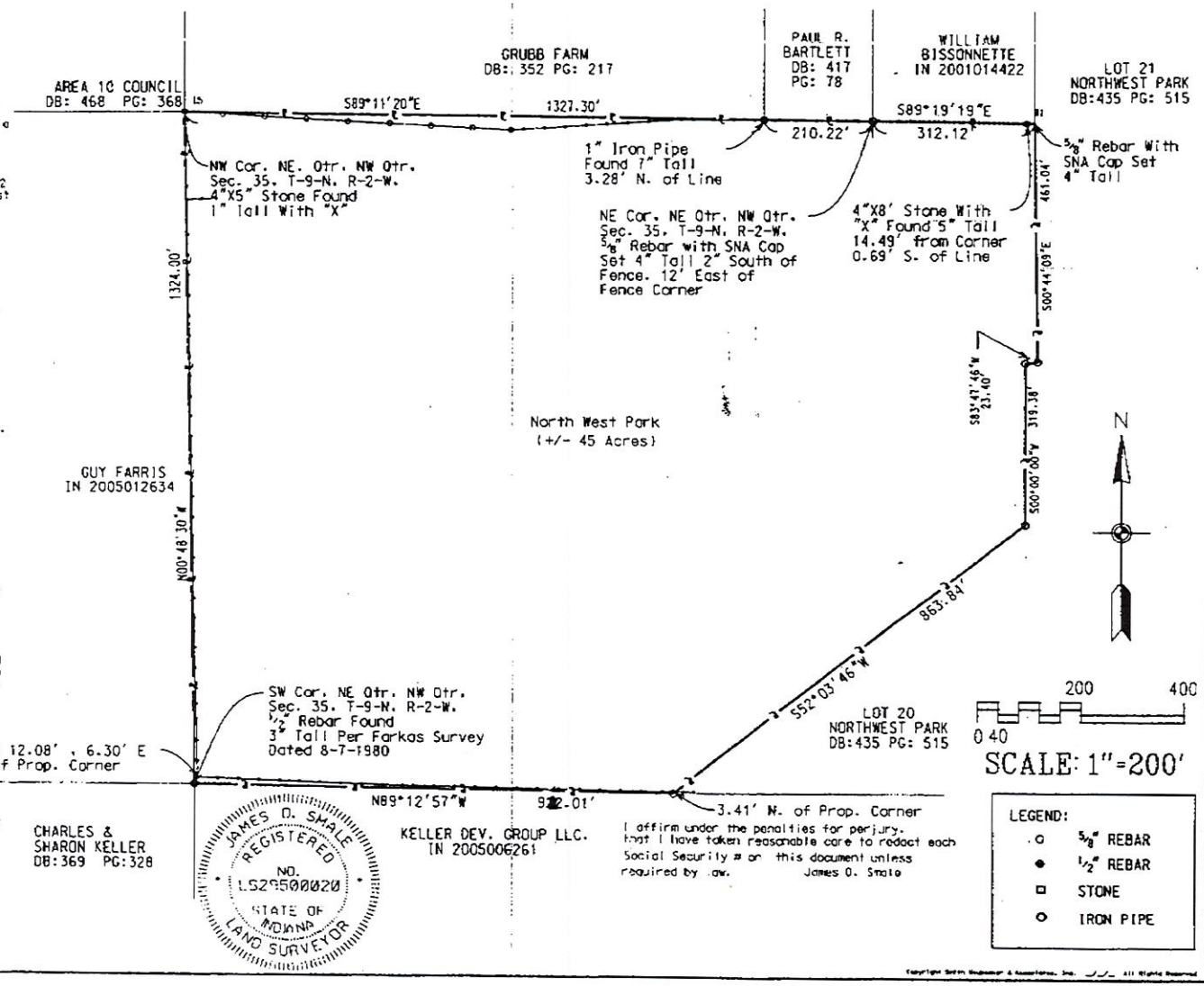
TITLE NOTE
The within survey was prepared utilizing Ticor Title Insurance Company Commitment Number 5305-02AT, effective date September 3, 2008. A copy of said commitment was provided to Smith Neubecker and Associates, Inc. by Erick Ponader of Taft Stettinius & Hollister, LLP. All easements or Rights of ways listed in said Commitment are shown record Plat for Northwest Park (Plat Cabinet "C", Envelope 146).

To CGI Real Estate Holdings, LLC and Ticor Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and accepted by ALTA and NSPS in 2005, and does not include items of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Indiana, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

Date: September 23, 2008

James D. Smale, PLS
Registration No. 29500020



I affirm under the penalties for perjury, that I have taken reasonable care to redact each Social Security # on this document unless required by law. James D. Smale

NORTHWEST PARK
45 ACRE BDRY
PART OF NW 1/4 OF SEC. 35, T9N, R2W

JAD
JDS
6/30
4417
SHEET 1 OF 2
6/30/08
BDRY

Copyright Smith Neubecker & Associates, Inc. All Rights Reserved

CMI Real Estate Holdings LLC	**Richland**	**53-04-36-300-003.005-011**

EXHIBIT "A"

Legal Description

A part of the Southwest quarter of Section 36, Township 9 North, Range 2 West,

Richland Township, Monroe County, Indiana, more specifically described as follows:

Commencing at a P.K. nail found marking the northeast corner of said Southwest quarter; Thence on the east line of said Southwest quarter and on and along Curry Pike South 00 degrees 33 minutes 58 seconds West (assumed basis of bearings) 1,815.00 feet; Thence leaving said east line and Curry Pike North 88 degrees 26 minutes 04 seconds West 46.98 feet to a 5/8 inch diameter rebar with a cap engraved "Bynum Fanyo 890006" (called "monument" for the remainder of this description) set; Thence continuing North 88 degrees 26 minutes 04 seconds West 2,582.24 feet to a monument set; Thence on a line 24 feet East of the west line of said Southwest quarter North 00 degrees 24 minutes 56 seconds East 50.00 feet to a monument set at the true Point of Beginning; Thence South 88 degrees 26 minutes 04 seconds East 614.29 feet to a monument set; Thence North 01 degree 33 minutes 14 seconds East 925.00 feet to a monument set; Thence South 88 degrees 26 minutes 46 seconds East 350.00 feet to a monument set; Thence North 01 degree 33 minutes 14 seconds East 350.00 feet to a monument set; Thence South 88 degrees 26 minutes 46 seconds East 168.00 feet to a monument set; Thence North 01 degree 33 minutes 14 seconds East 419.68 feet to a monument set on the south line of the Board of County Commissioners of Monroe County for Profile Parkway (Deed Record 435, page 535, Monroe County Recorder); Thence on the south line of Profile Parkway North 88 degrees 26 minutes 53 seconds West 701.34 feet to a monument set at the beginning of a curve concave to the southeast and having a radius of 445.00 feet; Thence on said curve Southwesterly 691.69 feet through a

central angle of 89 degrees 03 minutes 28 seconds to a monument set; Thence on a non-tangent line North 89 degrees 35 minutes 04 seconds West 11.00 feet to a monument set; Thence leaving said south line of Profile Parkway and on said line 24 feet East of the west line of said Southwest quarter South 00 degrees 24 minutes 56 seconds West 1,257.00 feet to the Point of Beginning but subject to all rights-of-way and easements of records according to a survey by Douglas R. Curry, Registered Surveyor No.890006 in November of 2006.

Cook Incorporated	Richland	53-04-35-401-008.000-011
Cook Incorporated	Richland	53-04-35-100-003.000-011
Cook Incorporated	Richland	53-04-35-400-009.000-011

Part of the Southeast Quarter and part of the Northeast Quarter of Section 35, Township 9 North, Range 2 West, Monroe County, State of Indiana, bounded and described as follows:
Beginning at an iron pin which point is 3,097.63 feet North 01 degrees 33 minutes 23 seconds East of the southwest corner of the Southeast Quarter of said Section 35 in said Township and Range (which iron pin is the northwest corner of Lot Number 5 of Park 48 Phase 3 Subdivision); thence North 01 degrees 33 minutes 23 seconds East, 873.35 feet along the west line of the Southeast Quarter and the west line of the Northeast Quarter to an iron pin; thence South 86 degrees 53 minutes 48 seconds East, 1,784.02 feet to an iron pin; thence South 01 degrees 47 minutes 59 seconds West, 1566.00 feet to a point; thence North 86 degrees 53 minutes 48 seconds West, 767.13 feet to a point on the East right-of-way of Daniel's Way; thence North 01 degrees 33 minutes 23 seconds East 147.12 feet along said East right-of-way to an iron pin; thence along the curved right-of-way of Daniel's Way along an arc to the right an arc length of 46.36 feet to an iron pin, said curve being subtended by a long chord bearing of North 28 degrees 07 minutes 18 seconds East and a chord length of 44.72 feet, said curve having a radius of 50.00 feet to an iron pin; thence along the curved right-of-way of Daniel's Way an arc to the left and arc length of 203.44 feet. said curve being subtended by a long chord bearing of North 61 degrees 52 minutes 42 seconds West and a chord length of 89.44 feet, said curve having a radius of 50.00 feet to an iron pin; thence North 01 degrees 33 minutes 23 seconds East, 818.90 feet along the east line of Lot Number 5 of Park 48, Phase 3 Subdivision to an iron pin; thence West 569.99 feet along the northernmost line of said Lot 5 to an iron pin; thence South, 300.00 feet along the line of said Lot 5 to an iron pin; thence West, 388.38 feet along the north line of said Lot 5 to the point of beginning and containing 43.995 acres, more or less.

AND ALSO

Part of the Southeast Quarter of Section 35, Township 9 North, Range 2 West, Monroe County, State of Indiana, bounded and described as follows:
Beginning at a point which is 2404.82 feet North 01 degrees 33 minutes 23 seconds East of and 1010.24 feet South 86 degrees 53 minutes 48 seconds East of the Southwest corner of the Southeast Quarter of said Section 35; thence South 01 degrees 33 minutes 23 seconds West, 466.42 feet along the East right-of-way of Daniel's Way to an iron pin; thence South 88 degrees 26 minutes 37 seconds East, 764.96 feet along the North line of Lot 3 of Park 48, Phase 2 Subdivision, to an iron pin at the Northeast corner of said Lot 3; thence North 01 degrees 47 minutes 59 seconds East, 445.71 feet to a point; thence North 86 degrees 53 minutes 48 seconds West, 767.13 feet to the point of beginning and containing 8.019 acres, more or less.

ALSO, Lot Numbered five (5) of Park 48, Phase 3 Subdivision as recorded in the office of the Monroe County, Indiana Recorder on February 23, 1995.

Sabin Corporation	**Van Buren**	**53-09-01-401-001.000-015**
Sabin Corporation	**Van Buren**	**53-09-01-401-004.000-015**

3800 Constitution Dr. ORIGINAL
Bloomington IN 47403

RECORDED
A.M.____ P.M. 1:44

JAN 12 1996

CORPORATE WARRANTY DEED

600614

BOOK 441 PAGE 148

RECORDER MONROE CO. IN

THIS INDENTURE WITNESSETH, That CORPORATE MEDICAL SERVICES, INC., a Florida corporation authorized to do business in the State of Indiana, ("Grantor") CONVEYS AND WARRANTS to SABIN CORPORATION, an Indiana corporation, for the sum of One Dollar ($1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate in Monroe County, in the State of Indiana:

Lot Number Four (4) PARK 37, PHASE III, as shown by the Plat thereof, recorded in Plat Book 8, page 123, now Plat Cabinet B, Envelope 348, in the office of the Recorder of Monroe County, Indiana.

Lot Number Nineteen (19) PARK 37, PHASE IX, as shown by the Plat thereof, recorded in Plat Cabinet C, Envelope 164, in the office of the Recorder of Monroe County, Indiana.

Together with a non-exclusive easement for ingress and egress over and along Liberty Drive.

SUBJECT to all easements, setbacks and rights of way of record in the recorded Plats for Lot Number Four (4), PARK 37, PHASE III, recorded in Plat Cabinet B, Envelope 348, and for Lot Number Nineteen (19) recorded in Plat Cabinet C, Envelope 164, in the office of the Recorder of Monroe County, Indiana.

SUBJECT to the Amended Declaration of Development Standards, Covenants and Restrictions Park 37, recorded September 19, 1991, as Instrument No. 112821, in Misc. Record 210, pages 162-178, and referred to in the recorded Plat for Lot 17, Park 37, Phase VIII, recorded in the office of the Recorder of Monroe County, Indiana.

SUBJECT to taxes for the year 1995, due and payable in May and November, 1996, and all subsequent taxes and assessments.

NO GROSS INCOME TAX DUE AS A RESULT OF THIS CONVEYANCE.

Bill C. Brown, President, and Lois C. Tenney, Assistant Secretary, hereby certify that they are duly elected and acting officers authorized by the Board of Directors of Corporate Medical Services, Inc., a Florida Corporation, to execute documents on behalf of said Corpration.

IN WITNESS WHEREOF, the Grantor has executed this deed, this 12th day of January, 1996.

CORPORATE MEDICAL SERVICES, INC.
a Florida corporation

By _____
Bill C. Brown, President

ATTEST:
Lois C. Tenney
Lois C. Tenney, Assistant Secretary

DULY ENTERED
FOR TAXATION

JAN 12 1996

Margaret Cook
Auditor Monroe County, Indiana

016-24290-00
016-24290-01

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

Subscribed and sworn to before me, a notary public in and for said County and State, this 12th day of January, 1996, at which time Bill C. Brown and Lois C. Tenney, President and Assistant Secretary, respectively, of Corporate Medical Services, Inc., a Florida corporation authorized to do business in the State of Indiana, as GRANTOR, personally appeared and acknowledged the execution of the above and foregoing WARRANTY DEED to be a voluntary act and deed.

Harriette V. Duncan

Printed: Harriette V. Duncan
Notary Public Residing in
Monroe County, Indiana

My Commission Expires:
January 24, 1999

This Instrument Prepared by:
Frank A. Barnhart, Attorney at Law
P.O. Box 1234
Bloomington, Indiana 47402
812-332-9476

EXHIBIT D

The Payment in Lieu of Annexation of one hundred thousand dollars ($100,000) from Cook to the City required under paragraph 4 of this Agreement shall remain at that amount for the five annual payments from 2018 through 2022.

For the ten annual payments due beginning in May 2023 and thereafter the amount due is determined based on achievement of year-over-year increases in employment and investments above 2017 baselines as follows:

1. Cook has a 2017 baseline employment of full time equivalent employees in or at the Covered Properties of 3,144 (the "Baseline").

2. As of December 31, 2022 and annually thereafter through termination of this Agreement, Cook shall have achieved for the year just ending an increase in its full time equivalent employment count related to the Covered Properties at the minimum levels set forth in the chart below, and Cook shall continue to maintain employment at the increased levels achieved.

3. As of December 31, 2022 and annually thereafter through termination of this Agreement, Cook shall have made in the year just ending net new investment in real estate improvements and/or new personal property acquisitions related to the Covered Properties at the minimum levels set forth in the chart below.

4. If at any point during the term of the Agreement Cook achieves employment growth of 500 additional full time equivalent employees above the Baseline, and maintains employment at that level for the remaining term of the Agreement, and Cook reaches one hundred million dollars ($100,000,000) of net new investment overall, the annual Payment in Lieu of Annexation shall remain at one hundred thousand dollars ($100,000) for the remaining term of the Agreement.

5. Beginning in 2023 and thereafter, the annual Payment in Lieu of Annexation in a) any year in which Cook is unable to achieve any applicable annual requirements specified in this Exhibit D, and/or b) any year in which Cook has failed to maintain employment or investment at the previously achieved levels, shall be $250,000.

By December 31	Employment Level	Cumulative Net New Investment
2022	3,194*	$10,000,000
2023	3,244	$20,000,000
2024	3,294	$30,000,000
2025	3,344	$40,000,000
2026	3,394	$50,000,000
2027	3,444	$60,000,000
2028	3,494	$70,000,000
2029	3,544	$80,000,000
2030	3,594	$90,000,000
2031	3,644	$100,000,000

*Baseline (3,144) + 50

CITY OF BLOOMINGTON
LEGAL DEPARTMENT
MEMORANDUM

TO: **Members of the Common Council of the City of Bloomington**

FROM: **Philippa Guthrie, Corporation Counsel**

CC: **Dan Sherman, Council Administrator/Attorney**

RE: **Agreement in Lieu of Annexation with Cook**

DATE: **October 4, 2017**

Indiana Code §36-4-3-21 permits a municipality to enter into an agreement with a property owner in which the property owner makes payments in lieu of taxes in exchange for the municipality's agreement not to annex the owner's property ("Agreement in Lieu of Annexation"). The City of Bloomington ("City") has entered into Agreements in Lieu of Annexation in the past with local industries. The first agreement was in 1979, and it would have expired in 1994. However, the agreement was modified in 1987 with a new expiration date in 2002, and then modified again in 1997. That 1997 Agreement in Lieu of Annexation eventually expired in December 2012 and it was not renewed or replaced.

The Administration is proposing to enter into the attached Agreement in Lieu of Annexation with Cook, Incorporated and certain of its affiliated entities ("Cook"). The Agreement would take effect in 2017 and last for fifteen (15) years, as permitted by state statute. Over the term of the Agreement, Cook would be obligated to pay, in lieu of taxes, a minimum of $100,000 per year, for a total of $1.5 million over the life of the Agreement. The Agreement provides that the annual payment will increase if Cook fails to meet certain prescribed goals for annual and overall financial investment and increased employment in Monroe County. In exchange for the payments, the City agrees not to annex specifically identified Cook real property in Monroe County. All payments received from Cook would be deposited into the General Fund.

The Administration believes it is important to encourage, promote and retain local industrial partners, including Cook, which is a national player in its industry and a crucial linchpin of the local and regional economy. Cook has just announced that it expects to purchase the former GE Appliances plant on Curry Pike by the end of 2017 in order to expand its operations and grow employment by over 500 jobs in the next 10 years. This move represents a local investment of millions of dollars and the proposed Agreement in Lieu of Annexation is a significant factor in Cook's willingness to continue to invest in our community.

The Administration and Cook believe that this Agreement is in the best interests of the City, Cook, Monroe County, and their various constituents, and we ask that the Common Council approve it.

RESOLUTION 17-38

SUPPORTING PASSAGE OF A FOOD AND BEVERAGE TAX TO FUND EXPANSION OF THE MONROE COUNTY CONVENTION CENTER

WHEREAS, the Monroe County Convention Center ("Convention Center") was built in 1923 for the Graham Motor Sales company and converted to a Convention Center in 1991; and

WHEREAS, the Convention Center is the second most sought-after destination for groups seeking to hold events of significant size in Indiana, surpassed only by the Indianapolis Convention Center; and

WHEREAS, people attending events at the Convention Center also patronize restaurants and shops in Bloomington, and the resulting combined impact on the local economy over the past twenty-five (25) years is estimated at approximately $256 million dollars; and

WHEREAS, the Convention Center was upgraded and remodeled, but not enlarged, in 2012, and its current size has limited its ability to accommodate many groups desiring to hold events in Bloomington, including approximately forty (40) groups in 2016 alone that could not be accommodated; and

WHEREAS, Monroe County ("County") and the City of Bloomington ("City") agree that an expanded Convention Center would provide civic benefits such as more meeting space and a greater variety of events, as well as significantly enhance the local economy through additional visitors to the area and increased employment opportunities; and

WHEREAS, the County and City agree that any project to expand the Convention Center requires their collaboration, and they have together taken initial steps towards realizing a project to expand the Convention Center (the "Project"), including issuing a Request for Proposals ("RFP") to potential hotel and convention center developers and reviewing responses prior to approving a development partner; and

WHEREAS, a significant remaining step is securing funding for the Project, and the Common Council wishes to express its support for securing such funding via certain County excise tax revenues provided for under I.C. 6-9-41 ("Food and Beverage Tax");

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

SECTION I. The City of Bloomington strongly supports the passage of a county Food and Beverage Tax under the authority granted to the Monroe County Council pursuant to I.C. 6-9-41; the City urges the County Commissioners and County Councilmembers to pass such a tax; and, the City pledges its cooperation, as needed, in the administration and use of the tax proceeds to fund the expansion of the Monroe County Convention Center.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2017.

_____
SUSAN SANDBERG, President
Bloomington Common Council

ATTEST:

_____
NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2017.

_____
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2017.

_____
JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This resolution expresses the City of Bloomington's support for Monroe County to pass a local food and beverage tax to fund the expansion of the Monroe County Convention Center. Because of its limited size, the Convention Center has been unable to accommodate many requests from groups wishing to hold events there over the past several years. Expanding the size of the Convention Center and its adjacent hotel will significantly enhance the economic and civic benefits of the Convention Center for the citizens of Monroe County and the City of Bloomington.

LETTER OF INTENT

Between

CITY OF BLOOMINGTON

And

MONROE COUNTY GOVERNMENT

LETTER OF INTENT

THIS LETTER OF INTENT ("LOI") is entered into by and between the City of Bloomington ("City"), and Monroe County Government, by its Board of Commissioners ("County").

WHEREAS, the Monroe County Convention Center ("Convention Center") was built in 1923 for the Graham Motor Sales company and converted to a Convention Center in 1991; and

WHEREAS, the Convention Center is the second most sought after destination for groups seeking to hold events of significant size in Indiana, surpassed only by the Indianapolis Convention Center; and

WHEREAS, people attending events at the Convention Center also patronize restaurants and shops in the City of Bloomington, and the resulting combined impact on the local economy over the past twenty-five (25) years is estimated at approximately $256 million dollars; and

WHEREAS, the Convention Center was upgraded and remodeled, but not enlarged, in 2012, and its current size has limited its ability to accommodate many groups desiring to hold events in Bloomington, including approximately forty (40) groups in 2016 alone that could not be accommodated; and

WHEREAS, the County and the City agree that an expanded Convention Center would provide civic benefits such as more meeting space and a greater variety of events, as well as significantly enhance the local economy through additional visitors to the area and increased employment opportunities; and

WHEREAS, the County and City agree that a project to expand the Convention Center requires their collaboration, and that a project is unlikely to move forward without the availability of certain county excise tax revenues provided for under Indiana Code § 6-9-41-0.3, *et seq.* ("Food and Beverage Tax"); and

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

Section 1. Project

The City and County agree to collaborate on a project to expand the Convention Center ("Project") for the benefit of the County, the City, their collective residents and the surrounding region.

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Section 2. Adoption of Ordinance

The County agrees to pursue all means available for funding the construction of an expanded convention center in Monroe County, including adoption of an ordinance for a Food and Beverage Tax.

Section 3. City Use of Food and Beverage Tax Revenue

In the event the County adopts an ordinance approving a Food and Beverage Tax, the City hereby pledges that, subject to Section 5 below and I.C. § 6-9-41-16, the monthly tax revenue distributed under I.C. § 6-9-41-13 ("Tax Allocation") to the City shall be used in accordance with I.C. § 6-9-41-15 for the following purposes:

- Construction and/or renovation of a convention center
- Financing or refinancing of a convention center
- Operation of a convention center
- Maintenance of a convention center

Section 4. County Use of Food and Beverage Tax Revenue

In the event the County adopts an ordinance approving a Food and Beverage Tax, the County and City agree that, subject to I.C. § 6-9-41-16, the County may use one hundred percent (100%) of the Tax Allocation to the County in accordance with I.C. § 6-9-41-14 for related tourism or economic development projects.

Section 5. Other Uses of Food and Beverage Tax Revenue

The County and City agree that the City may use up to 7.5% of its Tax Allocation for related tourism or economic development projects that support the convention center expansion project, as permitted under I.C. § 6-9-41-15. The balance of the City allocation will be used solely to support items stated in Section 3. At such time as the construction aspect of the Project is completed and all costs of the construction aspect of the Project have been paid, the first priority of the funding will be to supplement the Inn Keepers tax for the necessary expenses, as determined by the Advisory Commission, for operation and maintenance of the Project. Any Tax Allocation in excess of that may be used for related tourism or economic development projects as allowed under I.C. § 6-9-41-12 and appropriately authorized under I.C. § 6-9-41-16.

Section 6. Advisory Commission

In the event the County passes a Food and Beverage Tax, as required under I.C. §6-9-41-16, the parties shall set up an Advisory Commission composed of the members specified in the statute to "assist efforts of the county and city fiscal bodies regarding the utilization of food and beverage tax receipts." The City executive shall select _____ of the three members identified in I.C. § 6-9-41-16(a)(1), and the County executive shall select _____ of the three members identified in I.C. § 6-9-41-16(a)(1).

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Section 7. Definitive Agreement

The parties have executed this LOI to signify their joint commitment to pursuing and funding the Project, and hereby agree to enter into a definitive agreement that encompasses remaining aspects of the Project and other issues related to the Convention Center at a later date.

Section 8. Notices

Notice given by either party to the other under this LOI shall be in writing and delivered at the addresses provided below:

CITY
City of Bloomington Legal Department
401 North Morton, Suite 220
Bloomington, Indiana 47404
(812) 349-3426 (phone)
(812) 349-3441 (fax)

COUNTY
Monroe County Attorney's Office
Courthouse, Room 220
Bloomington, Indiana 47404
(812) 349-2525 (phone)
(812) 349-2982 (fax)

Section 9. Authority of Parties

Each party warrants that it is authorized to enter in this LOI, that the person signing on its behalf is duly authorized to execute the LOI, and that no other signatures are necessary.

Section 10. Counterparts

The parties may execute this LOI in counterparts, each of which is deemed an original and all of which constitute only one original.

Section 11. Binding Nature

This LOI does not purport to be or constitute a binding agreement between the City and County, but is merely an expression of the future intent of the parties, which is subject to satisfaction of the conditions set forth herein. This LOI is not intended to impose any obligation whatsoever on either of the parties, and the parties may not reasonably rely on any promises inconsistent with this paragraph.

IN WITNESS WHEREOF, the parties hereto have caused this LOI to be executed for and on their behalf the day and year first hereinafter written.

CITY

_____
John Hamilton, Mayor

COUNTY

_____
Julie Thomas, President

DRAFT

Board of Commissioners

Attest:

_____
Amanda Barge, Vice President

_____
Nicole Bolden, Clerk

Date: _____

_____
Patrick Stoffers, Commissioner

Attest:

_____
Cathy Smith, Auditor

Date: _____

DRAFT

CITY OF BLOOMINGTON

Office of the Mayor

Memorandum

To: Members of the City of Bloomington Common Council

From: Mick Renneisen, Deputy Mayor

Date: September 30, 2017

City Administration requests your support of Resolution 17-38 Supporting Passage of a Food and Beverage Tax to Fund Expansion of the Monroe County Convention Center. In the 25 plus years that the current Convention Center has been in operation, it has generated $256M in economic impact. The Center currently holds an average of 500 events, both civic and convention related, each year. The Convention Center as it exists today, has the smallest meeting space in the state. However, Bloomington/Monroe County is the 2nd most desirable location for conventions. The Convention Center staff and Visit Bloomington staff indicate that more than 200 organizations in the past 10 years have been unable to hold their events at the existing Convention Center due to insufficient meeting space,.

Feasibility studies have been conducted previously to determine the need, cost and funding sources for expanding the existing Convention Center. All the studies indicate that expansion of the Convention Center is feasible and would have a positive impact on the local economy. While there are several funding mechanisms that have been identified, the most viable option, and the mechanism supported by the City Administration, is the adoption of a 1% Food and Beverage tax on prepared foods in Bloomington/Monroe County. A 1% food and beverage tax has the potential to generate close to $3M annually for the City and County. This funding mechanism was enabled by the State Legislature in 2009 at the request of local officials specifically to "finance, refinance, construct, operate and maintain a convention center, conference center, or related tourism or economic development projects." There are 27 other Indiana communities that have implemented a food and beverage tax. As part of this resolution, the City is confirming, in a draft Letter of Intent, to pledge its portion of a food and beverage tax, if enacted, toward the construction and operation of an expanded Convention Center.

Why is there a need for convention center expansion?

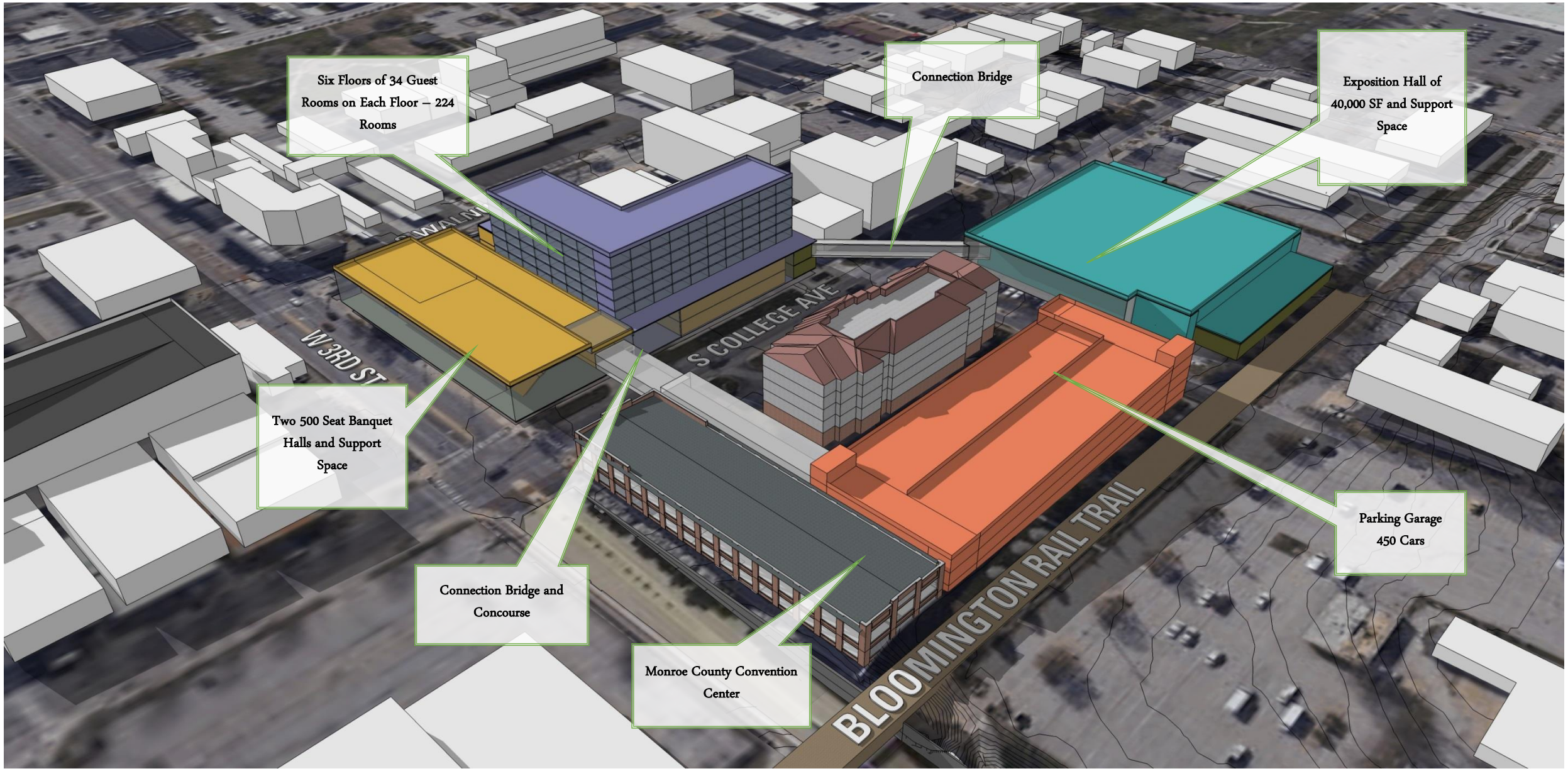
- In studies done by the tourism and convention industry, Bloomington/Monroe County is the second most popular meeting destination in Indiana. However, it has the smallest convention center in the state and has no headquarter hotel.
- The expansion of the Monroe Convention Center is critical to the growth of the lucrative convention and tourism industry. As of 2015, there are 7,611 tourism supported jobs in Monroe County. The local impact of tourism in 2015 was estimated at $288M.
- It is estimated that the expansion would have an additional $17M economic impact to the City and County. In addition, 200 construction jobs would be created during the building of the expansion and, once completed, the expanded convention center would create over 200 full-time jobs for Bloomington/Monroe County residents.
- An expanded Convention Center would revitalize a large area of the downtown and complement other City investments in the "string of pearls" that the City Administration is pursuing.

We urge your support of Resolution 17-38 and the accompanying Letter of Intent between the City of Bloomington and Monroe County Government. We believe that this is a tremendous opportunity for the continued redevelopment and enhancement of the vitality of the City's downtown core area. We believe that a partnership with our colleagues in County Government, Visit Bloomington, Downtown Bloomington Inc., and the current management of the Convention Center is the most appropriate path forward to a successful project.

PROPOSED SCHEME I AERIAL VIEW FROM NORTHEAST

9-25-17

RATIO



PROPOSED SCHEME I AERIAL VIEW FROM NORTHWEST

9-25-17

RATIO